

Territorial Affairs: Turning Battlefields into Marketplaces in Postwar Laos

By

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Abstract

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As agricultural land has become an increasing target of large-scale, export-oriented bilateral investment-cum-development projects, many have speculated that a neo-colonial “land grab” is underway. Spurred in large part by the food and financial crises of 2007-08, the proliferation of transnational land deals emerged as a topic of scholarly and civil society concern in 2008 and 2009, although details have proven difficult to gather due to the sensitive nature of many land deals, and the speculative nature of others. This dissertation examines the case of northwestern Laos, where large-scale land access by Chinese agribusiness firms (many of them state-backed) began in earnest in 2004, and attracted extensive scrutiny by civil society and government researchers over the half decade that followed. The research presented here is based on fieldwork conducted between 2004 and 2008, and concentrated between April 2006 and August 2008.

Based on ethnographic, interview, archival and historical research, the dissertation investigates the way that transnational land deals operate within the larger arena of territorial affairs that comprise Laos’s ongoing postwar transition from “battlefield to marketplace.” I argue that transnational land deals, while often framed as an erosion of domestic sovereignty and a cause of displacement, are actually far more complicated in both respects, even to the point of pointing in the opposite direction. I suggest, in short, that local authorities have been using transnational land deals in their efforts to manage Laos’s upland population, and that in helping them anchor residents in particular livelihood configurations, transnational land deals have actually increased the effective sovereignty of local state authorities. The first part of the dissertation provides a historical-geographical analysis that frames the argument; the second part develops the argument using case-based research from Laos’s northwestern and central regions; the third part considers the implications of the argument for regulatory politics at the national and international levels.

Part I introduces the uplands of northern Laos as a space where geopolitics and political economy have a long and dynamic interaction. In contrast to the common portrayal of the uplands as resource rich, under-populated, impoverished, or any other of a host of static characteristics that are often projected onto the uplands, the two chapters of Part I emphasize the political dynamism that has long been central there. Each chapter focuses on a key historical moment in the emergence of the uplands as a modern national space; together, the chapters focus two opposing themes – connectivity and fragmentation – that act in dynamic tension and figure

importantly in the chapters to come. Chapter 2 examines the role that upland political dynamics played in France's consolidation of colonial Indochina, and begins my effort to construct a "history of the present" by framing upland geopolitics through the contemporary policy of "turning land into capital." Chapter 3 continues my exploration of upland geopolitics by looking at how the secret war waged by the United States during the 1960s and early 1970s rearranged upland political space and, in doing so, forged a link between upland population mobility and national insecurity that continues to haunt development efforts.

Part II focuses on Laos since 1975, and examines how these earlier histories of upland political dynamics articulated with the challenges and opportunities of postwar nation building. Chapter 4 examines the industrial forest landscape of the early 1980s, when resource extraction for national development began in earnest but had to contend with the lingering effects of the secret war as well as a new round of geopolitical conflict triggered by the Sino-Vietnamese conflict of the early 1980s. Chapter 5 examines the contemporary landscape of Chinese rubber investment in northwestern Laos, and shows how legacies of earlier conflict continue to shape the process of differential enclosure through practices of resettlement, zoning and the recruitment of foreign agribusiness. Together, the two chapters of Part II converge on the theme of population management work, a governmental praxis that was developed in the immediate postwar period of the 1970s and 1980s, and that remains fundamental to the way local authorities deal with upland social and resource issues. Part II thus develops and defends the argument that transnational land deals, despite being framed as erosions of state sovereignty, are in fact being used by local authorities to strengthen their capacity to govern local populations and resources.

Part III then examines the documents, and especially the maps, that have emerged from rubber projects like the one examined in chapter 5. While this "paper landscape" can be a distraction from the fine-scale historical and political details and events examined in Part II, it is in fact far more than this, and deserves scrutiny in its own right. The two chapters of Part III thus examine the politics of formal geography and geographic legibility as they apply to transnational farmland access in contemporary Laos. Together, they develop a parallel track of analysis to the population management work examined in Part II that focuses on resource politics within the state and that sits in productive tension with the analysis in Part II. Chapter 6 examines the Land and Forest Allocation program, which has been studied widely by scholars for its impacts on the rural population, but has less often been considered for its role in internal state resource politics. This analysis sets up chapter 7, which examines the way that Land and Forest Allocation maps have helped create geographies of legal land access for transnational investors in the present decade. My analysis highlights the limits of central regulatory control, but also shows that new, transnational legibilities are emerging between local authorities in the northwest and Chinese authorities responsible for channeling sovereign wealth into the Lao hinterland. This suggests that sovereignty, and the territorial affairs that comprise it, are more complicated than usually discussed in the emerging land grab literature; and that the shifting balance of politics within the state is perhaps a better way to interrogate the political effects of rising transnational access to land.

This work is dedicated to the memory of Nathaniel Gerhart,  
with whom I began it,

and

to my grandfather Richard J. L. Herson,  
who is glad it is done.

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# Chapter 1

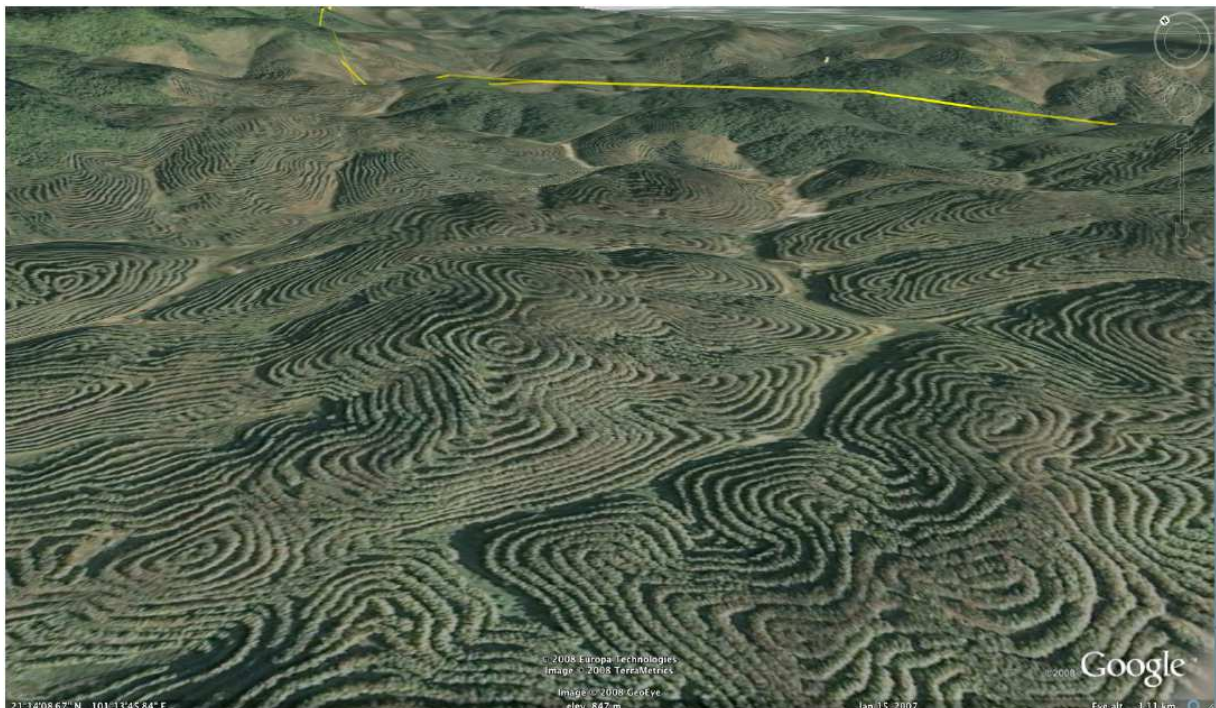
## Territorial Affairs: Land Grabbing and Laos's Northern Uplands

*States make their own territories, not under circumstances they have chosen,  
but under the given and inherited circumstances with which they are confronted.*

Brenner & Elden (2009: 367)

In late 2008, a striking image appeared on a widely read online forum about Lao farming and agribusiness. Clipped from satellite data and projected into landscape view, the picture showed thousands of identical rubber trees, planted in neatly contoured rows, stretching from foreground to horizon (Figure 1). The title of the image – “GoogleEarth screen capture, looking toward the Chinese border, January 2007” – located the viewer in northwestern Laos, facing northeast, and confronting what appeared to be a vast, rapidly maturing Chinese rubber plantation.

A decade earlier, Laos's Luang Namtha province had been famous for its splendid isolation: its dense forests, its abundant wildlife, its colorful “hill tribes.” But times had changed. Since 2004, a combination of provincial and national development initiatives on both sides of the border had brought a rush of Chinese agribusiness investment into the province, much of it along a newly built highway known widely as the Northern Economic Corridor. The results were being written



**Figure 1. “GoogleEarth screen capture, looking toward the Chinese border, January 2007.”**  
<http://www.laofab.org/document/view/263>



into the landscape, one hillside at a time. GoogleEarth showed this plainly. Posted in late 2008, the image resonated with an emerging narrative of growing Chinese influence in both Laos's agribusiness sector (Alton et al. 2005; McCartan 2007, 2008a, 2008b; Schuettler 2008; Shi 2008; Gray 2008; Diana 2009) and in Lao politics and society more generally (Fullbrook 2006; Symon 2007; Shi 2009; Stuart-Fox 2009; Crispin 2010). Moreover, it spoke to an emerging international debate about transnational farmland acquisition, begun earlier in the year during the global food crisis and amplified further in October 2008 by the report "Seized! The 2008 Land Grab for Food and Financial Security" (Grain 2008). The image in Figure 1 was thus an alarm bell, suggesting that the "global land grab" had indeed come to Laos, and was manifesting itself as a growing expanse of foreign-owned, population-displacing enclosures. This new hinterland, as Figure 1 implied, was uniform and barren – a far cry from the diverse farm-forest matrix that list-serve audience members would have associated with Luang Namtha. The symbolism was thus visual and potent: Laos's international border appeared to be merely formal, a thin line draped unconvincingly across a monochrome landscape of industrial rubber plantations. The state-owned rubber farms of China's Yunnan province seemed to be spilling into Luang Namtha, and the message was clear: The Chinese were no longer on their way; they had arrived. Northwestern Laos was turning into Chinese territory.

There was, however, a problem. The landscape depicted in Figure 1 is a chimera. Comprised of real parts, it is nonetheless a fiction. The rubber plantation is real enough, and it is in fact located near the Lao-China border; but the yellow boundary line sits almost two kilometers out of place. Google's satellite imagery was much more highly resolved than its international boundary data, with the result that the landscape shown in Figure 1 sits squarely in China's Yunnan province.<sup>1</sup>

Figure 1 nonetheless challenges us to look closer. Despite being untrue, it is highly *plausible*. As Lao-Chinese development cooperation has flourished in the last half decade, rubber plantation projects have become a pillar of the bilateral effort to replace upland rice and the opium poppy – two staples of traditional livelihoods in montane Southeast Asia – with more fixed, productive, and legal cash crops (Alton et al. 2005; Shi 2008; Cohen 2008; Diana 2008, 2009; TNI 2010). Elsewhere, as landscapes like that depicted in Figure 1 have emerged, they have helped generate an ideal-typical image of the global land grab: foreign-owned farms, large in scale, export-oriented, monoculture, and emptied of their former inhabitants. This is not a future that many want to embrace (Diouf 2008; De Schutter 2009; Sassen 2010; World Bank 2010; Li 2011), as evidenced by condemnations of "Vientiane ceding sovereignty to Beijing" and China's version of the Monroe Doctrine.<sup>2</sup> Yet Figure 1 should give us pause. It is a simple, but illustrative, example of what can happen when narrative gets ahead of reality. The image it presented was supposed to *clarify* what was happening on the ground. Instead it did the opposite: it clarified in the literal sense of making the landscape more *visible*, but it did so at the expense of accuracy. Instead of resolving the picture, the map actually made it worse.

In this dissertation, I examine the geography of transnational agribusiness in northwestern Laos, and consider its implications for the practice of government, both locally and nationally. I suggest

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<sup>1</sup> See Appendix I for details.

<sup>2</sup> S. W. Crispin, Asia Times Online, 23 Dec 2010, "Asia Hand: The limits of Chinese expansionism;" J. Pomfret, Washington Post, 20 Nov. 2010, "China's billions reap rewards in Cambodia."

that the lessons of Figure 1 apply more broadly – first, that it is necessary to get underneath the map, so to speak, and engage directly with transnational land access on its own terms; and second, that the map itself demands investigation: it is not merely something that gets in the way of empirical investigation (although it does that sometimes as well); it also exercises a mix of enabling and constraining effects on transnational land access, and it thus deserves to be included in the field of study. My research focused on this dual effort to study transnational land deals on the ground and on paper. Between 2006 and 2008, I traveled many times between northwestern Laos and the Lao capital of Vientiane. This back-and-forth process provided the grounds for my argument, expanded below, that transnational land deals should be seen as sovereignty-*building* because they enhance local authorities' capacity to manage the populations and resources under their jurisdiction; but that at the national level, they have tended to tip the sovereignty balance in the other direction, at least so far. These claims contradict the simple message conveyed by the image in Figure 1, and embody the potential of my work to help complicate the narrative of a "global land grab" by getting inside transnational land access at multiple scales. My argument is nonetheless rich in caveats: land deals are *potentially* sovereignty-enhancing; they have tipped the balance of internal state politics in a particular direction, *at least for a time*. I stand by these qualifications, and elaborate them in the pages that follow. There is, for better or worse, no simple explanation of how the transnationalization of access to farmland is shaping the complex world of territorial affairs; territory is complex and contingent (Brenner & Elden 2009; Elden 2010), as are land deals themselves. Nonetheless, the case of northwestern Laos – and of Laos's national regulatory politics more generally – can help elucidate a number of important issues that run through the emerging geography of transnational land access. I frame my argument in terms of three of these issues: displacement, sovereignty, and formality/legibility.

