

# FORCED EVICTIONS AS URBAN PLANNING? TRACES OF COLONIAL LAND CONTROL PRACTICES IN YANGON, MYANMAR

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**Abstract:** From 1852 to 1948, the British colonial government developed and relied heavily upon particular land control practices to enact forms of urban planning and population control designed to advance the economic development of Rangoon and maximize revenue for the colonial state. There are three main colonial land control policies with long-standing legacies: the annihilation of pre-conquest property rights, the intentional under-equipping and underservicing of Burman majority or outlying areas, and the use of forced evictions in urban development and city expansion. While these forms of state crime linked to the state organizational goal of land control began in the colonial period, their legacies continue in contemporary Yangon. However, the current social and structural issues in Yangon are not the fault of the British colonial government alone. Subsequent Burmese governments largely continued, borrowed from, or reverted to these state criminal practices at critical junctures to open further space for development, to change the demographic composition of particular areas or simply to control the population. Despite purported ideological differences, successive Burmese regimes have adopted urban planning and housing policies, especially with respect to the urban poor, that vary only slightly from the precedents set by the British colonial administration. Recent actions and pronouncements by the current government suggest that further forced evictions will occur and the National League for Democracy (NLD) will continue to follow colonial precedents in state policies towards forced evictions and the urban poor.

**Keywords:** Myanmar; Yangon; evictions; land control; urban; property rights

## Introduction

In Burma,<sup>1</sup> the laws and policies underpinning land control, or temporally bound “practices that fix or consolidate forms of access, claiming, and exclusion” (Peluso and Lund 2011: 668), affect areas including housing rights, population density, health and sanitation, taxation, public revenue and human rights. Many contemporary issues related to land control – from land and housing rights to population

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demographics – are the direct or indirect results of colonial land policy, revenue extraction and urban planning. The British colonial government developed and relied heavily upon various types of land control in creating urban planning and population control practices designed to advance the economic development of Rangoon and maximize revenue for the colonial state. Colonial era policies have not continued without change. Subsequent Burmese governments have adapted, re-adapted, borrowed from or reverted to these practices at critical junctures (i.e. under the 1958 military caretaker government or following the 1988 military coup)<sup>2</sup> to open further space for development, change the demographic composition of particular areas or simply as a population control measure.

This article provides a brief overview of general policies regarding land control in Yangon, beginning with the colonial period, before focusing on forced evictions as a case study of the historical, cultural and legal specifics of land control in Yangon, including related human rights violations. I argue that Burmese regimes of purported ideological difference (colonial (1852–1948), post-colonial democratic (1948–1958; 1960–1962), military “caretaker” for a democratic government (1958–1960), “socialist” (1962–1988), military junta (1988–2011) and nominally democratic (2011–present)) in practice varied only slightly in terms of their urban planning and housing policies, especially with respect to the urban poor. That these periods encapsulated almost identical approaches to urban planning and housing helps us rethink assumptions about the importance of shifts in governance or purported state ideologies. Similar to Penny Green and Tony Ward’s (2004) argument with respect to state violence (109), I argue that states that have histories of using forced evictions as population and land control measures are likely to continue to view forced evictions as an appropriate means of land control and governance. In this way, practices that began in the colonial era and have now been labelled as criminal by civil society and/or international law have been adapted and recycled through changing regimes and circumstances.<sup>3</sup>

This article examines Yangon’s colonial legacy with regard to forced evictions and how contemporary state criminal practices related to urban planning, land control and governance have strong colonial precedents, which have shaped the avenues available for Myanmar’s post-colonial governments. In Myanmar’s case, it remains to be seen if the National League for Democracy (NLD) government<sup>4</sup> will continue the approach of previous governments – viewing the urban poor as a problem better dealt with by forcibly evicting and moving them from the centre to the periphery, expanding the city in the process – or if a democratic mandate will change the way that the regional government addresses urban housing and property rights. However, with the Burmese state’s long history of using forced evictions under various types of government, the NLD breaking with long-standing Burmese state practice in this area seems unlikely. Official government

pronouncements support the continuance of evictions (Moe 2016; McPherson 2016) and recent evictions under the NLD drew comparisons in the press to previous forced evictions under military rule (Wa Lone 2017). For the urban poor, squatters and others vulnerable to forced evictions, the NLD, inheriting a governance framework and institutions from previous eras, may not be the bearer of change that was heralded.<sup>5</sup> As Christian Lund (2016) reminds us, “. . . most new orders combine with the institutional debris of the past” (1204).

## Forced Evictions as Land Control

For states, as Peluso and Lund (2011) explain, control over land equates to control over people and resources – both of which are valuable to states.<sup>6</sup> For Peluso and Lund (2011), practices such as “Enclosure, territorialization, and legalization processes, as well as force and violence (or the threat of them), all serve to control land” (668). Explicitly and heavily legislated land control policies, mechanisms and practices have been part of the legal canon and the practice of the Burmese state since the colonial period. The Burmese state’s practice of urban land control has taken forms such as military conquest, enclosure of community lands, claiming all land as the property of the state, registration of land, selling off public lands and forced evictions used to simultaneously gain access to strategic or valuable land and control the squatter population. As evidenced in Leckie and Simperingham’s (2009) analysis of housing, land and property (HLP) law in Burma, consecutive Burmese regimes dating back to the colonial period have viewed land control as “a central means of conveniently and simultaneously maintaining power and extracting wealth” (15).

Than Than Nwe (1998) has argued that urbanization in Myanmar is highly dependent on political factors, perhaps more so than economic push and pull factors, and links changes in urban pattern and form to political change. As this article will show, consecutive Burmese governments have used forced eviction and relocation as a means of land control often as some of the first acts upon taking power. According to Peluso and Lund’s (2011) definition of land control, enclosure, territorialization, force and legalization have all been at work in Yangon. This article focuses primarily on force and territorialization, which have served to open new areas for development by evicting those living there (force) and expand the territory of the city through relocating people to the outskirts and incorporating these newly populated areas into the municipality (territorialization). Land control practices as a means of population, economic and political control by various Burmese governments have been well documented in rural areas, border areas and areas with large ethnic minority populations (see Woods 2011, 2013). This study examines similar economic and political motivations and government practices at work in Yangon over 160 years of state practice.

The resulting abuses of human rights, degradation of access to sanitation and health services, and removal of populations from traditional labour centres such as downtown Yangon, making the displaced population suited for factory labour in the resettlement areas (where such work is available) are overlooked by the state. Not only are these consequences overlooked, in many cases, these are the intentional, desired results of the land grabs and forced evictions as land is further commoditized while wage labour becomes less valuable (see Prasse-Freeman and Phyo Win Latt 2018). Thus, in one action – forced eviction – the state can simultaneously exert its authority over the population and free up a valuable commodity for investment.

In the colonial period (1852–1948), land control served as a means of governmentality as one of the ways in which the colonial state created colonial subjects, economic systems and regulated, territorialized spaces (Foucault 2009; Osada 2014, 2016; see also Brown, this volume). Governmentality and governance in the colonial period were intertwined and carried out through acts of claiming that Peluso and Lund (2011) refer to as “territorialisation” (673). As Peluso and Lund (2011) write,

If territorialisation is a mechanism with many possible means for control of people and resources by controlling territory or land, it is a process that we can understand as part of both governance and the disciplining of practice associated with governmentality. (673)

As Peluso and Lund (2011) explain, territorialization “can be seen as an explicit move to ‘governmentalize’ space – or . . . ‘to control’ by claiming the power to govern territorially. In other words, governance or control of territory constitutes a form of land control” (673).

