



## GENDER, GENERATION AND AGRARIAN CHANGE: CASES FROM MYANMAR AND CAMBODIA

Clara Mi Young Park

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# GENDER, GENERATION AND AGRARIAN CHANGE: CASES FROM MYANMAR AND CAMBODIA

GENDER, GENERATIE EN LANDBOUWVERANDERINGEN: EEN  
CASESTUDYONDERZOEK IN MYANMAR EN CAMBODJA

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Clara Mi Young Park

born in Rome, Italy

International  
Institute of  
Social Studies

The logo of Erasmus University, featuring the word "Erasmus" in a stylized, cursive script.

Erasmus University Rotterdam

## **Doctoral Committee**

### **Doctoral dissertation supervisors**

Prof.dr. S.M. Borras

Prof.dr. W.J. Harcourt

### **Other members**

Prof.dr. I.P. van Staveren

Dr. R.J. Elmhirst, University of Brighton

Dr. R.B.C. Huijsmans

*Dedication*

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*I dedicate this thesis to my parents who always gave unwavering support to this project which is theirs as much as mine. Their lives and spirits have continued to be a source of inspiration and guidance throughout this journey, even after they left this earth. I am sure that they are as proud and thrilled as I am.*



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## Acronyms

CAT	Conservation Alliance of Tanawthari
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFS	Committee on World Food Security
CSA	Climate Smart Agriculture
CSO	Civil Society Organization
DALMS	Department of Agricultural Land Management and Statistics
EAO	Ethnic Armed Organizations
ELC	Economic Land Concession
FAO	Food and Agriculture Organization of the United Nations
FD	Forest Department
FGD	Focus Group Discussion
FFI	Flora Fauna International
FL	Farmland Law
FPE	Feminist Political Ecology
FPIC	Free Prior and Informed Consent
GDI	Gender Development Index
GDP	Gross Domestic Product
GEF	Global Environmental Facility
GII	Gender Inequality Index
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Internally Displaced Person
IFAD	International Fund for Agricultural Development

IFC	International Finance Corporation
ILC	International Land Coalition
INGO	International Non-governmental Organization
KNU	Karen National Union
LUC	Land Use Certificate
MAC	Myanmar Auto Corporation
MAFF	Ministry of Agriculture, Forestry, and Fishery
MOALI	Ministry of Agriculture, Livestock and Irrigation
MONREC	Ministry of Natural Resource, Environment and Conservation
MSPP	Myanmar Stark Prestige Plantation Ltd. Co
NCA	National Ceasefire Agreement
NGO	Non-governmental Organization
NLD	National League for Democracy
NLUC	National Land Use Committee
PA	Protected Areas
PRLCN	Prey Lang Community Network
REDD+	Reducing Emissions from Deforestation and Degradation
SEZ	Special Economic Zone
TG	Tenure Guidelines
UG	Union Government of the Republic of Myanmar
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
USD	US Dollar
VFV	Vacant, Fallow and Virgin Land Management Law
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
WFP	The World Food Programme



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## Abstract

Rural communities, physical landscapes and social relations have been deeply transformed in countries in Southeast Asia by the effects of the *global land rush*. The surge of initiatives around industrial development, hydropower projects, monocrop commercial plantations, mining and conservation has given way to a process of appropriation of land and natural resources unprecedented in scale, speed and scope. This has been underwritten by a favourable environment of neoliberal market-driven reforms, trade policies and investment flows that are the expression of the fast-track development model embraced by most countries in the region, including Cambodia and Myanmar. Today, the climate change agenda and the commitments to reduce emissions have created the conditions for an expanded menu of land and resource grabs justified in the name of the environmental good, so-called ‘green grabs’. Southeast Asia has thus become a “core region of concern in land grab studies”.

This body of work has also begun to integrate gender and, to a lesser extent, generational perspectives in analyses of agrarian and environmental transformations, advancing a more nuanced understanding of the impacts of land grabs. However, to date literature in these areas remains limited, while, as in land grabs studies, ‘local people’ and ‘local communities’ are often assumed to be homogeneous groups of people with similar interests, identities and aspirations. This has not only severe analytical limitations but also political implications.

This is a time in which different visions and pathways towards transformation and sustainability are confronting each other and shaping the politics of agrarian and environmental change. Increasing pressures on land and natural resources have given rise to political reactions and mobilization from below. New spaces for addressing power imbalances and structural inequalities are being created within counter-visions of social justice, environmental sustainability and alternative economies. By engaging with a “politically

charged, high profile arena”, scholars and activists can thus open opportunities for centring gender and generational justice in the politics of land grabs, in the context of struggles for social justice.

Building on feminist political economy and with feminist political ecology as the overarching intellectual and political project, this thesis contributes to furthering the understanding of the implications of land grab in Southeast Asia with an analysis of gendered and ‘generationed’ patterns of rural dispossession, incorporation and political reactions from below with empirical evidence from Cambodia and Myanmar. The thesis also aims *to make the case for centring gender and generations into the politics of land grabs* and argues that there can be no real social justice if attention is not paid to everyday struggles in diverse contexts and without a commitment to changing power relations that perpetuate social injustices. Finally, this thesis is the testimony of my personal and intellectual journey in search of ways to bring together my experience as a development practitioner and gender specialist, engaged researcher, and feminist, and contribute to bridging divides towards meaningful transformation.



*Gender, generatie en landbouwveranderingen: een casestudyonderzoek in Myanmar en Cambodja*



## Samenvatting

Plattelandsgemeenschappen, fysieke landschappen en sociale relaties zijn in de landen in Zuidoost-Azië diepgaand veranderd door de gevolgen van de wereldwijde *land rush*. De golf van initiatieven rond industriële ontwikkeling, waterkrachtprojecten, commerciële monocultuurplantages, mijnbouw en natuurbehoud heeft geleid tot een proces van toe-eigening van grond en natuurlijke hulpbronnen op ongekeerde schaal en met een niet eerder vertoonde snelheid en reikwijdte. Dit wordt gefaciliteerd door een gunstig klimaat van neoliberale marktgestuurde hervormingen, investeringsstromen en vormen van handelsbeleid die voortvloeiën uit het snelle ontwikkelingsmodel dat door de meeste landen in de regio wordt omarmd. Tot deze landen behoren ook Cambodja en Myanmar. De huidige klimaatveranderingsagenda en toezeggingen om de uitstoot te verminderen hebben de voorwaarden geschapen voor een grootschalige toe-eigening van grond en hulpbronnen uit naam van het milieu: de zogenaamde 'groene landroof'. Zuidoost-Azië is daarmee een 'kernregio van zorg geworden in onderzoek naar landroof.'

In dit onderzoek wordt tegenwoordig ook gekeken naar de rol die gender en (in mindere mate) generatie spelen bij agrarische en ecologische transformaties. Hierdoor ontstaat een genuanceerder inzicht in de effecten van landroof. Tot op heden is de literatuur op dit gebied echter nog steeds beperkt. Ook wordt in onderzoek naar landroof vaak aangenomen dat 'lokale mensen' en 'lokale gemeenschappen' homogene groepen vormen waarvan de leden gelijksoortige belangen, identiteiten en aspiraties hebben. Dit leidt niet

alleen vanuit analytisch oogpunt tot ernstige beperkingen, maar heeft ook politieke implicaties.

We leven in een tijd met verschillende tegenstrijdige visies op transformatie en duurzaamheid en op de wegen daarnaartoe. Deze visies geven vorm aan de politiek van agrarische en ecologische verandering. De toenemende druk op grond en natuurlijke hulpbronnen heeft geleid tot politieke reacties en mobilisatie van onderaf. Een alternatieve kijk op sociale rechtvaardigheid, duurzaamheid en alternatieve economieën biedt nieuwe ruimte voor het aanpakken van machtsongelijkheid en structurele onevenwichtigheden. Door een ‘politiek geladen, spraakmakende arena’ te betreden, krijgen wetenschappers en activisten de mogelijkheid om gender- en generatierechtvaardigheid centraal te stellen in de politiek van landroof binnen de context van de strijd om sociale rechtvaardigheid.

Op basis van de feministische politieke economie en met de feministische politieke ecologie als overkoepelend intellectueel en politiek project biedt dit onderzoek een analyse van gender- en generatiepatronen van onteigening, incorporatie en politieke reacties van onderaf met empirische gegevens uit Cambodja en Myanmar. Daarmee draagt dit proefschrift bij tot een beter begrip van de implicaties van landroof in Zuidoost-Azië. Dit proefschrift is ook *een pleidooi voor het inbedden van gender en generaties in de politiek van landroof*. Er wordt betoogd dat er geen sprake kan zijn van werkelijke sociale rechtvaardigheid zonder aandacht te besteden aan de alledaagse strijd in diverse contexten en zonder zich in te zetten voor het veranderen van machtsverhoudingen die sociale onrechtvaardigheid bestendigen. Tot slot is het proefschrift de getuigenis van mijn persoonlijke en intellectuele zoektocht naar wegen om mijn ervaring als ontwikkelingswerker en genderspecialist, geëngageerd onderzoeker en feminist samen te brengen en daarmee bij te dragen aan het overbruggen van een kloof en te komen tot zinvolle transformatie.



## Preface

In 2008, when the global food prices crisis hit, I was consulting with the gender team of the Food and Agriculture Organization (FAO), one of the specialized agencies of the United Nations (UN) working on the development of a database on gender and land rights. In the emergent and growing proliferation of reports, journal articles, analyses and media headlines on the land grabbing phenomenon that followed immediately afterwards, gender was glaringly absent. This is when, in a forward-thinking move, my then supervisor had the intuition to suggest that it was critical to put gender on the agenda of ‘land-based investments/land deals’, as they were referred to within FAO. The organization was involved in several initiatives to develop voluntary guidelines, including on governance of tenure and agricultural investments, and gender had to be there. As a first step and to raise awareness with the organization, we organized a first small workshop in 2011; Ruth Meinzen-Dick and Elizabeth Daley, among the first to write on the topic from a gender perspective, were invited to present their work. Overall, the assessment was that there was not enough evidence. Soon after, a small research programme was initiated to conduct case studies in a few countries in Africa and Asia. I was supporting the overall management of the programme and was also part of the research team of two of the studies, one in each region. The aim of the programme was to explore the gender implications of land-based investments and possibly identify mitigating factors and good ‘practices’ – in inclusive business models, labour practices, consultations etc. - working collaboratively with willing investors. In 2013, at a workshop on land grabs held in Rome, I met Prof. Jun Borras. During the course of the project, I had become really interested in the topic, especially after the field work, and wanted to know more. I had always wanted to do a PhD and realized this could be a good opportunity. I had grown somewhat uncomfortable with the framing

of the programme, and with the language of good practices, good business models and win-win solutions. I contacted Prof. Borrás and asked him whether he would be willing to supervise me, having explained my research interests. Soon after I travelled to The Hague to attend a seminar organized under the umbrella of the Land Deal Politics Initiative where I met also Prof. Max Spoor and Prof. Ben White. I spent a few months at ISS in early 2014 and formally joined the PhD programme in April that year with a research proposal that back then focused only on Cambodia.

My intellectual, physical, emotional and personal journey since then has been long, tortuous, often uphill and strenuous, but also liberating and inspiring. In the course of it, I moved to Asia, joined the organization I had been consulting with as gender advisor and staff member, lost both of my beloved parents, and accompanied my two children through and out of turbulent teen years. Starting in 2015, I began to visit Myanmar more often and to do research, engaging with the teams and partners there. In both countries, I made many female and male friends, met bright scholars, committed and inspiring activists, rural women and men who hosted me and shared with me their time, meals and stories. This journey has changed me in unimaginable ways, at a very profound personal level. I could no longer not interrogate the nature and politics of Development and, at a more practical level, the activities that I was engaged in in my professional life. At the same time, I was often pushed into questioning some forms of militant academe that dismisses as evil everything that development organizations do. For instance, I saw grassroot activists make good and strategic use of voluntary instruments get sacked as ineffective by some scholars.

Having a history of volunteering and activism with women's groups, when I started my new job as gender advisor, I approached the whole toolbox of gender mainstreaming with caution. But I also soon realized that in certain contexts, it was an effective way to put gender on the agenda of technical ministries and policies related to farming, land rights, forestry, fisheries. I could understand and appreciate in full the trajectory from the Women In Development (WID) to Gender and Development (GAD), and relate to the joys and sorrows of being a 'femocrat' (Cornwall, 2007). To put it in Anne Marie Goetz's (2004: 137) eloquent words:

The translation of a radical idea about social change into bureaucratic targets and procedures unavoidably results in something less world-shattering than the original revolutionary intention. Bureaucracies, whether of a

bilateral development agency, a multilateral economic institution, a developing state or a nongovernmental organisation (NGO), impose a discipline of classification, ordering and above all, containment, that has tended to strip the gender and development project of its ambition to eliminate gendered power disparities, and instead to focus upon achievable practical projects – microfinance instead of employment and property rights, for instance.

But it would be churlish to dismiss or denigrate the achievements of women and men who have pursued the gender mainstreaming project inside development bureaucracies. These bureaucracies are often deeply resistant to gender-equity concerns, and the women-targeted or gender-sensitive programmes that they may produce are the result of often intense internal struggle by committed staff members.

Goetz also calls on all those feminists working in development to think about “credible alternative to current-market based orthodoxies” and break away from the neoliberal Washington consensus that considers markets the panacea for all problems of economic growth and resource distribution (2004: 137).

I start this introduction with these personal insights in order to situate myself in this research and intellectual process (which I discuss more in detail later in the chapter) and to illuminate my journey, which has been an integral part of my PhD project.

# 1

## Gender, generations and agrarian change: problem, questions, methodology and theoretical exploration

### 1.1 Making the case for gender and generation in land grab studies

“Heterogeneous and unequal encounters can lead to new arrangements of culture and power.” (Tsing, 2005)

Rural communities, physical landscapes and social relations have been deeply transformed in countries in Southeast Asia by the effects of the global land rush – a massive push to grab “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) away from legitimate and long-term users and people depending on them (see journal special issue edited by Schoenberger et al., 2017). The surge of initiatives around industrial development, hydropower projects, monocrop commercial plantations, mining and conservation have given way to a process of appropriation of land and natural resources unprecedented in scale, speed and scope. This has been underwritten by a favourable environment of neoliberal market-driven reforms, trade policies and investment flows that are the expression of the fast-track development model embraced by most countries in the region. In Southeast Asia, with the exception of Thailand, countries have promoted models of agricultural development based on large-scale land concessions focused largely on export commodities (Hall et al., 2011; Ingalls et al., 2018) and boom crops, such as oil palm, sugar,

and rubber. Southeast Asia has thus quickly become a “core region of concern in land grab studies” (Schoenberger et al., 2017: 702).

Today, the climate change agenda and the commitments to reduce emissions, pledged by countries through the 2015 Paris Agreement, have created the conditions for an expanded menu of land and resource grabs justified in the name of the environmental good, so-called ‘green grabs’ (Fairhead et al., 2012: 238). These include forest carbon stock initiatives through reforestation and afforestation, such as those under the mechanism for “Reducing emissions from deforestation and forest degradation” (REDD+)<sup>1</sup>, efforts to promote forest conservation and management, flex crop monoculture plantations, particularly palm oil – flex crops being crops that have “multiple and flexible uses” (Borras et al., 2012: 846) – and hydropower dams among others (Corbera et al., 2017; Hunsberger et al., 2017). Recently, Borras and Franco (2018) have also argued that mainstream concepts of Climate Smart Agriculture<sup>2</sup> (CSA) could be the latest discursive deception of the neoliberal agenda to commodify “nature’s products, places and processes” (Peluso, 2012: 74), and humans. By promoting technocratic approaches to reducing emissions, increasing productivity and resilience, CSA endorses land uses that match neoliberal concepts of efficiency that marginalize poor farmers, forest dwellers, and shifting cultivators whose land use may not be considered ‘smart’ enough (Borras and Franco, 2018).

In a recent overview of the evolution of land grab studies in the Southeast Asian context, Schoenberger et al. state that the studies have established themselves as a zone of engagement and “a politically charged, high-profile, coherent, diverse and open arena” (2017: 702). They also note that Southeast Asian scholars working on agrarian and environmental transformations have engaged in nuanced and creative ways with what they identify as the standardized package, which consists of three core elements: the ‘global land grab’, the ‘individual land grab or land deal’, and ‘land grabbing’ highlighting “the importance of history, context-specificity and surprising, contingent or contradictory motivations for land grabbing, rather than one that emphasizes unification and common global drivers” (Schoenberger et al., 2017: 717). They highlight how, born as a field co-produced by a wide range of actors, including activists, academics and policy practitioner, land grab studies have evolved and diversified from the focus on the global phenomenon, initially driven by NGOs, and overseas investments in land following the 2007-2008 food and fuel crisis, to be

seen as a manifestation of the advancement of neoliberal universals. Scholars started to analyse individual land grabs to deconstruct the global land grab and investigate its nature, including the scope, the drivers and the scale. At the same time, growing increasingly uneasy with a narrow focus on measuring the phenomenon, scholars wanted to interrogate the political economy, ecology and sociology of land grabbing. This process, that Schoenberger and colleagues define as the “construction” of land grabbing, “involved significant work of conceptual elaboration and typologising as ‘land grabbing’ was located in the broad context of land-use and agrarian change” and engagement with understandings of enclosure, primitive accumulation, and accumulation by dispossession (Schoenberger, 2017: 702). Researchers and academics also looked at the different shapes that land grabbing took, including green grabbing or ‘land grabbing for environmental ends’ (Bocarejo and Ojeda, 2016; Fairhead et al., 2012; Ojeda, 2012), water grabbing (for instance, see Mehta et al., 2012) and agrofuels and energy-related grabs (Borras et al., 2010; White and Dasgupta, 2010). The financial sector’s interest in farmland as a financial asset and the emergence of new types of investment management organizations has also attracted research attention (Clapp et al., 2017; Clapp and Isakson, 2018; Fairbairn, 2014; Fairbairn et al., 2014; Visser et al., 2015).

From different perspectives and whether subscribing to or confuting the uniqueness and unity of the phenomenon, all this scholarly work “preserved the core idea of a distinct, nameable, contemporary land rush as an object of study” (Schoenberger, 2017: 702). The power of having a consolidated ‘standardized package’ is that the core elements can be used “without having to worry about which precise conceptualization to use” (Ibid, 2017: 703), while engaging in an expanding, vibrant and “high profile arena.”

### ***Gender and generations in land grab studies***

This body of work has also begun to integrate gender and, to a lesser extent, generational perspectives in analyses of agrarian and environmental transformations (Park and White, 2017: 1104), building on feminist scholarship in agrarian political economy, feminist political ecology, development studies and cognate fields. In addition to several inspiring articles<sup>3</sup> published in academic journals in recent years, two special issues have focused on gender in *Feminist Economics* and on gender and generation in *The*



*Journal of Peasant Studies*<sup>4</sup>, advancing a more nuanced understanding of the impacts of land grabs. However, to date, literature in these areas remains limited. This empirical and analytical gap has been highlighted several times as a key silence in the otherwise rich literature on land grabs, prompting several calls for increased attention (Doss, Meinzen-Dick, et al., 2014; Edelman et al., 2013; Hall, Edelman, Borras, et al., 2015), “not just in terms of possible differential impacts of displacement on women and men or on young or older populations, but also in relation to the politics of resistance” (Edelman et al., 2013: 1527).

The assumption that land grabs studies have often made that ‘local people’ and ‘local communities’ are homogeneous groups of people with similar interests, identities and aspirations has serious analytical limitations (Borras and Franco, 2013). Far from being homogenous, local communities are made up of women and men who are differentiated along multiple intersecting axes of social difference including class, gender, sexuality, age, race, ethnicity, religion. Processes of resource access and control and ecological change (Rocheleau et al., 1996: 4), including the struggles of men and women over nature and the environment, shape and are being fundamentally shaped by the power relations imbued in these intersecting differences (Harcourt, 2018: 22), and “directly and indirectly affected by capitalist productions of nature” (Hawkins et al., 2011: 238). For instance, someone’s gender, age and ethnicity – alone or together - may determine if s/he is excluded from or incorporated, and how, into capitalist agriculture (Park et al., 2015: 587).

As the literature on gender and land has shown, the pre-existing situation in land tenure and production systems largely determines the outcomes of land deals for women and men, with women more likely than men to be negatively impacted, and unlikely ever to be part of the emerging ‘progressive farmers’ class (Hall et al., 2011). For instance, a study by Daley (2011) – further elaborated by Daley and Pallas (2014) - analysing case studies conducted in different countries by the International Land Coalition (ILC), identifies four different dimensions of women’s vulnerability to land deals related to land and productive resources, relative (cash) income poverty, physical vulnerability, and participation in decision-making. In spite of their contribution to agriculture and food security, women face systemic discrimination in access to, control, and use over land. Such discrimination may stem from social and cultural norms and be sanctioned in statutory law. For example, in Myanmar, Chin women cannot own land

under customary law. Further, while joint ownership is not prohibited by law, the option of joint ownership was not stated anywhere until the 2016 National Land Use Policy (NLUP). Therefore, in practice, it was widely assumed that land should be registered in the name of the male household head (Namati, 2016). In Southeast Asia, with the exception of Thailand, the share of women landholders scores well below 20 percent<sup>5</sup> (FAO, 2011). In turn, this contributes to exacerbating women's income poverty due to limited access to credit due to a lack of collateral and markets (FAO, 2011). Women's physical vulnerability is exposed when land dispossession and evictions materialize together with rape and sexual abuse (see for example, Karen Human Rights Group, 2006, 2015). Finally, empirical evidence confirms that women are often left out of decision-making processes around land and land deals. For instance, in Indonesia, Julia and White (2012) found that taboos on women's participation in community politics among Hibun Dayak communities put women in a more vulnerable position when the oil palm company came, as they had not participated in community consultation prior to the establishment of the plantation and therefore had no knowledge about it (Julia and White, 2012). These vulnerabilities, in spite of differences among them, make women as a group more vulnerable and thus more likely than men to be negatively affected by the impacts of land deals and commercial pressure on land (Daley, 2011; Pallas and Daley, 2014).

Similarly, Behrman et al. (2012: 51) argue that a gender perspective is crucial to understanding the impact of large-scale land deals "because women and men have different social roles, rights and opportunities and will be differentially affected by any major tenurial regimes, especially land transfers to extralocal investors". This is why considering how gender constraints and differentials play out at different stages of a land deal is important. In addition to the pre-existing situation, which often sees women more disadvantaged than men in accessing and controlling land, it is also important to consider gender in consultation and negotiation, including around contractual agreements and compensation, and in the actual implementation of the investment and consequent changes in land use and production systems. In line with currents that see large-scale land deals as possibly having positive outcomes if regulated properly,<sup>6</sup> they conclude that large-scale land investments that "are properly executed with appropriate attention to gender dimensions ... can provide transformative opportunities for both women and men through the introduction of new

employment and income generation opportunities, new technologies, and new services” (Behrman et al., 2012: 71). Furthermore, in the case of land deals for rural development, attention to gender might actually result in women’s increased access to and control over resources, which could in turn contribute to poverty reduction.

Focusing on ‘gendered project impacts,’ Tsikata and Yaro (2014) used land and labour as analytical lenses to examine two commercial agriculture projects in Northern Ghana and conclude that a good business model is not enough to ensure that women benefit equally with men from agricultural investments. Although the authors concede that some problems in delivering the anticipated benefits were due to the short-lived nature and failure of the projects examined, they hold that the nature of land acquisition and the business model also played a part. Their enquiry is based on the observation that while gender and land literature has often indicated that women are not in a position to benefit from projects because of the pre-existing inequalities, the opportunities themselves are also not gender neutral and likely not to be accessible to women. For instance, the projects analysed for their study all had supplementary initiatives under their corporate social responsibility schemes, such as schools, health facilities and agro-processing technologies, which benefited women. However, more men than women accessed the more substantial and long-term benefits, including paid employment and participation in outgrower schemes. Thus gender differentials in commercial land transactions can arise from biases in the project design and implementation as well as gender inequalities in the division of productive and reproductive labour, resource control, and decision-making (Ibid 2014: 221, 202).

Furthermore, in the agrarian communities affected by land grabs women and girls typically depend on access to land and natural resources for food crops cultivation, water fetching, and collection of firewood and non-timber forest products, including herbs, medicinal plants, vegetables and rattan. Therefore, reduced access to natural resources inevitably affects women and girls in terms of food security and income while also increasing the time burden as they have to walk longer distances to access forests and water sources, and exposing them to heightened risks of attacks and sexual violence (see Chapter 3, 4 and 5).

The implications are also ‘generationed’<sup>7</sup> as the encroachment of large-scale agriculture, conservation and other commercial or development projects on forests and farmland decreases the availability of land that families

can pass on to their children or that can be cleared by for cultivation, depriving young women and men of their reproductive futures (see Chapter 2). For instance, the study by Portilla (2017) in Champasak Province in Laos analyses rural youth's aspirations in the context of agrarian transformation and encumbering large-scale land deals. Her findings challenge the idea that in agrarian transitions peasants and youth in particular will necessarily want to abandon farming. The picture she depicts is one where youth's aspirations for modernity coexist with the everyday reality of farming. In fact, the major stumbling block for young people's farming future is the expansion of monoculture plantations and the decreased availability of land. Taking this further in her study of oil palm plantations in Indonesia, Tania Li (2017) argues that intergenerational 'dispossession mechanisms' are built-in in plantation development models and that the prospects of young people "born into conditions of land scarcity is different from that of a generation living on a plantation frontier when new opportunities open up" (Li, 2017: 1160).

As seen, the existing evidence also shows that more men than women have access to long-term waged employment and, as heads of household, to contract farming schemes. Formal sector jobs are also found to go predominantly to men, with external (migrant) workers being brought in and investors relying on mechanized production methods (Behrman et al., 2012). When wage employment opportunities exist for women, these tend to be highly insecure as it is the case with most plantation work; this means that the changes resulting from women's engagement in these kinds of work are likely to erode social resilience in the long run (Tsikata and Yaro, 2011: 29).

Feminist scholarship has also documented that in so far as women are pushed into wage labour due to economic hardships, they end up with poor pay and working conditions, face the double burden of reproductive work and continue to be more economically vulnerable than men: an increase in paid employment does not produce net positive welfare effects for women (Elson, 1999). Not only is the gender division of domestic labour inelastic, but also "women's absolute or relative income do not necessarily increase the power they have over domestic resources, budgets, decision-making and spending, despite – or because of – the fact that women's expenditure decisions are more likely to benefit the entire household," as noted by Harris-White (2003: 28). Feminist economists, such as

Pearson and Elson, have advanced critiques of the way in which “the production boundary excludes domestic work” (Rai and Waylen, 2013: 9). The invisibility of women’s role in social reproduction contributes to its appropriation and commodification at the service of the state (Molyneux, 2006; Razavi, 2007b), also determined by context and history (Kabeer, 1994). Conversely, revaluing care as an “attentive consciousness of others (and self)” allows us to “think of options in which money doesn't play a central role anymore” (Agostino, 2015: 822).

Among indigenous groups in Cambodia, the impacts of the external shocks that affect communities’ free access to natural resources and subvert traditional food systems, where women’s knowledge as agriculturalists is highly valued, has produced new forms of marginalization of women and girls in the encounter with capitalist relations and mainstream patriarchal values (Chapter 4).

#### *Political reactions from below*

Political reactions to land grabs are also gendered and generationed, with different women and men responding, both individually and collectively, in diverse ways to the promises and threats of land deals (Hall et al. 2015, 468). This, in turn, shapes the politics of land grabs in ways and with implications that are beginning to be investigated more within land grabs studies and have been the focus of feminist political analyses of environmental struggles (see for example, Agostino, 2015; Deere, 2003; Krishna, 2015; Resurrección, 2006; Rocheleau and Nirmal, 2015). While the participation of rural youth in social movements has received little research attention (Ghimire, 2002), that of women is well documented. Women of all ages have been at the forefront of struggles for livelihoods, and for agrarian, environmental and social justice, not only in the era of the global land grab (see for example, Brickell, 2014; Lamb et al., 2017; Morgan, 2017; Park, 2018) but also historically. There are many well-known examples: Wangari Maathai’s Green Belt Movement in Kenya, established in 1997 under the National Council of Women in Kenya, to support rural women’s struggles against environmental degradation, food insecurity, exclusion and disempowerment, and the expansion of commercial agriculture - to date, the movement promotes the idea of ecologically viable and socially just sustainable development rooted in human rights and especially women’s rights (Maathai, 2003); in India, the Chipko movement of the

western Himalaya, with women standing up to protect the forests, has become an iconic ecofeminist story through Vandana Shiva's (1988) account, promoting the idea of women's innate closeness to nature by virtue of their reproductive capacity; peasant women's struggles for land rights and contribution to agrarian social movements across Latin America have also been well documented; highlighting women's role, the conditions in which their participation arose, and the extent to which it translated into advancing social justice and women's rights (Deere, 2003; Potter and Zurita, 2009; Stephen, 2006; Valle, 2009).

It is clear that agrarian and environmental justice movements that contest "unsustainable extraction, trade and consumption of resources" play a key role "in politicizing and confronting such unsustainable resource uses" and, in so doing, in enhancing "ecological sustainability and social justice" (Scheidel et al., 2017: 1–2). While social justice, with gender and generational justice, have been integrated into transnational agrarian and environmental activism, there are still empirical and analytical gaps that could be filled within land grab studies that ought to inform advocacy, claim-making and the identification of alternative economies, ecologies and pathways of sustainability at local and national levels. Land grab studies, as a co-constructed intellectual and political arena, have the potential to contribute to the advancement of an alternative political project. If gender and generational justice are not part of this political project, can there be real social justice? Probably not, as this study will show. As Andrea Cornwall indicates (2007: 77), ultimately using gender as a meaningful analytical category calls for "a closer analysis of the power relations that create and sustain social injustice – and on those social practices, including those of development agencies, that can offer liberating alternatives."

This thesis contributes to furthering the understanding of the implications of land grab in Southeast Asia with an analysis of gendered and 'generationed' patterns of rural dispossession, incorporation and political reactions from below with empirical evidence from Cambodia and Myanmar. The ultimate objective is to make the case for centring gender and generations into the politics of land grabs. The research objectives and questions will be further elaborated in Section 1.5.

While conceptually gender and generation are both important, gender is given more weight in this thesis as empirically youth and generational relations are mainly addressed in Chapters 2 and 4.

## 1.2 Cambodia and Myanmar: ‘emerging bright spots’ or ‘battlegrounds’ of Southeast Asia?

In recent years, both Cambodia and Myanmar have witnessed a surge of land grabs<sup>8</sup>, driven by neoliberal agendas that prioritize fast-track economic growth through the attraction of foreign capital and the transformation of “both human and nonhumans into resources for investment” (Tsing, 2015: 5). Though started at different times, in the early 2000s in Cambodia and in 1991 in Myanmar, with the passing of legislation that allowed large swaths of land to be given out to private investors, the process reached a peak between 2006 and 2011 (Ingalls et al., 2018), at the same time when the 2007-2008 food, fuel, climate and financial crisis was in full swing and domestic and foreign capital started looking for ‘empty’ and ‘underutilized’ lands and natural resources that could be turned into assets for the generation of profit (Borras et al., 2012; Borras and Franco, 2013). By then, legislation allowing land concessions was in place in both countries and the governments were proactively inviting foreign capital. In the *World Investment Report 2013*, Cambodia and Myanmar, together with Vietnam, were referred to as the “emerging bright spots of the subregion” (2013: 45), attracting investments in manufacturing, real and industrial estate development, and telecommunications: a label well deserved and confirmed over time. In 2017, the two countries “continued to attract the lion’s share of aggregate FDI inflows to the region”, reaching USD 4.3 billion in Myanmar - a record high for the sixth year consecutively - and USD 2.8 billion in Cambodia, respectively a 45 percent and 12 percent increase over 2016 (UNCTAD, 2018: 47, 68). The inflow of capital and the subsequent transformations must be understood as part of the broader process of ‘deagrarianization’ of Southeast Asia. A process that, however, goes hand in hand with countertendencies that speak to the resilience of small-scale farming – a ‘puzzle’ well studied in the context of East and Southeast Asia (Rigg et al., 2016) – and farmers’ claims for land and resistance to different forms of ‘exclusion’. On their part, governments restrain and at the same time encourage farming and farmers (Hall et al., 2011: 1–2) in efforts to maintain minimum political legitimacy (Fox, 1993; Harvey, 2003): for instance with policy statements that highlight the role of the agrarian sectors in poverty reduction and inclusive development, and by intervening to regulate land grabs when the “character and extent

of accumulation and dispossession processes threaten” the legitimacy of the state (Borras and Franco, 2013: 1730).

In Cambodia, not only the number of land deals increased sharply after 2005, but the area conceded also doubled twice between 2000 and 2012, from 0.5 million ha in 2000 to more than 1 million ha in 2008 and to over 2 million ha in 2012 (Messerli et al., 2015: 141). In Myanmar, between 2010 and 2013, land area allocated for large-scale private agriculture concessions increased by 170 percent, from 0.7 million ha (1.9 million acres) to 2.1 million ha (5.2 million acres) (Woods, 2015a: viii). As a result, the agrarian structure has changed considerably, with concessions comprising 66 percent and 16 percent of the area cultivated by small farmers in Cambodia and Myanmar respectively (Ingalls et al., 2018: 14).

While having different histories and trajectories, the two countries also share similarities. Both countries have embraced broad socio-economic and political reform agendas in recent years but remain predominantly agrarian societies with a large portion of the population still relying on farming, fishing and access to forests for food, shelter and livelihoods. The contribution of agriculture to the gross domestic product (GDP) has decreased from almost 36 percent in 2001 to 23.4 percent in 2017 in Cambodia and from 58 percent to 26.2 percent in Myanmar. Both have emerged from a recent past of conflict and war where land resources have been sites of contestation, exclusion and state-making, and with extraction strictly within the purview of domestic elites, cronies and the military. Both countries are attracting foreign capital in land-based investments especially from other countries in the region, including China, Thailand, Japan, Malaysia, Korea and Vietnam. Finally, both countries, albeit to different degrees, have adopted the language of gender equality in recent policies, signed up to the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and other major international governance instruments (see Chapter 6), and committed to the Agenda 2030 for Sustainable Development.

The literature on land grabs is much more abundant in Cambodia than in Myanmar, most likely due to the more recent opening up to the world of the latter, as noted by Schoenberger et al. (2017). In Cambodia, often referred to as a ‘hotspot for land grabs’, scholars have analysed several aspects and manifestations of land grabs, including the socio-economic and environmental impacts of Economic Land Concessions (ELCs) for agricultural development and initiatives for forest exploitation (Milne,



2015; Scheidel, 2016; Schoenberger, 2017), state politics of land use and control (Beban et al., 2017; Dwyer, 2015; Milne, 2013; Work and Beban, 2016), the role of middle-income countries (Thuon, 2018), the intersection of different types of grabs (Baird and Barney, 2017), and climate change policies (Scheidel and Work, 2018; Work and Thuon, 2017). In contrast, in Myanmar the literature has focused largely on the land question as an optic to analyse changes in land use and agrarian and environmental transformations more broadly (Woods, 2011, 2015a). With cases of land dispossession increasing from 2012 onwards, civil society organizations (CSO) have also produced several reports on land grabs, explicitly labelled as such, and on specific cases or sectors (Advancing Life and Regenerating Motherland et al., 2018; Land in Our Hands Network, 2015; Tarkapaw et al., 2016) including oil palm and conservation. The nexus of climate change policies and land grabs and the resulting politics and implications for agrarian and environmental justice have also been the focus of recent work (Borras and Franco, 2018; Franco et al., 2017; Woods, 2015b).

In both Cambodia and Myanmar, land and natural resources have been historically the focus of extractivist initiatives that benefited colonial administrations, central states, the military and powerful elites to the detriment of small farmers, fishers and forest-dependent groups, including ethnic and indigenous groups, particularly women and girls (Brickell, 2014; Karen Human Rights Group, 2006, 2015; McGinn, 2015; Tavoyan Women's Union, 2015), and youth in general, as elaborated in this thesis (Chapters 2 and 3). This exploitative tendency continued unabated under the neoliberal orientation of more recent governments, reinvigorated by agendas for sustainable development and climate change mitigation. This, in turn, has resulted in strengthening those “social forces opposed to social justice-oriented land policies of redistribution, recognition, restitution and fairer terms of incorporation of villagers” with potential political impacts that extend far beyond those of individual grabs or land deals (Borras and Franco, 2018: 5). For instance, in Myanmar, the REDD+ draft strategy identifies communities' practices, including shifting cultivation, among the key drivers of deforestation, using the discourse of sustainability and greening development as its rationale.<sup>9</sup> Rocheleau (2015a: 704) defines as ‘dispossession by delegitimization’ the process where “members of peasant and indigenous communities are cast as inefficient farmers who deforest the land, deplete soils, displace wildlife and live in misery. Alternatively,

they may be branded as culturally inauthentic, or falsely accused as violent criminals (especially in the case of leaders).”

Within this process of delegitimization, evidence from this study shows that ethnic and indigenous women are being further marginalized, as the case from Ratanakiri in Cambodia illustrates (Chapter 4). A feminist political ecology (FPE)<sup>10</sup> analysis helps us to understand the implications of these processes in terms of access to resources, changes in gender and other power relations and restructuring of social and ecological relations in communities and households. Importantly FPE also highlights that a focus on women and gender is not enough; it matters how gender intersects with and is shaped by other differences of race, ethnicity, class, age, disability and sexual orientation (Butler, 1990, 2004; Elmhirst, 2015; Nightingale, 2006) in conjunction with hegemonic processes that transform social relations of production and reproduction, and with socio-natures in what Anna Tsing refers to as “aspirations to fulfil universal dreams and schemes” (Tsing, 2015:1).

What emerges is a picture where landscapes, rural livelihoods, gender power relations and social dynamics are being radically transformed, as White et al. (2012: 9) anticipated. Members of affected communities and grassroots groups have resisted and mobilized, with claims for restitution of land, incorporation in capitalist agriculture and alternative counter-visions of development, sustainability and social justice. Women and men, young and old, have taken active part in these struggles; women, notably, have been at the forefront of protests and diverse forms of activism, often at the cost of their bodily integrity and the breakdown in family relations (see for example, Brickell, 2014; Lamb et al., 2017; Park and Maffii, 2017; Tavoyan Women’s Union, 2015). The results of these struggles are as political as the struggles themselves and are shaped by the power dynamics, institutions and actors involved at multiple levels. The gendered implications of these processes are the main focus of this thesis, with their generational dimensions a second concern.

### 1.3 A feminist review of gender and generation in land grab studies

Today there is an increasing body of work that focuses on the gender and generational dimensions of land grabs, although these have captured less research attention and journal space compared to land grab studies. In light of the existing evidence, Levien (2017) makes a compelling case for not overstating what we don't know. It is true that there is little research on the "newest forms of land dispossession", he argues, but there is also a conspicuous body of work on gendered dimensions of land tenure, land reform and land dispossession under earlier historical regimes that can inform current analyses. This is certainly a valuable point; at the same time, however, it is essential not to downplay the significance of engaging specifically with the land grab 'arena' at this particular historical juncture. I use the term 'arena' following Schoenberger and colleagues' (2017) understanding of land grab studies as a co-produced field that has a political and activist agenda at its core.

To illustrate the latter, - that is, the importance of engaging with the land grab arena - I elaborate on Levien's point. I do this by reviewing work that has focused on gender and generational dimensions in current land grab studies in Southeast Asia, and on studies of agrarian and environmental transformations and struggles through the lens of feminist analyses, concepts and theories. The argument is that in order to account fully for social, agrarian and environmental change and inform related struggles, we need to consider gender and generational dimensions. Analytically, this is critically important not only to bridge a knowledge gap but because failure to do so can lead to wrong analyses about changes in land access, control and distribution, production, social reproduction, livelihoods strategies, and distribution of benefits. Politically, it is crucial for steering change in the direction of social justice.

Along this line of thinking, it is important to ask ourselves: what is the status of the knowledge – that is, what do we know? And do we know enough?

#### *What do we know? Do we know enough?*

In the founding issue of *Feminist Economics*, Carmen Diana Deere took

seven widespread assumptions that plague peasant studies, namely: 1) male-headed peasant farm as the basic unit of production; 2) the undifferentiated return to family labour; 3) peasant household strategies; 4) the competitive edge of peasant farms in capitalist markets; 5) peasant social differentiation; 6) the classic analysis of the peasantries; 7) and the determinants of household reproduction. She debunks each of them and shows how gender analysis can illuminate important dimensions of social relations of production and reproduction (Deere, 1995: 53).

The first assumption does not take into account the differences that exist between male and female farming systems and the gendered division of labour of farm activities and tasks in different systems. In patriarchal systems, such as in the Andes, women do the work but have little control over decision-making and use of the products; conversely, in egalitarian systems, more common among poor households, women's labour contribution corresponds with their having more say and control. This finding is also strongly connected to the second assumption on the undifferentiated return to family labour. Third, by invoking studies (for example, Hart, 1986) that have shown how gender and generational hierarchies and struggles are central to understanding household economy and strategies, Deere questions the unity of the peasant household and the assumption that household strategies reflect the interests of all and thus benefit all members equally. As a response to the fourth assumption and in line with other feminist analyses (see Section 1.4), Deere also points to the importance of women's care work in the re/production of households and their competitive edge in capitalist economies. Women's contribution can also explain the persistence of peasant agriculture and provide a better understanding of social differentiation, while it might be distorted by a narrow focus on the productive potential of households that also ignores the existence of multiple sources of income. Likewise, with reference to the sixth assumption, ignoring the class positions of different household members and households as potential sites of class relations leads to distorted analyses that overlook intrahousehold gender and age divisions of labour. Finally, Deere argues that gender relations are as important as class relations to explain social differentiation, that is, households' reproduction over time and even their disintegration. For instance, the outmigration of men in highland rural Peru created higher dependence on wage income as women struggled to keep up with production as they lacked access to male labour for heavy tasks such as ploughing. At the same time, however, men

stopped pooling the cash income and receded from their familiar responsibilities, often setting up second families. This meant that peasant households as such stopped existing as units of production and reproduction (Deere, 1994).

An analysis informed by the first assumption - that is, the male-headed peasant farm is the sole and basic unit of production - would have overlooked the gendered impacts of a case of corporate land acquisition and oil palm expansion in West Kalimantan, Indonesia analysed by Julia and White (2012). Due to the introduction of a system of smallholder registration under which smallholder plots were registered in the name of the male household head, women lost access to customarily inherited land in the formalization process. Formalization also translated in the masculinization of participation in farmers' organizations and access to credit. Assumption 2) is also shattered as we learn about the way in which the expansion of corporate palm oil interacted with local patriarchal structures, generating changes not only in patterns of land rights but also in the division of labour and livelihoods that affected women negatively and increased their dependence on men. While working together with men on oil palm and being responsible for subsistence agriculture, women were also under pressure to earn additional income as families increased their dependence on the cash economy for food following the decreased availability of land and forest resources. Therefore, not only did women not benefit on equal terms with men from the household's participation in the smallholder scheme, but also changes in livelihood strategies gave them the burden of additional work, indicating that household strategies "do not necessarily reflect the interest of all household members" (Deere, 1995:58) – that is, assumption number 3).

The same exercise can be applied to the study by Park and Daley (2015) who analysed the impacts of four agricultural investments in Lao PDR on local women and men's access, use and management of land, and on income-generating opportunities. They found that different groups of women and men, depending on existing land and labour relations, experienced the investments differently. In particular, while a few women benefited from the income opportunities generated by the investments, in general more women were negatively affected by the reduced access to non-timber forest products (NTFP) and increased labour burden as families engaged in new cash crops. The impacts of individual investments were found to depend on multiple variables, including the gendered nature of

the company and its practices, the labour requirements of the investment crop, and the age and status of the farmers - for instance, with elderly single women unable to keep up with production - the amount of land utilized, the socio-economic status of the household, and the intrahousehold relations. It is clear that without taking gender, age and class into account, the analysis would not have picked up the substantial differences resulting from the way in which gender and other social differences interact with modes of production, labour requirements and access to land.

Similarly, in East Kalimantan, Indonesia, Rebecca Elmhirst and colleagues looked at the differentiated outcomes of the interplay between different modes of incorporation into the oil palm sector and at historical and ecological gender norms and social differences by comparing four case study communities (Elmhirst et al., 2017). Their study shows the analytical power of intersectionality and post-structuralist conceptions of gender as process, where subjectivities are produced by the intersection of gender with other social differences and axes of power (Butler, 1990, 2004; Nightingale, 2006, 2015). The history of oil palm expansion in East Kalimantan has very a specific socio-ecological trajectory marked by different waves of large-scale resource extraction dating back to colonial times. The resulting current context is diverse, consisting of local communities whose gendered patterns of resource access and control, and livelihood have changed over time. The influx of migrants from other regions also contributed to creating ethnic diversity and, as a result, “a continual redrawing of gender norms”, emphasizing “the need to recognise gender not simply as an essentialised and geographically bounded form of knowledge but as in process, produced through widening geographies of production, trade and communication” (Elmhirst et al., 2017: 1142). Therefore, gendered impacts and response also need to be understood with specific reference to the ecological, historical, cultural and political context in which they unfold. The study suggests that women and young men were excluded from negotiations over land and the introduction of a plasma scheme because of the construction of oil palm as a ‘men’s crop’ and the tendency to invite male household heads to represent the household at the meetings. The same biases afflicted the distribution of plasma dividends as the cooperatives that were set up to handle relations with the company were joined by household heads and their management co-opted by elite men. Another well-known and widely cited example from outside Asia is Judith Carney’s study of the introduction of irrigation and contract farming in

rice and vegetables, which highlighted the significance of women's labour in agrarian transformations in Gambia. Together with the reduction of women's access to land for independent farming and increased labour demands on women, the incorporation in these development-driven schemes for crops that had been traditionally women's crops created intrahousehold conflicts (Carney, 1992). Together these illustrations emphasize the limitation and unintended consequences of analyses and initiatives that do not take gender into account.

Generational differences and tensions have been the focus of studies of agrarian change at other times and in different places, albeit not as much as in land grab studies (Park and White, 2017: 1104). Scholars have analysed the way in which generation can shape the outcomes of processes of agrarian change and the commodification of nature, affecting young people's likelihood to become farmers (Archambault, 2014; Berckmoes and White, 2014); and how rural youth are affected by the impacts of structural changes in economies and societies in developing countries (Barney, 2012; Huijsmans, 2013; Morarji, 2014). As Berckmoes and White (2014) maintain, generation should be part of all standard agrarian political economy analyses as a key dimension of social re/production. Nevertheless Sumberg et al. note (2012: 1) that, although youth and agriculture have become a prominent policy issue in Africa, there is a lack of "research and evidence that is theoretically and historically informed, conceptually sound and context sensitive", very limited empirical evidence, and very few researchers and advocates working on the issue. The same trend can be observed in Southeast Asia.

Recently, a valuable contribution was made by a special issue of *The Journal of Peasant Studies* on 'Gender and generation in Southeast Asia agrarian transformations' in which several authors illuminated gender and generational issues through cases from Cambodia, Indonesia, Lao PDR and Myanmar. Focusing on youth, Großmann (2017) analysed the way in which engagement with a boom forest resource – *gabarau* (agarwood) - by providing material gains and enhanced status to *gabarau* searchers, shapes men's masculine indigenous identity in specific ways, while triggering processes of social differentiation among Punan Murung communities in Central Kalimantan. What this study highlights, together with that by Portilla (2017) on rural youth's aspirations in Champasak Province in Laos, and by Tania Li (2017) on intergenerational dispossession in oil palm plantations in Indonesia referred to in the previous section, is that land grabs

have impacts that span across generations, affecting the reproduction of farming communities.

Along these lines, in this study, 'generation' is understood in its relational and dynamic meaning as a social process which is co-constituted with other social differences. "This provides a way to capture the structures that set young people apart from other social groups, and constitute them as a social category through the working of particular relations of division, difference and inequality between this and other categories." (White, 2012: 247) In this conceptualization, generation is 'a moving target', as Ben White notes. Hence, although often the focus might be on 'youth' as a specific age and social group, "when we speak of changing generations or generational relations we are not talking of changes happening to a defined group of people, but of changes between one generational group and those that succeed it". (Ibid, 2012: 247)

Evidence from other research from the region, as well as from this study, confirms that the lack of transfer of family land and the mechanisms and means to access new land are important barriers for youth to become farmers. For instance, in rice-producing villages in West Java, Central Java and South Sulawesi, Indonesia, where landlessness is widespread and less than half of the farmers own the land they farm, the existing landholding structure was found to be the single most constraining factor for young people to enter and stay in farming. Youth from smallholder families may inherit a small piece of land one day but not while they are still young, while for those from landless and land-poor families, temporary migration or wage labour and sharecropping become the most likely fall-back option in the face of a lack of income-generating options (AKATIGA and White, 2015).

If we turn to the gender and generationed dynamics of political responses from below, we find that even fewer studies have focused on this (Borras and Franco, 2013: 1727). Work in land grab studies has tended to analyse the "impacts and vulnerabilities resulting from land deals rather than gendered agency, responses and resistance" (Hall, Edelman, Borras, et al., 2015: 482). In the special issue mentioned above, Miranda Morgan (2017) explored women's involvement in a case of successful resistance in West Kalimantan, which resulted in the withdrawal of a 16,000-hectare corporate oil palm concession. Despite dominant gender relations and discourse that tend to exclude women from politics and cast them as apolitical, their significant presence in protests shows how gender relations are



subject to continual renegotiation, and how “rural struggles around land and dispossession are also inevitably struggles over gender as well” (Morgan, 2017: 1193). Women’s key roles in protest, however, do not necessarily translate into the promotion of women’s rights or their better access to governance structures, as confirmed by findings from this study (see Chapters 2, 3 and 4). In the same issue, exploring gender roles in a case of rural dispossession and subsequent post-eviction in Khsem, Cambodia, Lamb and colleagues (2017: 1230) noted that “a dichotomy is reinforced which places women in public not for the power of their minds to tackle issues of eviction and social justice, but for the power of their bodies to deflect harm”. As the community engaged in rebuilding, after being awarded a Social Land Concession, it is men who took on all governance activities and roles (Lamb et al., 2017). It is worth noting that neither Morgan nor Lamb et al. say anything about the age of the female protesters, thus homogenizing women with regards to generation. These examples point out that efforts need to go into ensuring that women and youth are considered as equal actors in the politics of land grabs and that participation alone does not guarantee them a place at the table where decisions are made.

Going back to the questions – What do we know? And do we know enough? – this overview has shown that there is a solid body of work that can inform our analyses, as Levien suggests, and, thanks to recent research in this area, we do have a better understanding of the gendered and generationed dynamics of land grabs to be able to identify some common characteristics and trends. At the same time, based on the understanding of gender and generation as being ‘in process’ and (re)produced through the encounter with changing landscapes of production, reproduction, socio-nature, and capitalist relations, we have emphasized the importance of a systematic integration of gender and generational analyses in research into land grabs, especially when this can inform policy and politics from below. Not doing so would mean missing out on the fine grains and nuances of the picture in the best-case scenario and in outright wrong analyses in the worst case. This, in turn, would have severe implications in terms of the politics of land grabs. But why do the feminist analyses continue to be ignored in the land grab literature despite their significance?

*Ignoring what we know: the politics of gender*

In the introduction to the special issue of *Feminist Economics* on 'Land, Gender and Food Security', Cheryl Doss and colleagues (2014) argued that the reason for the neglect of feminist analyses in land grab studies can be explained in terms of two interconnected issues: research attention has mainly focused on assessing the extent (size and spread) of the phenomenon and on the key players rather than on analysing the impacts on the affected social groups; and "the chronic gender blindness of mainstream literature (which has resulted in a parallel development of a gender literature)" (Doss, Summerfield, et al., 2014: 3). According to Shara Razavi (2009), who addresses the problem from a broader agrarian studies perspective, the issue goes far beyond the literature and speaks volumes about the systemic neglect, instrumentalization and neutralization of gender in agrarian studies and in development more broadly, as she illustrates at length:

Over the past thirty odd years [as of 2009], the analysis of agrarian social relations, institutions, and movements has benefited from the insights offered by feminist scholars whose intellectual project has been to bring into the political economy of agrarian change the pervasiveness of gender relations and their interconnections with broader processes of social change. *The implications of this re-thinking are potentially radical.* Gender analysis has interrogated some of the dominant orthodoxies in agrarian studies: in conceptualising peasant households and their connections to broader economic and political structures; in deepening the analysis of rural markets as social and political constructions with highly un-equalising tendencies; and in better understanding both the role and the limitations of different institutional arrangements (involving states, markets, and 'communities') for the management of resources. However, the complexities of this research, as the paper argues, have been filtered out by neoclassical economists and powerful development organisations, as well as by some gender policy advocates keen to get their messages heard. Nor have political economists of agrarian change made a serious effort to engage with it... (Razavi, 2009: 197–198, emphasis added)

According to some critics, the neglect is also rooted in the "fixation with the sphere of commodities where value is realised" (O'Laughlin, 2008: 352) and the consequent failure of agrarian political economy and peasant studies to acknowledge and value women's unpaid contribution to household reproduction (O'Laughlin, 2008; Razavi, 2009, 2011).