### ***Displacement***

Transnational land deals have been widely analyzed, correctly I think, using the framework of Marxian primitive accumulation. Defined originally as "the historical process of divorcing the producer from the means of production", primitive or prior accumulation was, for Marx, an essential piece of capitalism's condition of possibility: for labor and land to exist as alienable commodities, they needed to have been already "liberated" from their earlier moorings – and in particular from one another (Marx 1873: 874-875). Following David Harvey's geographical recasting of the concept as something that happens at not only at capitalism's birth but also at its expanding edge (Harvey 1982, 2003), many scholars have begun reading transnational land deals through what Harvey calls the "spatial fix": the hunt for cheap resources that emerges as prices rise with growing scarcity and despoliation at home. Given the 2007-08 surge in grain prices and the seeming willingness of host state governments to classify substantial areas of productive land as "degraded" or "idle" (and therefore state-owned) many critics have characterized transnational land deals as recipes creating "surplus" inhabitants as more "efficient" forms of production come in. Displacement and dispossession, in this rendering, are a central part of the process (Sassen 2010; Li 2011; Borras et al. 2011).

Without disputing this as one possible scenario, I suggest that transnational land deals deserve to be investigated at the other end of the displacement spectrum as well. The specter of large-scale expropriation has already shown itself sufficiently powerful to derail a number of key land deals, most (in)famously in Madagascar, Indonesia and the Philippines (BBC 2009; Economist 2009; Von Braun & Meinzen-Dick 2009). While displacement-heavy land deals have nonetheless gone

ahead elsewhere (often at smaller but still quite large scales; e.g., UNCHCR 2007; Obein 2007), the displacement and expulsion of “inefficient” and “surplus” population is in many ways just the tip of the iceberg. Especially if displacement becomes too narrowly framed as simply an effect to be avoided, we are likely to miss a great deal.

I argue that it is equally important to examine the ways that transnational land deals have been enrolled and deployed in larger and longer trajectories of state-managed efforts to settle and resettle hinterland populations. This means seeing land deals not simply as foreign acquisitions with displacement *effects*, but also as potential tools that host states use in their ongoing efforts to govern their territories. Governments have long struggled to manage settlement patterns, sometimes for security reasons, but also for purposes of resource exploitation, social service and infrastructure provision, and regional or national development more generally (Vandergeest & Peluso 1995; Li 1999; Evrard & Goudineau 2004; Baird & Shoemaker 2007).<sup>3</sup> These efforts often encounter problems which, while hardly reducible to material dimensions, turn centrally on the issue of access to resources in and around proposed or actual resettlement sites (Goudineau et al. 1997; Scott 1998; Lyttleton et al. 2004). I argue that transnational land deals may play a key role in this respect by providing not only cheap and available land to investors, but also by providing host-country authorities with modular livelihood interventions that can be deployed and molded to fit particular resettlement trajectories. This is a darker spin on the “win-win” development narrative that has emerged in the last few years, but as I will show, it is a reality that is already occurring. Considering displacement and *placement* in this wider sense means problematizing what we mean by baseline conditions, and possibly wrestling with hard questions about how and why transnational land deals enter into already-traumatized areas.

### ***Sovereignty***

Examining longer trajectories of placement and displacement leads to a second point of engagement with the emerging land grab debate: the issue of sovereignty. Transnational land deals are sometimes cast as threats to host-country sovereignty because they entail long-term and large-scale ceding of land control to foreign entities (Diouf 2008; Cotula et al. 2009; Gloccheski 2010). But sovereignty – a term which connotes the *right* to govern for some, but the capacity to govern for others (Agnew 1995; Ong 2000) – is far from this straightforward. One irony of Figure 1 is that the closest thing to it in northwestern Laos is a mega-concession that will probably *bolster* Laos’s territorial sovereignty rather than erode it. In 2006, Luang Namtha’s provincial military granted a 300,000 hectare rubber concession (later scaled back to a “mere” 10,000 hectares) to a Chinese company that promised to bring roads, electricity and other forms of infrastructure to a remote and insecure part of the Lao-Burma border (Shi 2008: 16, 32-33; author’s fieldwork, 2007).<sup>4</sup> This case alone should make us question the linkage between property and sovereignty that is posited, whether explicitly or implicitly, in many efforts to make sense geopolitically of what one pair of scholars has called “the return of the concession” (Nyíri 2009; see below). Even though the idea of “graduated” (blurred) sovereignty has helped unpack the territoriality of Special Economic Zones (Ong 2000, 2006), given the very different materialities involved, there is no a priori reason to expect that transnational farmland deals will necessarily push the sovereignty arrow in the same direction. It is equally reasonable to expect that land deals may *strengthen* the governmental capacities of host states, especially in marginal

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<sup>3</sup> The global literature is (tragically) enormous; these are a few examples from Southeast Asia.

<sup>4</sup> For a recent example, see Associated Press, 10 Oct. 2011, “13 Chinese sailors killed on Mekong River.”

hinterlands where effective sovereignty is comparably weak (see, e.g., Ferguson 1994).

The proliferation of alternative modes of transnational land access has also broached the thorny question of precisely what “land grabbing” is and is not (Cotula et al. 2009; Borras & Franco 2010b). Land grabbing, in my view, is fundamentally about illegitimate expropriation, and is thus bound up with both questions of property and the state (Sikor & Lund 2009), as well as with larger and longer-standing problems of foreign conquest and domination. It is not just a matter of distinguishing these conceptually; given their history of going hand in hand, it is no wonder that many critics of “global land grabbing” are worried not simply about property and expropriation, but about neo-dependency as well (e.g., Grain 2008). It is for this reason that non-concessionary approaches that create transnational *access to* – even if not *ownership of* – large areas of arable land strike some as land grabs and others as not (cf., e.g., *ibid.*; FAO et al. 2010). I read this as a productive tension – not as a debate to be adjudicated definitively one way or the other, but as one more indication that the sovereignty effects of transnational land deals cannot be read from their effects on property relations alone. A more grounded approach that considers sovereignty locally, in the field is needed.

It is for this reason that I suggest looking at *territory in general* in areas where transnational land access is proliferating. The phrase “territorial affairs” is a play on the Lao term for politics, *kan-muang*, which, translated literally, means the affairs of the *muang*. As elaborated in a later chapter, the *muang* is a term from Southeast Asian political geography, and refers traditionally to the rice-growing heartlands where Tai states were historically based. In its modern usage, *muang* has been expanded to mean “district” in the administrative sense, and is thus more inclusive of the forested uplands than in traditional use (cf. Turton 1999). Applied to the uplands of Laos, the affairs of the *muang* thus include a range of activities, such as siting and regulating development projects, building and maintaining infrastructure, attending to the whereabouts, education and livelihood of the local population, and managing the use and conservation of natural resources. Transnational land deals have the potential to shape all of these, and it is because of this that I suggest that the particulars of territorial management are what will determine the sovereignty effects of large land deals far more than their size, duration or owner. As suggested above, I am especially interested in the ways that transnational land deals become enrolled in larger projects of state-directed settlement and resettlement, but this is just one dimension of something more general: the fact that effective sovereignty should not be assumed, and needs to be taken as an empirical question if we are to adequately understand how transnational land access alters it. This empirical approach to sovereignty was what Neil Brenner and Stuart Elden had in mind when they described territory as something that is created historically, and that can thus not be assumed to be the same thing everywhere (Brenner & Elden 2009: 367; Elden 2010).

### ***Formality and Legibility***

Thinking practically about how territory is created and managed brings up a third point of engagement: the legal and transparency issues that surround the “paper landscapes” that facilitate and regulate transnational land access. In the recent rush for land throughout the global south, it has been widely observed that much of what turns land deals into land *grabs* is the trampling on existing land entitlements, often through the classification of working landscapes as “state land” (Cotula et al. 2009; FAO et al. 2010; Borras et al. 2011). A key issue here concerns the relative degrees of formalization of various (and potentially competing) entitlement systems. The World

Bank, FAO and a number of others have thus suggested that land titling, and land administration more generally, may provide a way to select *for* responsible agricultural investment and against exploitative and unsustainable land grabs by more closely regulating the way property rights are dealt with (FAO et al. 2010; World Bank 2010). As critics have pointed out, however, existing entitlements are hardly ever uncontested, and formalization efforts thus often reconfigure these landscapes substantially, often in ways that disproportionately hurt the poor (Borras 2007; Borras & Franco 2010b). But there is another set of problems as well. It is not simply who has access to formal rights (and how), but how formality, once it is created, is managed, circulated and put to work. As I will show, it is not simply that formality can be far more flexible and dynamic than is often implied. It is also that the formal landscapes that regulate transnational land access can be largely illegible to key regulatory players *within host-state* governments. The practical politics of formalization thus can become obscured by, even buried beneath, larger struggles for regulatory turf that occur within the state. This concerns, for example, the power to set or enforce rules and the power to collect and allocate taxes and royalties. As I will show, these dynamics of formality without legibility constrain the potential for not just civil society oversight, but also for effective regulation by state actors.

### ***The Argument***

This dissertation brings together these themes of population management, sovereignty gains, and formality without legibility in a historical and geographical analysis of postwar development in contemporary Laos. I have chosen to frame my subject as “postwar” for two reasons. The first has to do with my field site in particular. While there are multiple ways that the issues I explore could be framed, I have chosen “turning battlefields into marketplaces” because at the scale at which I examine transnational land deals, Southeast Asia’s postwar transition is still very much in progress. Despite acknowledging the security dimensions of resettlement in the past, most of the work on resettlement since 1990 has been framed in terms of development, and specifically in terms of bringing upland (usually ethnic minority) populations “down” (Goudineau et al. 1997; Goldman 2001b; Evrard & Goudineau 2004); security issues in the present tend to be ignored or treated as an exception (*ibid.*; (for an exception, see Baird 2004). A second reason has to do with the current global landscape of transnational land access. A number of the emerging “hotspots” for new land deals – Mindanao (Philippines), West Papua (Indonesia), Urabá (Colombia), Gambella (Ethiopia), southern Mozambique and Cambodia, to name a few – are places where violent conflict has figured centrally in twentieth century history (Ballvé 2011; Makki & Geisler 2011; Borras et al. 2011). There could be many reasons for this overlap, but whatever they are, I want to suggest that the types of legacy issues that I examine for Laos may be at work elsewhere. The details will certainly differ, and the larger comparison is a project for another day; but this larger landscape of post-conflict hotspots is important to flag at the outset because it motivates me to examine the Lao case not merely in its local particulars, but in ways that lend themselves to future abstraction and comparison as well.

The call to turn “battlefields into marketplaces” was made by the Thai Prime Minister Chatichai Choonhavan in the middle of 1988 (Innes-Brown & Valencia 1993: 333). His phrasing testified to the fact that despite the end of the “Vietnam” war more than a decade earlier, the late 1970s and much of the 1980s remained mired in violence. This had regional and global ramifications. Vietnam’s occupation of Cambodia (and removal of the Khmer Rouge, in late 1978) had brought “punitive” action from China in early 1979; coupled with global realignment begun by Nixon’s

1972 visit to China, these events gave rise to the geopolitical landscape of mainland Southeast Asia during the bulk of the 1980s: on the one side, the governments of Vietnam, Laos and Cambodia; on the other, the governments of Thailand, China and the United States, along with the remnants of the former Khmer Rouge and Cambodian royalist regimes (Chanda 1986; Gottesman 2003). Chatichai's call reflected the geopolitical opening of the late 1980s; it served Thai interests in important ways, but it also built on a larger thawing of regional relations begun earlier in the decade and exemplified by Mikhail Gorbachev's "unprecedented" outreach to China in his mid-1986 Vladivostok address (Young 1988: 318).

The "battlefield-to-marketplace" transition has been largely read in economic terms that focus on investors, and on investing *countries* in particular. Originally analyzed as a process of Thailand going abroad for natural resources in the mode of the spatial fix discussed above (Innes-Brown & Valencia 1993; Hirsch 2001; Glassman 2007), "battlefields into marketplaces" has recently been expanded by Jim Glassman to include added competition from China as its investors enter the "marketplace-battlefields" of contemporary Southeast Asia (Glassman 2010: 64-135). While this reading foregrounds the issue of neo-dependency and suggests that we need to look closely at the problem of uneven development (see, e.g., *ibid.*: 137-147), it places what I see as an overly heavy emphasis on the marketplace side of the equation. I suggest that we need to take a closer look at the (former) battlefields as well. Specifically, I argue that the uneven development of transnational land deals cannot be properly understood without looking first, at how postwar legacy figures into the socio-spatial distribution of enclosure; and second, by looking at how the politics of postwar state formation continue to occlude this micro-political landscape from view. In the case that sits at the heart of this research, I examine these legacy issues as they intersect in the uplands of northwestern Laos, and suggest that this darker side of "win-win" development highlights the need to study transnational land access in a longer historical-geographical view.