Land control was used in Burma by successive governments from the colonial period onwards to exact control over both land and people. Prior to the British colonial period, territorialization was not as central to governance or governmentality. Burma, like other contemporary Southeast Asian kingdoms, was more concerned with control over people rather than control over territory (see Beemer 2009; Scott 2009; Tambiah 1977). Following the Second Anglo-Burmese War and the occupation of Rangoon in 1852, the colonial government used territorialization to create legible spaces for revenue extraction and colonial subjects – although at times, these twin aims were in conflict (Osada 2014).<sup>7</sup>

In the post-colonial Burmese state, land control through force and territorialization was used as a punitive measure to both rid certain strategic locations of undesirables or troublemakers to create governable spaces and to punish dissidents (particularly post-1988). In the contemporary period, land control remains pivotal in regulating the economic, political and social spheres of subjects of the Burmese

state and often takes the form and language of development projects (see Li 1999; Prasse-Freeman and Phyo Win Latt 2018; Woods 2011). However, unlike other examples of development schemes as a means of legitimating state power (Li 1999: 296), Burma's land control policies, as Prasse-Freeman and Phyo Win Latt (2018) have argued, are justified by the state based on the promise of development in the future (409). However, in the present, much like in the colonial period, such practices are designed to consolidate wealth among particular groups of elites and exert control over local populations.

### **Forced Evictions as Human Rights Violation(s) and State Criminality**

The United Nations Committee on Economic, Social and Cultural Rights (CESER), the treaty body for the International Covenant on Economic Social and Cultural Rights (ICESCR; which Myanmar ratified in late 2017), defines "forced eviction" as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection" (CESCR 1997). A 2014 UN Habitat and UN Office of the High Commissioner for Human Rights Joint-Fact Sheet (2014: 6) listed articles of the ICESCR, International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR) that are violated by the act of forced evictions. These include the right to life; right to health; right to work; right to an adequate standard of living; right to an effective remedy; right to non-interference with privacy, home and family; right to security of the person; freedom of movement and to choose one's residence; right to property; right to vote and take part in public affairs; freedom from cruel, inhuman and degrading treatment; and the right to education (UN Habitat and UN Office of the High Commissioner for Human Rights 2014: 6).

While Burma may be a recent signatory to the Convention, according to many legal scholars and international tribunals, the "International Bill of Human Rights" consisting of the ICCPR, ICESCR, both treaties' Optional Protocols, and the non-binding Universal Declaration of Human Rights (UDHR) has achieved the status of general principles of law or customary international law (see, among others, Anaya 1998; Charlesworth 2008: para 16; Hannum 1996; Lillich 1996). Understanding the violations present in forced evictions, regardless of whether or when the state of Myanmar has acceded to human rights treaties, is key to analysis of Burma/Myanmar's forced evictions in a state crime framework as it places forced evictions under both the deviance (Green and Ward 2000, 2004) and the legalistic (sf. Kauzlarich and Kramer 1998; Kauzlarich, Matthews and Miller 2001: 176) frameworks of state crime.

While forced evictions violate multiple human rights provisions in international law, the Burmese state has historically used evictions as a form of land control to accomplish state organizational goals of both punishment of certain elements of the population and accumulation by dispossession (Harvey 2003) for the state and elites. For state crime theorists Green and Ward, state crime is the overlap between violations of human rights (both active violations and failures to fulfil and protect) and “state organizational deviance” (2000: 110; see also Green and Ward 2004: 7). I argue that forced evictions in Myanmar are a form of state crime encouraged by state organizational deviance in pursuit of land control and accumulation by dispossession. Furthermore, as state crime, according to Green and Ward’s (2004) definition, requires a social audience to define it, Burmese civil society is defining forms of urban land control, land grabbing and forced evictions as state crime (see: UNOHCHR 2014; Yen Saning 2014).

During the State Law and Order Restoration Council (SLORC) and State Peace and Development Council (SPDC) military governments, civil society organizations (CSOs) in urban, state-controlled areas were focused on service provision, meeting the basic needs of some of the country’s most marginalized communities (see Prasse-Freeman 2012). Operating outside of the control of SLORC and SPDC, cross-border CSOs were able to focus on political advocacy and raising awareness on issues as widespread as the cross-border drug trade, child labour, child soldiers and ongoing human rights abuses. Due to this dichotomy in civil society – politics as “outside” work and service provision as “inside” work – many of the everyday injustices faced by people in urban areas living under military rule were not as well documented or widely publicized as those related to political prisoners, the political opposition or border areas.<sup>8</sup>

However, Petrie and South (2013: 11) note the increased politicization of urban civil society in government-controlled areas of Myanmar over the past decade, and dramatically so after the most recent transition began in 2011. Early in the transition Lidauer (2012: 89) noted that it was perhaps an unintended (on the part of the military elite) consequence of the transition process that a politically engaged civil society began to emerge in Myanmar in contesting the 2010 general and 2012 by-elections. Yet, the vast majority of recent scholarship on the nexus of land control and state criminality in Myanmar focuses on land grabs in rural areas, agricultural land and “development” projects in border areas and special economic zones (see Green, Lasslett and Sherwood 2014; Hudson-Rodd and Htay 2010; Woods 2011; Buchanan, Kramer and Woods 2013; among others). Yangon Region’s population is projected to increase by 39 per cent between 2015 and 2031 (Republic of the Union of Myanmar 2017), reaching 10 million before 2014 (Scobey-Thal 2013). With this rate of population growth coupled with the inevitable increase in patterns of rural–urban migration through land grabs and

development projects in rural areas, scholarly attention needs to pay further heed to the issue of urban land control as a site of contemporary and past state criminal practice linked to dispossession, labour and services.

## Methodology

The research for this article was conducted in the India Office Records archive of the British Library in 2013–2017 and the Myanmar National Archives in Yangon in 2015–2016. I also conducted long, open-ended interviews with Rangoon residents evicted in 1989. I noticed a pattern of evictions (forced and with due process)<sup>9</sup> emerging in both the archives and my empirical research and realized that evictions were not a recent phenomenon due to increased investment, pressure on land, migration or urbanization but have been an integral part of every land control regime at work in Rangoon since the time of the British conquest.

It was clear in the archives that large-scale forced evictions seemed to occur during times of transition or political change and were used mainly to claim territory for the state, gain control over economically valuable parcels of land, “clean up” or “develop” the city from certain types of habitation or certain “types” of residents, or as a punitive measure for political activity. This sort of behaviour by states in relationship to land control and forced evictions is by no means limited to Burma. UN Habitat and the Office of the High Commissioner for Human Rights (2014: 4) have noted that all of these situations are common excuses for states’ use of forced evictions. However, as Burma is currently undergoing what scholars, the media and the international community are referring to as a political “transition” beginning in 2011, an historical overview of the history of urban land control and forced evictions in Rangoon will contextualize contemporary evictions and serves to question the discourse of “transition” as an extraordinary state in Burma.

