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## Displacement of the Rohingyas of Myanmar, Land Grabbing, and Extractive Capital

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## **Displacement of the Rohingyas of Myanmar, Land Grabbing, and Extractive Capital**

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*Research on the displacement of the Rohingya from their property has paid little attention to how the government's land policies encourage various actors to seize that land and extract resources. This research is based on interviews with Rohingya refugees, reports from the United Nations and humanitarian agencies, and published academic work. Economic, social, and political factors are responsible for the displacement of Rohingyas. To argue that a single factor is responsible for their displacement would be incorrect, as research reveals a more complicated interaction of social forces. However, this paper considers the unique dynamics of land grabbing, land laws, ethnic conflict, and extractive capital, and the role these particular forces played in the displacement of Rohingyas from the 1960s up until 2012. To prevent further displacement of Rohingyas and to work toward peace, the Myanmar government should recognize and protect the citizenship of Rohingyas and institutionalize power-sharing entitlements among various groups. The international community and influential third-party actors—in particular, China, which holds significant economic power over Myanmar—have a responsibility to curb displacement and build peace in Myanmar.*

**Keywords:** Rohingya, land law, land grabbing, extractive capital, displacement

### **Introduction**

The Rohingya Muslim minority from Myanmar's Rakhine State has experienced displacement and violence since the country's decolonization from British rule (Human Rights Watch, 2022). The United Nations high commissioner for human rights has indicated that the atrocities committed against Rohingyas by Myanmar security forces and local militia are a textbook case of ethnic cleansing (United Nations, 2017). This paper examines how the removal of Rohingyas from their land by the security forces and local cronies to enable the confiscation of Rohingya land can be explained by the Myanmar government's land policies encouraging military-economic actors to extract resources. By performing a content analysis of in-depth interview data from 11 Rohingya refugees in refugee shelters in Bangladesh, this paper explores how the displacement of Rohingyas occurred before and after the riot of 2012, when the country was opened to local cronies and foreign investors. While global media coverage and the Myanmar government have characterized the ethnic cleansing of Rohingyas as purely a case of religious persecution and have ignored military-economic actors' interests in the confiscation of Rohingya land, this paper underscores how extractive forces are responsible for the displacement of Rohingyas. This paper also highlights links among various citizenship laws spanning from the 1960s up to 2012, the land laws of 2012, and the riot of 2012 that displaced Rohingyas. Finally, this paper examines how Rohingyas' property has been used after their removal. Although many foreign investors are involved in extracting resources from Myanmar, due to space constraints this paper focuses on the role of China due to its status as a major foreign investor in Myanmar.

In this paper, displacement is defined as “a catastrophic dispossession that comes with land seizure, foreclosure, or violent removal” (Feldman & Geisler, 2012, p. 974). This paper uses the terms “*Bamar*” in referring to Burman Buddhists, “Buddhists” in referring to Rakhine's ethnic

Theravada Buddhists, “Rohingyas” in referring to Rohingya Muslims, “Kamen” in referring to Kamen Muslims, and “Muslims” in referring to both Rohingya and Kamen Muslims.

Before the displacement of Rohingyas in 2017, 4% of Myanmar’s population lived in Rakhine, in which residents are estimated to experience poverty at almost twice the national average (Human Rights Council, 2018, p. 5). The Bamar are the dominant group in Myanmar. More than 60% of the population of Myanmar is Bamar, who are predominantly Buddhists. According to the 2014 census, approximately 88% of the population of Myanmar is Buddhist (Human Rights Council, 2018). Approximately 1.33 million Rohingyas, predominantly Muslims, live in Myanmar. Approximately 1.08 million live in the northern part of Rakhine, where they account for nearly one-third of Rakhine’s population. Most people who live in the southern part of Rakhine are Buddhists (Fortify Rights, 2014). Residents of this region also comprise an ethnic minority and experience longstanding discrimination perpetrated by the central state (Burke, 2016). Due to the high levels of poverty experienced by Rohingyas, Buddhists see them as an additional burden on Buddhists and a threat to Buddhism (United States Institute of Peace, 2018).

Kamen is a Muslim minority group whose members are citizens of Myanmar. The riot that occurred in central and southern Rakhine in 2012 disproportionately affected Muslims (Zawacki, 2013). The Muslim population in Kyaukpyu at the time of the riot numbered in the low tens of thousands, a majority of whom were ethnic Kamen. Both Muslims and Buddhists were impacted by the violence (Human Rights Council, 2018). The relationship between ethnic violence and other political economic forces has not been given adequate attention, however, as I will explore in my interviews with Rohingyas affected by this and subsequent land dispossession and displacement.

In this study of the political economic forces that link violence and the displacement of Rohingyas to extractive capital, I begin by discussing the data I collected from interviews, then explore past studies of ethnic conflict and violence against Rohingyas. I then conclude with a historical study of land-grabbing's role in this conflict and a critical discussion of the extractive industry's responsibility for the suffering experienced by many Rohingya.

## **Methodology**

This research is a part of a larger project that explored the early signs, forces, and processes of genocide in Myanmar. The larger project involved in-depth and face-to-face interviews of 25 men and 25 women using the life history calendar (LHC) method (Yoshihama et al., 2005). The author conducted face-to-face interviews with respondents in the Kutupalong and Balukhali refugee camps of Cox’s Bazar in Bangladesh from 1 June to 31 August 2019. The executive director of a nongovernment organization gave the author approval to use a private space in their office to interview the respondents. The author developed a case study design (Cunningham et al., 2017) and used purposive and snowball sampling (Goodman, 1961) to select respondents who crossed the Myanmar–Bangladesh border before 2019.

## **Sampling**

First, 20 women and 20 men were invited for interviews. Each respondent was then introduced by the author to the other respondents for a group interview. Interviews were done in Rohingya language. The interviews were recorded, transcribed, and translated into Bengali and English.

Eligible respondents were 18 years old or older, lived in Rakhine, and had been dispossessed of

their property. Seven men and four women lived in central and southern Rakhine. Semi-structured open-ended questions were used in the interviews.

All elements of this research involving Rohingya refugees underwent a thorough assessment by the Institutional Review Board. The IRBNet ID number is 1403367-2.

In addition to primary data, reports from human rights agencies, newspapers, and scholarly journal articles were also used to document the displacement of Buddhist and Rohingya landholders. The results section of this paper is based on the analysis of the interview data.