...the unpaid (non-commodified) forms of provisioning on a day-to-day basis – the washing, cleaning, cooking, feeding and caring of young, old, infirm and able-bodied alike – that reproduces labour on a day-to-day and generational basis, whether labeled as “labour reproduction” or unpaid provisioning of household needs. (Razavi, 2011: 50)

In the development realm, on the one hand, with the transition from women in development (WID) to gender and development (GAD) approaches, gender equality has become an integral part of the development agenda and sustainability discourse, opening the door for feminists to engage in high level political fora and processes – an opportunity that should, according to some, be used strategically by gender advocates and feminists so to avoid co-optation by powerful institutions (True, 2003). On the other hand, the mainstreaming and institutionalization of gender has meant sacrifices in terms of “its political and analytical bite” (Cornwall, 2007: 69) for the easier uptake and use by development organizations and actors. The challenge to reconcile the goal of advancing gender equality while preserving its political nature continues to trouble feminists and gender specialists to date and has been amply debated in feminist literature, including reference to environmental and climate change politics (see for example, Arora-Jonsson, 2011; Arora-Jonsson and Sijapati, 2017; Leach, 2007; Leach et al., 2015; Resurrección, 2013).

Thanks to emergence and advocacy of transnational women’s movements and coalitions, such as the Global Gender and Climate Alliance, GenderCC: Women for Climate Justice and the Feminist Task Force (see Agostino, 2015; Resurrección, 2013), gender equality has made it firmly into the global environmental and climate change agenda, featuring in the language of main agreements and protocols, national policies and strategies, and climate financing mechanisms albeit often in the form of simplified positivist approaches. While transnational feminism, comprising grassroots, rural and urban women, academics, and gender advocates, has worked actively to highlight the links between gender and climate change and between economic and social justice in different high level fora (Agostino, 2015: 819), technical organizations have more easily embraced reassuring and simplified depictions of women as vulnerable or as having an intrinsic relation to nature (Resurrección, 2013). This can “deflect attention from power relations and inequalities reproduced in institutions at all levels and in discourses on climate change” (Arora-Jonsson, 2011: 745).

For instance, Andrea Collin's (2018) recent review of the 'Gender and Climate Smart Agriculture' module of the *Gender and Agriculture Sourcebook* by the FAO, the World Bank and the International Fund for Agricultural Development (IFAD) highlights that in spite of advancing a fairly sophisticated understanding of the gender dimensions of agricultural practices and community norms, by characterizing Climate Smart Agriculture (CSA) as mainly state driven, the module fails to address the gender implications of market and corporate-led CSA and the power dynamics that also operate at meso and macro levels. It is likely that the prospects of any gender-transformative change will be lost as corporate actors scale up CSA initiatives (Collins, 2018: 188–189).

Feminist political ecology (FPE) scholarship warns against apolitical approaches to gender equality that ignore unequal power relations and patriarchal agrarian and environmental agendas and promote essentializations and fixed ideas and segregation of the feminine and the masculine. These approaches promote the 'othering', including of nature, and exclusion of what does not fit into a neoliberal model of growth, productivity and efficiency, as Christa Witcherich's (2015) sharp critique highlights. Women and men peasants and indigenous peoples have to be recast and integrated as economic actors – albeit as unequal partners on unequal terms – or excluded or expelled. Indigenous farming practices are rejected as inefficient, land that is not under intensive and productive use can be acquired, rivers are exploited for their energy generating potential, and forests are used for carbon sequestration. According to Witcherich, this discourse justifies and perpetuates domination (2015: 79). By the same token, care and household economy can be "externalized in a neo classical way out of the value production and constructed as the 'other' to market efficiency and accumulation", and women reconstructed as inferior. No wonder the fight against 'othering' of women's care economy and unpaid work has been a long-standing battleground of feminist political economy (Elsou, 1998).

In both Cambodia and Myanmar, the neutralized version of the gender equality and social inclusion agenda has found its way into government policies and claims, thanks to pressure to abide by global governance instruments, international conventions and donors' funding requirements. As one Myanmar women's rights advocate pointed out, there have been some clear gains for women's movements, as "before Cyclone Nargis [and the arrival of international aid and organizations], we could not even speak

about women's rights but had to refer to protection of women."<sup>11</sup> At the same time, women's groups tend to be marginal to the political discussions around agrarian and environmental questions, and grassroots movements are siloed along gender lines. For example, representatives of Tavoy Women's Union (TWU), based in Dawei, complained to me about their exclusion from consultations and strategic planning, and about the lack of information sharing among civil society organizations (CSOs), in spite of having their own track record of research and advocacy on land grabs. As one member put it: "Most people don't think that gender is a problem - there's overall lack of respect for women. In Dawei only TWU works on gender. We have to work harder than other organizations. Stereotypes are strong: women should not get involved in politics at community, regional and national level. And men discriminate. [...] There's also lack of promotion of women's activities in the media."<sup>12</sup>

Within this context, there has been a call for a renewed commitment to FPE as a way of doing "environmentalist, justice and feminism differently" in activism and academia (Harcourt and Nelson, 2015: 9), as well as a new push to identify alternative "gendered pathways" (Leach et al., 2015) to bridge the gap between the realm of mainstream environment and development practice, and agrarian, environmental and social activism. This thesis, I hope, will be my personal intellectual and political contribution to this call.

### ***Land grab studies at a crossroad: informing the politics of land grabs***

While neoliberal states relentlessly advance their agenda of commodification of humans and nonhumans (Tsing, 2015) for capital accumulation in the name of development, following the multiple crises of 2007-2008, there has been a global recognition that past patterns of growth have been environmentally unsustainable and socially unjust. As Diane Elson highlights, these crises were gendered because they rested on gendered economic processes and institutions that ignored women's voices and needs as producers and care givers (Elson, 2010: 252). On the one hand, the 'solution' has been a proliferation of mainstream initiatives 'to green' the economy by way of top-down approaches that exclude diversity and difference (Wichterich, 2015: 79). On the other hand, there has also been an increase of alternatives from below that are being put forward through local, national and collective struggles of rural people.

As Leach and colleagues argue (2015: Section 3, para. 11), this conjuncture highlights

the need to interweave both feminist political economy critiques of macroeconomics, trade and labour relations, and feminist political ecology approaches that highlight gendered access to and control over resources and links with subjectivity, identities and the politics of knowledge...Using both approaches to revitalize debates concerning care, commons, commoning and cultures of sufficiency, solidarity or enough can thus provide powerful critiques of current growth-oriented paradigms and their destructive impacts on ecosystems and local people.

Hence in certain academic and activist circles, there is a renewed sense of urgency of the importance of bringing together feminist agrarian political economy and feminist political ecology in analyses of agrarian and environmental transformation, and women, youth, and the marginalized and oppressed in the politics therein. Failure to do so will have implications in terms of the development of socially just alternatives, in addition to the soundness of the analyses themselves. Through its engagement with land grab studies, this thesis aims to highlight the significance of gender and generational justice as core elements of visions of agrarian and environmental justice.

This is a time where different visions and pathways towards transformation and sustainability are confronting each other and shaping the politics of agrarian and environmental change (Leach et al., 2015; Scoones et al., 2015). At this critical historical juncture where neoliberal “universals” are aggressively making their way into rural areas of Southeast Asia, new spaces for addressing power imbalances and structural inequalities are being created within counter-visions of social justice, environmental sustainability and alternative economies (Tsing, 2005, 2015). In times of crisis, in fact, “existing gender norms may be reinforced; or they may decompose, with individual men taking on roles normally associated with women, and vice versa; or they may be transformed through deliberate collective action, by civil society groups, or by governments” (Elson, 2010: 204), depending on how we collectively contribute to such a transformation.

By engaging with a “politically charged, high profile arena” (Schoenberger et al., 2017: 702), scholars and activists can open opportunities for centring gender and generational justice in the politics of land grabs, in the context of struggles for social justice. This also calls for a

careful recalibration of analysis and action of social justice-based solutions (Franco et al., 2017) (see Chapter 5). Ultimately, “current debates about ‘land grabbing’ are in fact debates between different visions of the future shape of farming and the fate of rural populations”, women and men, younger and older (Park and White, 2017: 1107), and the social reorganization of nature. Using land grab studies as a broad umbrella, this thesis uses cases from Cambodia and Myanmar to illustrate how gender and generational power dynamics play out, transform and are transformed in processes of agrarian and environmental change and rural politics. It does so through the lens of structure, institutions and agency analysed from a feminist political ecology perspective, with handles from feminist political economy. Although the cases are put in conversation with each other, the thesis does not intend to offer a comparative analysis of the two countries. Rather than being chosen based on empirical factors following a positivist approach, the cases were selected for their theoretical relevance using an interpretive approach, as each illuminates a different angle to the same broader social process.

#### **1.4 Theorizing gender and generation in agrarian and environmental transformations**

Building on the previous section, this section frames the thesis in the context of scholarship on agrarian political economy, political reactions from below, and peasant politics and state-society relations, with feminist political ecology as the overarching intellectual and political project. The intention is to provide an overview of key concepts that have informed my research rather than attempting a comprehensive discussion of all these traditions and schools of thought.

##### **1.4.1 Land grabs through the lens of agrarian political economy**

Understanding agrarian change in the modern world centres on the analysis of capitalism and its development. (Bernstein, 2010: 1)

Gender is clearly implicated in all three aspect of the agrarian question, whether class, politics, or accumulation...There is, in short, a need to both engender the agrarian question and bring the issues raised by the agrarian question into the analysis of gender relations. (O’Laughlin, 2009: 191)

Agrarian political economy, as defined in the mission statement of the *Journal of Agrarian Change*, “investigates the social relations and dynamics of production and reproduction, property and power in agrarian formations and their processes of change, both historical and contemporary” (Bernstein, 2010: 1). Based on the discussion in Section 1.3, and informed by feminist critiques of agrarian political economy (Deere, 1995; Razavi, 2009, 2011), I understand feminist agrarian political economy as an approach that investigates *how gender, class social relations and dynamics of production and reproduction, property and power are mutually constituted in agrarian formations and their processes of change*. Feminist political economy more broadly focuses on unpacking “the systemic relations between the domestic, economic and political structures” (Razavi, 2009: 188) and, in the face of new emerging global challenges, it understands “economies as gendered structured and economic crises as crises in social reproduction, as well as in finance and production” (Rai and Waylen, 2013).

Marxist inspired theories of agrarian change and politics have centred largely, but not exclusively, on the investigation of three interconnected questions, as Levien and colleagues note in a recent special issue of *The Journal of Peasant Studies* on “Agrarian Marxism”<sup>13</sup>: “how capitalism seizes agricultural production and differentiates agrarian classes; the contributions of agriculture to industrialization or the overall establishment of a capitalist mode of production; and the implications of all this for the political behavior of agrarian classes.” (Levien et al., 2018: 854). As seen in Section 1.3, in general gender relations have received scant attention in Marxist analyses of agrarian change (O’Laughlin, 2009).

To those wishing to undertake agrarian political economy analyses, the four classical questions formulated by Henry Bernstein have provided and continue to provide a helpful and practical approach to the basic research objectives of such analyses: *who owns what, who does what, who gets what, and what do they do with it?* (Bernstein, 2010: 22). A fifth question – *what do they do to each other?* – was also suggested by White and Dasgupta (2010: 600) “to capture the relational and political side of property and labour regimes, labour process and structures of accumulation”. In studying the expansion



of capitalism in rural areas, they argue, it is critically important “to analyse the social relations of production and reproduction and the structures of accumulation or (dis)accumulation that they generate. Also important is the change in agrarian structures and the accompanying processes of social differentiation and class formation that may result” (2010: 600). In this regard, they also remind us of the importance of considering gender dynamics.

Many scholars have turned to Marx’s ‘primitive accumulation’ and Harvey’s ‘accumulation by dispossession’ as frameworks to understand land grabbing.<sup>14</sup> As highlighted by Hall (2013), three main concepts in particular have been applied: the forceful separation and expulsion of people from land and their incorporation into capitalist social relations<sup>15</sup>; the response to crises of over-accumulation<sup>16</sup> (2003: 139); and the extra-economic means of capital accumulation, especially political and legal power and violent force. A more casual use of these concepts deploys them as synonyms of enclosure and dispossession in general (Hall, 2013). Feminist Marxist analyses have highlighted that the gendered outcomes of primitive accumulation go in the direction of reinforcing patriarchy and (re)producing exploitative gender relations. For instance, when capitalist labour markets develop, the following three tendencies may manifest: intensification of existing forms of gender subordination; the decomposition of existing forms of gender subordination; and the emergence of new forms of gender subordination. Women cannot participate as ‘free wage labourers’ because they are not free from domestic obligation, free to exercise control over their bodies and to be full members of society. The capitalist labour process is also premised on managerial hierarchies that typically see women at the bottom of the ladder. Furthermore, participation in the wage labour market does not translate into an improvement in women’s conditions in the household and in society as the social reproduction of labour is still achieved through women’s unpaid labour. (Elson and Pearson, 1981: 99)

A major critique of accumulation by dispossession, especially in relation to land grabbing, has been related to its failure to fully acknowledge the role of extra-economic coercion in the process of accumulation, particularly the “deeply political role of states in orchestrating dispossession and the implications that follow from this” (Levien, 2013: 384). According to Levien (2013), dispossession cannot be explained only in terms of economic factors, such as cycles of over-accumulation, or credit and financial

systems, because its nature and outcomes depend on socially and historically specific political and ideological factors, including class struggles. Under advanced capitalism, in fact, various forms of dispossession can occur, which are sector-specific and geographically dispersed (Ibid, 2013). Using the framing of ‘exclusion’, Hall and colleagues (2011) elaborate on the different ways in which changes in land relations occur across Southeast Asia and emphasize “the need to situate [land] dilemmas...within the specific historical, geographic, social economic and political contexts that frame them, in order to analyse them in ways that yield some insight into the factors at work in different sites and conjunctures.” (Ibid, 2014:199) Marx himself recognized that there can be multiple paths to agrarian change, and that agrarian transformations cannot be considered as a standard formula that applies equally to all contexts. This was more explicitly addressed and elaborated on by Lenin and Kautsky who indicated that because of the very nature of agriculture and peasant social organization, including the capacity of farming households to depress real wages by working longer and harder, agrarian capital could develop in different forms and along different paths (Akram-Lodhi and Kay, 2009; Kautsky, 1988; Lenin, 1964). However, none of them unpacked farming households: a neglect which has been critiqued by radical Marxist feminists who identified in the appropriation of the care work of women a necessary condition for the existence of capitalism (see for instance, Federici, 2004).

In a useful discussion of doing empirical analyses of agrarian differentiation, Ben White advocates the use of an open, flexible framework that allows us to analyse agrarian transformations in concrete situations and from a broader perspective, accounting for seemingly contradictory tendencies – i.e. land concentration and capitalist farming, and landlessness and proletarianization coexisting with Asian small-scale farmers’ tenacity and resistance to differentiation. Simplistic analyses and models are doomed to fail in capturing the complexities and dynamics of change involved in any point in time and local context (White, 1989: 28). More recently, White and Dasgupta also reminded us that a “‘modern’ and flexible agrarian political economy also incorporates ... dimensions that were relatively neglected in classical agrarian studies such as the dynamics of gender, ethnicity, livelihoods diversity, mobility, rural-urban links and environment.” (2010:600). To offer a truly politically and analytically meaningful account of social change in contemporary rural settings, scholars need to be attentive to the interaction of social differences, including

ethnicity, race and ability, beyond the class and gender dimensions advocated by Bridget O’Laughlin (2009). A focus on intersectionality<sup>17</sup> that understands the interconnections among various dimensions of social relationships and subject formation as produced by everyday practices is what “opens up possibilities to understand how power operates not only in two dimensions, but rather in multiple dimensions that can have lateral and unexpected consequences for bodies and subjectivities.” (Nightingale, 2011: 155)

The agrarian transformations in contemporary Cambodia and Myanmar implicate a whole range of actors and sectors that are *in* (e.g. sugar, palm oil) and *around* agriculture (e.g. conservation, hydropower) and which are intertwined with processes of environmental change. These transformations and processes have gendered and generationed implications on agrarian structures of land and labour, on the politics of accumulation, and on resistance and social relations of production and reproduction. A narrow focus on the expansion of agribusinesses and an increase in FDI, for instance, may obfuscate the presence of other initiatives, such as those linked to climate change and land reform, or keep us from seeing historical continuities in the reproduction of gender inequalities and difference (including ethnic based) through land-based social relations but also through discursively constructed gender roles and differences, for instance by perpetuating imageries of women as care takers and vulnerable, or indigenous peoples as backward and their practices as destructive for the environment.

Under the important rubric of the social reproduction of the ‘conditions of farming’, Bernstein emphasizes the significance of ‘generational reproduction’, defined as the act of “producing the next generation of producers”, in addition to the reproduction of the means of the production and of social relations among producer (Bernstein, 2010:19). He cautions that, apart from the act of bearing children and breastfeeding them, there is no natural order that women should be exclusively responsible for domestic labour (Ibid, 2010). While social reproduction has, surprisingly, received little attention in recent literature on agrarian change in the South (Cousins et al., 2018; Jacka, 2017; Levien et al., 2018); Cousins et al. (2018:1601) welcome ongoing efforts to transcend “the dualism between ‘accumulation’ and ‘social reproduction’, as well as problematic analytical distinctions between ‘public’/‘private’ and ‘commodified’/ ‘non-commodified’ domains.” This is a dichotomy that has plagued both neoliberal

and Marxist traditions, having located the dynamics of accumulation exclusively in the commodified domain. In contrast, as seen above, feminist political economy emphasizes not only the importance of non-commodified work for the reproduction of farmers but also, and significantly, the “fluidity of the boundaries” between the two spheres. (O’Laughlin, 2009: 204)

The idea of generation is central to social reproduction (Ansell 2014, 284). The literature that conceptualizes generation as a social process understands young people’s lives as imbricated in generational (and gender power) relations at various scales, and their agency as situated generationally (Huijsmans et al. 2014; Huijsmans 2018) - that is, youth are not only defined by their relationship with adults but also by the specific forms that this relationship takes (White, 2012). Nicola Ansell elaborates at length on the importance of the concept of generation in understanding the dynamics of agrarian change. Generation,

... serves as an exercise of power .... This power is not only discursive but also material, shaping people’s economic contributions and access to resources. ... It shapes people’s identities (intersecting with other relationships including gender and class), is lived by individuals and groups and has material effects. Inevitably, generationing is contested: the outcomes of contestations often lead to change – in some cases, arguably, to development. (Ansell, 2016: 315, first cit. in Park and White, 2017)

In his study of youth outmigration across the Lao-Thai border, Barney (2012) found that large-scale investments and resource rents captured by the state and other powerful actors played a key role in engendering coerced rural youth migration and shaping patterns of social reproduction and agrarian change, similarly to Portilla’s findings discussed earlier (2017). Jonathan Rigg (1998: 503) highlighted the generational dimension of the diversification of rural livelihoods towards non-agricultural activities in the agrarian transition of Southeast Asia. While existing studies on youth migration reveal both cases of young people willingly leaving rural areas and agriculture, or being ‘expelled’ because of a lack of access to land and opportunities, Rigg argues that this might be a fictitious separation. In fact, households and individuals resort to a generational diversification of livelihoods that keeps the older generations/individuals closer to the land and farming as a source of stability, while younger individuals seek paid work. This strategy may also involve the same individual at different stages of his/her life. Rigg also underscores that households should not be assumed

to be homogeneous as especially youth, and young women in particular, have often been found to contest and negotiate their ascribed roles, refusing to passively accept their parents' wishes (Rigg, 1998). This is evident in Gillian Hart's study of agrarian transitions in Muda rice-growing areas of Malaysia, where the "diversification of 'household' income sources is the outward manifestation of shifts in the structure and exercise of power between men and women and between elders and juniors" (Hart, 1994: 49).

Agrarian change comes with inherent processes of class formation and social differentiation, defined by Ben White (1989: 19–20) as the "dynamic process involving the emergence or sharpening of 'differences' within the rural population", which may or may not involve income inequalities in the short-term. Furthermore, agrarian change is more about the "changing kinds of relations...in the context of the development of commodity relations in rural economy." These processes are embedded in social power relations in households and communities, as we will see in the empirical chapters. Social differentiation happens along trajectories that are different for different people, with multiple forms of oppression and inequality possibly compounding and reinforcing each other, and informing different political reactions to changes such as in the case of land grabs (Borras and Franco, 2013). In some cases a (re)masculinization of 'rural space' has been observed (Archambault and Zoomers, 2015) in conjunction with the expansion of corporate farming, extractive industry concessions and tourism development. In Morocco, for instance, the disarticulation of family farming coupled with the increased valuation of land has redefined farming as an entrepreneurial and masculine activity where young men construct their subjectivities in association with ideas of modernity and masculinity through a process of "professionalization and masculinization of farming activities" (Bossenbroek and Zwartveen, 2015: 162). Furthermore, it has resulted in the emergence of a new class of agricultural entrepreneurs, similarly to the case of agarwood collectors discussed earlier (Großmann, 2017). In some cases, this leaves women with less access to resources, but with increased workloads and responsibilities (Archambault and Zoomers, 2015). Not only are processes of class formation embedded in agrarian transitions, but they are also gendered and generationed, socially differentiated and differentiating, and dependant on the specific conditions in which they develop.

The issue of whether women, particularly rural women, can be considered a class in themselves has been hotly debated by both Marxist and socialist feminists (Hennessy, 2003: 65; Tong, 2009: 100) and an in-depth discussion is beyond the scope of this section. Bernstein notes that social relations and instances of inequality, such as, for instance, gender identities, are experienced not “self-evidently and exclusively as class exploitation in general but in terms of specific identities” (Bernstein, 2010: 117). Despite the challenges in conducting empirical analyses that focus on the intersection of class and gender (Rao, 2018), feminist scholars have investigated the extent to which pre-existing gender and social inequalities and power relations shape the production of new structures and determine processes of social differentiation. Analysing women’s land rights in the context of the agrarian question in South Africa, O’Laughlin (2009: 209) observed that many women did not have the same status as their husbands because they did not get an equal share of household and community resources.<sup>18</sup> Research conducted in Lao PDR on the gender implications of land-based agricultural investments highlights that paths of social differentiations may be different for women and men, even within the same household (Park and Daley, 2015). In spite of remarkable differences between capitalist tobacco contract farmers - as per Bernstein’s definition (Ibid, 2010: 14) - who were hiring in labour and renting additional land,<sup>19</sup> and medium or petty commodity producing farmers, no notable differences could be found between the status of their wives. In both cases the women bore the burden of the additional production for the market with no more money or immediate benefits directly available to them (Daley et al., 2013; Park and Daley, 2015). According to Agarwal (2014b), rural women across classes hold the same responsibilities with respect to domestic work as they are subjected to the same division of labour. Conversely, Rao’s study of women’s labour force participation in India highlights that rural women from the poorest households are those most affected by the combined effects of the lack of income-generating opportunities and the decreasing access to common water and fuel resources, intensified under capitalist expansion. The consequent increase in women’s work burden affects their participation in the labour market, as intrahousehold power relations and patriarchal norms shape decisions about how to ensure the generation of surplus (Rao, 2018). Thus while there can be arguments both against and in favour of the likelihood of women having similar interests across economic and social differences,

what is more analytically useful here is the extent to which this may or may not have an effect on their participation in politics from below, as these examples have shown.

### *Agriculture, farming, farmers and peasants*

Reflections on agrarian transformation cannot be complete without an analysis of agriculture or the agricultural sector, and the “transformation or non-transformation, or indeed even partial transformation – of petty commodity producing peasants into wage labour, and hence labour power” vis-à-vis the expansion of capital (Akram-Lodhi and Kay, 2009: 20).

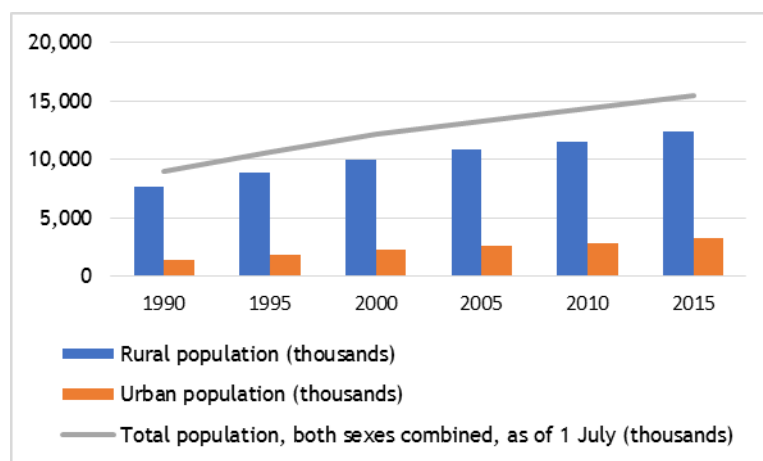
In contexts such as Cambodia and Myanmar, where agriculture is still dominated by smallholder farmers,<sup>20</sup> it is useful to refer to Bernstein’s distinction between *farming* – “what farmers do and have always done” (Bernstein, 2010: 62) -, and *agriculture*, which encompasses “farming together with all those economic interests, and their specialized institutions and activities, ‘upstream’ and ‘downstream’ of farming, that affect the activities and reproduction of farmers”. Agriculture in modern capitalist societies developed distinctive features such as the “social divisions of labour” and became the object of public policy (Bernstein, 2010: 65, first cit. in Park et al., 2015). This distinction, which is not always made, is analytically important, especially in the context of transformations that accentuate diversities in “contemporary ‘farming’ and ‘agriculture’; the heterogeneity of rural ‘communities’ and of ‘rural women’; and the gendered relations in which they are involved” (Park et al., 2015: 586), as also emphasized in Ben White’s definition of social differentiation above.

The vast majority of the world’s farms – more than 570 million globally – are small or very small, according to the Food and Agriculture Organization of the United Nations (FAO). They are run by an individual or a family, and rely primarily on family labour. Specifically, 72 percent of all farms are less than 1 hectare and cover 8 percent of all agricultural land. Farms of between 1 and 2 hectares account for 12 percent of the total number of farms and cover 4 percent of the land, and farms of between 2 to 5 hectares represent 10 percent of all farms and control 7 percent of the land. In contrast, 1 percent of all farms are larger than 50 hectares, but control 65 percent of the world’s agricultural land (FAO, 2014: xii). It is estimated that on average women comprise 43 percent<sup>21</sup> of the agricultural

labour force in developing countries, not including the unreported contribution of their unpaid labour on family farms (FAO, 2011). While data on rural youth – those living in rural areas – and agricultural youth – those involved in agricultural activities - is difficult to obtain, most of the projected population growth in the next decades is expected to occur in developing countries in Asia and Africa, where a large portion of the population is still rural (van der Geest, 2010; World Coordinating Committee of the IYFF+10, 2018). Currently over 40 percent of the world population consists of people aged 15-24. With youth unemployment soaring and the farming population ageing, attracting youth in agriculture has become a key concern of governments and peasant movements alike.<sup>22</sup>

In spite of processes of de-agrarianization, worldwide there are still many agrarian societies – that is “societies based on farming and processes of change in farming” (Bernstein, 2010: 61) – although countries as a whole may be at different stages of their integration in the global market economy and development of capitalism. In such countries and societies, the majority of farmers tend to be small, marginal, and women (Agarwal, 2014a).

**Figure 1.1**  
*Rural-urban population Cambodia*



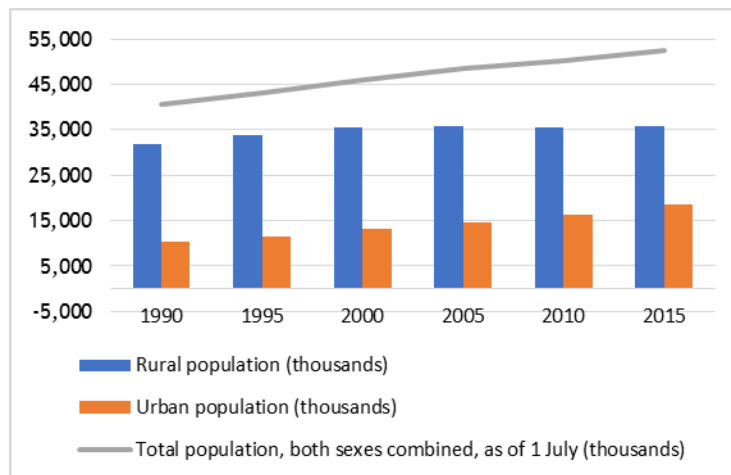
Source: UN 2017 World Population Prospects and 2018 World Urbanization Prospects



In 2017 in Cambodia and in Myanmar, the rural population was estimated to be 78.8 percent and 64.8 percent respectively of the total population (FAO, n.d.), while the respective share of the labour force in agriculture stood at 33 percent and 51 percent of the total, of which 33 percent and 50 percent was female (ILO, n.d.). The contribution of the agricultural sector on the GDP has been steadily declining in both countries as seen in Section 1.2 (see Figure 1.3 and 1.4).

In Myanmar, agriculture employs about 56 percent of the labour force, according to government statistics, and 54.2 percent of those engaged in agriculture fall below the poverty line (Ministry of Agriculture, Livestock and Irrigation, 2018: 6). The Myanmar Agriculture Development Strategy 2018-2022, noting that 80 percent of farmers have less than 10 acres, acknowledges the success of smallholder agriculture in driving the growth of the production and export of pulses, and states that “while an approach based on smallholder agriculture is vital on equity grounds as a way of ensuring inclusive growth, it may also be justified on efficiency grounds.” (Ministry of Agriculture, Livestock and Irrigation, 2018: 12) The divergence between GDP contribution and the labour force engaged seems to indicate (Agarwal, 2014a) the prevalence of “farming” over “agriculture” in both countries.

**Figure 1.2**  
*Rural-urban population Myanmar*



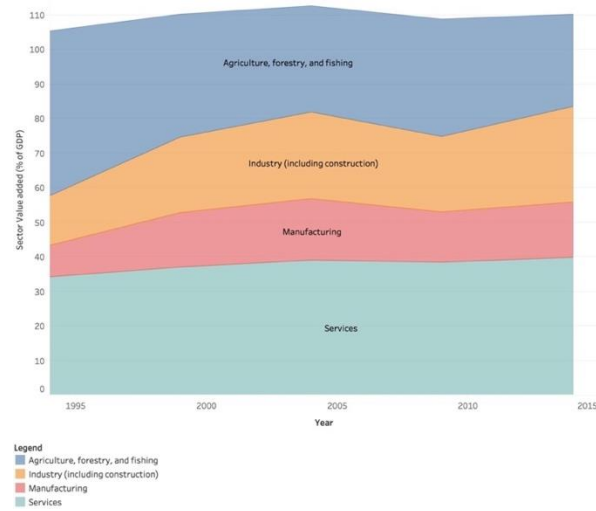
Source: UN 2017 World Population Prospects and 2018 World Urbanization Prospects

It is important to acknowledge that ‘farming’ itself may be an evolving concept, no longer strictly limited to “what farmers do and have always done” (Bernstein, 2010: 62). The engagement of farming households in ‘pluriactivity’, including agricultural and non-agricultural wage labour, temporary outmigration and small-scale businesses (White, 2018) – a tendency that Kay (2008) refers to as ‘new rurality’ - has been pointed to as one of the reasons explaining the persistence of smallholders in Asia, in addition to their capacity to be highly productive on relatively small plots of land (White, 2018). Small farmers are also increasingly dependent on various types of corporate actors to create linkages with the market at different loci in the value chain (Park et al., 2015). This means that in processes of agrarian change, farmers are likely to experience a reduction of their autonomous food production and an increase in their engagement with corporate agriculture, thus making the distinction between farming and agriculture increasingly blurred. Based on work in Thailand, Yos Santasombat introduces the concept of ‘flexiblepeasants’. Moving beyond essentialized and static conceptualizations of the peasantry, this concept aims to capture the increasing diversity of the agricultural sector and ways in which peasants might engage in the rural economy (peasant-workers, wage labourers, petty producers, trans-migrant peasants, contract farmers, etc.). In addition, by exposing the neglected link between peasants and biological diversity, Santasombat suggests that a reconceptualization of peasants as flexible peasants should also include their identities as the ‘forest conservationist’, the ‘indigenous person’ and the ‘genetic manager’. In the context of resource conflicts and transnational environmental social movements, this highlights “the significance of the *peasantry as a social force relevant to concerns of the future.*” (Santasombat, 2008: 34 emphasis in original). This is supported by Hall and colleagues who assert that: “identity not defined in class terms, but in terms of ethnicity, culture or attachment to a place, is prominent as the grounds on which people mobilize to contest exclusions and assert claims.” (Hall et al., 2011: 171)

In the cases analysed for this study, pluriactivity, engagement with the cash economy and the significance of ‘flexible peasants’ were evident, albeit to different extents and shaped by specific contexts, histories and geographies. Within this context and following Bernstein (2010), in this study I refer to farmers rather than peasants, although many of the communities I visited, especially in Tanintharyi, displayed many peasant-like features such as a family farm as the basic unit of reproduction, livelihoods

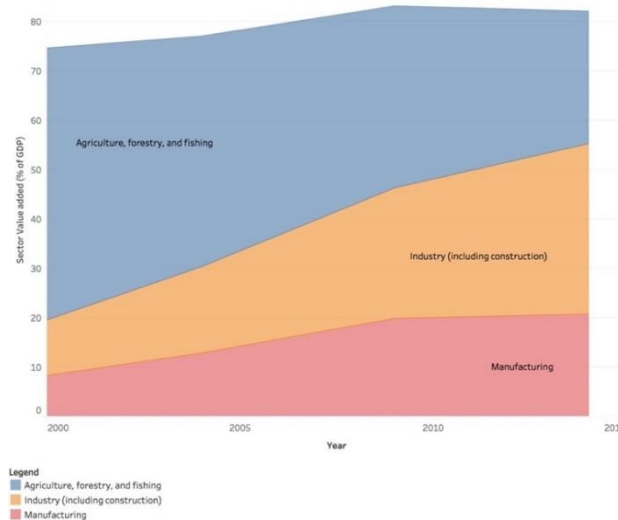
based mainly on subsistence agriculture and community solidarity and reciprocity.<sup>23</sup> When the term “peasant” is used instead, it is done for the purpose of referring deliberately to its normative use (Bernstein 2010) in the context of peasant politics.

**Figure 1.3**  
*Evolution of value added by sector as of % of GDP in Cambodia*



Data source: World Development Indicators, elaborated by Lorenzo Pastore

**Figure 1.4**  
Evolution of value added by sector Myanmar as % of GDP



Data source: World Development Indicators, elaborated by Lorenzo Pastore  
(data for the service sector not available)

#### 1.4.2 Political reactions ‘from below’ and peasant politics

How do those most affected actually perceive and react to these large-scale land deals and why? (Borras and Franco, 2013: 1724)

The question above is one that has not been sufficiently addressed in land grab studies, according to Borras and Franco (2013) who have been among the most prolific contributors to theoretical debates around land grabbing. To research the topic, they offer a broad analytical framework that looks at the ‘location’ of contention in the broader context of processes of agrarian transformation and the ‘axis’ of the origin of political conflict and the trajectory of political contention. They argue that in order to capture the complexities on the ground, which may involve struggles for incorporation, against dispossession, labour-related claims as well as conflicts among poor people, “the unit of inquiry should be the *dynamics of change in social relations* as a result of large-scale land deals” (Borras and Franco, 2013: 1741, emphasis in original). In addition, they highlight the

importance of looking at land and the social relations embedded in it; the role of the state as broker, land grabber, and gatekeeper; and at different types of contestations and struggles around and beyond land grabbing, including struggles against expulsion and struggles for, and/or around the terms of incorporation, as well as other land-related issues such as redistribution, recognition of tenurial rights, and against concentration. More recently, they have also called for attention to “the broader *political-institutional impacts* of land grabbing on society more widely, that is, on the society wide land questions including those pertaining to the social function of land” (Borras and Franco, 2018: 2–3). They highlight that recent models of development and capital accumulation, including land grabs, have produced new agrarian structures and redefined the social groups who depend on land for their livelihood, challenging the social function of land and aggravating poverty and exclusion.

In the same article, Borras and Franco also argue that the impacts of land grabs could only be redressed by “deep social reforms, i.e. system-wide structural and social justice-oriented land policies” (Borras and Franco, 2018: 3). This brings to the fore the role of the state and state-society relations. Both are essential to understand the political-institutional processes underwriting historical and current trajectories of agrarian and environmental change. As Hall et al. (2011:170) note, the state is often the preferred target of complaints about “harmful policies and broken promises”, injustices and murky deals that favour the powerful at the expense of the local claimants. Two main contending framings of state-society interactions have been used for understanding the state and state policy making. State-centred approaches view the state as an autonomous and independent actor/variable (Weber), while society-centred approaches consider the state to be a dependent actor/variable and thus emphasize structural and inherent constraints on state action which is controlled by the ruling class (Lenin).

An alternative approach is the interactive state-society framework, which conceives state action as resulting from a “reciprocal cause and effect relationship between changes in balance of power within states and shifts in the balance of power within society” (Fox, 1993: 22). This means that not only are the outcomes of policies and of state action not predetermined, but also that a variety of ‘social actors’ can contribute to shaping the outcomes of a reform process. In the context of this thesis, this framework allows for an account of the interactions between a multiplicity

of state and non-state actors involved in and shaping policy making, including foreign capital, development organizations, international non-governmental organizations (INGO), grassroots organizations, rural women and men, and, in Myanmar, notably, ethnic armed organizations. Taking into account hierarchies of power and power relations among different actors can then help to understand the gendered and generationed outcomes of state action and state-society interactions, including the ways in which land grab politics are mediated by patriarchal institutions - families, communities, labour markets, social movements, and the state itself. This is confirmed by the findings of this research that also highlights the role of grassroots organizations and NGOs. For instance, in cases of dispossession that affected indigenous communities in Ratanakiri, Cambodia, grassroots organizations failed to put indigenous women's rights on their agendas (see Chapter 4). In contrast, in Myanmar, civil society and land movements strongly advocated for the inclusion of explicit reference to gender equality and women's land rights in the language of the National Land Use Policy (NLUP), contributing to a much stronger final draft (Transnational Institute, 2015b) (see Chapter 2).

The concept of political opportunity structure, understood as “consistent – but not necessarily formal or permanent – dimensions of the political struggle that encourage people to engage in contentious politics”,<sup>24</sup> has been widely used to analyse the strategies and success of social movements. Tarrow (1994: 1) argued that “movements are created when political opportunities open up for social actors who usually lack them. They draw people into collective action through known repertoires of contention and by creating innovations around their margins.” Social movements further develop their repertoires of ‘contentious performances’ dynamically and in conversation with the political, social and economic context in which they are immersed (Tilly, 2002, 2004). An example of this can be seen in the confluence of interests and mobilization from below around the land question in Myanmar, as the government opened in an unprecedented move the consultation process over the NLUP to civil society (see Chapter 2).

Scholarly interest in mobilization and peasants' collective action falls into three main paradigms and schools of thought: classical collective action based on the neoclassical economics premise of the rational profit-maximizing individual; Marxist class-based analysis; and theories of social movements partially based on radical agrarian populism. In the case of

classical collective action, peasants decide to engage or not in mobilization based on a profit-maximizing value judgment. And since mobilization is risky, peasants will most likely avoid engaging in any action that can threaten such profit-maximizing behaviour. For instance, according to Popkin (1979: 22), peasants are mobilized by self-interest, and village norms “are malleable, renegotiated, and shifting in accord with considerations of power an strategic interaction among individual” instead of being fixed and culturally determined as posed by moral economy analyses. Marxists see struggles as class-based and a result of the tensions inherent in processes of social differentiation and in the development of capitalism. The conditions for mobilization will be in place when and if classes of farmers transition from the state of “class in itself” to “class for itself” – that is, when the structural/material and objective conditions of existence turn into a consciousness of class interests and ignite farmers’ political action to pursue these interests. However, with respect to politics, being animated largely by petty bourgeois aspirations, peasants are generally considered as unreliable and backward ‘sacks of potatoes’ (in Marx’s own words) who cannot represent themselves but have to be represented. According to Marxists scholars, political action around land grabs is currently catalysed around two main struggles or fronts: the struggle against dispossession (see Harvey, 2003); and the struggle against expulsion from or for incorporation into the capitalist system.

In contrast, moral economy analyses, influenced by Chayanov’s conceptualization of peasants and peasant communities, see threats to “subsistence ethics” as triggers for “everyday forms of peasant resistance”, conceptualized in James Scott’s analysis of rural resistance in Malaysia. This happens typically when the penetration of capital or state initiatives alter what are considered to be acceptable forms of surplus extraction thus undermining collective food security. Such collective understanding of what is acceptable is based on the existence of “collective identities,” a concept that new social movement theorists use to explain how people mobilize together (Rocheleau and Nirmal, 2015: 794). Scott identifies the potentials for peasant rebellion (not revolution) in the structural vulnerabilities of the peasantry to shocks; in turn, the absence of revolt can be explained in terms of adaptive and survival strategies (Scott, 1976). According to Brass’ analysis (2000: 313), populist and neo-populist framings of collective action replace “class/consciousness/struggle by ethnic/national identity/antagonism” and use a mobilizing discourse that “focuses

on the presentation/projection of issues and identity in a non-class manner” based on essentialized ideas of peasants. None of these frameworks, however, takes into consideration gender and other power dynamics that are re-inscribed in such struggles (Razavi, 2009).

While theories about agrarian politics and peasant mobilization are important to understand the politics of land grabs, what matters most for this thesis is how they influence and support the mobilization strategies and struggles of local claimants of diverse classes, ethnicities, genders (to be discussed in Section 1.4.3) and ages. For instance, Ghimire (2002) highlighted the neglected issue of ‘marginalized rural youth’ as a potential new social force in the countryside, but found that their marginality was not reflected in social movements.

For feminist analyses the starting point is to refute the ‘androcentrism’ of gender and power-blind accounts of rural and peasant households and communities. As Hart highlights: “A gender-informed analysis provokes a fundamental rethinking of ‘everyday forms of peasant resistance’.” (Hart, 1998: 116) By deconstructing institutions like households and communities, feminist scholars expose these as sites of contestation and resistance as well as cooperation, advancing a better understanding of collective action and mobilization. Such deconstruction is supported by the recognition that a person is simultaneously an individual and a social being and her/his interests and identities are shaped by individual agency but also constrained by social relations, thus “experiencing well-being which is both personal and conditional on the well-being of significant others.” (Jackson, 2006: 243). In a review of cases of women’s mobilization across Latin America, Stephen (2006: Chapter 1, Section 3, para. 3) points to the existence of a wide variety of individual experiences that form women’s lived experience of mobilization and their resulting sense of identity/identities, which can also shift over time, thus contesting the concept of “collective identities” used by new social movements theorists.

Resistance is also shaped by how women and men’s identities and positions are constructed according to conventional notions of their place in society (Elmhirst, 2002: 83), and to the emotional work, predominantly performed by women, and the burden of it, invisible and unrecognized, but crucial to transformative politics. Research for this thesis and other work confirm that women often stepped into the frontline of protests as they felt it was their duty as wives and mothers to protect their husbands and sons (see for example, Brickell, 2014; Lamb et al., 2017; Park and



Maffii, 2017). Identity and positioning, in turn, circumscribe and shape the space in which women and men can exercise their agency in everyday life, for instance as it relates to the state (Resurrección, 2006: 384) or mobilization against land grabs. In a state programme that granted ancestral domain tenurial rights in northern Philippines, Resurrección found that, having access to market, women were not interested in land struggles and did not want to be identified as natural resource managers. Therefore, they strategically used their identity as ‘non-state actors’ to fade out of the programme. Hence, “women’s interests, withdrawals and engagements should be examined as having been constructed from their own particular contexts and histories of gender, class and ethnic relations” (Resurrección, 2006: 384). This can help explain participation or lack of participation in different types of acts of resistance and mobilization. This study also shows that positions and identities vary for different age groups, and participation in land politics opens up spaces for young women and men to negotiate their positions and expected gender roles within their communities (see Chapter 2).

In her analysis of gendered patterns of everyday resistance in rural Malaysia, Gillian Hart also highlights that identities and interests are not fixed but shaped by political struggle on diverse and intersecting sites as well as by representations of masculinity and femininity (Hart, 1991). Contrary to common assumptions on women’s docile behaviour, women in the Muda region of Malaysia were able to organize collectively and challenge the interests of large landowners, thanks to their marginal position vis-à-vis patronage and formal power structures, and to the gendered patterns of labour organization, which promoted women-only labour gangs. Hart’s contribution, which problematizes Scott’s ‘androcentric focus’ in *Weapons of the Weak*, underscores the importance of taking into account “larger configurations of political and economic forces” when focusing on agency and resistance, unpacking homogeneous notions of peasants and peasantry and re-appropriating issues related to the form and class character of the state (Hart, 1991).

Overall, evidence from across the world shows that historically agrarian movements have tended to side-line gender equality and women’s rights. In Latin America for example, being “discriminated against for being peasants, for being poor and for being women” (Valle, 2009: 221), rural and rural indigenous women had to fight their way through patriarchy in households and communities, and in social movements (see for example

Potter and Zurita, 2009; Valle, 2009), in many instances creating their own movements. In Myanmar the dichotomy and divide between women's groups and agrarian and environmental groups is quite evident and speaks to a gendered division of space where the political space is still dominated by men, affecting who gets to sit at what table to discuss what on behalf of whom.

While this thesis focuses on current forms of land grabbing, it is important to acknowledge that these are the result of "historical repertoires of class and gender contention and state repression that shape land conflicts and facilitate or impede large-scale deals" (Edelman and León, 2013: 1698). By recognizing these underlining power struggles, we can conceive of the agency of "contending social classes", and the individuals and their actions within them, as not merely determined by or reacting to land grabs, and thus recognize the class and patriarchal character of the state.

### 1.4.3 Women and gender in Cambodia and Myanmar

Attempting a thorough discussion of women and gender in Cambodia and Myanmar is beyond the scope of this research. This section aims to provide an overall sense of where current discourses and practices around gender are rooted so to inform a better understanding of how these might shape in practice the lived experiences of the women and men who are the main actors of this research. The country-specific contexts are discussed in the empirical chapters, while here I focus on the broader picture to thread back the discussion to the "historical repertoires" mentioned by Edelman and León above. The key point is to

analyse the ways in which politics construct gender and gender constructs politics. Feminist history then becomes not the recounting of the great deeds performed by women but the exposure of the often silent and hidden operations of gender that are nonetheless present and defining forces in the organisation of most societies." (Scott, 1999: 25)

Historian Barbara Watson Andaya, author of the seminal book *The Flaming Womb: Repositioning Women in Early Modern Southeast Asia*, has long highlighted the women gap in histories of Southeast Asia (Andaya, 2006, 2007). She finds this a surprising gap, given the widespread narrative among colonial writers and historians of women's relatively "high status"

and key roles in Southeast Asian societies, and attributes it to the lack of sources, specialists, and the bias of history in this region towards nation building. The post-war emergence of the academic field of “Southeast Asia”, with its focus on nationalism, independence and political leadership, relegated women in “footnotes and marginalia” and ignored their agency. When it did not, it tended to include women in celebratory tones as heroines and saviours, which ghettoized women’s histories in yet different ways (Andaya, 2007: 115). While this has improved and is improving, despite significant challenges related to the paucity of sources, the key point here is that the dominant construction of women and femininity relied hardly at all on women’s own account of their experiences and how these shaped and were shaped by the socio-economic, political and cultural landscape in which they lived.

The idea that women enjoy high status in the household and society continues to permeate public discourse and private perceptions at various levels in Myanmar, thus providing a rationale for dismissing gender equality and women’s rights. For instance, Than (2013: 3) writes: “The perception that Burmese women enjoyed equality and suffered little prejudice removed gender from understandings of Burmese society. In other words, a male/female dichotomy was deemed irrelevant in Burma studies, since both men and women were thought to have enjoyed equal status historically.” In practice, however, women’s marginalization is sanctioned by traditional patriarchal codes of conduct, norms and religion (see for instance, Ikeya, 2012; Than, 2013; Than Than Nwe, 2003).

In Cambodia, where the influence of the *Chbab Srey*, the traditional code for women, is still strong (see Chapter 3), Jacobsen identifies two major obstacles to the realization of gender equality. The first one is the principle that men dominate the public space, while women are relegated to the private/domestic space (see Chapter 2 for a similar discussion in Myanmar). For instance, Art. 16 of the Constitution prohibits the Queen from assuming any political role.<sup>25</sup> The second one is the social norm that classifies women as either good or bad. ‘Good’ women are subservient daughters, faithful wives and caring mothers. In practice, for girls this means “agree to whichever marriage partner is selected for them, drop out of school in order to assume responsibilities in the household (rice planting, the care of younger siblings or farm animals, domestic tasks, weaving,

marketing) or take whatever cash jobs are available, and not put themselves in positions wherein the honour of the family could be compromised” (Jacobsen, 2008: 262).

These deep-rooted beliefs and the material inequalities they create are also reflected in the national gender indicators. In spite of state commitments to international instruments and laws to advance human rights and gender equality (see Chapter 5), including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), both countries lag behind in a number of indicators, particularly political and labour force participation, as captured by the Gender Development Index (GDI) and Gender Inequality Index (GII). The GDI, computed for 164 countries, measures gender inequalities in achievement in health, education and control over economic resources.<sup>26</sup> The GII measures gender inequalities in three domains: reproductive health, empowerment and economic status. The higher the GII value the more disparities between females and males<sup>27</sup>. The GII is calculated for 160 countries.

**Table 1.1**  
*Cambodia and Myanmar 2017 Gender Development Index*

	Life expectancy at birth		Expected years of schooling		Mean years of schooling		GNI per capita		HDI values		F-M ratio
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	GDI value
Cambodia	71.3	67.1	11.2	12.2	3.8	5.6	2,970	3,878	0.553	0.605	0.914
Myanmar	69.1	64.4	10.3	9.8	4.9	4.8	3,860	7,355	0.563	0.586	0.959
East Asia and the Pacific	76.7	72.8	13.5	13.2	7.6	8.3	10,689	16,568	0.717	0.750	0.957
Medium HDI	71.1	67.2	12.2	11.8	5.6	7.9	3,673	9,906	0.598	0.680	0.878

Source: Global Human Development Indicators

**Table 1.2**  
**Cambodia and Myanmar 2017 Gender Inequality Index**

	GII value	GII Rank	Maternal mortality ratio	Adolescent birth rate	Female seats in parliament (%)	Population with at least some secondary education (%)		Labour force participation rate (%)	
						Female	Male	Female	Male
Cambodia	0.473	161	161	50.2	18.5	15.1	28.1	80.9	88.7
Myanmar	0.456	106	178	28.7	10.2	28.7	22.3	51.3	79.9
East Asia and the Pacific	0.312		62	22.4	19.8	67.8	75.5	60.1	77.3
Medium HDI	0.489		176	41.3	21.8	42.9	59.4	36.8	78.9

Source: Global Human Development Indicators

Although there is no data that disaggregates by locality or ethnicity, it is not far-fetched to assume that the inequalities will be heightened for rural and ethnic women. A CSO Shadow Report prepared to report on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (Women's League of Burma, 2016: 6) lists a number of discriminatory practices that affect ethnic women in Burma including women listed as dependent on identity cards, even when they are employed; children's identification cards needing the father's signature; listing men as heads of households at government offices; women's land rights curtailed in a number of ethnic groups (Kayan, Karenni/Kayah, Kayaw and Kuki); women being victims of sexual violence and abuse, especially IDP women; the seclusion of menstruating women. The report also calls for the immediate repeal of discriminatory laws such as the 2015 Law on the Protection of Race and Religion, which imposes limitations on women's right to choose a partner and the number and spacing of children.<sup>28</sup> In Cambodia, the penetration of 'modernity' in ethnic areas has amplified "the double burden of racial and gender discrimination" (Maffii, 2009) as discussed in detail in Chapter 4.