The next section will follow forced evictions as land control in Burma beginning in the colonial period before moving to the parliamentary era post independence, Burma under General Ne Win’s “Burmese Way to Socialism” and ending with the military junta that came to power following the 1988 democratic uprising.

## Forced Evictions at the Outset: Developing Rangoon “from Scratch”

When the British formally annexed Lower Burma in 1853, following the Second Anglo-Burmese War in 1852, they took over administration of Rangoon from the ruling Konbaung dynasty. In the colonial government’s first act of land control, the British claimed all land in what was then a small fortified city known as Ukkalapa about 1.5 miles north of the river and a commercial centre lining the riverbank,

much of which had been destroyed in the war (Pearn 1939: 190–191). The colonial government recognized none of the property rights or claims of previous inhabitants, declaring all land to be Crown Land belonging to her majesty Queen Victoria.<sup>10</sup> As civilians who fled fighting between British troops and Burmese King Tharrawaddy's forces returned to the city, they were not allowed to settle in the fortified, higher and dryer area north of the river – what had been King Tharrawaddy's young town of Ukkalapa – as it was used as a cantonment for the British troops. As retreating Burmese forces burned what remained of the earlier settlement of Rangon, so as to prevent British troops from making use of the site, returning civilians had nowhere to go.<sup>11</sup> The British allowed civilians to receive temporary land grants on plots in the old town, but these land grants afforded few legal rights to dwellers, and they would have to vacate as soon as the Government of India<sup>12</sup> decided how to develop the city of Rangoon (Pearn 1939: 175–176).

The British colonial government essentially created an entirely new city as few landmarks or infrastructure beyond the pagodas, earthen fortifications, dirt tracks and the Rangoon River survived the war. British military engineer Alexander Fraser planned the new city on a grid system with the Sule Pagoda at its centre and the Rangoon River bordering the city on the southern end. The grid system meant that the old town centre was to be the new commercial and administrative district, with the British military and European colonial elites housed predominately north of the grid on the former site of King Tharrawaddy's Ukkalapa (Seekins 2011: 40). The monasteries and *damayones*<sup>13</sup> that remained near the river were removed to a shared plot to form a large monastic complex, Thayetdaw Monastery Compound, north of the grid in Lanmadaw, and those that were relocated or destroyed were not allowed to rebuild in the grid area.<sup>14</sup>

However, the Burmese town of Rangon (later Rangoon), outside of the higher ground where King Tharrawaddy based his city and the British based their military, was low-lying swampland, much of it covered by a shallow lagoon. Having claimed all the land as government property, the Government of India divided the plots into categories according to size and price and began to sell off their new land as freehold plots to private firms and individuals to finance reclamation, development and infrastructure in the new city (Webb 1923: 37–38). Sales of town land were leveraged to offset the costs of colonial administration in Rangoon by draining swampland, outfitting newly reclaimed plots with municipal services and selling plots with freehold rights to colonial elites. Sales of land in Rangoon were the main source of revenue available for the reclamation and development of the city for the next 20 years.

Due to the way in which Rangoon was developed by claiming, reclaiming and selling off “city lands”, by 1872, the overwhelming majority of valuable crown land in the central part of town had already been alienated and sold as freehold



(Pearn 1939: 260; Webb 1923: 39). The city desperately needed a new and more sustainable source of revenue, if it was “to avoid the complete alienation of the public land within the town” (Pearn 1939: 260). The solution was to instead lease the remaining city lands, consisting of un-reclaimed swamps inhabited by Burmese residents who were pushed out of the city’s core and had cleared the land themselves. Yet, during this period, the longest lease available was 15 years and most leases were 5 years (Pearn 1939: 260). As Webb (1923: 40), a long-time Indian Civil Service (ICS) official, first Vice-Chancellor of Rangoon University and the founding Chairman of the Rangoon Development Trust has noted, while not the case in the rest of British India, where 30-year leases in urban areas were government policy, this short-term tenure system became the norm in Rangoon. With such short-term leases, land rents did not reflect their true commercial value as short-term leases did not warrant significant investment, meaning nothing substantial could be built on the sites. This below-value revenue and short-term lease system continued post-1872 in both swampy and recently reclaimed areas, as in many parts of the city, the tenure system did not immediately change with reclamation. Webb (1923) argues that the “small and flimsy nature” of Rangoon’s buildings were “. . . encouraged by the shortness of the tenures under which a large portion of the city lands were occupied” (41).

Owing to the Government of India’s earlier policies of granting returning civilians temporary land grants in the old town, and post-1872 leasing un-reclaimed land, the plots to be reclaimed, leased or sold to finance the development of the new city were by no means vacant. In fact, the issue of what to do with those evicted under the reclamation scheme, and whether residents were “removed from their homes” is commented on in government reports on land reclamation in Rangoon throughout the colonial period (sf. Government of Burma 1909; Government of Burma 1911). The below excerpt from a Rangoon Development Trust (1921)<sup>15</sup> annual report comments on how their predecessors in the previous decades dealt with this issue:

The displacement of population in Lanmadaw, Botataung, Tarmye [sic], inevitable if the commercial expansion of the city was not to be frustrated, would have been effected with ease, if there had been adequate alternative accommodation for the housing of the displaced population. The displacements were a tragedy, because the policy of favouring short leases, and of perpetuating squatter occupancy, which had been pursued in the past, had resulted in keeping housing accommodation down to a minimum, quite insufficient to allow for normal expansion. (13–14)

A 1911 Municipal Committee report conveys that as Rangoon grew in population, the same level of infrastructure provided to the central business district need not

be provided to newly reclaimed lands elsewhere.<sup>16</sup> The 1911 Municipal Committee report was referring to Ahlone and Theinbyu townships as these areas were to be partially reclaimed to support those already evicted from the city centre townships of Lanmadaw and East Rangoon. As these areas (Ahlone and Theinbyu) were designated as “refuges for the poorer classes”, the city would need “to provide a less elaborate equipment for these areas”, meaning no sewage or water provision in homes, and the internal roads would also be of a lower standard than elsewhere in the city (Government of Burma 1911). This decision affected Rangoon for decades to come, with a two-tiered system of service provision – the central business district and everywhere else.

The same report mentioned that these areas (Theinbyu and Ahlone) “. . . will be fully occupied by persons evicted from lands under reclamation and no portion will be available for the squatters whom the military authorities desire to remove from Boyiguda Bazaar within the Cantonments”. The reports on eviction from Lanmadaw, the Cantonments, Bohtataung and relocation schemes in the British colonial records reflect that evictions for military, municipal or commercial use were commonplace in Rangoon for decades as the city administration planned evictions from valuable land (downtown – Lanmadaw and Bohtataung; Cantonment area) and resettlement to intentionally underserved areas (i.e. Ahlone and Theinbyu).

