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ASSESSING THE POLICY CONSTRAINTS AND LIMITATIONS IN
STATE-LED DEVELOPING LAND POLICY IN MYANMAR: USING
KINGDON'S MULTIPLE STREAMS FRAMEWORK APPROACH

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Dissertation for Master of Public Policy and Management

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DECLARATION

This thesis is presented as part of the Master of Arts degree of **Public Policy and Management** at Murdoch University.

I declare that this dissertation is my own account of my research. It contains as its main content which has not been previously submitted for a degree at any university.

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ABBREVIATIONS

CSOs	Civil Society Organizations
FDI	Foreign Direct Investment
FESR	Framework of Economic and Social Reforms
FSWG	Food Security Working Group
GoM	Government of Myanmar
IDPs	Internally Displaced People
LCG	Land Core Group
LIC	Land Investigation Committee
MoAI	Ministry of Agriculture and Irrigation
MoECAFF	Ministry of Environment Conservation and Forestry
MPs	Members of Parliamentarian
MSF	Multiple Streams Framework
NLUP	National Land Use Policy
PE	Punctuality Equilibrium
PEs	Policy Entrepreneurs
RCT	Rational Choice Theory
TNI	Transnational Institute
UNDP	United Nations Development Programme
UPWC	Union Level Peace Working Committee
USAID	The United States Agency for International Development
USDP	Union Solidarity and Development Party
VVF	Vacant, Virgin and Fellow Land

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ABSTRACT

Policy literature frames this research in order to investigate land use policy in Myanmar. Specifically, this paper draws on the multiple streams framework to explore how the Government of Myanmar defined the problem of land use. This project situates Myanmar as a nation in transition and it examines the development of the reformist administration through the introduction of the National Land Use Policy (NLUP) to improve land governance. The project argues that the process of policy development was captured by government policy entrepreneurs and ‘cronies’ who, in turn, set the policy agenda in ways that limited the views of traditional land users and failed to address land-use conflicts within the broader society. The project highlights the usefulness of multiple streams framework in examining land use policy in the context of a political transition. This project illustrates that the political changes in Myanmar constitute a ‘window of opportunity’ to germinate the new policy initiative, however the paper demonstrates the significant power of political cronies to influence the process. The project makes several recommendations to generate successful land reform in Myanmar; these include: reducing the influence of cronies in the political system, building institutional capacity and to learn successful strategies for land reform from neighbouring countries.

INTRODUCTION

After decades of dictatorship in Myanmar, a reformist government came to power in 2011. Taylor argues that Myanmar has engaged in three major reforms during its transformation from autocracy to democracy: political, economic and administrative (2012, 221). Since Myanmar gained its independence in 1948, numerous governments have endeavoured to produce an integrated land use policy, but it has proved to be extremely difficult. A unifying policy pertaining to land use and tenure did not exist in Myanmar prior to the seizure of power by the reformist government. Leckie and Simperingham (2009, 761) argue that provisions in the constitution do not consider land users as tenants, and assign the state as the owner of all land in Myanmar. This ambiguity creates a lack of tenure security for farmers, which impedes agricultural production (2009, 761).

The reformist government enacted a draft resolution called the National Land Use Policy (NLUP) with the intention of protecting land use rights and improving the administration of land use in rural Myanmar (Myanmar. Land Use Allocation and Scrutinizing Committee 2014). The goal of the NLUP was to reduce land-related political, economic and social problems and alleviate conflict with the rural population, whose security and livelihoods partly depend on land ownership (Franco et al. 2015, 33). Prior to the release of the NLUP, the Vacant, Virgin and Fallow (VVF) land management law was used to regulate land use. The main objective of the VVF was to provide tenure security to small landholders (Franco et al. 2015, 13).

However, the current policy and land laws do not adequately protect land rights. Political ambiguity clouds public policy and the process of agenda setting. Governing issues that revolve around decision-making and policy implementation, rent seeking, corruption and preferential relationships between policy entrepreneurs and policy makers jeopardize the implementation of successful policy. The current situation illustrates a lack of public consultation that took place during the crafting of the current land policy.

The circumstances in Myanmar form the basis of my research project. The project explores the factors that contribute to policy problems, agenda setting, political manipulation and the failure of the Myanmar government to resolve land-use conflicts. This project will adopt the Multiple Streams Framework (Kingdon 1984) to examine how the politics of Myanmar intersect with the problem and policy context. This framework highlights the role of push-and-pull factors and agenda setting throughout the policy process. The project draws on

Kingdon's concept of "windows of opportunity," as a way to explore the changes that occur when three streams (problem, policy and politics) intersect. This research project applies the MSF in order to study the relationship between the problem definition, policy agenda setting, and political manipulations that occurred during the process of establishing the NLUP and related land laws.

Scope

Literature relating to public policy, policy analysis and the MSF will identify the constraints of developing a national land use policy. This study will examine policy issues in Myanmar, including: centralization and the process of exclusion, the reliance on bureaucratic modalities, top-down initiatives in land use planning and its limitations, and the lack of security for small landholders.

Research questions

The core research problem I discussed above suggests that current policy and legislation defines land use too narrowly, and the policy agenda setting process excludes many key groups. Therefore, this project will consider two primary research questions:

- How useful is the Multiple Streams framework for explaining land use policy in Myanmar during its transition phase?
- In policy literature, the multiple streams framework (Kingdon, 1984), suggests that successful policy requires three separate streams (problem/policy/politics) to intersect in order to produce positive outcomes. As a framework for investigation it provides the means to explore the relationship between the definition of the problem, the setting of a policy agenda, and political manipulation. What insights will the MSF provide in explaining the problems associated with land use policy in Myanmar?

Research Strategy

This study will be limited to Myanmar. The study uses a text based study of literature and policy documents. The critical information for this study is sourced from the Ministry of National Planning and Economic Development, Ministry of Environment Conservation and Forestry and the Presidential website. Data is also sourced from UN reports and country papers.

This study will involve analysing national land use policy in Myanmar, the Farmland law and VVF law, which were enacted by the reformist government. It will also offer a broad

literature review that defines the problem, how the policy agenda is set, the role of government and governance relative to MSF, and an outline of the failures that occurred during formulation of policy. The paper will analyse official UN reports, concept notes, scholarly papers, unpublished and published research papers, and news articles. The research will also utilize statements made from academics, veterans of policymaking, citizens of Myanmar who were forced into exile and legislation promulgated by the reformist government.

Although this research highlights some of the key methodological challenges of exploring policy failures, there are limitations. The project does not specifically focus on corruption or ineffective administrative control at the state and township level. Though these issues are embedded within politics, cases are not documented or catalogued by the system.

Thesis Structure

Chapter One will outline policy-making concepts that relate to the project, and provide a brief outline of the main characteristics of public policy. I will examine the complexity of policy making, the nature of the policy cycle and the importance of policy actors. I will detail the instances in which policy making within the NLUP does not accord with standard measures and failures, and explore how failed land policies have threatened landholders with forced evictions and displacement.

Chapter Two details the theoretical framework for my analysis. The chapter outlines the main policy theoretical frameworks for policy analysis and explains why the Multiple Streams Framework is most useful for my project. I also elaborate that key components of MSF and explain the importance of the concept of “windows of opportunity”.

Chapter Three outlines the political environment that exists in Myanmar. This chapter will explain the objectives of the NLUP, and the process of ‘land grabbing’ and the institution of laws that aim to encourage foreign investment.

Chapter Four provides the analysis of the NLUP making process in Myanmar. This chapter utilises Kingdon’s (1984) multiple streams framework by illustrating how issues are addressed by policy makers in problem stream. The chapter also discusses the “soup” of ideas generated by policy communities. For the political stream, the chapter explains how the political transition and peace building has influenced policy choice. The chapter argues the role of policy entrepreneurs in coupling three streams seized self-serving opportunities.

Lastly, policy windows is analysed with the link between problem, policy and politics demonstrating the level of constraint within the policy making process in Myanmar.

Significance

In order to research land use policy in post-conflict and transition countries, international studies are researching resettlement policy which promotes voluntary repatriation, with the aim to carry out successful reintegration into society (Fitzpatrick and Fishman 2014, 264). When land becomes a source of conflict between groups during political transitions, international studies have focused on land use and land tenure as the area to conduct research (Musahara and Huggins 2005, 277). My study examines land use policy in Myanmar from a policy perspective. Significant political reforms have taken place in Myanmar after the authoritarian government dissolved. Myanmar has the opportunity for an open policy window as it attempts to instil democracy. It also presents Myanmar with an opportunity to maintain growth and development. This is the main reason I have chosen to use Kingdon's MSF model to illustrate how the government develops land use policy. This model explains the drivers of policy change, and is an effective tool to analyse policy.

This study is significant in that it provides innovative research on the policy-making process in Myanmar. Part of the reason this research is significant, is that it takes place during the period of democratization. Myanmar is undergoing a dramatic political and economic upheaval, and is increasingly unstable. This analysis also offers an outline of how land policy reform can occur under the specific social and economic realities of a political transition, while identifying the constraints and limitations within a government's process of agenda setting.

CHAPTER ONE: MAKING PUBLIC POLICY

Introduction

It is important to explain the policy process in order to understand the complexity of the National Land Use policy in Myanmar. While most research into policy making emanates from democratic, developed countries, I have chosen to use their insights to shed light on the problems and constraints facing policy makers in Myanmar. The purpose of this chapter is to demonstrate how the process of public policy has been explored and how such analysis is useful for my project.

The chapter proceeds as follows: first, a brief outline of the main characteristics of public policy is provided. Next, the chapter explains the policy process and highlights the role of the policy cycle in examining the process, this includes pointing to the discrete components that comprise policy making; the final section discusses the importance of policy actors.