It is within this context that this research investigates gendered and generationed patterns of agrarian and environmental change.

#### 1.4.4 The significance of feminist political ecology

Earlier, in Section 1.3, I argued for the importance of embedding gender and generational analyses in land grab studies. I also emphasized that it is crucial to invoke and make use of insights from feminist political economy and feminist political ecology. This is necessary for the purpose of improving our understanding of the long-term and profound implications of land grabs, as well as to expose and address the power dynamics in land grab politics so to promote social, gender and generational justice. In this section I expand on the significance of feminist political ecology scholarship and approaches to my research project and journey.

Emerged as a subfield of political ecology in the 1990s (Elmhirst, 2011) feminist political ecology (FPE) brought together feminist scholars and activists from a broad range of disciplines working on gender and agriculture, gender and development, and gender and environment. The first collection of empirical studies under the label of FPE was edited by Dianne Rocheleau, Barbara Thomas-Slayter, and Esther Wangari (Rocheleau et al., 1996) – *Feminist Political Ecology: Global Issues and Local Experiences* – and contributed a broad conceptual framework that used gender as an optic for analysing power and social relations in the politics of resources access and control, and processes of ecological change. FPE provided critical inputs into debates about development, sustainability and conservation, and created “an intellectual space to engage with the contributions of women and feminists to understanding the complex interactions among class, race, gender, ethnicity, sexuality and the environment in terms of rights, responsibilities, knowledges, and social movements” (Rocheleau and Nirmal, 2015: 794).

In time FPE evolved significantly in response to new feminist theories and conceptualizations of gender, including notably feminist post-structuralist and performative approaches that questioned the idea of gender as consisting of fixed and immutable social structures. These new conceptualizations highlighted the constitution of gender as a socio-political process produced by specific discursive and material practices (Butler, 1990, 2004; Elmhirst, 2011; Nightingale, 2006). Intersectionality served as a

common framework for analysing the production of subjectivities through the intersection of gender with various social differences and axes of power including race, caste and ethnicity (Lykke, 2010). Scholars have also looked at how gendered subjectivities and bodily, spatial and social practices and nature are mutually constituted (Nightingale, 2006, 2011), and how these shape women's place-based politics (Harcourt and Escobar, 2002). The acknowledgement that nature and culture (Haraway, 2008), and social and natural processes are intertwined has also opened new avenues of exploration, such as the recognition of "*everyday, embodied and emotional* relations to resources and 'natures'" (Harris, 2015: 158, emphasis in original) including "direct bearing on how resources are accessed, used and fought over" (Sultana, 2011: 163), and how these relations may inform feelings of injustice and political activism (Wright, 2010); and the importance of acknowledging that multiple ways of knowing and being exist and are at the core of lived 'naturecultures' (Haraway, 2008) and struggles for alternative cosmo-visions (Di Chiro, 2008, 2015; Walsh, 2015) towards the decolonization of knowledge. New areas of research interests have also emerged as a result of the rise of priority areas of global policy and governance (Nightingale, 2006; Resurrección and Elmhirst, 2008), including climate change (Arora-Jonsson, 2011; Arora-Jonsson and Sijapati, 2017; Nightingale, 2015), and environmental sustainability and conservation (Ojeda, 2012). In turn, the interest in global governance has foregrounded the importance of analyses that engage on multiple levels (Harris, 2015; Hawkins et al., 2011; Nightingale, 2015), generating debates among feminist scholars and activists about the need to pay greater attention to the gendered dimensions of "complex and multi-scalar processes of neoliberalization shifts...greater focus on gender, inequality and social difference in discussions of neoliberalized natures" (Harris, 2009: 388), and to ensure that gender justice is part of these alternatives (Harris, 2015).

While comprising different approaches, methods and interests, feminist political ecology shares a basic "commitment to feminist epistemology, methods and values, where dominant, (colonial) masculinist conceptions of knowledge and authority are recognized and challenged" (Elmhirst 2015, 519). Wendy Harcourt has recently defined it as "the study of the conflicts and convergences between development conservation, cultural survival, body politics, gender equality and political autonomy. And it is also the politics and practice in the search for environmental

sustainability, social justice and economic transformation” (Harcourt, 2018: 23).

Feminist political ecology is thus an important project to “open up the space to learn through the body and other epistemologies and cosmovisions” as highlighted in an edited volume on *Practicing Feminist Political Ecologies* (Harcourt and Nelson, 2015: 6). As such, feminist political ecology is a lived practice that rejects business as usual and takes up Donna Haraway’s call “to stay with the trouble” (Haraway, 2016; Harcourt and Nelson, 2015), asking uneasy questions and continuously interrogating the researcher’s and the research participants’ positionality, situatedness and power differences. Reflecting on her own journey, Rocheleau highlights that feminist political ecology should be considered as “an ongoing exploration” rather than a fixed approach and as “work in process (not progress) and hopefully on a path, however circuitous, to decolonization” (Rocheleau, 2015b: 57), and calls on women’s movements, women in social justice and environmental movements, and scholars who have not identified themselves with feminist political ecology to join.

Reflecting on the above, the reasons why a feminist political ecology approach is important for my research and project are manifold. At the analytical level, feminist political ecology allows me to combine the classical questions of agrarian political economy with concerns about the social reproduction of nature. At the theoretical and political levels, the following concepts and positionalities have resonated with my own research and project. *First*, FPE questions assumptions about development, efficiency, productivity, and green economy and instead highlights “the other” – the care work of women, the personal and the private, indigenous practices of shifting cultivation and natural resource management, and labour exchange and reciprocity (see for instance, Wichterich 2015, Wright 2010). *Second*, with its attention to the production of power and dominance, FPE highlights the importance of putting gender and generational dimensions at the centre of alternative visions of development, especially in relation to land grab politics. *Third*, through the use of intersectionality, FPE encourages attention to the ways in which subjectivities and social differences, including gender, intersect and are produced through changing ecologies and agrarian and environmental transformations. *Fourth*, FPE challenges us to explore connections and actions across scales and beyond difference, particularly vis-à-vis global threats such as climate change (Nightingale, 2015: 206) and land grabs, and “to engage with others to



transform local economies here and now in an everyday ethical and political practice of constructing community economies in the face of globalization” (Gibson-Graham, 2008: 662). This can only be advanced through approaches that put “people, power and gender” at the centre of agrarian and environmental justice and steer away from engaging with “life and the Earth in silos of ‘energy’, ‘water’, ‘agriculture’, etc., as if they were not connected” (Harcourt and Nelson, 2015: 5). *Finally*, taking FPE as “work in process”, as per Rocheleau’s point above, has encouraged me to reflect on how my experience as a development practitioner and gender specialist, an engaged researcher, and feminist could come together and contribute to bridging divides towards meaningful transformation.

## 1.5 Research questions and objectives

Informed by the critique above, and in the context of agrarian and environmental changes driven by land grabs in Myanmar and Cambodia, this study aims to answer the following research question:

***How are gender and generational roles and relations shaping and being shaped by land grabbing and land grab politics?***

This central research question is addressed by disaggregating it into the following sub-questions:

- 1) What are the main agrarian and environmental changes driven by land grabbing in Myanmar and Cambodia?
- 2) What are their gendered and generationed impacts on access to the use, control and transfer of land and other natural resources; livelihoods; labour (employment opportunities, labour requirements, work burden); voice/decision-making; conflicts within households and communities?
- 3) What kinds of political reactions from below do different women and men engage in?
- 4) What are the outcomes of women’s and youth’s participation on social justice and women’s and youth’s agency?

- 5) What are the conditions, material and non-material, that shape women's and youth's engagement in political reactions from below?
- 6) What is the role of the state, civil society, grassroots movements and other actors in shaping women's and youth's mobilization?
- 7) What strategies and instruments can grassroots social movements adopt in their strategies to promote more socially just outcomes?

By answering the central research question, the thesis aims to: 1) contribute to gendered and generationed analyses of agrarian and environmental transformations in Cambodia and Myanmar; 2) make the case that addressing gender and generational justice must be central to all struggles for agrarian and environmental justice.

Ultimately, with this thesis I hope to contribute to ongoing efforts to make a commitment to feminist inquiries of power and make them a standard practice for all scholars and activists interested in agrarian, environmental and social justice.

## 1.6 Doing feminist research

I would like a doctrine of embodied objectivity that accommodates paradoxical and feminist science projects: Feminist objectivity means quite simply *situated knowledges*. (Haraway, 1988: 581, emphasis in original)

Building on the discussion of feminist political ecology, the aim of this section is to illustrate my approach to *doing feminist research*. To this end, I draw on key concepts that have informed my research process to explain my situatedness, choices and methods.

### 1.6.1 Feminist research ethics

Ackerly and True (2010: 22) define feminist research ethics “a commitment to inquiry about how we inquiry” that requires paying attention to “the power of knowledge and epistemology; boundaries, marginalization, silences and intersections; relationships and their power differentials; and your own socio-political location (or “situatedness”).”

Feminist epistemologies, as part of postpositivist reflections that advocate studying the effects of power in knowledge creation and how these

shape social relations (Harding and Norberg, 2005), reject the idea of neutrality and objectivity. Knowledge is always socially constructed and thus gendered, according to feminist standpoint theory, which discards the idea of an essentialized woman. Even so-called neutral sciences are premised on conceptual frameworks situated in historical and social contexts that promote the distinctive interests of a few, thus ignoring the voices of the others, the women, the youth, the indigenous, the oppressed (Harding, 2004). While acknowledging the different positions existing in standpoint epistemologies, I am interested in feminist standpoint epistemology's "focus on the historical and social locatedness of knowledge projects and on the way collective political and intellectual work can transform a source of oppression into a source of knowledge and potential liberation", making this kind of knowledge "a distinctive contribution to social justice projects as well as to our understanding of preconditions for the production of knowledge" (Harding, 2004: 10). My research is committed to feminist ethics and knowledge-generation by giving a space for women and youth, indigenous and not, to narrate their struggles and lived experiences of the grabs and to explain their visions of development, while exposing the power dynamics that might obstruct their voices from being heard. The study aimed to fill the gender silences with voices, recognize, respect and treasure difference, and denounce oppression, with the ultimate objective of shaping land grab politics in the direction of greater social justice. Following Ackerly and True (2010a), as a feminist, challenging the 'androcenrism' of land grab studies was a necessary step towards highlighting the political significance of my feminist project, as other eminent feminist scholars have done in authoritative ways (e.g. Hart on rural mobilization and Deere and Razavi on gender-blind agrarian political economy). Questioning what constitutes knowledge, and whose knowledge counts and gets used has thus been a fundamental part of my research approach.

Standpoint thinking also encouraged me to recognize that the different situatedness and positionalities of the research participants, particularly women and youth, shaped their own standpoints and thus their understanding of women, youth, and gender equality, and which could therefore be different from mine. While I was committed to attentiveness to power, boundaries and situatedness, and to transforming "the social order in order to promote gender justice" (Ackerly and True, 2010b: 2), I often found myself questioning what I was doing, having to step back, deconstructing my own assumptions and re-learning. In essence, I had to be willing to

“stay with the trouble” (Haraway, 2016), letting myself befriend uncertainty and uneasiness and accept that the process could be far from perfect and linear. Importantly, I needed to acknowledge my situatedness and my positionality within the context of the MOSAIC project (discussed below), my own research project and my organization. This has also implied an ongoing engagement in self-reflectivity as to my own socio-political location and socio-economic privilege (Ackerly and True, 2010b), triggering also reflections on how the knowledge I gained could help change the everyday practices and conceptual frameworks that are dominant within my development work towards more socially transformative outcomes (Harding and Norberg, 2005) .

I am Korean middle-aged educated woman, daughter of migrant parents, born and raised in Italy. Growing up, I often experienced my race and ethnicity with discomfort, always being the only Asian and foreigner in school and in my social network. My first timid encounters with feminism happened at high school at student collectives and occasional marches. At that time, it was more out of collegiality and solidarity that I joined those events, without deeply interrogating the meaning of the claims that we were making nor how they would relate to my own identity as a Korean-Italian. Nonetheless, along with my friends, I claimed to be a feminist and happily joined public marches on March 8<sup>th</sup>. This was in the early 80s, the last part of the Italian so-called ‘anni di piombo’ (lead years), where socio-political turmoil manifested in terror attacks, killings and deaths both in extremist right wing and left-wing factions. My high school, a well-known liberal leftist school in a far-right bourgeois neighbourhood, was often the arena of students’ clashes and once the crime scene of the assassination of a policeman. In those years, we could share laughter and beers with friends and schoolmates but be highly divided by political affiliation. Friends on either side of the political spectrum could be beaten up or even killed during urban clashes, as sadly happened. In my ‘otherness’, while having a loose affiliation with the leftist side of the student crowd, I was torn between the desire to conform to my parents’ Korean expectations to have an obedient daughter, and to be socially integrated by being ‘where the action was’. Most of the time caution prevailed. After all, the heyday of feminism was over and women’s rights were not in bad shape thanks to all the gains achieved by the hard work of feminists of the previous generation.

It was not until decades later that I was drawn back to feminism by my lived experience of being a single breadwinning mother. I had divorced, moved to Rome with my two young children and was struggling my way from one ill-paid, insecure job to another. Volunteering with a women's group, I found a place where I felt at home and from where I was awoken to multiple realities of oppression, discrimination and injustice in my own countries and everywhere. As a small CSO, we ran a news agency and several projects to promote gender equality in government organizations and society. We also offered legal support and advisory services to migrant women. Researching and reporting on women's rights in Italy and elsewhere, I learned about wage differentials, denied reproductive rights, gender based violence, and negation of basic human rights, but also about solidarity, sisterhood, diversity. Feminism took on a whole different meaning and spin, as I realized that the gains made in the past could not be taken for granted and that not all women could exercise their basic human rights in the same way. Those years changed me in profound ways and determined my decision to make the struggle for gender equality my priority and occupation, firstly on a voluntary basis, then as casual worker.

After years of consultancies, I now hold a staff position with the Food and Agriculture Organization (FAO) of the United Nations as regional gender specialist for the Asia Pacific office. Although rewarding in many ways, including from the perspective of economic stability, this transition has not been easy. Am I a 'femocrat' (Cornwall, 2007)? Or do I belong to the transnational activist class, "composed of educated and professional men and women of the middle class, mostly from the Global North but also drawn significantly from select countries of the Global South, who move freely back and forth between the UN, international NGOs, the academy and government" (Conway, 2011: 37)? And to what extent does this shape who I am, my research and my work? I have discussed this at length in the Prologue. Here I wish to highlight that I am aware of the privileges that come with my job, class, race, and socio-economic status and of my multiple identities and positionalities in the field, within the MOSAIC project described below, my organization, my academic institute, and vis-à-vis partners, subject-participants, colleagues and counterparts.

In-country, my UN identity has given me privileged access to certain information and actors, especially in government – access which I used. The boundaries between my thesis and other work that I was doing in the

two countries sometimes overlapped and blurred, making it difficult to situate myself clearly. I was aware that this could create ethical issues; at the same time, given the sensitivity of the topic, I sometimes had to be strategic about the way I deployed my identities. This depended on the context, people and sources, and it sometimes meant choosing not to say too much – for example, I would say that I was doing research on gender and land but not mention land grabbing. Overall, the approach I adopted was to always let people know who I was - FAO gender officer also doing her PhD research - and the purpose of the meeting or interview (research, project preparation etc.) but emphasizing one aspect or the other as necessary or appropriate. When working with consortium partners and communities, I always made sure people knew who I was and what I was doing and spent time introducing myself thoroughly and responding to any questions that people wanted to ask. Parts of my research and writings have also been shared with the grassroot partners for the sake of accuracy and transparency.

My situatedness and identities shaped my interaction with local communities and local partners in the way I was with them, thought about them and was perceived by them. In particular, being a ‘gender specialist’, I was received by people, including some women, with mixed emotions including curiosity, resistance, scorn or simply scepticism. I was often told “we don’t have gender issues here. This is our culture”, as the opening line of interviews with people in government but also in exchanges with villagers. This, in turn, led me to find ways to ask questions around gender roles and relations. Having privileged access to local partners via the MOSAIC project, and through them to communities, I also made efforts to create an awareness of the hidden meaning of statements such as the one above through trainings, presentations and informal discussions.

In the villages, introducing myself as researcher and FAO staff member, sometimes created expectations in the people I met regarding what I could do to help them solve their problems or simply the ‘superior’ knowledge I had that I could share with them. More often than not, having my local partners as gatekeepers and facilitators, I was recognized as a ‘welcome’ foreigner. On only a few occasions was I also questioned about my motives for doing such research and how I felt as a Korean about the MAC company (discussed in Chapter 2) which is also Korean. On the positive side, my Korean identity helped me to open channels for com-

munication, as many people, especially women and youth, eagerly followed Korean soap operas and were curious to learn more about Korean culture and the way of life, but also about the ‘Korean miracle’.<sup>29</sup> Being a woman, sharing stories about my children and showing their pictures also became routine practice at the end of group discussions with women once they felt more comfortable to ask me questions about my age, my marital status and children. With young people, on the other hand, taking selfies and pictures together and befriending them on social media became the new norm.

I realize that it must have been difficult for people to work out my multiple positionalities, as development UN professional, as PhD researcher and as an activist working with local grassroots organizations. While this often made me feel uneasy, I did not engage in self-ethnography. Instead, I used feminist ethnics and thinking to “stay with the trouble”, reflecting on how my own and other people’s expectations and biases could affect the research findings.

## 1.6.2 Fieldwork and data collection

### *Situating my project*

The research for this thesis was carried out under the umbrella of the MOSAIC project<sup>30</sup> - *Climate change mitigation policies, land grabbing and conflicts in fragile states: understanding intersections, exploring transformations in Myanmar and Cambodia* - implemented in 2014-2018 by a consortium of partners from academia, including the International Institute of Social Studies, as well as activist and grassroots groups from the Global North and the Global South. In the context of resurgent climate change mitigation policies, land grabs and historical conflicts (across scales) in Cambodia and Myanmar, the project consortium partners worked together to create opportunities for civil society, grassroots organizations and villagers to politically engage (Fox, 2006) ‘from below’ as a means to resolve conflicts. By promoting exchange among consortium partners and knowledge-generation especially with and for local partners, the project committed to participatory action research and to addressing the power dynamics deriving from asymmetries of knowledge. The project also supported political

strategies and the participation of local partners in national and international policy fora. In this sense, it aimed to de-colonialize hierarchies of knowledge and refute the privilege associated with academe, especially from the Global North. Participatory action research was undertaken mainly by the local consortium partners, while the academic and Global North partners had more of a supporting role. MOSAIC also aimed to be a ‘scholar-activist’/research-advocacy project in which different team members – individually and collectively – engaged in research and activism. Scholar activism is understood as “rigorous academic work that aims to change the world, or committed activist work that is informed by rigorous academic research, which is explicitly and unapologetically connected to a political project or movement.” (Borras, 2016: 5)

Attention to gender was not embedded in the design of the project from the onset and there was no explicit reference as to how the project would uncover and deal with issues of power asymmetries, or ethnic and gender discrimination in order to ensure that the voices of all people, women and men, old and young, could be heard and taken into account. While on the one hand the open-ended frame of the project allowed the local partners to set their priorities and develop their own workplans freely, on the other hand this meant that issues like gender would not be prioritized in the local plans, especially in the face of more pressing issues and new struggles coming up almost every day. Within the project team, I sometimes felt that there was an expectation that ‘doing the gender’ was my responsibility only, but I also struggled because of my limited time. The gender activities in the MOSAIC project consisted mainly of trainings and awareness-raising sessions organized with the consortium partners, and drafting the papers that also form the basis of this thesis. There was also a lot of informal talking and motivating on the side lines in my interactions with local partners. The local group that I worked more closely with has now included sessions on gender in their community trainings and youth camps.

The MOSAIC project also had a global dimension that aimed to create connections across scales, countries and actors and to link up with global fights while keeping the focus on local struggles. As Borras et al. (2008) have argued, ‘global-local complex processes’ of agrarian change also affect agrarian movements’ strategies and responses, including their use of international governance instruments, as illustrated in Chapter 5. While keeping the focus on local struggles and power dynamics, my research



conversed with the national socio-cultural-economic and policy level, and with the global land grab context, voicing the perspective of the subject-participants to inform a feminist political ecology of agrarian and environmental change in Cambodia and Myanmar.

It is worth spending some time clarifying how this research engages the idea of landscape, which is central to the MOSAIC project, although I did not use it systematically in this thesis (mainly in Chapters 2 and 5). The first collaborative intellectual endeavour of the MOSAIC project states that in order to study “the interactions between climate change mitigation initiatives, land grabs and resulting patterns of conflict” and “support actions to promote socially just conflict resolutions”, it is necessary to adopt a “landscape-level perspective and involve affected people as co-producers of knowledge”. It then proceeds to elaborate on the importance of expanding the analyses from a site-specific to a landscape scale so to “reveal patterns and cumulative impacts that remain invisible when smaller geographical areas are viewed separately”. (Hunsberger et al., 2017: 2). The landscape is then defined

as a “place” in which physical and socio-cultural elements occur in localized, spatially specific combinations and in which human actors dynamically interact. A landscape is both ecologically and socially fluid and changeable, but also holds continuities (Antrop 2005; Zimmerer 2006). A landscape is thus a space larger than a farm but smaller than a region, in which physical, ecological and human dimensions co-exist as a product of socio-ecological and cultural co-evolution (Batterbury and Bebbington 1999; Vaccaro and Norman 2008)... These considerations suggest, on the one hand, that the analytical boundaries of a landscape should be defined not only according to ecological units (watersheds) or political administrative units (municipalities) but using both, informed by the purpose of enquiry. On the other hand, they reveal that landscapes are heterogeneous; they include a mixture of land uses, resources and institutions at any given moment. (Hunsberger et al., 2017: 10).

The difficulty of operationalizing this broad and fluid understanding of landscape left many of us in the project grappling with concepts and literature from different disciplines including critical geography, territorialisation, and governmentality. At the very least, ‘the landscape’ encouraged us to elevate our sights from the single site to multiple sites and to explore their intersections - physical, ecological, social and political. In my own process of elaborating on the landscape, I turned to Doreen Massey’s discussion of space for inspiration. Her argument that in order to counter the idea of the “ineluctability of this globalisation” we need a different concept

of space and time resonated with me, as the way in which we think about space also shapes our view of ourselves, of others, of the world and of politics. Massey puts forward the following propositions:

*First*, that we recognise space as the product of interrelations; as constituted through interactions, from the immensity of the global to the intimately tiny...*Second*, that we understand space as the sphere of the possibility of the existence of multiplicity in the sense of contemporaneous plurality; as the sphere where different trajectories coexist; as the sphere of coexisting heterogeneity. *Third*, that we recognise space as always under construction. Precisely because space on this reading is a product of relations-between, relations which are necessarily embedded material practices which have to be carried out, it is always in the process of being made. (Massey, 2005: 9)

The conceptualization of space as a configuration of social relations also leaves room for elaboration about power, “since social relations are inevitably and everywhere imbued with power and meaning and symbolism, this view of the spatial is as an ever-shifting social geometry of power and signification” (Massey, 1994: 3). This need not be in contrast with the politics of place that ethnic communities are enacting in their struggles, nor with the centrality of place “in the creation of culture, nature, and economy” (Escobar, 2008: 30), as the concept of space that Massey puts forward is relational and dynamic. By seeing the local as part of and transformative of the larger socio-political-ecological space, ethnic communities are deploying their politics of place and advancing the potential for their ‘other’ visions (see Chapter 2).

Finally, another important influence of the MOSAIC framework has been its scholar-activist orientation, which also speaks to the intellectual and political legacy of FPE. In the two-way, interactive approach to agrarian movements and scholar-activist relationships described by Borras (2016: 37), the movements recognize how the expertise of scholar-activists can help them to “...extend the reach of[,] their political struggles”, while the scholar-activists value and respect the autonomy of agrarian movements. Both parties realize the “great potential for mutually reinforcing synergies in joining forces”. In a provocative way Frances Fox Piven (2010) states that “we should try to limit the influence of the academy not just because activism is important for our society, but because political activism can mean a more fulfilling life, built on comradeship and the possibility of making an imprint on the world.” We can achieve this by being “self-conscious and self-questioning about the political significance of the

questions we ask as academics” and by paying attention to “our own role in choosing and creating the environment that comes to influence us.”

### *Methods and data collection*

Primary data was collected in Cambodia and Myanmar between April 2014 and May 2018, mostly but not exclusively under the umbrella of the MOSAIC project.<sup>31</sup> While I benefited from working with consortium partners, with whom I engaged in many moments of knowledge-sharing, my fieldwork did not follow the footsteps of MOSAIC at all times. For instance, in Cambodia, the research sites were not the same as those chosen by MOSAIC. I followed the lead of consortium partners, did background research and talked with other researchers in Cambodia prior to deciding where I could more sensibly explore my research questions. To visit the communities, I relied on consortium partners as facilitators, but had my own translator, a young Khmer woman whose contact I was given by a fellow researcher, as well as an older indigenous woman in Ratanakiri. In contrast, in Myanmar, because of the restrictions in accessing certain areas, especially those controlled by ethnic armed groups, and of the closer relationship that I established with local MOSAIC partners, I relied on consortium partners to act as facilitators. In particular, I worked closely with one local CSO, an ethnic youth organization active in my areas of focus. Both prior to going to the villages with them and once there, I could say who in the community I wished to talk to (e.g. youth, women’s group, men’s group, village leader); however, I was also flexible enough to accommodate unexpected turnouts, people’s time availability and interest in meeting etc. In both countries, at the central level where mobility was less of a restriction, I also relied on my personal network and initiative to identify and access key informants.

During the course of the MOSAIC project, several CSO and consortium partner meetings were organized both in Cambodia and Myanmar, many of which I joined. These provided an opportunity for partners and community representatives to discuss the different projects and investments that were ongoing or being planned in the two project landscapes and their mobilization and (dis)engagement strategies. These meetings were also an opportunity for me to get to know people and to let them get to know me, and to familiarize myself with the issues and contexts. Working with FAO wearing my ‘gender, rural and social development’ expert

‘hat’, I also had privileged access to information, situations, networks and people at both the country and regional level. I thus participated in several meetings organized in Cambodia and Myanmar around gender, land and agriculture in my institutional position, discussed in more detail from the perspective of situatedness and identity in Section 1.6.1 above (see also Preface and concerns raised above).

In Cambodia, the field work for Chapter 3 was carried out in Kampong Speu and Ratanakiri provinces as well as in Phnom Penh between March and November 2014. Kampong Speu has been heavily affected by the expansion of Economic Land Concessions (ELC), particularly sugar plantations, and communities there by dispossession, eviction, and relocation. Adverse incorporation has also taken place, as farming household members, including children, engage as casual workers on the sugar plantations. Kampong Speu has also been the site of various forms of political reactions, ranging from everyday forms of resistance, to roadblocks and protests sometimes leading to violent confrontations with the police and the military. Women have participated actively, and there are signs that with the support of several NGOs and trainings received, some of them are emerging as community leaders and/or activists. However, there are also people, including women, who have not engaged and who see protesting as either useless or potentially dangerous, given how powerful some of the politicians-turned-investors are.<sup>32</sup> Furthermore, Kampong Speu is relatively close to Phnom Penh, offering some people, including women, opportunities and better linkages with Phnom Penh-based NGOs and organized groups of urban land activists. Kampong Speu thus offered the scope to explore how all these dynamics interact and what might be the conditions that shape women’s engagement in politics and what the outcomes of such engagement might be. In total I visited five communities and conducted six in-depth individual interviews with women and two focus group discussions, one in Andong Meas District in Ratanakiri and one in Thporng district in Kampong Speu, between March and April 2014. I also conducted individual interviews with the community leader of the village in Ratanakiri, the local indigenous facilitator, and NGO staff in Ratanakiri and Phnom Penh, was able to carry out participant observation during several community meetings. The analysis also benefited from interviews I conducted with two women land activists in Phnom Penh, with representatives of a women’s group that was supporting land activism, and with researchers and NGO staff. It also benefited from my participation

in workshops and fora which included government representatives, international organizations, researchers and local NGOs.

The fieldwork for Chapter 4 was conducted in Andong Meas, Oyadaw, O'Chum, Borkeo and Veunsay districts<sup>33</sup> in Ratanakiri between 2006 and 2016 in the context of various projects involving research, consultations and activities with indigenous women. All such activities were meant to collect information about changes in gender roles and relations, while research from 2014 onwards had a specific focus on the expansion of ELCs and the impact of land titling initiatives. Ratanakiri in the northeast of Cambodia is one of the 'frontier' provinces, inhabited until a few decades ago mainly by indigenous groups. While the more recent expansion of ELCs, mainly for rubber, has affected communities intensely, the commodification of land and nature had already started in the 1990s and has been accelerated by the recent surge in monocrop plantations and by titling initiatives to formalize individual access to land (see Chapter 5). The opening of the land frontier in Ratanakiri has thus triggered a slow but steady process of commodification and market integration. The analysis is based on research carried out in different communities and ethnic groups, rather than on a more thorough ethnographic study of a single community. While this means some sacrifice of depth and detail, the intention was to capture a transformation that has affected the whole province and is not limited to a specific ethnic group or geographical location. The methods used allowed for the collection of experiences, stories, feelings and concerns on a wide range of issues in a number of communities over time. Chapter 4 also benefited from research conducted prior to 2014 by the co-author of the article it is based on.

In Myanmar, the fieldwork was carried out in various areas in Taninthary, two of them where controversial oil palm plantations operate and one that has been earmarked for the development of a national park. In 2017, I spent three longer periods of time in the field, staying with my youth partners based in Myek with a few day trips to the villages. With my youth partners, I was able to visit six villages located south of Myek in an area that spans two oil palm plantations and a national park and is under the mixed control of the Union Government and the Karen National Union (KNU) (see map), with some communities under exclusive or mixed governance arrangements. In 2018, I did the last part of my field work, spending an additional full month in the country. During that time, I was able to interview government representatives at different departments

within the Ministry of Agriculture, Irrigation and Livestock (MOALI), which is also responsible for the management of agricultural land; with the Ministry of Natural Resources and Environmental Conservation (MONREC), which has a mandate that covers the management of forest land and conservation; and with the Ministry of Social Welfare Relief and Resettlement, which houses the women's development department. In addition, I interviewed representatives of several other gender/women CSOs and environmental/land/agrarian justice CSOs. Finally, I went back to the field in Taninthary and visited four villages where I carried out Focus Group Discussions (FGD) and interviews. In total, I conducted 14 FGDs with a total number of 79 male participants and 36 female participants. In addition, to complement and triangulate the information, I held 37 individual interviews with people in various contexts, including villages, CSOs, local and central government, EAO representatives, international and national NGOs, and the media.

For the collection of primary data, I used qualitative methods including semi-structured interviews, life histories, focus group discussions with subject-participants, and participant observation in different settings such as houses and communities, but also at the margins of trainings, workshops and consultation meetings that involved the participation of community-based organizations and social movements. The choice of qualitative methods was driven by the desire to give subject-participants a safe space and time to articulate their experiences and views. For example, whenever possible the focus group discussions were segregated to ensure that women and youth would feel comfortable to share. I thus embraced the view that "we make a method into a feminist method" by the way in which we use it and adapt it (Ackerly and True, 2010b: 163). I also carried out a documentary review of news, reports, academic papers, NGO reports and government policies and strategies in order to collect relevant background information on ELCs, concessions and other investments, and on initiatives, land reform and agriculture sector strategies and policies, and the socio-economic context, etc. It is important to highlight that, holding a full-time job, I was not able to spend extensive and prolonged periods of time in the field. Therefore, ethnography was not intended to be the primary means of data production, but to complement, enrich and validate data collected otherwise with insights and testimonies from the subject-participants.

I used the ethnographic approach to analyse the impact of land grabbing and changes in access to land and natural resources on different women and men in the selected communities in Cambodia and Myanmar. Here I used individual and group discussions (mixed and segregated by sex and age group) to get information on different people's experiences of dispossession, incorporation and/or expulsion, as well as on participation in and motivations for resistance and mobilization. Furthermore, semi-structured, in-depth interviews with a selected and limited number of women and youth to gain subjective reflections. As is the case with oral histories, these provided "insights into how people think about certain events and what they perceive their own role to have been...an expression of the personality of the interviewees, of their cultural values, and of the particular historical circumstance which shaped their point of view" (Hareven, 1992: 275). As Hareven (1992) points out, rather than a means for getting information, these interviews have to be considered a knowledge-generation process. Moreover, these oral histories captured the temporal dimension of the changes, that is, what it was like before, during and after the land grab and, in the case of Tanintharyi, also prior and after the ceasefire. At the same time, factual information about events and situations was triangulated by asking other participants the same questions, checking media and NGO reports, etc. I gained many insights through participant observation of communities' and partners' everyday lives, routines (Ackerly and True, 2010b) and practices at trainings, community-based organization strategy meetings, on the road, in the field, and during meals and discussions which typically took place during downtimes in the field.

Semi-structured interviews with representatives of local and international non-governmental organizations, including women's organizations, grassroots organizations, farmers groups and unions, as well as local authorities, and central government representatives provided information on the institutional and political context surrounding land grabbing, and provided access to information on specific cases and episodes. CSOs in Cambodia and Myanmar have been particularly active in producing knowledge and raising awareness about land grabbing as well as providing legal support and training to communities affected by land grabbing and dispossession.

The interviews were based on a question guide that identified a number of questions and themes. However, I kept the structure of the interviews

open in order to build in ample space for the subject-participants to freely and openly express related areas of exploration and discussion. The format also allowed me to ask additional, unplanned questions: “The open ended nature of the questions posed defines the topic under investigation but provides opportunities for both interviewer and interviewee to discuss one topics in more detail” (Hancock et al., 2009: 16), allowing spontaneity on the part of the researcher and the interviewee. The questions guides were prepared and shared with the interpreters/facilitators ahead of time to enable translation and clarification of doubts about methods, terminology and concepts, particularly when the meaning needed to be interpreted culturally. For instance, most languages in Asia, including Khmer, Myanmar and local languages, do not have an equivalent term for gender.

As observed earlier, I held segregated group discussions, but when possible, I combined them with mixed groups. It was clear that power dynamics affected the likelihood of different people speaking up in a group discussion, although not always in the same way. This was particularly true for women, and younger women and men even more so. At the same time, focus group discussions brought up group dynamics emerge and made them observable. “Often multiple people who have shared the same experience can come to a different understanding of the experience if they arrive at that understanding through shared conversation than they might if arrived at it through individual reflection” (Ackerly and True, 2010b: 172).

I used participant observation, which implies engaging in the “life and activities of the context of the study” (Ackerly and True, 2010b: 202) as much as possible in order to gain further insights into intra-group and intra-community dynamics. I made use of several types of documentation, including memos, photographs and, occasionally, short videos. However, to respect respondents’ privacy and safety, I have chosen not to use pictures of people in this thesis and have blurred the faces in the only one photo that I have included in Chapter 3.

My situatedness and experience as a development practitioner and feminist scholar have influenced my reflectivity as a researcher (Hawkins et al., 2011), encouraging me to be alert to power differentials, assumptions, and the situatedness of the subject-participants and partners, and to challenge my own assumptions. I also strived to ensure the reflexivity of research participants, making room for adjustments during the research process, staying away from pre-conceptions and being aware of situations in



which joint knowledge production was ongoing. This was true with respect to work with community women and men and especially with grassroots partners who are also to be considered subject-participants.

All the information produced through interviews, group discussions and participant observation was collected using note taking. The notes were read, transcribed and validated with the partners and/or interpreters. In order to ensure that I did not distort the voices and views of the subject-participants, I went over my notes with them after the interviews, asking questions on doubts that I may have had. My notes did not contain only the field notes of the interviews/discussions, but also included personal reflections and observations about the environment, the context, the body language and interactions among subject-participants in order to capture some of the non-verbal scripts, including those dictated by power dynamics (see for example Chapter 2), and give as full an account as possible.

The writing process was also a key part of the analysis and personal process of 'making sense'. As other authors have argued (Richardson, 2000), writing can be considered a form of analysis when it involves "a thinking process that suggests new categories and ways of structuring" the analysis and reveal new analytical insights (Ackerly and True, 2010b: 197).

Although of secondary relevance relative to other aspects and methods of the research, I used the Grounded Theory Approach, in combination with Critical Discourse Analysis (CDA), to investigate dominant discourses about gender, women, ethnicity and youth in, among others, public policies and strategies, media reports, and available literature, including that on land grab cases. Grounded Theory is useful for "studying questions that themselves have been concealed by dominant discourses, conceptualization, and notions of what questions are important... the aim is to see beyond the obvious and dominant readings of a problem or situation and to generate new and innovative interpretation of these." (Ackerly and True, 2010b: 204). CDA "focuses on the role of discourse in the production and reproduction of power abuse or domination. Wherever possible, it does so from a perspective that is consistent with the best interest of dominated groups...it supports their struggle against inequality" (van Dijk, 2001: 96).

The names of all villages and people interviewed have been anonymized to protect people's identity, security and privacy.

### 1.6.3 Limitations

My fieldwork was limited in several ways. **First**, doing research in the context of an extraordinarily fluid political situation, both nationally and locally, was challenging. The political volatility of the context was such that it forced all grassroots partners to engage in a constant process of reaction and recalibration of action. This, compounded by the time constraints and responsibilities of my full-time job, had obvious implications in terms of planning the research.

**Second**, in Myanmar, especially in remote rural areas, access to the villages is still restricted and has to be authorized by government authorities or ethnic armed organizations (EAO), such as the Karen National Union (KNU). In this respect, as noted above, I benefited enormously from working with local grassroots groups, especially the ethnic youth group, without which I could not have travelled to or stayed in remote villages and locations. Conversely, this also meant that, especially at first, I would follow their lead in villages to visit, knowing that these were all villages affected by either the oil palm concessions or the conservation project or both. Later in the process I was able to suggest in which villages I wished to make follow up visits and interviews. I am also indebted for facilitation to my youth group for their preferential access to Karen villages and for translation. Translation proved challenging at times, because only three staff members, one young woman and two young men, were semi-proficient in English, meaning that they could understand my questions, translate them and also translate the answers back to me with relative ease. However, often this required several rounds of confirming and validating that we had understood each other.

**Third**, because of the restrictions illustrated above, my desire not to overburden my partners-friends, and efforts to accommodate my work and schedule to theirs, what we planned in the field was also contingent to what trainings, visits and activities they had already planned. I was also often asked to join and participate in their activities, for instance youth camps and trainings, which I happily did realizing that a process of co-creation and sharing of knowledge and transformation was triggered each and every time.

The **fourth** related limitation was that I did not speak the local languages. I do not speak Khmer and had to rely on a research assistant/in-

terpreter for field work in Cambodia, along with a local indigenous facilitator in Ratanakiri. While I studied some Burmese, I only attained a very basic level of introducing myself and picking up a few words here and there. Furthermore, the majority of the communities I visited in Tanintharyi were Karen and many people, particularly women, could not speak or understand anything but their own Karen dialect.<sup>34</sup>

The **fifth** limitation was my full-time job, which limited my time as well as my freedom to plan, as indicated above. The fieldwork had to be planned taking my work load and schedule into account and necessitated taking leave of absence from the office. This also meant that instead of spending long stretches of time in the field, I had to do multiple shorter trips, the longest being four weeks of uninterrupted stay. Luckily, being based in Bangkok made these kinds of trips easy and feasible.

**Finally**, while I was both limited and advantaged by my job in the ways that I have described at length, the process challenged me to think and act beyond binaries. Instead of separating and compartmentalizing, I tried to focus on building bridges between my work as a development practitioner and as an engaged scholar and activist, gender specialist and feminist, across disciplines and practices, identifying ways in which one can inform and improve the other.

## 1.7 Organization and rationale of the thesis

Following Chapter 1, the study presents the empirical findings, which are all based on published articles, with the only exception being Chapter 2. As mentioned, the cases were chosen to illustrate different facets and issues that fall under the umbrella of land grabbing, with the aim of providing an account which reflects the perspectives and voices of those who are less likely to be heard. By representing the experiences of those who are ‘othered’ because of their sex, age and ethnicity, with my research I tried to bridge a knowledge and voice gap. The remainder of the study is organized as follows:

**Chapter 2** addresses gender and, focusing on youth, on the generational impacts of three cases of dispossession and exclusion – two oil palm plantations and one conservation project – on Karen ethnic communities

in Tanintharyi, Southern Myanmar. Preliminary findings from this research were presented at the International Conference of Critical Asia Studies, held at Chang Mai University in Thailand, 19-23 July 2017.

**Chapter 3** traces women's participation in political reactions from below in two cases of land grabs driven by the expansion of rubber and sugar plantations respectively in Ratanakiri and Kampong Speu, Cambodia. These are also put in conversation with cases of women's urban activism in order to identify ways in which participation could translate into personal material and social gains for women, and prospects for increased agency. This chapter is based on a single-authored article published online in *Feminist Economics*, 4 October, 2018.

**Chapter 4** takes a longitudinal perspective on agrarian and environmental transformation among indigenous groups in Ratanakiri, Cambodia. Changes in gender roles and relations are analysed in relation to the recent expansion of Economic Land Concessions, but also to the process of commodification started with the opening of the northern frontier in the 90s and the subsequent establishment of a land market and the introduction of cash crops. These processes, exacerbated by the individualization of access to land introduced by land titling exercises, have had gendered impacts on indigenous women and girls. This chapter is based on a co-authored article published in 2017 as part of a special issue of *The Journal of Peasant Studies*, 44:6.

From the perspective of agrarian and environmental social movements and struggles for social justice, **Chapter 5** asks questions about the effectiveness of international governance instruments to respond to the challenges posed by intersecting multiple initiatives encroaching on the same landscape. It also assesses the instruments based on their social justice orientation and concludes that human rights based gender equality and Free, Prior and Informed Consent should be at the core of any instrument and strategy to advance social and environmental justice, particularly at this particular historical juncture. This chapter is based on a co-authored article published in 2017 in the *Canadian Journal of Development Studies*, 38:3, 341-359. Finally, **Chapter 6** discusses the research findings, discusses their broader implications and offers reflections on implications for future research.

The published articles (Chapter 3-5) have been slightly edited to ensure better coherence and flow of the study, and to provide linkages with the overall theoretical framing. However, no changes have been made that

would alter the original substance and analysis, especially in the case of co-authored pieces.

An article-based thesis such as this one might have some limitations in the coherence and flow of the empirical findings. Nevertheless, I believe the study captures the essence of the issues and endeavours to present them in a rigorous way. Finally, following Ackerly and True's (2010: 22) indication that "feminist-informed research is self-reflective, critical, political, and versed in multiple theoretical frameworks in order to enable the researcher to 'see' those people and processes lost in gaps, silences, margins, and peripheries", I also hope to have exposed convincingly my genuine attempts to bridge disciplines, approaches and perspectives in my endeavour to contribute to a feminist political ecology of land grabs.

## Notes

<sup>1</sup> Reducing emissions from reforestation and forest degradation (REDD+) is a mechanism developed by the countries that are parties to the United Nations Convention on Climate Change (UNFCCC), which offers incentives for the reduction of emissions from forests and investments in low-carbon solutions by attaching a financial value for the carbon stocks in forests. The UN-REDD programme, jointly implemented by FAO, UNDP and UNEP, supports countries to develop the capacity to meet the REDD+ requirements (<https://unredd.net/about/what-is-redd-plus.html>, accessed 24 October 2018).

<sup>2</sup> Climate-smart agriculture (CSA), as defined and presented by FAO at the Hague Conference on Agriculture, Food Security and Climate Change in 2010, is “agriculture that sustainably increases productivity, resilience (adaptation), reduces/removes GHGs (mitigation), and enhances achievement of national food security and development goals.” (FAO, 2010: ii). Along the same lines, the World Bank defines it as “an integrated approach to managing landscapes—cropland, livestock, forests and fisheries—that address the interlinked challenges of food security and climate change” and states that it is “committed to working with countries to deliver climate-smart agriculture that achieves the triple win of increased productivity, enhanced resilience, and reduced emissions.” (World Bank, n.d.). Both definitions draw on the World Development Report 2008 message of investment in agriculture as a driver for efficiency-based economic growth (Borras and Franco, 2018).

<sup>3</sup> For instance: Chu J, 2011. Gender and ‘Land Grabbing’ in Sub-Saharan Africa: Women’s land rights and customary land tenure. *Development*, 54(1), 35–39; Behrman J, Meinzen-Dick R and Quisumbing A, 2012. The gender implications of large-scale land deal. *Journal of Peasant Studies*, 39(1), 49–79; Julia & White B, 2012. Gendered experiences of dispossession: oil palm expansion in a Dayak Hibun community in West Kalimantan. *Journal of Peasant Studies*, 39(3-4), 995–1016.

<sup>4</sup> Special issue on “Land, Gender and Food Security” of *Feminist Economics*, vol. 20(1), 2014; special issue on “Gender and generation in Southeast Asian agrarian transformations”, *The Journal of Peasant Studies*, 44(6), 2017.

<sup>5</sup> Data from agricultural censuses for countries where data is available.

<sup>6</sup> Borras et al. (2013: 168) identified the emergence of the following three tendencies in the global governance of land deals, each corresponding to different political stances and interests: “(a) *regulate to facilitate* land deals; (b) *regulate to mitigate the negative impacts and maximize the opportunities*; and (c) *regulate to spot and rollback* land grabbing”.

<sup>7</sup> I use the emphasis only at first use.

<sup>8</sup> In this thesis, I refer to Borras et al.’s (2012) definition and use the terms land grab and land grabbing interchangeably.

<sup>9</sup> The strategy states: “The government of Myanmar has recognized the potential of the REDD+ initiative to contribute to green development by protecting global environmental resources (forest carbon stocks, but also biodiversity), helping to reverse land degradation, helping to improve the livelihoods of the rural poor and aiding adaptation to climate change.” (Myanmar REDD+ Programme, n.d.).

<sup>10</sup> For a recent definition of Feminist Political Ecology see Elhmirst (2018): “Feminist Political Ecology has grown into an expansive and open-ended field that embraces and contributes to diverse theorisations of social relations of power associated with natures, culture and economies. Whilst FPE embraces a diversity of approaches and subject matters, there is a shared (if often implicit) commitment to feminist epistemology, methods and values, where dominant, masculinist conceptions and practices of knowledge and authority are recognised and challenged, and where emphasis is given to research and practice that empowers and promotes social and ecological transformation for women and other marginalized groups.”

<sup>11</sup> Interview with founder of Gender Equality Network, Myanmar, Naw Pyi Taw, May 8, 2018.

<sup>12</sup> Interview with Executive Committee Member of Tavoyan Women’s Union, Dawei, 12 May 2016.

<sup>13</sup> In the special issue of *The Journal of Peasant Studies*, 45:56, 2018, released on the occasion of Marx’s 200<sup>th</sup> date of birth. Levien et al. identify as Agrarian Marxism the long tradition of “work in the Marxist theoretical tradition on the ‘agrarian question,’ rooted in the foundational work of Marx and Engels, elaborated by the ‘classical’ theorists such as Kautsky, Luxemburg, Lenin and Gramsci, and beyond Europe, Mao; and inspiring many decades of scholarship and debate since then on the development of capitalism in agrarian societies and the political potential of peasantries across the world.” (Levien et al., 2018: 854)

<sup>14</sup> See Derek Hall for an overview and discussion of how different scholars have used primitive accumulation and accumulation for dispossession in relation to land grabs (Hall, 2013).

<sup>15</sup> Marx clearly indicated that primitive accumulation is linked to a specific historical juncture of pre-capitalist England. As such, he considers it the basis “instead of the historic result of specifically capitalist production”. (Marx, 2010: 434) Marx refers to primitive accumulation as the original sin of political economy: “The so-called primitive accumulation, therefore, is nothing else than the historical process of divorcing the producer from the means of production. It appears as primitive, because it forms the prehistoric stage of capital and of the mode of production corresponding with it.” (Marx, 2010: 501)

<sup>16</sup> According to Harvey, overaccumulation can be counteracted by opening new, non-capitalist territories to trade and to enterprises that use “cheaper labour power, raw materials, low-cost land, and the like” (Harvey, 2003: 139). These

assets, which are released at very low cost, can then be seized by overaccumulated capital which can “turn them to profitable use”. (Harvey, 2003: 149).

<sup>17</sup> This approach in Feminist Political Ecology focuses on the process by which subjectivities are produced and change over time through the ways axes of power (gender, race, ethnicity, class, sexual orientation, age, (dis)ability) intersect and are shaped by one another (Lykke, 2010; Nightingale, 2011).

<sup>18</sup> Through an intersectional approach, Feminist Political Ecology would also see culture and history as key dimensions to consider.

<sup>19</sup> Tobacco farmers in Pakse Village, as opposed to those in Somsanook Village, both situated in Pakkading District, Borikhamxai Province, lived in an area with more fertile lands and easier access to water and roads.

<sup>20</sup> The Myanmar Agricultural Development Strategy and Investment Plan (2017) notes that 80 percent of farm holders have less than 10 acres of land.

<sup>21</sup> This is certainly an underestimate considering how the data were collected, asking only for the individual’s main occupation.

<sup>22</sup> Prioritizing youth’s engagement in agriculture has been a returning priority agenda item in the latest FAO Asia Pacific Regional Conferences, <http://www.fao.org/about/meetings/regional-conferences/aprc34/documents/en/>. Similarly, but from a different perspective, agrarian movements have youth chapters and manifestos (see for example, <https://viacampesina.org/en/vii-international-conference-youth-assembly-declaration/>).

<sup>23</sup> Chayanov’s peasant economy, resurrected by Shanin and advocates of the ‘peasant way’, centred on the organisation of family labour and its ability to resort to ‘self-exploitation’ in adverse conditions. Chayanov focused exclusively on the family labour farm which is wageless and thus does not produce profit but can still be embedded in a broader system of capitalist relations (Chayanov et al., 1986; White, 2018). In this regards, van der Ploeg clarifies that “the amount and quality of labour that a particular peasant family (located in a particular situation) is able and willing to deliver” is what matters (van der Ploeg, 2014: 3). However, even Chayanov-inspired literature, “despite all the talk of reproduction and decommodification ... completely ignores the great amount of uncommodified work that is carried out in all farming households (as in non-farming households) and largely by women” (Razavi, 2011: 49).

<sup>24</sup> McAdam et al. (2009: 261) define contentious politics as the “public, collective making of consequential claims by connected clusters of persons on other clusters of persons or on major political actors, when at least one government is a claimant, an object of claims, or a third party to the claims”.

<sup>25</sup> Article 16: The Queen of Cambodia shall have no right to engage in politics, to assume a leading function in State or Government affairs, or to assume an administrative or political role.



The Queen of Cambodia shall devote herself in tasks of social, humanitarian, religious interests, and assist the King in protocol and diplomatic obligations.

<sup>26</sup> Health is measured by female and male life expectancy at birth; education by female and male expected years of schooling for children and mean years for adults aged 25 years and older; and control over economic resources by female and male estimated GNI per capita.

<sup>27</sup> Reproductive health is measured by maternal mortality and adolescent birth rates; empowerment is measured by the share of parliamentary seats held by women and attainment in secondary and higher education by each gender; and economic activity is measured by the labour market participation rate for women and men. See, <http://hdr.undp.org/en/countries>.

<sup>28</sup> For more information see, “23/01/2019 18:47:00 Protection for whom? Violation of International Law in Myanmar’s New ‘Race and Religion Protection’ Laws” (White, 2015).

<sup>29</sup> On South Korea’s recent history of development see for instance Wade (1996) and Amsden (1989) as well as Evans (1995). Peter Evans, although not focusing only on South Korea, refers to the East Asian miracle countries in his piece on the role of state-society synergy in advancing developmental goals.