The reclamation scheme was abandoned due to lack of funds by 1914, and the expanding city experienced a shortage of available commercial and residential property until the Rangoon Development Trust was founded in 1921. The majority of revenues for Rangoon’s development came from the sale or lease of city lands – which until 1921, were administered directly by the Government of Burma rather than the municipality of Rangoon, with the municipality receiving funds for reclamation based on the surplus left after the Government deducted their costs (Webb 1923: 39).<sup>17</sup> Because most revenue went to the colonial provincial government, there were few funds for the municipal government to continue planned development schemes. Many schemes were aborted or not completed as designed (Webb 1923: 39–40). This led to a situation where there was a severe housing shortage and services were not extended to large areas of the city.

## **Post-independence: Democratic Governance and Voluntary Relocation**

At independence in 1948, the democratic government sought to rebuild the city following the destruction of World War II and implemented a social welfare programme including housing programmes for low-income residents and civil servants. This social welfare programme marked a decisive ideological

departure from the colonial period, where the state momentarily moved from a programme of land control as wealth extraction in Yangon to land control for more effective social service provision for urban populations. Under the 1951 National Housing and Town and Country Development Board (NHB) Act, the Rangoon Development Trust's responsibilities were assumed by the NHB and applied on a national scale. The NHB was "... a body in which combined town and country planning, all stages in the housing-supply process, urban water supply and sewerage, and the administration of land within the Rangoon City boundary" (Standley and Etherton 1991: 65).

Yet, despite these changes in government and in economic and social policy, many of the practices of the colonial government regarding urban land use policies and population control continued in independent Burma. This was in part due to the lack of demilitarization when the British withdrew as the independent government faced multiple insurgencies almost immediately following independence. It was also due to the legal system put in place by colonial authorities, which continues to underpin Burmese ideas and practices of law and order today (see Cheesman 2015; United Nations Development Programme [UNDP] 2015: 13). While policies of eviction and relocation continued in independent Burma, they were curtailed by the democratic government's concerns over electoral politics as forced evictions would diminish the ruling party's popularity.

For city administrators, the problem of overpopulation and squatter settlements in the city centre was like that confronted by the colonial authorities. Post-independence, downtown Rangoon had a population of 250,000 people in an area that was 1 kilometre wide and stretched 4.5 kilometres along the riverfront (Morley 2013: 612). By the 1950s, the city's population had risen to 650,000, with a total squatter population of 300,000 – mainly due to migration caused by multiple insurgencies (Standley and Etherton 1991: 60; Government of the Union of Burma 1960: 2–3). The democratic government instituted a squatter resettlement programme to new estates on the outskirts of the city, but it was so highly unpopular that by 1957, less than 3,000 families had been resettled (Morley 2013: 612; Than Than Nwe 1998: 97). Reluctant to forcibly remove squatters for fear of losing popularity and votes, U Nu's post-independence government instituted a policy of short-term housing in "transit camps" for fire victims and slum dwellers (Government of the Union of Burma 1954: 119), and built housing for civil servants, building 32-unit buildings in downtown slum areas and rebuilding housing on fire-gutted downtown plots (Government of the Union of Burma 1954: 119). U Nu's government also began large-scale housing development through the NHB in Yankin and later Thuwanna to encourage voluntary population movement to what was then the periphery of the city (Morley 2013: 612; Government of the Union of Burma 1954: 119). While the practice of moving the urban poor

from the centre to the periphery continued in the democratic period, the democratic nature of the government meant that forced evictions were not used on a large-scale basis for clearing valuable land like the previous colonial regime.

### **Expansion Through Eviction: The “Sweat Scheme” to “Improve Civic Elegance” and Other Urban Planning Policies under General Ne Win**

During the military caretaker government of 1958–1960, the Rangoon Municipal Corporation was dissolved, and Colonel Tun Sein was installed as mayor of Rangoon (Government of the Union of Burma 1960: 69). He began an operation to “improve the civic elegance” of the city, known as the “Sweat Scheme”. The first phase involved 100,000 civilian participants and 25,000 military participants in 25 weekly “Operation Sweat” campaigns, removing a reported 11,154 tons of rubbish (Government of the Union of Burma 1960: 73). The second phase consisted of removing stalls encroaching on sidewalks and “hutments” (Government of the Union of Burma 1960: 69). Colonel Tun Sein with the Rangoon Corporation and the NHB oversaw the destruction of the city’s “hutments” (informal housing) and a mass forced eviction of downtown slum dwellers, resettling 164,301 people between January and May 1959 to three newly formed townships in Rangoon’s northeast periphery – Tharketa, North and South Okkalapa (Seekins 2011: 89). Across the three new townships, 60,000 households or 300,000 people were resettled onto 40 × 60 ft. plots (Myanmar National Archives 1984: 24). At the time of the forced evictions, these townships had little infrastructure and no industry. As Seekins (2011: 89) notes, most of the slum dwellers forcibly evicted from the city centre were informal sector workers employed in downtown Rangoon’s service economy, which meant long and expensive commutes if they were to continue their employment or a lack of customers if they chose to ply their services in the new townships. While the caretaker government noted in 1960 that service provision in the new townships was “far from satisfactory” (Government of the Union of Burma 1960: 386), in 1991 observers found that the townships continued to “suffer from inadequate services, especially drainage and sanitation” (Standley and Etherton 1991: 62). Similar to the colonial government’s practice of removing squatters from the city centre to outlying areas with intentionally low levels of service provision, without concerns over elections to deter them, the caretaker government continued an almost identical policy with regard to forced eviction and service provision in newly minted neighbourhoods.

Squatter resettlement continued in the 1960s, and in 1971, UNCHS reports that 38,000 squatter households and fire victims were identified and removed from public spaces (Myanmar National Archives 1984: Annex 2.8: 3). The BSPP continued a policy of squatter resettlement, particularly when the government needed

land for development. Yet, from 1971 to 1980, squatters increased by 17,000 people per annum, bringing the squatter population in 1980 to 16.7% of the municipal population (Myanmar National Archives 1984: 31). By the early–mid 1980s, it was clear that Rangoon was facing another major housing shortage and significant lack of service provision.

In 1984, after more than two decades of military rule, the majority of townships that were underserved Bamar Buddhist-majority areas during the colonial era, including Sanchaung, Kemmendine, Ahlone, Tamwe, Pazundaung, Bahan and Kamayut, still used the bucket system for their bodily waste (Myanmar National Archives 1984: 20). While septic tanks were installed in some of these areas under the military caretaker government in 1958–1960 (Government of the Union of Burma 1960: 80), by 1984, only wealthy residential units and a few main, mid-century housing estates used them, an estimated 15% of the city (Myanmar National Archives 1984: 20). The practice of using buckets in public latrines was officially disbanded in 1982, although the municipality continued collecting night soil until 1988 (Standley and Etherton 1991: 6, 70). In less densely populated areas of the city, including Thaketa and North and South Okkalapa, Insein, Dalla, Mayangone and Thingangyun, an estimated 800,000 people relied on open pit latrines (Myanmar National Archives 1984: 20).