1.1 Policy making concepts

The expanding body of literature that pertains to the formulation of policy, highlights the inclusive nature of contemporary policy making. According to Althaus et al. (2013), policy making is a complex matrix of politics, policy and administration with boundaries that are not well defined (see also Lindblom 1980 and Sabatier 2007). According to Lindblom, policy makers may form policy because they are attracted to a new set of opportunities, however political interests can create bias which can have detrimental outcomes for solving policy problems (Lindblom 1980, 8). Policy solutions are also influenced by popular thinking, and often do not reflect the problems that need to be addressed. Therefore, policy-making can be seen as a ‘chaos of politics’ that respond to a public issue or problem. This process can steer politicians, institutions, bureaucrats and pressure groups towards common interests in achieving policy goals; it can also steer these same groups to set up policy solutions that favour some people over others.

Policy-making is a combination of politics, problem solving and institutional practices, but policy itself cannot be easily defined. According to Dye, ‘policy is anything a government chooses to do or not to do’ (Dye 1972, 2), while Anderson, (2003, 2) defines policy as a relatively stable purposive course of actions followed by an actor or set of actors in dealing with a problem or matter of concern. Althaus et al. include authority in their view of public policy, and see policy as the authoritative choice of government (2013). Jenkins emphasizes the role of decision making between groups of political actors as an important aspect of

understanding public policy (Jenkins 1978, 15). Public policy can refer to different aspects of society, and incorporates many important decisions regarding society and its citizens.

In the context of this project, land use policy making in Myanmar has been complicated by recent political changes and incoming FDI (Foreign Direct Investment). The political interests of multiple players, including domestic and foreign investors, have influenced land policymaking in Myanmar. Myanmar has witnessed an increase in foreign investment that favours large-scale commercial production, which significantly impacts land policymaking (Franco et al. 2015). Elites are positioned to reap the benefits created by these policy reforms, which significantly impacts land policy making process which has become undoubtedly complex. I will expand on these issues in Chapter Four.

1.2 Policy process

The situation in Myanmar highlights how complex it can be to understand the policy process. A range of scholars has researched the policy cycle to reduce this complexity and better explore the process (see for example, Birkland 2011; Lasswell 1951). ¹Althaus et al. (2013, 8) suggest that using the policy cycle reduces the complexity because it enables one to apply lessons drawn from past experiences as a tool to develop new policy approaches. While the purpose of the policy cycle is to divide policy issues into discrete stages, this does not mean policy making is a linear, straight forward process. This model can be utilized as a device that offers an analytical approach that can assist both of policy makers and researchers.

1.3 Policy cycle

The first stage in policy cycle is the direct observation of the issues; this is termed problem definition (Althaus et al. 2013; Birkland 2011). This stage refers to conditions in society that come to the attention of policy makers (Haigh 2012, 63), and the problems that policy makers want to address. This concept illustrates that there is a collective belief that politics should intervene in problematic issues in order to solve them (Stone 2003). The government is more likely to respond when a condition is perceived as significant and an intervention has the potential to resolve it. Defining policy problems relies on interpreting information and using images and language to establish both positive and negative approaches to solving policy issues (Schattschneider 1960).

¹ This is not to suggest the policy cycle is the only way to examine policy making. Many scholars have argued the policy cycle is simplistic as it does not adequately capture the range of policy groups involved. See for example, Sabatier 2007; Ostrom 2007 and Schlager 2007.

Problem definition is a catalyst in shaping the policy, it identifies the causal factors that have led to the problem and it establishes types of solutions (Stone 2003). Identifying causal factors makes it easier for society to connect the root causes of a problem. According to Stone, identifying causal factors of a problem contributes to crafting a story that adds to the understanding of the policy problem. Stone identifies four types of causes that contribute to policy issues: accidental, inadvertent, intentional and mechanical (2003, 191). Stone believes it is these causal stories that frame how policy should be designed to respond to problems.

Agenda setting is the next stage in the policy cycle, and assists with examining policy making (Kingdon 1995; Sabatier 1999; Althaus et al. 2013). Agenda setting is the part of the policy process that narrows the focus of policymakers and it brings into the policy arena interest groups and lobbyist that can mobilize the public to view policy problems from a particular perspective (Baumgartner and Jones 1993). They can transform a policy problem by building public participation or support, which can generate increased attention from the government. Examining how policy agenda setting functions allows for a better understanding of why certain issues are addressed through policy and others are neglected (Haigh 2012, 75).

Consultation and decision-making are the next stage of the policy process that pertain to my project on land use policy in Myanmar. Anderson believes that effective consultation with specialists, bureaucrats, legislators, and interest groups is the most common way to create a successful policy (2003, 105-107). Althaus et al. (2013) also view policymaking as an interactive process that drives policy makers to become more engaged with stakeholders. In order to achieve this, government must solicit opinions from the public (Geurts 2011, 13). Althaus et al. (2013, 102) point out that effective consultation can build successful policy. The wider consultation with stakeholders can help policy makers avoid social and economic risks prior to the policy being formulated. More extensive consultation and public participation is important in policy making because it promotes the aspirations of the public, which is required to deliver widely accepted policies.

1.4 Policy actors and entrepreneurs

The next component of the policy process that is important for my project is the role of policy actors and entrepreneurs. Policy actors can be individuals or groups who have an interest in or connection with a particular issue (Haigh 2012, 80). Policy actors can be either active or passive participants in the policy process. An active policy actor refers to an individual who has either direct involvement in a particular issue or is a target of policy. A passive policy actor refers to a group or individual that is not directly affected by a particular issue, but may

be in the future (Haigh 2012, 81). Policy actors include bureaucrats and politicians, lobbying groups, think tanks, business groups, professional bodies and a range of citizen's interest groups and issue advocacy groups.

Policy actors can be either formal or informal (Howlett and Ramesh 2003). Formal policy actors have a position of legal authority, such as an executive of the government and the judiciary (Howlett and Ramesh 2003). These actors have the power to implement policy decisions and legislation. Informal policy actors do not have legal power, and cannot carry out policy decisions. However, informal policy actors can hold significant public power through their actions, particularly by organizing community participation. Informal policy actors can mobilize social movements through protests and various forms of media as a way to generate support for policy intervention (Haigh 2012, 135).

The role of policy entrepreneurs (PEs) is important for my project, because they have influenced the adoption of land policy in Myanmar. According to Minstrom (2000), policy entrepreneurs are people who are skilled at identifying problems and driving policy change. PEs often take advantage of the prevailing political situation to generate support for policy decisions that advocate a particular solution to a policy problem. PEs do not have to be inside government. They often act on the fringe of government, which grants them the flexibility to exploit particular opportunities (Lovell 2009, 497). PEs are often willing to use their own personal resources to achieve preferred solutions, or to gain favour with the political class in order to build their future profile (Weissert 1991, 214).

Policy entrepreneurs often collaborate with business to persuade policy makers to address policy problems. It is important for PEs to build support from both groups inside government and key influential groups in the community. According to Brouwer and Biermann (2011, 3), policy entrepreneurs use a range of strategies to convince key policy stakeholders to support their preferred policy solutions. These strategies aim to 'soften up' (Kingdon 1995) those groups who are resistant to change.

This outline of the policy process highlights three considerations that are important for my project. Firstly, policymaking is complex and often ambiguous, with outcomes uncertain and that are difficult to predict. According to Lasswell's path breaking examination of effective policy making, the best way to manage complexity and ambiguity is to establish clear policy goals, identify potential risks and ensure expertise is utilized at each level of policy development (1951). The second consideration refers to the importance of developing a

complete understanding of the policy problem. This includes identifying the causal factors that contribute to the problem, and acknowledging the competing perspectives of policy stakeholders that are involved with the issue. The third consideration refers to the importance of policy actors and entrepreneurs who act to influence policy decision makers in ways that often benefit certain groups over others.

As my project proceeds, I will use these three considerations to highlight inconsistencies that occur within the policy process in Myanmar. According to a range of reports, policy makers in Myanmar did not make direct contact with land users to properly define the problems, and there appears to be little recognition from the government that land users rely on land for their livelihoods. Policy makers in Myanmar appear to focus on one set of casual factors, which has created a reliance on foreign and domestic investment, which has increased the development of large-scale business. The large-scale business sector is a threat to small and marginal landholders to become landless. In this way, the tenure rights and security of small holders and farmers have been adversely impacted. These factors will be further expanded upon in Chapter Four.

Conclusion

This chapter outlined the concepts within policy making that are relevant to my project. The chapter has established that examining the policy process requires an analysis of the way policy problems are understood, and how policy agendas shape both the version of the problem and the types of solutions put forward. This chapter has highlighted the importance of consultation in ensuring citizens are involved in developing policy solutions, and the chapter has discussed the roles of policy actors and entrepreneurs. This chapter has established how policy making could be examined, while the next chapter will offer a more specific outline of a theoretical framework that enables a more detailed examination of the National Land Use policy in Myanmar.

CHAPTER TWO: THEORETICAL FRAMEWORK

Introduction

This chapter lays out the theoretical framework I use to analyse the National Land Use Policy in Myanmar. A primary purpose of this chapter is to demonstrate the effectiveness of alternative frameworks to analyse public policy. This chapter justifies why the MSF is the most effective framework to understand land policymaking in developing countries like Myanmar. This chapter builds on Chapter One by highlighting the importance of the intersection between politics, problems and the development of policies. This chapter therefore establishes the basis for analysis that I further pursue in Chapter Four. The structure of this chapter begins with a general outline of theories, frameworks and models, and explains their usefulness and limitations. The next section explores the primary components of MSF, and the last section discusses the concept of windows of opportunity and its relevance to Myanmar.