In this paper, the author argues that the displacement of Rohingyas from their property reflects decades of territorial struggle related to their efforts to become citizens of Myanmar.

## **Literature Review**

### **Government attempts to create a single political community, displacement of Rohingyas, and land grabbing**

MacLean (2018) argues that lawfare and spacio-cide are responsible for the displacement of Rohingyas from their property. He notes how the implementation of successive citizenship laws denied Rohingyas citizenship, leading to their exodus. Lawfare is defined as “the abuse of Western laws and judicial systems to achieve strategic military or political ends . . . [it means] the negative manipulation of international and national human rights laws to accomplish purposes other than, or contrary to, those for which they were originally enacted” (The Lawfare Project, 2013). Spacio-cide refers to “the systematic dispossession, occupation, and destruction of an ethnic group’s living space” (MacLean, 2018, p. 8). Historically, the property of displaced Rohingyas has been confiscated by the government and various actors to erase Rohingyas from Myanmar (Aung & Paing, 2022; Young, 2019). MacLean (2018) asserts that the root cause of the abuse of citizenship laws by the government to oppress Rohingyas is the government’s desire to create a single political community. The government believes that the creation of a community based on common culture would empower the government to defeat ethnic insurgent groups that were demanding autonomy from a strong central state. This view, however, does not explain why Rohingyas are specifically targeted for ethnic cleansing, unlike other minority ethnic groups in Myanmar, such as Chinese Burmese citizens, who engage in armed insurgency. This view also does not explain why there was a mass displacement of Muslims in 2012.

The first mass displacement of Rohingyas occurred during Operation Dragon King in 1978. Operation Dragon King was used to classify all residents of Myanmar into citizens and aliens and to “root out aliens and migrants” (Kyaw, 2017, p. 274). The second mass displacement of 250,000 Rohingyas occurred in 1992 (International Crisis Group, 2014). In 1992, the *Nasaka*, or the Border Security Headquarters, was established. The *Nasaka* was comprised of immigration, customs, police, and intelligence officials and was dominated by the Rakhines. “[P]opulation displacement and/or transfer, forced labor . . . extrajudicial executions, deliberate killing of fleeing Rohingyas, individual killing, and incarceration” occurred during this time (Kyaw, 2017, p. 277).

In 1998, approximately 70,000 Rohingyas fled to Bangladesh after increasingly intense repression by the *Nasaka* (Yegar, 2002).

A Buddhist woman was allegedly raped and killed by three Rohingya men on 28 May 2012. This incident was followed by the killing of 10 Rohingya men by Buddhists on a bus on 3 June. Following riots between Muslims and Buddhists on 8 June, there was a mass displacement of Muslims (Zarni, 2012). At this time, Muslims were taken to camps for internally displaced people by the security forces to protect them from further attack by Buddhists. A total of 110,000 people were displaced (Holliday, 2013). According to the Human Rights Council (2018, p. 7), more than 140,000 people, mostly Rohingyas, were displaced. The repression has worsened since 2012 (Human Rights Council, 2018). The displacement of Rohingyas in 2014 was a result of the government's demand that Rohingyas register only as Bengalis and not as Rohingyas in the census (International Crisis Group, 2014). In September 2017, during clearance operations, 624,000 Rohingyas fled to Bangladesh in fear of retaliation after 12 members of the border security forces were killed by a Rohingya insurgent group called the Arakan Rohingya Salvation Army (ARSA) near the Myanmar–Bangladesh border (International Crisis Group, 2017). ARSA is a small insurgent group formed in 2016. It does not have mass Rohingya support.

### **Political liberalization, displacement of Rohingyas, and land grabbing**

Some researchers argue that the repression of Rohingyas that started in 2012 is a byproduct of the democratization process that started in Myanmar in 2011 after decades of military rule (Zin, 2015). According to this view, repressive measures taken by the military that had caused deep pent-up conflict between groups had reach a critical tipping point during the lifting of military rule. After the landslide victory of the National League of Democracy in the by-election of April 2012, President Thein Sein signed ceasefire agreements with most ethnic armed groups during the political transition. The citizens of Myanmar started to have a greater degree of freedom than before (Hlaing, 2012). The European Union suspended most of the sanctions it had imposed on Myanmar and in May 2012 the Obama administration lifted the United State's ban on investment in Myanmar. By this view, the opening of the political power structure was responsible for the brutal violence against Rohingyas in 2012, which was distinct from the religious riots that occurred during military rule (Zin, 2015). Walton (2013) notes that the political reforms of 2011 had different impacts on the Bamar and minority ethnic groups. Bamar were the primary beneficiaries of opening the market, while Rohingya land was confiscated in 2012 (Zawacki, 2013, p. 20). The narrative of ethnic conflict above does not account for the history of deeply embedded conflict between Buddhists and Rohingyas in Myanmar.

### **Bamar and Buddhist ultranationalist rhetoric, displacement of Rohingyas, and land grabbing**

Some observers argue that hard-liners in the ruling party who resisted political reform and Buddhist ultranationalists who incited bigotry against Muslims are responsible for violence against Rohingyas in recent years (Fink, 2018). The Buddhist movement *MaBaTha*, spearheaded by senior monks, claimed that Muslims wanted to occupy the Buddhist nation of Myanmar and convert it to an Islamic nation via their high birth rates. Senior government officials supported this anti-Islamic rhetoric (Cheesman, 2017). In recent years, this has prompted violence, displacement, and land confiscation against Rohingyas (Zawacki, 2013). Others argue that this view fails to consider the root cause of anti-Rohingya hatred that is embedded in the history of Myanmar (Latt, 2012; Walton, 2013).

### **Citizenship law, ethnic conflict, displacement of Rohingyas, and land grabbing**

During the Second World War, thousands of Rohingyas fled Myanmar (International Crisis Group, 2016). After the war, Myanmar was decolonized from British rule and Rohingyas returned to Myanmar, but they were considered illegal immigrants.

From 1962 to the 1980s, the military regime denied Rohingyas citizenship in Myanmar (Walton, 2013). By withdrawing recognition of Rohingyas as citizens of Myanmar, the junta made Rohingyas leave Myanmar (Human Rights Watch, 1996). The land of displaced Rohingyas was then confiscated by the junta.