In the 1980s, General Ne Win's Burma Socialist Programme Party (BSPP) government continued to remove squatters from the city centre to even newer townships on the city's periphery. One example was the policy that prevented fire victims from rebuilding their homes in the same area after a fire. Fire victims were often moved to new satellite towns and given plots there instead of rebuilding on the sites of their existing homes or neighbourhoods, freeing valuable land for commercial or residential redevelopment (Standley and Etherton 1991: 116, 119).<sup>18</sup> If the landowners were nowhere to be found, the land reverted to the government after the fire and the individual flat owners of any buildings on the site were relocated. In some cases, the government relocates all residents, including freeholders (UN Habitat n.d.: 10).<sup>19</sup>

Standley and Etherton (1991) estimated that in 1985–1986 alone, fires affected 5,400 households in Rangoon (71), with at least 8,500 households relocated to outlying townships following fires in 1986–1988 (77). As Seekins (2011: 97) describes,

... hundreds of fire victims were resettled on the west bank of the Hlaing River, at that time a remote area. The cleared land in central Rangoon was then allocated for state projects. To discourage relocated people from moving back to the city center, the state did not issue identity cards to children who lived in unauthorized areas, including squatter settlements.

In 1986, with assistance from UN Habitat, a structure plan for Rangoon city was published. The plan focused on areas to be developed, such as an east–west axis across

the northern areas of the city; an industrial zone and port facilities in Syriam (Thanlyin) across the river; and rehabilitating the central business district (Standley and Etherton 1991: 75). Instead of following the proposed structure plan for the city, the government began resettling squatters in undeveloped, relatively remote areas across the Hlaing River and Pazundaung Creek, beginning with relocating fire victims and civil servants and continuing on a much larger scale post-1988.<sup>20</sup>

### **Planning or Punishment? Post-1988 Forced Evictions under the Military Junta**

In 1988, with protests across the country, General Ne Win resigned and a group of senior generals instituted a military coup and reconstituted the government as the SLORC.<sup>21</sup> The SLORC significantly increased the rate of squatter eviction and resettlement post 1988 and continued with the relocation of hundreds of thousands of civil servants to plots in new outlying townships. By mid-1990, an estimated 580,000–590,000 people in Rangoon alone – approximately 20 per cent of the city’s population – had been relocated by the SLORC, primarily to the new townships of Hlaing Thayar, Dagon Myo Thit and Shwe Pyi Thar (Standley and Etherton 1991: 77). The state’s own publications put the number of squatters resettled in new townships from 1989–1993 at 200,000 people (Myanmar National Archives 2000: 9).

While the city took action to deal with overpopulation and informal housing in Rangoon after decades of neglect,<sup>22</sup> the speed and extent of the resettlement post 1988 was unprecedented internationally at the time – particularly for a country with Least Developed Country status (Standley and Etherton 1991: 61).<sup>23</sup> While contemporary observers (Standley and Etherton 1991: 11) pointed out the obvious similarities, there were some major differences between the military caretaker government and the SLORC’s approaches to squatter resettlement. Significantly, as Standley and Etherton (1991) note, the post-1988 resettlement scheme was national in scope, not just limited to Rangoon. The scheme also included resettlement and housing schemes for civil servants from over one dozen ministries. The timing of the resettlement programme, occurring after the 1988 uprisings and during the run-up to the 1990 election meant that it was “. . . a much more emotionally charged phenomenon” (Standley and Etherton 1991: 11). Nationally, an estimated 1.5 million people, 16 per cent of the country’s urban population, were affected by the post-1988 resettlement programme (Standley and Etherton 1991: 61). With a new military government taking over in 1988, ostensibly until the 1990 elections could be held, it could be that they wanted to follow in the footsteps of the predecessor military caretaker government and quickly “clean up” the city. However, archival and interview data point to multiple motivations beyond urban beautification.

The timing, scope and targets of the resettlement programme (urban areas, some areas that were not overcrowded, areas where residents held freehold titles or lived in substantial housing) led several contemporary commentators, donor agencies and scholars to question the objectives and the motives behind the resettlement scheme. Standley and Etherton (1991) compiled a list of objectives for the scheme, based on official statements and the UN mission's interviews with government officials. The list of objectives included freeing areas for public parks and commercial development; reducing fire risks and improving public health; halting illegal land uses; improving the physical appearance of cities; and perhaps most revealing of the SLORC's motives "to improve the ability of the authorities to introduce better standards of law and order".<sup>24</sup> For Seekins (2011), the resettlement scheme mapped onto Burma's urban landscapes the SLORC's preoccupation with law and order and controlling national narratives. Seekins (2011: 161) describes the SLORC's motives in the post-1988 urban development and resettlement schemes as follows:

City landscapes have been transformed by junta imperatives, which can be described as: making the city secure and insurrection-proof, including the mass involuntary relocation of city-center residents and the marginalization of students; erasing sites and communal memories associated with past resistance against the state . . .

There is considerable evidence pointing to the political or even punitive motivations behind the SLORC's resettlement scheme. Lubeigt (2007: 159) mentions the government specifically targeting squatter communities in pagoda and monastic compounds due to the involvement of these populations in the anti-government demonstrations of 1988. This was not only a punitive measure imposed by the SLORC for suspected previous actions, but also worked to disrupt the social fabric of these communities, forestalling any future action. As anthropologist Monique Skidmore (2004) writes of her fieldwork on the psychology of fear in Rangoon's post-1988 new townships, ". . . physically uprooting families . . . is a devastatingly successful policy in the short term as it disables people's information and friendship networks, adding to feelings of alienation and psychological isolation" (89). The SLORC's urban squatter resettlement programme allowed the SLORC to live up to their namesake of "restoring law and order" by using a "divide and conquer" method as a tool of punishment, allowing for surveillance of key target populations and prevention of future uprisings by severely weakening social relations through enforced distance and socio-economic stress.

Standley and Etherton (1991) note that one of the most controversial aspects of the programme was the resettlement of up to 40,000 people from Rangoon in new villages up to 50 miles outside of the city in very rural areas. The rationale was

either extreme poverty, where those resettled were unable to pay for the urban plots and cost of housing construction in Rangoon's new townships, or, evictees who "... for political reasons were moved to rural areas where activities could be better controlled by the authorities" (Standley and Etherton 1991: 101–102). Seekins (2011) found in his research on resistance to state authority in Rangoon, that certain neighbourhoods, "... where residents had sheltered or aided demonstrators in 1988 seem to have been singled out for redevelopment, including residential areas near the DSC [Defence Services Compound] and in Bahan Township [near the Shwedagon Pagoda]" (165). Morley (2013) writes that post 1988, the land in the Shwedagon vicinity (Bahan township) was "strategically redesigned in part to smash anti-government solidarity" (611).

In my own fieldwork in Yangon, I found similar accounts from residents of Bahan Township. Beginning on 7 August 1988, there was an occupation of the Shwedagon by the pro-democracy movement. Neighbouring residents supported the protestors and donated beverages, rice, hard-boiled eggs and *ngapi* (fish paste) to sustain them during the occupation. Area residents detailed how supporters of the protestors were relocated in 1989. Eleven army trucks were needed to remove all the targeted families in Bahan. Now, their former homes and properties are occupied by Buddhist religious associations and monasteries – *damayones* and *pongyi kyaungs*. One informant had a freehold plot in Bahan measuring 100 × 200 feet (20,000 square feet) that was shared with his siblings. They were moved to Dagon Myo Thit (a new township), and the family was given seven plots measuring 40 × 60 ft. each (16,800 square feet in total) – a difference of 3,200 square feet, not to mention the enormous difference in property value from a well-equipped plot next to the Shwedagon Pagoda and near downtown to seven unequipped plots at what was then about a 45-minute commute by car into the city centre (it is now about 90 minutes by car and longer on public transport).<sup>25</sup>

Evictions of pro-democracy activists and others from areas of unrest during the 1988 uprising may have been a punitive action on the part of the SLORC, using force to police bodies. By using territorialization to annex land to the municipality, this particular act of land control by the Burmese state also opened up new and valuable spaces for development just as Burma's economy was opening after 26 years of "socialist" or rather, autarchic economic policy.