2.1 Policy Theories, Frameworks and Models

Policy makers describe policy as a complex matrix of politics, policy and administration (Lindblom 1980; Sabatier 2007). Developing a successful policy requires a thorough understanding of the policy process. While the number of influential factors within policy makes it a complex process, academics have developed several models, theories and frameworks to better understand the nature of policymaking and policy outcomes. While there are many varying approaches to examine policy making (see Nowlin 2011 for a detailed outline), there are three dominant theoretical frameworks that are used to analyse the diversity of policies and policy making (Sabatier and Weible 2014). According to Sabatier, these are the most influential frameworks due to their long term use – well over five decades, and the continual development of their explanatory capacity (Sabatier 2007, 329).

Many different frameworks and theories are used to explore the factors that contribute to the policy process, and to analyse policy outcomes (Sabatier 2007). Each theoretical framework helps to explore and assess the capability of policy to respond to a given problem. Ostrom argues that the use of frameworks offers a general form of theoretical analysis (2011, 7). Frameworks identify the elements and mutual relationships between the components of a policy issue and the institutional setting that shapes the issue (Ostrom 2011, 8). Theoretical frameworks combine sets of concepts, propositions, definitions and relationships to attempt

to explain both why and how an event occurred, or on the other hand, to provide insight into a given problem (Imenda 2014). This research project draws on one particular theoretical framework of the policy process, the Multiple Streams Framework, to conduct analysis of land use policy in Myanmar.

2.2 Policy Theory Frameworks (Rational Choice, Advocacy Coalition Framework, Punctuated Equilibrium Framework)

As previously stated, scholars have developed a range of theoretical frameworks to analyse public policy. These include: rational choice framework, Advocacy Coalition Framework, Punctuated Equilibrium Framework and the MSF. I have chosen to utilize the MSF for this study, but it is also important to explain why, in my view, the other frameworks are not appropriate for my study. All models emphasize different aspects of public policy making and while each focuses on how policy actors work together to produce effective policy outcomes, separately, each framework works from a different position which therefore targets different aspects of the process and different relationships within the policy context.

The rational choice framework (RCT) assumes that rationality is the basic building block of modern policymaking (Haigh 2012, 8). This is not to suggest the framework provides a unified approach to understanding the role of rationality, rather different streams within the framework target economics, institutions and interactions between individuals in these institutions (Griggs 2007, 174). It views policy actors as rational beings who predominantly act to maximize their roles (Dunleavy 1991). The RCT suggests that policy outcomes are the result of policymaker's self-interest, and not pressure from social structures (Grigg 2007, 175). This framework however, has been challenged by the assumption that policy actors' self-interest is not necessarily based on rationality (Udehn 1996), and many academics argue that it does not explain how collective action impacts on policy making (Opp and Gern 1993).

The Advocacy Coalition Framework (ACF) aims to explore policy problems, policy learning and the way policies evolve over time (Fischer et al. 2006, 123; Nowlin 2011). The ACF argues that multiple actors, including government, media and institutions, are involved in policy making. The primary assumption is that policymaking is the result of the collaboration of a collection of groups that share common beliefs about a given policy issue (Weible and Sabatier 2007). This framework argues that groups use various resources to ensure decision makers consider specific policies. This can include encouraging public support, using information strategically and the utilizing skilled entrepreneurs (Nowlin 2011; Weible and

Sabatier 2007). The ACF believes groups work as coalitions that collaborate to shape and improve policy options. Individuals are seen as rational, however rationality is typically informed by normative beliefs that may or may not be rational (Weible and Sabatier 2007). The ACF is primarily concerned with exploring how beliefs impact the development of policy change over time (Weible and Sabatier 2007, 198).

The Punctuated Equilibrium (PE) framework examines the underlying political processes that influence the stability of policy and how it changes (Jones and Baumgartner 2007). PE targets the relationship between information, policy choice and the attention of policymakers (Jones and Baumgartner 2012, 1). It argues that policy problems that occur in the political landscape are usually subdivided into smaller policy subsystems that compete for the attention of policy makers (True, Jones and Baumgartner 2007, 158). Adjustments to policy are an aspect of this framework, and occur when policymakers develop policy that is within their range of expertise. PE also assumes that rationality is the basis of policy decision-making, and that policy changes can occur from both the electoral process and through influence from external sources (Jones and Baumgartner 2012, 3).

2.3 Public Policy Frameworks: Limitations and Considerations

These three frameworks each offer many perspectives on how best to examine the policy process. The ACF is perhaps different from RCT and PE, in that it emphasizes the power of groups and how they impact policy decision making. One of the limitations of the ACF, that is important for my project, is the role of the sovereign power of the state in shaping and delivering policy. There are also limitations evident in the RCT approach, which is more attentive to the role of the individual; it also is not attentive to the importance of political power has in policy making. PE is also inadequate for my purpose because it aims to explore stability and change over extended periods of time, which is not pertinent for my exploration of land use policy in Myanmar.

I have chosen to utilize the MSF because it focuses on the relationship between policy, problems and politics, and the role of policy entrepreneurs. I have chosen to use this framework because the political dimension is particularly important in Myanmar. The other three frameworks do not examine the relationship between policy entrepreneurs and policy makers within the policy process, nor do they explore the linkage between problems and policy entrepreneurs in the political arena. This is significant for my project because I will demonstrate how entrepreneurs have impacted land use policy in Myanmar at multiple levels. My project will highlight the power held by policy entrepreneurs, and how they have

influenced land use policy making. Therefore, my project will clearly outline that Kingdon's MSF is the most effective model to analyse this area of research.

The MSF is best suited to analyse land use policy in Myanmar, particularly since the nation is undergoing a political transition. This is important because the MSF focuses equally on how to define problems, the development of policy solutions and the role of politics. Kingdon introduced the MSF in his book: *Agendas, Alternatives and Public Policies* (1984). The framework perceives policy as germinating from changes in politics, policy and problems. In this framework, policy entrepreneurs play the critical role, and it examines how politics intersect with policy problems. Kingdon argues that there are three separate streams associated with public policymaking: the problem stream, the policy stream, and the politics stream. When coupled together these streams create a "window of opportunity" that can produce policy change.

My primary research questions are: How useful is the Multiple Streams Framework for explaining land use policy in Myanmar during its transitional phase? And, what insights will the MSF provide that can explain the problems associated with land use policy in Myanmar?

2.4 Multiple Streams Framework: Key Components

Kingdon's framework identifies key players, institutions, resources, and political context as the integral components of a comprehensive analysis of policy making. It also explores the relationship between problems, agenda setting, and establishing policy solutions. The MSF provides insight into the policy making process by analysing the problems, policies, and politics streams, which highlights the role of push-and-pull factors and agenda setting within the policy process.

As previously stated, the three streams associated with the MSF provide a lens to analyse policymaking and examine policy change (Kingdon 1984). According to Feldman (1989, 5), the policy stream consists of the various ideas that emerge to solve a given problem. Kingdon termed this: the 'policy primeval soup' (Kingdon 1995, 116), which is derived from stakeholders and interested parties formed by policy communities (Zahariadis 2014). This includes politicians, interested citizens and lobbying groups, bureaucrats, academics and policy analysts. However, the MSF emphasizes that not all policy ideas and proposed solutions survive. For a policy idea to be accepted it must align with the values of the prevailing political party and society (Kingdon 1984). It must also be feasible to implement,

and necessary resources must be readily available (Zahariadis 1999). This requires integrated networks to shape and promote acceptance of the ideas (Jones et al. 2015).

Policymaking is always fraught with uncertainty about how to best solve policy problems. According to Zahariadis (2014), ambiguity occurs when uncertainties are not accounted for in policy. However, Wilson (1989, 228) argues that uncertainties can be mitigated if the policymaking process is well informed. Ambiguity cannot be reduced even if processes are inclusively developed, because there are often diverse factors involved. Kingdon (1995 cited in Sabatier 2014, 27) also believes that ambiguity increases when policy makers establish objectives without having expected outcomes and clear strategic decisions. However, Kingdon asserts that it is important to integrate ideas from different sources in order to reduce uncertainty and ambiguity. While uncertainty and ambiguity are always present in policy making, the MSF emphasizes that windows of opportunity will emerge irrespective of the amount of uncertainty. Nowlin however, argues that a window of opportunity provides better policy outcomes when policy streams merge with problem streams (2011, 44).

The problem stream is another critical component of the MSF (Kingdon 1995, 110). Bachrach and Baratz (1970, cited in Saint-Germain & Calamia 1996, 59) state that problem identification is a catalyst to shaping policy. Therefore, the problem stream refers to the issues that political entities view as problematic (Jones et al. 2015). These issues emerge from the collection of data and report, a focusing event, such as a crisis, and communication channels, which includes the media and public consultation (Ackrill et al. 2013). The level of attention of policy makers is another important aspect of the problem stream. For example, if an issue is important, but not pertinent, policy makers may be able to ignore it and maintain the status quo. In addition, to ensure the successful implementation of policy, Ridde (2009) believes that problems must be recognized and policy choices must be analysed before policy makers make decisions. Kingdon's views reflect these arguments. He believes that opportunities exist within the problem and political streams, particularly during the policy agenda-setting step (1995, 166). Ridde argues that combining the problem and political streams creates an equitable policy solution, and that the process of merging provides an opportunity for policy makers to gain perspective.

The next element of the MSF is the political stream. This includes the institutional and cultural context of the political system, the ideology of the government, the national mood, pressure groups and changes in administration or legislation (Ackrill et al. 2013, 873). Saint-Germain and Calamia assert that political streams can provide a window of opportunity for a

government to establish a new policy (1996, 64). Zahariadis agrees, and argues that “[p]ast experience often guides their actions, making trial-and-error procedures indispensable learning tools” (2014, 66). Kingdon contends that interest groups, institutions and ideological groups participate in political streams and provide a window for policy change (1984, 152). Baumgartner and Jones (1993 cited in Fischer and Miller 2006, 68) believe that political streams include the process of jurisdictional and electoral change, public opinion and organized political forces, which include pressure groups. The authors also assert that if reform is achieved through electoral change, vulnerable groups have the opportunity to highlight their problems.