The 2008 Constitution specified citizenship requirements. According to the Constitution, Rohingyas could claim citizenship only if both of their parents were citizens of Myanmar. Most Rohingyas did not have any documentation to prove their parents' nationality and failed to claim their citizenship status. This led to their forced displacement.

The 2010 election in Rakhine caused antagonism between Rakhine Buddhists and Rohingyas to escalate, resulting in further violence against Rohingyas. Many Rohingyas fled Rakhine. The property of the displaced Rohingyas was confiscated by security forces (Aung & Paing, 2022).

Mass killing of Rohingyas occurred again during the riots of 2012. The riots, which followed the spread of a rumor that a Buddhist woman was raped and murdered by Rohingya men, displaced 140,000 people (United Nations Refugee Agency, 2013). The land of displaced Rohingyas was confiscated following the riots (Zawacki, 2013).

In 2014, the government decided that Rohingyas could register only as Bengalis and not as Rohingyas in the census (International Crisis Group, 2014). Rohingyas refused to identify themselves as Bengali. Many Rohingyas were displaced in 2014 (International Crisis Group, 2014). Their property was confiscated (Young, 2019).

### **Land legislation, displacement of the Rohingyas, and land grabbing**

A contemporary trend of land acquisition by the government began in 1962 after Ne Win came into power (Displacement Solutions, 2015). According to 1962 land reforms, the state owned all land in Myanmar directly or through proxy companies (Baver et al., 2013). In 1964, the National Unity and Solidarity Law was introduced by the junta (Steinberg, 1981). Operation Dragon King of 1978 was specifically abusive of Rohingyas via the military (Human Rights Watch, 1996). Operation Dragon King aimed to remove illegal immigrants from Myanmar. Myanmar's *Tatmadaw* (the armed forces) has launched 23 clearance operations, after which displaced Rohingya property was confiscated by security forces (Zawacki, 2013). The junta used the rhetoric of stopping Rohingya illegal immigrants from entering Myanmar via Bangladesh to justify these operations (International Crisis Group, 2014).

The government's power to confiscate land was significantly extended in 1988 with the introduction of new land legislation. According to Young (2019), "The Rohingya people have been chief among the victims of land grabs, as part of a long history of arbitrary land confiscation from Myanmar's rural communities by the government, military and private businesses following the transition away from socialism in 1988." The new legislation reconfirmed the Myanmar

government's ownership of most land parcels. Per this legislation, the government can legally authorize renting out most land parcels to individuals and companies through grants, leases, and the issuing of licenses. Citizens of Myanmar have the right to use the land, but they do not have the right to own the land that they have lived on for generations. Private companies are proxy owners of land on behalf of the government (Ullah & Chattoraj, 2018).

For decades, laws allowed the government to confiscate large tracts of land and to allocate it for military camps and projects owned by domestic and multinational corporations for resource extraction (Sassen, 2017). The government primarily targets the land of resource-rich peripheral states which have experienced decades of conflict between ethnic minority groups and the central government over equitable sharing of political and economic resources (International Institute of Social Studies, 2015). An estimated 320,000 Rohingyas fled to Bangladesh in the 1990s following the introduction of the 1988 land law and the citizenship law of 1982 to escape being tortured by the Myanmar authorities (Yegar, 2002).

The 2008 Constitution of Myanmar introduced new land legislation that guaranteed the government's constitutional right to own land parcels.<sup>1</sup> The state ownership of land law is regularly misused by government officials and militia members, who are able to bring charges of trespassing against farmers. When the villagers refuse to leave their land, their villages then come under fire by these officials (Human Rights Watch Report, 2016a).

In 2012, the Vacant, Fallow, and Virgin Land Law and Foreign Investment Law were passed. These laws extended the power of the government and private companies to confiscate land from small landholders. The Farmland Law established a land registration system that could provide farmers with certificates that would allow them to buy, sell, and transfer land on the market with certificates (Foreign Investment Law, 2012). However, this law does not protect farmers from losing their land because only an estimated 15% of farmers have their land certificates or titles (Displacement Solutions, 2015). This law disproportionately targeted Rohingyas who have been displaced over the years due to violence. According to Young (2019), this law:

means the confiscation of land that has been passed down through families and communities for generations. Rohingya refugees and Myanmar's other displaced ethnic minorities . . . and other refugees located in Bangladesh who have left behind cultivated land, grazing land, fisheries or forestland are at a large risk of their land being considered vacant, fallow or virgin . . . Government figures show that 42 percent of Rakhine State, where the majority of the Rohingya originate, is considered VFV land—one of the highest rates in the country and covering nearly 4 million acres (1.6 million hectares) . . . Civil-society groups see the VFV law as an attempt by Myanmar to encourage business, with recent Chinese and Indian investment in Rakhine focusing on building oil and gas pipelines and infrastructure as part of China's \$1 trillion Belt and Road Initiative (BRI), a major investment program to improve trade links. The government does not dispute this but maintains that any reclamation of land is legitimate and for the benefit of the economy.

Article 126, rule 31 of the 2012 Foreign Investment Law allows foreign investors to confiscate land and, with the approval of government officials, clear houses, buildings, and land. Investors are required to bear the resettlement costs of the displaced people, but human rights organizations

argue that the displaced are rarely compensated (Human Rights Watch Report, 2016b). Since the law does not allow public users of land to lease or invest in the land, it indirectly encourages them to transfer land to investors.<sup>2</sup> The act allows investors to obtain initial land tenancies of more than 50 years if they invest in less developed regions of Myanmar. The government allowed investors to take away land, stripping small landholders of the right to own land.

These laws allow land users to transfer, exchange, and lease their land, but because most small landholders do not have proper documentation for the land they occupy, they are evicted from their land by the government, which then rents or leases it to investors. Land deals made by the government with private corporations and local elites are not transparent. According to Young (2019), “Human rights campaigners have criticized the lack of information provided to the public about the VFV law.” Human rights organizations estimate that millions of hectares of land have been confiscated by the government and private investors in the last few years (Displacement Solutions, 2015). The 1963 Peasant Law that protected small landholders’ right to the land was revoked in 2012 (Sassen, 2017). The government owns forestland and agricultural wasteland. The “regional military commanders and nonstate armed groups have de facto control over most land development [projects] in northern Myanmar” (Baver et al., 2013, p. 16).