The first part of my argument focuses on how enclosure is distributed in the newly accessible upland landscape of northwestern Laos. In contrast to analyses that look largely to economic-geography variables like distance to roads or soil suitability (Manivong & Cramb 2008; Cotula et al. 2009: 47), I argue that we need to look at the politics of historical legacy, and specifically at the forms of population management that local authorities use in their efforts to locate land deals and operationalize their various components. There is by now a well-developed critical literature on the Lao government's quest for permanent or fixed livelihoods (*asiip thavon* or *asiip khong thii*) for its upland population (Chamberlain et al. 2001; Vandergeest 2003; Evrard & Goudineau 2004; Ducourtieux et al. 2004; Rigg 2005; Baird & Shoemaker 2007). One part of this that is often overlooked, however, is that different segments of the upland population may be treated differently by local authorities with regard to what kind of intervention they deem to be most appropriate. By tracing local histories of resettlement, I show that resettlement trajectories with very different legacy politics "map" to different enclosure regimes, and that a very specific type of high-enclosure regime (locally called "1+4") has been used to anchor particularly problematic segments of the upland population in place (cf. Baird & Shoemaker 2007; High 2008; Baird et al. 2009). In contrast, a much less extreme sort of enclosure (called "2+3") has been widely targeted at segments of the population that authorities deem more trustworthy, both from a political perspective and an economic one. Drawing on Michael Perelman's (2007) analysis of how primitive accumulation in Britain was "calibrated" to the particular circumstances of the time (also see Polanyi 1944), I suggest these two different enclosure regimes are in fact different

calibrations of the *asiip thavon* concept; in other words, they are, in the minds of local authorities, different paths to the same endpoint: a fixed population that is both integrated into the market and protected from exposure to its harshest elements. Contra the literature on Lao resettlement, which generally posits a break between the security-related resettlement efforts of the 1980s and the development-related efforts that followed (Goudineau et al. 1997; Rigg 2005), my analysis suggests that we need to consider the articulation of security *and* development concerns, both in the present and the past. And contra the global land grab literature, my research suggests that we should not assume that enclosure breeds displacement. In some cases it may, but in other cases it may not. Either way, however, the relationship between enclosure and displacement needs to be considered locally and historically in order to grasp the particular constellation of impacts and risks that new land deals entail.

The second part of my argument focuses on the larger history of state formation in postwar Laos, and specifically on how internal state regulatory politics influence transparency when it comes to transnational land deals. I argue that the bureaucratic history of a process called Land and Forest Allocation (LFA) is critical here. LFA has been widely critiqued for its detrimental effects on Laos's rural (and especially its upland) population (Jones 1998; Chamberlain et al. 2001, 2006; Vandergeest 2003; Jones & Moua 2003; GTZ 2004; Ducourtieux et al. 2004; Rigg 2005; Barney 2007; Lestrelin & Giordano 2007). In contrast, its role in internal state resource politics – and in the facilitation of regulatory control over resource rents in particular – has only been gestured to (Chamberlain et al. 2001; LCG 2003; Baird & Shoemaker 2007). LFA matters for my purposes because, bureaucratically speaking, it is a key site of mediation between formality on the one hand, and legibility on the other hand. Formality, as alluded to above, is a characteristic that confers state authority on a particular set of entitlement claims; legibility, in contrast, refers to the degree to which transparency is created and maintained through systems of information flow that wind through state bureaucracies, and connect regulatory centers to the sites on the ground over which they have jurisdiction. In the case of transnational land deals, these two systems are in a dynamic tension, at least in Laos, and I suspect in other places as well. This is because local authorities make and distribute maps in order to regulate the investment projects that help them manage local populations; this includes creating constraints on projects, but it also entails the provision of formal documents like maps and contracts that investors can use to access financial support from lenders or, as is the case in northwestern Laos, sovereign donors (under Beijing's poppy replacement subsidy program). On the other hand, many local authorities also exercise great discretion when it comes to sharing detailed information about transnational land deals with central-level regulators – a practice that results in frustration and ongoing difficulties when regulators attempt to extract investment data from local authorities (see, e.g., Vientiane Times 2006; NLMA & GTZ 2009; Voladet 2009). The upshot is that transparency politics become subject to not only the balance of forces that surround transnational investment itself, but also to the ongoing and ever-opaque internal politics of state formation. If transnational land deals are strengthening the sovereign hand of local authorities when it comes to the local population, in at least some cases they appear to be weakening the hand of central-level authorities who are trying to create and maintain possibilities for regulatory oversight. At the national scale, the sovereignty arrow points the other way.

I frame both pieces of my argument as aspects of Laos's battlefield-to-marketplace transition because each carries the scars of conflict in its own way. As I elaborate in later chapters, the late

1980s were a formative period because they launched two sets of initiatives that inform the two pieces of my argument sketched out above. The first was a deliberate effort to take the security lessons of the 1980s onto what Party leaders called “the new battlefield where no gunfire can be heard.” This was the economic “battlefield-marketplace” described by Glassman above, but it carried with it an injunction to continue to think and work in explicitly security-oriented terms. As I will show, a number of the population management efforts that are commonplace today originated not in the 1990s-era push for “development-oriented” population management, but in the 1980s, when security and development were pursued side by side under enormously difficult circumstances. The second major change in the late 1980s was the decentralization of control over land allocation, and specifically over forestry. As I elaborate in a later chapter, this was driven by a multi-sector push for greater productivity amidst declining aid from the Eastern Bloc. While it increased forest exploitation in the short and medium term, it also laid the groundwork for the low regulatory legibility that characterizes the situation today. Internal state politics, in other words, were subject to the legacies of geopolitical conflict as well. If they were not linked as tightly to battlefield-scale legacies as population management efforts, they were nonetheless heavily subjected to the effects of Laos’s being on the dependent end of a larger regional and global struggle.

## “INNOVATIVE NEW SOLUTIONS”: FRAMING THE GLOBAL LAND GRAB

*The structural solution to the problem of world food security is an increase in productivity and production in the low-income food-deficit countries. This would require, in addition to official development assistance, innovative new solutions. To this effect, it is necessary to develop partnership or joint-venture agreements between, on the one hand, those countries that have the financial resources and on the other, those that possess land, water and human resources.*

Jacques Diouf, Director-General, United Nations Food and Agriculture Organization, from the opening address at the High-level Conference on World Food Security, 3 June 2008, Rome

In August 2008, less than three months after outlining this vision for “innovative new solutions” to global hunger, the head of the FAO issued a clarification that bordered on redaction. “It is worth mentioning here,” Jacques Diouf wrote in an essay titled “The Food Crisis and Wrong Solutions” (Diouf 2008: 8), “the many initiatives taken recently in Latin America, in Africa, in Asia and in Eastern Europe, the implementation of which in certain cases give reason for considerable concern and require the rapid adoption of corrective measures. In effect, some negotiations have led to unequal international relations and short-term mercantilist agriculture.” This was a far cry from the vision that Diouf had articulated in June, when his keynote speech combined state-productivist Green Revolution rhetoric with neoliberal-style appeals to public-private partnerships and global comparative advantage. In August, by contrast, his language was one part agro-ecologist, one part *dependista*, and carried distinct echoes of *Via Campesina*, the International Peasants Movement:

The exploitation of natural resources for the sole purpose of achieving financial profitability is hardly favorable to the kind of production that preserves the soil’s mineral and organic reserves and prevents such practices as burning and deforestation. It does not allow for the correct use of fertilizers and pesticides which would otherwise provoke pollution. It does not encourage the coexistence of crop



and grazing lands, nor crop rotation that would be needed to restore the soil's biological and nutritional properties that are taken up by plants. The risk is of creating a neocolonial pact for the provision of non-value added raw materials in the producing countries and unacceptable work conditions for agricultural workers (ibid.).

Diouf's seamless integration of politics and ecology testifies to the awkward position that the FAO (among other advocates of "commercial"-scale agriculture) found itself in as transnational land deals blossomed in the summer of 2008 (Table 1). Diouf's follow-up intervention speaks as well to the success of *Via Campesina* and its allies in framing the debate. When the aptly named nongovernmental organization Grain published its account of the "new global land grab" only two months after Diouf's clarification, it quoted Diouf calling land "a political hot potato" (Grain 2008: 4); as the global land grab story took off in the year that followed, Grain and Diouf were quoted widely in tandem, the latter's neocolonialism remark often figuring centrally (e.g., Borger 2008; Rice 2009; Independent 2009; Montenegro 2009). But Diouf walked an awkward political tightrope (Rice 2009), personifying a tension between the technical the symbolic that runs through the emerging "land grab" debate. Even as FAO experts have continued to advocate transnational investment in agriculture along the lines Diouf had sketched out in June 2008 (ibid.; FAO et al. 2010), Diouf himself has continued to problematize *land acquisition* per se, noting "the emotional, or sometimes, mystical value of what constitutes one of the bases of national sovereignty," and calling for both internal debate and expert advising "in order to avoid any misinterpretation of what otherwise would be a good idea" (Diouf 2008: 8).

Indeed, if there is one question that haunts the emerging debate about transnational land access, it is *sovereign land acquisition*: the effective control of land in other countries by entities that are as much "state" as they are "private." Various framings of the land deal boom – the "new global land grab" (Grain 2008), "agro-imperialism" (Rice 2009), the "farms race" (Kugelman 2009), "outsourcing's third wave" (Economist 2009), "commercial pressures on land" (ILC 2010), the quest for "responsible agricultural investment" (FAO et al. 2010) – illustrate the range of positions taken on whether and (if so) how to address the overt presence of foreign governments in an arena that, in recent memory (and certainly in much mainstream development rhetoric), had been left largely to the private sector. This heterogeneity is surprising given the near-uniform acknowledgement that the rise of sovereign wealth is one of two defining features of the new land deal phenomenon (Cotula et al. 2009; Rice 2009; Economist 2009; Smaller & Mann 2009). (The other is scale, discussed below.) A key reason, I suggest, has to do with the politics of framing, and specifically with whether or not to take a long historical view.

It is hardly accidental, to take a key example, that Grain's report "Seized!" (which popularized the phrase "new global land grab" in late 2008) began with the assertion that "land grabbing has been going on for centuries" (Grain 2008: 2). The language that follows carries distinct echoes Marx's writings on colonialism and primitive accumulation, and suggests that we need to see the emerging phenomenon of transnational farmland access within a longer trajectory of colonial pillage:

One has only to think of Columbus "discovering" America and the brutal expulsion of indigenous communities that this unleashed, or white colonialists taking over territories occupied by the Maori in New Zealand and by the Zulu in South Africa. It is a violent process very much alive today, from China to Peru (ibid.).

**Table 1. Transnational land deals announced in June, July and August 2008 (quoted directly from the annex to Grain 2008; emphasis added)**

JUNE

- “the **Saudi** ministers of trade and agriculture both visited **Sudan** to survey possible food project investment sites and push for further agriculture investment liberalisation, including for livestock.”
- “it was reported that the **UAE** government is in bilateral talks with Islamabad to purchase US\$400–500m worth of farmland in **Pakistan** to produce food for export back home.”

JULY

- “**Qatar** and **Sudan** announced the formation of a joint holding company which will invest in food production for export to the Arab markets. Zad Holding Company (previously Qatar Flour Mills), a state-owned firm, and QIA, the emirate’s sovereign wealth fund, are both involved.”
- “the regional government of Buol, a district of [**Indonesia**’s] Central Sulawesi Province, announced that South Korea-based PT Agro Enerpia Indonesia will invest US\$2bn in maize plantations in Buol. An agreement has already been reached on the allocation of 10,000 ha of land, and the company is conducting land surveys to increase this to 25,000 ha.”
- “**UAE**’s Minister of the Economy is on record as saying, in mid-July 2008, that UAE intends to purchase farmland in **Africa, Cambodia, Kazakhstan, South America** and **Vietnam** to ensure the emirate’s food supply. Agreements have already been negotiated with Kazakhstan.”
- “New foreign investments from **UAE** corporations in **Philippine** agriculture are growing. These include a US\$50m project to develop a 3,000-ha banana plantation in Mindanao, fish and cereal farms in Luzon and a pineapple cannery in Camarines Norte. Other firms are looking into the possibility of producing organic fruits and vegetables, coconuts and seafoods. While land acquisition details are not yet known, it is clear that these investments will be aimed at stocking UAE food shelves. A memorandum of understanding between the two governments was signed to this effect in July 2008.”

AUGUST

- “The **Ugandan** government has reportedly leased 2m feddans of land (840,127 ha) – a staggering 2.2% of Uganda’s total area – in various parts of the country to **Egypt**, so that Egypt’s private sector may come in and produce wheat and maize for export to Cairo. The deal was apparently struck in late August 2008 and would involve seven Egyptian agribusiness firms, according to Reuters’ discussions with Egyptian officials.”
- “three **Gulf** [state] firms – Abu Dhabi Investment House, Ithmaar Bank and Gulf Finance House – announced the creation of AgriCapital, a new Islamic investment fund. The US\$1bn investment vehicle will engage in land purchases overseas to produce food for the region, through a separate investment bank specially created for this purpose, and to fund biotechnology research.”
- “**Japan**’s fourth largest trading house, Itochu, formed an alliance with **China**’s number one agricultural trading and processing firm, COFCO, to do joint trading. According to press interviews, this move is part of a strategy to move upstream in the food business and may potentially involve farmland acquisition.”
- “[**Japan**’s] Mitsui raised its holdings in Synlait, a Kiwi dairy firm, to 22.5%. Synlait owns 5,700 ha of farmland in **New Zealand** (and 15,000 cows).”
- “**Kuwait**’s agriculture minister, on a visit to Phnom Penh, inked a bilateral deal with the **Cambodian** government for outsourced food production. Kuwait will have access, under lease arrangements, to Khmer ricelands to produce rice for export back to Kuwait, with any surplus going to the international market.”
- “**Kuwaiti** officials were in Vientiane [**Laos**] to discuss access to land for food production, much the same as in the other South-east Asian countries.”
- “**Qatar** Investment Authority, the country’s sovereign wealth fund, set up a US\$1bn fund to invest in energy, infrastructure and possibly agriculture in **Indonesia**. QIA is putting up 85% of the capital and Indonesia the rest.”
- “it was reported that the new **Saudi** ambassador to **Brazil** is actively trying to develop opportunities in Brazil’s agribusiness sector for Saudi investors.
- “Ethiopia’s Prime Minister told the *Financial Times* that he is eager to give Saudi investors access to ‘hundreds of thousands’ of hectares of farmland for investment and development.”
- “the BinLaden Group signed an agreement to invest at least US\$4.3bn, on behalf of a consortium of 15 **Saudi** investors known as the Middle East Foodstuff Consortium, to develop 500,000 ha of riceland in **Indonesia**.”
- “the **Saudi** Fund for Development announced that it will set up a US\$566m special investment vehicle for buying land abroad for domestic food production. Both the government and the private sector will invest in the fund. The priority crops are rice and wheat, and the first investment will be made in **Sudan**. Following that, **Turkey** and **Pakistan** are on the list.”
- “it was reported that the **Korean** government has set up a team, involving major conglomerates such as LG and Hanwa, to survey for farmlands that Korea can cultivate abroad. The team has already surveyed **Mongolia, Laos** and **Cambodia**.”
- “The **UAE** government is investing in food production in **Sudan** to meet its own market needs. As of August 2008, it was reported that the UAE had invested in a total of 900,000 feddans (378,000 ha) of farmland in various Sudanese states, including a 16,000-ha plantation for maize and wheat production.”
- “Goldman Sachs [**United States**] invested US\$300 million to acquire full control of more than 10 poultry farms in Hunan and Fujian provinces, **China**. Goldman already fully controls (together with CDH) Henan Shuanghui and holds a 13% stake in China Yurun Food Group. These are China’s number one and number two meat processors, respectively.”