## Post-1988 Forced Evictions: Opening Up New Space for Urban Development

The Rangoon City Development Committee (RCDC) and the Housing Department (HD) of the Ministry of Construction (the successor of the NHB and the Rangoon



Development Trust) oversaw the post-1988 evictions and resettlement scheme. In 1990, the Yangon City Development Committee (YCDC) was constituted, taking some powers from HD and RCDC and with considerable new powers. YCDC has the right to buy, sell and own land; to manage an estate of several thousand acres; to levy municipal taxes; to create joint ventures with foreign companies; and has control over urban planning in the city, including delineating and incorporating new townships and relocating squatters.

Some informants reported being evicted or seeing neighbours evicted from substantial housing later confiscated by the YCDC and sold, leased or made into part of a joint-venture with a developer to build an apartment block, or granted to Buddhist religious associations. Nancy Hudson-Rodd (2004) has also noted that some evictees lived in substantial housing (20) and how YCDC's formation has benefited local construction firms (26). Standley and Etherton's (1991) report includes information on the areas cleared by the YCDC on the orders of the SLORC within Rangoon, where residents were resettled and what type of clearance occurred (squatters, leaseholders, freeholders, etc.) and includes comments on what happened to the cleared land and/or the resettled residents (120–125). Many of the cleared areas were used for infrastructure development by the YCDC, such as widening roads or "beautifying the river", but others were used for commercial developments, confirming some of the stories from Rangoon informants (Standley and Etherton 1991: 124). U.S. State Department reports throughout the 1990s and 2000s echo this, a 1999 report claiming "previously confiscated land was developed into high-density housing that previously evicted tenants could purchase only at prices beyond the means of many".

Thus, YCDC, the nominally democratic<sup>26</sup> municipal body currently responsible for planning, taxation and use of municipal lands got its start and – like its colonial predecessor, the Rangoon Development Trust – some of its capital through involvement with post-eviction property development. Seekins (2005, 2011) has argued convincingly that areas of the city that were sites of punitive evictions due to residents' roles in 1988 or pro-democracy protests in those areas were targeted for redevelopment by the YCDC. This redevelopment served three functions: a punitive measure directed at the evictees and those who remained in the neighbourhood, a form of accumulation by dispossession (Harvey 2003) and a pre-emptive redesign of space from one that fostered communal interaction to one that fostered commercial interaction. Seekins (2005: 265) gives the example of the replacement of Myenigone Market, the site of the 21 June 1988 incident where protestors clashed violently with riot police, with apartment buildings and shops, as an intentional and punitive redesign of the Myenigone area.

Prior to the creation of YCDC and SLORC's policy moves towards a more open economy, land had comparatively little value and there was scant private property

development. According to a joint UN–Government report, while land prices were growing elsewhere in the city due to a scarcity in building land, there were almost no land transactions in the central business district (Myanmar National Archives 1984: 13). This changed following 1988 and in 1990 with the new powers granted to YCDC, including the power to receive foreign investment. The post-1988 evictions played a key role in the commodification of land and the increase in state revenue. The evictions ushered in the establishment of private sector construction, which in 1988–1989 had only accounted for 15 per cent of the market (Standley and Etherton 1991: 5).<sup>27</sup> In addition to income from post-eviction property development, the post-1988 forced evictions added about 5,000 acres to the municipality of Rangoon, giving YCDC a larger tax base for municipal services (squatters would have previously not been liable for municipal property taxes; Standley and Etherton 1991: 68).

### **Human Rights Violations and the Criminogenic Nature of Forced Evictions Post 1988**

The human rights concerns related to the squatter resettlement scheme and other “urban redevelopment” projects taken on by the SLORC post 1988 are not limited to the political or social control motives of the junta. The effects of the sudden and massive redistribution of the city’s population caused serious harms to Rangoon’s residents, from creating public health problems due to poor sanitation, to loss of income, disruption of education, insecurity of tenure, disruption of kinship and other support networks, lack of recourse, mental trauma and basic lack of services and infrastructure in the new townships. All of these harms were foreseeable and while the forced evictions were criminal in themselves, the crime of forced eviction was further compounded by the state’s criminogenic resettlement programme, which Standley and Etherton (1991) found had “. . . critical defects which will result in severe deterioration in the physical environment and in the quality of life generally” (11).

One of the most critical issues that SLORC’s resettlement project created arises from the fact that the new townships were all located in low-lying areas near the rivers. In the SLORC’s “sites-and-services” plan, a scheme that was almost a carbon copy of British colonial policy for the settlement of the “poorer classes” in Rangoon, the government provided access to plots with limited services. According to informants, in practice, this meant some access roads, some drainage provisions and water service provision in the form of one manual water pump per hundred households in Hlaing Thayar. In the new townships, however, only the roads were raised above flood levels. This meant that in the monsoon season not only were dwellings susceptible to flooding, any latrines built would also be below the flood level and would easily overflow, contaminating water supplies and causing serious public health issues.<sup>28</sup>

Socio-economic stress on resettled households is another major factor. Similar to colonial urban development schemes, families were evicted and resettled with no community consultations and in a very rapid manner to areas that were not adequately prepared to receive them. Residents were forcibly evicted from their homes in the city centre, then trucked to outlying townships, often in military vehicles (Standley and Etherton 1991: 69; interviews 2015) and forced to purchase plots for K3,500 at a time when the per capita annual income of the country was US\$282 or K1,748 at the official exchange rate (K14,100 on the black market).<sup>29</sup> Those forcibly resettled had to pay for construction materials and labour to build their new homes. The estimated cost of a self-built timber house was K30,000 including labour in 1989 (Standley and Etherton 1991: 63). This wiped out the life savings of Rangoon's most vulnerable residents for the second time in 2 years, as many had lost everything in the uncompensated demonetization of 25-, 35- and 75-kyat notes in 1987. In addition to the initial financial burden, the massive scale of the resettlement programme caused high inflation in building materials and labour – with costs more than tripling in the first half of 1990 (Standley and Etherton 1991: 63).