Land confiscation became an acute problem after the Special Economic Zone (SEZ) Law was introduced in 2014. This law allowed foreign investors to profit by investing in Myanmar via projects on land confiscated from landholders. Currently, there are three SEZs, including Kyaukpyu in Rakhine State.<sup>3</sup> This law allows agribusiness multinational corporations to contract with the Myanmar government, which then allow the corporations to invest in Myanmar (Forino et al., 2017). Although investors are required to consult farmers, according to human rights organizations, they often illegally confiscate land without any consultation. No compensation is offered to people for their confiscated land (Human Rights Watch Report, 2016a). Local government officials have forced villagers to grant the government and corporations the right to use their land for mining, agriculture, and various other projects that displace these villagers (Human Rights Watch Report, 2016b). The Myanmar military, security forces, Buddhists, and entrepreneurs participated in the gradual process of confiscating Rohingya property. Their common goal was to “[seize] Rohingya living space for reasons of national security, arable land, and/or profit” (MacLean, 2018, p. 9).

### **Extractive capital, displacement of Rohingyas and land grabbing**

According to Forino et al. (2017), “While land confiscation of ethnic people’s land by the Myanmar military has been ongoing for decades, the economic liberalization of the country is having deeply profound impacts on traditional land use practices, while facilitating an enormous land grab.”

Chowdhury (2020) notes that the recent displacement of Rohingyas is related to the opening of Myanmar’s economy to neoliberal policies after the United States and the European Union lifted economic sanctions on Myanmar in 2012. Neoliberal reforms emphasize the free market, individualism, and the hollowing out of the state (Harvey, 2007). Neoliberal policies encourage investors from resource rich countries to invest in developing countries like Myanmar. This section reviews debate around the relationships between the neoliberal economic policies of the Myanmar government, extractive capital, displacement of the Rohingya, and the confiscation of Rohingya land.



Myanmar has the 10th largest oil and gas reserves in the world (Credo, 2015). Myanmar's vast natural resources and its strategic position between South Asia and China strengthen its economic relationships with China. China had a close relationship with Myanmar's military regime. The relationship became stronger in 1988 as Western powers took an isolationist approach with Myanmar following the repression of the prodemocracy movement. Myanmar introduced a series of neoliberal policies to boost economic growth by initiating several projects in Rakhine from 2004 to 2017. The Myanmar government and entrepreneurs rely on foreign investment in Myanmar for economic development. China is the major foreign investor in Myanmar. Myanmar owes 40% of its foreign debt to China (Zhou, 2020).

A plan to construct gas and oil pipelines was initiated by the Myanmar government in 2004. These pipelines would reduce China's dependence on shipping gas and oil through the narrow chokepoint of the Malacca Strait. In 2017, the Myanmar government signed an agreement with China for the construction of the deep-sea port and the creation of a SEZ. According to this agreement, assessments of the social and environmental impacts of the deep-sea port and the SEZ had to be completed before the start of construction. Newspapers report, however, that the CITIC Group started dredging the deep-sea port and the industrial area in Kyaukpyu before the assessments were done (The Irrawaddy, 2021.) Lee and Lone (2017) note that land confiscation from small landholders started before the social and environmental impact studies had been completed.

A 480-mile, \$1.5 billion oil pipeline starting near Kyaukpyu and running from Rakhine to southwestern Kunming in China's Yunnan Province was completed in 2014. The gas pipeline was completed in 2013. The pipelines were mainly constructed by the China National Petroleum Corp. (CNPC), a parent company of PetroChina Co. Ltd. CNPC created South-East Asia Pipeline Company Ltd., which holds 50.9% of the pipeline's shares. Other investors are Myanmar Oil and Gas Enterprise, Korean Daewoo International, Korean KOGAS, Indian Oil, and GAIL (Hong, 2011).

In 2008, Myanmar and China agreed to build new oil and natural gas pipelines. Construction of a gas pipeline began in 2010 and was completed in 2013 (Embassy of the People's Republic of China in the Republic of the Union of Myanmar, 2013). The riot of 2012 was linked to Myanmar's plan to expand fossil fuel production and the confiscation of land from Rohingyas (Ahmed, 2013). Local crony capitalist elites partnered with foreign companies to confiscate land from Rohingya and Buddhist small landholders to build the gas and oil pipelines (Ahmed, 2013).

China's Belt and Road Initiative (BRI) plan in Myanmar was initiated as a growth strategy in 2013. One of the four major BRI projects in Myanmar is the Kyaukpyu Deep Seaport and Special Economic Zone in Rakhine. In 2015, a consortium led by the CITIC Group, China's state-run corporation, won bids for two projects: developing a SEZ in Rakhine and building a deep-sea port on the Bay of Bengal. CITIC's consortium is composed of the China Harbor Engineering Company Ltd., China Merchants Holdings, Tianjin Economic-Technological Development Area (TEDA) Investment Holding, and the Yunnan Construction Engineering Group (Tun & McLaughlin, 2015). In 2018, China and Myanmar agreed to implement the BRI plan through the China-Myanmar Economic Corridor, which goes from China's Yunnan Province through Myanmar's major cities and ends at the Kyaukpyu SEZ. The SEZ is planned to cover 4,300 acres of land.

Globalization scholars have focused on the relationships between the globalization of capital, attempts by the governments of developing nations to acquire vast stretches of land, contracts between these governments and investors that allow for investment in development projects on confiscated land, and the ideologies resulting in ethnic cleansing that can impel or be bound up in these actions (Sassen, 2014). After the 2012 Vacant, Fallow, and Virgin Land Law and the Foreign Investment Law were passed, opening Myanmar to local crony and foreign investors, there was a dramatic increase in the government allocation of land from 2012 to 2017. In 2012, the Myanmar government allocated 17,000 acres of land in Rohingya areas for rural development, which increased to 3,100,000 acres of land in 2017 (Sassen, 2017).

Land grabbing refers to “the current explosion of (trans)national commercial land transactions mainly revolving around the production and export of food, animal feed, biofuels, timber and minerals” (Borras & Franco, 2012, p. 34). Discourse has identified international investors and “the relationship between financialization and land grabbing” as forces behind land accumulation (Oliveira et al., 2021, p. 321).