A Grain-affiliated op-ed published in November 2008, only days after the image in Figure 1 was posted online, began with an opening salvo of similar historical breadth:

The world map is being redrawn. Over the past six months, China, South Korea, Japan, Saudi Arabia, Kuwait and other nations have been buying and leasing huge quantities of foreign land for the production of food or biofuels for domestic consumption. It's a modern day version of the 19th-century scramble for Africa (Branford 2008).

In contrast, the Economist conjured a very different historical moment to contextualize the new boom in land deals. Calling the recent boom in farmland deals “outsourcing’s third wave,” the Economist put agriculture behind manufacturing and information technology as the latest major industry to be “priced out” of wealthy (or dry or populous) countries and obey the global logic of comparative advantage. The “third wave” framing suggests that it is not the long trajectory of imperialist primitive accumulation that we should be thinking of, but the 1980s and 1990s, when the First World got serious about off-shoring its major productive industries (Economist 2009). The quest for “responsible agricultural investment” (RAI) portrays transnational land access in similar economic-and-not-political terms (FAO et al. 2010), but takes the framing game to the level of total abstraction. Implying no historical reference point at all, RAI is a classical example of what Tania Li has called “rendering technical” (Li 2007, 2011), as if the challenges thrown up by transnational land deals require only forward-looking analysis and technical expertise (also see Ferguson 1994). At the other extreme, the most loaded of the above terms – “the farms race” – moves in the opposite direction, conjuring the rising geopoliticization of food and farmland as environmental crises loom, and as countries like China, India and Brazil emerge as global superpowers. The “scramble” for arable land, it suggests, could be big enough to launch a new Cold War.

One reason that framing became so important early in the land grab debate was that concrete evidence was in short supply. This is beginning to change, as elaborated below, but during the key period of mid-2008 to mid-2009, relatively little could actually be said with certainty about transnational farmland deals except that they were a hot topic. Framing, in other words, mattered a great deal because there was little else. In this sense, Table 1 is more smoke than fire: like Figure 1, it is also as much a geopolitical alarm bell – an invitation to look closer – as an actual picture of reality. The message that Table 1 *does* convey is that sovereign wealth-backed investment in agriculture for export took off in the summer of 2008, as countries like Saudi Arabia, the Gulf Cooperation Council states, Japan and South Korea emerged as key investors, and countries like Sudan, Ethiopia, Pakistan and the Philippines identified themselves as “land-rich” and in search of bilateral development partners. But on details like location, terms of investment, stakeholders, timelines or methods of land access, Table 1 is thin, exemplifying the “murkiness” that characterized transnational land deals at least during 2008-09 (Von Braun & Meinzen-Dick 2009: 2). Of almost thirty deals listed in Table 1, only four actually refer to agreements that had already been made. (The most spectacular, as well as the most clearly elaborated of these, was the Bin Ladin Group’s \$4.3 billion, half a million hectare rice-for-export deal in Indonesia, which was “discontinued” in early 2009 due to local opposition (ibid.: table; Economist 2009).) The heavy reliance on media reports, press releases and off-the-record interviews that underlay this initial research endeavor meant that the “map” of transnational land access that emerged during 2008-09 was long on framing and speculation, but short on detail and certainty.

The numbers reflect this asymmetry; this matters because the transnationalization of farmland access is, together with the presence of semi-sovereign investors, essentially a numbers story. As the Economist (2009) explained, “investment in foreign farms is not new;” what distinguishes the current phenomenon first and foremost is “its scale.” But as the numbers have grown, so has the uncertainty. Building on the baseline list compiled by Grain (2008: annex),<sup>5</sup> the Washington D.C.-based International Food Policy Research Institute (IFPRI) released the widely circulate estimate in early 2009 that since 2006, between 15 and 20 million hectares of land had been “subject to talks involving foreigners” (Economist 2009; Borras & Franco 2010b). This figure testified to both the scale and the “murkiness” mentioned above. The following year, the World Bank more than doubled IFPRI’s estimate, and noted that the 45 million or so hectares “worth of large land deals ... announced even before the end of 2009” needed to be compared to “an average annual expansion of global agricultural land of less than 4 million hectares before 2008” (World Bank 2010: vi). But the Bank also added a strong caveat. Even though these deals were not just “subject to talks” but had actually been “announced,” many of these “have never been implemented” due to “a variety of reasons, including unrealistic objectives, price changes, and inadequate infrastructure, technology and institutions” (ibid.; also see Borras & Franco 2010a: 508).

But uncertainty is a tough nut to crack. As part of a growing effort to document new commercial pressures on land, the International Land Coalition (ILC) has developed a database of “verified” land deals in order to address the dangers of relying exclusively on media reports. Land deals in the ILC’s database are “either verified by in-country partners or reported through field-based research that we [the ILC] consider reliable;” this data, in turn, populates the ILC’s online map of “verified” land deals.<sup>6</sup> But the case of Cambodia, to take one example, illustrates the difficulties involved in verification, and testifies to a pair of problems that I will examine more in the chapters to come: the complexity of the “verification” process, and the risk of overstating certainty about precisely what is happening.

The ILC’s Cambodia data comes not from actual fieldwork, but from the website of the Cambodian government’s Ministry of Agriculture, Forestry and Fisheries, which established a portal in 2006 to publicize information on “economic land concessions” in response to mounting criticism from donors and lenders (UNHCHR 2007).<sup>7</sup> And as a few authors have pointed out (including the GTZ study that the ILC cites; see previous footnote), this ministry data suffers from serious problems: it is missing some land deals, it contains others that have been cancelled, and a number of the geographic coordinates it lists are impossible (UNHCHR 2007; World Bank 2010: 40). More importantly, even for the concessions that seem to be correctly mapped, ministry-certified documents do not necessarily translate into action on the ground. A recently launched internet portal shows that while land clearing has indeed taken off in some concession areas, many others remain widely inhabited and, from investors’ perspective, “undeveloped.”<sup>8</sup> At

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<sup>5</sup> Grain rapidly realized that the global land grab was a moving target, and moved to a blog format in 2008 to keep track of emerging cases. See <http://farmlandgrab.org>.

<sup>6</sup> <http://www.commercialpressuresonland.org/monitoring-land-transactions>; <http://www.commercialpressuresonland.org/land-deals/search/advanced> (accessed 25 September 2011).

<sup>7</sup> Some of the “verified” land deals are cited directly to the MAFF’s economic land concession website, while others cite GTZ (2009), which in turn cites the MAFF web portal (<http://www.maff.gov.kh/elc/>).

<sup>8</sup> See <http://www.opendevelopmentcambodia.net> (accessed August 2011).

least in Cambodia, the ILC's verification effort stretches the notion of verification by trading the uncertainty of the media for the uncertainty of government data. Moreover, it challenges the ontological status of transnational land deals as *things* that can be classified simply as happening or not. In pointing to the need for fieldwork, it highlights the multiplicity of sites – from farms and forests to the offices of governments, mapping consultants, and so on – where land access is created and maintained, and where “verification” efforts thus need to target.

## EMERGING GEOGRAPHIES OF TRANSNATIONAL LAND ACCESS

Against this uncertain backdrop, a body of solid empirical work on recent land deals has begun to emerge, much of it since 2010, and much of it spanning the divide between “academic” and “policy” work. To the foundational work of Grain, IFPRI and IIED (the International Institute of Environment and Development; see especially Cotula et al. 2009), a more recent body of work by critical scholars of development, globalization and agrarian change has begun locating the current boom in transnational land access on firmer theoretical and historical footing.<sup>9</sup> Two particular lines of investigation frame the contribution that I offer in the chapters to come: first, a political-economic line of analysis that focuses on the looming risk of widespread displacement; and second, a historical- and political-geographic line that examines the blurring of sovereignty and traditional notions of state territoriality in China's growing archipelago of bilateral development zones.

### *The Political Economy of (Surplus) Population*

The first body of scholarship dates back to Marx's critique of Malthus, and posits the current wave of transnational land dealing as especially worrisome because it exemplifies a mode of capitalist development that has little use for labor, both qualitatively and quantitatively. This critique, best articulated by the sociologist Saskia Sassen (2010) and the anthropologist Tania Li (2011), builds on the Marxian literature on primitive accumulation (Marx 1873; Harvey 2003; De Angeles 2004; Glassman 2006), and locates the problems of transnational farmland deals in what Sassen calls the post-Keynesian global moment. But despite the very real dangers that this line of argument highlights, I am uneasy about what I take to be an overly narrow focus on the issue of displacement. This, I suggest, is not inherent in the theory, but rather is a result of how it is applied to data from the field. In this section, I suggest that there may be too much of the “old” primitive accumulation story – the English enclosures – in the framing of the global land grab, and that a closer attention to local histories is needed in order to understand whether and, if so, how transnational land deals articulate with the problem of displacement.

Against the Reverend Thomas Malthus' dire warnings of overpopulation and famine, Karl Marx argued that overpopulation was a relative rather than an absolute phenomenon, and thus made sense only *in relation* to particular systems of production – particular environments, labor relations, configurations of technology, knowledge systems, and so on (Harvey 2001). Marx's notion (as well as his political critique) of relative surplus population formed the basis of his argument that capitalists use technology as a means of labor control, lowering the demand for labor as a way to not just increase efficiency in a purely technical sense, but also to discipline the

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<sup>9</sup> It is beyond the scope of this chapter to review this emerging literature fully, although the rest of this section engages key strands of it. For a fuller sense of the debate, see the papers published in the Transnational Institute's June 2010 “Global Land Grab Debate” (online) and the March 2011 issue of the *Journal of Peasant Studies*.

labor that *is* needed. Applied to the last few decades, Marx's writings on surplus population form the basis for Mike Davis' (2006) description of the urban slums of the global south as spaces where "surplus humanity" is now accumulating after having been displaced from the countryside and not taken up by urban industrial economies. This is an explicitly anti-Malthusian critique of biological overpopulation, and focuses instead on how the particular configuration of industrial production, social institutions and state policies imposed under neoliberalism have rendered whole segments of humanity economically unnecessary when, in other possible worlds, they might have flourished as members of local, national or perhaps even global communities.

Applied to capitalist agriculture, this mode of analysis has profound implications. Sassen's account of "contemporary versions of primitive accumulation" begins by theorizing globalization today as a "post-Keynesian" dialectic of labor devaluation and labor shedding:

On the one hand, there is [today] an increasingly degraded use of people – as sex workers, as workers that are used and disposed of, as providers of body organs. On the other, there is a rapidly growing surplus of people – in the form of distinctive populations: [those] displaced by proliferating civil wars in sub-Saharan Africa, prisoners in the US and a growing number of other global North countries, [and] displaced people of all sorts assembled in refugee camps managed by the international humanitarian system (at best) financed by the taxpayers of the world (Sassen 2010: 26).

Sassen locates the current rush on global-southern farmland within this framework. Building on her earlier work on historically specific configurations of territory, authority and rights (Sassen 2006), Sassen suggests that territory throughout the global south is being "systematically repositioned" as representing "not [the land] of nation states" but rather as "'needed' resources" for the rest of the world (*ibid.*). This ascendancy of a global "resource" optic in viewing national territory (or at least *some* national territories) is, for Sassen, a variation on David Harvey's reframing of Marxian primitive accumulation as the continuous expansion of capitalism into new terrain. Sassen quotes Harvey's insistence of capital's ongoing search for cheap inputs, and points that this is not only a process of territorial *extension* – that is, of "forcing ... non-capitalist territories ... open" for the profitable pursuit of "cheaper labor power, raw materials, low-cost land, and the like" (Harvey 2003: 139, quoted in Sassen 2010: 26). Primitive accumulation in the present is, for Sassen, also a process of cannibalization *within* already-capitalist territories as new dynamics emerge, and old populations are pushed aside:

At its most extreme this can mean that immiseration and exclusion of growing numbers of people who cease being of value as workers and consumers. But it also means that traditional petty bourgeoisies and traditional national bourgeoisies cease being of value. This is part of the current systemic deepening of capitalist relations. One brutal way of putting it is to say that the natural resources of much of Africa and good parts of Latin America count more than the people on those lands count as consumers and as workers (*ibid.*).