After a political shift occurs, policy problems have to be included in the new policy agenda. Brunner argues that if a change in government can lead to reform movements, policymaking will likely improve by including public sentiment, political forces, and passing legislation (2008, 502). This argument is in line with Fischer and Miller (2006, 68), who suggest that changes in the political stream open the door to opportunities that create more effective policy outcomes. However, Schattschneider (1960) believes that these arguments fail to grasp that powerful groups, termed as policy monopolies (Baumgartner and Jones 1993, 142), have the capacity to control policy dialogue and settle policy problems even after a political shift occurs.

According to Schattschneider (cited in Fischer and Miller 2006, 68), policy monopolies can ignore public requirements if policy solutions are based on shifting political tendencies. Consequently, they have the power to keep the policy agenda understated. Schattschneider (cited in Malcolm 1962, 203) illustrates some of the problems with policy monopolies and their inability to establish a realistic policy agenda, “the flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-class accent.” This points out that political change cannot always make differences within policy responses.

A final aspect of the MSF is the role of political actors and policy entrepreneurs (Kingdon, 1995; Zahariadis 2014). These actors can transform a policy problem, which ensures attention from government. According to this line of argument, Zahariadis (2014, 39) believes that policy entrepreneurs try to accomplish their goals within the policymaking process by exercising their power to access policy in the political realm. Cobb, Ross and Ross (1976 cited in Haigh 2012, 73) emphasize the importance of some policy entrepreneurs (PEs) who help facilitate better policy solutions. They can attempt to garner interest from government in order to develop solutions that respond to the needs of the public.

According to the MSF, PEs are core agents of change who have special skills at coupling the three streams and exploring policy actions. PEs utilize their access to the political realm and can shape policy outputs. Kingdon (1984, 151) argues that PEs make an investment that often influences the policy agenda, and expect to reap benefits from policies that are enacted. Kingdon suggests “[p]olicy entrepreneurs invest considerable resources bringing their conception of problems to officials’ attention, and trying to convince them to see problems their way. The recognition and definition of problems affect outcomes significantly” (1995, 199). Zahariadis similarly argues that PEs try to accomplish their policymaking goals by exercising their influence and accessing the process in the political realm. Zahariadis also suggests that PEs introduce windows of opportunity after merging policy and problem streams (2014, 39). Drawing up a window of opportunity, Kingdon believes that changes in the political stream, either through an electoral change or political reform, can open the door to an opportunity to create more effective policy outcomes.

2.5 Windows of Opportunity in Myanmar

Kingdon’s work on “windows of opportunity” has been employed to analyse policy problems and policy change in developed countries (see, for example Jones et al. 2015 for an outline). In terms of analysing policies in developing or low-income countries, the MSF has also been used to examine ICT in Cambodia (Richardson 2008), secondary teaching in Africa (DeJaeghere et al. 2006) and the implementation of health policy in West Africa (Ridde 2009). The framework is useful in nations functioning in a political transition as there is an increase in possible policy windows.

Myanmar has gone through a large-scale political transformation since 2011, when the military began loosening its control over society to support the reformist government (Kramer 2012, 2). During the process of democratic reconstruction and transition, the transitional government introduced a series of reforms to assist Myanmar on a path toward democracy, economic growth and development. It is because Myanmar is in this transition phase that the MSF is useful in identifying the drivers of change, and the areas within the reforms that the new government is obstructing. This research will argue that Kingdon’s theory of multiple streams accurately captures the processes that contribute to the political transition in Myanmar, and its development of land use policy. As defined in the framework, the discussion utilizes the multiple stream approach to interpret new policies and legislation in Myanmar.

Firstly, an analysis of the problem stream will highlight that threats to land tenure and land tenure security was high on the public's agenda during the transition to civilian government in early 2011. The launch of economic and social reform has further highlighted the land issue as a national priority. Secondly, an opportunity opened in the policy stream when the government passed the NLUP as a part of its package of economic reforms. Evidence suggests that PEs promoted their interests in NLUP by influencing political parties, think tanks and presidential advisory committees. Thirdly, the government's promotion of the national economy through an increase of domestic and FDI, and reducing land-related political, economic and social problems, opened a window in the political stream. The integration of political forces and having access to international assistance became politically advantageous. I will expand a detailed analysis on these points in Chapter Four.

As the MSF illustrates, policy changes are best delivered during windows of opportunity that emerge within the problem and policy streams. During Myanmar's transitional period, the role of PEs is critical to the success of the political process. They engage in "elite-level politics" to drive reform, and have influence over the legislative branch, corporate sector, and civil society that enables them to alter the policy agenda. They influence policy decisions by accessing the executive branch of government. As the analysis in Chapter Four will demonstrate, policy entrepreneurs in Myanmar have become 'cronies' in the political arena and within emerging social movements, and have invested and expropriated significant amounts of wealth that was generated during the political transition (Chalk 2013, 8; Jones 2014, 145). Policy entrepreneurs try to leverage their influence to open policy windows and improve policy, but often improvements are often in their own interests. This falls in line with Kingdon's observations, and can be analysed by integrating the three-stream theory.

Summing up, the structure and capacity of this framework provides an opportunity to examine the intersection between streams and identify points of tension that occur within the political process. Kingdon's work on "windows of opportunity" offers a critical contribution to understanding the administrative, economic and political reforms taking place in Myanmar. This overview illustrates the direction of my research, and offers a background of the issues associated with crafting land use policy in Myanmar. Therefore it is important to consider Kingdon's work in analysing a transition country such as Myanmar.

Conclusion

This chapter outlined the theoretical framework I will use to analyse Myanmar's National Land Use Policy. While there are several theoretical frameworks that pertain to policy analysis, the MSF is the most appropriate for my project because it focuses on the relationship between politics, problems and policy. This chapter further reiterated the importance of understanding the role of policy entrepreneurs and their influence in shaping policy solutions. Before moving on to analyse the NLUP, it is important to provide an overview of the political environment and recent policy changes in Myanmar, and look at how they underpin its transition to democracy. This will be the focus of the next chapter.

CHAPTER THREE

CASE STUDY: MYANMAR – A NATION IN TRANSITION

Introduction

Myanmar is attempting to transition from military rule and civil war to democracy. It faces many difficult challenges, including ethnic marginalization, increasing levels of poverty, corruption and conflicts between ethnic minorities. Since a civilian government was installed in 2010 and the new President was inaugurated in 2011, the nation has instituted a range of political, social and economic reforms aimed to democratize the country's political system (Finaz 2014). The Thein Sein government has encouraged foreign investment, and highlighted poverty reduction as the key to improving the lives of Myanmar's citizens (BCN 2013, 2). The government has proposed a range of reforms designed to address the problems facing the country, particularly regarding the issue of land use.

This chapter explores the complexity of the policy and political environment in Myanmar. It provides background on the National Land Use Policy, the primary focus of the next chapter. The chapter proceeds in three sections: the first section provides an outline of the political environment that establishes a history of the transition from military rule to democracy. The second section explores the primary objectives of the NLUP, this includes the introduction of a range of laws and legislation. The third section explains the process of 'land grabbing' and the institution of laws to encourage foreign investment. These are important for my project as the practice land grabbing and the support of foreign investment has been exacerbated by the strategies of policy entrepreneurs or 'cronies' in Myanmar.

3.1 The Political environment in Myanmar

3.1.1 Military rule before the transition

The military ruled Myanmar for more than 50 years, and as a consequence, its political and economic institutions are extremely weak (Steinberg 2010, 61). The military leaders at one level, held the country together through long term civil war (Clapp 2015). The exclusive power of the military weakened rival groups, and alternative political forces were non-existent. This reality has had an enormous impact on the social, political and economic processes within Myanmar, and resulted in significant levels of inequality. Repression in Myanmar derived from institutional violence that emanated from the military government.

3.1.2 Push for political and economic transition

Several factors contributed to creating the political and economic transition in Myanmar. The military government effectively ‘starved the civilian economy’ (Clapp 2015), by exploiting the economy and instilling a repressive system that increased poverty and inequality. The military government set up a corrupt system that granted military leaders and their political allied cronies’ privileges and business opportunities (Clapp 2015). Increasing domestic pressure and international sanctions encouraged the military to embark on a transition to democracy in 2010 (Williams 2015).

Support from the international and regional communities has benefited Myanmar’s political transition. After the government launched economic reforms, China, Japan and Thailand increased economic ties with Myanmar (Clapp 2013). One of the largest initiatives during the reform period was collaborating with Thailand to build Asia’s largest deep-sea port (Chachavalpongpun 2011, 96). Western countries also reinstated their political and economic engagement with Myanmar. The end of economic sanctions, imposed by European Union, United States and Australia, was also important for Myanmar (BBC 2012). Foreign investors are watching the GoM’s commitment to political transition and economic reform, and a market of 60 million people has the potential to be extremely lucrative.

3.1.3 The diversity of political parties

After reforms were implemented there were 57 total political parties that participated in parliamentary elections (Myanmar Development Research (MDR) 2014, 215-218). However, evidence suggests that the government is still politically repressing opposition parties. Election laws and regulations strongly inhibit the activities of opposition groups. Although the government declares that there is equal opportunity for the opposition, the Union Election Committee (UEC) favours the military and the opposition is increasingly marginalized and dissatisfied (Pwint and Zu 2014). The political party registration law also prohibits political parties from using State resources during election campaigns (Myanmar. The State Peace and Development Council 2010, 6). This election law increases the dividing line between the military and non-military sector. However, the implications suggest that it is easier to manipulate election results because former military generals have a prominent role in the UEC (Pwint and Zu 2014).