Peluso and Lund (2011) note that the weak regulatory laws of some developing countries allow domestic and multinational corporations from developed countries to contract with these governments and seize vast stretches of land from small landholders to grow commercial food, conduct mining, and undertake various development projects leading to the eviction and displacement of millions of people (Sassen, 2014). While current global land grabbing is driven by transnational economic actors, it is important to examine the existing land policies introduced by national governments that have the authority to decide who should own land, how much they should own, and how land should be used (Borras et al., 2013).

Extractive political economy theory focuses on the accumulation of capital by extractive capitalists exploiting countries’ natural resources. Extraction causes sociopolitical unrest in local communities and environmental degradation (Guha & Martinez-Alier, 1997). According to this model, domestic entrepreneurs and international investors from capital-rich countries build close ties with powerful groups in developing countries that let them extract natural resources. The local communities affected by the extraction have very little participation in the decision-making process and are powerless to redistribute profits from resource extraction. Such extraction offers little socioeconomic development to the local communities (Nair, 2016). Researchers highlight the structure and power asymmetries between the stakeholders in resource extraction. These inequalities lead the affected communities to protest at the local level as they try to defend their control over resources from the state and extractive capital.

Global land grabbing for the purpose of extracting resources results from neoliberal land market reforms and increased foreign capital flowing into Myanmar. Myanmar’s political regimes have long allowed the military, cronies, and entrepreneurs to confiscate the land of small landholders. In recent years, this has increased due to local crony capitalists and foreign investors grabbing land to extract resources. The social construction of Rohingyas as illegal immigrants is an easy strategy through which to deny Rohingyas the rights to their land. Killing Rohingyas and burning their property forces them to leave their land. In Sassen’s (2017) words, positioning Rohingyas as a Muslim minority in a predominantly Buddhist country incites “passions around religion, rather

than aiming . . . at creating pressure on the government to stop evictions of all smallholders, no matter their religion.”

To summarize, theories explaining the forces responsible for the displacement of Rohingyas from their property refer to the creation of a single political community by the government, the liberalization of authoritarian rule, historical conflict between Rohingyas and Buddhists, the radicalization of hard-liner monks involved in hate speech, the government’s citizenship projects, the land policies of 2012, and a massive rise in military corporations’ acquisition of land for extractive purposes. The reality is complex. The aim of this article is not to rank the causes of displacement and land grabbing. Instead, based on in-depth interviews with 11 Rohingya men and women who migrated to Bangladesh after fleeing from central and southern Rakhine to northern Rakhine from the 1990s to 2012, I examine Rohingya’s understanding of how their property has been used after their displacement.

## **Results**

In the interviews, commercial farming and infrastructural development by economic actors were identified as the dominant themes connected to the use of the confiscated land. Due to space constraints, discussions of other themes, such as the construction of model villages, roads, highways, and bridges by the government, reported by the respondents are not included here.

### **Commercial farming**

According to respondents, displacement of Rohingyas by security forces and local militia began in the 1990s when a significant number of security forces were deployed in Rakhine. The government, security forces, and local crony capitalists confiscated Rohingya land for commercial crop production. According to one respondent:

In 1998, staff of the village land office and security forces met with villagers. The staff told us that the government needs our land to produce food for export and the country’s self-sufficiency. The Buddhist villagers protested the attempt of land grabbing. Many protestors were arrested and were sent to prison. My family and I were forced to go to a sport facility [shelter] in 1999 because I failed to show the document of my land tenure. I had only document of tax I paid for my land ownership. But security forces did not accept tax document. Some Rohingyas in the shelter thought that they would challenge the security forces. Older men argued that the result of such challenge would be deadly. I wrote letters to the village land office to return my property. I never received a reply. I left the facility in 2001 and visited my property. There was no trace of my property. Large-scale mechanized farms owned by a military officer replaced my village. I heard that the Rohingya villagers who did not abandon their property were killed by the armed groups. It was not safe to stay there. I moved to northern Rakhine with my family in 2001.

According to another respondent:

The military came to my village in 1994. Local Maghs [thugs] forced us to leave our property. Thugs vandalized my home and took my cattle. The security force hit my husband with a gun. I hid myself with my children in my farm. Thugs burned crops that were ready to harvest. They poured water in my rice container where I saved rice for the year. My property was taken by the government. We went to Sittwe, where my husband worked in

a Rohingya store. We barely escaped the riot of 2012. We moved to a village in northern Rakhine in 2012. On Facebook, I saw that my village was a part of a large rice farm. I saw the picture of a huge jackfruit tree that helped me to locate my property. The tree was planted by my grandparents in my property. We moved to Bangladesh in 2016 after the massacre of Rohingyas started in 2016 by the security forces.

Respondents also shared stories of similar atrocities that occurred in 2008. According to one such respondent:

The military visited my village in 2008. My property was taken by Magh militia, who had the support of the military. Maghs worked for the crony that I knew. I was forced to work without pay in my own farm that was grabbed by the crony. When I reported about the loss of my property to police, police told me that I was a member of armed Rohingya militia and that I was planning to attack the Buddhists. I was hit by the police. After a few months, I went to live with my relatives in a different village.

To summarize, these respondents report an understanding that the confiscation of Rohingya land in Rakhine was perpetrated by security forces, the government, cronies, and Maghs, but not large corporations, using the rhetoric of increased food productivity and self-sufficiency. Most of the respondents mentioned that they were not given any justification for the land confiscation. Displaced Rohingyas bear the brunt of these land grabs and the associated loss of livelihood.

### **Infrastructural development and resource extraction**

According to respondents, although the riot of 2012 started in June, small-scale violence began erupting in the Rohingya villages and towns of central Rakhine as early as 2003. People were uncertain about who the perpetrators were. According to one respondent:

I thought that Buddhists were the aggressors. But gradually it was clear that local authorities—government-backed militia, Maghs [thugs], and the security forces—were involved in violence. But the government attributed the violence to the Rohingyas. Existing conflict was never demobilized by the government. When the riot broke out in June 2012, government, private and online social media were used to communicate the dominant narrative of the government that was difficult for any group to counter. I lived in a fishing town of Kyaukpyu. Although there was tension between Rohingyas and Buddhists as long as I can remember, Buddhists and Rohingyas lived peacefully until the riot. In October, rioting started in Kyaukpyu. The dominant narrative of the government during the riot encouraged the Buddhists and Rohingyas to turn against each other. Local armed groups attacked Muslims. These groups did not have any ideological commitment that they were trying to protect the Buddhist community from Muslims. They razed Muslim villages and various parts of the town to instill fear, so Muslims left their property.