Tania Li picks up on this danger of land counting more than people, and seeks to "re-center" the issue of labor within the emerging land grab debate (Li 2011). Like Sassen, Li is concerned with the displacement of communities who have been rendered "surplus" by rising land values and technology-intensive agricultural production. She refers often to "labor-displacing crops" like maize, soy and wheat (*ibid.*: 283), and notes that investors are attracted by what they perceive as "vast areas of free and virtually 'empty' land on which they can install the optimal technology-

labor regime for profitable production” (ibid.: 282). Li’s concern is not simply with keeping farmers on the land; she is no agrarian romantic. Her concern, rather, is that transnational land deals are pushing farmers out of agriculture on highly unfavorable terms, and into environments where “high-paying, off-farm work” is simply not to be found (“and [where] even bad jobs are scarce;” ibid.: 295). Li’s concern is thus with what she calls “truncated agrarian transition,” a concept that resonates with Sassen’s account above.

[C]onsider the predicament of people who are displaced from their “inefficient” farms in a context where the generalized capitalist system fails to provide them with an alternative livelihood or a living wage. In much of the global South, the anticipated transition from the farm to factory has not taken place, and it is nowhere on the horizon (Li 2011: 281).

Both Li and Sassen seek to theoretically locate rising transnational access to farmland in a wider frame that considers the state of labor more generally – rural and urban, farm and off-farm, and in both the south and the north. But here the narrowing begins, even if only slightly. Sassen is careful to note the dialectic of degradation and displacement that animates capitalist production (also see Harvey 1982), and it is this dialectic that informs her framing of current globalization as “post-Keynesian.” But her focus is on displacement, her narrative coming to a point with what she calls the systematic repositioning of territory, in which “natural resources . . . count more than the people on those lands count as consumers and workers” (cited above). Similarly, Li examines the whole range of labor-intensity when it comes to industrial crops, and devotes substantial attention to labor-intensive crops that are associated with contract farming, and thus less with displacement than with impoverishment (Li 2011: 288-291). But Li’s emphasis is also on the specter of displacement, as exemplified in the passage above about “inefficient” farmers being displaced from their land. This seems to me more like a normative choice – an assumption that displacement is worse than being degraded in place, and it is one that I believe needs to be critically interrogated. As suggested above, my hope is to push the analysis toward a more empirical engagement with transnational land deals on the ground, and specifically toward an effort to locate land deals not just within larger theories of globalization or the agrarian transition, but within particular historical-geographic landscapes.

A recent paper offers a glimpse of how examining the local context of transnational land access begins to open the door to the contingencies of displacement politics, but still leaves something to be desired. In their recent article on agrofuels and water-grabbing in southern Mozambique, Jun Borrás, David Fig and Sofia Monsalve Suárez examine a sugar project that became involved in a resettlement dispute after the “marginal” lands it had been allocated turned out to be neither empty nor entirely marginal, but were instead “prime agricultural land with great potential for food production” (Borrás et al. 2011: 222). The greater project area had a history that dated in important ways back to the Mozambican civil war. This lineage turned on the history of a national park along the Mozambican border with Zimbabwe. While the sugar project ran into problems with farmers who had had their land for generations, a key part of Borrás et al.’s analysis deals with people who had been evicted from the park and had thus settled in the project area more recently.

The area just north of the sugar project “had mostly been abandoned during the harsh conditions of the civil war,” after which “many former residents and war refugees” returned home and “resumed their livelihoods on the land once peace had been established” (ibid.: 226). The area

was subsequently declared a national park, and at the time the sugar project came along, was still in the process of being cleared of villagers as part of a three-country effort to establish a wildlife sanctuary in the Mozambique-South Africa-Zimbabwe border region.

The affected communities did not just suffer the relocation from their initial land in the park, but were faced with encroachment on the resettled land by [the] ProCana [sugar project]. Since ProCana had enjoyed special treatment from government, including guaranteed water allocation, the communities displaced [from the park] found it extremely difficult to challenge the extent of ProCana's encroachment onto what communities thought of as land under their own control. In negotiations, ProCana tried to urge resettled inhabitants to abandon their riverine plots (on which ProCana wanted to establish sugar cane) and be relocated again to lands further afield. Since ProCana appeared to enjoy powerful official support, it was problematic for the affected peasants to protest (ibid.: 227).

Here we have a classic situation: a peasant community confronted by an investor with powerful state connections. Unfortunately we know little about one variable that is likely to make or break the communities' efforts to resist displacement: its *own* relations with the state. It is worth comparing the politics of resettlement and resistance described by Borrás et al. to a related case analyzed by anthropologist Donald Moore. In the early 1990s, Moore conducted ethnographic fieldwork just over the border in Zimbabwe's eastern highlands, and described the terrain of resistance that residents constructed in order to defend their land from government conservation and development schemes (Moore 2000, 2005). The key to Moore's account was locals' capacity to frame themselves in the context of national liberation: their people had helped Robert Mugabe escape across the border into Mozambique at a key juncture in the revolution, and had facilitated his triumphant return at the end of the war. In reward for their service, they claimed, Mugabe had granted them a territorial license which they subsequently parlayed into their efforts to resist state resettlement schemes, and to reframe development more broadly as something the state was *failing* to provide (despite its development-rich rhetoric of conservation and new villages; Moore 2000: 655-656). In Borrás et al.'s account, the analysis never quite gets to an account of the politics of place, and the terrain on which peasants or communities resist state-led development schemes never fully moves from the abstract to the concrete. It is clear that residents wanted to stay on "their" land (Borrás et al. 2011: 227, 230), but in the authors' otherwise excellent effort to "take power relations seriously" (ibid.: 228), local histories of the sort Moore describes are largely missing when it comes to making sense of the politics of resettlement and enclosure. As Moore's work shows and as I elaborate later chapters, these histories of earlier conflict can play a key role in shaping the political terrain where resettlement and enclosure are negotiated, and where "development" is operationalized more generally. This carries implications for studying and theorizing transnational land access.

In particular, I suggest that the politics of population need to be examined not just in relation to particular configurations of capital, crop choice and technology, but also vis-à-vis historically specific questions of security. Histories of conflict, which lurked at the edge of Borrás et al.'s account (also see Makki & Geisler 2011), would be placed closer to the center, and would examine the ways in which the materialities of concession spaces articulated with existing landscapes of colonial violence, revolutionary politics, Cold War insurgencies and the like (see, e.g., Peluso & Vandergeest 2011; Ballvé 2011). The creation of state territory under such an approach would not simply be a function of political-economic factors (investor-, market- or nature-imposed constraints, for example), but also of how local populations related historically to



one another, to the state in its local and national configurations, and to those internal or outside forces or groups that have come to be classified as “enemies.” Here we are verging into the gray area where political economy and political geography meet; I examine the latter next.

### ***Political Geography: Sovereignty, Extraterritoriality and State Formation***

In recent years, a wealth of scholarship on the related issues of sovereignty and territory has emerged by geographers, anthropologists and property theorists (Ong 2000; Elden 2005, 2010; Hansen & Stepputat 2006; Sikor & Lund 2009). Defined classically as the right to govern and the spatial extent of that right, sovereignty and territory have been increasingly recast in terms of practice rather than right (cf. Ribot & Peluso 2003), and investigated correspondingly in terms of the politics they generate, wrestle with, and in many cases attempt to downplay. Much of this work emanates from historical scholarship on legal pluralism, state formation and geopolitics (von Benda-Beckman 1981; Tilly 1985; Agnew & Corbridge 1995), while the Foucaultian critical lineage – and especially Foucault’s critique of the sovereign model of power – has been equally important (Foucault 2003; Hansen & Stepputat 2006). This historical turn has emphasized the limits of classical European legal concepts in describing the actual workings of sovereignty and territory in the global south (Larsson 2007), and has foregrounded the need for scale-specific and historically differentiated investigations (Elden 2010: 2).

Given the centrality of territory and sovereignty questions in the global land grab literature (Grain 2008; MacKinnon 2008; Sassen 2010; Zoomers 2010), one logical place to begin is with the “silhouette of extraterritoriality” that anthropologists Pál Nyíri and Chris Lyttleton argue is currently “emerging around Chinese concessions in various places in Africa, Southeast Asia, South America and the Pacific as China becomes an increasingly significant overseas investor and development aid donor” (Nyíri 2009; also see Lyttleton & Nyíri n.d.). Extraterritoriality is the legal term for what historian John King Fairbank called “synarchy,” the system of hybrid sovereignty imposed by Western powers in the nineteenth-century treaty ports established in the wake of the Opium Wars. Extraterritoriality granted legal jurisdiction over certain types of people, complicating effective sovereignty and the management of territory in substantial ways (Scully 1995; Nyíri 2009). Nyíri and Lyttleton pose the historical analogy of the treaty port as a way to understand the current moment of Chinese development zones, and read this “return of the concession” as evidence that the concept of extraterritoriality “deserves to be granted a new lease on life,” (ibid.; Lyttleton & Nyíri n.d.: 10).

Nyíri and Lyttleton focus on Southeast Asia and Africa. They list, among other concession-like spaces, the special regions of northern Burma (three of four of which are “run by ethnic Chinese elites that regularly appeal to China’s government for support”); a growing network of Chinese Special Economic and Free Trade Zones in Africa (most spectacularly the “518-km<sup>2</sup> Lake Victoria East Africa Free Trade Zone with its own legislative structures and plans to attract 500,000 Chinese settlers”); and a parallel set of resource concessions (“Chinese mining, logging, oil, and energy projects,” including the widely discussed “100,000 hectare oil palm concession in Congo-Kinshasa” to ZTE Telecom). Gesturing to the ways in which these concession spaces violate the classical Weberian definition of the territorial state (Weber 1919), Nyíri and Lyttleton note that “these projects are there for the long term, and in some instances seem to assume extraterritorial privileges, such as the use of extralegal force against individuals who disrupt their operations” (Nyíri 2009; Lyttleton & Nyíri n.d.; also see Ferguson 2005; Xiaolin 2007). This

foreignization of space in general (cf. Zoomers 2010), and of the means of violence in particular, is captured by their ethnographic work. The following is taken from a casino on the Lao-China border, not far, incidentally, from the area depicted in Figure 1:

Apart from an increasing (but still small) number of Thai and even fewer Lao tourists ..., virtually everything and everyone in the place is Chinese, from some 3,000 employees and small business owners to the currency (only yuan are accepted), from electric sockets (electricity is also supplied from China) to beer. ... When we ask a local Lao driver whether Golden Boten was China or Laos, he says in fluent Chinese: “Sure it’s China! China rented it.” The fact that the zone has been leased by its Chinese proprietors for thirty years, with the option of renewing the lease twice, is reinforced by the guards who march around in military formations in uniforms resembling those of Chinese police, emblazoned with “Special Zone Security.” ... It appears that the environment simply feels too foreign for small Lao entrepreneurs, unfamiliar with Chinese business practices, to move in, and that both proprietors and visitors see the place as a kind of liminal Chinese space ... rather than a foreign destination. (Lyttleton & Nyíri, n.d.: 8).

Nyíri and Lyttleton’s account resonates with the implicit narrative of Figure 1, but they make an important point. Despite the Sinification of the concession space(s) at Boten (and elsewhere), the distinction between foreignization and extraction needs to be kept in full view. They emphasize, as does Deborah Brautigam (2009), that many Chinese concession spaces today mix extractive enterprise with a substantial dose of industrial modernization, and that this changes things substantially. They note that rather than looking to the history of European concessions in Africa, for example (cf. Coquéry-Vidrovitch 1972; Hardin 2002; Mbembe 2001; Ferguson 2005), a more apt comparison is with Western and Japanese concessions in coastal China:

For China’s political leaders, foreign concessions in port cities, and later the state of Manchukuo, a *de facto* Japanese protectorate that was established in 1932 and collapsed in 1945, were at once a burning humiliation and a lesson in industrialization, urban planning, and public administration. As [the historian] Prasenjit Duara points out, although Manchukuo and the concessions were semi-colonial formations, they do not lend themselves well to the usual conceptualizations of colonialism that stress underdevelopment and traditional forms of exploitation, because they received massive foreign investment in industry, infrastructure, and public amenities (Nyíri 2009).

Nyíri and Lyttleton’s analysis swings between this more meditative ambiguity and fairly strong criticism of China’s new “treaty ports” (cf. Lyttleton & Nyíri, n.d.). But their lesson, for my purposes, is in this insistence on examining the material dimensions of concession development for clues to shifts in sovereignty, and to remain at least critically distant from reading too much simply from the blurring of sovereignty per se. More important is the need to relax assumptions about sovereignty and territory and see where the analysis leads.

As I have indicated, the materialities in the Chinese concession spaces I have studied point in a different direction vis-à-vis the question of sovereignty. This has largely, I suspect, to do with the fact that agricultural concessions are far more extensive – that, less enclaved – in their actual geographies, and that they acquire their geographical particulars more in relation to the local population rather than, say, their proximity to a border checkpoint or a deep-water port. Nonetheless, Nyíri and Lyttleton’s framework is useful in posing the question of how concession projects shape foreign sovereignty in the larger sense. Here a body of work on “counter-territorialization” is especially helpful in foregrounding the question of how transnational land

deals, whatever their *local* sovereignty effects, change the politics of state formation and territorial control in the larger sense, and specifically at the national sense.

A recent body of work has highlighted the importance of looking at the micro-practices of land administration as a source of more reliable evidence about colonialism and, more recently, the politics of donor aid. Building on, but also critically engaging, the classic work of Nancy Peluso and Peter Vandergeest (Peluso 1995; Vandergeest & Peluso 1995), this scholarship has in effect combined Peluso's work on counter-mapping with Vandergeest and Peluso's investigation of Thai state territorialization, and has posited land administration as a key site of hard-to-see resistance to foreign powers. Tomas Larsson and Robbin Biddulph, studying late nineteenth century Thailand and contemporary Cambodia, respectively, have found similar "geographies of evasion" (Biddulph 2010) in the way state officials deal with foreign dignitaries and donors who are trying to leverage economic power in order to accomplish particular political ends – in Larson's case, to gain access to Thai natural resources; in Biddulph's, to force particular norms of good governance on the Cambodian government. Larsson (2007) in particular highlights the utility of close and critical attention to maps and treaties, both as texts in and of themselves and as objects of contestation in key historical events.