3.1.4 Structure of state and region parliament

Myanmar is comprised of 14 states and regions which are constitutionally equal (Nixon et al. 2013). Many States have high ethnic minority populations, and the regions are primarily

composed of majority Burmese populations (Nixon et al. 2013, v). According to the 2008 Constitution, each state and region has its own Parliament. Members were elected in general elections held in 2010, and again in by-elections in 2012. A Chief Minister heads each parliament (Myanmar. Constitution of the Republic of the Union of Myanmar 2008, Article 164-c). In accordance with the constitution, 25% of state and region Parliament seats are allotted to the military. The Union Solidarity and Development Party (USDP) occupy the role of Chairman in the State and Region Parliaments. The Members of Parliamentarians (MPs) from USDP are appointed and dominated by the military (Clapp 2015, 369).

3.1.5 Decision making in State and Region governments

According to the 2008 constitution, a Chief Minister is nominated by the President and approved by the Parliament in all states and regions. State ministers are nominated by the Chief Minister, Commander in Chief of Military, and then approved by each Parliament. In all state and region governments, the Chief Minister is the most powerful decision maker (Myanmar. Constitution of the Republic of the Union of Myanmar 2008, Article 195-a).

Ministers in the state and regional governments are responsible for relevant sectors, and accountable to the Chief Minister and relevant Minister at the Union level. Nixon et al. point out that ministers at the state level coordinate with one another (2013, ix). Departments in states and regions are directly responsible to state ministers, Chief Ministers, and the Minister at the Union level. Communication between the departments at the State and lower levels is primarily informal, however it is formal with the Chief Minister (Nixon et al. 2013, ix).

3.1.6 Power of Executive

The constitution assigns executive power to the President. The President appoints Union Ministers who may or may not be elected MPs. The Parliament has a limited power to refuse a candidate for Union Minister that has been proposed by the President. The Union Minister is also directly accountable to the President (Myanmar. Constitution of the Republic of the Union of Myanmar 2008, Article 232). With the power vested in the President, the process is not transparent.

3.1.7 Drivers of change in Myanmar

The constitution grants the military a privileged position (Myanmar. Constitution of the Republic of the Union of Myanmar 2008, Article 20), and they have monopolized the political system. The military drives the practices and behaviours of the legislative body (Nixon et al. 2013). Given that the military exercised control of Myanmar for the past 50

years, they are the most politically developed institution and have the ability to determine institutional matters. Hardliners that work behind-the-scenes have penetrated the State's administration hierarchy (Nixon et al. 2013). They control State power from the centre, and inhibit the social and economic advancement of society. The military is the power broker for all political developments that occur in Myanmar, and meaningful reform cannot take place without its participation.

3.1.8 The role of parliament

Myanmar's Parliament was voted into office in 2011, and plays a critical role in the process of political transition. However, the legislature is dominated by the military. It is composed of 25% military personnel (Myanmar. Constitution of the Republic of the Union of Myanmar 2008, Article 109-b) and 60% of MPs are also from the military back up USDP party (MDR 2014, 216). This quasi-presidential system prioritizes the military. The opposition has made repeated demands to amend the constitution and alter the power structure of the government, and tensions have escalated. Although the Parliament has a limited capacity to direct the political transition, the opposition believes that establishing a functioning parliament is the only way to promote democratization (Aung 2014).

3.2 National Land Use Policy

The majority of Myanmar's citizens live in rural areas and rely on agriculture to survive (Finaz 2014). According to USAID (2013), access to land is the main impediment to reducing poverty. The previous military government confiscated land to establish agribusiness industries (BCN 2013). This practice left many citizens displaced, and the new Thein Sein government has made land reforms a top priority. However, according to Henley (2014), both government forces and armed ethnic minority groups still use land confiscations as a way to finance military operations through leasing land to foreign investors.

Between 2010 and 2013, the Government of Myanmar (GoM) developed a set of laws that targeted land use (Franco et al. 2015). The Framework of Economic and Social Reform (FESR) suggests that the government should prioritize implementing a land use policy to ensure property rights and reduce poverty (Myanmar. Ministry of National Planning and Economic Development 2013). Many perceive land reform as a key element of rural development within the national development plans (BCN 2013; Franco et al 2015). Coupled with land reform, the government is also attempting to address ongoing ethnic conflicts in an effort to achieve peace and development. However, many ethnic villages are displaced and

marginalized, and the government's approach to land use and land acquisitions has generated increasing numbers of protests and political instability (BCN 2013, 6).

The National Land Use policy was developed through consultation with several groups across the country. Several commentators noted that the consultation process was short, but many organizations held workshops that informed local citizens about the importance of policy reform (Franco et al. 2015, 12). According to the World Bank, "Myanmar is embarking on a triple transition: from authoritarian military system to democratic governance; from a central directed economy to a market-based economy and from 60 years of conflict to peace in the border areas" (World Bank 2015). The reform process appeared to establish a more inclusive approach to address the issue of land use. According to Williams (2015), this consultation process marks a radical departure from the top down policy initiatives that were implemented during military rule (see also Franco et al. 2015).

The basic principles of the NLUP, outlined in the Draft policy (2014), state that policy is intended to preserve and protect the interests of citizens of Myanmar. The NLUP is supposed to provide a governing model for the tenure of land (2014, 4). The National Land Law aims to harmonize existing laws that cover resources and land tenure; and the policy also has the power to intervene in land disputes between users and stakeholders in accordance with the national land law (NLUP 2014, 33). While the policy appears to offer a positive step, several commentators point out that the document emphasizes the technical aspects of land use without focusing on more traditional uses. This increases the uncertainty of poor and marginalized groups (Franco et al. 2015; Clapp 2015; Williams 2015).

As highlighted in the Introduction to this project, prior to the release of the NLUP, the GoM passed two laws regarding land use. The Farmland Law, which instituted the use of Land Use Certificates (LUC) for the sale of land through a land market system. This legislation enabled land to be bought, sold and transferred. However, it also included a range of administrative mechanisms that, due to the historical ethnic conflicts that displaced millions of people, made it difficult to acquire certificates (BCN 2013, 3; Franco et al. 2015, 20). A further law, the Vacant, Virgin and Fallow Land Law (VVF Law) was also instituted, and it legally sanctioned the confiscation of land by the Government (Franco et al. 2015, 22). The VVF Law meant that the GoM could legally allocate land to companies of their choice, and therefore villagers who had previously used the land for their traditional livelihood were rendered as 'squatters' as such denied access to the land (Franco et al. 2015, 13).

3.3 Land grabbing and the institution of laws encouraging foreign investment

Land grabbing or land confiscation, leads to the forced relocation of communities and changes the nature of land use from small-scale farming to large-scale industrial and agribusiness ventures (BCN 2013, 5; Franco et al. 2015, 18). Land is also confiscated to develop social infrastructure such as roads, bridges and dams, oil and gas pipelines, extract natural resources, such as gold mining and logging, and for the development of private business (Franco et al. 2015). According to Franco et al., local villagers are often not informed or compensated for land that is confiscated, which displaces many people and ruins livelihoods (2015, 22).

The GoM also set up special economic zones and laws to try to attract foreign investment. The Myanmar Investment Commission has the power to authorize foreign investment in sectors it deems in the national interest (Franco et al. 2015, 23). The Special Economic Zones Law provides incentives for investors. These include: ‘up to 75 years access to land for large-scale industry, low tax rates, import duty exemptions, unrestricted foreign shareholding, relaxed foreign exchange control and government security support’ (Franco et al. 2015, 23; ALTSEAN 2014). These laws have led to several community protests, although the government has made a range of proposals that try to balance economic development with rights for traditional landowners. The government said it would abide by the free, prior and informed consent (FPIC), a stipulation under the UN Charter that promotes respect for Indigenous peoples (United Nations Declaration on the Rights of Indigenous Peoples, Article 10). However, the success of this in Myanmar is unclear.

Conclusion

This chapter has provided an outline of the democratic transition that is occurring in Myanmar. This chapter has explored the political structure of Myanmar, and the role of Parliament in the political and policymaking arena. This chapter has also provided background for a more detailed analysis of the NLUP and land use policy that I will explore in greater detail in Chapter Four. My intention with this chapter is to highlight some of the political constraints that have undermined the reform process in Myanmar as a way to position my analysis of land use policy in the next chapter.

CHAPTER FOUR

ANALYZING THE POLICY CONSTRAINTS AND LIMITATIONS IN STATE-LED DEVELOPING LAND POLICY IN MYANMAR: USING KINGDON'S MULTIPLE STREAMS FRAMEWORK

Introduction

This chapter uses the multiple streams framework (MSF) to examine the national land policy and related laws in Myanmar. It highlights how policy problems have been exacerbated by various parties, how policy makers emphasize one version of a problem, it identifies forms of political manipulation and discusses the implication that ambiguity has on the policy process. Due to a range of factors, I argue that state-led land policy has encountered significant constraints and limitations. This thesis argues that policy entrepreneurs influence the legislative and executive branch of government, which has enabled various groups to promote self-serving goals and undermine the success of land reform.

This chapter proceeds as follows: the first section illustrates how policy makers within the problem-making stream address issues. I outline how focussing events capture the government's attention to promote land reform, then demonstrate how land use was defined in the policy context, how it excluded the customary tenure system, and its negative impact on Myanmar society. In the next section, I discuss how policy communities promote policy ideas. I highlight the range of ideas proposed by policymakers, and the consultations that occurred with various community groups. I argue that the version of the NLUP put forward by the government does not commit to the existing land governance model, and negatively affects many land users. In the third section I explain the politics stream, and highlight important aspects of Myanmar's political transition, specifically the importance of the national mood and reaching a peace deal. I argue that the administrative reforms that took place within the governing body and peace building initiatives influenced policy choice within the politics stream. In the fourth section I focus on the role of policy entrepreneurs and how they seize opportunities to deliver policy options, then highlight some of their negative aspects. Lastly, I analyse policy windows. In this section I argue that the consistent linkage of problem, policy and politics delivered a policy decision in the light of policy window. The decision however, has had detrimental implications for many traditional land users in Myanmar.