Respondents mentioned that internal conflict among Rohingyas about which strategies to use to safeguard themselves from riots. This gave the security forces and thugs the opportunity to displace Rohingyas and grab their land. According to another respondent:

A group of militant Rohingyas countered Buddhist attacks on Rohingyas by attacking Buddhist property in self-defense. This splintered the Rohingyas. The majority of Rohingyas did not want militancy. Burned Buddhist homes, temples, and charred bodies

of Buddhists were on television and Facebook, which sparked more arrests and violence against Muslims. During the riot, all Muslims were removed from their homes and were taken to shelters. The police said that they wanted to save Muslims from Buddhists. My family was released from the shelter at the end of 2015. My property was taken by the government. The security forces did not allow me to visit my property. We went to northern Rakhine after our release because I felt safer there, because most of the people of northern Rakhine were Rohingyas. My livelihood was destroyed because I could not fish. My property and the pond were confiscated by the military while I was in the shelter. I came to Bangladesh with my family in 2017. Later, I found in the media that the government used my town to construct the industrial park.

According to another respondent:

There were a few Rohingya households in towns near the eastern coastal edge of Kyaukpyu. Most of the people were Buddhists and Kamen. The staffers of the land office had several meetings with Buddhists in 2011 and 2012. Buddhists were informed about the pipeline projects and how the project was going to create jobs for them. Rohingyas were not invited to attend the meetings. This caused resentment among Rohingyas toward the land office. In October 2012, local Magh gangs (thugs) and security-backed non-state armed groups attacked Muslim homes during riots. Although the Kamen were citizens of Myanmar, the mob did not make any difference between Kamen and Rohingyas. Hundreds of buildings were destroyed. Police participated in the attacks. All Muslims were removed from their property. Their property was taken for Kyaukpyu project.

According to another respondent:

I was taken to shelters and was forced to stay there until 2016. After my release, I went to see my fishing town. Everybody in the town was removed. The security forces controlled my town. The police did not allow me to visit my property. I saw heavy construction taking place in my town.

According to another respondent who lived in Kyaukpyu:

When my family was attacked in October 2012, I decided to flee the town by sea toward Sittwe, which is about 70 miles to the north. I was caught by the police and was taken to a shelter in a government school. There was a curfew in town. Bloodshed continued intermittently until July 2014. When the violence subsided, I received a temporary permit to leave the shelter. Although it was risky, I took a ferry and went to Sittwe. A lot of people were fleeing Kyaukpyu. I took a ferry ride and came to northern Rakhine where my relatives lived. I heard from others that the entire Muslim area of Kyaukpyu township was leveled off. In 2015, my relatives and I came to Bangladesh. I heard from other refugees of the shelter that the government has taken my township to construct a deep-sea port in Kyaukpyu.

Respondents mentioned that most of the Rohingyas lacked prior knowledge about the infrastructural development in Kyaukpyu. Once the pipeline construction started, they saw that it displaced many fishing villages. They heard about activists who organized Buddhists to protest against the Kyaukpyu project and paralegals who said that China wielded a greater influence over Myanmar than Myanmar wielded over China. Activists argued that most of the pipeline and BRI projects were planned without public awareness. “Even Buddhists were not aware of the pipeline

project in 2008,” one respondent mentioned. “There was no law that protects Rohingyas’ property,” another respondent mentioned. One respondent recounted that the activists in town informed people that if Myanmar benefitted at all from the pipeline, the benefit would be largely enjoyed by military officers who had been given joint-venture deals with foreign investors. Respondents complained that the projects led to the heavy exploitation of natural resources on land from which they were evicted.

Respondents explained that environmental activists often visited the villagers to raise awareness about combatting climate disaster. They complained that before the assessments of the social and environmental impact of the pipelines and the deep-sea port had been completed, the CITIC Group started dredging the deep-sea port and the industrial area in Kyaukpyu. “It is a violation of the agreement between Myanmar and China,” one respondent mentioned. According to respondents, land confiscation from Buddhist and Rohingya small landholders started before the construction of the deep-sea port. Many Buddhist families were relocated from Kyaukpyu to Sittwe in 2011 because the government decided to construct a dam in an area that included their farms. Respondents complained that the pipelines had displaced thousands of Muslim and Buddhist small landholders and damaged the livelihoods of farmers and fishermen. They argued that the construction of the pipelines led to land confiscation by the military and other powerful parties beginning in 2008. Villagers whose livelihood depended on fishing were banned from fishing in the lake near the pipelines. Local officials confiscated fishing nets from those who kept fishing in those lakes. The infrastructural development projects increased tension among Buddhist and Muslim small landholders who lost their land when the government took it for the pipeline. The environmental harm to the land on which the communities depended for their livelihood caused by these projects also escalated tension between Buddhists and Rohingyas. A few respondents mentioned how they were evicted from their homes in 2012 after the riot. According to one respondent:

I lived in [an island village]. There were plenty of gas and oil wells in the ground. Buddhists and Rohingya used to drill oil using an oil extraction machine [rig] that we made ourselves. There was no conflict between Buddhists and Rohingyas. In 2011, the staffers of the land office informed the Buddhists that they needed to move out of the island. The government promised to compensate the Buddhists for taking their land. Rohingyas were not given any excuse. Rohingya men were killed and women were sexually assaulted in 2012 by the security forces and Buddhist hooligans. That caused panic. Rohingya villages were burned so villagers could not return. The Buddhists blamed the Rohingyas for drilling too much oil that drew the attention of the government. Tension between Buddhists and Rohingya escalated. I was evicted from my home in August 2012. In 2016, I found that the island is a part of the Kyaukpyu project.

Similar stories were shared by others. According to one respondent:

I was taken to a school with my family. Muslims from other towns of central Rakhine were also forced to stay in the school. Buddhist militia routinely visited the school and demanded that the Muslims should be sent to Bangladesh. The school was unsafe for us. We were not allowed to travel outside of the school. There were human traffickers who helped me to travel to relatively safe towns of Rakhine in exchange for money. Buddhists and Muslims of at least thirty villages were evicted from their property. I went to live with my brother

in a different Rohingya village in 2016. But villagers were removed from that village too. I saw a Chinese construction company building gas and oil pipelines on the village.