Taken together, this body of work points toward the questions of how the micro-practices of land administration function politically *within the state* (as well as between states), and how the presence of a significant number of transnational land deals alters this process. While rightly highlighting the need for critical (micro-)geopolitical investigation of how technical land practices shape bilateral relations, this literature on counter-territorialization leaves open the question of politics within the state. This, I suggest, is especially relevant in countries where transnational land deals are proceeding, given the overlap between land deals and what is often called weak governance (Cotula et al. 2009). Moreover, there has been only minimal attention to the actual cartographic practices of state regulators, especially in the context of the new rush of transnational farmland deals. Given the importance of mapping to both negotiating existing land entitlements and planning new interventions (Peluso 1995; Pickles 2004), this is an area that deserves further investigation. I suggest, in short, that when combined with ethnographic, archival and historical research, the fields of critical cartography and GIS (ibid.; Elwood 2010) have the potential to shed considerable light on how the micro-practices of land administration operate within the state, and on how the emerging constellation of transnational land deals is altering this often-opaque political terrain.

## “BATTLEFIELDS INTO MARKETPLACES”: A MESO-SCALE APPROACH

*The violence of war and control of the means of coercion weigh decisively today in the organization of postcolonial societies. Where it happens, war provokes a rearrangement of the ways territory and people are administered, as well as a transformation of the ways resources are tapped and distributed, of the framework in which disputes are settled.*

Mbembe (2001: 88)

This dissertation is based on research conducted between 2004 and 2008, much of it in Laos, and most of it between April 2006 and August 2008. Drawing on a variety of loosely geographical data and methods, it traces a broad historical arc from the late nineteenth century to the present,

and converges on the upland landscape of Laos's contemporary northwest. It is thus inspired by what Foucault famously called the attempt to write "the history of the present," looking back from the perspective of a particular political moment. As suggested above, one key political moment that informs my writing is the boom in transnational land deals around the globe since around 2007 – the so-called global land grab. But within Laos, there were other moments as well that informed this research, and that shaped it in key ways. The most important of these was what took me to the northwest.

In May of 2007, Laos's Prime Minister Bouasone Bouphavanh issued a nationwide moratorium on new land concessions, and declared the Lao government's commitment to "address[ing] the shortcomings of our previous strategy" (quoted in Dwyer 2007: 1; also see Baird 2010a). In the meantime, Bouphavanh announced the government's intention to "strongly promote" a policy called "2+3" which, he said, "divided benefits between investors and villagers to ensure that all investment projects had the potential to benefit local people."<sup>10</sup> The "2+3" policy was modeled on contract farming; the day before the moratorium was issued, officials at the same meeting had explained it as requiring "investors [to] provide funding, technical training and a ready market, while villagers provide their land and labor."<sup>11</sup> Yet the policy was a paradox. In announcing the moratorium and commitment to "2+3," the prime minister had highlighted the need to be more vigilant in identifying "land owned by locals" prior to allocating land to investors. Coupled with the "previous shortcomings" of the concession effort, the government's rhetoric was shifting markedly from the language of state land to that of "village" or "locally owned" land. On the other hand, "2+3" was being directed precisely into upland areas where "locally owned land" remained a contested category. Many officials had previously justified their concessions of "state land" by claiming that all untitled land belonged to the state (GTZ 2007a: 43; Thongmanivong et al. 2010). This argument was legally dubious and flew in the face of villagers' experience with land they were using; but it testified nonetheless to the fact that most of the land in the Lao countryside – and practically *all* of the land in the uplands – had not been formally titled (LCG 2002). Moreover, it resonated with the belief of many experts and government technical staff that although Land and Forest Allocation had attempted an earlier round of entitlement formalization (although not the issuing of land titles [*bai ta din*] per se), the data it had created was hopelessly out of date, if not lost altogether (GTZ 2004).

The "2+3" announcement thus begged the question of how the category "locally owned land" would be operationalized in the face of two opposing forces: on the one hand, the new injunction to respect local land entitlements and work with farmers on their own land; on the other hand, the still-intact commitment by the Lao government to pursue agribusiness investment – and *para* rubber in particular – as a key pillar of Laos's national effort to "turn land into capital" (*han thii din pen theun*; see chapter 2). Northwestern Laos thus came onto my horizon as a good field site because it was the birthplace of the "2+3" policy (Vongkhamhor et al. 2007: 39), and because Luang Namtha province in particular was the site of a newly built highway which had opened up much of the province's hinterland to road access from China (Figure 2). If hints to the future of "2+3" were to be found anywhere, it was in central Luang Namtha, where the mix of bilateral development cooperation, provincial investment policy and new infrastructure was busy creating one of the country's most dynamic social and economic landscapes (ibid.; Lyttleton et al. 2004;

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<sup>10</sup> Vientiane Times, 9 May 2007, "Govt suspends land concessions."

<sup>11</sup> Vientiane Times, 8 May 2007, "Authority voices concern overland concessions."



**Figure 2. Building the Northern Economic Corridor, 2006 (top) and 2008 (bottom)**

Diana 2006, 2008, 2009; Manivong & Cramb 2008; Cohen 2008; Shi 2008, 2009; Kenney-Lazar 2009; Thongmanivong et al. 2009, 2010). I headed that way.

My efforts coincided fortuitously with an institutional outgrowth of the same political moment that generated the concession moratorium. This was the reform-oriented centralization effort of Prime Minister Boupvanh, who came into office in 2006 and threw substantial political weight behind translating the central government's regulatory authority (beefed up in the 2003 rewriting of Laos's Land Law) into a usable inventory of land concession projects. In early 2007, I teamed up with a group of government researchers heading to the northwest, and used these connections for much – although not all – of the work I did subsequently. I used a mix of ethnographic field

visits to government offices, villages and development project areas; interviews with government officials, company representatives, and development professionals; and archival research in a small but important number of development project and government offices. These afforded a range of data types that I used to assemble geographically specific accounts of the sort presented in chapter 5. Northwestern Laos was a tricky place for an American to investigate transnational land deals. The area was by no means unique in its history of foreign intervention (and American intervention in particular), but the months prior to my fieldwork saw a series of events involving “some Americans and Christians” (as I was told), the full details of which I will likely never know (see Lintner 2008). While these events remained far beyond my direct experience, I heard about them, and they made me wonder about whether the legacy of geopolitical conflict was shaping development more generally, and specifically whether it was influencing the geography of transnational land access. While my collaborative work was geared largely toward regulation-friendly inventory work (rather than history, politics or case studies), it nonetheless afforded the chance to read some of the data “against the grain” and investigate the more grounded side of the “battlefield-to-marketplace” transformation.

My analysis thus follows what I will call a meso-scale approach to documenting and interpreting socio- and geopolitical landscape change. I borrow the terminology of the “meso” (middle) scale from the geographer Peter Messerli and colleagues, who emphasize the importance of looking at landscapes between the macro scale of national-and-up and the micro scale of village-and-down (Messerli et al. 2009). In Laos and elsewhere, macro and micro are often presented as “mapping” to policy formulation and implementation, respectively. But as many critical researchers have shown, it is the transition *between* macro and micro where many of the most pressing debates – over forestry, over resettlement, over infrastructure, over zoning, to name a few – are fought out (ibid.; Vandergeest 2003; Evrard & Goudineau 2004; Lyttleton et al. 2004; Baird & Shoemaker 2007). Unlike Messerli et al., I draw largely on data that cannot be derived from remotely sensed imagery. I rely on a mix of ethnographic evidence, historical data, and various archival sources to assemble the characterizations of the landscapes described below. My research thus ends up more case-focused, and my evidence slightly more zoomed-in (cf. Messerli et al. 2009: 295). But I share with Messerli et al. the belief that socioeconomic and land use data demand to be brought together using the approach of spatial overlay, and that this type of analysis, because it holds the micro and the macro simultaneously in view, provides an important way to avoid “the trap of ideological, political, or technical bias and over-simplification” (ibid.: 303).

The main landscapes I examine in the chapters that follow appear on the map in Figure 3. My focus, as noted above, is Laos’s northwestern corner, where the contemporary case study that forms the heart of the dissertation is located. Figure 3 shows three pieces of this landscape: the district of Vieng Phou Kha, where the case is located; the newly paved Route 3 highway, or Northern Economic Corridor; and a place called Nam Nyu, the site of a former CIA base that is in many ways the geopolitical “pole” around which my historical reading of the northwest turns. Figure 3 also shows a place called Muang Houng, located in the northern Lao panhandle in what is now Bolikhamxai province. The area in and around Muang Houng is the focus of the chapter where I introduce the concept of “population management work,” an analytical lens that I use to interpret the micro-geographies of transnational land deals in the northwest. Muang Houng is unique in that as far as I can tell it was Laos’s first “focal site,” a resettlement-cum-development strategy that concentrates upland communities close to infrastructure, and that has been widely

critiqued in the literature on Lao state-led development (Chamberlain et al. 2001; Evrard & Goudineau 2004; Rigg 2005; Baird & Shoemaker 2005, 2007). Muang Houg is useful for my purposes because it provides a historical window into the early 1980s, which, given the region-wide conflicts at the time (Chanda 1986; Stuart-Fox 1997), remains one of modern Laos's least-documented periods, especially in rural areas. Looking at the northern panhandle (Muang Houg and an area called Muang Mai, just to the south) thus provides a way for me to show (in contrast to much of the "focal site" literature cited above) some of the continuities between population management efforts of the 1980s and the present-day integration of foreign land deals into resettlement schemes.

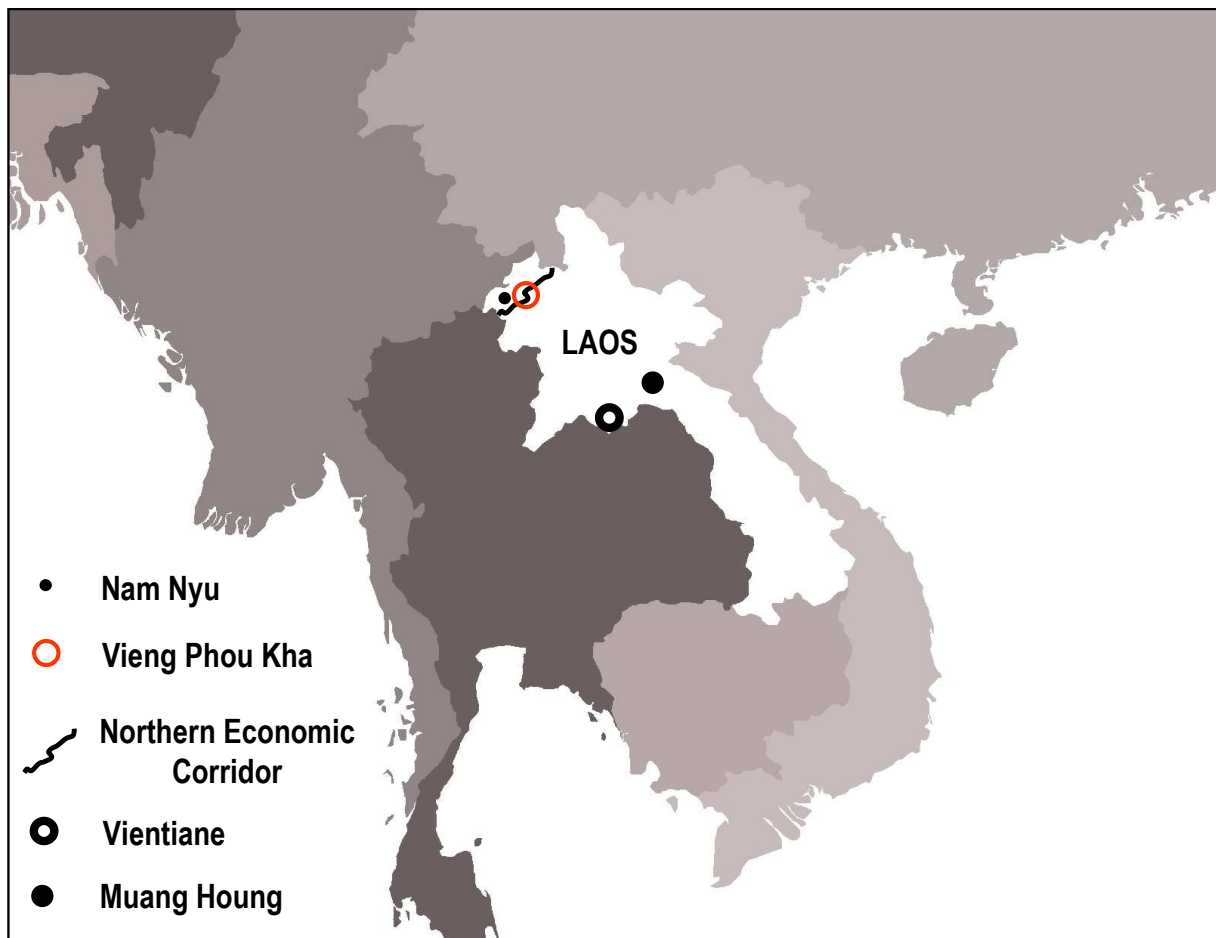


Figure 3. Key locations in the dissertation

Finally, Figure 3 shows the Lao capital of Vientiane, where I spent much of my time. Vientiane provided a base from which I conducted archival research in government and NGO libraries, and immersed myself in the urban milieu of domestic development debates, bureaucratic minutiae, and natural resource politics. My archival work provided access to most of the policy documents examined in later chapters, as well as various project documents that helped get me interested in pursuing more detailed historical research after I returned home after my fieldwork. Nam Nyu and Muang Houg both emerged this way, and provided important leads to follow later. A visit to the Texas Tech Vietnam Center archives in 2009 proved especially useful in reconstructing

the histories of both areas. Even more importantly, my time in Vientiane yielded contacts in the professional development community without whom this research would have been impossible; these included members of the donor, lender and NGO community; government staff in various ministries; private-sector consultants; and various members of an emerging Lao civil society. In addition to providing institutional support for my fieldwork, my time in Vientiane alerted me to, and then steeped me in, the regulatory struggle *within* the Lao state. This informs my reading of the “paper” landscapes of formal property and transnational land deals, and forms the basis for my claim, later in the dissertation, that territorial affairs comprise not just the sovereignty effects of land deals on local authorities, but also the effects on national-level regulation. These, I will suggest, pull in the other direction, and demand that we differentiate the state internally before drawing any grand conclusions about whether transnational land access is helping or hurting the sovereignty of host states. Territorial affairs, in other words, are a complex and multi-sited set of practices.