Multiple Streams Framework

As previously discussed in Chapter Two, I chose Kingdon's framework because it focuses on the relationship between politics, policies and problems, while acknowledging the role that policy entrepreneurs play in the policy making process. I utilize Kingdon's theory to address the following questions: how useful is Kingdon's framework in explaining land policy in this political transition? What insights will the theory provide to explain the constraints and limitations in developing land policy in Myanmar? The following discussion and arguments combine Kingdon's framework with information derived from the NLUP.

4.1 Problem stream

4.1.1 Focusing events

As previously highlighted in Chapter Two, the MSF argues that a key factor in the development of policy problems is the analysis of how events emerge that demand the attention of policy makers (Kingdon 1995; Ackrill et al. 2013). In Myanmar, the government prepared a poverty reduction scheme to reduce nationwide poverty, which highlighted the importance of land use. The Integrated Household Living Condition Assessment conducted by the UNDP found that one-quarter of Myanmar's population lives below the national poverty line (2011). Agriculture is the largest part of Myanmar's economy, and the Asian Development Bank argues that poverty eradication can only succeed by increasing agricultural production and granting farmers access to cultivable land (2012, viii). Myint claims that agriculture is the backbone of the economy, and the government needs to prioritize the needs of farmers (2011).

The Framework of Economic and Social Reform suggests that the government should emphasize developing an equitable land use policy that ensures property rights in land and contributes to a broad poverty eradication strategy (Myanmar. Ministry of National Planning and Economic Development 2013). Myanmar's national development plans perceive land reform as one of the primary aspects of rural development under national development plans. A number of reviews highlight the need for a concrete land policy in order to address increasing levels of poverty. These reviews constitute focusing events that encouraged the GoM to introduce the NLUP in 2012. The GoM released the fifth draft of the NLUP in October 2014, which articulated the government's policy ideas regarding land reform.

At this point it is important to consider the casual factors that underpin the push for the NLUP. As outlined in Chapter One, identifying causal factors provides policy makers with a strategy to target the root cause of any given problem. Stone (2003) suggests that all policies

have causal stories that frame the policy problem, establish area of responsibility and set up strategies to intervene in the problem. It appears that the causal story within the NLUP is specifically targeted to addressing poverty. Consequently, the NLUP highlights land use and access to resources as the most important factors that contribute to poverty reduction. This no doubt places increased pressure on access to land and how land is used within the nation.

4.1.2 Defining constraints and limitations in the national land use policy

There were several limitations that impacted the development of the NLUP. The fifth draft of the NLUP was released in October 2014, but there was little evidence that empirical information was used to craft regulations that pertained to the utilization of land. It appears that the government did not carry out surveys or map land-related social and economic problems (Myanmar. Land Use Allocation and Scrutinizing Committee 2014). The absence of systematic data collection meant that policy makers did not acknowledge the underlying causes of policy problems. In other words, this enables the causal story to be one of a ‘misuse or ineffective’ use of land, and therefore the new policy can legitimately sanction the implementation of the land laws: the Farmland Law and the VVF Law.

There are further limitations regarding bureaucratic modalities that exist within the policy making process. Article 4 and 5 of the NLUP state that the President is responsible for guiding the policy formulation process (Myanmar. Land Use Allocation and Scrutinizing Committee 2014, 2). Senior bureaucrats who work with centralized initiatives dictate how policy is formulated. This top-down approach disregards ideas from the media, development actors, and academics, and ignores the people whose livelihoods are directly affected by policy provisions. Zahariadis has a similar argument, and discusses the role of problematic preferences when policy makers are forced to draft policy without having empirical knowledge (2014, 66). In this respect, the Food Security Working Group (FSWG) encouraged the GoM to embrace public consultation and debate within the private sector, civil society, and UN Organizations regarding land reform (2012, iii). As a result, there was six months of public consultation after the 5th draft was released, but this was not enough time to enable representatives from many rural areas to participate.

4.1.3 Analyzing the problem stream

The above description of the development of the policy suggests that the NLUP fails to recognize traditional land administration practices being exercised in rural communities to govern and transfer land. This is customary tenure system which is widely practiced within rural communities. The inability of policy makers to acknowledge the customary tenure

system indicates that they misunderstand the facts, which has led to an inappropriate analysis of policy problems. This renders farmers vulnerable to land titling and land grabs. By emphasising the importance of defining policy problems, the MSF highlights how this state-led strategy involves significant weakness and ambiguity, and does not accurately define problems.

A centralized approach also negatively impacts the creation of sound policy options. When upper level bureaucrats define problems, policy makers do not focus on the issues faced by average citizens. Zahariadis (2007) argues that such a top-down agenda results in negative interpretations and utilization of information. In the absence of broad public consultation, land use policy is not inclusive.

4.2 Policy stream

4.2.1 Policy communities

Anderson argues that both institutions and policy actors play a critical role in the policy process. Policy actors connect with policy issues often have constitutional or administrative authority to engage in policy making (2003, 46). The process of developing land policy in the policy stream supports this argument. The central government formed central and state level land committees and councils in June 2012 in order to provide advice to the President about land use policies (Myanmar. Land Use Allocation and Scrutinizing Committee 2014). Committees worked under the supervision of the Ministry of Environment Conservation and Forestry (MoECAF), and gathered technical advice from international institutions. Land experts, planning officers, rural-urban specialists and environment specialists within many ministries are part of these committees. The Attorney General's office took part in this process to ensure that the NLUP did not conflict with policies and laws adopted by other ministries. Policy compliance has been considered in this point. These groups fit within Kingdon's view on the role of policy communities as groups who have expertise in a given policy area and have affected political events (Kingdon 1995, 118).

Beyond the public sector, civil society organizations (CSOs) have also been concerned with the development of the NLUP. Land Core Group (LCG), Food Security Working Group (FSWG), and Pyo Pin are helping to craft the GoM's land reform agenda. CSOs disseminate their ideas, which are reflected in the policy stream through public consultation and seminars, the production of concept notes, journal articles, and legislative proposals. These integrated networks are dominant within the policy stream.

4.2.2 Policy “soup of ideas”

In this part, I have made reference to a “soup of ideas” (Kingdon 1984), where ideas planted by policy communities are constantly competing with one another to get recognition in policy streams. CSOs had concerns to endorse a concrete land policy designed to protect the rights of landholders and stimulate national economic growth. The groups stress the impact of tenure security on agriculture investment (Franco et al. 2015). If tenure protection secures the acquisition of land titles and title management, farmers and domestic investors will have more confidence to invest in land. This would encourage more investment and production. Due to the lack of land titles and tenure rights, landholders are threatened with forced evictions and displacement (Franco et al. 2015, 40), which harms the livelihoods of farmers. As I explained in Chapter Three, many landholders do not have property titles that support land claims. FSWG agree and argue that land policy must guarantee the rights and tenure security of small landholders in order to improve small-scale farming and ensure the equitable distribution of farmlands (2012, IV).

The Transnational Institute (TNI) provides policy ideas that land issues in Myanmar are tied with tenure rights and tenure security. A major report by TNI highlights the problem of land grabs by powerful groups. These groups have access to land and heavily influence land related decisions. The report argues that a lack of recognition of customary and traditional tenure system is the root cause of this problem. The report also warns that a large number of farmers are affected when customary tenure security is undermined (Franco et al. 2015, 4). LCG agrees, and believes that policy should ensure freedom of crop choice and tenure security based on land use (LCG 2015). Feedback from consultation workshops and technical data from research was compiled and analysed. Afterwards, LCG directed policy ideas to the GoM (LCG 2015). CSOs try to stimulate economic growth after promoting tenure security, however, policy bureaucrats often have different policy ideas.

Policy bureaucrats believe that large-scale investment in the agriculture sector is crucial to enhance Myanmar’s economic growth. Consequently, GoM attempted to promote land governance after developing professional land laws and policies. FESR emphasised this point as, “the laws represent an important opportunity to reintegrate the country back to the global economy” (Myanmar. Ministry of National Planning and Economic Development 2013, 24). The government witnessed how the Farmland and VVF laws were established in 2012, and integrated the promotion of large-scale agriculture production to encourage economic development. FESR offered many options for promoting the agriculture sector, which is

important in order to increase income and employment, and promote inclusive development. The NLUP exclusively favours large-scale investment, which includes creating agriculture, livestock breeding and fishery zones (Myanmar. Land Use Allocation and Scrutinizing Committee 2014). Current land users are not allowed to participate and the needs of the public are not prioritized when land use planning is being prepared. This illustrates how smallholders, farmers and continuous land users are ignored when land use mapping and zoning plans are crafted.

4.2.3 Analyzing the policy stream

According to the MSF, ideas derived from policy communities are floating in the policy stream (Kingdon 1995). However, many ideas are not considered while some are prioritized over others. Evidence suggests that the major problem related to land rights in Myanmar is the lack of protection granted to land owners by land management policies. Policy makers ignore the needs of the majority and choose the policy options against the interests of the state. Evidence also suggests that policy promotes large-scale agriculture and business development. In my view, policy makers have not effectively used the resources of the state during its political transition, and do not appear to consider land tenure security as beneficial for the state.

4.3 Politics stream

4.3.1 Political transition

The primary issue relating to the politics stream pertains to the political transition in Myanmar, and its progress on social and economic reforms. The end of the military's control of the administrative branch changed the political setting, and President Thein Sein implemented landmark reforms. As I explained in Chapter Three, the new administration transitioned to civilian rule and established poverty reduction strategies that did not exist during the 60 years of military rule. The constitution requires that power and resources be split evenly between government, parliament, and the judiciary (Myanmar. Constitution of the Republic of the Union of Myanmar 2008, Article 11-a). Power is also split among Unions, regions, states, and self-administered zones (Article 11-b). While the government established new policy initiatives during the transition, progress has been slow due to the absence of a legal framework (Williams 2015).