<sup>30</sup> The MOSAIC project “Climate change mitigation policies, land grabbing and conflicts in fragile states: understanding intersections, exploring transformations in Myanmar and Cambodia” was implemented from 2014 to 2018 by a consortium of partners from academia, activist and grassroots groups from the Global North and from the Global South. These included: the International Institute of Social Sciences of Erasmus University Rotterdam, the Regional Center for Sustainable Development at Chang Mai University, the Transnational Institute. At the country level in Myanmar: the Land Core Group, Dawei Development Association (DDA), Metta Foundation and Southern Youth; in Cambodia: Equitable Cambodia, the Cambodia Peacebuilding Network and the Prey Lang Community Network.

<sup>31</sup> Chapter 3 also includes research conducted in Cambodia by the co-author of the article on which the chapter is based, prior to MOSAIC and this thesis.

<sup>32</sup> Personal comment by female interviewee, 1 April 2014, Orale Commune.

<sup>33</sup> The principal sites include 15 villages in Banlung, Andong Meas, Oyadaw, O’chum, Borkeo and Veunsay districts. The names of the villages have been omitted to protect the identity of the women and men we interviewed and consulted.

<sup>34</sup> Several dialects are in use among the Karen, depending on which ethnic subgroup they belong to. In my areas the groups and dialects were mostly Sgaw Karen and Pwo Karen.

## 2

## Other visions of Myanmar's agrarian and environmental change

### Abstract

This Chapter explores the compounded gendered and generationed implications of accelerated paths of agrarian and environmental transformation in Southern Myanmar, drawing on three cases of land grabs. In this Chapter the level of analysis moves between different scales, exploring the local, the investments, the regional and the national. The three cases describe effects on local Karen communities in terms of dispossession, decreased access to land, and social reproduction, impacting in particular young women and men and their prospects of becoming farmers. Engagement in community politics and reactions from below is also gendered and generationed, with women and youth less likely to have a say in decision-making. Grassroots organizations play a key role in ethnic politics and other-visioning from below, with the potential to promote gender equality too. Engagement with and exposure to place and ethnic politics also provides a space for the renegotiation of gender roles and generational relations.

### 2.1 Introduction

Even the big trees have been disappeared and only the small trees are left so we will protect them and have shadow for us...

From our ancestor time we played under the big tree shadow, now for our generation we no longer have them...

The remaining shadow is of small tree so it is time to protect it

Tree of shadow we have be connected with

The small tree is the shadow for us  
We should be protected and protect  
(from “Tree of shadow”, Karen song)

Today youth will be the light of country...  
Wake up, be alive and our youth will serve to develop our country...  
(Youth of today) will be serving and helping, between struggle and starvation  
...come to give the light together for our country...  
(from “Youth of today”, Karen song)

Drawing on empirical findings from Southern Myanmar, this chapter explores the gender and generationed impacts of the expansion of palm oil and conservation initiatives on Karen communities in the Tanintharyi region. The intersection of these initiatives over the same landscape has created conflicts and changes in social relations and has intensified the commodification of nature as land formerly held customarily is secured through formal titles. The chapter also shows how gender and generationed roles and scripts, particularly of young women and men, are being renegotiated within households and villages during processes of agrarian and environmental transformation, and through participation in rural politics. The role of local ethnic grassroots organizations is also explored with respect to grassroots politics, including the formulation of local alternatives and other visions of development, and the promotion (or lack) of gender and generational justice therein. I refer to current formulations of FPE which recognize that nature, in its interconnectedness of resources, culture (Haraway, 2008) and society co-create each other. I further analyse agrarian and environmental transformation processes and struggles in their embeddedness in the “*everyday, embodied and emotional* relations to resources and ‘natures’” (Harris, 2015: 158), social hierarchies of power, and specific geographical and historical contexts.

While the broader methodology, including that for this chapter, is addressed in Chapter 1, it is important to note that I am referring to either young women or young men when I point to participants in youth focus group discussions. These groups were organized with support from my grassroots partners, following my request to meet young people in the village. With the exception of a limited number of improvised group discussions, for all the FGDs I collected information about the age, sex, marital

status, religion and ethnic group of all participants. In the specific case of the youth groups, while their composition varied, the participants' age was always below 30. Much of the literature on youth and generation does not analytically differentiate clearly between the two, partially because these concepts have been interpreted in many different ways (Huijsmans et al., 2014). In this thesis, and in this chapter specifically, chronological age is not as important as social age. What 'makes age' in fact is largely marital status. At the same time, we will also see that youth are able to establish their social age in ways that go beyond chronological age and marital status, as other research has also shown (Clark-Kazak, 2009; Utrata, 2011). According to Clark-Kazak (2009: 5), social age is a term that includes intra- and intergenerational relationships and also "refers to the social meanings and roles ascribed to different stages in the human life cycle. In other words, social age is a broader term that includes but is not limited to generational considerations."

Since 2011 the Government of the Republic of the Union of Myanmar (UG henceforth) has embraced a series of reforms in the areas of land use, land conversion, and investments, attracting international capital and investors. Concurrently, the 2012 preliminary ceasefire between the UG and several Ethnic Armed Organizations (EAOs) has facilitated access to frontier territories, including Tanintharyi region in the South, which had long been hotspots of conflict and ethnic insurgency (Bryant, 1994; Malseed, 2009; Woods, 2015a, 2015b). Designated in 1999 to be the 'palm oil bowl' of the country, until the ceasefire Tanintharyi had largely remained within the purview of selected operations and agribusinesses run by the military and domestic cronies. Home to around 2.5 million hectares of Sundaic lowland forests, the largest in the Indo-Burma sub-region (Baskett, 2016), and several thousand hectares designated as protected areas (PA), the region is also a darling of international conservation non-governmental organizations (NGO) and targeted for projects funded under the Global Environmental Facility (GEF).

Tanintharyi is thus a locus where different types of land grabs – understood as 'control grabs' (Borras et al., 2012) - driven by environmental, climate change, agricultural, and economic development agendas, run in parallel to each other but also overlap and intersect over the same landscape, exacerbating existing conflicts and creating new ones (Corbera et al., 2017: 299; Hunsberger et al., 2017). With cases of land eviction, dis-

possession and exclusion increasing, communities and CSOs in Tanintharyi have mobilized to raise public attention of the impacts of these grabs on the rights and livelihoods of local communities, particularly ethnic groups who depend on access to forests and natural resources for their livelihoods, identity and reproduction. A CSO report highlights that land grabs have affected ethnic Karen women, particularly widows, disproportionately in terms of loss of independent livelihoods, access to food and physical security.

Women have taken action to mitigate and protest against abuse, with actions including complaint letters, registration of land, negotiation of compensation or refusal to move. In some cases these actions have been successful but the majority of women face significant obstacles in accessing justice (Karen Human Rights Group, 2016). The analysis of an INGO-led project that involved paralegals found that only 20 percent of those seeking paralegal support were women. Additionally, fewer women had land documents of any sort, including tax receipts, and this made them more vulnerable to land confiscation.<sup>1</sup> According to a report by Namati, women were also less likely to benefit equally from compensation and restitution, while also being impacted negatively by the changes in intra-household power dynamics that occur when they are forced into casual labour as a result of land dispossession (Namati, 2016). Overall, however, both gender and generational dimensions have been relatively neglected in Southeast Asian land grab studies (Park and White, 2017) and in Myanmar in particular: with the exception of a few CSO and NGO publications (Karen Human Rights Group, 2016; Namati, 2016; see for instance, Tavoyan Women's Union, 2015), there has been scarce attention to either or both when compared to other countries in the region, such as Cambodia, Laos and Indonesia.<sup>2</sup>

The field work for this chapter took place between 2014 and 2018 in Myek and Tanintharyi townships in Myek district, one of the three districts of Tanintharyi division<sup>3</sup>, in villages affected by the expansion of two major oil palm concessions and a national park (see Map 3.1). Most of the villages and communities visited are predominantly if not entirely inhabited by Karen (or Kayin) ethnic groups. However, the population of the division is highly diverse, including Bamar, Dawei, Rakhine, Mon, Shan, Burmese-Thai, Kayin, Salone and Malay ethnicities. The areas are also sites of contested or rather 'fragmented sovereignty' (Lund, 2011) and subject to the

authority of either the Union Government (UG) and/or the Karen National Union (KNU), the political organization representing the Karen people of Myanmar.

## 2.2 Land, agriculture, farming and ethnicity in Myanmar

In 2014, the government embarked on a series of major reforms, including the drafting of the National Land Use Policy (NLUP). Both the process and the policy were major breakthroughs. For the first time, the process was open to participation from civil society and communities, and for the first time the policy was to address the 'land problem' in the country. According to the analysis of the final draft by the Transnational Institute (2015a), the land problem centres around three key issues: landlessness due to conflicts and natural disasters; tenure insecurity; and lack of effective means to access land and control in decision-making. The land problem is rooted in a lack of recognition of customary tenure systems, in "stacked" layers of outdated laws and regulations (Mark, 2016) created by the British colonialists and by subsequent regimes seeking to consolidate their power, and in a multiplicity of institutions dealing with land management.

The gender text in the final, sixth, version of the NLPU was the result of negotiations over several drafts, which were significantly shaped by demands from civil society, NGOs and the international community (Faxon, 2015, 2017; Gender Equality Network, 2014; Transnational Institute, 2015b), including the promotion of the use of the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (VGGT) as a yardstick for social inclusion, human rights and gender equality. In earlier versions, for example, while the English text made clear references to gender equality and women's equal rights to land, these were missing in the Burmese version (Faxon, 2017). Among its basic principles, the NLUP ensures "equal opportunities for men and women over land resources, tenure rights and participatory decision making" (Principle 6k, Government of the Republic of the Union of Myanmar, 2015: 4). A whole section, Part IX, lays out the "Equal Rights of Men and Women", and highlights that, in accordance with the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

and the Myanmar Constitution, the National Land Law shall provide for the equal right: to hold and own land individually and jointly (9a); to inherit land tenure and management rights (9b); to land allocation and management (9c); to participate and represent a community in decisions around land disputes; and (9e) in relation to land acquisition compensation, rehabilitation and restitution (9f). The right of members of ethnic groups to recognize, register and protect their customary land use rights is also explicitly mentioned (9h). A focus on generational dimensions is included in the provision on land acquisition for social and economic development, which should take into account “sustainable land use for future generations” (Part V, 35).

As mentioned, the process was remarkable in itself, creating expectations of change that would be inclusive of smallholder farmers, ethnic groups and people who had been displaced by years of conflict (Franco, Kramer, et al., 2015), and revert the effects of two contentious laws passed in 2012, the Farmland Law (FL) and the Vacant, Fallow and Virgin (VFV) Land Management Law. The combined effect of these two laws had aggravated tenure insecurity for small farmers and ethnic groups. The FL created a formal land market by legalizing the sale and purchase of land with land use certificates (LUCs), also known as Form 7, and transformed into illegal squatters all those farmers who had been on the land for generations but did not have LUCs. According to government sources, 80 percent of farmers have Form 7, while 20 percent remain untitled in remote and conflict areas where land cannot be measured.<sup>4</sup>

In turn, the VFV gave the government a free hand to reclassify as vacant, fallow or virgin all land that was not titled and being used, which could then be conceded to investors.<sup>5</sup> This was highly problematic, especially in areas where shifting cultivation is practiced and land is left fallow on a rotational basis. Likewise, VFV created difficulties for community-managed resources, which became more vulnerable to confiscation (Franco, Twomey, et al., 2015: 9). On 11 September 2018, in spite of repeated calls from CSOs to delay the process, the Union Parliament (Amyothar and Pyithu Hluttaw) promulgated an amendment of the VFV law, requiring anyone using VFV land without a permit to apply for one within a three months deadline from the enactment of the amendment or risk land being confiscated. This amendment also created a new criminal trespass offence, among others.<sup>6</sup> A public announcement followed suit on 2

November 2018 in newspapers and on the website of the Ministry of Agriculture, Livestock and Irrigation calling for users of VFV to apply for permission by March 2109.<sup>7</sup>

After an extensive process which included inputs from civil society, including women's groups,<sup>8</sup> ethnic youth groups, farmers groups, the international donor community, and the United Nations, the NLUP was passed in January 2016 in the final months in office of President Thein Sein's government. After a two-year gap, the incumbent government and ruling party - the National League for Democracy - decided in early 2018 to establish a National Land Use Committee (NLUC), tasked with the implementation of the NLUP, including the formulation of an 'umbrella land law'. The NLUC is supposed to play a pivotal role as the apex structure for land governance and is headed by the Vice President, with the participation of all Union ministers related to land, and chief ministers of regions and states, and has a total of 26 members. While the NLUC will hold bi-annual meetings, working committees have been created, including one to work on the land law, following a process similar to that of the NLUP with consultation and popular participation.<sup>9</sup>

These reforms are particularly important for Myanmar's farmers who have long suffered from the effects of poor policies, poor infrastructure, and tenure insecurity (Shivakumar and Saw Hlaing, 2015). Myanmar's agrarian economy is dominated by smallholders, 80 percent of whom have less than 10 acres of land (Ministry of Agriculture, Livestock and Irrigation, 2018). These smallholders, however, control less than 30 percent of agricultural land, while almost 20 percent is held by 20 percent of households, according to data from the 2010 Agricultural Census. A large number of households have less than five acres (about two hectares). Women hold only about 14 percent of the total acreage. According to a survey conducted in nine States and Regions by international NGO Namati, 18 percent of titles are registered to women (Ingalls et al., 2018). However, this figure may not give a full picture of the multiple realities of women's access to land under the many different customary systems in use in the country.

Land is also central to the ethnic question and the peace process in Myanmar, where ethnic minorities make up about 30 percent of the population, and ethnic states 57 percent of the total land area. Hence, agrarian and environmental transformation cannot be decoupled from the ethnic



question, nor from issues of territorialisation and ‘production of sovereignty’ (Lund, 2011). The exploitation of natural resources in ethnic areas, first by the colonial state and subsequently by the military governments, has been a fundamental tenet of the politics of control and domination across the country, including in Tanintharyi and Karen ethnic areas (Bryant, 1994, 1997; Malseed, 2009) where the field work for this chapter was carried out.

Equally important are issues of sovereignty, customary land tenure systems and the criminalization of shifting cultivation. While customary tenure is not recognized by Union laws, the NLUP recognizes “the protection of customary land tenure rights and procedures of ethnic nationalities” (Chapter I, objective 6.c). This is further articulated in Part VIII on the ‘Land Use Rights of Ethnic Nationalities’ which also states that “Registration of land use rights relating to rotating and shifting cultivation that exists in farmland or forestland shall be recognized in the new National Land Law” (Part VII, para. 68).

The 2015 (Karen National Union) KNU Land Policy, which affects KNU controlled areas, including parts of Tanintharyi, uses much stronger language and aims “To recognize, prioritize and promote customary tenure rights and practices and to ensure the sustainable occupation, use and enjoyment of communal land and related rights, especially by the poor, marginalized and vulnerable peoples and long-standing resident village communities, free from encroachment or unauthorized occupation or use by others.” (Article 1.2.4). In addition, it recognizes “customary occupation, use and stewardship practices with regard to land, forests, fisheries, water and biodiversity” (Article 1.3.2), and *ku* (the Karen term for *toungya* or shifting cultivation), the traditional system of upland rotational farming, as ecologically sustainable and closely embedded in Karen culture, social customs, spiritual practices, and the “*kam*” system of land tenure” (Article 1.4.4).

In contrast, shifting cultivation is ostracized in several policies, including the 1995 Myanmar Forest Policy and most recently the REDD+ draft strategy mentioned earlier (see Section 1.2). This aversion is supported by laws and regulations that either fail to recognize land under shifting cultivation or create the conditions for its criminalization – for example, the 2012 Farmland Law and the 2012 Virgin, Fallow Vacant Land Law and recent amendments, and the 2018 Biodiversity and Conservation of Protected Areas Law. This aversion is rooted in the historical fear that saw

frontier and uncontrolled zones as centres of resistance and aimed to exert economic control over them, and to misconceptions of the nature of shifting cultivation, seeing it as backward and harmful (Springate-Baginski, 2018). In the ethnographic study of *The Karen People of Burma*, Rev. Marshall (1922) refers to *ku* as a “primitive” method of cultivation. At the same time, colonial forest management recognized the value of *toungya* not only as a well-established and eco-friendly agroforestry technique, but also as an effective way to exert political and economic control over ethnic territories (Bryant, 1994, 1997).

Within their matrilineal system, Karen communities have been traditionally patriarchal, with men designated as the head of the household and women groomed from childhood into taking on a caregiver role.<sup>10</sup> “The men still feel their superiority and remain idle, while the women do the heavy work for them. Even apart from the care of children, the women bear the heavy end of the burden.” (Marshall, 1922: 131) This reflects the reality of the rest of the country, where prevalent socio-cultural norms still shape women’s space and agency materially and discursively. At the same time, Karen groups have no strict gender division of farming activities, with women engaging in all aspects of farming, including felling trees, and boys and girls expected to help their parents at home and in the field, albeit with different tasks. Land is also divided to both sons and daughters, usually when they marry, with preference given to the youngest, regardless of sex. However, certain domestic and care work, as well as activities such as water fetching, vegetable collection, and animal husbandry, are strictly women’s business. Likewise, social and community activities tend to be divided along gender and age lines. Women take the lead in ceremonies and community social gatherings, such as weddings and religious ceremonies, while men take leadership roles, such as village leader, pastor, and medic (Karen Human Rights Group, 2006). Young people support all community activities, often organized through church-based youth groups.

This broad picture was also confirmed by interviews and FGDs during my fieldwork. Furthermore, the fluidity mentioned above means that there may be differences among groups, which can be mediated by religion, locality and the specific historic conjuncture in which they are performed. For instance, a CSO report highlighted that during the civil war and the subsequent massive displacement of people, many women took on lead-

ership roles within families and communities, and engaged in activities traditionally ascribed to men, such as trading and teaching, and acting as village leaders. These new roles in turn changed women's identity and standing within communities (Karen Human Rights Group, 2006). However, the number of women leaders is reported to have decreased substantially after the preliminary ceasefire (Karen Human Rights Group, 2016).

### 2.3 Tanintharyi: mainstream visions of development

Alienation obviates living-space entanglement. The dream of alienation inspires landscape modification in which only one stand-alone asset matters; everything else becomes weeds and waste...When its singular asset can no longer be produced, a place can be abandoned. The timber has been cut; the oil has run out; the plantation soil no longer supports crops. The search for assets resumes elsewhere. Thus, simplification for alienation produces ruins, spaces of abandonment for asset production (Tsing, 2015)

Tanintharyi, the southernmost part of the country, stretching between the Andaman Sea and Thailand and bordering Mon state to the north, extends over 43,344.9 km<sup>2</sup>, and, as of 2014, had a population of around 1.4 million, with just over 50 percent being female. The region accounts for only 2.7 percent of the country's population and is one of the least populated states and regions, with a population density of 32 people per square meter (Department of Population, Ministry of Immigration and Population, 2015). Seventy-six percent of the population resides in rural areas. The population is relatively young; of the total rural population, 28.4 percent is below the age of 14, 60.9 percent is between 15 and 64, and only 4.8 percent is over 65 years. The share of people aged 15-64 reported as 'employed' in agriculture totals 43.7 percent (52.2 percent male and 27.4 percent female) (Department of Population, Ministry of Immigration and Population, 2015). During the civil war, the region witnessed major waves of displacement of people from their houses and villages, either within the country or to Thailand. According to UNCHR data, as of 2015 a total of 97,356 verified refugees (both registered and unregistered) were living in camps spread along the Thai-Myanmar border (UNCHR, 2018).

The Tanintharyi frontier zones remained relatively untouched during the civil war, except for selected investments by domestic cronies and the military, until the ceasefire, when various initiatives were started thanks to

the end of armed conflicts, the new favourable legislative and policy environment, and the cracks in the governance structure created by the unclear demarcation of powers between the UG and the KNU, especially in the so-called 'grey areas' where both coexist. Several people pointed out that "after the ceasefire, many more companies, foreign and local, have come, mainly for logging, which could not come here before."<sup>11</sup> As a result, between 2012 and 2015, 126 cases of land confiscation resulting from infrastructure projects, natural resource extraction projects, commercial agriculture, and confiscation by the military were reported from Karen areas in southeast Myanmar (KHRG 2015).

The expansion of oil palm plantations dates back to a 1999 plan by the military junta to turn the region into the 'oil bowl' of the country to reduce dependence on imported oil. Oil palm plantations were to be developed over 500,000 acres (202,343 hectares) of land and to reach 700,000 acres (283,280 hectares) by 2030. Since 2010, concessions have also been given to joint ventures between foreign companies and Myanmar partners (Tarkapaw et al., 2016), including the two which will be analysed here. According to Tanintharyi-based civil society organizations, a total of 1.8 million acres were allocated for oil palm production from 2011 to 2016, totalling about 35 percent of all agribusiness concession areas nationally, affecting local communities' access to land and livelihoods. However, it is estimated that only five companies currently actively produce oil palm and barely 29 percent of the total area granted will be put into actual production, with most of the land still being cleared for logging (FFI, 2016; Tarkapaw et al., 2016). According to a technical report by a conservation INGO, inadequate government policies, oversight in land use planning and land allocation, and poor management of plantations and processing facilities are among the reasons for the failure of the sector to develop (Baskett, 2016; FFI, 2016). Conversely, several CSO reports and people interviewed highlight that the main reason driving these concessions might have been logging and timber trading in the first place, as also confirmed by cases in this article. In 2016, following escalating protests by affected communities and grassroots organizations and with the National League for Democracy (NLD)-led government taking office, some initiatives to address villagers' grievances started to materialize, including an order for the controversial Myanmar Stark Prestige Plantation (MSPP) company to stop expanding. As a Tanintharyi-based investigative journalist stated, "The new government is trying to be more transparent with communities."<sup>12</sup>

The region is also high on the conservation agenda, with 2.5 million hectares of deciduous forest lowland, which hosts a number of endangered species including tigers, elephants and tapirs (CAT 2018), inland water resources and ecosystems, and a coastline that includes an archipelago of over 800 islands. Tanintharyi hosts three of Myanmar's 39 Protected Areas (PAs), two proposed and one existing. Cumulatively, these three extend over a land area of 1.7 million acres (Istituto Oikos, 2011), with a possibility to be connected in the future through a Tanintharyi Nature Corridor that would bring up the total land area to 2.5 million acres (Conservation Alliance of Tanawthari, 2018). People I interviewed in villages in Lenya, inside one of the PAs, had not heard of any plans regarding the establishment of a national park until they learned about it from the CSO I was working with. People also said that there were no patrols or visits from staff from the Forest Department (FD)<sup>13</sup> in the area, which is largely under KNU control. In a couple of villages, people mentioned noticing the sudden appearance of a Lenya Forest Reserve signboard near Nar-Karine stream in 2005 but did not really bother to inquire about as nothing has happened since.<sup>14</sup>

According to a Karen activist, “the government wants to control forests in KNU controlled areas, but the KNU does not agree. This is why not much has happened until now, in spite of some areas having been designated in the 1990s.”<sup>15</sup> The recent acceleration of investments and expansion of agribusinesses, and the consequent clearing of forests, has prompted the FD and international environmental and conservation NGOs, further galvanized by the climate change agenda, to mobilize support and efforts to preserve the country and Tanintharyi's biodiversity and ecosystems from “agricultural expansion, shifting cultivation and conversion of forest to plantations” (Istituto Oikos, 2011: 4). The Conservation Alliance of Tanawthari (CAT)<sup>16</sup> highlights that PA proposals have been carried out without the Free Prior and Informed Consent of the Karen indigenous communities whose access and use of lands and resources, and livelihoods would be affected. Furthermore, many IDPs and refugees who have started to return, find that their lands are in areas demarcated as PAs (2018: 28).

The tension between conservation efforts and agribusiness expansion highlights the conflicting mandates of the Ministry of Agriculture, Livestock and Irrigation (MOALI) and the Ministry of Natural Resource, En-

vironment and Conservation (MONREC), and the resulting growing institutional conflict between them (Woods, 2015a). More broadly it speaks to the intersecting interests and conflicting priorities of different institutional actors and sectors, including communities themselves, which are all contributing to 'producing sovereignty' on the ground, as highlighted by Lund (2011). This is also a critical node around which different CSOs and community mobilization initiatives and alliances coalesce, separate and re-group in strategic ways as opportunities and issues materialize, contributing, in turn, to the creation of alternative visions of development from below, or what I refer to as 'other-visioning'.

To illustrate this point from the perspective of gender and generation, I now turn my attention to two oil palm plantations, Myanmar Stark Prestige Plantation (MSPP) and Myanmar Automotive Company (MAC), and to the Lenya National Park project. Each is briefly presented in the next section.

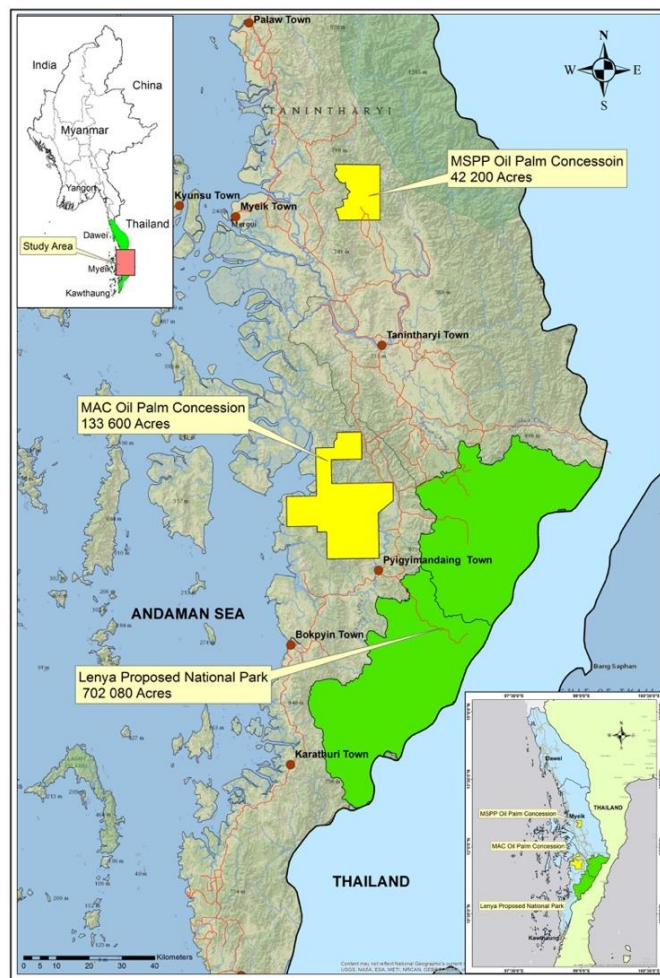
## 2.4 'Other' visions of development

### 2.4.1 Oil palm basket and conservation hotspot: two faces of the same (dispossession) coin?

#### *The case of MSPP*

In January 2106, together with other members of the project consortium, I attended a community meeting in one of the four villages I am studying – Village 1 - impacted by the expansion of Myanmar Stark Prestige Plantation Ltd. Co. (MSPP) company.

**Map 2.1**  
*Map of the three research sites*



Source: Original elaboration by Dawei Development Association

We travelled off the main road and onto barely traced paths for about 40 minutes to reach our destination. The village is located in an open green esplanade, with houses and community buildings, including the church, standing around it. The open area is where young people play football and volleyball in the afternoon, before dinner till sunset. There are many big trees and there is a stream running nearby, although people say that its waters are not as clean as they used to be. Most houses now have running water, thanks to a community-led watershed project, and there is a plan to establish community forestry over an area of 3885 acres that has been already identified, of which I learned when I visited the village again in May 2018. There is no littering in the village which looks immaculate, well-kept and harmoniously blended into the just- tamed-enough nature surrounding it.

**Picture 2.1**  
*Village 1 at sunset*



Source: Author, May 2018

The meeting, held in the community hall, was chaired by the community pastor and the village leader and aimed to brief us and other villagers about the impact of MSPP. Many people were there, perhaps most villagers, men and women of all ages. Community environmental research



groups were prepared to share their findings based on research villagers had been conducting with support from local CSOs into local fish species, herbs and vegetables. A young pregnant woman stood up, took the microphone and started reading the brief that the community had prepared for the occasion. It detailed the history of the village – a history of people fleeing the war, destruction and rebuilding – and the chronology of MSPP's arrival and expansion. While reading, the woman stopped several times, her voice broken and eyes full of tears. The feeling of injustice for the aggressive expansion of the company, compounded by the scars left by years of civil war, transpired from every single word she uttered, strengthened by each and every nod in agreement from the audience.

Similar feelings of sadness and dismay but also resilience surfaced in the words of a woman in her fifties, whom I interviewed when I went back to the village in 2018. She had been born in this village. She said that before the war, villagers could access plenty of resources, including vegetables and medicines, from the forest. When the war broke out, she had to hide in the jungle and move from one place to another several times. This why her children could not be educated. In 2000, she finally moved back to the village with everybody else, despite the fact that it was still controlled by the military. Now they have to deal with MSPP. The company took their gardening land without giving any compensation and its operations are affecting the environment. The variety and number of wild vegetables are decreasing and the water is polluted. The villagers want to protect their natural resources and are maintaining the water supply but MSPP is trying to encroach on this area and is not responding to the villagers' request to meet and discuss the issue. A man who joined in the conversation added that the villagers have a plan to initiate community forestry. They wanted to register it with both the KNU and UG but the KNU replied that it encompassed too much land while the UG did not come to the village, stating that they did not have enough staff. I was told that the villagers would not simply sit around and wait but were going ahead with mapping the resources, organizing a communal prayer meeting and using customary law to define the area. However, they were still afraid that the company would take the land away if they did not have an ownership certificate.<sup>17</sup>

MSPP is one of the best known cases of land grabbing in Tanintharyi, having sparked mobilization by affected villagers and local CSOs, and has been well-documented in a 2016 report and film.<sup>18</sup> It is a venture between

Malaysian Prestige Platform, owned by a Malaysian conglomerate, and the Myanmar-based Stark Industries, owned by a Myanmar businesswoman with connections to domestic elites and the military.<sup>19</sup> In 2011, MSPP was granted a concession of over 42,200 acres of land in an area where four villages have their farming and community land.<sup>20</sup> According to the CSO report above, the government had 'incorrectly' classified these lands as 'vacant' (Tarkapaw et al., 2016: 29). All four directly impacted villages are in KNU controlled areas. Altogether, 13 villages have been affected in terms of access to forests and livelihoods.<sup>21</sup> "The first year they felled all the trees, including betel nuts and cashew nuts trees. But nobody helped the village. Then they cleared and planted the palms. The company also mapped the land and said maybe they will pay compensation later but not for community forest."<sup>22</sup> While many companies and local cronies are involved in land grabbing, nobody consults the villagers even if "it is against human rights law and IP rights."<sup>23</sup>

**Picture 2.2**  
*View of MSPP*



*Source: Author, May 2017*

Since 2011, MSPP has cleared more than 6,000 acres, including betel nut and cashew gardens and areas that people had prepared for rice, seriously impacting people's food and income. In Village 3, for instance, while two households had lost land to the company, many more suffered from the consequences of MSPP's aggressive expansion and not only in terms of its direct impact on livelihoods.

Before life was easier. We did not worry. If we wanted rice, we could get enough per year. We could also cultivate betel nuts the next years. But now the company has grabbed some village land, including betel nut plantations, and is expanding. Before we were free to come and go but now it's not possible anymore because if we go away, the company might take our land. Some 10-20 cows have also died because of the pollution in the water and grass.<sup>24</sup>

As illustrated by the woman's words above, people have a history of multiple displacement in these areas, having fled their villages which were routinely ransacked and destroyed by the military, and relocated or hid in the forest many times. This, together with the overlapping governance set-up and the protection granted under traditional tenure systems, means that most people have not registered their lands. As a male Karen grassroots leader explained,

According to tradition, most land was community land, governed by traditional laws. People marked the land to delimit the boundaries and everybody acknowledged that. There were no conflicts but a common understanding. But now with company grabs they can no longer say 'this is my land' because MSPP says 'if this is your, show me your registration form, Form 7'. But they don't have that. In this area people do not ask permission from the government [to use the land]. We are the community and we are doing shifting cultivation because this is our tradition.<sup>25</sup>

MSPP used people's lack of land certificates to its advantage but without giving anything in return. When questioned by the villagers, the company stated it had paid the government for the land so the government should be held accountable not the company. The local administrator in Village 1 explained, "We don't know who authorized the concession because the companies are never clear [...] At the time conflicts were ongoing and there was no transparency or proper consultation. At first the KNU tried to oppose the company but now the company says they will do community development (roads etc.) and is trying to negotiate with the pastor." According to the villagers in Village 2, the company's new strategy

is to show that they are socially responsible. As an example, “they recently built a church and a school to show their good will. When they started the constructions, they did not say anything but tried to get land in exchange.” Village 2, which is a resettlement village, was heavily affected by MSPP. Most of the villagers work for the company, doing the clearing, planting and spraying of pesticides. “Anybody can just show up. The villagers do not have land anymore so this is the only choice they have. Many have migrated to Thailand and Northern Shan.”<sup>26</sup> According to local CSOs, in Village 2 resistance was weaker and not as organized as the ‘strength’ of a village can be affected by its history of displacement.

However, people in this village are now pressed into registering their lands “because the government does not care about customary law. So we want to push for land registration through Form 7,” emphasized one man, adding that customary law was recognized under British rule (53-55 Act) but this was lost when the Myanmar government was formed. The community forest in Village 2 is close to the land used by MSPP and community-based organizations started working to protect the forest and push the government to respect Free Prior and Informed Consent (FPIC). Villagers came together to protect the forest as this strategy had worked in the past to preserve areas from the company. Following several petitions to the government, symbolic ceremonies and initiatives to measure villages’ land, the government formed an investigation committee in 2015<sup>27</sup> and in July 2016 ordered MSPP to stop expanding.

### *The case of Myanmar Auto Corporation*

The case of Myanmar Auto Corporation (MAC) is in many ways similar to that of MSPP. However, this company has struggled to get the oil palm business off the ground, or simply might not be as interested in the oil business as it is in logging. MAC, a joint venture between Korean Auto Industrial Co. (AIC) and Singaporean Resources & Resource Pte. Ltd was registered in 2011.<sup>28</sup> According to AIC’s website, in 2010 the company was authorized by the Myanmar Government to operate a logging and palm oil business on 133,600 acres of land. “Having planted palm oil seedlings and completed a crude palm oil production plant, we were able to supply high quality palm oil. We also started production and supply of timber.”<sup>29</sup> The company managers told the villagers they had obtained permission

from the UG but never showed any evidence of this. The KNU also said they never gave permission to the company to operate.<sup>30</sup>

According to a Karen grassroots leader who has been supporting communities in the area, as of February 2016, the company had cleared more than 10,000 acres of forest but planted only 100 acres; at the same time, 13,000 tons of timber had been shipped to unknown destinations, presumably in cooperation with Yadanar Moe Pyae Tun Co., Ltd, a domestic company active in logging in the area (Advancing Life and Regenerating Motherland et al., 2018). When the grassroots partners and I visited the area, close to the main company site where both the offices and staff accommodation are located, we saw piles of timber laying around in apparent abandonment, although they were all duly numbered and marked with the FD logo. Our local guide explained that Yadanar Moe Pyae had started legally logging for MAC in 2015, which is why the timber was numbered. However, after the new government announced a moratorium on logging in 2016, these logs could no longer be traded (see Photo 3.3). A recent NGO report provides further details on the case, updating the planted area to 3315 acres, which is still only 3 percent of the total. Based on interviews with company employees, timber extraction workers and local communities, the report alleges that the extracted timber has been exported to international markets. MAC also posted an advertisement on the e-commerce website Alibaba to sell the timber produced from oil palm plantation areas, thus selling illegal timber as if it were legal timber. Given MAC's favourable location with easy access to the Greater Mekong Southern Economic Corridors, the timber trade might actually be one of its main operations (Advancing Life and Regenerating Motherland et al., 2018).

**Picture 3.3**  
*Numbered logs near MAC area*



*Source: Author, October 2016*

The history of Village 4, affected by MAC operations and which I visited four times between 2015 and 2018, is illustrative of local people's stories of displacement and the material and emotional impacts of the war. The village is located along the Myeik-Kawthaung Road and inhabited mostly by Karen people who were forced to flee their villages during the civil war and resettled in the current location in around 2000. Presently there are more than 80 households in the village. One woman recalls that "in earlier times, the [old] village had more than 300 households. But the village was destroyed by the army and we were separated. Some people migrated to other countries. Other people have also joined the village – they are Burmese, like the owner of the "restaurant" who is now buying land."<sup>31</sup>

As was the case with MSPP, a number of legal violations occurred in this village, including violation of the VFVL Law and the 2012 Environmental Conservation Law. MAC also failed to obtain indigenous Karen communities' free prior and informed consent (FPIC). According to the Karen leader quoted above, it is likely that bribes were involved, as the company started clearing even before being formally awarded the land. With help from local CSOs, villagers are now more aware of their rights,

which helps to make the KNU and the UG more accountable.<sup>32</sup> After several meetings with the villagers, CSOs and the local authorities, the company agreed with the township authorities to compensate the villagers for the land on which they had established the oil palm nursery, which villagers had initially agreed to rent for three years, but which was never returned to them.<sup>33</sup> In fact it was only in 2016 that the villagers heard from the company.

Compensation? Nobody received anything. Sometimes we asked for the translator but he didn't come. At times we go to the company and request land and compensation but the company staff doesn't want to speak with us. There are two staff members, one Korean and one Burmese. But even the Burmese doesn't speak to us.

We organized the villagers to mobilize against the company. We tried again and again to go the MAC office and tell the company this is our land but the company was not responsive and asked for the evidence. We don't have the evidence but we have the tax receipts. But the company doesn't care.<sup>34</sup>

Villagers were not sure how much land the company actually has and what it does. “We don't understand the company plans. The company is not doing anything. We don't understand the project.”<sup>35</sup> Compared to when it first arrived, MAC seems to have become much less active. When I visited the area in 2016, there were very few visible signs of ongoing activities and, according to the Burmese translator, it would take at least another two years before oil pressing could start.<sup>36</sup> The investor had financial problems so had to reduce the number of labourers, from 350 in 2015 to only 50 in 2016.<sup>37</sup> As one villager later added: “At first, some people engaged in work to get some income, 1-2 days per week. The company paid 2,500 Kyats/day to women and 5,000 Kyats/day to men. However, at the moment nobody is working for the company that only has only a few people who are not from this area.”<sup>38</sup> As already noted for MSPP, and just as in other well-documented cases of palm oil expansion, companies prefer to source labour from afar, making local labour unnecessary (Li, 2011). Moreover, as seen in the case of Village 2, this type of labour is not perceived by locals as attractive and only used as a last resort.

In the area around MAC operations, villagers have now established a community forest on 2400 acres through the UG and KNU. Although it serves the purpose of protecting the environment and their forests, it also limits their access to land for *toungya*, as one man elaborated: “We have

difficulties because, on the KNU side, the forest is being controlled for conservation and we cannot do *toungya*. So now we go back to former *toungya* land from 17 years ago where there are big trees. We don't have enough land because of conservation and the company. This is problematic, especially for the new generation. In May KNU started and finished measuring the land. We don't know the plans but in theory KNU wants to control the area and keep it from other companies."<sup>39</sup> As this illustrates, in the scramble for territorialisation by different actors, villagers are also using their own strategies, including community forestry and expanding the area under *toungya* into the concession area.

### ***Lenya National Park***

The Lenya National Park (LNP) is an example of green grabbing or what Hall and colleagues define as “ambient exclusion”, which is “motivated by efforts to attain the ‘common good’ promoted by conservation projects and discourse” (Hall et al., 2011: 60). Although the park has not yet materialized, as seen in section 2.3, its anticipated impacts are already felt on the ground and shape the lived experience of villagers in the area. The establishment of the LNP will affect 13 villages, nine of which are Karen, and 2470 people whose farmland is in the designated park area, in addition to all the IDPs and returnees that have started returning since the ceasefire and whose numbers are expected to increase (Conservation Alliance of Tanawthari, 2018). Most villages in the area were abandoned, destroyed and rebuilt numerous times during the 70-year-long civil war between the KNU and the UG.

Currently the area is under the mixed administration of both authorities. According to a KNU general,<sup>40</sup> meaning that “the government and KNU work together and the boundaries between the two are not so set,”<sup>41</sup> and both collect taxes. The National Ceasefire Agreement (NCA) specifies that parties to the NCA have to carry out all programmes and projects in coordination with each other, including in the areas of environmental conservation (Article 6.2) and “receiving aid from donor agencies both inside and outside the country for regional development and capacity-building projects” (Article 6.5). According to a Karen activist, an ad interim land policy was urgently needed to protect the rights of communities, and this is what had been agreed during the NCA negotiation. However, “the government land agenda totally ignores the peace process.”<sup>42</sup> The risk here is



that the expansion of government controlled areas in the guise of national parks might create tensions with the KNU and undermine the peace process (Conservation Alliance of Tanawthari, 2018: 27). The tension also underlines the ongoing battle to affirm territoriality over what Vandergeest and Peluso (1995) define as ‘abstract space’ - space that can be easily measured and located within larger spaces – in juxtaposition to the way in which people materially experience space as “located, relative, and varied” (Ibid: 389).

Because of the history of the villages and new people joining them, the composition of the population is more heterogeneous than that in the MSPP and even MAC areas, often with both Karen and Burmese families as well as Thai and Shan in some cases. Nonetheless, livelihoods still rotate around shifting cultivation, and betel nuts and fruits (e.g. bananas) for cash, which is used for household and kitchen supplies, school fees and medicines. However, because most of the betel nut gardens are of more recent establishment (and it takes at least seven years for a tree to become productive), people complain that they do not earn enough cash.

The creation of LNP and its extension were proposed respectively in 2002 and 2004, after an endangered bird species was discovered in the area (Istituto Oikos, 2011). To date, the area, which spans over 702,080 acres, has not yet been gazetted. However, there has been a recent surge of interest in revamping the project following the involvement of international conservation actors including Flora Fauna International (FFI). There are also plans to create a “Tanintharyi Nature Corridor” to connect the LNP and the Tanintharyi Nature Reserve (CAT 2018). According to the Environmental Justice Atlas website, IUCN has allocated 1-1.5 million Euro to the project (EJOLT, n.d.).

**Picture 2.4**  
**Lenya Area**



Source: Author, February 2017

When I first went to the area in 2017, people in the three villages I visited had just learned about the LNP project. “Nobody has come to explain the project to us. We don’t even know where the boundaries are. KNU does not agree to the national park. We have heard from [name of grassroots CSO] about the park”.<sup>43</sup> The main concerns that people had were not dissimilar to those of villagers in other areas, focusing largely on the decreased availability of new land for *toungya*, especially for young people, and the impact of the changing weather patterns. “Farms are 2 hours away by foot or 1.5 hours by bike.”<sup>44</sup> With the establishment of the LNP, people will have to go farther and farther to find new land and worry that their gardens might be engulfed by the park. Focus Group Discussion participants agreed that for now the availability of land was still okay but they were already unable to go to the watershed and national park areas although there are no signs of demarcation around the park area. People worry that when the park is established, it will impact their rights, future generations and livelihoods as they learned from local CSOs has been the experience in Thailand.<sup>45</sup>

In the villages I visited, the majority of people did not have Form 7. Most land in the area was measured two or three years ago but people have heard nothing since. The process is not easy and most people do not speak Burmese, which is a major problem. One man in his early 60s said he had to go to the district office five times before he could get the certificates – he has 50 acres divided across four certificates (for garden land) and 10 more of farmland (not *toungya*). The certificates are in his children's names. But not all parents can prepare land for their children. If they do not have land when they marry, new couples will start with *toungya* and work for other people until they can save cash from betel nuts.<sup>46</sup> Among the people who did have land certificates, the practice of having these in the names of the children seemed common. Repeatedly people said their land was divided equally among their sons and daughters, with the only exception being the youngest, regardless of sex, who would also get the parental house and the ancestral land.

#### 2.4.2 Tradition in the winds of change

##### *Changes in livelihood and access to resources: solidarity and conflict*

People in all the areas I visited practice upland rotational (or shifting) farming – *toungya*, from *toung* (hill) and *ya* (cultivation) – of rice, vegetables and spices, mainly for family consumption, in combination with betel nut and cashew nut trees which provide the cash income. A Karen leader explained that betel nuts for cash were introduced in the 90s; in his grandparents' time, there was no market for the nuts and people did not have cash crops. Instead, families could borrow what they needed, including rice, from other villages, which they would return the following year. Nowadays, because of the reduced availability of land due to the expansion of concessions and forest demarcations, people focus more on cash crops.<sup>47</sup> The intensified engagement with the cash economy has also triggered processes of social differentiation and a breakdown of solidarity due to the fact that some families have more betel nut land and thus cash income, which also comes with access to paid labour. Additionally, land-based conflicts, for instance with returning IDPs or between people who fled and those who resettled, contribute to changing social relations.

“Rice is for eating and ordinary life. Betel nut is for the future, for our sons and daughters”, explained one woman in Village 3.<sup>48</sup> A betel nut garden can produce a cash flow of 100,000 Kyat (62 USD) per acre, which means over 1 million Kyat per harvest on 10 acres. In Village 3, most families reportedly have about 10-15 acres of garden land, a few with as much as 150-200 acres, but the land area “depends on the [number of] family [members] and how hard you work.”<sup>49</sup> This means that the re/productive ability of households is internalized, in line with Chayanov’s family-centred concept of peasant economy and labour (Bernstein, 2009; Chayanov et al., 1986).

When villagers refer to garden land, they are talking about betel nut or cashew nut plantations on which many other crops and fruit trees – for instance, mango, durian, pineapple – are also planted. This is also the land that is passed onto children, together with the ancestral land which is also cultivated. Although *toungya* is still practiced, nowadays the land is converted into betel nut gardens after one year while before it was on a seven-year rotation.<sup>50</sup> “On 5 hectares [12.35 acres], we can have 3,000 trees which is enough for a family. So if we don’t get enough from *toungya*, we buy the rice at the market in nearby villages or Myek.”<sup>51</sup> However, when I asked in various discussions whether rice from *toungya* was for selling, I would always be laughed at. The separation between cash crops and food crops goes far beyond the material separation of space and is intimately social and cultural. Even betel nuts are considered an expression of tradition because people used to grow them for personal use long before they started selling them for cash. This is not to romanticize the traditional Karen way of life (for a counter argument see, Walker, 2001, 2004), as people are aware of and do not shy away from opportunities to generate cash income through the sale of betel and cashew nuts. In fact, a man complained that he tried to sell other crops, like bananas, but there is just no market for them.<sup>52</sup>

Traditionally families slash and burn forest land each year to plant rice. The following year, on the same land, they can plant betel nut seedlings, which take 5-7 years to reach full productivity. If some people have a rice surplus, they can loan it to other families who have less and recoup it with the next harvest. Each household does their own farming but there is, or used to be, also a system of labour exchange, in which families help each other. Normally, the preparatory activities start between December and February. First of all, the right land is identified using various rituals and

practices to test the soil. Then the land is cleared of small trees and bushes, an activity carried out by women and men together and normally taking one week. Then groups of people take it in turns to fell the big trees and finish clearing everybody's land. While these activities are done jointly by women and men, those tasks that require more physical strength, like cutting down big trees, are men's responsibility. 15-20 people working together can normally clear one family's plot in one day. This means that if there are 50 households in one village, in about 20 days every family would have its land ready. Once the land is cleared, the burning takes place. Within one week to 10 days of clearing the land, households can start planting vegetables, sugarcane, chili and sesame, which are planted again in June when the new seeds are ready. In the early days, the time between March and May was for resting, but now people are busy keeping the betel nut gardens clear of weeds. In June and July, rice is planted. Again, this can be done working in groups. From then onwards, weeding becomes important as the paddy needs to be kept clear. By September-October, flowers and fruits are blossoming in the fields, with harvesting of the rice finally taking place in December.<sup>53</sup>

Some people can use the extra help in their garden as well, depending on how much land they have. Young unmarried men in particular engage in this type of work, once they are done helping their families. This enables them to earn some petty cash for fuel or snacks, or to top up the credit on their mobile phones. "This is part of the traditional lifestyle. It is an exchange of labour when we need it," commented a male farmer. "However, now our lifestyle has been affected because people want to get paid as much as the companies pay."<sup>54</sup>

This social differentiation and the breakdown of solidarity is a common outcome of agrarian transitions among indigenous communities, as we will also see in Chapter 5. In some cases, this creates conflicts as well, as captured by a man during a group discussion with villagers affected by MSPP:

Under the traditional system we helped each other day by day. Now rich men [from the community] also act like companies.

Now there are many more differences. Before, all people had farms but now some had the chance to be labour contractors for the companies.

This is creating conflicts. When they have links with the company, they put pressure on the community. They even took land from the community and

called the villagers to clear it so that they could then sell it to the companies. We could not refuse it because we were afraid. In one example, the rich person is a woman who is married to a KNU general.<sup>55</sup>

It is important to highlight that the participants of the focus group discussion above came from different villages and included both men and women and young people. The diversity reflected in the quotes, reflects how people move back and forth between the tendency to romanticize the past, especially the elderly, and a more analytical view of the changes. In Village 2, internal divisions and conflicts, including among KNU and the government,<sup>56</sup> escalated following some people's decision in 2017 to take the compensation offered by MSPP - about 30,000 to 100,000 Kyats per acre. Soon after, the company also offered to buy land and some people sold their land, mostly IDP families who returned to the refugee camps after selling the land. Although they did not have land certificates, they were asked by the company to sign papers for the sale. Those who did not take the compensation, 12 households, do not live in the village but have their ancestral land there.<sup>57</sup>

Land is the main cause of disputes in Village 4, which is a resettlement village, as seen above. Although people have lived there for a long time, they do not feel as if they fully belong and this adds to the sense of insecurity: "Here it is not our land. It is other villagers' land so sometimes there are problems. But we complain and make the case they [the other villagers] should appeal to the army since it is the army that forced us here," said one old man reminiscing about his old village. Another man added that they have temporary land certificates, Form 105<sup>58</sup>, and had already been in the village for eighteen years. He also highlighted that the area was once part of their traditional customary land. Thus, increased pressure on land and conflicts pressures people to secure access to land through formalizing what once was customarily held land, promoting a transition towards capitalist property rights within the span of one generation.

After the civil war, many Burmese came to take the land in Village 4 with the compliance of the army, taking advantage of the fact that almost all people had forcibly removed. Now the lower part of the road in the village is Burmese while the upper side is Karen. "In the old village, we had our grandfather and grandmother's land. On average 50 acres. But here we have 50 by 80 feet for our homestead [...] We had planned for the

new generation to settle in the old village but now the land is included in the MAC area.”<sup>59</sup>

There is also a spatial and social separation of what people identify as ‘new’ and ‘old’ village. The ‘old village’ is where their ancestral land is located and is inside the MAC concession area. The ‘new village’ is where people have settled, sometimes on other people’s land. “The company area includes land that we do not have certificates for. We had tax forms but these were not useful”, explained one young man.<sup>60</sup> Although the whole village area was engulfed by MAC, because the company had not cleared all the land, the villagers said they planned to “prepare it” for *toungya*,<sup>61</sup> thus using shifting cultivation as a form of land occupation.

### 2.4.3 The gender and generational face of change

Reduced access to forests and forest products is impacting women in terms of income, workload, physical security and emotional distress. They have to walk further to reach the fields and to collect firewood, herbs, vegetables and water. Married women in Village 3 pointed out that because *toungya* land is increasingly far away, not only are they forced to travel longer distances but also have to leave the children behind, which creates additional practical and emotional challenges. Women are used to taking their children along and are not happy leaving them with relatives or elderly women.

Women in Village 4 were also concerned about what the decreased access to land and forest might imply for food and income availability. They highlighted, for example, that before there was rattan, which provided them with a cash income. Now there is not so much rattan and they also no longer have access to as many vegetables.<sup>62</sup> Even their diets have changed a lot: “Wild vegetables cannot be found anymore. We had a lot of fish before but now the logs drain the lake. There are no more wild animals to hunt in the forest. Water is also a problem. In the summer we have to collect water far away because we cannot drink anymore the water [from the stream] because it's become very dirty and polluted and there is less.” This finding is confirmed by other research on land grabbing across countries, including Cambodia, and continents (Julia and White, 2012a; Park and Daley, 2015; White et al., 2014).