The dissertation is arranged into three parts. Part I introduces the uplands of northern Laos as a space where geopolitics and political economy have a long and dynamic interaction. In contrast to the common portrayal of the uplands as resource rich, under-populated, impoverished, or any other of a host of static characteristics that are often projected onto the uplands, the two chapters of Part I emphasize the political dynamism that has long been central there. Each chapter focuses on a key historical moment in the emergence of the uplands as a modern national space; together, the chapters focus two opposing themes – connectivity and fragmentation – that act in dynamic tension and figure importantly in the chapters to come. Chapter 2 examines the role that upland political dynamics played in France’s consolidation of colonial Indochina, and begins my effort to construct a “history of the present” by framing upland geopolitics through the contemporary policy of “turning land into capital.” Chapter 3 continues my exploration of upland geopolitics by looking at how the secret war waged by the United States during the 1960s and early 1970s rearranged upland political space and, in doing so, forged a link between upland population mobility and national insecurity that continues to haunt development efforts.

Part II focuses on Laos since 1975, and examines how these earlier histories of upland political dynamics articulated with the challenges and opportunities of postwar nation building. Chapter 4 examines the industrial forest landscape of the early 1980s, when resource extraction for national development began in earnest but had to contend with the lingering effects of the secret war as well as a new round of geopolitical conflict triggered by the Sino-Vietnamese conflict of the early 1980s. Chapter 5 examines the contemporary landscape of Chinese rubber investment in northwestern Laos, and shows how legacies of earlier conflict continue to shape the process of differential enclosure through practices of resettlement, zoning and the recruitment of foreign agribusiness. Together, the two chapters of Part II converge on the theme of population management work, a governmental praxis that was developed in the immediate postwar period of the 1970s and 1980s, and that remains fundamental to the way local authorities deal with upland social and resource issues. Part II grounds my argument that transnational land deals, despite being framed as erosions of state sovereignty, are in fact being used by local authorities to strengthen their capacity to govern local populations and resources.

Part III then examines the documents, and especially the maps, that have emerged from rubber projects like the one examined in chapter 5. While this “paper landscape” can be a distraction



from the fine-scale historical and political details and events examined in Part II, it is in fact far more than this, and deserves scrutiny in its own right. The two chapters of Part III thus examine the politics of formal geography and geographic legibility as they apply to transnational farmland access in contemporary Laos. Together, they develop a parallel track of analysis to the population management work examined in Part II that focuses on resource politics within the state and that sits in productive tension with the analysis in Part II. Chapter 6 examines the Land and Forest Allocation program, which has been studied widely by scholars for its impacts on the rural population, but has less often been considered for its role in internal state resource politics. This analysis sets up chapter 7, which examines the way that Land and Forest Allocation maps have helped create geographies of legal land access for transnational investors in the present decade. My analysis highlights the limits of central regulatory control, but also shows that new, transnational legibilities are emerging between local authorities in the northwest and Chinese authorities responsible for channeling sovereign wealth into the Lao hinterland. This suggests that sovereignty, and the territorial affairs that comprise it, are more complicated than usually discussed in the emerging land grab literature; and that the shifting balance of politics within the state is perhaps a better way to interrogate the political effects of rising transnational access to land.

Part I  
Upland Geopolitics

## Chapter 2

### Upland Physiocracy: Unblocking the Region of Rapids, 1850-1890

*This domination, benevolent and wise, which stimulated production instead of enervating it, and which increased the welfare and vital energies of the subject populations by elevating them on the ladder of civilization, today bequeaths a role to European powers that China is no longer capable of filling.*

Francis Garnier, Mekong Exploration Commission, 1867<sup>12</sup>

Almost a century and a half after French explorers began to fantasize about adding northern Laos to their newly acquired colonies on the lower Mekong, the tables have turned radically. China is today a rising force in the Lao economy (Stuart-Fox 2009); from agribusiness to hydropower to urban infrastructure, Chinese development projects are widely portrayed as “model units” that will help lift Laos from Least Developed Country status through a mix of macro-scale growth and local-scale improvements (Nyíri 2009).<sup>13</sup> If hardly the “dominating” force referenced above, the Chinese presence is substantial, and it is anachronistic indeed to think back to a time when Chinese influence in the Mekong Region was on the wane, and France’s on the rise. Even more strikingly, though, the passage above seems out of time and, especially, out of *place* in its reference to population and productivity. Taken from the report of Francis Garnier, one of the leaders of France’s Mekong Exploration Commission (1866-1868), the passage does more than carve out rhetorical space for French colonial rule. It conjures a particular *mode* of rule – a “domination, benevolent and wise” – that is oriented toward wealth creation through the cultivation of human productivity. While this resonates in some ways with contemporary development discourse, as in the “model units” narrative of foreign concessions, it is radically out of joint with land and resource politics more broadly. It is far more often the case that the population appears as a problem – a hindrance to productivity rather than a productive resource in and of itself.

Contemporary Laos continues to wrestle with the ghost of the Physiocrats, a group of eighteenth-century French philosophers who believed that value originated in nature, and thought that government should therefore be a process of allowing natural wealth to circulate through the social milieu like blood through the body (Heilbroner 1953: 49; Foucault 2007). Despite being largely left behind by mainstream economists who adopted Adam Smith’s labor theory of value, the vitalism of the Physiocrats inspired a generation of colonial explorers and administrators (especially French ones), and remains alive and well in Laos today. But compared to the passage above, there is a twist. In the late nineteenth and early twentieth century, the Physiocratic link between agrarian productivity and national welfare underwent a twofold shift toward *natural resources* and *Indochina-wide* development, as French colonial authorities translated the idea of “rule with nature” (*physio-cracy*) into the social and physical landscape that confronted them. Race, demography and resource development figured centrally in their efforts. “What most

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<sup>12</sup> Garnier (1885: 294); quoted in Ivarsson (2008: 48).

<sup>13</sup> For full quote see chapter 1.

exercised French colonial administrators,” notes the historian Martin Stuart-Fox, “was how [Laos]’s resources could best be developed, not for the benefit of the Lao, but in order to balance the colonial budget. ... Every French account of Laos listed the colony’s natural resources” – farmland, timber, forest products and minerals – “almost as a prospectus for potential investors” (Stuart-Fox 1995: 111, 134). In the late nineteenth century, these same administrators crafted what Søren Ivarsson has called “the stereotypical dichotomy” of French Indochina: the racialized distinction “between the dynamic and industrious Vietnamese [and] the decadent and lazy Lao” (Ivarsson 2008: 104). Colonial Physiocracy constructed Laos as a resource-rich landscape to be exploited by more industrious outsiders.

This framing resonates widely today, when hydropower, mining, plantations, road-building and nature tourism comprise the pillars of Laos’s development efforts (Dwyer 2007), and when the specter of the “lazy native” haunts debates about immigration, education and the treatment of Lao workers.<sup>14</sup> Nowhere has this colonial-Physiocratic legacy come more to the fore than in the policy of, and debates, about “turning land into capital” (*han thi din pen theun*). This phrase first appeared in the Economic Report published after the Eighth Party Congress of March 2006. The report, reprinted in the Vientiane Times (Laos’s state-owned English-language daily newspaper), began by reconfirming the need to “further implement” the Party’s policy of market-based development, launched in the late 1980s.<sup>15</sup> “The policy of transforming land into capital” was referenced in the Economic Report’s section on real estate, where the legal framework for “the use of land as a commodity” was one of five ways listed to for improving “systems of market economic development.”<sup>16</sup>

From this humble beginning, “turning land into capital” expanded rapidly to become a leitmotif covering the whole spectrum of land-related development.<sup>17</sup> The following passage, published only four months later, testified to the fact that turning land into capital was already being seen as far larger than just the creation of a real estate market.

“We can check if there is available land in any area ...” said [a spokesman for the newly created Land Development Services State Enterprise]. “We act as the coordinator between private businesses and government authorities, and we can access local authorities better than private investors can do by themselves.”

The enterprise also undertakes contract work to develop land in areas influenced by the government’s relocation of people, and those who are affected by the construction of new industrial zones, new cities, highways, railways, bridges, airports, hydropower dams, mines, tourism facilities and other developments. They also provide services to customers for land registration, including the sale, exchange and transfer of land use rights, and land leases or concessions. They provide expert advice and consult on land services, such as land policy, land laws, surveys, design and the development of information systems. ...

“We make land registration faster and more transparent. ... We get fast results as we understand the procedures and we have good connections.”<sup>18</sup>

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<sup>14</sup> In labor disputes, especially in the agricultural sector, there is often a subtext that Lao workers cannot “keep up” with the “normal” or “reasonable” expectations of foreign managers.

<sup>15</sup> Vientiane Times, 20 Mar. 2006, Economic report.

<sup>16</sup> Vientiane Times, 27 Mar. 2006, Economic report (continued)

<sup>17</sup> Also see Appendix II.

<sup>18</sup> Vientiane Times, 15 Nov. 2006, New tool for land development

The dissonance between the opening passage and the land-into-capital discourse is striking. Both trace their origins to the Physiocratic doctrine of land-based value; but in sorting out the relation between natural value and the practice of state intervention, they frame the population very differently. For Garnier, the agrarian population was the engine of wealth; as elaborated below, he saw northern Laos's commerce-intensive wealth in much the same way that Adam Smith, among others, saw China's (Arrighi 2007). Today, in contrast, the Lao population is much more likely to appear in state discourse as a barrier to productivity, wearing the hat not of the worker but of the villager who lives in the wrong place. Resources frequently come first, with population a distant (and dependent) second (Jerndal & Rigg 1999).

In this chapter, I examine a historical moment when the politics of the upland rule proved to be definitive in shaping modern history. This provides the first of two episodes that I examine in Part I in order to illustrate the need to look close to the ground in order to understand what I will call upland geopolitics. Chapters 2 and 3 thus work together to challenge the passive and static picture of Laos's upland population that is implicit in the "turning land into capital" narrative, and to show instead how the politics of upland alliance and rule have proven decisive in some of Laos's major turning points. The first of these, examined in this chapter, is the breakdown in lowland-upland relations that preceded, and in many ways determined, the so-called "conquest of hearts" – the request, in 1887, for French protection by the sovereign of Luang Prabang. Luang Prabang, as I elaborate below, was a kingdom on the upper Mekong that came onto the horizon, so to speak, as Britain and France began their territorial scramble for the upper Mekong in the mid-1800s. This process had global implications, and was later settled (in 1896) through a negotiation that involved territorial disputes in the upper Nile region as well (Brocheux & Hémerly 200: 66-67). What I am interested in here, however, is the local dynamics of this race for what Francis Garnier called "the region of rapids." Specifically I want to highlight the interplay of local rule, outside intervention and political instability in southern China in determining the final outcome – French colonization – and note that the difference between the *proposal* and the *reality* of French protection was the breakdown of lowland rule in the uplands. While much of the material covered here has been analyzed elsewhere (see, e.g., Stuart-Fox 1997; Evans 2002; Larcher-Goscha 2003), framing it the way that I do provides a useful setup for the more original contribution in the next chapter.

This chapter draws entirely on published sources, and relies centrally on my reading of the travel accounts of Francis Garnier (in the 1860s) and James McCarthy (in the 1880s). I have tried to balance the diversity of place names and spellings that appear in the historical record against the need for clarity and comparability (both with one another and with current locations). I have not standardized everything: the multiple namings and the diversity of transliterations and spellings are sometimes important parts of the data itself, and it is essential not to create too much artificial clarity in hindsight, as confusion over geography is a theme in much of the historiography (e.g., McCarthy 1900; Thongchai 1994). I have also retained many of the original names for various ethnic groups, even though many of these terms are now out of date, and even offensive. I do this deliberately and critically: terms like *kha* and "tribe" capture particular valences of otherness and belonging, and thus figure centrally in the events being discussed. The politics of identity are inevitably and closely tied to those of place, and thus to geopolitics as well.