Now, almost 30 years later, the new townships created under the SLORC are still seen as remote areas of Yangon, but there is now a burgeoning civil society that is able to define state criminal practices in land control. Transportation remains expensive, and with the removal of the high import tax on cars, the huge increase in privately owned vehicles has made traffic a serious issue (Fuller 2014). Civil servants living in Dagon Myo Thit reported that their daily commute to central Yangon is 90 minutes each way by car (personal communication 2015; see also Forbes 2014). Services remain limited or costly in the outlying suburbs, and the most reputable state schools remain in the city centre along with the majority of the business community. Communities are not organic – strangers were given plots next to each other, often with the civil servants occupying “VIP sections” of the new townships (Seekins 2005; see also Forbes 2014). Thus, there is neither the socio-economic mix nor the intergenerational trust and knowledge that comes from established communities. As these townships are peri-urban areas, they are also the first port of entry for migrants moving to the city from the countryside, and large squatter communities have developed in the past 5–10 years, particularly following 2008 when cyclone Nargis ripped through the Irrawaddy Delta, one of the country's main agricultural areas (see Forbes 2014). Yet, it seems that while the new townships will not be the last of their kind, there is also increasing civil society-led protest against forced evictions (see Prasse-Freeman 2016; Htwe 2017). Scholars interested in state crime in urban Burma should take note of such protests as a means for both identifying state crime based on civil society's understanding of criminogenic state practices in contemporary urban contexts as well as studying civil society-led resistance to state crime.

## Conclusion

While numbers are difficult to verify, some say Yangon's slums house as much as 10 per cent of the city's residents (Gómez-Ibáñez, Bok and Thành 2012: 9; Republic of the Union of Myanmar 2016: 31). City officials have estimated that there are 400,000 squatters in Yangon Division after preliminary documentation by the NLD government (Moe Myint 2017). The solution the regional government is currently entertaining seems to follow the established pattern of creating low-income, unequipped enclaves further and further away from the city, evicting squatters and resettling people in these areas. Yangon Division Chief Minister Phyo Min Thein has stated that following a registration process, he will relocate all bona fide squatters by 2020 (Moe Myint 2017; San 2017). While researchers have noted that the continuation of the historical state practice of squatter clearance and relocation is unsustainable due to lack of infrastructure and extension of basic services as well as long commute times (Forbes 2014: 234), government officials have yet to propose alternative solutions.

In contemporary Rangoon, when it comes to urban development and forced evictions, Thein Sein's nominally democratic government (2011–2016) seemed content to follow in the footsteps of its undemocratic predecessors.<sup>30</sup> This is rather unsurprising given that the post-independence democratic period was so brief (1947–1958; 1960–1962) and their voluntary approach to resettlement was relatively unsuccessful. While it remains to be seen if the NLD government will bring any significant urban policy changes, the new government's only existing prototypes in their urban planning arsenal are a colonial government and successive military governments – largely undemocratic and particularly unsupportive of the urban poor in design and implementation of urban policy.

While not comprehensive by any means, this article has endeavoured to lay out chronologically the planning, rationale, implementation and effects of the ways in which successive Burmese governments practised land control in Rangoon. Through this mapping, I have examined how governments of Burma have positioned the poor or otherwise undesirable populations (such as the political opposition in 1988) in city expansion and population control schemes. I wanted to look not only at the effects of colonial policy over time but also at changes and continuities in state criminogenic policy and practice across regimes that have very diverse (stated) goals and institutions. There are similarities in land and housing policy and practice across Burma's various governments, spanning over 160 years, owing in part to the lingering effects of British colonialism on this sector.

The lasting effects of colonial land control range from demographics to crimes including forced evictions. Rhoads (2018) and others (Osada 2016; Ware 2015) have gone into detail elsewhere about the link between colonial housing policies

and demographics in Rangoon, with the contemporary segregation of neighbourhoods by race and religion stemming from colonial policies. For the purposes of this article, there were three main, long-standing effects of colonial land control policy: annihilation of pre-conquest property rights, under-equipping and under-servicing of Burman majority or outlying areas, and the use of forced evictions in city development. The colonial reclamation scheme called for and implemented a system of lower equipment and services in lower income or Burman areas leading to contemporary issues of overcrowding, sanitation and water supply issues, and traffic. The precedent of uncompensated forced evictions and resettlement as a form of city expansion began with Rangoon's colonial development policies from the modern city's inception. The British colonial government oversaw the near complete annihilation of existing land rights in the country in general, but particularly in Rangoon, including any rights of those in the city prior to the annexation. This dispossessed the Burmese and others of their land and led to a property system that sold to the highest bidder – most often meaning non-indigenous elites, creating a foreign city on Burmese soil.

While these problems began in the colonial period, they continued thereafter. The current social and structural issues in Yangon are not the fault of the British colonial government alone. Barring U Nu's democratic government, subsequent regimes did little to change policies initiated by the British. They mostly kept the same laws, a centralized administrative structure, and government officials' views of land policy and the urban poor varied little from the British administrators. Both the SLORC and the colonial government proposed and implemented criminogenic policies that allowed for accumulation by dispossession (Harvey 2003), benefiting business and government elites and making the lives of the city's poorer residents more precarious.

The Burmese case study shows how state crime in the colonial period can have long-term impacts and lasting legacies for post-colonial states as colonial era policies become frameworks for state practice. In Burma's case, modern bureaucracy and legal systems were established during these periods, making criminogenic state practice and policies deeply entrenched in state institutions and engendering few alternatives to criminogenic policies and state criminal practices with regard to land control and urban governance.

Urban governance in Myanmar is an under-researched area, and more research is needed on state–society relations as seen through the lens of urban residents and the evolution of state–society relations over time. While the future seems to indicate more of the same punitive land usurpation policies of the past, we have yet to see if the current government will take the road less travelled, as U Nu did, or go the way of the colonial and military governments when it comes to urban governance and planning.

## Notes

1. The official English name for the country was changed from “Burma” to “Myanmar” by the military junta in 1989. Due to debates over the legitimacy of the military government and the junta’s right to change the name, exile groups and pro-democracy activists as well as the US and UK governments continued to call the country “Burma”. I will use the term “Burma” and “Rangoon” up until 1989, and “Myanmar” and “Yangon” from 1989 onwards.
2. In 1958, the democratic government invited the military to take control of the government for a period of 2 years leading up to democratic elections in 1960. Following the 1960 elections, the military returned power to the civilian government and then staged a *coup d’état*, returning to power in 1962. In 1988, there were protests over a variety of economic and social issues that led to shootings of students and other protestors around the country, but centred in Rangoon. The uprising led to the end of General Ne Win’s government and a second military coup leading to the formation of the State Law and Order Restoration Council (SLORC), the military junta which ruled the country (although it underwent a reshuffling and a name change to the State Peace and Development Council in 1997) until 2011.
3. Mary Callahan has similarly noted that the colonial state’s failure in establishing effective local police forces created a law enforcement pattern that continued into the contemporary period. As Callahan (2002) writes, this legacy of this colonial era failure is that “when local affairs get unruly, the state sends in the military” (521). This legacy of colonial violence has led to the continued use of violence or the threat of violence in Burma as a means of settling political, legal or other disputes (Callahan 2002: 535).
4. The National League for Democracy (NLD), led by Nobel Peace Prize Laureate and pro-democracy leader Daw Aung San Suu Kyi won a landslide victory in the November 2015 general elections. However, the NLD’s victory is still within a political system where the military can appoint 25 per cent of parliament and Constitutional change requires the approval of over 75 per cent of parliament. Additionally, under the current Constitution, the military retains control over key ministries such as the Ministry of Home Affairs (which controls the police and significant parts of the country’s civil service bureaucracy, including a key aspect of land issues in the Registration Department which handles wills and deeds, as well as other registered documents), Ministry of Defence and Ministry of Border Affairs.
5. “Time for change” (၈၉၆၈၀၀၀၀၀) was the NLD’s campaign slogan for the 2015 elections.
6. For more on how states value people (for labour, taxation and conscription) as well as resources (in pre-modern states, most often grain), see: Scott (2009, 1999).
7. Osada (2014) notes, with particular reference to the overseas Chinese, how Rangoon’s floating population necessary to meet labour and revenue needs, made policing challenging. One response was the deportation of “undesirable outsiders” as a means of crime prevention through the Foreigners Act of 1864. Disturbances amongst the Chinese community ceased to be a major issue for police once the threat of deportation became a deterrent. Thus, the state was able to create a particular type of foreign resident in Rangoon through policing and preventative deportation of “undesirable” populations by local government. By the mid-1920s, the preventative deportation policy widened to include the urban poor (Osada 2014: 89) and through the Expulsion of Offenders Act of 1926, even included non-Burman criminals (Osada 2014: 90).
8. For more on the “inside”/“outside” dichotomy in Burma, see: Beatty (2010).
9. Due process in that there were notices of eviction issued under legislation governing evictions from government land, but as access to justice in Myanmar’s court system is notoriously difficult (Cheesman 2015), I am not implying that due process in accordance with international standards was present in any of the cases I witnessed or examined.