According to young women, in net terms, “the impact [of no land] is the same for women and men because we do the *toungya* with men and livelihood is interdependent.”<sup>63</sup> This was echoed by women of all ages in group discussions and interviews. Women said they work alongside men and in community groups doing the same activities, albeit there was some degree of variation across communities mainly due to individual circumstances (women with small babies and young children) and individual characteristics (mainly strength), with a clear division of roles for a number of activities, depending on the location:

There is reciprocity and exchange of labour. Cutting down the tree, harvesting; almost all is done together at the village level. Women and men do the same things, including cutting trees. Hunting is men's job. Collecting vegetables is women's job and fishing we do together. Collecting medicines depends on your knowledge but normally this knowledge is with women.<sup>64</sup>

We work together with our husbands sharing all activities in rice farming and plantations, except for tree cutting... We usually go to the forest in small groups [of women]. Sometimes we also collect water. Only a few men are involved in water collection and fishing... Some households have buffaloes, cows, chicken, dogs and cats. We both take care of animals and children can take care of small animals.<sup>65</sup>

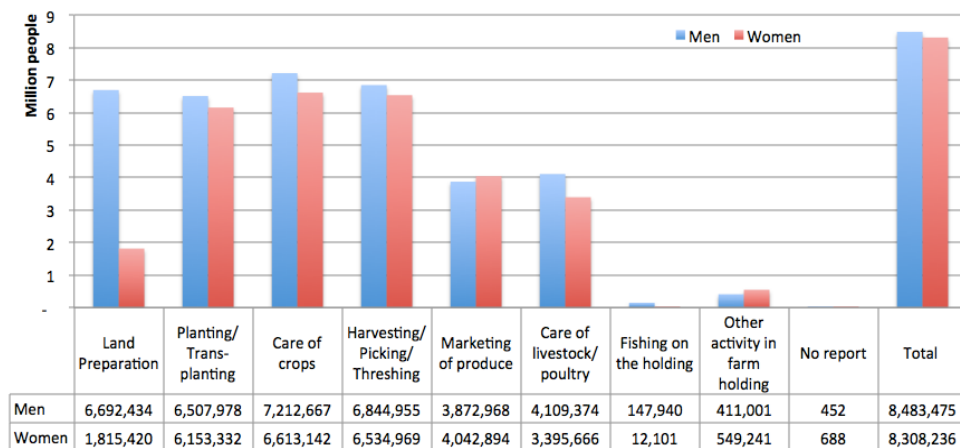
Sometimes men are sick, and women have to do everything. But, if women have small babies, they cannot do heavy work. The only difference is that women cannot ride bikes.<sup>66</sup>

These observations are also supported by research conducted among Karen communities which found that division of labour was not distinguished along gender lines (Leonard and Pe Tha Law, 2015; Karen Human Rights Group, 2006), which also explains the apparent contradictions in the first and second quote with regards to tree cutting, as there might be a degree of variability within the general rule. At the national level, available data also indicates that women's participation in all agricultural activities is on a par with men's, with the exception of land preparation (Table 3.1). Hilary Faxon (2017) observes that across different farming systems many tasks tend to be shared equally, with the exception of seed-saving, weeding and transplanting (seen as women's tasks) and ploughing and operating equipment (seen as men's). In spite of this, she notes women's tendency to identify themselves as helpers and workers rather than as farmers and



“also rooted in social conventions about the proper or polite way of doing things, or what workshop participants frequently referred to as ‘culture’ (yinkyehhmu)”, in addition to stemming from gendered agricultural practices (Faxon, 2017: 1207). In my research among FGD participants, 74 percent (34 out of 53) of women referred to farming/shifting cultivation as their main occupation, while as only 8 percent defined themselves as housewives. Those who highlighted sharing farming tasks with their husbands did it with a sense of pride and realism.

**Figure 3.1**  
Members of farm-holding households working within the past 12 months in different farm activities, 2010



Source: Myanmar Census of Agriculture

(first used in FAO-UNW, draft report)

Activities such as fetching wood and water, collecting vegetables and herbs, cooking, washing and taking care of children and other family members were clearly identified as women-only responsibilities. This strict separation when it comes to domestic work, also has a spatial dimension whereby the kitchen or the back of the house are women’s spaces. Even women’s clothes are kept strictly separated from the rest in Burmese society in general (Than Than New: 2003) and in the communities I visited.

For instance, the place where we (women) could hang our clothes to dry after washing was not the same as the one that men used. Rev. Harry Marshall wrote in its ethnographic study of Karen in the early 1900s: “the men consider themselves dishonoured if brought into close contact with a woman’s garment or compelled to appear in any way subordinate to a female... In this respect they entertain feeling similar to those of Burmese men” (Marshall, 1922: 121).

Among youth group participants, a gendered division of roles was more evident. Young men mentioned harvesting, collecting betel nuts and tending the garden as part of their daily chores, for which they get pocket money that they can use for phones and motorbikes (fuel). In addition, they can earn extra to buy snacks and soft drinks by cutting trees and bushes for *toungya*. Conversely, while both boys and girls are expected to help their parents both in the household and field (Karen Human Rights Group, 2016), young women mentioned that their daily activities mainly consisted of cooking and other domestic chores and this came with no remuneration, highlighting that women’s work tends to remain in the realm of the ‘other’ economy, invisible and unremunerated, thus unvalued. The reduced mobility of young women has an impact on their access to higher education, as families faced with increasing shortage of resources have to prioritize and are more likely to prefer girls to stay at home. Reduced mobility also impacts young women’s participation in community mobilization, as will be discussed later in the chapter.

This strict distinction solidifies more as people age and adhere more closely to gendered and generationed scripts that determine who should do what. Marshall (1922: 131) noted that traditionally women, “the older they grow the more conservative they become, and not infrequently the opinions of a grandmother will keep a whole family from bettering its condition by engaging in some new occupation.” He further remarked that the special position of the Karen grandmother as “high priestess” of the *Bgha* – the tutelary god/spirit of the family – feast, while having a religious and cultural significance and being rooted in the matriarchal origin of the Karen, does not affect the social position of women, “except in so far as it prevents younger members of the family, both men and women, from breaking with religious and social traditions of their forefathers” (Ibid, 1922: 133). For example, in mixed group discussions, women, boys and girls tended to speak less and sit at the margins of the circle, with women typically sitting on the lower step of the wooden floor.

Than Than Nwe (2003: 3–4) summarizes this spatial manifestation of patriarchal and age hierarchies as follows: “In aspatial relationships the juxtaposition of equity and inequity in Burmese society is subsumed. They become more pronounced however, when boundaries in real space based on gender are drawn.” She argues that while women have enjoyed a relatively high status, society is permeated with male chauvinism, sanctioned by the Buddhist notion of women’s spiritual inferiority, which is reinforced through a gendered division of space and position. This also applies to younger men under the cultural practice of respect of the Buddha, monks, parents, teachers, and anyone older than self, which is “expressed in space in several ways” with those worthier taking the “highest or tallest geographical position” (Ibid: 9).

The exclusion of women from Buddhist monastic communities, the *sangha*, has also contributed to endorsing their inferiority relative to men, reinforced by the historical predominance of men in leadership positions as monks, village leaders and administrators (Ikeya, 2012), and teachers. These gendered hierarchies were also reified by Christian missionaries who set out to educate women according to ideas of what might constitute a good housewife in a good Christian family (Ikeya, 2012: 32). Most of the communities I visited were predominantly Christian.

**Picture 2.5**

*Community meeting - women and youth sitting in the back*



Source: Author, May 2018

Encounters with the cash economy, as families face problems getting enough food and income, bring the lower value placed on women's work to light, as women are typically paid less than men for the same type of work. Wages for casual labour varied from 3500-4000 Kyat a day for men and 3000-3500 Kyat a day for women, based on physical strength. Similar findings are also confirmed by other research (FAO, 2016; Oxfam 2014). In general, casual labour on the plantations is not very popular because it is heavy and leaves no freedom: but it is a fall-back option and a source of ready cash. For instance, in Village 2, in the middle of the MSPP concession area, livelihoods were severely affected by the company. People had no land and they became poorer, forcing many to migrate to Thailand and Northern Shan. Those who stayed had no choice but to accept casual work on the plantation doing clearing, planting and pesticide spraying. Women told me that when they really need money, they go looking for work, although the company does not always accept them.<sup>67</sup> In Village 3, participants in the female FGD recalled that some 20-30 people in the village worked for the company at first but then stopped because they were not paid regularly. Nowadays the company mainly sources labour from outside the area, mostly Muslims [because it is a Malaysian company]. Only if extra labour is needed will the company announce this and, if the women are free, they may consider taking up employment to get extra cash for 10-15 days.<sup>68</sup>

When asked about decision-making, women provided varied responses. For instance, in one group, women said they make most of the decisions themselves, apart from the most important ones, for instance buying and selling land, which are made jointly.<sup>69</sup> In another group, women said that decisions about farming and children are made jointly, as are those over the use of money (although it is the women who keep the money<sup>70</sup>). However, in the everyday politics (Kerkvliet, 2002, 2009) that animates community life and inter-community exchange, while women, including older women, and young people join community meetings on a regular basis, decision-making tends to happen following rigorous gender and age hierarchies. "We don't know about the issues, so we don't talk. Husbands do the talking. We think these issues are not related to us."<sup>71</sup> Participation is open to everybody in the village, including the few families from other ethnic groups; in practice, however, women do not have much say. It was not uncommon for women to tell me that they are "ignorant"

and “uneducated” and this is why they do not feel confident about speaking up. Faxon’s (2017) research points to similar findings and highlights women’s estrangement from male decision-making spaces. As men are identified as heads of households, leadership positions within villages have traditionally been assigned to men, while women are tasked with community tasks, including those related to culture, tradition and religion (Karen Human Rights Group, 2006).

For young people the situation is similar. In Village 4, when I asked a group of youth between the ages of 15 to 30 years if they had considered doing anything about the company, they uttered: “We don't have a strategy to do anything. We trust [our] parents’ opinion and follow that. We respect our parents. Parents don't talk about it but we do talk with each other”.<sup>72</sup> These responses are in contrast to young people’s experiences discussed later in the chapter and might be a reflection of the normative position of being ‘a good child’ and trusting the older generation, as Karen children are indoctrinated to be (cf. Karen Human Rights Group, 2006). It is also important to note that young people’s responses in focus groups are socially and relationally produced and may be subject to acceptability filters. Younger married women with children and older women were generally more vocal and confident within women’s groups, indicating that gender and social age shape people’s relative position and status during their life cycle, with older women always having “a measure of maternal authority” (Ibid, 2006: 14).

Households are equally in a state of flux, as roles and relationships are renegotiated and change, also in response to the changes that are currently taking place, as the following quote by a female teacher in her mid-fifties from Village 1 highlights. While sharing her experience of participating in community mobilization with villagers in the MAC area, she was asked when ‘the project’ – meaning CSOs and other villages - could help them. She replied: “Protection has to come from ourselves. I am a school principal, a government official. In the past I was afraid to speak up but now I know that this is my right and I have to do it for myself and my children as well.”<sup>73</sup> In her case, the education and status that came with her job, usually a man’s one in traditional Karen society, along with the support provided by CSOs, played a decisive role in boosting her confidence: for other women the reality might be different. Nonetheless, this testimony also shows and confirms that women’s participation in the politics of land grabs often has an empowering effect (see also Chapter 4).

While existing empirical evidence clearly indicates that CSOs and NGOs play an important role in this respect, there was no sign that this was happening in the areas I visited, in spite of very active social movements. The curriculum for training and awareness-raising sessions that local CSOs were holding did not include gender equality or women's rights among the topics discussed, while these have, to an extent, entered the repertoire of national and apex groups, as also emerged during the negotiations over the NLUP. It is only recently that the partners I was working with more closely have started introducing gender equality more systematically in their trainings, probably influenced by their participation in the MOSAIC project and their interactions with me.

#### *Inheritance and intergenerational transfer of land*

As seen above, land is most commonly divided equally between sons and daughters. The youngest child, regardless of sex, receives the house and the ancestral land to make up for the less time s/he has under direct parental care and to build up his/her own assets. In the Dawei area among Tavoyan communities, it was also noted that the youngest child is usually the one who stays in the parental home and takes care of ageing parents. This observation about inheritance was repeated across cases and interviews, suggesting a general pattern, but there were also variations and fluidity in the application of the rules, depending on the family's history of displacement and its current situation. For example, if the parents do not have land to give, the children receive nothing; and if women inherit in their native village but move to other villages after marriage, they can arrange for their relatives take care of the land. For instance, in Village 4, three out of five women I spoke to had inherited 10 acres of land each from their parents in the old village area, while the other two could not inherit because their parents had died during the war or because the land had gone to their younger siblings. Of those women who had land, all had LUCs (Form 7) for garden land, both in the MAC (uncleared) area and in the new village, with three out of five having more than one certificate. In this latter case, the certificates were in the names of their children who were married and had families.<sup>74</sup>

Other research in Myanmar confirms the finding about inheritance, highlighting the danger of formalization that might benefit men more than women (Land Core Group and TROCAIRE, 2018). However, I could not

confirm this for people I interviewed: those who had certificates were both men and women. Women had certificates in their names for land inherited from their parents but there was no case of joint registration by married couples. Although joint registration is not prohibited, it is not encouraged or suggested either, and people are generally not aware of this option. In the case of a husband who has land entitled to him dying, the widow has to reapply for a new certificate at the village level. And according to officials of the Department of Agricultural Land Management and Statistics (DALMS), disputes among family members and siblings if both parents die, are very common. The Land Management Committee at the village level is tasked with settling these types of disputes but if it cannot, it will refer the case to the competent regional body. Only after the matter is solved, can a new LUC be issued.<sup>75</sup>

The process for getting a Form 7 is quite cumbersome for farmers, as seen earlier in this chapter. This creates a barrier that intensifies social differentiation among people. According to the DALMS official mentioned above, the entire process takes at least five months. First the farmer applies at the village level. The land administration body at the village level carries out the inspection and measurement on the ground and opens the case, which is then submitted to the township level. From there, after inspection, the file goes to the district level. In the meantime, the township calls a no objection period of one month. The district reviews the case and, if everything is in order, approves the application and informs the township. Finally, the township land management authority notifies the applicant of the approval. A registration fee of 500 Kyat must be paid before a Form 7 can be issued.<sup>76</sup>

It should be noted that in villages that are logistically better connected, such as Village 4 which is on the main road, it is easier for people to move around and go the township office. Conversely, people in the Lenya area are much more isolated and most people do not have land certificates, as discussed above. The time it takes to go back and forth to the various offices and the distance needed to travel can discourage women from applying. During the gender session of a workshop attended by farmers and CSO representatives, one male farmer stated sarcastically that “their wives are too lazy to go to town to register land”. If we look beyond that farmer’s mockery, his words may be speaking some truth about women’s reality: their mobility is hampered at different levels due to a lack of time but also due to a lack of access to motorbikes, for instance. Women tend to be

scared of driving motorbikes as the roads are often in bad shape, especially during the rainy season. In addition, traditionally motorbikes were considered to be a man's thing although this is changing with the new generation and it is not uncommon to see girls riding bikes within the village. Overall, however, in the rush to secure land from different forms of exclusion, women are more likely to lose out.

The lack of certificates, however, did not seem to affect informal land transactions, some of which happen as a result of distress or changing family conditions. Some people sell land for money because they cannot work or bear the costs of their children's higher education. Schools in the area around MAC are only up to grade eight and children have to move to Myek or another far away village for high school, where the annual cost of boarding school is about 35 million Kyats (22,000 USD). Despite the enormous investment, most children come back to the village after completing their education as they cannot get work in the city or fail to pass the grade 10 exam, even after several attempts. Traditionally, boys are given preferential access to education because of the more public role that men are expected to play. Security concerns (Karen Human Rights Group, 2006) also play a role since education beyond primary school almost always requires travelling or moving around. In Village 3 for instance, FGD participants highlighted the absence of young men (but not young women) in the village because of the lack of schools in the area.<sup>77</sup> If sales of land do not translate into access to jobs for children, this may create a situation in which families sell their land to invest in education but then have no land left for their children when these come back to the village due to a lack of job opportunities elsewhere. In the past, this was not a problem as new land could be easily cleared, but this is no longer the case. The out-migration of youth may hence signify that they are being pushed out of rural areas rather than speak to a desire for 'upward social mobility'/modernity.

### *Dreams and realities: gendered and generationed experiences of becoming*

With different initiatives competing for natural resources, access to land has become a sombre reproduction concern shared by all people, but especially young men. One young man's comment says it all: "The new generations will have limited land. Land is decreasing, so I worry that it will



be more difficult to marry. On the KNU side we created community forest but KNU owns the forest near our forest. So *toungya* will be more difficult. Our parents give us land when we marry but this is garden land [that is, betel nut or cashew nut].”<sup>78</sup> His remark also highlights that, in the case of males, reproduction is intimately linked to the ability to produce rice, that is food, for the family, and this in turn shapes masculinity. It also points to the tension that exists around conservation, even when it is community-led as in the case of community forestry, if, in practice, it restricts free access to resources.<sup>79</sup> “Shifting cultivation may become more difficult but we are studying and we want to support the livelihood [of our families] but we depend on our parents. There is nothing we can do by ourselves because the traditional activities depend on our parents,” remarked one young man venting his frustration at the situation and perhaps hinting at the desire to break with traditional norms that expect children to be subservient and acquiesce to their parent’s decisions.<sup>80</sup> In fact, during the same group discussion, one young woman shared her disappointment at not being able to continue studying: “My education is not finished. I want to study in another city but I can’t because shifting cultivation is very hard and I have to help.” Another woman echoed her sentiments, highlighting that her parents may not be able to continue supporting her education because they do not have the resources.<sup>81</sup>

In Village 1, while expressing concern about MSPP, young people remained more optimistic. Compared to youth in Village 2, which they visited, they felt lucky because they still had land and vegetables. In Village 1, Karen grassroots groups have been active for a while, promoting community-based development initiatives, including the research and mapping of natural resources, watershed management, and community forestry. The effects of the long-term engagement in activities around community-based natural resource management and conservation, and indigenous rights are also visible. During a youth group discussion, one girl aged fifteen said, “In my village we have clear air, mountains and land. Because of this, we don't want to stay in the city. Also, we would get very low [quality] jobs, since we don't have an education. We love our village.”<sup>82</sup>

Regardless of the differences, the majority of the youth I interviewed in the villages, both males and females, overwhelmingly said they would prefer to stay in their village and continue traditional farming and gardens, albeit this was sometimes associated with their lack of education and alternatives. Going away, mainly for studying, was perceived as a temporary

option.<sup>83</sup> “There is no migration, we stay and work here. Even if we move for education, we come back.” FGD participants in Village 4 noted that they still have opportunities in the village, whereas not having “enough education” limits access to other options.<sup>84</sup> In Village 2, one young woman stated convincingly that even if they received more education, they would want to come back and further develop their village.<sup>85</sup>

In contrast, in other parts of Tanintharyi, many villages in rural areas are empty, with youth more likely to be the ones to migrate.<sup>86</sup> In several adults groups, participants noted that youth migration might become necessary for poorer families, even if most parents would prefer their children stay and help. In Village 2, one of the villages most heavily impacted by the expansion of MSPP, adult participants noted that “young people want to farm. They don’t go away but they go to nearby villages to work on rubber plantations.”<sup>87</sup> Until recently, access to land, even for new families, was not a problem. Young aspiring farmers did not, therefore, experience the key structural challenge that affect young people elsewhere. Some youth, both female and male, could benefit right away from land received from their parents and/or in-laws, as seen in the previous section. In addition, as pointed out by several respondents, while waiting to have their own betel nut gardens fully productive, young men could work for cash for other people in the village. As communities experience anxieties about their future, but also actively mobilize to resist unwanted change, knowledge and informed participation become important assets.

The situation of youth in the villages thus seemed to be shaped by a combination of forced choice due to a lack of options, compliance with gendered social constructs and expectations, and discourses around indigenous culture and tradition. For obvious reasons, this mixture did not always amalgamate smoothly and sometimes created frictions and contradictions that emerged in the form of conflicting statements during the discussions and interviews. For instance, the specific ways in which gender and age differently shape the lived experiences of women and men emerged clearly in the following discussions. In 2017, I was invited by my Karen partners and friends to join a youth camp they had organizing in a forested area near MAC and Lenya and hold a session on gender. About 50 youth from four different villages attended, their ages spanning from 10 to 25. There were also at least three participants who were in their 30s or older.<sup>88</sup> As I learned later, these camps are valued by participants for

being unique opportunities to learn new things, but also as a way to get away and enjoy being together.

On the last night of the camp before bed, sitting in front of our tents, I had an improvised discussion with a group of young women aged 13-24. They were curious about me and asked me questions about my life and were eager to share information about theirs. They said that at 18 most girls are already married. They stated that before, girls had married at 20, but now they married early because “they have emotions”- which I understood as feelings and especially sexual desires, which they could not express freely. Marriage gives them more freedom but “when you are 18, it is difficult to say what’s right or wrong”, emphasized one of the two married women in the group. Picking up on this point later in the discussion, the two women said they regretted getting married so early. “Sometimes I feel hopeless and have no dreams. We are not free”, said one woman, pointing to her multiple responsibilities. She missed going to the forest with her father and also wished she could go back to school but, with two children, it was impossible and her husband would not allow it. Sometimes she could work with her husband when her mother took care of the children. Although their own house was in her husband’s village, they also stayed with her parents at times. When she got married, her parents gave her some land and they also have her husband’s land. The other married woman seemed happier with her role in the house and said she took pride in making her house look nice, but sometimes she wished she could run away from it all. After marriage, she went to live in her husband’s village. Her parents did not have any land so they only received land from her in-laws.

Both women said they joined the youth camp to improve their knowledge about the issues affecting the community so that they could do something for their people. They had not been aware of land grabs and conservation initiatives, although one woman had heard about the park at another training. They did not talk with their husbands about these issues and pointed out that quite often it is the women who attend the meetings as the men are busy working. The women wanted to know more and learn how to use social media to that end. They found it difficult, however, to tease out the real news from the fake news, said one of them in frustration.

The material and psychological constraints of married life for these young women contrast sharply with the reality of the following interview with a young man, also in his twenties and married with two children. This

young man is very active in his community – Village 1 - and with local CSOs. He was formerly responsible for community forestry and helped in setting it up. According to him, young people in his village are interested in traditional farming and there is no migration of youth. “Most young people understand that if we keep the land, it will be beneficial for the community. When they go to the cities, they realize the value of land. We are very happy about solidarity in the community.”<sup>89</sup> In contrast to the testimony of young people in Village 4, he thinks that young people have the opportunity to contribute to community mobilization, whether against land grabs or for other issues that affect the community. There is a youth group, formed by the village leader, which holds social and community activities but they also engage with CSOs in organizing awareness-raising meetings. “We are also more mobile as we have motorbikes and can join meetings in other villages too. In the political discussions, we are not involved as much but always support with logistics etc.”

The quote above highlights once again the existence of age and gender hierarchies. Girls generally do not have motorbikes and if they are married and have children are constrained by care responsibilities, and youth play a supportive role when it comes to political issues. However, it also reveals that young people are able to establish their social age as young adults through participation in rural politics, even beyond their own communities. Through engagement with Karen grassroots groups and the use of prefigurative politics – seen here as a set of egalitarian alternative social practices and relations that anticipate a future that cannot yet be fully realized (Breines, 1980) - they are also able to actively co-construct their ideal village and farming future. In some instances, this goes as far as circumventing traditional norms, including those around gender and generationed roles. For instance, the youth leader in Village 1 is a very energetic single young woman. She explained that the youth in her village plan to collaborate with the ‘old people’ on the village development plan and want to secure their lands working with grassroots organizations. She also reinforced the point that they [youth] have the opportunity to share their views in community meetings and she is free to decide what to do in the family because she has a job as kindergarten teacher. In her case, just as we saw with the teacher from Village 1, social age and gender roles have been (re)negotiated and (re)constructed due to her knowledge/education and job, her position as a youth leader, her environmental activism, and her status as a single woman.

Young people's identity is also closely intertwined with traditional farming and way of life, which grassroots ethnic groups have centred strategies of prefigurative politics on. In one group discussion, the youth stated clearly their outright dislike for "modern agriculture because it destroys forests".<sup>90</sup> When I probed them about government policies and attitudes about *toungya*, in particular, the background chatter was suddenly replaced by people wanting to say something and talking over each other to the extent that my translator was not able to keep up. There is strong resentment of the government tendency to accuse local communities and *toungya* of deforestation and for being environmentally unsustainable. One young woman was particularly vocal about it: "*Toungya* is our custom and we made it clear to the government. The company also did the logging. So it is the company which is doing deforestation not us".<sup>91</sup> In this sense, betel nut is also perceived as an extension of traditional farming, in addition to being the key source of cash income and an asset that can be transmitted to children.<sup>92</sup>

#### 2.4.4 Grassroots mobilization

Communities have actively mobilized with the help of local CSOs, although some only more recently. One woman from one of the villages affected by MSPP described her community's initiatives to oppose the company, including petitions and letters, "but no acts of vandalism or damage to the company because we are afraid of the company and authorities. Our request is to get our land back and be compensated for lost betel nut harvest. We have no time to go to the city and no experience in dealing with these issues, but hope that the new government will help. We trust and hope."<sup>93</sup>

In 2016, I participated in a meeting organized by my grassroots partners in Village 4. Four communities from the Lenya area, as well as representatives of communities from the MSPP area also attended. The aim of the meeting was to raise awareness of the importance of mobilization and it was the first time that Village 4 and Lenya villagers had joined this kind of event. A Karen grassroots leader gave a presentation on the importance of FPIC, the traditional way of life, and preserving natural resources through, among others, *toungya*. This leader pointed out that *toungya* does

not affect the regrowth of forests, whereas the logging carried out by companies does because they uproot the trees completely by digging deeper into the soil. *Toungya* also helps communities to preserve traditional seeds.<sup>94</sup> When I visited the village again in 2018, these concepts had become part of the common activist vocabulary and the repertoire of villagers. In addition, all the communities I visited sooner or later organized themselves into community-based organizations which had become 'places' for discussing, strategizing and decision-making. The role played by ethnic CSOs was and still is influential in shaping grassroots politics and organizing.

For instance, at the youth camp described in the previous section, there was also a lot of identity 'building' through mini-lectures – for example on FPIC, during which issues and legal rights of indigenous peoples (in the UN Declaration on the rights of Indigenous Peoples) were discussed - prayers and songs, both of which are a very important part of the process of building young people's identity and knowledge. Communal prayers, involving religious leaders and people of different faiths have always been part of the repertoire of communities' mobilization, and go hand in hand with awareness-raising, the sharing of lessons across villages, supporting mobilization efforts, and holding training and sensitization sessions for young people and children.

We believe that when we pray, this is the power of our community. The first time we did this, we gave white ribbons to the participants. After we tied them to the trees, the company did not touch the trees. I say this is power. Because the children were crying and they stopped when we started tying the ribbons to the trees.<sup>95</sup>

Songs are another important dimension. At the youth camp, for example, three songs were taught and sung every day at different times during the day. All in the Karen language, they included a song about the importance of water, a nationalist song and an environmental song. On the final day of the camp, the songs were played through a loudspeaker while people of literally all ages jumped into the fresh waters of the nearby stream to gleefully dance and sing while splashing water at each other. Vivid images and feelings associated with this outbreak of joy, affirmation of sovereignty and attachment to nature stay with me to this day. David Brenner (2018) shows how karaoke becomes a way for Kachin rebel grass-

roots groups to perform rebellion and, at same time, how rebel subjectivities are created through reiterated acting which brings “into being certain kinds of realities” (Butler, 2010: 147). Independent artists moving within the Kachin national framework also “coproduce rebel political culture” with songs that also reflect concerns related to social justice and environmental degradation (Brenner, 2018). Dance has also featured quite consistently in many recent women’s and students’ protests and has a tradition in liberation movements. “The unexpected, spontaneous and pleasantly disruptive nature of collective celebration is one of the great equalisers of social and political struggle” (Stephenson, 2017).

**Picture 2.6**  
*Joy explodes at the youth camp*



Source: Author, July 2017

The youth camp itself is a strong illustration of the approach shared by many Karen groups, which centres on discourse around traditional lifestyles and values, material closeness with nature, and indigenous identity building. This, in turn, contributes to the creation of other visions of development in contrast with those created by commodification processes. So while, as Nancy Peluso (2012: 79) highlighted, “commodification of

'nature's products, places and processes' produces new sorts of socio-natures", communities in Tanintharyi are also producing other socio-natures through collective defiance of such processes and prefiguratively creating their own vision of development. However, as seen thus far, this process of constructing and signifying the relation between communities and nature does not interrogate questions about gender and generational inequalities. It takes at face value existing women's and men's roles and recognizes youth only to the extent that they represent 'the future' of communities without providing them with a space for meaningful participation in decision-making.

## 2.5 Conclusion

In this chapter I have analysed the gendered and generationed impacts of agrarian and environmental changes among Karen communities through the lens of two cases of palm oil expansion and one national park initiative. The expansion of agribusinesses and conservation initiatives in Southern Tanintharyi have clear intersecting and overlapping conjunctural impacts on physical landscapes, on people's different access to land and natural resources, and their livelihood strategies and politics. These impacts I have presented in brush strokes throughout the case studies. For women, the immediate impacts consist of the longer distances they have to walk to reach their farms, fetch water and collect food in the forest, and the emotional and practical hindrance of having to leave their children behind. In addition, the occasional wage work they take on when their families are in need of cash contributes to reiterating the lower value of women's work. In these communities, rice farms and gardens, because both are rooted in shifting cultivation, are likely to be situated far from the village. This will be increasingly so, provided, that is, that there will still be land to be cleared in the future, especially for young starting farmers.

For young people, especially those whose parents do not have land to pass on, the immediate (in the oil palm areas) and anticipated (in Lenya) issue of land scarcity is casting a shadow on the prospects of forming families of their own and the possibility continuing to farm. This, in turn, affects young men's masculinity and delays their transition to adulthood. In addition, financing children's education might also become problematic as



families lose access to a secure flow of cash income through betel nut gardening. This introduces the prospect of young people being dispossessed twice: of their farming future and of the opportunities that education might give them. This is likely to have gendered implications, as families might prioritize boys over girls for education and outmigration.

Through engagement in community politics and grassroots mobilization, young people, especially men and single women, are able, to an extent, to break age and gender stereotypes that relegate them to marginal roles. In contrast, young women's early entrance into adulthood through marriage creates material and emotional burdens, restricting their mobility, their access to information, and their meaningful participation in community politics. If grassroots organizations do not specifically raise the issue of women and girls' equal rights and participation, the idea of social justice that is being promoted risks being imbricated and reproducing existing patterns of injustices and power asymmetries.

More generally, the chapter has shown that the impacts on communities are manifold and varied depending on several factors, including the type of initiative and the way it has manifested on the ground, the context, and the strength of the community in reacting to the changes. The ongoing reduction and demarcation of the space in which communities are allowed to subsist is a manifestation of multiple processes of territorialisation and commodification operated by different actors – UG, KNU, private investors, conservation INGOs and communities themselves – which are reorganizing and articulating frontier spaces “with political, economic, and social institutions in constantly emerging new ways” (Rasmussen and Lund, 2018: 389–390) with clear gendered and generational repercussions.

In this context, the activism fostered by local grassroots organizations can potentially be disruptive of a neoliberal reorganization of nature, people and social relations. By making use of repertoires that span from recourse to human rights treaties and international conventions, to promotion of community-led natural resource management, sensitization to the care of the environment, a revaluation of a traditional way of life and livelihoods, the training of youth, and recourse to the performative power of music, Karen organizations and communities are putting forward another vision of development. Through enacting in the present the future that they would like to see and that grassroots movements are promoting, young women and men especially might find ways to promote socially just outcomes for all, despite the existing material conditions and normative

constructs which tend to reproduce existing inequalities. This engagement in 'prefigurative politics', that is, the embodiment in the present of "forms of social relations, decision-making, culture and human experience that are the ultimate goal" (Boggs, 1977: 100) allows them to effectively advance their other vision of development. Such a vision may stand a better chance of including gender and generational justice, as more young women and men break away from traditional gendered and generationed roles through their engagement in land grab politics, especially trans-local land politics. This stands an even better chance if they are also supported by local CSOs and grassroot organizations, in the forms of advocacy and sensitization.

## Notes

<sup>1</sup> Over 15 percent of female clients did not have land documents as opposed to 5 percent of male clients (Namati, 2016: 6).

<sup>2</sup> See for example, Indonesia: White and Julia, 2013, Elmhirst et al. 2017, Li 2017, Morgan 2107; Cambodia: Brickell 2014, McGinn 2015, Kusakabe 2015, Park and Maffii 2017, Lamb et al. 2017, Park 2018; Laos: Kusakabe 2015, FAO 2013.

<sup>3</sup> Administratively Tanintharyi is referred to as division and not as region.

<sup>4</sup> Interviews conducted by the author with representatives of the Ministry of Agriculture, Livestock and Irrigation (MOALI), Naw Pyi Taw, 10 May 2018.

<sup>5</sup> The law allows industrial crops to occupy up to a maximum of 50,000 acres for a thirty-year lease, with the possibility of renewal.

<sup>6</sup> Anyone using VFV land without a permit has three months from the enactment of the amendment to apply for a VFV permit, otherwise the land can be confiscated. Anyone entering VFV land, even accidentally and irrespective of whether or not the land is subject to a permit, could be sentenced under a new provision to two years in prison.

<sup>7</sup> From “Formal expression of concern regarding implementation of the Vacant, Fallow and Virgin Land Management Law through Letter No. 12/ MaLaYa-1(370-2018)”.

<sup>8</sup> For a gender discussion of the NLUP, see TNI (2015) and Faxon (2017).

<sup>9</sup> Personal comment by a representative of the Forestry Department at the Ministry of Natural Resource, Environment and Conservation (MONREC), Naw Pyi Taw, 11 May 2018.

<sup>10</sup> Skype interview with Kevin Malseed, 25 May 2017.

<sup>11</sup> Personal interview held in a village affected by MSPP, 19 July 2016.

<sup>12</sup> Personal interview, 18 July 2016, Myek, Tanintharyi.

<sup>13</sup> Focus group discussions in three villages in Lenya, May 2017. FGDs in two villages in Lenya in May 2018.

<sup>14</sup> Consultation with 11 villages in Lenya, February-March 2017.

<sup>15</sup> Interview with Karen activist, Yangon, 23 May 2018.

<sup>16</sup> CAT is a coalition of Karen community organizations working in the region whose stated aims are “to promote conservation of biodiversity together with people, and protect the rights of indigenous communities” (Conservation Alliance of Tanawthari, 2018).

<sup>17</sup> Interview with woman, Village 2, 15 May 2018.

<sup>18</sup>“Green Desert” published in 2016 together with a film by Tarkapaw, TRIP NET, Southern Youth, Candle Light, Khain Myae Thitsar, Myek Lawyer Network and Dawei Development Association.

<sup>19</sup> <https://opencorporates.com/companies/mm/3FC-2011-2012>

<sup>20</sup> These are: Thein Pyin, Kawat, Baw Sa Nway and Swae Chaung Wa.

<sup>21</sup> Personal interview with Karen grassroots leader, 17 July 2016.

<sup>22</sup> FGD, Village 2, 23 January 2016.

<sup>23</sup> Interview, Village 1, 23 January 2016.

<sup>24</sup> FGD, Village 3, 19 July 2016.

<sup>25</sup> Interview, Myek, 17 July 2016.

<sup>26</sup> FGD, Village 2, 23 January 2016.

<sup>27</sup> This is the Tanintharyi Joint Monitoring Committee which is tasked with monitoring complaints in the ceasefire region (Tarkapaw et al., 2016).

<sup>28</sup> <https://opencorporates.com/companies/mm/18FC-2011-2012>

<sup>29</sup> <http://www.autosanup.com/index.php?menu=02-03-01>, accessed 14 August 2018

<sup>30</sup> Personal interview with Karen grassroots leader, 17 July 2016.

<sup>31</sup> Women FGD, Village 4, 17 May 2018.

<sup>32</sup> Ibid, 17 July 2016.

<sup>33</sup> Personal comment, local man, MAC area, 16 October 2016.

<sup>34</sup> Quotes from men FGD, Village 4, 17 May 2018.

<sup>35</sup> Local man, men FGD, Village 4, 17 May 2018.

<sup>36</sup> This is what he said in 2016. But in 2018 there were still no signs of progress in this direction.

<sup>37</sup> Personal comment, MAC area, 16 October 2016.

<sup>38</sup> Local man, men FGD, Village 4, 17 May 2018.

<sup>39</sup> Local man, men FGD, Village 4, 17 May 2018.

<sup>40</sup> We had to meet the general for protocol before visiting the villages.

<sup>41</sup> Personal comment, 9 May 2017.

<sup>42</sup> Interview, Yangon, 23 May 2018.

<sup>43</sup> FGD, Hein Lan, 10 May 2017.

<sup>44</sup> Karen woman, FGD, Village 7, 10 May 2017.

<sup>45</sup> Personal interview, Lenya area, 18 May 2018.

<sup>46</sup> Men FGD, Hein Lan, 17 May 2018.

<sup>47</sup> Interview, Karen grassroots leader, 17 February 2017.

- <sup>48</sup> FGD, Village 3, 19 July 2016.
- <sup>49</sup> FGD, Village 3, 19 July 2016.
- <sup>50</sup> Colonial time texts refer to the 10-15 years rotation practiced among Karen groups (Bryant, 1994)
- <sup>51</sup> Personal comment, local man, MAC area, 16 October 2016.
- <sup>52</sup> Local man, men FGD, Village 4, 17 May 2018.
- <sup>53</sup> Interview, Karen grassroots leader, 17 February 2017.
- <sup>54</sup> Male farmer during FGD, Village 3, 19 July 2016.
- <sup>55</sup> FGD, Myek, 20 July 2016.
- <sup>56</sup> Since 2012 and after the ceasefire, all villages have a KNU and UG leader.
- <sup>57</sup> A woman from Village 2, FGD, 18 October 2016.
- <sup>58</sup> Form 105 is a certified map that has information on the “owner, grantholder, lessee”, on the land itself (plot number), the status of the land and land type.
- <sup>59</sup> Local old man, men FGD, Village 4, 17 May 2018.
- <sup>60</sup> Young man, youth FGD, Village 4, 16 May 2018.
- <sup>61</sup> FGDs, Village 3, 17 May 2018.
- <sup>62</sup> Women FGD, Village 4, 17 May 2018.
- <sup>63</sup> Young woman, youth FGD, Village 4, 16 May 2018
- <sup>64</sup> Interview with woman, Village 2, 15 May 2018.
- <sup>65</sup> Women FGD, Village 5, 22 February 2018.
- <sup>66</sup> FGD, Village 3, 19 July 2016. This remark was also made at group discussions in Cambodia (see Chapter 4).
- <sup>67</sup> FGD, Village 2, 23 January 2016.
- <sup>68</sup> Women FGD, Village 3, 19 July 2016.
- <sup>69</sup> Women FGD, Village 4, 17 May 2018.
- <sup>70</sup> Women FGD, Village 5, 22 February 2017.
- <sup>71</sup> Women FGD, Village 5, 22 February 2017.
- <sup>72</sup> Youth FGD, Village 4, 16 May 2018.
- <sup>73</sup> Personal comment during awareness raising meeting, Village 4, 21 October 2016.
- <sup>74</sup> Women FGD, Village 4, 17 May 2018.
- <sup>75</sup> Interview with official at the DALMS, Naw Pyi Taw, 10 May 2018.
- <sup>76</sup> This procedure is the one under UG rules. KNU issues its own land certificates. In one location, I found that people had both UG and KNU certificates.
- <sup>77</sup> FGD, Village 3, 19 July 2016.
- <sup>78</sup> Young man, youth FGD, Village 4, 16 May 2018.

<sup>79</sup> Both the UG and KNU recognize community forestry, although each with a set of different strings attached. The UG recognizes 30- year leases for community forestry under the 2016 Community Forestry Instruction, which recently released some of the restrictions under the 1995 instruction. The KNU recognizes it under its Forestry Policy.

<sup>80</sup> FGD, Myek, 20 July 2016.

<sup>81</sup> FGD, Myek, 20 July 2016.

<sup>82</sup> Young woman, youth FGD, Village 2, 15 May 2018.

<sup>83</sup> In the areas I visited there was hardly any migration to Thailand or the cities.

<sup>84</sup> Youth FGD, Village 4, 16 May 2018.

<sup>85</sup> Young woman, youth FGD, Village 2, 15 May 2018.

<sup>86</sup> Interview with local CSO staff, Dawei, 10 May 2016.

<sup>87</sup> FGD, community guesthouse near MSPP area, 18 October 2016.

<sup>88</sup> The youth camp was held 3-5 May, 2017.

<sup>89</sup> Interview with young male activist, Village 2, 15 May 2018.

<sup>90</sup> Young men, youth FGD, Village 2, 15 May 2018. The group was comprised of two women and five men between the ages of 15 and 24 years. All were single, Karen and Christian.

<sup>91</sup> Young woman, youth FGD, Village 2, 15 May 2018.

<sup>92</sup> Personal comment by Karen man.

<sup>93</sup> FGD, Village 3, 19 July 2016.

<sup>94</sup> Awareness raising meeting, Village 4, 21 October 2016.

<sup>95</sup> FGD, community guesthouse near MSPP area, 18 October 2016. A number of MOSAIC team members travelled to an area close to the MSPP area and stayed overnight at a community guesthouse. There we met community members from three villages. The community-based committees had submitted a letter of complaint to the governments at district and central levels. These committees were comprised of two members each from 13 villages. As a result, on August 3, 2016 representatives from the Parliament and the villagers visited the MSPP area together. The company stopped expanding on August 13.

# 3

## ‘Our Lands are Our Lives’: gendered experiences of resistance to land grabbing in Cambodia

### Abstract

With this chapter we shift our attention to Cambodia, known as a hotspot for land grabbing in Southeast Asia. Land dispossession due to elite capture, natural resources exploitation, and agribusiness development has catalyzed international attention following outbreaks of violence, mass protests, and retaliations. Agrarian economies, as well as social and gender relations and thus power dynamics at different levels, are being transformed and reshaped, facilitated by policies that promote capital penetration in rural areas and individualization of land access. Focusing on cases of rural dispossession and political resistance in Ratanakiri and Kampong Speu provinces, and drawing on reports, government documents, focus group discussions, and interviews, this study analyzes the gendered implications of land grabbing in contemporary Cambodia and argues that gender shapes and informs women’s responses and politics, as well as the spaces in which these are played out.

### 3.1 Introduction

In Cambodia, the surge in land grabs in recent years has been largely associated with increasing numbers of Economic Land Concessions (ELCs) – a mechanism that allows investors to lease state land for economic development<sup>1</sup> – and aggressive urban expansion, both of which are facilitated by the government agenda of economic growth and development. According to non-governmental organization (NGO) estimates, ELCs

granted to foreign and domestic companies were close to 2 million hectares in 2013 (Grimsditch and Schoenberger, 2015). Following growing resistance by dispossessed communities, a moratorium on ELCs was declared in 2012 right before communal elections. The moratorium, however, has failed to stop or completely roll back existing initiatives. In spite of a number of concessions that have been canceled or reduced, according to government sources, as of 2016, there are still 111 active contracts covering more than 1,030,672 hectares of land. Furthermore, definite numbers and areas are difficult to determine ((Diepart, 2016).

A number of studies have examined the gendered outcomes of land grabs in the context of Cambodia (Brickell, 2014; Cambodian League for the Promotion and Defense of Human Rights, 2014, 2015; Kusakabe, 2015; Lamb et al., 2017; McGinn, 2015; Park and Maffii, 2017). These have focused on different aspects, including the economic trajectories created by urban dispossession (McGinn 2015), the gendered geopolitics of forced evictions (Brickell 2014), the implications of agrarian transformations on indigenous women (Park and Maffii 2017), and the roles and practices of women in relation to men's and their complementary struggles to protest land grabbing (Lamb et al. 2017).

While feminist research has extensively documented women's land activism, this has often been ignored by authors writing on political reactions from below (Borras and Franco, 2013) and environmental collective action (Agarwal 2014), as noted in the introduction. Schneider, for instance, examines different forms of peasant resistance to land grabs in Cambodia but does not address their gender dynamics and the agency of different rural actors, including women. Women along with indigenous peoples and children are mentioned only as those suffering most dramatically from the impacts of dispossession (Schneider, 2011). James C. Scott's (1985) important work on everyday forms of resistance has been criticized for its "androcentric focus" and lack of attention to gender. The resulting analysis – critics posit (Hart, 1991) – misses out on "the contextually specific ways in which politics construct gender and gender constructs politics" (Scott, 1999, Chapter 2, Section II, para. 6) and fails to "ask how gender might interact with class (or other forms of social hierarchy) both to structure that hierarchy in specific ways, and to determine the forms that resistance to it might take" (Agarwal, 1994b: 421). According to Agarwal, women's struggles are about class oppression but also the related forms



of gender discrimination; this is why looking only at overt acts of resistance does not tell the full story. In addition, women's resistance is different from men's because of the different forms of oppression from which they suffer and the weapons they have (Agarwal 1994). Regardless of class and social differences, women can find commonality of interests when it comes to protecting their natural resources against external factors, as documented for instance in West Kalimantan in Indonesia, where the women taking part in protests against the establishment of an oil palm plantation were found to be very diverse in terms of age, marital status, education, income, and land size (Morgan 2017).

Gender roles, identity, and positioning can also circumscribe the space in which women and men can exercise their agency in everyday life (Resurrección, 2006: 384). In spite of women's key roles in land occupations in Brazil, for instance, formal gender equality within the social movements did not translate into an increased number of women beneficiaries of the agrarian reform or leaders (Deere, 2003b). According to Agarwal (2015), for this to happen women need to shift from "women-in-themselves" to "women-for-themselves," that is, "from individual to a group articulation of their interests." This critically depends "on whether women can overcome the structural constraints they face, and what outside support they have to facilitate this" (Agarwal, 2014b).<sup>2</sup> This point is confirmed by an ample body of research from Latin America, where across the subcontinent, the rise of the national and international feminist and women's movements, together with the emergence of national gender machineries and women's NGOs, the rise of rural unions and liberation theology groups created conditions favourable to the organization of rural women in the 1980s and 1990s (Deere, 2003; Deere and León, 2001; Stephen, 2006). It is also noteworthy that, in many instances, women eventually decided to spin out of the movement that they had helped to create and to establish their own (Valle, 2009: 221).

Although not to the extent of mobilizing for their own rights, there is a transformational power that comes with women's engagement in mobilization. Daley and Pallas (2014) found that women's active participation and leadership role in mobilization against the Polepally Special Economic Zone in Andhra Pradesh, India contributed to their empowerment along the way. Women "found their voice in the process, thereby becoming empowered to engage politically through adversity" (Daley and Pallas, 2014: 191). Agarwal (2015) also noted that even the mere participation of

women in community forestry groups increased their self-esteem and standing in the communities in addition to having positive impacts on their efficiency. This process of empowerment – defined by Kabeer (1999) as the process of change through which those who have been denied the capacity to exercise choice gain this capacity – entails a reshaping of gender and power relations, which may have harsh consequences on women. Studies from Cambodia highlight that women land activists often suffer from impacts such as domestic violence and family breakdown, confirming the entrenched nature of gender relations, power structures, and resistance, whereby sites of domination also become potential sites of resistance (Collins 2000; Brickell 2014; LICADHO 2014).

Building on the research above, this chapter explores land grabbing, rural dispossession, and political responses from below, focusing on cases from Ratanakiri and Kampong Speu.

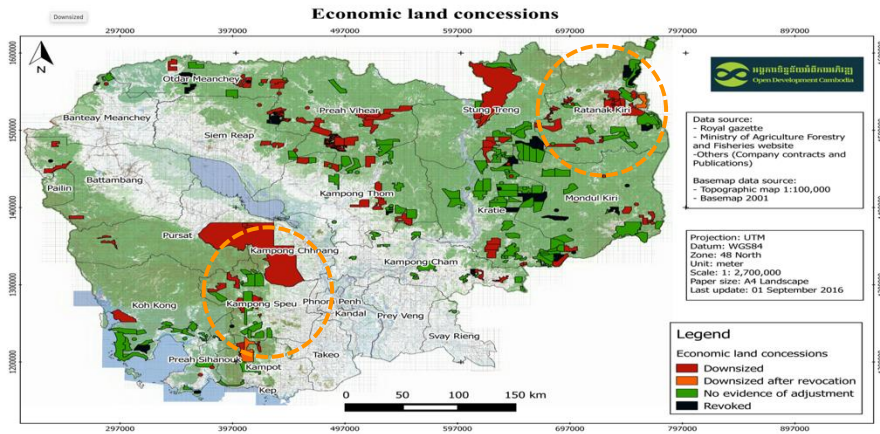
### 3.2 Land reform and Economic Land Concessions

With the end of the Cold War in 1989 and the embrace of an open market economy, a series of policies paved the way to the adoption of Cambodia's 2001 Land Law, which extended private property rights – abolished by the Khmer Rouge and reintroduced for residential land with the 1992 Land Law – to agricultural land. This was a time, following the affirmation of the Washington Consensus, when blanket programs of privatization were high on the agendas of donors and governments (Hughes, 2003; Springer, 2010). In Cambodia, too, the land reform agenda had a strong focus on the formalization of property, promoted through donor-driven programs and government campaigns.<sup>3</sup> In what it defined a “historic land reform program,” by 2013, the government stated it had distributed more than three million land titles (Royal Government of Cambodia, 2013: 6), covering around 50 percent of all land parcels in the country, and was moving resolutely towards the goal of achieving 100 percent coverage by 2023 (Lim 2014).

The 2001 Land Law, which defines tenure rights in the country, recognizes private ownership rights for residential and agricultural land and the right of indigenous communities to collective ownership of land.<sup>4</sup> The law also authorizes the granting of land concessions on state private land for

social and economic purposes.<sup>5</sup> In practice, however, the leasing of state private land had been ongoing since 1995, prior to the promulgation of the 2001 Land Law and of Sub-Decree No. 146 on ELCs in 2005 (Saing et al. 2012). Sub-Decree No. 146 regulates the procedures for the granting and management of concessions, including requirements to conduct public consultations and environmental and social impact assessments.<sup>6</sup> However, these aspects, along with those related to small farmers and indigenous peoples’ security of tenure and access to dispute resolution mechanisms, have been problematic to implement and monitor.<sup>7</sup> ELCs have been awarded in areas where people had legitimate tenure rights, and land titles have been largely issued in areas not affected by or earmarked for ELCs (Dwyer, 2015). Local political elites, business tycoons, and local patrons, as well as foreign actors, have been able to co-opt to their advantage the opportunities arising in this context (Beban and Work, 2014; Springer, 2010, 2011), shaping property and labour regimes and creating “new legal and practical instruments for possessing, expropriating, or challenging previous land controls” (Peluso and Lund, 2011: 668) and accumulating capital, including Order 01 described below.

**Map 3.1**  
*Economic Land Concessions and research sites*



Source: OpenDevelopment Cambodia

Land tenure insecurity and repeated violations of people's land rights have materialized both in rural and urban contexts (Grimsditch and Henderson, 2009; LICADHO, 2012), and resistance has manifested itself through the full range of expressions, from "everyday forms of resistance" (Scott, 1985, 1986) to organized protests and riots in Phnom Penh, with the active participation of women.<sup>8</sup> According to NGO estimates, over 420,000 people have been affected by land grabs and evictions since 2003 (LICADHO 2012), and 10,625 have been registered in 2014 alone (LICADHO 2014). Illustrative urban evictions include the infamous cases of Borei Keila and Boeung Kak Lake,<sup>9</sup> both of which have been analyzed from a gender perspective (Brickell 2014; McGinn 2015).