4.3.2 National mood

The national mood is one of the primary drivers of the political stream (Kingdon 1995, 146). In Myanmar, the need for land reform filtered through the media and CSOs, which argue that

large-scale land acquisition is a major problem. Unclear land rights and insecure land tenure have also exacerbated the unsustainable use of land. According to MercyCorps, a small number of people have accumulated the benefits of the majority of land (2014, 7). Population growth, the lack of income-generating opportunities, and landlessness has put intense pressure on the land. Many bureaucrats, policy makers, and ordinary citizens argue that land reform can help solve these issues, and reduce poverty and food insecurity.

4.3.3 Peace building initiative

Implementing national reconciliation through peace building initiatives is the third motivating issue within the politics stream. The Thein Sein government has argued that the most important barrier to growth is political instability, and points to the past 60 years of internal war and ethnic conflict. This is a key impediment to building a successful transition. The new government has suspended on-going military operations in border areas and commenced national reconciliation efforts to establish peace with armed groups. The GoM established the Union level Peace Working Committee (UPWC) in 2011 to maintain ceasefires and promote the peace process (President Office 2011). The peace process is an emerging factor in the politics stream, and helped motivate the government to craft the NLUP. The government and ethnic armed groups both agree that achieving peace is the only way to end the social and political problems that have occurred during the transition period.

Tschirgi (2004) states that peace-building processes in transition countries are impeded by significant challenges, particularly land policy. These challenges include land tenure, property rights and property restitutions that promote voluntary repatriation of internally displaced peoples (IDPs) and refugees. The displacement of civilians is a pressing issue for Myanmar, which has 65,000 IDPs, over 130,000 refugees and two million migrants who currently live in Thailand (Franco et al. 2015, 19). The Pinheiro Principles states that a legitimate government has the responsibility to commit to property restitutions that adhere to international standards. Systematic land reform would help protect refugees and IDPs who have been affected by political, social or armed conflict.

4.3.4 Analyzing the politics stream

According to Williams (2015), the national mood and peace building efforts in Myanmar are major drivers in the politics stream, and instability is negatively impacting the progress of NLUP. The political situation remains fragile, and I believe that the transition to democracy will take years to fulfil its objectives. As long as the state supports or turns a blind eye to organized crime and does not remain committed to reforms, Myanmar will be unable to

progress. Religious conflicts are still occurring, most of which stem from extremist Buddhists who threaten the lives and livelihoods of the Muslim minority. Chalk condemns the Myanmar government for failing to adequately respond to anti-Muslim sentiment (2013, 10).

In addition to internal instability, peace-building efforts between the GoM and ethnic armed groups have proven insufficient. Lee claims that the government has failed to prove its commitments with tangible actions, and national ceasefires have been unsuccessful (2015). The Bangkok Post believes that a nationwide ceasefire is highly unlikely to occur, and points out that 11 of the 18 active insurgent groups refuse to negotiate. The Bangkok Post also discusses how ceasefire talks have collapsed, and points out that the GoM has increased military operations in some ethnic areas (2015). This suggests that the reformist government is more concerned with retaining power than compromising with armed groups, which hinders the likelihood of solidifying a peace deal. Policy makers and policy communities both inside and outside of government are focused on solving on-going civil conflicts, and the development of an equitable land use policy remains a significant challenge.

4.4 Policy Entrepreneurs

Outlining the role of policy entrepreneurs is an additional component of the MSF. As I discussed in Chapter Three, the majority of policy entrepreneurs in Myanmar have relationships with former members of the military government (Global Witness 2015, 4). Global Witness claims that these ‘cronies’ engage in illegal business actions to generate personal wealth and expand their power. They trade their loyalty to government for money, power and influence, and have the means to control the political transition. Turnell (cited in Zaw, 2014) supports this view, and argues that these entrepreneurs are ‘cronies’ who seek political and economic power. According to Din (2013), as the political transition proceeds cronies have essentially become the politicians. They declare as self-branded philanthropists! They manipulate and control cabinet posts, the UPWC and presidential advisory committees in order to influence the transition (Din, 2013).

4.4.1 How they use to influence the NLUP?

When the government began the process of land reform, Franco et al. documented that cronies had already infiltrated the policy making body of the NLUP (2015, 23), and played a central role in framing policy ideas. Under the influence of cronies, the legislature pushed laws without acknowledging the social and economic consequences for the public (Franco et al. 2015, 23). Franco et al. also argue that cronies impact the policy process both internally and externally. Internally, they have infiltrated the parliament, ruling party and the

President's committee (2015, 23). Research indicates that cronies also played a significant role in how the NLUP was crafted, and the direction of economic policy (Din 2013; Franco et al 2013). According to the Transnational Institute, after buying influence in key ministries, such as the Ministry of Agriculture and Irrigation (MoAI), cronies also attempted to increase their influence in the Union level Land Use Allocation and Scrutinizing Committee, Land Investigation Committee and state and regional level land use councils. This indicates the amount of power held by these groups, and illustrates why the state has been unable to develop a professional land policy (TNI 2013, 7-8). Global Witness describes the minister of MoAI as one of the most powerful and controversial delegates in the current government, and blames him for lobbying for large-scale farming (2015, 4). Externally, cronies promote policy solutions by infiltrating think-tanks, CSO, research groups and business networks (Din 2013). Policy entrepreneurs use their relationships to guide the direction of policy. They promote their ideas and promote self-serving agendas. The NLUP and related laws are largely a reflection of the interests of cronies. This situation illustrates why changes in Myanmar have been unable to deliver positive results to the public within the policy making stream under the influence of cronies.

4.4.2 Analyzing policy entrepreneurs

Evidence indicates that within the problem stream, policy entrepreneurs (PEs) have penetrated the executive branch, cabinet ministries, and research groups (Din 2013). They have gained access to Thein Sein's administration, and have the power to implant their ideas into the reform process. They have also used intimidation to promote their agendas. Global Witness points out that Agriculture Minister, U Myint Hlaing, has pushed industrial-scale agriculture at the expense of smallholder farmers (2015, 4).

In the policy stream, evidence suggests that PEs who are cronies and ex-military generals generally dismiss ideas that are generated by policy specialists. They instead push their ideas in order to soften policy communities (Henley 2014, 2). The author points out that debates related to changes in land governance can be overruled by the Speaker of Lower House, who was a senior politician of the former military government. The Land Investigation Committee (LIC) formed by president Sein in July 2012 investigated land confiscation cases prior 2011, and blames cronies for the majority of land grabs (Franco et al. 2015, 14). Under the influence of PEs and cronies, LIC wield limited power. These groups do not allow the recommendations of LICs to be included in policy. Nyein points out that although the commission put a deadline on the executive to solve land grabs, it made no response for

nearly a year (2014). Nyein argues that, “government action on the land-grab cases as delayed (2014).” PEs have manipulated the government to soften independent resolutions relating to land grabs (The Human Rights Foundation of Monland-Burma 2015, 30). They use their power and personal relationships with military generals to discredit proposals made by the CSOs (Zaw 2015). They also use access to policy makers, the legislature and Attorney General, to influence the NLUP and ensure that it does not protect the rights of land users or legitimize customary tenure (Franco et al. 2015, 23). This illustrates the extent to which the NLUP is intertwined with the interest of cronies, and reflects Kingdon’s theories. PEs capture the attention of policy makers and convince them to follow their recommendations. Zahariadis argues that PEs try to accomplish their goals within the policymaking process by exercising their power to access prospective legislation within the policy realm (2014, 39).

Policy entrepreneurs have the power to persuade the government to negotiate peace. Several took seats in the UPWC, and they are considering trying to facilitate peace accords with insurgents to promote political stability (Nyein, 2014). However, there is widespread recognition that a successful ceasefire would require an effective national land policy (TNI 2013; and Chalk 2013). As stated in politics stream, political stability is a prerequisite for developing an equitable land policy. PEs also understand that foreign investors are reluctant to invest in Myanmar without protection from an explicit land policy. PEs are attempting to build a foundation for peace in the politics stream in order to open a window for securing foreign investment.

The influence of cronies and PEs in Myanmar is a major challenge that impacts policymaking. They ensure that there is weak collaboration between regulatory authorities and policy communities, and relationships between PEs and policy makers jeopardize the policymaking process and success of the NLUP. Cronies overrule central and state land committees, manipulate the public agenda and promote self-serving agendas. PEs impact the delivery of policy options, which causes the policymaking process to be full of ambiguous language, weak at setting agendas and full of political manipulation. However, PEs also have the skills to merge the three streams and identify beneficial policy actions. When they lobby parliament and the executive branch, they couple the streams and introduce a policy window for the provision of sound policy. PEs are core agents of change, and help shape Myanmar’s reform process.

4.5 Policy Window

Political change and reform has occurred in Myanmar, and the primary challenge for the government is to reduce poverty. The reformist government argues that sustainable economic growth is the only way to succeed. It supports inclusive economic growth that benefits the entirety of society, but must first establish a comprehensive land policy. During his first 14 months, the President formed an inter-ministerial committee to provide him with political advice pertaining to land reform (Franco et al. 2015, 14). The government also formed the National Land Use Council and State and Region Land Use Committees, which are composed of the Vice-President and other ministers, in order to craft the NLUP (Myanmar. Land Use Allocation and Scrutinizing Committee 2014). It also formed the Land Investigation Committee (LIC) to investigate cases of land confiscation. This committee reports directly to the president's office. The government completed a working draft of the NLUP that was released in January 2014, and two additional drafts in September 2014 and May 2015. There were 17 total public forums held between the first and sixth draft (Myanmar. Land Use Allocation and Scrutinizing Committee 2014). The initial pace of land reform surprised many national and international observers, and illustrates the government's enthusiasm within the problem stream to complete land reform and achieve sustainable economic growth.