10. Arthur Phayre, commissioner of Pegu, in a communication to Lord Dalhousie, Governor General of India, wrote the following of land rights in Rangoon:

Burmese local authorities had levelled the whole of the former existing buildings to the ground, and the townspeople had all fled. None of the original inhabitants having any title deeds and the rights of occupation only being recognised by the former Government, this proceeding appeared to me to have abrogated the only right the inhabitants had in the soil. (Phayre to Govt., IPP/200/26, 8 April 1953, no. 133 and enclosures, cited in Maxim 1992: 49)

11. Anthony Ware (2015) has recently argued that there are lasting implications related to religious space and religious identities and conflicts in Rangoon due to the design of Rangoon at a time when most of the Burmese residents (including inhabitants of monasteries) had fled due to the war.
12. The Government of India refers to the British colonial administration that was responsible for the territory of Burma, not the modern nation state of India.
13. Buddhist religious association building.
14. For more on the removal of monasteries and the monastic complex, see Ware (2015).
15. This body was one of the predecessors to the current Yangon City Development Committee (YCDC).
16. While the report dates from 1911, the practice was likely in use prior to 1911.
17. A modern municipality was not created in Yangon until 1872 (Webb 1923: 39), with a legal framework enacted under the Burma Municipal Act of 1874 which included provisions for municipal taxation. This was redrafted in 1898, followed by the City of Rangoon Municipal Act of 1922. Without the municipal tax, which went to the municipality rather than the provincial government, there would be no annual property tax on freehold properties in Yangon.
18. Another issue that was likely to have informed this policy, although I have not yet found anything about it in the literature, is that many of these fire-ravaged buildings, due to colonial Rangoon's development policies, would have been owned by Europeans, Indians, Chinese or the state. Thus, a building destroyed by fire would not be able to be rebuilt as the landowner and paperwork (deeds, sale contracts, etc.) would likely be missing as hundreds of thousands of Europeans, Chinese and Indians left Burma during World War II and following Ne Win's coup in 1962. On government land, or land without an owner, fires freed up use of the land for different purposes as tenants and squatters were cleared.
19. Following the passage of the Natural Disaster Management Law in 2013 and its accompanying Rules in 2014, fire falls under the category of natural disasters. While the Natural Disaster Management Law is not explicit that the state confiscates the land, the state holds the right to find a suitable location for reconstruction (18d) and can issue criminal charges for entering an area affected by natural disaster without arranging permission from authorities (30b).
20. See map of proposed 1986 structure plan and actual city expansion from 1985–1990 (Standley and Etherton 1991: 74).
21. One of the best descriptions of the events leading to the formation of the SLORC came from a recent interview with a post-1988 evictee in Rangoon. The coup was described not as a “real coup” but “more like a stick propping up another stick”. The meaning here is that General Ne Win may have given power to others but he was behind the curtain calling the shots. David Steinberg (2001: 1) also notes how this *coup d'état* was different than most in that it was a coup designed to shore up a military government by forming another military government.
22. Standley and Etherton describe the situation in 1984 as

one in which an urban housing policy did not exist. As a result of negative experiences with costly and highly subsidized programs producing low outputs, the Government had ceased to consider the provision of housing as a priority issue. This was however in the context of a gradual but sustained

build-up of squatters in Yangon and other cities at a scale matching that prevailing in 1958. (Standley and Etherton 1991: 10)

23. The United Nations designated Burma as a “Least Developed Country” in 1987.
24. See Standley and Etherton (1991: 61–62). These objectives mapped onto a programme which consisted of
  - (a) land development for sites-and-services resettlement schemes, and for complete housing units for public servants; (b) new and improved roads; (c) urban rail transport; (d) road, rail and pedestrian bridges; (e) parks and gardens; (f) redevelopment for commercial and residential uses of sites cleared as a result of resettlement and fires; (g) clean-up campaigns, building renovations, and repainting of facades; and (h) rehabilitation of drains and water bodies. (Standley and Etherton 1991: 10)
25. Morley noted in 2013 that some of the new industrial zones and settlements created in 1988 can now take up to 2 hours to reach the city centre by public transport (Morley 2013: 613), but traffic has increased exponentially since the liberalization of car imports by the Thein Sein government led to 130,000 cars imported annually (Sithu Aung Myint 2017) and a significant increase in commute times.
26. YCDC held the first elections for the nine-member committee in December 2014. However, five of the nine members of the committee, including the chairman, who also serves as Mayor, are appointed by the Union government, leaving only four spots on the committee that are directly elected by the city’s electorate. The members elected in 2014 were removed from office by the Yangon Region Chief Minister in 2016, with new elections to follow the long-awaited passage of a new municipal act. At the time of writing in March 2018, there is no committee.
27. This figure is perhaps misleading, as the formal private construction sector was limited to private homes of primarily wealthy residents with licensed engineers and contractors. Standley and Etherton reported in 1991 that until 1989 there were no formal private sector developers (meaning incorporated and building with licences, permits and all the relevant paperwork). However, there was an informal market that consisted of temporary materials, less well-equipped plots and developers that would build apartment blocks on freehold land, sell the flats, giving a portion of the flats in the building to the landowner free of charge (Standley and Etherton 1991: 60). While formal private sector work saw 100–200 permits received a year, informal private sector work was seeing up to 4,000 initiatives a year in Rangoon (Standley and Etherton 1991: 60).
28. For more on sanitation in these townships, see: Standley and Etherton (1991).
29. Until 2012, Myanmar had a dual exchange rate of K6.20 = US\$1.00 for use by the government, and a fluctuating black-market exchange rate for everyone else. At the time of the resettlement scheme, the black-market rate was K50–60 = US\$1.00. Exchange rate taken from Standley and Etherton 1991: III.
30. In January 2016, one week before the NLD government was sworn in, 2,500 people were evicted from land owned by Union of Myanmar Economic Holdings Limited (UMEHL, a military conglomerate also known as “*U Paing*” (ပွဲပိုင်)) in Mingaladon, Yangon. See: *Reuters* (2016).

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