Following mounting protests and criticism by civil society organizations and development partners, in May 2012, the government declared a moratorium on ELCs (Beban and Work 2014; Milne 2014; Schoenberger 2015).<sup>10</sup> A few months later and before commune elections, it also issued Directive 01BB, also known as Order 01, on the Measures Reinforcing and Increasing the Efficiency of the Management of Economic Land Concessions (LICADHO, 2014). Under the order, the Prime Minister launched a yearlong land registration and titling campaign supposedly with the aim of improving people's land tenure security and resolving conflicts between communities and companies. Between June 2012 and December 2014, approximately 610,000 individual titles (550,000 according to official data from the Ministry of Land Management, Urban Planning, and Construction) were issued at no cost (Schoenberger, 2015), including in indigenous areas that had been already earmarked for communal titling. While focusing on areas with less secure tenure and where ELCs had been awarded, the programme however avoided areas where conflicts were ongoing,<sup>11</sup> crystallizing on the ground the material effects of the so-called "leopard sky policy" (Milne 2013). By allocating titles, including to indigenous land and state land that was occupied and could thus be demarcated away from ELCs (Milne 2013), the order has contributed to creating simplified tenure systems outside of ELCs areas that facilitate the exercise of state's control over space (Scott, 1998) – space that is reshaped in the form of "landscapes of control and appropriation" (Scott 2012: 33).

### 3.3 Gender equality and women's access to land

The government has integrated gender equality discourse and practice in policymaking, including in the agricultural sector. Cambodia has committed to international human rights and gender equality instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights against Women, both ratified in 1992. Under the 1993 Constitution, women and men enjoy equal rights, including rights to property,<sup>12</sup> and Article 45 explicitly mandates the elimination of all forms of discrimination against women. Under the 1989 Law on Marriage and the Family, spouses have equal rights to property acquired during marriage and to individually own property possessed prior to marriage or received as a gift or inheritance. Joint property may not be disposed of without the consent of both spouses.<sup>13</sup> The 2011 Civil Code further strengthened the legal framework for gender equality in relation to marriage, divorce, inheritance, and immovable property.

In practice, however, engrained in the predicaments of the *Chbab Srey*, the traditional code for women, patriarchy is still deeply rooted in society.<sup>14</sup> The code was introduced in the educational system to represent “traditional” values and gender roles and used as a form of resistance to French influence under Norodom Sihanouk, whose reign (1955–70) is regarded as the golden age of the country's history (Chandler, 2008). The nationalist movement in the early 1950s picked up the norms. Contrary to many nationalist movements worldwide that advocated for women's emancipation and liberation, the Cambodian nationalist movement kept women's empowerment within the limits imposed by the *Chbab Srey*, in spite of using ideas of solidarity and equality to attract young women and men (Ibid 2008: 172). Although eliminated from school curricula in 2007, the code continues to exert a strong influence on people's behaviour (Wong, 2014 cit. in MOWA, 2014). Women's failure to abide by the *Chbab Srey* can result in social sanctions and exclusion. According to the code, women should respect their husbands, be frugal, speak softly, and be morally irreprehensible, particularly from a sexual point of view (Kent 2011). At the same time, men are expected to be tough and exert power as well as disci-

pline, including through violence, if needed (Lilja 2008, 2012). Consequently, discrimination and violence against women are tolerated, if not condoned (MOWA, 2014).

Rapid economic growth is creating new opportunities for women's emancipation especially in urban areas, expedited by migration of young women from rural areas and use of social media (MOWA, 2008, 2014; USAID, 2010).<sup>15</sup> Yet, progress in terms of the overall improvement of women's condition is still slow (MOWA, 2014: 4). According to the Gender Inequality Index (GII), which measures inequality in achievement between women and men in reproductive health, empowerment, and the labour market, Cambodia ranks 112 out of 188 countries in 2015 (United Nations Development Programme n.d.). Women are still underrepresented in politics, where parties constitute a conservative "bloc of patriarchal resistance to great gender equality" (Sedara and Ojendal, 2014: 1). As Lilja highlights, "the exclusion of women from the political spaces" is rooted in the "separation of women and men into two, mostly stereotyped, binary categories; a classification providing the basis for the hierarchization of the two sexes" (2008: 1).

Gender inequalities in access to and control over land are also widespread. Women represent 51 percent of the agricultural labour force (FAO, n.d.), but they account for only 27 percent of all agricultural holders, that is, those who make main decisions over land use and management (NIS, 2014).<sup>16</sup> An enhanced focus on joint titling under the land reform has boosted the numbers of women co-owners of land. According to the data of the Land Register database, as of September 2013, 63 percent of the titles distributed through the systematic land titling programme were registered in the name of both spouses and 18 percent in those of wives only (Yniesta, 2014). Assessments of the systematic land titling programme report that the majority of women respondents (96 percent) appreciate land titles as a safeguard against family crises, such as death of a spouse or divorce (Yniesta, 2014). However, according to other research, women are also concerned that legal rights may not translate into their ability to exercise their rights in case of disputes (Mehrvar et al., 2008). This confirms the existing divide between women's legal ownership of and de facto agency over land and cautions against titling campaigns that use women's land rights as distractions from other agendas (Monsalve Suárez 2006; O'Laughlin 2009), such as the promotion of property rights as a blanket solution for tenure insecurity. This focus on the "formalization

fix” (Dwyer, 2015) is particularly tricky in Cambodia where, as seen above, land titling has de facto tended to focus on unproblematic areas, while unmapped state land was being formalized through concessions (Milne, 2013; Dwyer, 2015; Work and Beban, 2016).

### 3.4 Gendered experiences of dispossession and resistance

The cases analyzed for this study include dispossessions and land grabs driven by the establishment of a sugar plantation in Kampong Speu and by the compounded effect of the expansion of rubber plantations and the titling exercise carried out under Order 01 in Ratanakiri province.

Kampong Speu, located west of Phnom Penh, is one of the provinces targeted by large-scale ELC expansion, particularly of sugar. Between 1995 and 2009, the Ministry of Agriculture, Forestry, and Fishery (MAFF) granted eleven ELCs in the province covering an area of 109,981 hectares (Saing et al. 2012). In 2010, the government conceded 9,000 and 9,050 hectares of land, respectively, to Phnom Penh Sugar Co. Ltd. and adjacent Kampong Speu Sugar Co. Ltd., registered in the name of a well-known politician and his wife. According to a NGO-led assessment, more than 1,000 families were affected by the concession, which engulfed areas where people had been living for more than five generations and had papers proving their legal possession issued in the 1980s and early 1990s (Equitable Cambodia and Inclusive Development International 2013). The people I interviewed were from two households that had been relocated and partially “compensated” and two households that were still negotiating the terms of relocation and/or compensation with the company. Families lost land and, when compensated, they received land that was much smaller, of worse quality, and far away from the village. Most people, especially women and children, had to resort to work on the plantation as casual and seasonal workers or on other people’s farms to complement the family’s need for food and income. In spite of the poor conditions and lack of security, they found work on the plantation as the only viable option. Women perceived their burden as having increased because plantation work had come in addition to farming. Children whose families were relocated far away from the village could no longer go to school.

Ratanakiri, located in the northeast of the country, has been targeted mainly for rubber by ELCs. As of 2012, eighteen out of twenty-two ELCs in the province focused on rubber as the main or sole investment crop (Human Rights Council, 2012: 112–116). The village I visited, inhabited by the Kachat indigenous minority, had been affected by the establishment of a rubber plantation run by a Vietnamese company. The villagers said they suffered from loss of access to farmland, water, and forests for food, hunting, and fishing, as well as for spiritual rites and graveyards. While the company tried to negotiate a monetary compensation for their lands with the villagers, the villagers rejected the offer, which they felt was inadequate to make up for the loss of land and the long-term benefits of farming for them and the next generations. According to my local indigenous facilitator, since problems with ELCs started, the community leader was threatened at various times by the local authorities and the villagers' cattle were killed. "Killing cattle means threatening lives. Today they kill the animals; tomorrow they may kill the villagers. That's how the villagers feel toward this act."<sup>17</sup> The village had also been targeted by the titling campaign under Order 01. According to the community leader, all but ten of the 189 households in the village had their farming land (not the one for shifting cultivation) demarcated by the volunteers recruited for the campaign and received land titles; joint titles were issued to husbands and wives. The ten families who did not have a title had either refuted the process or their land was far away from the village and did not get measured "because it was too hard for the students to travel back and forth."<sup>18</sup> Families received titles for different amounts of land, 1–2 hectares on average, depending on how much land they were cultivating at the time, not including forestland or land that was fallow under the rotational system of shifting cultivation. The process was quick: one day to measure the land, one day to process the applications, and two weeks to get the provisional copy of the land title. Approximately, two or three months later, they all received the original certificate of title.

### 3.5 Resistance and mobilization

Land grabbing is so painful that we are not afraid to die. Our lands are our lives. We are not afraid to risk our lives to get the land back.<sup>19</sup>



People's overall perception of security of tenure was very low both in Kampong Speu and Ratanakiri. In Kampong Speu, where most of the people interviewed did not have a land certificate, one woman highlighted that they had legal grounds to contest the dispossession since they had been living continuously on their land for more than five years prior to the promulgation of the Land Law in 2001 and were thus entitled to legal ownership.<sup>20</sup> However, in practice, there was nothing that they could do to avoid the aggressive expansion of the company. Not only were they not able to stop the grabbing of their farmland, but they also felt insecure about the land received as compensation. When asked if she had a title, one woman elaborated on her strategy to counter insecurity:

No, none of the families here has such a document on the old land. Before we received the compensation land, the company issued a recognition paper with information on the location and size of the land. After we received the new land, we had to give that paper back to the company. But I made a color photocopy of it and gave that to the company while I kept the original paper for myself as evidence, just in case there is any future problem.<sup>21</sup>

In Ratanakiri, perception of insecurity went beyond individuals' and households' access to land for farming and shifting cultivation. Indigenous communities had always had access to communal land and forests, which not only provide them with various vegetables, animal proteins, medicinal herbs, and construction materials, but are central to their spiritual practices and identity (Park and Maffii 2017). This has become increasingly difficult with the introduction of large-scale rubber plantations and the clearing of forestland – a process that has been consolidated and sanctioned during the titling exercise. According to the village leader, there were some disputes with the student volunteers who came to measure land. They told him that the government would keep 10 percent of the land for the community, but to that date there had been no follow up. In addition, he elaborated that not having access to forests “destroys their identity.”<sup>22</sup>

Both in Kampong Speu and Ratanakiri, women had been actively engaging in protests and different forms of resistance, including riots, road-blocks, trespassing, and damaging company property. Several interviewees confirmed what other research has indicated: when confronted with threats to their livelihood and their natural resource base, women felt they

had to join the fight, as vividly recounted in the quote at the beginning of this section by a young woman in Ratanakiri.

Women's engagement was strategic. When asked about their reasons for joining the protests, women interviewed in Kampong Speu, Ratanakiri, and Phnom Penh repeatedly affirmed that it was a strategy to keep the level of confrontation with the police or military down and avoid a situation where the men would get beaten or jailed. This suggests a strategic use of women's positions. In the early days of the Soviet regime, during women-led protests against forced collectivization, peasant women used common perceptions about their behaviour as backward and hysterical to their advantage. Women's protests were tolerated more than similar protests by men, and women were treated less harshly when criminal charges were pressed (Viola 1986). Documenting a case of eviction in Kratie province, Lamb et al. also note that:

[W]hen responding to eviction, families wanted to avoid any possible violent retaliation. The men fled or 'were asked to flee for their safety by their wives' while the women felt that they could stay and observe what their evictors did, without eliciting violent reaction. (2017: 9)

In the eviction from Boeung Kak Lake, women further explained their activism as an "extension and elevation of their traditional responsibilities as wives and mothers to ensure family harmony and stability" (Brickell 2014: 2). In other words, women not only used their position and identity strategically but were also influenced in their decisions by their roles as mothers and wives. As a Borei Keila activist explained, recalling an episode where the authorities arrested eight men: "Being women and wives, we were worried about our husbands' security. The women started to stand up instead, as we believed that the local authority would not be as cruel as they were to the men."<sup>23</sup> This, however, proved not to be true, as women were beaten and arrested during those urban protests together with men.

There were signs that engagement in protests had resulted in increased levels of confidence. Two of the women I interviewed identified themselves as land activists. One of them, a woman in her early 50s, emphasized that she is a land activist and works with different NGOs. In 2010, the company and the village chief called a meeting about the company's investment plans in the area; they did not mention that their lands would be affected. The villagers did not agree to the investment as they had heard about the company's land grabs in Koh Kong Province. However, one

day later the company tractors, fifteen to twenty of them, accompanied by the local military started to clear their farmland without any notification. The villagers tried to stop the tractor drivers and asked the local authorities – the district head and village chief – to stop the company activities. At the end of the same day, one of the company’s tractors was burnt down during the negotiations over the compensation of 100 USD/hectare. They were told that if the families did not accept the offer, they would receive nothing. Her family used to own approximately 20 hectares of land but was compensated with only 3.2 hectares of land, while they received nothing for the remaining 17 hectares. Before giving them the new land, the company issued the “recognition paper” mentioned above. The woman asked to have her name undisclosed because she was involved, along with other people, in protests to stop the company activities, including road blocking around the plantation, and was in the news. As a result, she was accused of destroying the company’s property, although she claimed her innocence, and was being monitored by the authorities.

Covert forms of organized resistance were also detected during the interview, as she explained:

In addition to me, there are two to three women representatives from my village. We have to secretly call meetings that usually take place at night, so that the commune leader or village chief does not know about them. I do not use the phone to invite people because I do not have enough money for the phone calls. Plus the direct invite for the meeting is more effective because I can give detailed explanations and concrete information to each family.<sup>24</sup>

This activist vividly described her role and tasks and the pride she takes in getting people’s attention and support, including from men, in spite of the hardship of having to walk long distances and juggling multiple responsibilities. This signals a breakthrough in traditional gender roles and hierarchies that expect women to be subservient and quiet.

Talking to men is not a problem because all family members are involved and interested in getting the land back. Sometimes the husbands have to work outside and are not there, but ask their wives to receive the information from me. But when they have to advocate in court, both husbands and wives join. People listen to me because they trust me. Also I am confident and brave enough to talk with high ranking officers, *Okenba*,<sup>25</sup> as well as the district chief. Thanks to the training I received, I have gained more knowledge on human rights, the land concession law, and policy. Before going out for any activity, however, I have to consult with the NGOs.

This quote points to the role of NGOs as key enablers but also potentially bottlenecks for women's advancement if attention is not paid to their meaningful participation in the different initiatives that target communities. In both locations, communities referred to at least three to four different local NGOs that were active in the area conducting trainings, advocacy sessions, and providing legal support for the filing of complaints. In addition, in Kampong Speu, several international NGOs have had campaigns and programs to support the communities affected by the expansion of sugar plantations, partly in response to the clamor created by these very companies supplying sugar to the European market under the European Union's Everything but Arms preferential trade pact.<sup>26</sup> Although I could not get exact numbers, many people mentioned having participated in different NGOs' trainings. However, no trainings specifically targeted at women or focusing on women's rights were mentioned. Still, as seen, several of the women interviewed said they appreciated the opportunity to learn about land issues and government policies, as well as the confidence that has come with it.

Although this point cannot be elaborated at length in this study, other research has noted that NGOs and, particularly, international NGOs, with a superficial understanding of how gender roles and relations sit in the context of broader dynamics of power and capitalist relations, can work against an emancipatory agenda for women, reinforcing existing inequalities and further relegating women into the reproductive realm (Frewer 2017; Park and Maffii 2017).

Women are also acknowledged as having superior negotiating skills, and their work in conflict situations is highly valued. "When we need to solve a problem, always it is the women who negotiate. The men only know how to argue, but the women, we can find a solution."<sup>27</sup> Women interviewed in Kampong Speu and Phnom Penh stated that by way of participating in mobilization and resistance they "learned a lot" and could engage in the politics of land grabbing as activists, community leaders, and "official protesters," as the police labels women land activists in Phnom Penh.<sup>28</sup> In addition, thanks to easier mobility and access to and use of information, the women in Phnom Penh had organized themselves in a group with a governing mechanism and clear roles and tasks. One of them explained:<sup>29</sup>

At first, there were 117 women, representing 117 families. Now there are 156 women in our group. What we all believe in is strong solidarity within the

group. The common fight against the company has made the women in my community become stronger and more confident in engaging with advocacy and fight for justice. Besides this, our work also includes filing legal complaints to court, ministries, embassies, and NGOs ... The group has seven representatives, whose roles are also to be the main decision makers. I am one of them and have to prepare the plans with the other representatives. After reaching agreement among us, we call the rest of the group for the final meeting and inform them about the plan. I have to prepare a clear plan, prepare the documents, and invite the members to join the meeting to inform them about the route of their protesting parade, which street they should walk, etc.

There were also signs that solidarity across social and rural/urban divides was materializing, though not specifically along gender lines, as this woman said her group was reaching out to communities in rural areas to support them.

Some women in Ratanakiri reported they had stopped participating mainly due to the disappointment caused by lack of response from the government.<sup>30</sup>

When the company arrived in 2011, everyone (pregnant women, children, and teenagers) participated in the meetings and protests. Women and pregnant women were standing on the frontlines during the protests. But now we feel discouraged because there are no actions from the government.

The village above, inhabited by the Kachat indigenous group, has been seriously affected by the expansion of a rubber plantation, which has encroached over their territory and restricted free access to forests not only for daily food, but also for spiritual rites and burial land. The villagers had thus started mobilizing through protests and acts of resistance, such as burning the company's trees and trucks. As a result, they were called for a meeting by the village head who signed an agreement with the company stating that in case of destruction of company property, the villagers may be taken to court and have to pay compensation. This is because the village head, who is a political appointee, is part of the government party and favours the company, according to the community leader. "If the villagers destroy the rubber tree, the villagers have to pay compensation of 200 USD to 300 USD per rubber tree. We fear that the land issue has become life threatening for our village," explained one young woman. In this village, the effects of the implementation of Order 01 together with the expansion of the company surfaced in the form of increasing numbers of disputes and sales of land.

It brings bad relations, among people, and villages. When the company came, some families did not have good relations with one another. Some siblings did not want to share the land with those whose land was lost to the land concession. There are also cross-village arguments on the land due to the unclear borders, specifically on whose lands were lost to the concession.<sup>31</sup>

While more in-depth investigations into intrahousehold dynamics would be needed to better understand women's resistance in terms of the social construction of gender roles, the interviews did point to tensions as well as enablers of women's sustained engagement, including peer pressure:

When I started working on the land issue, my husband hesitated to support me. However, after my arrest, thousands of villagers showed their support, so my husband changed his mind. I discuss my decisions with my husband.<sup>32</sup>

Field observations also point to the material difficulties that women activists face in sustaining their engagement on the ground, even when they are strongly motivated and interested. As one researcher highlighted to me, talking about women involved in community forest patrolling, it is hard for women to do research.<sup>33</sup> The days are long and grueling and they still have to prepare all the food for the research teams and their families, making it difficult for them to record the data collected.

In the Philippines, among activists with the communist guerrilla movement (Communist Party of the Philippines-New People's Army; CPP-NPA), both men and women complained about their activist spouses as the engagement with the movement became more time consuming (Rutten, 2000). Further investigations would require looking at the encounter between dominant ideas about women's roles and their engagement in the politics of dispossession, which comes with less time for domestic obligations and increased voice and assertiveness of women, thus calling for a renegotiation of roles. As Brickell (2014) has documented in relation to the Boeung Kak Lake case, there were signs of "marital strain or breakdown" but also cases of men taking on a share of household responsibilities and being generally more flexible.

Finally, in the cases analyzed for this study, in spite of a process of "empowerment along the way" having been triggered, there were no visible signs of a shift to "women-for-themselves." As other research also highlights, women's participation in protests failed to translate into increased voice and decision-making power (Lamb et al. 2017). Women's

rights were not part of the agenda of the many NGOs that were working with these communities or, for that matter, even of those women who defined themselves as activists. The women were more concerned about the future of their communities and the possibility for future generations to continue farming, as women in Ratanakiri highlighted, “If our lands are continuously lost, then there is not hope for the future generation. There are possibilities that the future generation may go from being farmers to migrating for labor to other areas.”<sup>34</sup> This sentiment was echoed by the urban activist who said, “All I can see is to do something for the future of my kids. I want to support other Cambodians protest who suffer from the same issues.”<sup>35</sup>

### 3.6 Conclusion

This Chapter explored women’s participation in land activism in two cases of rural dispossession and land grabbing. Urban land activists were also interviewed to look at a full spectrum of experiences of women’s mobilization and agency.

Women reported having engaged in overt and covert forms of resistance, initially as a strategy to curtail police and military reactions. In the process, this led to some of them taking on leadership roles within their communities and increased self-confidence and esteem, seemingly triggering an initial process of “empowerment along the way.” However, women activists’ lives are not easy, having to renegotiate their roles within households and communities. In contrast to other research, extreme cases of confrontation among spouses were not reported, though tensions surfaced as women had to win their husbands’ consent and support. In this respect, the pressure exerted by public recognition and appreciation of women’s roles by others in the community helped to open the space for negotiation.

The cases analyzed in this study seem to indicate that the enabling factors that Agarwal (2015) refers to may have not fully materialized, in particular, as none of the NGOs active in the areas visited have embraced the agenda and discourse of women’s rights as part of their mobilization campaigns. Lastly and importantly, the cases also point to the fact that women’s agency – even when stretching the boundaries of existing gender

roles, for instance as women take on land activism as their primary occupation – is still largely confined within the boundaries of a patriarchal system of gender roles and relations which constructs them primarily as wives, mothers, and stewards of family unity and safety.

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## Notes

<sup>1</sup> Regulated under the 2005 Sub-Decree No. 146 on Economic Land Concessions, ELCs can be granted on state private land for either social or economic purposes, including tree plantations and agribusinesses (Human Rights Council, 2012).

<sup>2</sup> While resonating with the Marxist formulation of “class in itself” and “class for itself,” Agarwal’s (2015) concept differs in a fundamental way, since women do not suffer from false consciousness as evidenced by the different ways in which they resist gender inequalities.

<sup>3</sup> One of the main programs was the multi-donor Land Management and Administration Project (LMAP) initiated in 2002 as the first phase of the Land Management, Administration, and Distribution Program (LAMDP). LMAP was suspended in following a request filed by residents of Boeung Kak Lake, who were excluded from the land adjudication process and faced forced eviction. The World Bank Inspection Panel found that a number of World Bank safeguard policies had been breached, leading to the arbitrary exclusion of lands from the titling process of the residents, especially the poor and vulnerable [We deleted the single closing quotation mark here. Ok? YES OKAY Is there supposed to be an opening quotation mark? NO] (Bugalski, 2012: 20).

<sup>4</sup> Article 1 of the Land Law of Cambodia, NS/RKM/0801/14, August 30, 2001.

<sup>5</sup> Land concessions for economic purposes include tree plantations and agro-industrial production of food crops. Investors who are granted land in the form of ELCs have exclusive rights to manage and harvest the land in exchange for investments, fees, and land rental. ELC areas are limited by law to a maximum area of 10,000 hectares per person for up to 99 years. The granting of land concessions on multiple areas in favor of legal entities controlled by the same person is prohibited (Human Rights Council, 2012).

<sup>6</sup> Article 4 of Sub-Decree No. 148 specifies that ELCs may be granted if: 1) environmental and social impact assessments have been completed with respect to the land use and development plan (article 4.3) and 2) there have been public consultations with local authorities and residents (article 4.5).

<sup>7</sup> Article 23 of the Land Law recognizes indigenous communities’ right to continue to manage and use the land according to their customs; Article 26 ratifies their right to collective ownership of land. Sub-Decree No. 83 on the Procedures of Registration of Land of Indigenous Communities, issued in 2009, sets out the procedure for indigenous land titling and registration. In order to be eligible for the collective land title, communities have to register as legal entities with the Ministry of Interior (Cambodia Center for Human Rights, 2013). Indigenous community land comprises: 1) residential land; 2) cultivated land; 3) reserve land for shifting cultivation;

4) spiritual forestland; and 5) burial ground forestland. Residential land and cultivated land may only be state private land, while the other three categories may include state public land.

<sup>8</sup> Boeung Kak Lake is a well-known case where women activists have been highly visible, including Yorm Bopha, arrested during a protest on accusations of planning an assault on two men and released on bail after over a year in prison (Chakrya and Worrell, 2013; International, 2013).

<sup>9</sup> In Phnom Pehn, in January 2012, 300 families were forcibly evicted from Borei Keila to make room for a residential development project by Phanimex company (*ADHOC CAMBODIA*, n.d.; *The Borei Keila Nightmare*, n.d.; *The Cambodia Daily*, n.d.).

<sup>10</sup> Since the moratorium, the government canceled or reduced the area of seventy-one ELCs, covering a total land area of 656,380 hectares as of January 21, 2015 (Oldenburg and Neef 2014; Grimsditch and Schoenberger 2015).

<sup>11</sup> In response to an increasing number of complaints filed on the grounds of misinformation, the government set up procedures for members of indigenous communities to revert back to communal tenure (Sovanna 2014).

<sup>12</sup> Article 44 of the Constitution protects the legal right to property and mandates that expropriation be enforced only on the grounds of public interest and if prior, appropriate, and fair compensation is granted.

<sup>13</sup> Articles 32–34, 37 of the Law on Marriage (1989).

<sup>14</sup> The code is a rhyming poem instructing women on how to behave. While referred to as an ancient tradition, the code is a relatively recent creation and goes back to King Ang Duong, who ruled from 1848 to 1860. It was revamped in the early twentieth century as an example of literature from the golden age of Cambodian history. (Evans, 2006)

<sup>15</sup> Cambodia's annual gross domestic product (GDP) growth was 6 percent in 2010, and it has been over 7 percent since 2011. Poverty headcount ratio at national poverty line (percentage of population) has decreased from 45 percent in 2007 to 20.5 percent in 2011 (World Bank, n.d.).

<sup>16</sup> The Agricultural Census defines agricultural holder as “the person that makes the major decision regarding resource use; exercises management control over the agricultural holding operation; has technical and economic responsibility for the holding; and may undertake all responsibilities directly or delegate day-to-day responsibilities to a hired manager” (NIS, 2014: 2).

<sup>17</sup> Interview on March 17, 2014 with the indigenous woman who was the local interpreter for my interviews. She was also working with a rights-based NGO.

<sup>18</sup> Personal comment by the community leader, village in Andong Meas district, Ratanakiri, March 17, 2014.

<sup>19</sup> Focus group discussion held in village in Andong Meas district, Ratanakiri, March 18, 2014. Also cited in Park and Maffi (2017).

<sup>20</sup> Article 30 of the 2001 Land Law states that: “Any person who, for no less than five years prior to the promulgation of this law, enjoyed peaceful, uncontested possession of immovable property that can lawfully be privately possessed, has the right to request a definitive title of ownership.”

<sup>21</sup> Interview held in Orm Leang Commune, Phlorng District, Kampong Speu, April 2, 2014.

<sup>22</sup> Interview with village leader held in Andong Meas District, Ratanakiri Province, March 17, 2014.

<sup>23</sup> Interview held in Phnom Penh, March 27, 2014.

<sup>24</sup> Interview held in Orm Leang Commune, Phlorng District, Kampong Speu, April 2, 2014.

<sup>25</sup> Oknha is an honorific title bestowed upon business people who make substantial financial contributions to national development projects.

<sup>26</sup> These international NGOs include Oxfam International, ActionAid, and FIAN International. See, for instance, Equitable Cambodia and Inclusive Development International (2013).

<sup>27</sup> This observation was made by the research teams in Kampong Chhnang and Preah Vihear under the Mosaic project during a focus group discussion, Preah Vihear, July 4–6, 2015.

<sup>28</sup> Interview held in Phnom Penh, March 27, 2014.

<sup>29</sup> Interview held in Phnom Penh, March 27, 2014.

<sup>30</sup> Interviews held in Andog Meas District, Ratanakiri Province, March 17–18, 2014.

<sup>31</sup> Interview with village leader held in Andong Meas District, Ratanakiri Province, March 17, 2014.

<sup>32</sup> Interview held in Orm Leang Commune, Phlorng District, Kampong Speu, April 2, 2014.

<sup>33</sup> Personal communication with Courtney Work, Kampong Chhnang, 2015.

<sup>34</sup> Interview held in Andog Meas District, Ratanakiri Province, March 18, 2014. Also cited in Park and Maffi (2017).

<sup>35</sup> Interview held in Phnom Penh, March 27, 2014.

## 4

# ‘We are not afraid to die’: gender dynamics of agrarian change in Ratanakiri province, Cambodia

### Abstract

While the previous chapter focused on women’s participation in rural resistance, this one examines the gendered and generations implications of agrarian and environmental transformations in indigenous areas of northern Cambodia, where the expansion of economic land concessions (ELCs) is only one piece of the puzzle. Dramatic changes have subverted the socially, culturally and resource-rich systems of indigenous communities living in Ratanakiri province. These changes include the incursion of market-based economy and commodification of land, the alienation of land and natural resources by way of ELCs and the inflow of large number of migrants from other regions and countries. Their cumulative impact has affected indigenous communities’ agrarian practices, their livelihoods and their system of beliefs and way of life, with important repercussions on social differentiation and gender relations. This chapter analyses how emerging capitalist relations are shaping shifting gender relations and creating hierarchies of power that risk marginalizing indigenous women and girls and eroding spaces of recognition, autonomy and agency they once had.

### 4.1 Introduction

As seen, the impacts of land grabs are felt differently by social groups differentiated along lines of class, gender, generation, ethnicity and nationality (Hall et al., 2015). These intersecting social differences determine roles, opportunities and rights that different women and men have and hence

the way in which the restructuring of rural economies and changes in social relations of production and reproduction affects them (Behrman et al., 2012; Daley et al., 2013; Daley and Pallas, 2014; Daley and Park, 2012; Doss, Summerfield, et al., 2014b; Julia and White, 2012b). Similarly, research conducted among indigenous peoples in Malaysia, India, Thailand, China and Indonesia (Kelkar and Nathan, 2001; Li, 2000, 2010) has shown that changes in land tenure systems and commodification of the commons impact deeply on women's status, role, workload and agency. However, little research attention has focused on the gender dimensions of capitalist expansion and land grabs in indigenous communities in Cambodia.

This chapter argues that the penetration of capital in indigenous communities in Ratanakiri, coupled with state initiatives to simplify existing tenure systems (Scott, 1998, 2012), not only disadvantage women and girls, but also erode spaces of recognition, autonomy and agency they once had. Women's status and roles in the indigenous communities visited have specificities that can determine equally specific gendered outcomes and are thus worth investigating to get a more nuanced understanding of the ongoing agrarian transformations. In fact, while the findings are spatially confined, they do suggest that the gendered implications of the ongoing changes on indigenous societies need to be analysed in the context of broader resource politics (Li, 2000) and 'regimes of dispossession' (Levien, 2013) where capital needs the land and resources but not the people on it (Li, 2011).

While access to and ownership of land is a central aspect of the theoretical debate surrounding gender inequalities in rural societies (Agarwal, 1997; Agarwal, 1994a; Razavi, 2007a) as well as of the literature on land grabs, in our case it has lesser pertinence as will be explained later. Therefore the analysis focuses strongly on division of labour, voice and participation as well as cultural norms and behaviours shaping gender relations.

Although this Chapter does not engage with the academic debate on indigeneity, it argues in the context of ongoing agrarian transformations, a discursive gendered reconfiguration of indigeneity may be taking place, with women being reconstructed as embodying all the negative connotations commonly associated with it. The findings indicate that women are losing not only the material and symbolic places of recognition they had but also their identity as farmers and agriculturalists, while being re-framed essentially as care providers according to mainstream gender norms. The reconfiguration of roles is largely discursive but has tangible effects.

Women continue to be active in the productive realm, but their work is reclassified as housework and devalued and their public role is obstructed by the new gender constructions. This process is fully integrated within and shaped by the ongoing agrarian changes and is the primary focus of this article.

The first section of the article provides information on Ratanakiri indigenous groups, their agrarian system and practices and gender roles therein, and the legal and policy framework shaping their access to land and resources. It then focuses on the changes that have occurred in recent years, including those engendered by the recent land rush and followed by the expansion of ELCs, and accelerated by land reforms and programs that have promoted the individualization of tenure. The second part looks at the implications of these changes on gender roles and relations giving voice to some of the women we met to illustrate the impact of and reaction to the changes from their perspective. The third and final part of the article draws some preliminary conclusions and highlights areas where more research might be needed.

## 4.2 Background to the land rush and agrarian change in Ratanakiri

### 4.2.1 The indigenous groups in Ratanakiri

Ratanakiri, Cambodia's furthest northeastern province bordering Vietnam and Lao PDR, is home to the majority of the country's indigenous groups, together with the provinces of Mondulakiri, Kratie, and Strung Treng, and is the most ethnically diverse among those provinces (Vize and Hornung, 2013).<sup>1</sup> Far from being cut off and isolated from the lowland society, these groups have maintained exchanges and relations with the Khmer majority, even if often asymmetric ones and have been heavily affected by the war and the Khmer Rouge regime, suffering extrajudicial killing, mass displacement, banning of religious beliefs and rites, forced labour and dismissal of traditional agricultural practices (Kiernan, 2008). After the fall of the Khmer Rouge, the lack of viable communications axes granted indigenous people a decade of relative isolation and peace from modern state-making projects (Scott, 2009).

### *The indigenous agrarian system, gender roles and relations<sup>2</sup>*

The people living in Ratanakiri have practiced swidden agriculture, also known as shifting cultivation, ‘as far as their memory can go back in time’ (Bourdier, 2014: 9). Shifting cultivation is an adapted form of forest land use, which translates into optimal returns in terms of labour and yields (Dove, 1983) and is embedded in a system of beliefs and cosmology from which dwellers derive their social and cultural norms and which leads their interactions with the environment (Bourdier, 1995). It has been one of the most misunderstood forms of land use among policy makers and development practitioners, charged with negative prejudices which have contributed to labelling those practising it as backward destroyers of natural resources and forests (Erni, 2015: 8).<sup>3</sup>

The system practiced by Ratanakiri indigenous communities is labour- but not resource-constrained. It relies on cooperation and labour exchange and is characterized by a significant complementarity of women’s and men’s roles and low hierarchical gender and social constructions (Baird, 2000; Bourdier, 2009; Ironside, 1999; Matras-Troubetzkoy, 1983).

Cultivable land, consisting in secondary forest which undergoes cycles of cultivation and fallow, is available to families or groups of families who are free to farm as much land as they are able to according to the availability of labour in their households (Backstrom et al., 2007; Ironside and Backstrom, 2007). Farmers acquire a non-permanent use right over cleared land, generally for 2-3 to 5 years (Ibid, 2007). If permanent trees are planted on the farm, possession rights are generally longer; otherwise, the land returns to communal land status as soon as left fallow. In all ethnic groups, nobody is allowed to sell land or give away communal land.

Shifting farms are planted with upland rainfed rice varieties and vegetables and fields are left fallow after a number of years, which varies according to ecology and soil quality (Matras-Troubetzkoy, 1983). Food as well as materials for everyday life and exchanges with the lowland are gathered from the forests. Non-timber forest products are particularly important during the dry season, which lasts six or seven months. Hunting and fishing provide access to the main sources of proteins (Matras-Troubetzkoy, 1983; Baird, 2000), while domestic animals - chickens, pigs and buffaloes - are kept for ritual ceremonies and as an important resource that can be sold if needed (Matras-Troubetzkoy, 1983). Cooperation and labour exchanges, regulated by a complex system of customary norms, allow farmers to tackle the most demanding tasks such as clearing, burning

and sowing new land plots. This ensures that even households with limited labour can complete their cultivation cycle (Matras-Troubetzkoy, 1983). The system results in a low degree of social differentiation and a social entity, the community, which is self-governing and where every family has access to the key resources needed for their livelihood.

Some indigenous groups also grow paddy rice, a practice introduced by Lao settlers in Veunsay district 300 years ago (Bourdier, 2009) and enforced as a key instrument of incorporation by different regimes as well as more recently by some development programmes (Ironsides and Baird, 2003).

### *Gender dimensions of indigenous agriculture*

Within the agrarian system described above the division of labour between women and men generally shows a high degree of complementarity. Women's tasks tend to be considered less intense, not dangerous and are carried out during daytime while caring for or carrying infants and children (see also, Van der Berg, 1998). The selection of new plots, cutting trees and fencing the farms are generally masculine tasks, as are hunting and gathering materials for house or tools construction in the deep forest. Women are responsible for organizing the cultivation of different crops, tending them once the sowing is done, harvesting the vegetables and gathering forest products not far from farms or villages (Matras-Troubetzkoy, 1983) - all work that women tend to perform in groups. Women are also forest product gatherers, but their range of action tends to be confined to secondary forest not too far from the village, while men's includes the dense forest for hunting or gathering heavy materials. Such divisions are not strict, however, and women and men cooperate in many tasks, with sowing or rice harvesting involving all the available household labour and activities such as fishing expeditions engaging large groups of women, men and children.

We are very happy when we go into the deep forest: women with the kapha, men with the long knife, the dogs, the children [...] I also like to go collecting vegetables in the small forest because is a quiet place, is cold and beautiful, and cuts down stress. We go together with friends, we gather the products and when we have collected enough we relax and chat, then we go back to the village and cook, sometime also eat together.<sup>4</sup>



Women have great autonomy as farm organizers and plant selectors. As an informant said, 'rice seeds are a job for women' and decisions about planting land with different rice varieties are based on knowledge that rests with women and is transmitted from one generation to the other: 'the old women tell the young what to do.'<sup>5</sup> Women are also in charge of water and firewood provisioning, food preparation and transformation of produce for consumption or storage, including rice wine which is an essential component of ceremonial life. Care of children, the elderly and infirm are also predominantly women's tasks, even though until recently, it was not unusual to see indigenous men carrying babies while women were busy preparing the family meal (Maffii, 2009).

Women may take part in petty trading out of the village, selling surplus vegetables in provincial or district towns markets if not too far, and maintain control over the cash income, which is usually spent on food supplements or clothes and school materials for children. They retain ownership and control over household assets and goods, which are transmitted through the female line, with the youngest daughter generally inheriting the parents' house (Ironsides and Backstrom, 2007). Some ethnic groups (Jarai and Tampouan) are organized into matrilineal clans and are essentially matrilineal; others (Kreung) are bilateral and practice a system where the newlywed alternate stays with both families for a number of years before settling in their own house, usually located near the wife's family hamlet.

The community social space is not segregated by sex and men and women of all ages share the same spaces. Solidarity and equality among kinship groups within the village are at the core of social interactions and village structure, which is circular with all houses facing each other and the meeting house at the centre (Matras-Guin, 1992). Differently from women in lowland Cambodia, where patriarchal values infuse moral codes that determine relations between sexes and women's behaviour and roles (2008), indigenous women's and girls' behaviour and reproductive life are not subject to particular restrictions (Maffii, 2009). Girls and boys are encouraged to socialize before marriage (Matras-Troubetzkoy, 1983)<sup>6</sup> even if precautions must be taken to avoid pregnancies before marriage. Marriages are not arranged, and cannot occur without girls' consent. Divorces can be initiated by both spouses and compensation is generally required by customary law and is equal for men and women (Ironsides and Backstrom, 2007). In matrilineal groups, women retain custody of children and

ownership of the house. Instead, spousal abandonment, taking a second wife or other forms of marital disengagement entail heavy sanctions, as do rape and sexual assault, which, however, are very uncommon.

With regards to women's participation in community governing bodies, our field work indicates that each community organizes these differently. Male elders tend to be more involved in issues concerning community governance, such as boundaries, new farms' location or disputes with neighbours, while female elders exert more of a religious role as shamans, medium or traditional midwives (Maffii, 2010). However, women are not excluded from decision-making and are consulted on issues concerning the communities: 'How they [men] decide without consulting us? We are the one implementing their decision, if we don't agree nothing is done.'<sup>7</sup> As for other aspects, wide variability exists among communities in the way women are included in or excluded from decision-making processes.

Overall, the role and status of women as well as gender relations seem to follow patterns and criteria that are different from those predominant in lowland Cambodian communities. Women's triple role as farmers, gatherers and care providers makes their workload heavy and days busy. At the same time, however, women are largely autonomous and retain decision-making power over these activities and their outcomes as well as control over important assets. In addition, they are not excluded from decision-making and maintain important cultural roles. A gender hierarchy or norms that sanction women's inferiority do not seem to emerge from the spiritual, symbolic and religious realm (White, 1996). Social relations within households and communities are characterized more by equality and common interest than hierarchy and power (Bourdier, 2009). This is in strong contrast with the patriarchal dominance and the vertical power structure of Cambodia's central state, where gender norms and values shape gender relations and define women and men's spaces, social interactions and roles (Öjendal and Sedara, 2006).

Summarizing, we may conclude that indigenous communities are not idyllic places but perhaps a locus of lesser or less structured oppression and discrimination compared to lowland societies. For the same reason, they also represent a fragile context where material and symbolic changes that affect traditional practices and beliefs and accelerate social differentiation can have a significant impact on women's status, and hence have the potential to reshape gender relations substantially. This we explore in the

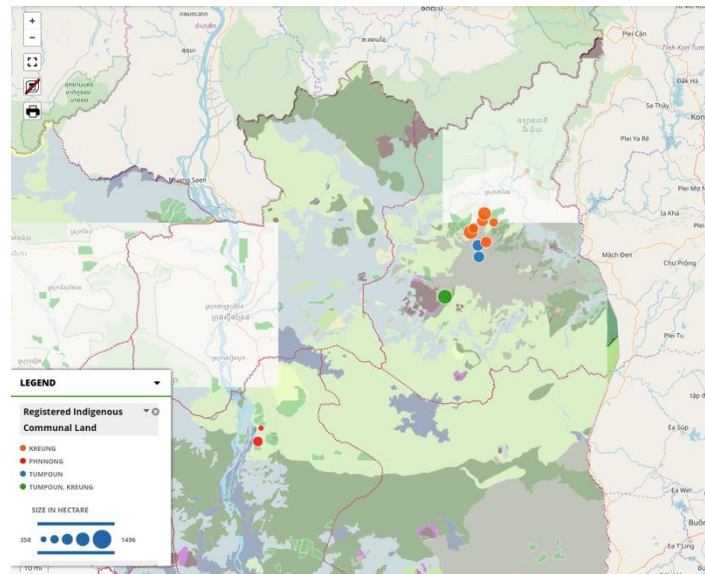
second part of the article, after briefly considering questions of legal recognition of indigenous groups and the broad contours of the land rush affecting them.

### *The legal recognition of Cambodian indigenous groups*

With the Land Law of 2001 and the Forestry Law of 2002, Cambodia was the first country in mainland Southeast Asia to ‘provide those defined as ‘Indigenous’ with extraordinary land rights’ (Baird, 2013: 269). The Land Law recognizes communities’ right to manage and use the land according to their customs (Article 23) and ratifies their right to collective ownership (Article 26). The communal land title encompasses ‘not only lands actually cultivated but also includes [land] reserved necessary for the shifting of cultivation which is required by the agricultural methods they currently practice and which are recognized by the administrative authorities’ (Article 25, Land Law). However, communities cannot dispose of the land held communally to any person or group (Article 26, Land Law). The law further states that no authority outside the community may acquire rights to immovable properties belonging to indigenous communities (Article 29, Land Law). De facto, the law forbids sales or appropriation of indigenous communities’ land, although these have continued to go on unabated (NGO Forum Cambodia, 2007).

The long delay in the promulgation of the bylaws which operationalized the provisions of the Land Law, and the complex bureaucratic procedures established by those bylaws (Cambodia Center for Human Rights, 2016; Milne, 2013) also contributed to delaying access to communal land titling for indigenous communities, making them vulnerable to land dispossession and enclosures. As a result, at the end of 2015, only 11 communities had been able to obtain the communal title (see Map 4.1), out of 166 that had applied (Cambodia Center for Human Rights, 2016). Additionally, interim protective measures for applicant communities were approved in 2011 but not enforced (Vize and Hornung, 2013).

**Map 4.1**  
Registered Indigenous Communal Land in Ratanakiri



Source: OpenDevelopment Cambodia

#### 4.2.2 Land rush, land reform and agrarian transformations in Ratanakiri

As noted in the introduction, capitalist expansion in Ratanakiri is not only associated with the more recent mushrooming of ELCs but goes back to the mid-nineties when the transition to an open market economy and the improvement in infrastructure opened the land frontier in the province, making it more accessible to agricultural investments, rubber in particular (Vize and Hornung, 2013). Land markets and speculation flourished, bringing in companies, land investors, middlemen and cash crops planters (Maffii, 2009), as well as labourers from other provinces (NIS, 2008).<sup>8</sup>

Forced by increasing land scarcity and destruction of natural resources, many communities started shifting partially or entirely from swidden agriculture to permanent commercial crops (Maffii, 2015). A process of transformation of traditional systems of farming and labour exchange among families was put in motion accelerating the monetarization of the village

economy as well as its social stratification. These changes have also impacted people's interactions with the environment and the social, cultural and ritual aspects of their life (Bourdier, 2014). Uncertainty about land tenure security, the constant threat of land grabbing and the pressure exerted by land brokers also pushed many families into selling their land -- a phenomenon that has been more significant and visible in the areas near the provincial towns and along the main roads (Fox et al., 2009).

The province has also become one of the preferred sites for ELCs for rubber. As of 2012, the number of ELCs in the province had grown to 22, with rubber as the main or sole investment crop in 18 of these (Human Rights Council, 2012: 112–116). The concessions have been awarded in areas where people had legitimate tenure rights or where the process for acquiring the communal land title had started or was nearly completed (Dwyer, 2015), putting strains on swidden agriculture by reducing the land available for rotation and access to forests. The landscape has also changed radically with commercial crops and monoculture plantations run by large agribusinesses replacing vast tracts of forests. This has affected communities in different ways and increased women's workload as gatherers, as we will see later.

In response to rising criticism from civil society and the international community, in May 2012 the government declared a moratorium on ELCs and a review of existing concessions, and in July 2012 issued Order 01 on the Measures Reinforcing and Increasing the Efficiency of the Management of Economic Land Concessions (LICADHO, 2014). The Order, defined as 'Cambodia's most recent and most ambitious land titling project' (Work and Beban, 2016: 38), aimed at recognizing and titling state land occupied by families in insecure forest and ELC areas (Ibid, 2016: 53), while ensuring respect of land belonging to 'indigenous minorities and citizens' way of life' (Directive 01BB in Rabe, 2013). Under the order a speedtrack titling campaign was launched which, though in line with previous efforts of land registration, was sharply different in speed and scope, and mandated titles to be issued free of charge (Work and Beban, 2016:53).

In practice, however, in the indigenous areas the programme avoided places where conflicts were ongoing and where ELCs had been granted on previously occupied land. Therefore, people whose land was in ELC cultivated areas could not regain access to their lands through the campaign (Ibid, 2016). Through Instruction 020, all of the ongoing communal

land titling processes were suspended, and the titling of communities' forest areas used for NTFP collection or sacred sites was denied, contravening pre-existing laws (Rabe, 2013). Furthermore, by making individual and communal titles mutually exclusive, not only did the Order deprive communities of their legal right to communal titling, accelerating de facto commodification of land, but it also legally reproduced as 'unoccupied' all state land which was in use at the time of the titling (Milne, 2013: 327). People were pushed into accepting individual titles without proper information and much time for consultation or consideration.

In the next section, changes in gender roles and divisions of labour over time and particularly are analysed at two critical junctures: the opening up of the land frontier and initial introduction of cash crops, which created extra work for women while lightening men's traditional tasks of forest-clearing and hunting; and the expansion of ELCs, commodification of land and the establishment of commercial farming, which triggered men's increased involvement in farming.

### 4.3 Gender implications of agrarian transformations

#### 4.3.1 Changes in gender roles, division of labour and women's status

All work is done by women, and men go around. We have much more work than before, and no help from men! What men do? They drink! Modernity has changed men's work, they do not have to produce tools, or repair the house like before, they have less work to do, they do not go into the forest very much; they do not hunt, cut wood or bamboo like before.<sup>9</sup>

Before we had solidarity, while now everything is based on money, people care only about close relatives. Before people came back from the forest and used to eat the prey all together, now they just cut a little piece and run to sell the rest in town.<sup>10</sup>

The quotations above encapsulate women's understandings of the changes in gender divisions of work, and the social impacts of commodification, which puts women's work, especially unpaid (non-commodified) work, at the basis of processes of capital accumulation (Razavi, 2009, 2011).

While sales of some produce such as vegetables occurred even before, the cultivation of cash crops, such as cashew nuts, cassava, soy beans, peanuts on permanent land parcels and exclusively for sale, has been a more recent development. The transition to cash crops first started with the introduction of cashew nuts, which combine the benefit of cash income with protection from land grabs, as trees indicate that land left fallow between cycles of shifting cultivation is not *terra nullius* but belongs to a community or a household. However, cashew nut trees have created additional work for women:

It is very hard work with two farms because we have to take care of both. We come back so late that sometime it is already dark. Farms are farther now, because there is no land available near the village. In cashew nut farms it is possible to plant other vegetables when trees are young, but we must control weeds and grass, and is very hard. When the trees grow and we start to collect the nuts, we need to clean the grass before the harvest, get rid of leaves and branches in the dry season to avoid fires, and of course harvest the nuts. Before some work was men's work, but now women do everything.<sup>11</sup>

The nature of work has also changed. Many activities must be performed under strict time constriction and are devoid of social value due to lack of interactions. For instance, women complained about the dismissal of traditional activities such as weaving, which is made impossible by lack of time.

Before it was more fun. We had time to rest during the dry season, and time to spin cotton and weave. And sometime women went to the forest with the men for many days, to choose the new fields. We like the old [home-woven] clothes more, but we cannot afford them anymore, we do not have time for this work.<sup>12</sup>

In a similar but reversed way, men's traditional tasks have decreased significantly. Men's expertise in forestry is less needed in a system that relies more on permanent crops and where there is little land available for shifting cultivation. Hunting is limited by conservation policies or impaired by forest destruction and the tools traditionally crafted by men have been replaced by ready-made industrial ones. Bamboo houses have been supplanted by more durable wood ones, reducing work and time required for maintenance.

This material and symbolic estrangement from traditional life has been aggravated by increased contacts with migrant settlers and by the structuring of a new economic, social, political and cultural environment embedded with strong patriarchal values (CARE, 2013). For some indigenous men, though not the majority, this has created opportunities for integration in mainstream society through employment in the armed forces and police and positions with civil society organizations and local governance structures. Their attendance at sex-segregated leisure spaces such as beer parlours and brothels underwrites this process of integration. Meanwhile, women find themselves confined in their villages, limited in the exchanges as well as opportunities to learn the Khmer language by their time scarcity. Furthermore, when women attend urban markets, they face marginalization and abuse of power by non-indigenous vendors. Cases of sexual assault have been frequent, especially in communities near plantations employing prevalently male workers, limiting women's mobility.

From 2012 onwards, with increasing numbers of ELCs, the arrival of non-indigenous plantation workers (Diepart, 2016) and Khmer settlers seeking access to land for the production of cash crops (Maffii, 2015), another wave of changes has invested indigenous communities and affected agrarian systems of production and reproduction. New permanent cash crops, such as cassava, which are labour-intensive and require investments have replaced in part upland farming (see also, Ironside, 2015). Commercial crops provide a renewable source of cash and are seen as an important way to catch up with societal and economic changes, as reflected in the changing attitude towards money and material assets.

Before it was easy to cheat us, we didn't know the value of land; but now we have learned, we have more knowledge and more understanding, and we know better how to handle money. We are a little bit richer now, we can grow cash crops, we have machines to hull rice and prepare the fields, we still grow rice, but we plant also cassava, cashew, and soya beans. Before it was only rice. We use money to repair or build houses, to buy machines for farming or motorbikes.<sup>13</sup>

Contrary to what happened when cashew nuts trees were introduced, men have begun to participate more in agricultural work. This may be the result of lack of other jobs, except for wage work on plantations, which is generally despised, and the income generated through cash crops which makes agricultural work more attractive than other temporary jobs. Furthermore, the new cash crops require machines, which facilitate work and



provide prestige through their ownership. Men's mobility and fluency in Khmer also gives them a comparative advantage over women in marketing.