In the policy stream, after the government improved the land governance system policy communities promoted large-scale domestic and FDI. Prior to developing the NLUP, the government released the Farmland law and VVF law, designed to provide tenure rights to investors. These laws aimed to strengthen the legality of land use rights under the provision of an "emerging" land market. An improved "market" contributed to the state's economic development during its transition to democracy. This law allows for the free and legal exchange of land, and strives to deter land price speculators that the government believes hinder the process of economic development. The VVF law caused an increase in the value of 'wasteland' or 'vacant land' (Franco et al. 2015, 33), and according to the law, this land will be transformed into arable land to increase agricultural production, poultry farming, aquaculture and mining. These wastelands will be given to investors in order to enhance economic development at the sub-national level. Myanmar's political transition represents an opportunity to foster domestic and foreign investment.

In terms of the politics stream, Myanmar is at a critical moment. Peace building and the national mood are impacting the development of land governance. This situation requires the

government to establish political legitimacy by developing equitable land reform. Land policy determines the allocation and management of state resources, and can promote social, economic and political change while preventing conflict between power players and social classes.

The three streams intersect to open a window of opportunity that creates more effective policy outcomes. Policy entrepreneurs and elites who have access to decision makers introduce policy windows in order to create policy improvements. After they combine problem and policy options, they introduce windows of opportunity. Policy entrepreneurs also play a major role in coupling the three streams, and can frame a given policy issue in a way that promotes social change. Policy entrepreneurs have experience working with government and often have special skills that enable them to explore policy options after they utilize their political networks. Policy entrepreneurs can influence policy outcomes by opening windows of opportunity, changing the politics stream through political transition and promoting the peace process.

Conclusion

This chapter illustrates the challenges of state-led land policy when the policymaking process fails to provide a means for government and policymakers to emphasize policy ideas. The chapter highlights the uncertainties that can impede the process of defining problems and delivering sound policy options. As a result, the 'real' or in other words, an alternate view on problems fade and drop from policy agenda. Due to strategic relationships between policy entrepreneurs and policy makers, it is difficult to predict the outcome of land policy. However, this chapter demonstrates that policy entrepreneurs can be effective agents in Myanmar's political transition by accessing policy in the political realm. When they lobby the parliament and executive, they introduce a policy window that can lead to the provision of sound policy.

CONCLUSION AND RECOMMENDATIONS

The government has a core responsibility to ensure policy protects civil liberties. This study has illustrated that explicit and comprehensive legislation is needed to protect and promote the rights of current landowners and foreign investors in Myanmar. The study has examined the policy making process of the NLUP by utilizing Kingdon's MSF. It has illustrated how the Union Government, under the conditions of a political transition implemented a national land use policy in Myanmar. The main purpose of the study has been to present insights through the use of the MSF in order to explain some of the problems associated with crafting land use policy. This project therefore highlights the usefulness of MSF in examining land use policy in Myanmar in the context of a political transition

As explained throughout the thesis, the importance of the MSF is that it provides a lens to explore the intersection between problem, policy, and politics stream. It accurately captures the policy processes that contributed to political changes that took place in Myanmar during the crafting of the NLUP. As a framework for investigation, the MSF has provided the following insights into the three streams, and it has also highlighted the importance of understanding the role that policy entrepreneurs play in policy making.

First, the analysis of the problem stream highlighted the urgency of addressing poverty for the new government in Myanmar. This focusing event provided the basis for the GoM to develop the NLUP primarily to confront this issue. In doing so, the government focused the issue around economic problems in society, without equal attention to the importance of tenure rights for landholders. The MSF pointed to levels of ambiguity in the way the government defined the problem which therefore left traditional landholders marginalised in the process.

Second, by emphasising the importance of the policy stream, this research demonstrates that policy makers emphasised the role of large-scale agriculture and the interests of big business. The policy makers did not consider land reform that would address the interests of traditional landholders. The lack of protection given to land owners by inefficient land governance is the primary issue confronting Myanmar. As the MFS analysis highlights, the key element within the NLUP process is how policy options are framed. Following this, this project also pointed to evidence that policy entrepreneurs and cronies exploited their position inside and outside policymaking bodies to include "pet policy options" into the government agenda.

Third, in terms of the political stream, the MSF emphasised the role of high-profile events occurring in the political transition, that is, the importance of the national mood, and peace building initiatives. While these key events underpin the ‘window of opportunity’ to develop this new policy area, unfortunately the political environment within Myanmar is still negatively influenced by ‘cronies’. They are aware that establishing an explicit land policy is critically important in order to encourage foreign investors and increase FDI. The political stream has also suggested however, that policy entrepreneurs play a crucial role and promote policy ideas that create a foundation for peace and an open window to secure investment.

As a framework for analysis the MSF also emphasises of the relationship between different segments of the policy process. It ensures that the links between politics, problems and policy are central to the analysis of policy making. The MSF enables researchers to understand the links between how policy makers define problems and their development of policy ‘solutions’. Importantly, the framework offers a broad picture of policy ideas that occur within policy communities. It targets the role of government and the legislative branch in the three streams, and the role policy entrepreneurs in this case in creating a national land policy. Another advantage of utilizing the MSF, is that it provides a clear understanding of how the political system in Myanmar influences the policy making process. Without using the MSF, it would be difficult for an analysis to convey the complex nature of the development of the NLUP when the multi-lenses are intertwined on policy and political landscape.

This study is limited in that it relies on desk-based research, secondary sources and scholarly literature rather than primary empirical research. I planned to conduct field research, but the political situation in Myanmar deteriorated and it was unsafe to interview government officials, activists and civil society organizations. Depending on political developments, further research should conduct empirical studies that investigate the practical implications of cronyism and the victims of land grabs. If a future study used inputs from this thesis as baseline data, longitudinal research could shed light on the long-term social and economic impact that land grabs have on land users.

Recommendation

This thesis also makes several recommendations for the development of land use policy in Myanmar. The success of reforms in Myanmar will be impacted if it does not establish an explicit land policy that governs land use and tenure security. The evidence presented in this project illustrates the importance of understanding the complexity of problems related to facilitating policy that protects the land rights of small landholders. The success of the NLUP

has been jeopardized by the influence of policy entrepreneurs and cronies. Policymaking bodies have ignored the needs of the population, and focus on promoting large-scale agriculture development. Micro-agricultural production is jeopardized when the state invests in large-scale projects. As a result of the influence of policy entrepreneurs, the NLUP encourages confiscations and forced relocations that displace vulnerable communities.

Above all, I make the following recommendations. The government has to improve the NLUP in order to mitigate land-related political, social and economic problems. Due to the impact of inefficient land policy, the GoM also needs to improve its policy making process. An improved policy process must protect the tenure rights of small and marginal landholders while respecting the rights of citizens.

Understanding causal stories

Policy making bodies must focus on understanding the underlying issues that are critical to making the NLUP work effectively. The root causes of failed policy must be unearthed in order to reduce the burdens of smallholders and marginal farmers. Policy makers must focus on protecting tenure rights, and the link between land issues and FDI must be adequately studied. Policy makers must emphasize these issues while crafting an agenda that focuses on the design, development and transformation of the NLUP. Policy professionals must also participate in the process through the in-depth study of how problems emerge. Policy professionals must take into account historical land conflicts that have occurred in Myanmar, especially when determining tenure rights. In order to bring about positive changes, policy makers must identify political interests that are at stake and consider internal and external factors that drive land policy making.

Reducing the involvement of cronies in the policy making process

The government must reduce the influence of cronies that operate within its administration and the parliament. The government must make sure the Union level Land Use Allocation and Scrutinizing Committee and Land Investigation Committee operate without being influenced by cronies who are allied with policy entrepreneurs. Cronies are historically responsible for expropriating vast amounts of lands from small landholders, and the government must reduce their ability to influence policy, define problems and determine a land policy agenda. The government must also limit the power of cronies that operate in the policy stream who use their influence to impact policy issues within the problem stream. The power cronies have over the parliament must be reduced, and the government should implement some of the recommendations of reputable think tanks. The government must also

mitigate the role that cronies play in the policy process in order to help solve policy challenges in the land sector.

Practicing outward looking approach

From a strategic perspective, the government must end inward-looking policies of land grabs and promote large-scale business development. It must practice the outward-looking policies outlined in the NLUP, and consult with experts from the developed world. The government must aggressively pursue domestic and foreign investment, improve local economies and increase food production by using land more efficiently. It must also guarantee that policies it proposes reflect what is best for political and economic reform. The government must learn from successful land reforms that have taken place in other countries in Southeast Asia.

Capacity building

In terms of long-term policy development, the government must emphasize improving institutions that are responsible for land management. This should include training and capacity development for state and regional land management bodies. This will ensure that sufficient professional advice and support is provided to the Union level land policymaking body. The state must also increase the budgets of research and study centres in order to enhance the quality of policy professionals. Government officials in charge of land use policy should conduct exchange visits to neighbouring countries in the Mekong region that have similar agro-climatic conditions, such as Cambodia, Vietnam and Laos, in order to learn how to develop successful land policy. Study trips should also be organized to visit countries that have successful smallholder farming models under the provision of improved land governance system.

Rendering international assistance

In order to develop an effective, comprehensive land policy, the government must adhere to international best practices and identify the primary beneficiaries who are most effected by the NLUP and tenure insecurity. Since it is undergoing a political transition, the government has more of an opportunity to solicit technical and financial support from international experts who can help develop a land policy that conforms to international standards. The GoM also has to allow the international community to help increase the capacity of its land management department. Under the assistance of international experts, a successful solution must be consistent with the norms, beliefs and values of Myanmar society and respect its customary land tenure system.

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