A respondent who lived in a village where the Chinese and Myanmar governments built the massive gas and oil pipeline explained how she lost her property in October 2012 after an arson attack that destroyed hundreds of Muslim homes. Her family tried to flee the village by sea toward Sittwe. Her family was captured by the police and her husband and his elderly parents were killed by the mob:

No one told us that our property would be used for the pipeline, but I saw a Chinese oil tanker in the area. The militia massacred Rohingyas who decided to stay on their property. I hid in the forest with my children several times. After losing my property and half of my family in 2012, my children and I were taken to a shelter by the police. In 2016, I moved to northern Rakhine where my parents lived. I took the trip by sea with other villagers who bribed human traffickers with jewelry. It took me three days to arrive in northern Rakhine. My youngest child died of diarrhea in the ferry and I was forced by the traffickers to drown the body in the bay. The villagers of northern Rakhine were going to Bangladesh because a massive number of armies arrived in northern Rakhine in 2016. I came to Bangladesh with my children and my parents in September 2016.

According to most respondents, thousands were displaced were from villages and townships that were located near the Kyaukpyu project. They mentioned that local militia groups displaced people, but the government claimed it was a result of rioting between Buddhists and Rohingyas. Rohingyas were portrayed as terrorists. It was hard to counter the government's dominant narrative. One respondent stated:

I lived with my parents in [a Rohingya village]. We had a small plot of land. We were evicted from our property in 2012 when the Kyaukpyu project . . . was announced to be built. People of too many Muslim villages were evicted or killed by the Magh terrorists and the militia in October and November 2012. My family was forced to move to the internally displaced camp for Rohingyas. My village is now a part of the Kyaukpyu project. I started to work as a laborer in Kyaukpyu when the local leaders asked for laborers to work at Kyaukpyu. Only a handful of Rohingya youths were hired. I used to dig mud and carry stone. I was paid 70 kyat a day while Buddhist laborers were paid 500 kyat. I was given a travel pass by the police.

According to one respondent, the Tatmadaw continued killing, overseeing forced labor, and confiscating Rohingya land in 2013. According to another respondent:

I lived on an island far from the town affected by the riot of 2012. My village was not affected by the riot. My family was evicted from our property in mid-April 2013 and was taken to a shelter. Without any source of income, my family moved to a town close to Kyaukpyu. I started to work at the project. There were thousands of laborers in the Kyaukpyu project. Most of the laborers were Buddhists. Many Rohingya laborers died from beatings they received from the Buddhist security guards. I was seriously injured by the Buddhist laborers. They called me *Kalar*, a derogatory word. The security forces never

stopped the Buddhists. I was not able to work after that. In November 2013, our camp was set ablaze by people I do not recognize. The security forces unsuccessfully tried to stop these people. My parents tried to flee the camp and were captured and hacked to death by the hooligans. I knew the only way to survive was to flee Kyaukpyu. A few Rohingya youth at the camp secretly planned to flee the camp at night in heavy rain. There were no security guards in the camp and roads were empty. There was a small lake behind the camp. We swam through the lake and found a boat floating in the water on the other side of the lake. We took the boat and came to a Rohingya town that was still not affected by the riot. The sea was rough and two men fell from the boat and drowned. When we arrived in that town, I saw that people were fleeing that town too because of the fear of possible attack by the Buddhists and security forces. Some Rohingyas of the township had barges. One of them agreed to take me with the family that was fleeing to northern Rakhine. I gave him all my money I saved from my work at Kyaukpyu. It took us three days to arrive in northern Rakhine. After the clearance operation started in northern Rakhine in December 2016, it was dangerous for Rohingya men to stay in northern Rakhine. In January 2017, I came to Bangladesh. The government of Bangladesh closed the border. With others, I was stranded in the Bay of Bengal. Human rights group brought us food. Two weeks after being in the boat, the Bangladeshi government allowed us in Bangladesh. It is illegal to leave Myanmar without a permit. I will be arrested if I return to Rakhine. So, I will stay in the refugee shelter until the Myanmar government recognizes my citizenship of Myanmar. To develop its economy, the Myanmar government is clearing land in the coastal areas of

Rakhine State by expelling small landholders and grabbing their land (Forino et al., 2017). Chinese oil tankers have moved to the deep-sea port town in Rakhine, grabbing waterways and land from fishermen and small landholders. Myanmar's Fisheries Department banned fishing in the area but allows Chinese tankers to operate there (Aung, 2018). According to one respondent:

The deep-sea port construction affected villagers. I lived in a fishing village in the coastal area of Kyaukpyu. There were not too many Rohingyas in that area. There was not too much animosity between the Rohingyas and the Buddhists before the riot of 2012, but the security forces often visited the area. First, the forces banned fishing in the area. Then, government officials had meetings with the villagers and said that the government needed villagers to move out of the villages because the government wanted to build the deep-sea port. The officials said that the profit from the construction of the port will be spent on community development projects. Buddhists participated in demonstrations against the port construction. It was highly risky for the Rohingyas to protest. I did not participate in the demonstration, but I was still kicked out from my property.

Many respondents mentioned that the people of villages close to rivers and the Bay of Bengal were particularly vulnerable to land grabs. Villagers were asked not to fish in the river and the bay. The Chinese company planned to construct a deep-sea port there. According to one respondent:

There were several meetings between the local government and the [villagers of my township]. The government wanted us to abandon our property and not to fish. Government officials said that people would receive electricity and were going to be compensated for



the loss of their land. Buddhists protested the project because of the possible confiscation of their land and the destruction of mangrove forest and fishing. I had a small plot of land close to the [nearby river]. I used to go on fishing in the river and the bay by boat in hiding. I saw Chinese vessels trolling the bay. Things were going okay. But in 2013, the military discovered my fishing and visited the village. Villagers were forced to abandon their property. More than 140 homes were burned by the military. Many villagers were killed. I fled to Bangladesh in 2016. A few returned to the village last year. They found that the government built a canal in the village that connected the river and the bay.