The expansion of ELCs has also put the indigenous agrarian system under stress in many different ways, much beyond the loss of farmland. For instance, community members in one village in Andong Meas lamented the lack of land for food 'exploration', - wild vegetables and fruits, hunting and fishing – declining access to water supplies, and the loss of spiritual forests for sacred rituals and graveyards. This is why the community rejected attempts made by the nearby company to negotiate a monetary compensation. In addition, they felt it would be impossible to capture the long-term benefits of farming for their generation and the next ones.<sup>14</sup> Women in particular were adamant in opposing any sort of dialogue with the company and complained about the lack of support from the state: 'It is not fair. The provincial governor said that cutting down trees is illegal, but the government even allows the companies to legally clear the whole forest, while it is illegal for us to cut down a few trees and access the forest for food for our daily lives [...] The companies also created a border between our farms and the plantation. Because we are illiterate, we feel inferior to the companies.'<sup>15</sup>

With increasing land scarcity, farms are often farther away, forcing women to walk hours before reaching their fields. Shifting cultivation cycles have also changed. Fallow intervals are reduced and farms tend to become permanent, with important consequences in terms of women's labour and time spent in weeding. Firewood and wild vegetables are more difficult to find and fish availability has decreased significantly, reducing access to a key source of proteins.

No more forest is left near the village.. [...] We cannot find the vegetables that we used to collect before in the months when the fields are not productive [...] We do not have wood for building and repairing the houses. We do not have wood to make fire. We have to walk kilometres before collecting enough wood for cooking; it is very tiresome. We do not find medicinal plants [...] We do not have wild animals to hunt anymore, and there are fewer fishes in the river. So life is becoming more difficult. And the company just cut the trees down and went away.<sup>16</sup>

As a result of these changes, many families have turned from food self-sufficiency to purchase, exacerbating the need for cash income. Thus

many women have started working as casual agricultural labourers for other indigenous people or new Khmer settlers. The resulting “distress character of women’s labour market engagement” (Razavi, 2011: 56) translates into low wages and poor labour conditions, which coupled with the burden of reproductive work, does not have any net positive welfare effects on women (Elson, 1998, 1999).

#### 4.3.2 Commodification and social differentiation

With cash crops solidarity is different; we still care about funerals, or other ceremonies, but in case of farming there is less solidarity. For example, if somebody comes to work with a machine we can pay, or exchange labour, but in that case two persons must work back for him. The poor are poor because they are following the old crop system or they have little land for new crops.<sup>17</sup>

Here some people have most of the land, they are not outsiders, they are rich, have big houses, they become rich with cashew nuts, and can recruit people to work for them. And now they grow cassava and beans, and also rent their land to Khmer people. What makes me angry is that people talk about solidarity and equality in the community, but the rich do not share. I can only cultivate a small piece, not good quality, a lot of grass and a lot of work, and it is not enough, not even to buy food. Poor families sell labour, there is nothing else to do. The life of richer women is better now, they have machines, motorbikes, and lend money, but for us it is still difficult. We said to rich people that they should share because we cannot go as fast as them.<sup>18</sup>

The quotes above reflect different women’s lived experiences of social differentiation at different ends of the spectrum. Some women (and their households) have benefited from integration in the cash economy while others have fallen deeper into poverty and have to work as casual labourers.

Social differentiation can be better understood in the context of the indigenous traditional agrarian system described earlier, where land use was mainly restricted by the availability of manpower. The monetarization of the village economy and the introduction of cash crops have facilitated access to the labour market allowing some people to increase farm size beyond the labour available in the household, thus accelerating land accumulation. The system of labour exchange, where still in place, now tends

to focus only on restricted family groups and no longer ensures equitable and widespread access to resources, social cohesion and solidarity among all community members. Those families that were in a prior condition of weakness, especially the ones headed by widows, are more likely to fall into poverty without access to such solidarity mechanisms. Research from Ghana also shows that following large-scale land dispossession, social differentiation is gendered. Not only women are marginalized from land transactions and the benefits from those, but they are also subjected to domestic forms of land dispossession by male relatives (Nyantakyi-Frimpong and Bezner Kerr, 2017).

Another crucial mechanism for social and economic differentiation is access to and integration within networks of power and influence such as the local state administration, civil service, or the NGOs. This particular mechanism operates on differentiation more clearly at the individual rather than household level and produces effects that are the result of compounded social differences of gender and ethnicity. Men have better access than women to wage employment and decision-making positions including in land markets. Instead, women are disadvantaged by widespread discrimination, limited knowledge of Khmer, and the recruitment criteria adopted by NGOs which tend to favour the few educated women or those who have enough free time to participate in meetings and trainings.

Differentiation also follows other lines, namely access to land understood as the 'ability to benefit' from land (Ribot and Peluso, 2003). The communities that have managed to secure their land and resources, engaging sooner in the communal land titling process, are now in a better position, having land available for cashew nuts, upland rice and other cash crops and even surplus land to lease out. While socio-economic differences are also evident within these communities, the number of families considered poor, or lacking land and relying only on paid labour for their livelihood is minimal. For example, in L'eun Chon, the community representative indicated only 3 or 4 out of over 60 households as poor or landless.<sup>19</sup> Conversely, in villages where land sales and the implementation of Order 01 have impaired communal land titling, the compounded effects of individualization of tenure and expansion of monocrop plantations are much more evident. In Andong Meas and Lumphat districts, where the villages are surrounded by ELCs, people's farm land has shrunk and so has their access to forests and pasture. Some families have sold their lands after having received individual titles under Order 01 (see also, Milne,

2013; Park, 2015). In Andong Meas, the community leader referred to a few cases of distress sales after the titling campaign and company encroachment. Additionally, while spouses received joint titles, this did not translate into women having a say in decision-making as women reported not having been consulted in the case of land sales. A young woman interviewed in Andong Meas expressed her immediate and future concerns: 'If our lands are continuously lost, then there is no hope for the future generations.'<sup>20</sup> Such concerns were echoed repeatedly by different women.

There is no more land for the new generations, no more fish, no wild animals, no fruits and vegetables from the forest, we cannot collect food and wood.<sup>21</sup>

Entire communities have become net food purchasers and turned to microcredit to finance agricultural investments, with resulting high levels of indebtedness.<sup>22</sup> In such communities the number of families whose livelihood has been disrupted is significantly higher, and the gap between the few rich families and the poor ones wider, with the richest individuals usually active in the land market as land brokers or as moneylenders.

It is also important to highlight that where communities have acted collectively to obtain communal land titles, internal cohesion has been strengthened, contributing not only to partially smooth out internal class differentiation, but also to the community's capacity to attract and manage external aid. Projects such as water provision or community schools and kindergartens, which have a direct impact on women's life, are more common in such communities. Meanwhile, communities that have been disintegrated by land sales, or heavily impacted by land grabbing, are often unable to attract external aid and are seen by NGOs as difficult to deal with. The repercussions on women's life are evident. For instance, Krola, in O'chum district, has 27 wells, and a pipe system that conveys water from a reservoir. In Plum village, Oyadao district, women have to collect water from a nearby lake and in the dry season walk hours to find water.<sup>23</sup>

Overall, however, the improvements remain fragile even for the better off villages and households. Access to resources, primarily land, remains insecure posing challenges especially for the youth who are increasingly detached from their identity as foresters and agriculturalists but have no alternatives, with the exception of a few, mainly males, who have access to education and employment outside the village. As seen, the integration in the market economy, access to cash and the increased 'khmerisation' of the province have accelerated a shift away from indigenous values and

norms. This is more visible among young men and is a source of worries and complaints among elders.

New generations do not know what a forest is; they have lost knowledge of it, do not know how to produce tools, how to build a house, how to make a farm. They do not follow our traditions, do not respect the elders anymore, and want to live the modern life like Khmer.<sup>24</sup>

Anti-social behaviours, engagement in illegal logging for traffickers or even drug smuggling are also more common.<sup>25</sup> Furthermore, the normalization of alcohol consumption, once linked to communitarian rituals involving men and women but now made popular by the availability of industrial beverages, has contributed to widespread alcoholism and anti-social behaviour and violence especially among young males or against women. For young women, instead, the impact of a new cultural hegemony has played out mostly through the adoption of gender norms and behaviours typical of Khmer society but without real opportunities for integration.

Before it was different; boys used to come and visit us in the village. But now we have changed; we are afraid about reputation. If boys come to visit, bad reputation and gossip will follow. It is good to value reputation so no one can say bad things about us. We are happy with this.<sup>26</sup>

The findings suggest that a gender fissure might emerge as a result of the estrangement of youth from farming activities and the loss of capabilities, skills and status. As farming is increasingly threatened by land grabs, processes of social differentiation and integration into capitalist relations may have compounded gender and generational dimensions not only in terms of the immediate impact on access to critical resources and livelihoods but also with the potential to engender a generational reproduction crisis (Cousins et al., 2018; Rao, 2018). While both young men and girls are impacted by the changes in terms of loss of traditional roles and gender divisions, young men are more likely to speak Khmer and to be better connected with the outside world through access to mobile phones and motorbikes and stand a better chance to integrate in mainstream economy and society than girls. Young women face the cumulative obstacles of time scarcity, workload and responsibilities as farmers and carers, and the barriers created by patriarchal norms and discrimination. This dimension deserves further research: generational dynamics, coupled with the observed

ongoing process of social stratification, help us to understand the engendering of the social reproduction of inequalities (Ansell, 2014).

Though this Chapter has argued that access to land is not the main driver of shifting gender relations in Ratanakiri, it has nonetheless been a strong determinant of political reactions from below, with a distinct gender dimension. This is the focus of the final section.

#### 4.4 Opposition, mobilization and resistance

With land speculation in Cambodia reaching its peak in 2007-2008 (Baird, 2014), the price of land skyrocketed all over the country as well as in Ratanakiri. The dormant provincial town of Banlung turned into a typical frontier centre, attracting all kinds of adventurers and predatory businessmen trying to lure indigenous people into selling their land. An army of brokers ran through the villages targeting men based on assumptions about who had decision-making power. Land transactions occurred in a very masculine environment, with deals made at night in beer and karaoke parlours.

We have a lot of conflicts now; some men feel that their wife is old and want to find young prostitutes, and spend all money with them. When they finish all money they come back, angrier than before and they want to sell land to get more money. How we can sell our land? How we will live without land? Now we have lots of divorces. Some wives decided to get away but some still live with their husbands who destroy all properties and become violent.<sup>27</sup>

Women largely stood up against land sales, even when this triggered harsh conflicts within families and communities, as seen above. The inflow of non-indigenous settlers, which has created conflicts around management of common resources, disregard for customary laws as well as growth of cases of sexual harassment and violence, also contributed to fostering women's opposition to land sales, as emerged from group discussions and interviews with women and local authorities. Traditional authorities, the elders' councils, have also been active in discouraging land give-aways in exchange for money or ephemeral goods - the impact being directly associated with the destruction of communities' identity and unity.

These elders find themselves weakened by land grabbing and more generally commoditization of land, which risk making traditional practices, knowledge and rituals obsolete.

Women have also participated in open confrontations and protests to stop companies or individual tycoons from expropriation and encroachment (Asian Indigenous Women's Network, 2010), actively engaging in political activities that include planning and strategizing beyond the single initiative, as illustrated by the following quote.

First we fought with the company, we burned the company compound, then the authorities denounced three of our people, but ADHOC [Human Rights NGO] helped us to solve the issue. At the border with Malik village two guards came threatening us with guns. After that we had other confrontations with the company, we took out the keys of their trucks to stop them. The company promised to distribute some rice to us but finally they gave it only once, then never again. We sent a complaint letter, we spoke with Radio Free Asia. We think that at this point the PM is informed too. Now we have networked with other villages to cooperate with each other, 17 villages now join for advocacy. We know that the World Bank has funded the investment made by the rubber companies and we will advocate to them to try to stop this plan. We are united; we share money to fund the committee, for people's travels to join meetings etc. Women and men, also young boys and girls, we feel really angry and afraid for our future.<sup>28</sup>

Among communities there is a strong belief that if women are involved, advocacy and negotiations may have better chances to achieve their aims and keep levels of confrontation under control in overt conflicts. In fact, communities and women themselves consider women's participation in mobilization as a natural fact when their own survival is at stake. This has been documented in numerous cases of urban and rural dispossession and protests across Cambodia (Brickell, 2014; Lamb et al., 2017; McGinn, 2015).

Women's participation in opposition and resistance to land grabbing has been remarkable, particularly in situations where communities have had little external support. It is frequent to hear women, more than men, declaring to be ready to face even the most extreme consequences while protecting land. Conversely, illegal deals and episodes of corruption and co-optation that occurred in some communities have occurred with the involvement of male members of the community colluding with local authorities and business representatives.

We will not move from here. We will not accept compensation or else, we are ready to die here; our only objective is to make them leave.<sup>29</sup>

Land grabbing is so painful that we are not afraid to die. Our lands are our lives. We are not afraid to risk our lives to get the land back.<sup>30</sup>

In spite of the key role played, women's participation has thus far failed to put indigenous women's rights and concerns squarely on the agenda of social movements. This confirms research findings that indicate that women's lead role in protests does not automatically translate into opportunities for women's empowerment (Lamb et al., 2017) and that external support might be needed for this to happen (see for instance Agarwal 2014, (see for instance, Agarwal, 2015; Deere, 2003; Deere and León, 2001; Stephen, 2006). Finally, while advocacy strategies by CSO are important strategies to demand for private investors' accountability, few CSO transnational campaigns have targeted middle-income countries investors (Thuon, 2018).

## 4.5 Conclusion

The analysis of gender relations in indigenous societies undergoing agrarian, social and cultural changes is a complex task, which has to take into account specificities of indigenous culture and way of life, including gender roles and relations. This Chapter has highlighted some of these aspects from a feminist agrarian political economy perspective looking at how capitalist relations and new tenure and labour arrangements are shaping gender relations and creating new factual and discursive hierarchies of power.

The evidence suggests that the commodification of the economy in the form of cash crops and expansion of ELCs has gendered impacts on the indigenous agrarian system of production and reproduction shaping different outcomes for different women and men. In this respect, social institutions of gender, ethnicity and age operate as a critical social regulator of processes of integration, exclusion and opposition to capitalist expansion (Razavi, 2011). It was also found that the reality to be more nuanced than anticipated as to the type of changes that different waves of commodification have brought about.



A relatively long-term perspective has allowed this Chapter to detect that changes in gender roles and relations -- shaped by the introduction of new agricultural practices and crops, erosion of traditional access to land, differential access to opportunities and exposure to the 'external' world -- have had different outcomes at different points in time for different women and men. When cash crops were first introduced, women took on the extra burden of production (for cashew nuts). Later however, with farming becoming increasingly capital intensive with crops such as cassava, women have been marginalized from their traditional roles of agriculturalists. Differential access to cash crops, labour and communal titling has also ignited processes of social differentiation between individuals, households and communities. The impacts have been clearly gendered and 'generationed' as women's identity, status and autonomy as agriculturalists are eroded and women and girls are pushed into marginal spaces and roles that offer fewer opportunities for integration into mainstream society.

Newly introduced capitalist relations coupled with increasing scarcity of land have reshaped gender roles and relations towards less egalitarian models where the traditional complementarity has been replaced by compartmentalization of gender roles and exacerbation of social differences. In the context of broader resource politics and widespread negative perceptions of indigeneity (Padwe, 2013), this translates into a reconfiguration of power dynamics that not only alienates indigenous communities from their lands and resources and hampers their social reproduction but significantly marginalizes women and girls based on a system of values that relies on income, possession of goods and 'modernity'.

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## Notes

<sup>1</sup> In the country there are 23 indigenous groups, comprising about 1.34 per cent of the national population (Indigenous People NGO Network, 2010).

<sup>2</sup> In this section and the following one we use 'ethnographic present' to describe activities, practices and relationships that, at least in some communities, have now been replaced and/or dismantled.

<sup>3</sup> This prejudice is still alive and constitutes the main justification for intergovernmental plans aimed at 'modernising' the areas inhabited by indigenous peoples in a triangle comprising South Laos, Northern Cambodia and Central Vietnam (Ironside 2015).

<sup>4</sup> Kreung woman testimony, O'chum, 2014

<sup>5</sup> Elder Kreung woman, O'chum district, 2006.

<sup>6</sup> This is a common trait of indigenous ethnic groups in Cambodia and in the whole region (Andaya 2006)

<sup>7</sup> Workshop with Jarai and Tampouan women, Leu Khon village, Borkeo district, 2010.

<sup>8</sup> The population went from less than 100,000 people in 1998 to 150,466 in 2008, though the overall population density is still relatively low at 14 people per sq. km (NIS, 2008).

<sup>9</sup> Jarai women's group, Gong Thom village, Oyadaw District, 2008

<sup>10</sup> Tampouan women's group, Chan village, O'chum district, 2006

<sup>11</sup> Jarai women's group, Ten Thom village, Oyadaw District, 2006.

<sup>12</sup> Kreung women's group, Cha Oun village, O'Chum district, 2008.

<sup>13</sup> Jarai women's group, Padal village, Oyadaw district, 2014.

<sup>14</sup> Mixed group discussion, Andong Meas village, 17 March 2014.

<sup>15</sup> Women's group discussion, Andong Meas district, 18 March 2014.

<sup>16</sup> Kreung women's group, Ka Cheun village, Veunsay district, 2008 (First cited in full in Maffii, 2010a).

<sup>17</sup> Tampouan women's group, Laeun Kren village, O'chum district, 2014.

<sup>18</sup> Kreung women's group, O'chum district, 2014.

<sup>19</sup> Interview with community representative, 2016.

<sup>20</sup> Kachak woman, 17 years old, Andong Meas district 2014 (first cited in Park 2015).

<sup>21</sup> Tampouan women's group, Malik village, Andong Meas district, 2014.

<sup>22</sup> Lumphat district, villages visited in 2015.

- <sup>23</sup> Interviews with women's groups 2016.
- <sup>24</sup> Tampouan and Jarai women's workshop, Ke Chong village, Borkeo district, 2010.
- <sup>25</sup> Elders' meeting in a Jarai village in Sesan district, 2016
- <sup>26</sup> Kreung women's group, Kren village, O'chum district, 2014.
- <sup>27</sup> Tampouan women's group, Banlung district, 2006.
- <sup>28</sup> Women at a Kachak community meeting, Andong Meas district, 2014.
- <sup>29</sup> Tampouan women's group, Lumphat district, where the community is affected by a mining concession, 2016.
- <sup>30</sup> Kachat women's group, Andong Meas district, affected by rubber plantations, 2014.

# 5

## Just standards: international regulatory instruments and social justice in complex resource conflicts

### Abstract

This Chapter takes the perspective to a different scale and argues that in order to tackle complex and interconnected issues, a recalibration of rural strategies and use of international regulatory instruments might be needed. Climate change mitigation and land grabbing are distinct but not isolated phenomena. There is evidence that their intersection and interaction contribute to rapid agrarian and environmental transformations with dire social and ecological spill-over, including the onset and aggravation of conflicts. Several existing human rights instruments are applicable to such spill-over situations and are preferable to other kinds of regulation, as they tend to be seen as more legitimate by those adversely affected. With insights from Cambodia and Myanmar, this paper argues for a recalibration of analysis and action on climate change mitigation and land grabs that moves beyond regulation in each isolated case and towards integrated solutions that put social justice and gender justice at the fore.

### 5.1 Introduction

The environmental, social and gender impacts of climate change mitigation strategies (biofuels, REDD+ (Reducing Emissions from Deforestation and Degradation) and hydropower projects portrayed as renewable energy) and of land grabbing continue to capture the attention of scholars, practitioners, government and civil society actors. Relevant research often

investigates these processes separately and confined within discrete temporal and spatial boundaries (such as a particular landholding) where dispossession or competing land claims occur. Yet, evidence from the ground increasingly points to the need for a wider analytic lens, such as landscape or region. It is the intersection and interaction of these phenomena that can produce social and ecological spill-over effects, chain reactions and ignite new or aggravate old sets of competing claims and conflicts over resources within a wider area.

When climate mitigation initiatives and land deals overlap, compete or run in parallel, they do so not just spatially or temporally, but also institutionally, in terms of policies, land claims, community social dynamics and mechanisms for settling disputes. Future conflict and cooperation outcomes, particularly gendered ones, will depend on intersecting struggles of power and meaning in the construction of narratives and contestations around the grabbing of one resource or another (land, forest, water, fisheries or aquatic resources, or some combination of these). Understanding specific conflicts in a particular moment in time requires analysing the wider spatial, social-ecological and historical-institutional conditions and circumstances in which they arise. Only then can we contemplate appropriate interventions for influencing their trajectories in the direction of greater social justice.

For those interested in promoting social justice-based solutions in these situations, some kind of regulatory mechanism may be relevant and useful under certain conditions. An array of national and international mechanisms, processes and bodies are available to respond to issues arising from the related ongoing agrarian transformations. Broadly referred to here as international regulatory instruments,<sup>1</sup> such mechanisms are increasingly considered as potential solutions to many of today's natural resource-related problems. However, from a social justice and political legitimacy perspective, a clear distinction must be made between international instruments adopted by states, such as the human rights treaties, and those instruments that are established by corporations for the ostensible purpose of corporate social responsibility. The former are grounded in international human rights law and within the state system, while the latter are essentially attuned to corporate interests (see Coumans, 2017).

After 2008, following the (re)new(ed) global attention to land grabbing, a number of initiatives emerged – ranging from intergovernmental guide-

lines (Principles for Responsible Agricultural Investments jointly developed by UNCTAD, IFAD, FAO and World Bank<sup>2</sup>) to corporate-led self-regulation (for example, Bonsucro<sup>3</sup>) – ostensibly to influence how investments are carried out in relation to social and environmental concerns.<sup>4</sup> While potentially useful, there is a tendency to apply regulatory instruments according to the project parameters of an investment or initiative in isolation and within a single landholding, as if this is how such processes unfold in reality. While in some instances, a 1:1 correspondence ratio may be relevant, this is not the case in others. Often, these phenomena intersect and interact to produce complicated situations with social and ecological effects that spill over the initial project parameters. Even if an intervening actor – be it a company or the state – is willing to apply or use human rights in regulating an intervention, in practice their sense of obligation might still stop at the physical or time boundaries of their project, which would effectively indicate a different logic at work than human rights.

With insights from Cambodia and Myanmar, this paper problematizes the complex reality currently unfolding in Southeast Asia, and calls for recalibration of analysis of international regulatory instruments and action, including moving beyond a 1:1 application of regulation to a single case in isolation. Assuming that international regulatory instruments can help avoid conflict or direct conflict dynamics towards more socially just outcomes, it is argued that their effectiveness depends not only on the underlying legitimacy of the instrument deployed but on other factors such as interpretation, context and strategy.

## 5.2 Background

Cambodia and Myanmar present similar yet different contexts, opportunities and challenges for the deployment of international regulatory instruments with regard to the intersection of climate change mitigation initiatives and land grabbing (and the conflicts these might ignite). Both countries have allowed, and sometimes proactively promoted, the exploitation and extraction of value from land and forest resources by elite, military and private companies. Agribusiness development has taken the form

of large-scale flex crop and tree monocultures and has often entailed displacement or eviction of local communities. Climate change mitigation activities are also ongoing in both countries, albeit more evidently labelled as such in Cambodia, where the discourse and rhetoric is being used to justify large-scale forestry plantations, for instance (Work and Thuon, 2017). Cambodia is also a REDD+ ready country, meaning that concrete projects exist on the ground, though the collection of carbon credits is yet to start. In Myanmar, REDD+ plans exist but there are no projects at the time of writing, although hydropower projects are increasingly (re)framed as climate change mitigation (Lamb and Dao, 2017).

Both countries have embraced ambitious socio-economic and political reform agendas, although much earlier in Cambodia (1992) than in Myanmar (2011). This time lapse means that, for instance, Myanmar has not accessed and ratified most human rights instruments (see Table 1), whereas Cambodia ratified most of them from 1983 onwards, including the *International Covenant on Civil and Political Rights*, *International Covenant on Economic, Social and Cultural Rights* and the *Convention on the Elimination of all Forms of Discrimination against Women*. The institutional set-up and framework, as well as institutional capacity, is much more established in Cambodia than it is in Myanmar. For instance, in Cambodia, the 2001 Land Law (NS/RKM/0801/14) sets the framework for tenure rights in the country, including in terms of indigenous people's access to communal land titles. There is currently no equivalent comprehensive piece of legislation in Myanmar, but existing legislation does not recognize customary land rights or communal lands and instead sees these areas as "vacant, fallow and virgin" land and earmarks them for large-scale (foreign) investment.<sup>5</sup>

Reality on the ground in both countries is marked by multiple, discrete land-based interventions and initiatives, either in more or less the same place (but different historical periods), at more or less the same time (but in different spaces), or both in the same place and at the same time. As in many societies in which land and water grabbing is occurring, the two countries exhibit an overall failure to address land-based conflict (Collier and Hoeffler, 2005; Deininger, 2011).

Meanwhile, the regulatory landscapes in which these interventions overlap and interact are characterized here as "plural-legal", with numerous regulatory fields competing for standing on the ground and the state law being just one of these. To illustrate, in Cambodia's Prey Lang Forest,

a once-massive contiguous forest area, conservation and exploitation is occurring in a contested field of power occupied by private companies, conservation organizations, government ministries and the communities that have inhabited and used the territory for generations. Each actor in the landscape is attempting to assert its own understanding of who has which rights, to which land, for how long and for what purpose; each attempts to perform this allocation of natural resources in society. Likewise, in Myanmar's Northern Shan State sub-region, in addition to the state military and numerous ethnic armed groups, other actors are recasting the landscape and existing patterns of social relations through mining concessions, illegal logging, tree plantations billed as "conservation", agribusiness linking flex crop production to processing plants near the border, hydro-power dam projects and China's opium substitution programme being used by entrepreneurs as a stepping stone to amass large landholdings. In both of these rapidly changing landscapes, state law is just one actor, among many, and very often is not the most authoritative actor on the ground, while localized customary law systems continue to operate simultaneously. Plural-legal settings can vary from one place and time to another, and thus play a variable role in structuring limits and opportunities for competing rights claims and in shaping resource-related conflicts (Franco, 2011).

**Table 6.1**  
*Status of ratification of Human Rights Instruments in Cambodia and Myanmar*

<i>Human Rights Instrument</i>	<i>Cambodia</i>	<i>Myanmar</i>
CERD - International Convention on the Elimination of All Forms of Racial Discrimination: 1969	Signature: 1966, Ratification/Accession:1983	Signature: NA, Ratification/Accession: NA
CCPR - International Covenant on Civil and Political Rights: 1976	Signature: 1980, Ratification/Accession:1992	Signature: NA, Ratification/Accession: NA
Optional Protocol of the CCPR: 1976	Signature: 2004, Ratification/Accession: NA	Signature: NA, Ratification/Accession: NA
CESCR - International Covenant on Economic, Social and Cultural Rights: 1976	Signature: 1980, Ratification/Accession:1992	Signature: 2015, Ratification/Accession: NA
Optional Protocol to the CESCR: 2013	Signature: NA, Ratification/Accession: NA	Signature: NA, Ratification/Accession: NA



CEDAW - Convention on the Elimination of All Forms of Discrimination against Women: 1981	Signature: 1980, Ratification/Accession: 1992	Signature: NA, Ratification/Accession: 1997
Optional protocol to CEDAW: 2000	Signature: 2001, Ratification/Accession: 2010	Signature: NA, Ratification/Accession: NA
CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment: 1947	Signature: NA, Ratification/Accession: 1992	Signature: NA, Ratification/Accession: NA
CAT-OP - Optional Protocol of the CAT	Signature: 2005, Ratification/Accession: 2007	Signature: NA, Ratification/Accession: NA
CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Signature: 2004, Ratification/Accession: NA	Signature: NA, Ratification/Accession: NA
CRC - Convention on the Rights of the Child	Signature: NA, Ratification/Accession: 1992	Signature: NA, Ratification/Accession: 1991
CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: 2002	Signature: 2000, Ratification/Accession: 2004	
CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography: 2002	Signature: 2000, Ratification/Accession: 2002	Signature: NA, Ratification/Accession: 2012
CRPD - Convention on the Rights of Persons with Disabilities: 2008	Signature: 2000, Ratification/Accession: 2002	

Source: OHCHR, Status of ratification interactive dashboard

However, institutions and processes that could contribute to preventing or transforming complex resource conflicts may be weak or absent in the very places and at the scale at which they are probably most needed. In the case of complex resource conflicts (involving intersection and interplay of multiple initiatives and grabs), for example, the issue of scale is important. Village level customary practices are often very relevant and appropriate for handling social conflict within a village and between parties of relatively equal status. But the same institutions may not be geared towards addressing conflicts that spill over village boundaries to involve multiple villages at a time. They may not be capable of handling conflicts in which one party is relatively more powerful than another. Institutional

strength is partly about capacity and partly about autonomy vis-à-vis powerful actors/interests in society (Fox, 1994). “Institutional capture” and the veto power of landlords help to explain why, historically, in predominantly agrarian societies marked by inequality, democratizing the distribution of land (through titling programmes, redistributive reform or land restitution) is extremely difficult. Similarly, the notion that “water flows to power” resonates because it draws a link between decision-making control and political power and water allocation outcomes (Roth et al., 2005: 2)

### 5.3 Recalibration of analysis and action

In both Cambodia and Myanmar, one cluster of increasingly prominent land-based interventions and initiatives involves generic land grabbing on the one hand and climate change mitigation on the other. When it hits the ground, either sort of activity may engage existing structural and institutional fault-lines, potentially reigniting old conflicts or tensions or triggering new ones. But the more complicated and potentially explosive situation is when land grabbing and land-based climate change mitigation start to overlap, interact with and reshape one another (Hunsberger et al., 2017). In the Prey Lang Forest, villagers are being squeezed between expanding government-awarded economic land concessions on the one hand and initiatives labelled as climate change mitigation activities, such as forest conservation, on the other (see Work and Thuon, 2017). Members of the grassroots Prey Lang Community Network (PLCN), seeking to protect the forest and defend their place in it against illegal logging and deforestation by companies, have suffered violent attacks by armed assailants.<sup>6</sup> In the Tanintharyi Region in Myanmar, government forest preservation for carbon sequestration initiatives and international environmental non-governmental organization (NGO)-driven marine, forest and wildlife conservation projects are accommodating large-scale land takings that are consuming forest and forest communities: an expansive Navy confiscation area eating up villagers’ long-standing cashew orchards and community forests, numerous mining concessions contaminating traditional local water sources, a sprawling Special Economic Zone (SEZ) and a major highway slashing through kilometres of old-growth forest to connect Thailand to the Andaman Sea, and expanding oil palm and rubber concessions (and

the lucrative large-scale logging that precedes them). Villagers are especially vulnerable when concessions and conservation need the land but not the people on it, as Li (2011) puts it.

In addition to recasting the way land is used, in both Cambodia and Myanmar, this convergence of economic land concessions and forest conservation-as-climate change mitigation build on portrayals of villagers' customary ways of life and production as destructive and/or inefficient (Franco, Kramer, et al., 2015), therefore (re)producing narratives that can make the new arrangements seem more acceptable as part of the process of taking control of the land away from the villagers (Work and Thuon 2017). In Myanmar, portrayals of shifting cultivators as forest destroyers originate in nineteenth-century colonial rule, when, "as Colonial forest departments entered into competition with swiddeners for control of land, they began to characterize swidden cultivators as primitive, unproductive, even 'pre-agricultural' in contrast to forester's so-called 'modern', 'scientific' management" (Springate-Baginski, 2018). Fast-forwarding to today, according to one close observer,

[m]any of the [resulting] policies, and the hostile assumptions and attitudes on which they are based, persist to this day. Even though they are rarely based on more than subjective preference, they have been selectively employed to unfairly de-legitimate cultivators' rights in ways that would be unacceptable for lowland cultivators. (Scheidel and Work, 2016)

As one study notes, while the debate on the persistence or demise of swidden cultivation has never ceased among governments and academics:

From the United Nations Framework Convention on Climate Change in 1992 to the Kyoto Protocol in 1997, the policies of inter-governmental organization have immensely promoted research on the relationships among swidden agriculture and forest degradation and global warming [...] Negative perceptions from governments towards swiddening in general in SEA have accelerated the demise of this traditional swidden system. (Li et al., 2014: 1656, 1658)

In such settings, national and international development workers, activists or company officials in charge of corporate social responsibility may seek to promote one or another international regulatory instrument as a potential solution, often in the name of conflict mitigation or conflict resolution. But, too often, deployment of such measures, when it occurs, fails to take into account the interaction of multiple resource grabs, hence the need for

recalibration of analysis and action. Similarly, evaluating rule-of-law and justice reform initiatives in the early 2000s, Carothers (2003) found them suffering from a profound knowledge deficit, with much to be learned and unlearned, at a time when such initiatives were still high on official development aid agendas. He observed that the nature and consequences of proposed rule-of-law changes often eluded legal reformers, and that the field of rule-of-law promotion was slow to scale up empirical knowledge gained in practice into lessons learned. He drew attention to the “embedded obstacles to the accumulation of knowledge [that] exist below the surface” such as: (1) the complexity and diversity of societies and of how law functions and operates and (2) the weak impulses of aid organizations and lawyers to undertake systematic “rule of law in society” knowledge accumulation (Carothers, 2003: 14–15). The resulting knowledge deficit ended up reinforcing existing tendencies towards top-down, technical reforms (Decker et al., 2005).

From a regulatory perspective, and with insight from Carothers, perhaps it warrants asking the following: Is what is perceived as one problem in fact a cluster of problems? Are the tools of analysis and action being brought to bear – including relevant international regulatory instruments – more suited to dealing with a single (type of) initiative/ intervention at a time, and to what extent can they deal with a cluster of problems? Climate change mitigation initiatives and land grabbing incidents each have the potential to revive old conflicts and spark new conflicts. When they arise at the same time or spill over into the same landscape, their intersection and interplay may turn seemingly discrete conflicts into a “conflict cocktail”. How to address these complex situations with different possible aggravated conflict scenarios is not obvious.

Regulatory initiatives do not necessarily or automatically detect these interactions or necessarily or automatically adjust to the interplay even if detected. Would-be regulators of conflict, whether they are from the government, the private sector or the civil society sphere, may simply find it easier to focus on just one problem, rather than a cluster of problems. A given regulatory intervention may be programmed to focus on just one type of situation, and the implementers of that programme simply unable to adjust even if a cluster of problems is detected. To what extent does focusing on just one problem, for whatever reason, have the potential to aggravate rather than regulate conflict? Meanwhile, not all regulatory interventions are the same either. The realm of regulatory interventions and

of (inter)national governance instruments is also highly differentiated. For example, today, there are very sharp differences in how the US Government and many indigenous peoples movements in the world understand and use the principle of Free, Prior, and Informed Consent (FPIC), and when these different understandings are deployed in the form of a particular regulatory initiative, it is more as an assertion of which particular understanding should prevail over and against another than as an expression of a universally agreed understanding. Given that a lack of consensus surrounding the meaning and purpose of different international regulatory instruments is indeed part of the regulatory landscape today, which understanding of which “standard” ought to apply in a given situation? And equally important, what are the implications and consequences of using one understanding and standard over another?

With these questions in mind, this article aims to lay some analytical foundations for exploring the idea that recalibration of analysis and action described earlier must also problematize the use of international regulatory instruments. The point is not to criticize using them in general, or any one instrument in particular, but rather to put forward some preliminary theoretical reflections on the following question: where discrete processes of land concessions and land-based climate change mitigation/adaptation and conservation overlap, interact with and reshape one another, under what conditions can which international regulatory instruments contribute to transforming conflict in the direction of greater social justice?

#### 5.4 Regulating and transforming conflict

A plural-legal approach (Benda-Beckmann, 2001) combined with Bourdieu’s (Terdiman, 1987) concept of “fields of action” allows rural landscapes to be viewed as regulated but dynamic spaces, marked by the co-existence of several fields of social regulation, in which state law is just one among several competing for standing.<sup>7</sup> This anthropological view of law emphasizes the social, political, economic and intellectual context of enforceable norms, and the role of state and non-state actors in making them authoritative in society. Such an approach allows “Inquiries [...] into the way norms are generated, how mandatoriness is created, and how regular-

ities are maintained” (Moore, 2005: 1). For instance, until recently in Western societies, a variety of social regulation, including religious law, local customary law and personal law, historically coexisted and competed with state law. The interplay of various regulatory systems determined which regulatory field held greater sway relative to the others, and the outcomes could vary over time and from one locale to another. By the end of the last century, neither “increasing centralisation of authority” nor “increasing importance of international and transnational legal obligations and institutions” has erased non-state law fields or undermined the “complex array of jurisdictions” they entail (Cotterrell, 1992: 28)

Legal pluralism characterizes many countries in Southeast Asia today, and it is not unusual to find Shari’a systems existing alongside (diverse) customary systems, and both of these existing alongside national constitutions and statutory systems; what Bourdieu (1987) calls the “juridical field” comprising the ensemble of national official institutions, agents, legal instruments and norms particular to a given national territory. This juridical field is constitutive of the state, but not coterminous with it, since it is reproduced by the actions not only of state agencies and judges, but also lawyers, law firms, professional associations, non-governmental law reform organizations and civil society rights advocacy groups (Houtzafer and Franco, 2003) The juridical field may be central to state law making, but it is not necessarily or automatically central to “making law matter” in society (Crook, 2001). Instead, it is just one of several fields of action in which people may actually end up going to regulate conflict and get redress and protection. Another is customary law, in which face-to-face dispute processing by ordinary people at the village level may involve direct negotiation, informal mediation, retaliation and other customary practices to address their grievances.<sup>8</sup> Customary law practices have raised concerns over how so-called “traditional authority” and customary law allows injustice to creep in, to the detriment of women and the landless rural poor (Agarwal, 1994a). It is relevant to note that villagers may sometimes resolve a conflict simply by “lumping it” in order to restore social harmony (Galanter, 1981). Insights from Africa suggest that because both state-juridical systems and customary systems can produce unjust outcomes, the question for research is how different people or groups of people negotiate such plural-legal contexts in their efforts to claim rights and get justice (Ik Dahl et al., 2005).

Using a legal pluralism lens does not assume that the co-existence of different regulatory systems is necessarily smooth or unproblematic or even always visible to every actor or observer. There may be competition and/or complementation between what Colchester and Chao (Colchester and Chao, 2011) call “diverse paths to justice”, and more localized regulatory paths may or may not mesh well with regulatory pressures and instruments originating from “outside”. Such an approach, however, makes possible better detection of diverse and possibly competing understandings of justice that different parties to a conflict may bring to bear. “Making law matter in society” can then be seen as a process that extends to and is partly contingent upon the perceptions and choices, and actions and interactions, of individuals or groups who may be seeking justice or looking to resolve a dispute or to address a grievance. In theory, aggrieved individuals and groups on the ground contribute to determining where and when conflicts emerge out in the open, which regulatory order(s) are activated in response and whether and how these conflicts get resolved or transformed. But exactly how and how much they contribute is an empirical question that invites further investigation.

Resolving or transforming conflict increasingly invokes application/use of international regulatory instruments by different actors, but is not necessarily or automatically determined by these alone. Increased interest in using international regulatory instruments to address conflict in places where climate change mitigation initiatives and land grabbing is occurring has been driven in part by a perceived “weakness” of state/judicial institutions in handling the resulting conflicts. This is part of the declared logic, for instance, behind increased corporate interest in using international governance mechanisms to regulate natural resource allocation and use in relation to the so-called “global land rush” in recent years. But the understandings of the associated conflicts and the instruments chosen to regulate them can vary considerably, as can the legal reform measures prescribed to address perceived underlying institutional weaknesses. For instance, “the [World] Bank’s legal reform focus is on the ability of legal systems to facilitate market transactions by defining property rights, guaranteeing the enforcement of contracts and maintaining law and order” (Harris, 2007: 1). By contrast, some critics of the World Bank have argued that women’s individual land rights have been used as a Trojan horse for neoliberal agricultural and land masking commodification and privatization of land rights under human rights language while obscuring

the need to strengthen women's distinct right to land in different tenure systems (Monsalve Suárez, 2006; O'Laughlin, 2009). For some, "[i]ndependent judiciaries and functioning court systems are clearly important tools for human rights protection" (Harris 2007: 1), while for others, it is more about protecting property rights.

State justice institutions may be (1) vulnerable to elite capture and (2) inaccessible either "because they are incompatible with local norms and customs and they are physically or economically inaccessible, or because people lack the knowledge or capacity to navigate the system" (Decker et al., 2005: 7,156). "[I]nstitutional safeguards, transparency, and the existence of a civil constituency" may thus be seen as relevant measures needed to boost judicial independence and accountability (Decker et al., 2005: 7, 157). All this may seem logical and appropriate at first, yet the way forward still remains obscured. For example, how exactly does increased transparency boost public accountability? As Fox (2007: 350–351) has noted, transparency does not necessarily or automatically produce accountability; and only certain types of transparency might do so, and then only under certain conditions. Too often, global prescriptions rely on analytical frameworks that ignore the wider regulatory field, institutionalized inequalities and the agency of different actors that inhabit the ground where they are introduced, while also ignoring complex process-to-outcome pathways, which can then impede access to justice and leave what some aggrieved parties perceive as the real conflicts to fester unresolved.

Analytically, bringing international regulatory instruments to bear in situations marked by natural resource conflict or clusters of conflicts is perhaps best understood as a contingent, dynamic – and potentially contentious – political process that unfolds in the "shadow of the law" (Cooter et al., 1982), in which "law" in a general sense comprise the entirety of what Galanter (Galanter, 1981: 6) refers to as the "background of norms and procedures against which negotiations and regulations in both private and government settings take place". How this process unfolds can vary across time and place, since no law or regulatory instrument is self-interpreting or self-implementing. Instead, laws and regulatory measures are interpreted and implemented in specific historical-institutional contexts by real "flesh-and-blood" people whose perceptions, interests, political calculations and power resources are variably shaped by personal experiences and by "structures inherited from the past" (Franco, 2011, 2014; Houtzafer and Franco, 2003). The perceptions, interests, meanings and



purposes that get activated by or end up tapping into these processes can also influence whether and how any given international regulatory instrument is taken up and where it might lead.

## 5.5 Problematizing the use of international regulatory instruments

An array of national and international mechanisms, processes and bodies have emerged and are being used in response to issues arising in an era of “global land grabbing” and related fallout in terms of agrarian transformation. Numerous international initiatives, from intergovernmental guidelines to corporate-led self-regulation, aspire to influence how investments are carried out in relation to social and environmental concerns. Such mechanisms are increasingly taken for granted as potential solutions or part of a solution to many of today’s natural resource-related problems. International governance is often approached as a matter of applying certain fit-for-purpose procedural instruments or technical tools in order to obtain more or less anticipated results, or implicitly makes one-size-fits-all assumptions about where they are relevant or appropriate. It is increasingly taken for granted that different international regulatory instruments are on equal footing in terms of their origins and legitimacy. These assumptions are problematic. Any situation that is deemed illegitimate by those who are affected is likely to be worsened if the regulatory response is likewise deemed illegitimate. In the following sections, we reflect on these issues and put forward four propositions for a more calibrated approach to international governance that promotes social justice outcomes.

### *Proposition 1: interpretation*

“Making law” is a core process in society that includes, but also goes beyond, what happens in national legislatures and courts to involve struggles between different actors (state and non-state) to make their preferred interpretations of regulatory norms and rules authoritative in society (Houtzager and Franco, 2003). Competing interpretations of what counts as good governance, deployed or performed by different actors in the field, are also factors in shaping how natural resources are being allocated,

used and managed. Relatedly, different forms and degrees of legitimacy may shape the interpretation and enforceability of different instruments, for instance human rights treaties versus corporate-led instruments. It is thus important to problematize the very concept of “good governance” in the context of the international political economy in which the different initiatives arise (Margulis et al., 2014).

Interpretation and use of the international human rights principle of FPIC<sup>9</sup> is illustrative (Franco, 2014). The use of FPIC or its functional equivalents (“community engagement”) is on the rise in land and natural resource governance initiatives globally,<sup>10</sup> following calls for greater transparency and full disclosure in big land deals. Yet very different actors with very different purposes in mind and in different settings translate the principle into practice very differently. For some, FPIC is a basic democratic principle that includes the right to veto. For others, FPIC enables outcomes in which both communities and companies benefit, even if such sharing of resources and benefits of use is not automatically or necessarily promoting social justice (International Institute for Environment and Development, 2012). For still others, FPIC is a tool for averting social conflict, while providing social license for deals to proceed (minus the social conflict and its disruptions and costs to developers).

The example raises several issues. First, who is initiating which instrument for what purpose? Second, how can one know when a given standard (whether FPIC or some other) has been truly met? Achieving consent, for example, is not necessarily the same as people having had a real choice to begin with, and in many land grabbing hotspots in Myanmar, for instance, too often the choice offered to villagers when their consent is sought is between quitting their land with compensation or without. Third, to what extent can consent be treated as a one-time, isolated and fixed outcome when in actuality communities are differentiated, projects are fluid and impacts are experienced within a larger, living landscape? Some villagers may resist at the start and later switch to acceptance, while others may end up withdrawing initial acceptance. Or, some villages that were not affected initially may get drawn in due to spill-over or chain-reaction effects, such as when villagers displaced by a hydropower dam project move, or are moved, onto land in adjacent villages. Fourth, who is making law on natural resources, and from which gender perspective specifically, whether in terms of formulating regulatory responses in corporate offices or state corridors, or in terms of interpreting them in the field?<sup>11</sup> What are

the varied ways in which gender is considered and manifested in regulatory mechanisms around natural resources? What are the risks of exclusion of women from the associated processes, and, conversely, which kinds of processes might favour women's inclusion? Relatedly, in what ways is the perceived legitimacy of a given regulatory instrument gendered, thereby shaping its use or reception in the field?

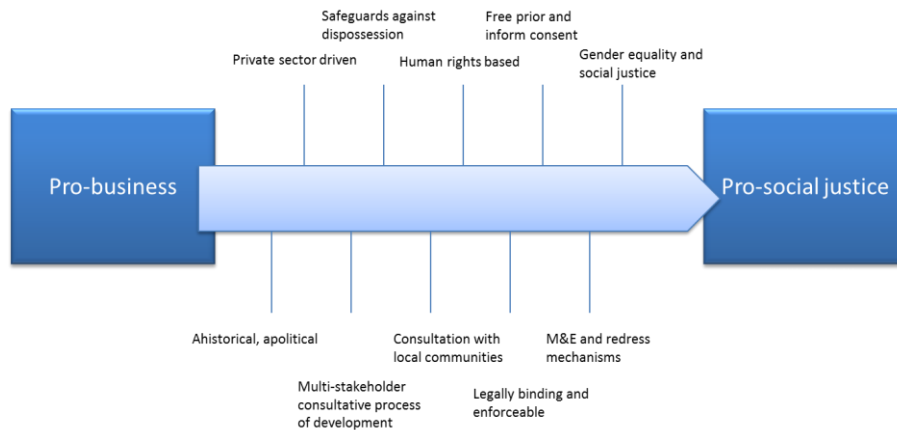
Finally, if there are opportunities, there are also limits to interpretation, and so analysis must consider that, by design, some instruments may be less open to interpretation (including social justice interpretations) than others.

***Proposition 2: (pro-social justice) design***

Here, different specific international regulatory instruments can be situated along a continuum; for example, as hovering somewhere between a more "pro-business" pole and a more "pro-social justice" pole, using criteria to locate them initially and to track changes in their character over time (vision and process of development, who participates, are the human rights based, do they promote social justice, gender equality), as illustrated in Figure 1.

While some international regulatory instruments may be more pro-social justice by design, design alone may not impede or promote social justice in practice. Also relevant is the inclusiveness of the process by which a given instrument is developed, as well as its relation to human rights. Even when a regulatory response ostensibly is, by provenance and design, pro-social justice, this does not necessarily or automatically make it so in practice. The relatively new tenure guidelines of the United Nations' Committee on World Food Security (which we refer to here as the CFS Tenure Guidelines or simply TGs), for instance, were drafted through what is widely considered a highly participatory process: consultations with more than 1,000 people from governments, civil society organizations (CSOs), private sector, academia and international organizations, from nearly 150 countries. The TGs<sup>12</sup> are explicitly human rights based and include among

**Figure 5.1**  
*The continuum of international regulatory instruments*



Source: Authors

the principles for implementation non-discrimination, equity and justice, gender equality and accountability, among others. Although they are a soft law instrument (in contrast to the International Covenant on Economic, Social and Cultural Rights (ICESCR), for instance, which is legally binding once accessed by the states),<sup>13</sup> since their adoption in 2012 one can find the TGs being deployed by a wide range of actors, in a variety of ways, including for purposes that could be said to undermine some actors' visions of social justice.

Accessibility is another basis on which to assess the extent to which a given regulatory instrument is pro-social justice. For instance, the Roundtable on Sustainable Biomaterials certification scheme does have a zero-tolerance policy for involuntary resettlement and grievance mechanisms to address conflict. Yet the process for presenting a grievance is complex and not easily accessible, particularly for individuals, and presents limitations in terms of time (past 12 months), number of appeals (only one allowed) and type of grievances (those falling outside the pre-determined typology are considered inadmissible). In another example, the International Finance Corporation (IFC) Performance Standards on Environmental and Social Sustainability state that land acquisition and involuntary resettlement (both physical and economic displacement) are to be avoided or minimized, with compensation being provided if displacement cannot

be avoided. But the definition of FPIC is watered down to a good faith negotiation between the client and the Affected Communities of Indigenous Peoples, which does not necessarily require unanimity and may be achieved even when individuals or groups within the community explicitly disagree.

To support pro-social justice analysis and action, it makes sense to privilege international regulatory instruments that come out of more inclusive processes, as well as those that are explicit in their human rights foundations, while being attentive to their plural interpretations, discourses and uses. But where multiple land grabbing and land-based climate change mitigation initiatives overlap, interact with and reshape one another, as in Myanmar and Cambodia, attention must be given to competing interpretations across multiple, intersecting initiatives and how these may undermine or reinforce each other.

***Proposition 3: context***

International regulatory instruments may take on varied meanings and operational characteristics depending on the historical-institutional context, including the locally specific assemblage of rules and procedures (informal and formal) that have been socially constructed and reconstructed over time.

For instance, in Cambodia, the Hun Sen government has dismissed the TGs completely on the grounds that the country already has a well-established legal and policy framework around land and natural resource management and administration, and arguing that it is only the implementation which poses problems. The government's stance, in turn, has meant that Cambodian civil society organizations have also largely chosen to not refer to the TGs in their advocacy and political work on cases of land grabs, at least for now. By contrast, some civil society organizations in Myanmar have begun experimenting with using the TGs in their organizing and advocacy work. The case of TG uptake in Myanmar shows how changes in a given context, however small and seemingly insignificant, can present new opportunities to influence law making. There, until recently, few observers could have imagined an official public consultation on a new national land use policy, or that it could be anything more than a demonstration consultation, held under highly controlled conditions and aimed at merely signalling rather than acting in good faith to international donors,

governments and investors.<sup>14</sup> Yet in October 2014, the Thein Sein Government initiated such a procedure and programmed it to start and finish in two months. Whatever the intentions behind it, the official process unexpectedly lasted far longer and went far deeper than originally planned, as previously excluded social actors, especially from “below”, mobilized to politically engage and register their concerns and proposals, and as moderate political currents on the “inside” worked to accommodate these new voices. Exploiting the government’s opening up to international standards (after decades of isolation), some civil society organizations and grassroots groups used the TGs to frame their criticisms and recommendations, which perhaps contributed to reshaping the policy in significant ways and pushing it in a relatively more acceptable direction.

Taken together, the examples from Cambodia and Myanmar show how the existing historical-institutional context – including changes in this context – can influence the political perceptions and calculations of key actors – including government authorities and civil society groups – on whether and how to take up which regulatory ideas, framings and tools that may originate from the international arena.

#### ***Proposition 4: political strategy***

In situations in which powerful actors are converging to reallocate land and related natural resources away from rural working people, international regulatory instruments are likely to be perceived as legitimate by those (potentially) adversely affected if these are grounded explicitly in human rights principles and provisions because of the latter’s core concern for remedying social injustice. Such instruments are likely to be most relevant if used in a way that opens up political space for affected people and peoples to organize and mobilize to put pressure on state authorities, in particular, to act in their favour. With this in mind, international human rights instruments can be envisioned as having at least four tactical and strategic uses.