The practice of confiscating land for development projects continued after the 2012 riot. According to one respondent:

My ancestors lived in the property where I lived in central Rakhine. I never received a formal land ownership certificate from my father. I was in a shelter after the riot of 2012. After my release from the shelter in 2014, I heard about the rumor of land reform. I went to the village land office to register the property. I was refused to do so by the staff. In March 2015, my family was evicted from our home. We were again taken to a camp [shelter]. I did not have money to apply for the land registration. Others in the camp tried to register their land, but they were told that Rohingyas were not eligible to register their property. The village land office staff told them the land they were claiming was always owned by the government. The government let the Rohingyas use it. I went to my property after I was allowed to leave the camp, but my property was owned by the government. I heard that the government planned to use the village as a part of the water project.

In summary, the government's policy of confiscating land from Rohingya small landholders, the use of confiscated land to extract resources by investors and the government, and the geopolitics of Rakhine State have accelerated the risk of displacement faced by Rohingyas, who have little power to resist displacement and land grabs. With all of these forces of division and political violence taken in consideration, reconciliation and peacebuilding among these peoples will be impossible if extractive industries continue to hold power over the land and economy.

## **Discussion**

The Rohingya crisis demonstrates tensions between the Myanmar government, security forces, non-state armed groups, crony capitalists, foreign investors, Buddhists, and Rohingyas. Myanmar has been an ethnically divided society for more than 80 years. Decades of military rule, repression of ethnic minorities, and violence against the prodemocracy movement have led to political instability in Myanmar. The Tatmadaw has violated international humanitarian law and the human rights of Rohingyas. While forcing Rohingyas to live in internally displaced camps, the Myanmar government has denied them access to necessary food and health care. The security forces and non-state armed groups have committed atrocities against the Rohingyas while arbitrarily confiscating their property that warrant criminal investigation and prosecution by an independent and impartial international agency.

Researchers indicate that power sharing is a necessary condition for resolving conflict between groups, preventing violent conflict in divided societies, and establishing peace (Lijphart, 1977; Cederman et al., 2010; Pospieszna & Schneider, 2013; Walter, 2002). The international

community has the responsibility to encourage the military regime to allow citizens to participate in regular open and competitive elections, to share power with all groups, and to build peace.

The findings from this research have wider applicability for understanding how ethnic conflict, the displacement of a marginalized group, and the confiscation of property by economic actors unfold. Elimination of discrimination against Rohingyas by the Myanmar government is necessary for sustainable peace in Myanmar and recognition and implementation of the human rights of Rohingyas. Restoration of peace is urgently needed not only in Myanmar but also in the country's neighbors that host Rohingya refugees. The genocide against the Rohingyas that took place in 2017 could have been stopped if the earlier signs of genocide—i.e., the ethnic cleansing of 2012, historic conflict between various groups, the displacement of Rohingyas, and the confiscation of Rohingya land by economic actors—were considered by the government. If the policies of international humanitarian organizations, such as the Responsibility to Protect principle agreed upon by the United Nations General Assembly at the 2005 World Summit, had been used to pressure the Myanmar government to safeguard the Rohingyas, Rohingyas' human rights would not have been violated.

### **Conclusion**

Drawing on reports from in-depth interviews with 11 Rohingya refugees in refugee shelters in Bangladesh, this paper explores how the escalating displacement of Rohingyas occurred before and after the riot of 2012 as the country was opened to local crony and foreign investors. This research demonstrates that confiscation of Rohingya land by security forces, the government, cronies, and Maghs under the rhetoric of increased food productivity, self-sufficiency, and economic growth occurred in Rakhine and has created a social backdrop of aggression and conflict. It demonstrates that the pipelines and SEZs have displaced thousands of Muslim and Buddhist small landholders. While many forces are responsible for land grabbing, the land policies of 2012 and a massive rise in domestic and foreign corporations' acquisition of land for extractive purposes are among the primary forces responsible for the confiscation of Rohingya land. Rohingyas who were displaced over the years because of the violence they experienced, leading them to flee central and southern Rakhine, were among those disproportionately targeted by local cronies and the government.

The transcriptions of my conversations with these victims also demonstrate that internal conflict among Rohingyas about strategies for safeguarding themselves from the riot of 2012, which gave the security forces and Maghs the opportunity to displace Rohingyas and grab their land after Buddhists were attacked by Rohingyas. It was purported that these thugs worked for local cronies; if that is the case, the confiscation of land worked in the cronies' financial interests. Furthermore, neither party had any ideological commitment, such as trying to protect the Buddhist community from Muslims.

My conversations with refugees also illustrate that during the riot of 2012, social media was used to promote the government's dominant narrative that Rohingyas terrorists were responsible for the riot in a way that was difficult for any group to counter. It encouraged the Buddhists and Rohingyas, who lived relatively peacefully before 2012, to turn against each other.

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### **Endnotes**

<sup>1</sup> According to article 37 of the Constitution of Myanmar, “the Union is the ultimate owner of all lands and all natural resources above and below the ground, above and beneath the water and in the atmosphere in the Union, b) shall enact necessary law to supervise extraction and utilization of State-owned natural resources by economic forces” (Myanmar Const. art. 37. p. 10). According to Article 357, “The Union shall protect the privacy and security of home, property, correspondence and other communications of citizens under the law subject to the provisions of this Constitution” (Myanmar Const. art. 357. p. 151). According to Article 372, “The Union guarantees the right to ownership, the use of property and the right to private invention and patent in the conducting of business if it is not contrary to the provisions of this Constitution” (Myanmar Const. art. 372. p. 153).

<sup>2</sup> According to the Foreign Investment Law of 2012, chapter XIV, rules 31 and 32, foreign companies can lease land for 70 years. Chapter XII, article 26 of this act affords them tax relief for five consecutive years. It also gives a tax exemption: “in cases where it is beneficial to the Union, income tax exemption or relief for suitable period depending upon the success of business investment is made; (b) exemptions or reliefs from income tax on profits of the business if they are maintained for reinvestment in a reserve fund and reinvested therein within 1 year after the reserve is made” (Foreign Investment Law, 2012. article 126, rules 31 and 32).

<sup>3</sup> According to this law, Article 80, “The developer or investor shall bear the expenses of relocating and paying compensation in accordance with the agreement if houses, buildings, farms and gardens, orchards and fields, plantation on land permitted for land lease or land use are required to be relocated” (Myanmar Special Economic Zone Law 2014, Chapter XVII, art. 80 (a). Retrieved from [https://www.dica.gov.mm/sites/default/files/document-files/sez\\_law\\_0.pdf](https://www.dica.gov.mm/sites/default/files/document-files/sez_law_0.pdf).

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