First, they can be used to inform and frame social movements’ and other actors’ understandings of the natural resource-related problems that affect their lives and livelihoods, as well as the possible solutions to these problems (Claeys and Delgado Pugley, 2017).<sup>15</sup> The way in which some CSOs and grassroots social actors used the TGs to highlight the problem

of land grabbing while validating their own responses to it during the public consultation on a draft national land use policy in Myanmar is a good example. Second, they can be used to make (more) visible gender dimensions of these conflicts, and to put forward more gender-equitable social justice platforms. Again, recent experience in Myanmar provides an example: there, soft law and hard law human rights instruments (Convention on the Elimination of All Forms of Discrimination Against Women [CEDAW], the Right to Food, and the TGs) were deployed by CSOs to expose serious weaknesses in the government's handling of women's land rights in the draft national land use policy, and to put forward alternative policy proposals, many of which were eventually accepted. Third, multiple international regulatory instruments can be used to identify a range of (potential) institutional leverage points to be targeted by advocacy and collective action campaigns at different scales. Fourth, specific instruments can be used to develop "vertically integrated" strategies (Fox, 2001), in which state authority is targeted at different levels simultaneously in order to minimize aversion of responsibility through displacement (or "passing the buck").

## 5.6 Conclusion

In Cambodia and Myanmar, both climate change mitigation initiatives and land grabbing interventions are recasting the way land is used, while enflaming old or sparking new conflicts. National and international development workers, activists or company officials in charge of corporate social responsibility may be tempted to launch their own interventions in these simmering complex situations, by promoting one or another regulatory response as a solution. To what extent such interventions are addressing – and capable of addressing – not one problem, but the cluster of problems (the overlap, intersection and interplay of activities that are each in their own way recasting land rights and land use) remains an open question.

In light of the above propositions, and in the context of complex landscapes, in which climate change mitigation initiatives and land deals overlap and intersect such as Cambodia and Myanmar, it makes sense to privilege the CFS Tenure Guidelines, for both analysis and action. This does

not mean discarding other international regulatory instruments as inappropriate or irrelevant, but that there are compelling reasons to emphasize this particular international standard in an analysis and action on this specific project. The reasons are as follows.

First, the TGs alone were formulated to address and answer the underlying “land question” which is at the heart of complex resource conflicts; namely, who should have what rights to which natural resources (land, fisheries and forests), for how long and for what purposes, and who gets to decide?

Second, the TGs are unique among the array of regulatory instruments most commonly being applied in today’s resource conflicts globally in explicitly anchoring themselves in international human rights law. Not only do they make reference to various other specific international human rights instruments, but basic human rights principles have been directly integrated in specific provisions as well as globally throughout the document.

Third, the TGs are unprecedented in the degree to which they are imbued with political legitimacy. These guidelines, in contrast to other instruments currently in use, are the official product of a lengthy and inclusive intergovernmental negotiation and agreement, which uniquely involved the direct participation in the debates (but not in the final decision) of civil society actors, specifically NGOs, human rights organizations and social movement representatives, and was built upon a relatively extensive and intensive and inclusive formal consultation process.

Fourth, the TGs have immediate social relevance in complex resource conflict settings: their particular character (described above) means not only that states have an obligation to implement these guidelines but also that civil society organizations and grassroots social actors need not wait for this to happen and can instead immediately make use of the principles and provisions contained in these guidelines to (re)frame their analyses and actions, including assessing their own situations, monitoring and evaluating government and company initiatives, and developing awareness-raising, organizing and mobilizing strategies.

Finally, as a result of their particular orientation and character, the TGs have a wide-ranging applicability that is intrinsic to their purpose. Rather than being built to be used in relation of interventions and initiatives that cut across policy arenas and issue areas. The TGs’ built-in, wide-ranging



applicability is especially relevant for situations such as the focus of our paper, in which climate change mitigation initiatives and land grabbing impulses overlap, intersect and interact.

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## Notes

<sup>1</sup> This refers to international regulatory instruments, processes and monitoring mechanisms tools and entities collectively as international regulatory instruments. However, these instruments vary considerably in terms of legitimacy, ownership, accountability and enforceability. For instance, “corporate-led” instruments are developed by private sector actors, sometimes together with civil society actors, as self-regulatory tools and can be sector-wide or company-specific.

<sup>2</sup> Available at <https://unctad.org/en/Pages/DIAE/G-20/PRAI.aspx>.

<sup>3</sup> Bonsucro is a multi-stakeholder membership-based organisation which promotes “responsible” sugar production, including through certification of standards. Its members include big corporations alongside farmers, end users and civil society.

<sup>4</sup> Margulis et al. (2013: 5) highlight “the rapid elevation of land grabbing onto the global governance agenda and a flurry of global rule-making projects at various scales involving a multiplicity of actors to regulate land-grabbing”.

<sup>5</sup> See TNI (2016).

<sup>6</sup> See <http://iphndefenders.net/cambodia-prey-lang-community-network-plcn-press-releaseattempted-murdered-plcn-activist/>

<sup>7</sup> Bourdieu (1987) differentiates between diverse fields of social regulation to illuminate different individual actors and groups of actors embedded in field-specific institutions and forms of stratification. Their unique combination of bases of power, institutions and forms of stratification give fields a particular logic and coherence of their own, and therefore a degree of autonomy from each other.

<sup>8</sup> Such practices are a basic feature of many societies, whether they originate in pre-colonial cultures or with European Christian missionaries seeking to spread a “harmony legal model” (Nader, 1993, 2001: 21). As Benda-Beckmann (2001: 52) argues, “Even if one’s main orientation is to accept the inevitable primacy of the state and state law as the means for change, one nevertheless has to take into account the overall constellation of normative and institutional orders in which the state apparatus, its institutions and regulations, are only one part”. In recognition of customary law, many official legal and judicial reform initiatives include “non-state justice” components as a way to expand access to justice without further burdening regular courts.

<sup>9</sup> FPIC refers to the right to self-determination and to freely pursue their economic, social and cultural development. It is clearly articulated in the United Nations Declaration on the Rights of Indigenous Peoples: “Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and

after agreement on just and fair compensation and, where possible, with the option of return” (Article 10).

<sup>10</sup> FPIC is appearing in initiatives:

ranging from the safeguard policies of the multilateral financial institutions; practices of extractive industries; water and energy development; natural resources management; access to genetic resources and associated traditional knowledge and benefit sharing arrangements; scientific and medical research; and indigenous cultural heritage. (As noted by Antoanella-Julia Motoc and the Tebtebba Foundation in a legal commentary submitted to the Commission on Human Rights Sub-Commission on the Promotion and Prosecution of Human Rights, Working Group on Indigenous Populations, at the twenty-third session, 18–22 July 2005)

<sup>11</sup> While it is safe to assume that most international regulatory instruments will address gender, it is important to remember that gender equality is a contested notion, including in Asia (Roces, 2010), which can lead to different constructions of meanings and politics. The evidence indicates that, overall, women are disproportionately affected vis-a-vis men by land dispossession (Doss, Summerfield, et al., 2014: 3) due to existing hierarchical structures and patriarchal norms. Conflicts, shocks and competition over scarce resources can exacerbate existing gender and social disparities and further marginalise those who are most vulnerable.

<sup>12</sup> In the context of this Chapter, the use of the acronym TG as opposed to VGGT, used by the CFS and FAO, is a political and strategic choice that is based on the will to focus on the content rather than the voluntary nature of the guidelines.

<sup>13</sup> There are 10 core international human rights instruments. For each there is a committee of experts to monitor implementation of the treaty provisions by its state’s parties.

<sup>14</sup> The term “demonstration” is used here conceptually, as in (Herman and Brodhead, 1984).

<sup>15</sup> On the “framing” function of social movements, see McAdam, McCarthy, and Zald (1996).

## 6

## Gender, generations and agrarian change: conclusions and implications

### 6.1 Gender and generations in Cambodia and Myanmar

This thesis investigated how gender and generational roles and relations shape and are shaped by land grab politics. To explore this, the study analysed cases of land grabbing, dispossession and mobilization in Cambodia and Myanmar. The two countries, while very similar, offered some variability and contrasts in terms of histories, legal and policy framework and the integration of gender concerns therein, women's activism, and social movements and indigenous/ethnic groups. In Cambodia, the study looked at the impacts of Economic Land Concessions (ELCs) for sugar and rubber in two provinces, Kampong Speu and Ratanakiri. In Ratanakiri, the analysis centred on ELC expansion in indigenous territories in the context of the histories of frontier opening and the simplification of tenure systems for state building purposes (Scott, 1998, 2012). In Myanmar, the focus was on the impact of intersecting initiatives, oil palm plantations and forest conservation on ethnic Karen communities in the Tanintharyi region against a background of war, displacement and overlapping governance.

Throughout its empirical chapters, the study addressed different facets of the key question and sub-questions, as highlighted in more detail in the next section. Overall, the thesis partly confirmed the findings of other studies on gender and land grabs (see for instance, Behrman et al., 2012; Julia and White, 2012; special issue of *Feminist Economics*, Vol. 20: 1, 2014; special issue of *The Journal of Peasant Studies*, Vol. 44: 6, 2017), that is, that women are likely to be disproportionately more impacted than men in terms of access to and use and control over natural resources, new em-

ployment opportunities, and decision-making, not only because of the existing inequalities and power asymmetries that shape control over land, but also because of intrahousehold roles and relations, women's status within their communities and their access to education, knowledge and information. The study showed that intersectionality is of critical importance for analytical purposes. Women (and men) cannot be taken as homogenous, but need to be seen as having subjectivities and positionalities that are shaped by intersecting social differences and axes of power. It is also important to consider how these play out in different contexts and at different times. *Herstory* matters, and it matters if she is a Khmer or an indigenous woman, if she is married or widowed, old or young, landless and poor, because her experience of dispossession, materially and emotionally, will be unique and different from that of other women.

The study also confirmed that it is essential to pay attention to the intergenerational impacts of land grabs and how these specifically and differently affect young women and men. Without this understanding, debates about the future of farming and the social reproduction of farming communities risks being meaningless. Land grabs shut off livelihood opportunities for today's farmers and the next generation by depriving them of land and resources that are crucial for shelter and livelihoods, but also for their identity, culture, and traditional practices.

The study has shown how different people's histories and experiences of land grabs and the changes that these entail – whether actual or anticipated (for instance the national park case in Chapter 2) – inform their understanding, feelings of injustice, and political responses, both individual and collective. These are also key to the formation of alternative visions of development (Chapter 2). In this respect, grassroots social movements and civil society were found to play a key role in supporting community mobilization with common tools, information and trainings and in connecting them with national and transnational level movements and politics. However, if social movements are not attentive to gender and power dynamics, and do not specifically advocate for women's rights, women's participation may have only limited beneficial impacts and women's rights will not be adequately addressed in broader strategies and national policy discussions (Chapters 3 and 4). Therefore, women activists need extra support in connecting to each other in different locations (for instance, across communities and in rural and urban settings), and vertically with transnational women's groups (Chapter 3). The use of international governance

instruments, especially if resulting from participatory processes and grounded on human rights and social justice, can provide a yardstick of international standards, including from a gender perspective, which can inform advocacy and participation in policy making (Chapter 5).

### ***Key questions, findings and gaps***

This section refers back to the research questions, highlighting the key findings of the study and some remaining gaps.

The prioritization of fast economic growth, since the mid-1990s in Cambodia and in Myanmar from 2013 onwards, has accelerated the expansion of capital into rural and forested areas. In recent decades, with the multiplication of initiatives to exploit land and natural resources facilitated by legislation that allows large land concessions and policies to attract foreign capital, both countries have become ‘hotspots for land grabbing’. Different forms of ‘green grabbing’ – that is grabbing for environmental ends - including conservation initiatives, revamped by international pledges to combat climate change, have further encroached onto land and resources used by small-scale farmers, fishers and forest dwellers. As capital’s expansive strategies become increasingly sophisticated, the study re-affirmed the importance of a landscape perspective in action-oriented research that aims to promote socially just outcomes. It also showed the need for analyses and counter strategies that move across scales and transcend sectors and divisions, while engaging constructively in “collaborative thought, political action, and practical change on the ground, in place(s), with rapidly changing social movements and a diversity of people in everyday ecologies.” (Rocheleau and Nirmal, 2015: 808)

The complex role of the state was evident in both countries. On the one hand, the state was often found to be facilitating, directly or indirectly, land grabs and the exploitation of resources by, among other ways, enacting legislation that prioritizes the interests of private investors, rendering farmers’ tenure rights insecure, limiting the areas that they can access and use (for instance through individual titling), or demarcating areas that they cannot access (through the establishment of protected areas for conservation). As I have shown in this thesis, these initiatives tend to affect adult women (e.g. by titling land in the name of the male household head) and young women and men (e.g. by reducing the amount of land available for new generations) more than adult men.

On the other hand, the state legislative role is crucial to creating opportunities for more equitable land governance and tenure, as seen in the process of the drafting of the National Land Use Policy in Myanmar. National policies, if properly designed and implemented, can advance the interests of small farmers and gender equality. Furthermore, the state can also be called on and made accountable to Human Rights law, international agreements such as the SDGs and the international regulatory instruments to which it is a signatory, especially legally binding instruments such as the CEDAW. This gives social movements and civil society ways to exert pressure on the state and to engage in fruitful negotiations with it when the opportunity arises.

In both countries, dispossession, land grabs and encroachment on land and forests previously accessed freely by communities have had gender and generational implications in relation to people's access to resources, livelihoods and food security. In terms of gender, it has led to an increased work burden for women due to the reorganization of labour, to their marginalization due to the lack of education and employment opportunities, and to their minimal participation in decision-making. Social differentiation and conflicts between households and different groups of people (for instance returning IDPs and villagers) have also been noted. In line with earlier research findings (discussed in Chapter 1), this study showed that reduced access to natural resources burdens women because they have to work longer hours, sometimes in remote areas, and walk longer distances to reach the fields and access forests and water (Chapters 2 and 4). As a result, women are also more vulnerable to attacks and violence, and suffer from the emotional impacts of having to leave their children behind. Chapter 4 indicates how the monetization of the economy in Ratanakiri gave women additional tasks in cashew nut production, while stripping them of their status and traditional knowledge as agriculturalists when men took over the cash crop. The encounter with the dominant culture and its patriarchal values is also producing new forms of marginalization for indigenous women and girls, affecting especially those who have limited or no knowledge of Khmer (Chapter 4). While this did not seem to have happened in Tanintharyi, several Karen women interviewed said they felt inadequate because of their lack of education and their ignorance of issues that affect their communities. Limited or no knowledge of Burmese also constraints people in their interaction with investors and authorities during negotiations and land registration. Women are more affected than

men, as travelling outside the village to reach the district office is time consuming and difficult if no means of transportation are available to them. This was also reflected in differences between young women and young men's prospects of participating in land and community politics and joining training and meetings in their own and other villages. Young married women in Tanintharyi, for instance, complained that they did not know about the issues affecting the community as these were not discussed at home and women could not always join the meetings, especially those held in other villages, because of their domestic responsibilities and limited mobility. Those who were not married were still expected to help with around the house. Conversely, young men had access to motorbikes and thus were more mobile, in addition to being free of domestic work even when they were married (Chapter 2).

In all the cases analysed for this thesis, labour on the plantations, if available to local communities, was not considered a desirable option as it was precarious, time-constraining and ill-paid. However, it was often a fall-back option when families lost land and thus access to food. While access to this type of work was not gendered, the study found that roles and wage rates were highly gendered. In addition to being short-term and of low quality, paid employment sanctions the lesser value placed on women's work as women are systematically paid less than men and hardly ever accessed the few more stable positions. In the case of youth, casual wage work - whether on plantations or on other people's farms - seemed to be an option that was more easily accessible to young men. In indigenous communities in Ratanakiri and Tanintharyi, young men were also more mobile than young women, having more freedom and easier access to motorbikes. This has implications in terms not only of income but also of access to information, networking and exposure to the outside world. In the case of Ratanakiri, however, this also created dangers as it enabled boys to more easily engage in illicit activities and detach themselves from the community's traditional values and practices of solidarity, thus causing worry and disapproval in older people. Older men in particular identified this trend as a threat to the reproduction of communities.

In the context of traditional agrarian systems, where land use and productivity were mainly restricted by the availability and size of the labour force, differential access to labour, and consequently the ability to clear and cultivate land for cash crops, is driving processes of social differenti-



ation. The lack of access to family labour and the exchange of labour affects the amount of land that each household can clear and cultivate, and allows only those who can afford paid labourers to accumulate more land and be productive. In Ratanakiri, the introduction of cashew nuts and cash income has facilitated the hiring of external labour, allowing some people to increase their farm size beyond the labour available in the household, thus accelerating land accumulation. In Tanintharyi, social differentiation is shaped by the amount of garden land that the family has, and its access to new land that can be cleared and maintained for betel nut cultivation. This in turn affects the intergenerational transfer of land and the social reproduction of communities. As seen in Chapter 2, due to the history of repeated displacement during the civil war, not all families have enough productive land that they can pass onto their children when they marry. This delays marriage for some and makes livelihoods hard for young couples who do not have betel nut land, which is the main source of income. It also affects young people's education since the lack of a cash income makes higher education in a distant location unaffordable for many families due to the high tuition fees and boarding expenses. Compounded by the decreasing access to land that can be cleared for the shifting cultivation of rice and subsequently converted to cash cropping, reproduction concerns linger in communities and affect young people in particular. Interestingly, in Tanintharyi, while being a concern shared by both women and men, the lack of land seemed to worry young men in particular as it was closely linked to their idea of masculinity as breadwinners. In both countries, albeit more pronounced in Cambodia, there were also signs of cracks in traditional forms of reciprocity and labour exchange due to social differentiation - with a few families having more land and income than others - and land conflicts.

Land grabs and pressure over natural resources have sparked different forms of political reactions from below, ranging from impromptu open and violent protests to organized protests, advocacy, and the advancement of 'other' visions of development and resource management. Political reactions from below have occurred in all the cases analysed in this thesis, regardless of the type of investment or initiative and the outcomes. Engagement with civil society organizations and grassroots social movements, and the cohesiveness of the communities, strongly influence the repertoire of responses and strategies. For instance, in Cambodia, those indigenous communities which went through the cumbersome process of

registering their communal land under the Land Law were found to be more organized and resilient to changes and external influences. In contrast, in those communities where the penetration of capital was advanced and individual land titling disrupted the traditional communal tenure system, it was more common to hear about the ongoing withdrawal from traditional forms of solidarity (Chapter 4).

In Myanmar, the role played by grassroots social movements, particularly ethnic movements, is manifested via the promotion and adoption by communities of a shared approach, which includes inter-community, interfaith prayers; youth education programmes; the establishment of community building organizations; the research and mapping of local species (animal and plant); advocacy for the recognition of communities' rights to land and management of resources and indigenous peoples' rights; and the advancement of alternative visions from below. One beneficial effect of their engagement with these movements is that communities have been able to contribute to regional and national level politics while getting access to information that keeps them better abreast of the rapid changes in the policy and governance environment. This engagement has also better equipped communities to confront the complexities of a double governance system that includes the Union Government (UG) and the Karen National Union (KNU), including the various levels of each (central/state/province), and the different actors and interests varyingly associated with each. These actors, in turn, may challenge each other – for instance to affirm sovereignty or blame each other (in the case of controversial investments that the UG or the KNU may have both agreed to but do not want to take responsibility for) - or temporarily collaborate. However, differential access to information and participation in decision-making fora means that women and girls, and youth in general, often have less opportunities to voice their concerns and have them reflected in the decisions that are made, as seen in Chapter 2.

In all cases, the various forms of mobilization have involved women and men of all ages, with women notably standing at the forefront of overt and violent protests to prevent their husbands and sons from being beaten up or arrested. Women's participation in community politics is preceded and followed by a continuous process of negotiation and does not automatically translate into women and girls' increased agency. When women have been able to affirm and perform their role as land activists, as seen in the examples from Cambodia (Chapter 3), this has had an empowering

effect, improving their knowledge and social standing within communities. However, the cases suggest that more specific interventions might be needed to scale up women's activism. Civil society and grassroots organizations do not systematically integrate women's rights in their local agendas, and generational justice has been kept within the boundaries of a broader discourse on 'future generations'. In the mist of escalating instances and forms of land grabbing, gender equality - including specific reference to women's land rights - seems to easily fall off social movements' priority lists. In spite of the dominant discourse on the high status of women in Cambodia and Myanmar and Southeast Asia in general, the evidence suggests that when it comes to sitting at the decision-making table, women and young women and men, especially from rural and ethnic communities and groups, are not at the table on equal terms with men. As other research on women's activism has shown (see Chapter 3), only with specific attention to addressing the power dynamics in which social and grassroots movements are also imbued can there be an open and honest discussion of why this is not happening. Efforts in this direction can be supported by a recalibration of analysis and action by social justice movements, and the adoption and use of international instruments that have political legitimacy from below and gender equality as a key element of social justice (Chapter 5).

Young people's participation in community politics was common in Tanintharyi due to a focus by ethnic grassroots movements on youth. Although young people tend to stick to prevailing social norms that assign marginal roles and spaces to women and youth, this study showed that such roles can also be challenged under specific circumstances - for instance, when women are literate - and as young men and women gain more knowledge and familiarity with the issues. The discussions with young people revealed that they take pride in engaging in community politics, and this in turn fosters their sense of belonging and boosts their confidence, enabling them to renegotiate their roles and be recognized as young adults even when they are not yet married. However, young women are generally more constrained than men by their limited mobility, as motorbikes are mainly ridden by men and boys and are perceived as dangerous and difficult to drive on rugged terrains. Young women are also constrained by familial responsibilities when they are married and have young children. This confirms the feminist political ecological observation that bodily, spatial and social practices and nature are mutually constituted.

The ethnic indigenous question is complex and connected with efforts to open and establish sovereignty over frontier territories; in Myanmar, it is also intimately intertwined with the peace process. Although not the central focus of this thesis, the cases from Cambodia and Myanmar have illuminated some facets of the issue from the perspective of intersectionality. In Ratanakiri, in the encounter with capitalist relations and mainstream patriarchal culture, the intersection of gender with ethnic difference, age and class (from a poor household) has heightened women's marginalization as fewer opportunities for education, income generation and recognition are available to women. Because of the process of commodification that has increasingly estranged women from their traditional role of agriculturalists, indigenous women have lost social status and control over resources in communities where commodification is reaching maturity. While indigenous identity is being deployed to reclaim territories, nature and culture, the 'indigenous rights package' used is assumed to be equally beneficial to all. In practice, as seen above, land grabbing and commodification have triggered processes of social differentiation and a fixation of existing and new power hierarchies that affect women and girls more than men and boys. At the same time, there seem to be possibilities for youth, and especially young women, to use the state of urgency and fluidity created by land grabs to renegotiate their roles vis-à-vis their parents and adults in the community. The scattered manner in which this is happening signals the critical role that can be played by grassroots movements, including facilitating their exposure to experiences from other sites and countries, and to transnational activist advocacy and agendas, in supporting young people's engagement in land grab politics. This confirms the importance of looking at mobilization not only in the context of the wider landscape but also at its implications across multiple scales.

This research has thus confirmed the findings of the few earlier studies on the gendered and generationed implications of land grabs, while contributing additional evidence that can provide a nuanced and informed understanding of what happens on the ground. In contrast to the other studies, however, this thesis has attempted to bring gender and generation together in analysing cases of land grabbing using key theories and concepts from feminist political economy and using feminist political ecology as the overarching umbrella. While the cases considered here are different and shaped by the specific context, histories, forms and nature of the land grab, and the socio-natures in which they materialize, the findings largely

point in the same direction as previous research conducted in other settings, countries and regions, indicating that the power dynamics and forms of oppression at play are a key factor that shape and transmit the outcomes and experiences of land grabs, including the way in which these are fought over generations by different people.

The evidence that grassroots social movements and civil society do not systematically integrate gender and generational justice, and women's rights in their claims and advocacy agendas means that existing power asymmetries and gender and age stereotypes and discrimination are implicitly, or in some cases explicitly, reproduced in the narratives of the visions of development that are being put forward as alternatives, thus steering away from opportunities to advance social justice. While gender equality appears in state policies and programmes, as a result of international commitments and donor pressure, it is not always fully internalized. Chapter 5 argued that the effectiveness of international regulatory instruments in rural struggles depends critically not only on the underlying legitimacy of the instrument deployed, but also on factors such as interpretation, pro-social justice design, context and strategy, of which gender equality ought to be a minimum common denominator. Hence, this study has confirmed the crucial need to centre gender and generational justice in all struggles for agrarian and environmental justice. Research on land grabs, especially when it aims to be action-oriented, if it is gender- and generation-blind, misses out on important opportunities to be transformative.

This study has several gaps, owing to the limitations of doing this type research, the conditions in which it took place, including the extremely fast-changing context in the two countries, and to my own limits, discussed at length in Chapter 1. The study did not delve into intrahousehold dynamics, both gendered and generational, beyond considering what different people shared during group discussions and interviews. Due to its ambitious research objectives and scope, the study did not reach the depth of findings that it could have. However, it did provide a good overview of the issues on the ground, particularly from a gender and generational perspective, and indicated a path for future research.

Methodologically, the attempt to apply a gender and generational lens was not uniform, and more emphasis was often given to gender, as seen in the different chapters. Equally, the use of the different frameworks and theories may not seem to have played out in an integrated and uniform

way across chapters, sometimes seemingly suggesting in a heterodox approach. Hence, it is important to see the chapters as complementing each other and not in isolation from each other, and the study itself as an empirical attempt to do research differently, much beyond the findings themselves.

## 6.2 Contribution and implications for research and action: bridging divides

This final section offers some reflections on the implications of the findings for research and action.

### *Theoretical and methodological implications*

Chapter 1 introduced this thesis as a contribution to land grab studies and argued that gender and generational analyses are important not only for analytical but also for political reasons. The thesis referred to important frameworks and debates in critical agrarian and peasant and land grab studies. At the same time, it invoked feminist political economy analyses that have exposed the limits of studies that ignore the social dynamics and relations that permeate households and communities and shape the distribution, division and return to labour, decision-making and unpaid work of women. It is important to acknowledge that key differences exist between a liberal economic framework that advances the importance of gender equality as a means of improving agricultural productivity and food security or reducing poverty (for example Behrman et al., 2012), and a feminist political economy approach that advocates an analysis of gender and land questions in the broader context of neoliberal economic growth and agrarian change, and making the state “more democratic and accountable to all its citizens irrespective of gender and class.” (Razavi, 2003: 5)

The thesis referred to youth and generation studies as reinforcing the argument that both gender and generational considerations need to be systematically addressed for any meaningful analysis of agrarian change. The reproduction of farming households and communities critically depends on women’s contributions and on new generations’ prospects of accessing

and using critical resources, including land. Furthermore, the study has shown that patterns of social differentiation, access to, use and control over resources and power are gendered and generationed. While this study can be considered an initial effort in this direction, more reflection on the methodological implications and actual research that brings these two dimensions together are needed.

The thesis also used key concepts and framings from feminist political ecology. This was essential to highlight the interconnectedness of the environmental impacts of land grabbing with changes in agrarian systems and relations and the linkages between society, ecologies and nature, or ‘naturecultures’, as Haraway (2008) defines them. This in turn showed that the diverse emotional and embodied relationships to natures and histories shape different people’s experiences of access to and use of resources, informing their participation in political struggles and ideas of alternative visions of development, as seen in Chapters 2, 3 and 4. The concept of intersectionality was essential to avoid treating gender, age, ethnicity and other social differences as additive and/or discrete categories but to see how their interrelatedness produces different experiences for different women and men. Finally, this study aimed to respond to Diane Rocheleau’s invitation to join FPE as a platform for engagement and “networked and expanded feminist endeavour to deal with the social relations of power and justice connected to cultures, ecologies and economies” and engage with “the politics of *being, differently*”. (2015: 57, emphasis in original). Hopefully, the study has done so by expanding the scope and reach of FPE and triggering reflections on how to engage with land grabs studies differently.

Bringing together feminist agrarian political economy, youth and generation studies and feminist political ecology, this study has affirmed the usefulness of a combined analytical approach to understanding agrarian and environmental change. Coupled with a firm case for centering gender and generation into analyses of land grabs and agrarian change, the bridging of divides among disciplines and the theoretical cross-fertilization that this requires could be seen as one of the main contributions of this study to current debates and practices in land grab studies and beyond.

In sum, there is a need for more convergence between agrarian political economy and political ecology and feminist political economy and feminist political ecology, and between agrarian and environmental social

movements and women's rights and feminist movements. Land grab studies and politics, as a "politically charged" arena and site of contestation and "friction", can offer a fruitful ground for engagement. The practical implications of doing research differently include more systematic attention to gender and generational analyses and the integration in land grab studies of key feminist analytical pointers including attention to the workings of power relations and various forms of social difference at different levels and in different historical contexts. It also requires an analysis of the contribution of women's care and unpaid work, the symbolic meanings of spaces and practices, and the intergenerational dynamics of reproduction. Importantly, such attentiveness needs to be freed of the assumption that these social dynamics and relations are confined to the micro, local levels. Research that connects across scales is more important than ever at this juncture when different ideas about development are confronting each other. On the one hand, the Sustainable Development Agenda and other international agreements have created or renewed a commitment to development that balances social, environmental and economic sustainability, that leaves no one behind and prioritizes gender equality and social equity. On the other hand, there has been an acceleration of initiatives to establish the neoliberal paradigm as the only way to move forward, with land grabbing in its different forms a clear manifestation. There is a risk that the Sustainable Development Goals (SDGs) could be used to promote an approach to growth and development that widens the gap between those who have and those who do not, and that risks marginalizing those who are cast as inefficient and not producing value (see Chapter 1).

Methodologically this pathway to convergence has to go hand in hand with a commitment to feminist research ethics (discussed in Chapter 1). This problematic has been amply debated in various feminist circles, generating rich discussions on how best to translate feminist ethical commitments into practice. Intersectionality has built a bridge between theory and practice, by providing both a theoretical framework and a methodology. Furthermore, intersectionality has mitigated key differences between theorists of race, class and gender, and post-modernist and post-structuralist feminists by offering a methodology that addresses the key pitfalls of an additive approach to multiple identities, also looking at how systemic forms of oppression are connected (for a full discussion see Davis, 2016). In practice, applying an intersectional approach has been challenging and could be seen as one of the limitations of this study, which has only begun



to address these important issues. Therefore, a more in-depth rigorous discussion might be needed on the methodological implications of doing intersectionality in such a fluid and dynamic area of work such as land grab studies.

Finally, this type of research should aim to produce collective political and intellectual work that can contribute to a transformation of the current socio-economic and ecological order in order to contribute to worlds where social justice can prosper (Harding, 2004). As such, a commitment to engaged research and scholar activism is almost inseparable from feminist research ethics and epistemologies.

***Reflections on bridging scholar-activism, development and feminism, and policy implications***

This thesis has been a deeply personal journey, often triggering troubled reflections on my research and work. The engagement with feminist political ecology and grassroots partners sparked reflections on how my experience as a development practitioner and gender specialist, engaged researcher and feminist could contribute to bridging divides towards meaningful transformation. While in this study I have more often referred to my positionality as a researcher and activist than as a development practitioner and gender specialist, all along I have pondered ways to bring all the dimensions of my engagement together, and use the different venues and opportunities that my position offers in an ethical, constructive and practical way. In this sense, I was forced to think beyond the divides I experience in my own life and consider how to build on and expand my understanding and experience of being a femocrat and scholar-activist.

Let me briefly recall the definition of scholar activism as “rigorous academic work that aims to change the world, or committed activist work that is informed by rigorous academic research, which is explicitly and unapologetically connected to a political project or movement.” (Borras, 2016: 5). Femocrats, in contrast, are feminists working in development who pursue “the gender mainstreaming project inside development bureaucracies” (Goetz, 2004: 137). According to Goetz, in spite of the sometimes disappointing results of gender mainstreaming, the work of femocrats should not be all dismissed.

Being a femocrat is hard work, it requires navigating the politics of doing gender work inside organizations that are reluctant to change and with government counterparts and partners who may equally be sceptical in a global context which has been largely marked by neoliberalist precepts and practices. This work calls for diplomatically but firmly contesting gender biases, discrimination, and pretence of objectivity, while being strategic and attentive to unexpected opportunities and alliances. The efficiency argument of closing the gender gap in agriculture<sup>1</sup> is a point in case (see, FAO, 2011). This states that gender equality can have a long-lasting impact on economic growth by raising human capital in rural societies. While this argument clearly instrumentalizes gender equality and women as tools for development in a liberal economic way, its effectiveness in advancing gender equality has been remarkable, even with the most reluctant government officials in ministries of agriculture and technical colleagues who think that gender, for example, has nothing to do with animal disease or pest control. Coupled with the argument of the Sustainable Development Agenda of “leaving no one behind”, and the importance of gender equality to sustainable development, this has often been a far more effective way to convert the sceptics than a head-on discussion on feminism and women’s rights that would likely lead to a deadlock. The key point is to use these arguments conscientiously and strategically.

In recent years, new opportunities and alliances have also materialized in the form of increased participation of civil society, farmers organizations and indigenous groups in policy mechanisms and fora, for instance in the Committee on World Food Security (CFS), and international commitments to prioritize gender equality and the empowerment of women and girls to achieve the SDGs. Equally, with all the difficulties of paying attention to power relations and the predation of some of its discourses to justify new forms of land grabs, the global climate change agenda has also opened new opportunities for transnational women’s movements to contribute to environmental politics (see Section 1.3) with critical analyses of climate change initiatives.

Within this fluid and permeable context, a femocrat can play a unique role in opening doors and facilitating dialogue among parties and actors. Femocrats can also expedite the promotion of a re-politicized understanding of gender and the positioning of gender and generational justice on the agenda of global policy discussions, whereby social justice-based ap-

proaches are easier to take forward. It is thus the special duty of any feminist to fight from inside the system while creating alliances with like-minded people, women's groups, social movements, farmers' and fishers' organizations, indigenous groups, promoting dialogue among them and with governments and expediting their participation in policy fora. Systematic efforts need to go in the direction of integrating and bridging rather than dividing, while possibly creating formal spaces and terms of engagement<sup>2</sup> (e.g. CFS<sup>3</sup>). Quite often development organizations, governments and social movements are structured and siloed along disciplines and areas of interests, making dialogue and integration difficult internally, let alone with other actors. Therefore, engagement can be difficult if not actively encouraged. If a scholarly activist orientation can also be promoted in the generation of knowledge in development organizations such as FAO, such knowledge, which has a far reach in policy circles, can also tilt the development discourse in favour of socially just solutions. It is important to highlight that development organizations should not be lumped together in one undifferentiated category. Organizations like FAO, which have technical expertise and policy advisory roles and convening power but no financial resources, will have a different political traction and bite than financial organizations, but may be in a better position to promote this kind of dialogue.

Likewise, in the academe, doing engaged research should imply a basic commitment to promoting social justice, and gender and generational justice. Levien (2017: 1130) has highlighted that "feminist groups can play an important role in pushing anti-dispossession movements to become more gender equal in their organization and demands". While this is definitely true, it is equally important to ensure that intersectional gender justice becomes the common language and business of all engaged scholars and agrarian and environmental justice movements. Furthermore, social movements, engaged scholarship and scholar activism should also be open and proactively reach out to different kinds of allies who may be in non-conventional *loci*, including government and development organizations. This would help to extend the arena for struggle and build the kind of sustainable coalitions that can bridge initiatives from below with initiatives from above, thus opening the space for more democratic participation and decision-making.

This is obviously easier said than done. There is often a gap between academia, social movements and development practitioners, and their areas of interest. For instance, an organization such as FAO may not always translate its corporate policies on gender equality or partnership into practices that are implemented equally by all its local offices. At the country level, the type of work is often also driven by donors' interests and priorities, by political pressure, or simply the openness of the government to address certain issues. There are also differences within governments at national and local levels between different ministries' priorities and agendas. Equally, in academia it would be interesting to see the conditionalities that are attached to the different research programmes that are funded, and how programmes cross-fertilize each other in order to replace siloes with intersections and mutual understanding. In addition, engaged scholars and scholar activists are often biased against and reluctant to reach out to development organizations and practitioners and *vice versa*. Scholar activists tend to see all development workers as the cavalry of the neoliberal order and necessarily on the other side of the barricade. Development practitioners may perceive scholar activists and activists as radical and revolutionary. This is also true in my field where, as a gender specialist, I am considered a 'wanna-be' feminist without political substance by feminist activists, and a radical and simply a nuisance by my own colleagues. There can also be a reluctance within organizations, including academic ones, to take gender seriously. Often there is a widespread assumption that gender is the business of the gender specialist, and gender justice a topic only for feminists. However, as Rocheleau and Nirmal (2015: 808) eloquently elaborate, as difficult as it may be, a pathway towards convergence seems to offer a concrete viable option for creating the space for transformational change:

Bridging and tunneling across the divide between academic, political and practical domains continues to be a serious and difficult task, however necessary and rewarding. It will require continuing conversation and partial, contingent inclusion in the work of social movements, to do the mundane but crucial work of making new worlds on the ground and bringing to life a large world in which many worlds can live and thrive.

Personally, equipped with new knowledge and the belief that a project which intends to establish agrarian and environmental justice cannot shy away from addressing questions of patriarchy, power, gender and generational inequalities, I have now renewed my commitment to a feminist

agenda and ethics in my work. With this has also come more attention to power dynamics, and to creating the conditions and space for the policy engagement of civil society and grassroots groups. In many ways, I have thus come somewhat closer to solving the conundrum that plagues many feminists and gender and development practitioners. Can our work make a difference while being apparently more appeasing and acquiescent to different (political) interests? Some readers, practitioners and scholars alike, may readily see how this could apply to their work, but if not, it is even more important that they reflect on the difference their work could make. Can this be a question and reflection for other practitioners and scholars, even if speaking of and acting from different positions and interests? For instance, making gender and generational analyses a standard practice of land grab studies would provide scholar activists with an understanding of the concrete issues – e.g. biases, oppression, and power imbalances – that need to be addressed in activist discourse and practice, at local, national and transnational level, to move towards social justice. Feminist political ecology can contribute theories and approaches to doing this type of research and to bringing agrarian questions closer to their ecological dimension through the lens of intersectional gender justice and socio-natures. Finally, this type of research can create synergies between feminist political ecology and agrarian scholar activism based on their shared commitment to social transformation. In the end, it might be that what we need is not only more, but also *more diversely integrated and connected* research and action that can inform our analyses and politics of agrarian and environmental change. How to do this could be the topic for future explorations.

### ***Policy implications and call for action***

I wish to conclude this study with some final reflections on policy implications and a call for action.

Promoting policy change around land grabbing is a complex task. However, this does not mean that we should not try. Incremental change can go a long way towards more socially just outcomes, especially if buoyed by frictions – à la Tsing (2005) – that accelerate change. For example, frictions can include those created by a policy orientation that facilitates land deals and land grabs for private investors and cronies (as seen in Chapters 2, 3 and 4) and the rise of grassroots movements and forms of political reactions from below. The resulting confrontation can also result in

changes that are favourable to local claimants and/or create the space for dialogue and negotiation. This is why it is important to strengthen mechanisms for wider democratic participation, and possibly formalize them, as discussed above. In recent years, FAO has put in place policies to promote partnerships with civil society, academia and the private sector. While the policies have effected important changes, these have materialized mainly at the global and regional levels. Much more could be done to ensure that the same model of participation and consultation is adopted at the country level, engaging a vast range of actors, including women and youth's groups. The example of the NLUP in Myanmar confirms that the participation of civil society can be crucial in shaping the final outcomes of a policy process.

This thesis has shown the usefulness of invoking international instruments in policy and advocacy. These include instruments such as the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*; the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication*; the *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security*, the recently approved *UN Declaration on the Rights of Peasants and Other People Working in Rural Areas*<sup>4</sup>; and the *UN Declaration on the Rights of Indigenous Peoples*. The use of international legal frameworks, which are legally binding, can be a powerful and practical way to keep governments and the private sector accountable. Among others, these include: the *Universal Declaration of Human Rights*; the *International Convention on the Elimination of All Forms of Racial Discrimination*; the *International Covenant on Economic, Social and Cultural Rights*; the *International Covenant on Civil and Political Rights*; and the *Convention on the Elimination of All Forms of Discrimination against Women*. It would be valuable if more awareness of these instruments and how to use them could be promoted among diverse rural groups, particularly those who have difficult access to information because of physical (remoteness), practical (language) and cultural barriers. This should also include advocacy for policy reforms that pay attention to social justice and intersectional gender justice, such as gender-equitable redistributive land reforms, the recognition of customary rights to land, special provisions for women and youth's secure access to land, and quotas in land institutions at different levels.

At the same time, it is critical to strengthen understanding of gender equality and social justice among government officials, social movements

and community members, at local and national levels. Building the capacity of women and women's groups, and young women and men, and supporting connections horizontally with other groups and vertically with national and transnational groups is also needed. Academic institutions, especially those studying political economy and ecology, could also promote a better understanding and systematic use of gender and generational analyses and intersectionality. Finally, development organizations could step up their commitment to gender equality by earmarking gender budgets, increasing capacity and human resources, improving their understanding and use of intersectionality, and promoting more exchanges and cross-fertilization with scholar activists and feminist groups. A true commitment to social justice and to eliminating oppression, while recognizing that all human beings and natures have the equal right to exist *differently*, could be a good place to start.

## Notes

<sup>1</sup> The 2011 FAO report states that by closing the gap between women and men in access to productive resources, inputs, services and markets, agricultural outputs in developing countries could increase from 2.5 to 4 percent. In addition, there would be trickle down socio-economic benefits in terms of improved health, nutritional status and education outcomes for children.

<sup>2</sup> As Jonathan Fox (2009: 489) notes, “balanced decision-making processes are especially difficult to construct, especially across cultural and organizational divides” but coalitions can become sustainable “when grounded in *shared terms of engagement*”.

<sup>3</sup> CFS is made up of Members, Participants and Observers. The membership is open to all Member States of the FAO, IFAD or The World Food Programme (WFP) and non-Member States of FAO that are Member States of the United Nations. Participants can be from representatives of UN agencies and bodies, civil society and non-governmental organizations and their networks, international agricultural research systems, international and regional financial institutions, and representatives of private sector associations and private philanthropic foundations. The CFS Advisory Group includes representatives of: 1) UN agencies; 2) civil society and non-governmental organizations, particularly organizations representing smallholder family farmers, fisherfolks, herders, the landless, the urban poor, agricultural and food workers, women, youth, consumers and indigenous people; 3) international agricultural research institutions; 4) international and regional financial institutions such as the World Bank, the International Monetary Fund, regional development banks and the World Trade Organization; 5) Private sector associations and philanthropic foundations (CFS Structure | Committee on World Food Security, n.d.)

<sup>4</sup> The Declaration was approved by the Third Committee (Social, Humanitarian and Cultural) of the UN General Assembly on 19<sup>th</sup> November 2018 through Resolution no. A/C/73/L.30. Article 2.2 of the Declaration states that:

Particular attention shall be paid in the implementation of the present Declaration to the rights and special needs of peasants and other people working in rural areas, including older persons, women, youth, children and persons with disabilities, taking into account the need to address multiple forms of discrimination.





## Appendices

*Appendix 1*  
*Sample form used to collect demographic data*

GENERAL INFORMATION	
Case (company)	
Type	
Date and time	
Location	
Interviewer	
Interpreter	
Comments	

PARTICIPANTS			
	Women	Men	Total
AGE			
Under 15			

15 - 18			
19 - 24			
25 - 35			
36 - 45			
46 - 55			
56 and over			
Cross-check sum			
<b>MARITAL STATUS</b>			
Single never married			
Married – spouse resident			
Married – spouse away			
Divorced or separated			
Widowed			
Other			
Cross-check sum			

<b>MEMBERSHIP</b>						
	<b>Women</b>		<b>Men</b>		<b>Total</b>	
	Yes	No	Yes	No	Yes	No

Farmer organization						
Women's group						
Political party						
Other (indicate)						

OCCUPATION	Women	Men	Total
Farming (own)			
Other employment – regular			
Other employment - casual			
No employment			
Student			
Total			

### Land and mobilization

- *How were different groups of people involved in consultations/negotiations and decision-making about land. Were some excluded?*
- *Were there conflicts over the giving up of land? If they were resolved, how was this achieved?*
- *If there are still conflicts, what are they?*

- *Did you participate in any protest against the company/national park?*
- *Did you participate in any protest against the government?*
- *Do you control the use of the land you farm? Who decides the crops? Who controls the income from the land? Can you lease it or sell it?*
- *Did your family's use of land change after the investment? How and why?*

*Appendix 2*  
*Sample question guide for individual interview*

**Question guide individual (in the context of household information)**

**Date:**

**Location:**

**Name of person interviewed:**

**Age:**

**Sex:**

**Marital Status:**

**No. of children**

**Ethnic group:**

**Religion:**

**1. Own history and family history**

- 1.1. How long have you lived in the area?
- 1.2. Where else have you lived?
- 1.3. What is the family situation like?
- 1.4. More on land use, agriculture and livelihoods (discussed in matrix)?

**2. Land tenure**

- 2.1. How much land do you have?
- 2.2. How did you get it (for instance, parents, inheritance, buy, clear)? Ask if wife/husband also received land.

- 2.3. Do you have a land certificate? Yes  No 
  - 2.3.1. If yes, does it include all of your land?
  - 2.3.2. Whose name is on the certificate (husband, wife, both)?
- 2.4. How is land inherited? Differences between men and women?
- 2.5. Is access to forests regulated?
- 2.6. How do young people get access to land?
- 2.7. Role of different household members: work, decisions, rights, control of income

### **3. Livelihoods/gender roles**

- 3.1. What are the main livelihood activities of your family?
- 3.2. What kind of agriculture do you do?
- 3.3. Please explain in detail who does what? And differences between women and men/, youth/adult/elderly
- 3.4. Do different household members share labour? Do they pay wage labour?
- 3.5. Please describe your typical day from morning to evening when you go to bed.
- 3.6. Who makes decisions about farming (for instance, what crops to plant, how much to sell, etc)
- 3.7. How much cash income can you get from agriculture? Any source of cash income?
- 3.8. What is cash income used for?
- 3.9. How much cash income can you get from agriculture? Any other way to get cash income?
- 3.10. What is cash income used for? Who decides how to spend the money?

#### **4. The Investment/National Park**

- 4.1. How did you first hear about the project?
- 4.2. How do you understand the company/national park? What do you know about the company?
- 4.3. Were you involved in consultations? Who (else) was involved?
- 4.4. What did the village leader and community leader do/say?
- 4.5. What role did/do government officials play? Who?
- 4.6. What do you know about the legal agreement or other official documents? Were women and men involved? How? Equally?
- 4.7. Did you know about the investment/national park? When did you first hear about it?
- 4.8. Do you think this investment/national park is good or bad? What are some of the consequences that you think it will have on your family?
- 4.9. Do you participate in community meetings about this?
- 4.10. If your husband or someone else participates, do they share the information?

Only for MSPP/MAC

- 4.11. Were you forcefully removed from your house/land?
- 4.12. Were you offered a compensation? How much?
- 4.13. Did you accept it?
- 4.14. Do you think the compensation was fair?
- 4.15. What did you do with the money received?

#### **5. Mobilization / political reactions from below (for Lenya)**

- 5.1. What is the village doing about the national park?
- 5.2.

**6. Mobilization / political reactions from below (for MSPP/MAC)**

- 6.1. Did you participate in any protest? What kind? What role did/do you play?
- 6.2. If not, why not?
- 6.3. Who organized it?
- 6.4. Where?
- 6.5. Whom were you protesting against (company, central government, local government etc)?
- 6.6. Where/how did you receive information on the protest?
- 6.7. What/who influenced your decision to join?
- 6.8. Did/does your husband/wife also participate? Other household members?
- 6.9. Describe the day (how did you get there, what did you take with you, what did you do etc)?
- 6.10. How did you feel on the day?
- 6.11. How do you feel now?
- 6.12. Do you think it was successful?
- 6.13. Did/do you participate in any other actions?
- 6.14. Did /do you receive any support from external organizations (NGOs, farmers groups, other villages etc.)?
- 6.15. Did you/do you receive any trainings? What kind?
- 6.16. Do you organize protests with other villages in your commune that have been affected by the company? How? Who organizes them?
- 6.17. Do you think that protests are useful? Which other actions do you think are useful?
- 6.18. Are you involved in any groups in the village? (women's groups, farmer groups, etc.)
- 6.19. Are you connected with other communities? If yes, how?



**7. Impact – what are the positive and negative effects of the land acquisition/investment**

- 7.1. What was the impact of the project/company for you and your household?
- 7.2. Production: what did you cultivate before? What do you cultivate now? Did/do you produce for your own consumption and/or for sale (proportion and income)?
- 7.3. Employment: income and other labour conditions?
- 7.4. Livelihoods
- 7.5. Food availability
- 7.6. Water
- 7.7. Health
- 7.8. Environmental change
- 7.9. Settlement, displacement and migration
- 7.10. Was the impact the same or different for men and women?
- 7.11. Did the ELC/project change power relations in the community? Who gained or lost?
- 7.12. Did the project affect the relation between you and your husband/wife and other family members? How?

**8. Equality and agency – Impacts of participation in land-related political reactions on women's agency**

- 8.1. Do you think your relationship with your husband and other household members changed after your engagement in acts of resistance and/or mobilization? How?
- 8.2. Has your relationship with other community members changed? Do you think your status within the community has changed? How?

- 8.3. How do you feel about expressing your opinions within your family and/or community?
- 8.4. Do you think your opinions are more/less valued than before? If so why?
- 8.5. Do you feel freer to make decisions on your own than before? If so, why?
- 8.6. Do you feel empowered (self-definition may include: more respected, more say in decision-making, more self-esteem, etc.) by participation in acts of resistance and/or mobilization? If so, how and why?

**Other issues, views, comments**

**Appendix 3**  
**Example of questionnaire on gender division of roles**

မည်မျှလောက်	ကျား	မ
၁) သက်တမ်း		✓✓
၂) ကလေးမွေး		✓✓
၃) ကုန်ကြမ်း	✓✓	✓
၄) ကောက်ပဲသစ်	✓✓	✓
၅) ကိုယ့်	✓	✓
၆) ဝါးစိုက်		✓
၇) ပျိုးနက်	✓	✓
၈) ကောက်ခိုက်	✓	✓
၉) ဝါးစိုက်	✓	✓
၁၀) ကောက်ယာရှင်း	✓	✓
၁၁) ကျွမ်းသိမ်း	✓	✓
၁၂) ကုန်ကြမ်း	✓	✓
၁၃) ကုန်ကြမ်း	✓	✓
၁၄) ကျွမ်းသိမ်း	✓	✓
၁၅) ကျွမ်းသိမ်း	✓	✓
၁၆) ကျွမ်းသိမ်း	✓	✓
၁၇) ကျွမ်းသိမ်း	✓	✓
၁၈) ကျွမ်းသိမ်း	✓	✓
၁၉) ကျွမ်းသိမ်း	✓	✓
၂၀) ကျွမ်းသိမ်း	✓	✓
၂၁) ကျွမ်းသိမ်း	✓	✓
၂၂) ကျွမ်းသိမ်း	✓	✓
၂၃) ကျွမ်းသိမ်း	✓	✓
၂၄) ကျွမ်းသိမ်း	✓	✓
၂၅) ကျွမ်းသိမ်း	✓	✓
၂၆) ကျွမ်းသိမ်း	✓	✓
၂၇) ကျွမ်းသိမ်း	✓	✓
၂၈) ကျွမ်းသိမ်း	✓	✓
၂၉) ကျွမ်းသိမ်း	✓	✓
၃၀) ကျွမ်းသိမ်း	✓	✓



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## Author's curriculum vitae

Clara Mi Young Park is a scholar and a development practitioner specializing in gender, agrarian and environmental change. She has been with the Food and Agriculture Organization of the United Nations for over a decade and currently serves as Regional Gender, Rural and Social Development Officer for the Asia Pacific region. Prior to joining the FAO regional office in Bangkok, she was in FAO Headquarters in Rome, working on women's land rights where she contributed to the development of the FAO Gender and Land Rights Database and to the programme on gender and land-based investments conducting original research in Tanzania and Lao PDR. In 2013 Clara met Prof. Jun Borras and Prof. Ben White at a conference on land grabs in Rome and was invited to join the PhD programme at ISS. Since then, Clara has written extensively on gender and agrarian change and co-edited with Prof. Ben White a Special Issue of the *Journal of Peasant Studies* on "Gender and generation in Southeast Asia agrarian transformation". Prior to joining FAO, Clara worked with civil society groups focusing on gender equality and women's rights in Europe, Africa and MENA.