## THE REGION OF RAPIDS

The kingdom of Luang Prabang sat at the center of what the French called Upper Laos, just below the confluence of the Mekong River and one of its major tributaries, the Nam Ou (Figure 4).<sup>19</sup> Luang Prabang emerged on France's geopolitical horizon in the middle of the nineteenth century. Prior to this, the French (along with the Dutch and the Portuguese) had been attempting to make inroads into (or defend their earlier points of access in) an East Asian landscape that was increasingly being locked up by the British. Britain's advances were motivated by, among other things, the desire to secure its prize colony of India in both the economic and the political sense. The colonization of Burma and Britain's diplomatic friendship with Siam grew from the need to secure India's eastern frontier, while its gunboat diplomacy in China was aimed at prying open a string of treaty port concessions where Indian opium, among other products, could be reliably sold. All of this was in motion by the mid nineteenth century. By comparison, France's colonial achievements in Asia at the time were minimal. French missionaries had an expanding presence in coastal Annam,<sup>20</sup> but nothing that amounted to either territory or reliable commercial access to the "riches" of the Chinese interior. As late as 1863, three years after the Second Opium War brought the British and the French together to force the issue of "free" trade with China, the British remained the "masters of the Asian silk trade" (Brocheux & Hémery 2009: 23), and France's Minister of the Navy and Colonies was still able to complain that what France needed was "a real empire" in the Far East (ibid.: 24).

This complaint came just as France was beginning to capitalize on existing fractures in the Vietnamese empire. France's first territorial foothold in Southeast Asia came in the southern portion of the empire, where Hué's expansion in the sixteenth and seventeenth centuries had produced to a popular backlash of national proportions. The thirty-year Tay Son rebellion/civil war (1778-1802) was, in fact, what had given French missionaries their initial entry point into the region: in return for sheltering the Nguyen prince who would eventually defeat the Tay Son in 1802, French Catholics were given official approval to ply their trade in coastal Annam (ibid.: 17-18). The mid-nineteenth century provided a further opening for France, as subsequent Nguyen emperors proved less tolerant of Catholic missionizing and, contending with their own wave of post-Tay Son rebellions, became increasingly unable to maintain order in the south. The historians Pierre Brocheux and Daniel Hémery note the particular "heterogeneity" of the south, and use the mix of diversity, remoteness and imperial overreach there to explain the "more than four hundred uprisings" that took place between 1802 and 1883 (ibid.: 9).

This turbulent landscape was what produced Saigon, Phnom Penh and finally Luang Prabang as successive geographic nodes in the quest for a "French Hong Kong." In 1858, Paris sent a diplomatic mission to coastal Vietnam, aimed at establishing a protectorate or a treaty port somewhere in the region. As Brocheux and Hémery explain, the admiral in charge of the mission captured the Vietnamese port of Danang as a bargaining chip, but found Vietnamese leaders unwilling to negotiate, and proceeded south to Saigon because he lacked the resources to attack Hué directly. Unwilling to risk defending the insecure territory in the south, Vietnamese leaders ordered what they viewed as a temporary retreat from Saigon, but soon found themselves forced

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<sup>19</sup> *Nam* means "water" in Lao and usually translates as "river" when used as a prefix.

<sup>20</sup> Annam, in this context, is almost interchangeable with Dai Nam or Viet Nam, but refers specifically to the central, core part of the Vietnamese empire, and is home to the capital of Hué.



**Figure 4. Luang Prabang and environs, circa late nineteenth century. Current boundaries and place names are shown for reference along with key place names referenced in this chapter.**

into treaty negotiations (*ibid.*: 24-26). Brocheux and Hémery characterize the 1862 treaty that resulted as “catastrophic” for the Vietnamese: Huê ceded a sizable chunk of southern territory to France and agreed to abide by the principle of religious freedom, thus opening the door for northward colonial expansion in the decades that followed (*ibid.*: 26). On the heels of the treaty of 1862, France added to its control over the lower Mekong by signing a treaty of protection in 1863 with Cambodia, which faced looming threats from both Vietnam and especially Siam. With

this acquisition, Luang Prabang emerged solidly on the horizon as the key to a French “river policy” that might compete with the “open door” that the British had in Shanghai and its other coastal treaty ports (ibid.: 9).

An 1872 account, written and published in Paris, both captures the geographical logic of the Mekong strategy and illustrates the conflation between particular and “general” interest that colonial rhetoric often employed:

The Governor of Cochin-China believed that he could attract to Saigon, a city laid out for half a million inhabitants, the important commerce which is carried on by caravans between Laos, Burmah, Thibet, and the western provinces of the Chinese Empire, thinking it by no means impossible to secure for its chief artery the Mekong, which diverts into the Indian Ocean the waters of the Himalayan plateaux. To secure for Europe, in its trade with the Celestial Empire, a vast entrepôt, of easy access, and at the same time free the route from China, shortened by twelve hundred miles, from that part of the voyage in which the periodical monsoons are to be especially dreaded, would have been no inconsiderable services to the general commerce of the world, as well as to our own colony, which must, as the result, have become one of its principal centers (prefatory note in De Carné 1872: xiii).

This passage comes from the contemporary introduction to one of the published reports of the Mekong Exploration Commission, which covered more than 9,000 kilometers between the time it left central Cambodia in 1866 and its arrival (after descending much of the Yangtze) in Shanghai in 1868. The Mekong turned out to be un-navigable for French purposes, cut by rapids that precluded direct river traffic between Saigon and the Yunnanese port of Jinghong. The mission thus failed at its initial objective, and fueled a second French scramble for upriver territory – this time along Tonkin’s Red River – which produced the Tonkin Crisis of 1873 and eventually (after the Sino-French War of 1884-85) led to Chinese recognition for the French protectorate in Annam and Tonkin (ibid.: 28-29, 40-47).

The Mekong Exploration Commission nonetheless generated a French desire for a protectorate over the upper Mekong region, notwithstanding its commercial shortcomings vis-à-vis China. This “region of rapids,” as Francis Garnier (1885: 269) called it in the Commission’s official report, sat at the as-yet un-demarcated intersection of mainland Southeast Asia’s major political centers: Siam, Burma, China and Vietnam. The passages that Garnier wrote during the Commission’s extended stay in Luang Prabang are worth examining for two reasons. First, in foregrounding the productivity of the local population, Garnier’s writings give a window onto the workings of the economy at the time; despite their strategic bent, upland commerce emerges as a key theme, and contrasts markedly to the situation that was visible two decades later. The second reason is the historical context of what Garnier had to say: his argument for French protection is interesting, but more important is the fact that Garnier never got the chance to make it. His superior thought that the argument was “a little premature” (ibid.: 295), and that Luang Prabang was in fact so secure that it did not actually *need* French protection, and would thus be inclined to turn it down if it was offered. The contrast between Garnier’s argument and the strategic calculation that prevented it from actually being deployed thus highlights the *geopolitical* difference between the 1860s and the 1880s, when the king of Luang Prabang both requested and received French protection, and in doing so helped trigger a chain of events that led to Laos’s incorporation into French Indochina.



## “AN EFFICIENT PROTECTION WITHOUT DEMANDS”

Francis Garnier was highly impressed by Luang Prabang, remarking that “[i]t was the first time since our departure from Pnom Penh that we had found a market in the sense this term has in Europe” (ibid.: 292). Compared to what the mission had seen in central and southern Laos, this made Luang Prabang “the most important Laotian center in all Indo-China” (294). Garnier’s account of Luang Prabang is notable for the way it wove together a set of observations about the economy, the local population, and the geopolitics of the region. These culminated with an argument for “an efficient protection without demands” (295) that carried strong echoes of the Physiocratic doctrine of liberal rule in accordance with natural productivity and constraints.

Garnier’s description of Luang Prabang focused on its commercial center, and emphasized its extent compared to anything else in the region.

A very lively daily market is held under special roofs, situated close to the confluence of the Nam Kan and [the] Cambodia river. But all these merchants are quite unable to find space under [the roofs] and the open air vendors extend for more than one kilometer along a wide street parallel to the river, to which the pagoda that we had as our lodgings was connected. It was the first time since our departure from Phnom Penh that we had found a market in the sense this term has in Europe (292).

Garnier’s attempt to explain what he saw contained a strong dose of historical and geographical analysis. If the latter is unsurprising (Garnier, like many explorers, saw himself as a geographer), the former is notable for its contrast to the racial essentialism that followed on ly decades later. As Søren Ivarsson notes, historical and essentialist forms of reason each had their own particular political agendas in French Indochina, the former being a way to discursively wrest Lao territory away from Siam, the latter rationalizing the Vietnamese-centric mode of rule that followed (Ivarsson 2008: chapters 1-3). It is the first of these that Garnier deployed to explain the frenetic market activity he witnessed in 1867.

This unexpected activity in Luang Prabang, this commerce that had become relatively important, if one could judge by the many and diverse types of people, representing all the nations of Indo-China and of the Indies, evidently testified less to a change of race or an increase in the production of the soil than to a radical difference in the political regime (292).

Garnier contrasted Luang Prabang to the Siamese “oppression and monopoly” that his mission had witnessed in southern Laos. Anticipating the French/Chinese analogy he was preparing to offer, he characterized Siamese rule as a system that, “giving too large a part of the profits to the conquerors, had made the conquered disgusted with work that had become sterile and trade that was found to be ruinous” (ibid.). In contrast, “In Luang Prabang, if life was reborn, it was because Siamese subjection imposed only light taxes and one felt in Bangkok that rightful consideration was due to this powerful province” (ibid.).

Garnier attributed some of Luang Prabang’s independence to a system of three-way tribute that it retained with Siam, Annam and China (from the latter it received “nominal protection” in return for a token gift of elephants every eight years) (293). But he places greater explanatory weight on what James Scott (2009) has termed the “friction of terrain,” a mixture of physical and human- geographic factors that made the mountains of pre-modern Southeast Asia difficult to conquer for any length of time.

The distance of Luang Prabang from the theater of the wars which tore Indo-China apart in the eighteenth century contributed greatly to assuring its prosperity, no doubt after having been one of the determining causes of its foundation. ... The mountainous region one has to traverse to reach Luang Prabang, the greater energy which its population owes to its mixing with the many martial wild tribes which inhabit the borders of Tong King [Tonkin] and Laos, provide excellent conditions for this province to resist the demands of Siam. ... Today, the kingdom of Luang Prabang is the most important Laotian center in all Indo-China, the place of refuge and the natural focus of support for all the peoples from the interior who want to escape from the despotism of the Siamese (293, 294).

It was no accident that Garnier focused on Siamese “despotism.” Not only was Siam the power to which Luang Prabang was most closely allied, despite its apparent prosperity and independence. (As elaborated below, it was to Siam that the king of Luang Prabang would first appeal when threatened fifteen years later – the request for French protection came only when this failed.) Equally important, Siam stood in France’s way regarding the Lao territories of the *central* Mekong, the area south of Luang Prabang and north of Cambodia. In the early 1800s, efforts at self-rule there had been quashed by Bangkok, leading to the resettlement of Champasak to the west bank of the Mekong and the destruction of Vieng Chan (Vientiane) together with the forced relocation of its inhabitants to what is now northeastern Thailand.<sup>21</sup> If Luang Prabang seemed like it might be at the edge of Bangkok’s control, central and southern Laos were areas of substantial concern for Garnier as well.

The second part of Garnier’s argument thus turned to this larger question of regional geopolitics, contrasting Siamese and Burmese “despotism” with the gentler hand of the French and, as noted above, the Chinese. Garnier dwelled on the virtues of earlier Chinese “domination,” the waning of which, he claimed, had left the region “without counterbalance” (294). His account reflects the Sinophilia that was typical of his day, and of Physiocracy in particular. As Giovanni Arrighi notes, “the remarkable peace, prosperity and demographic growth that China experienced for much of the eighteenth century was a source of inspiration for leading figures of the European Enlightenment. Leibniz, Voltaire and Quesnay, among others, ‘looked to China for moral instruction, guidance in institutional development, and supporting evidence for their advocacy of causes as varied as benevolent absolutism, meritocracy and an agriculturally based national economy’” (Arrighi 2007: 3, quoting Michael Adas). Garnier’s approving reference to China as “formerly the regulator in this whole region” (294) was part of this intellectual legacy, melding the history of “nominal protection” by China to the liberal lexicon of regulation.

Garnier’s was a convenient and partial reading of history. He sidestepped, for instance, the role that European powers had played in the waning of Chinese influence in the region, most recently in the Second Opium War. But in looking to the Chinese past, Garnier’s purpose seems to have been the construction of a template on which to project ideas about good government. In the notion that “benevolent and wise” rule should “stimulate production rather than enervate it,” and specifically in linking local welfare to the “vital energies of the subject populations,” Garnier was clearly taking a page from the Physiocratic playbook. His final comparison between European and “Asian” rule built on this, echoing his earlier comments that Siamese despotism in

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<sup>21</sup> Similar things happened to the south of Vientiane as well, leading to the population of what is now northeastern Thailand by ethnic Lao. As a result, Lao historian Houmphanh Rattthanavong once quipped that it was not Laos that has an ethnic minority problem today, but Thailand (Evans 1999).

southern Laos had made the local population “disgusted with work”:

The suzerainty of an Asiatic government always means monopolies, forced transactions, and as a consequence[,] immobility; European intervention in the nineteenth century must mean commercial freedom, progress and wealth (ibid. 295).<sup>22</sup>

Finally, Garnier got down to practicalities. While granting that Britain’s entry into Burma had led “the populations [there], who are prey to the unending wars, [and who] ardently hope for a more regular and more stable state of things,” to receive “European tutelage ... with a deep satisfaction” (294), Garnier insisted that Luang Prabang was where France should take over the civilizing role mandated to Europeans:

[I]t is in Luang Prabang that the progress of English influence has to stop, if we want to keep an equal balance and occupy in the peninsula the rank which the interests of our policy and our commerce invite us to take. France cannot abdicate the moral and civilizing role which it is her responsibility to play in the gradual emancipation of these so interesting populations of the interior of Indo-China. She must not forget that this emancipation is the express condition for the commercial freedom and franchises necessary for the establishment of fruitful relations for our industry (294-95).

In laying out his case for French rule, Garnier grafted this rhetoric about liberal government onto his earlier analysis of Luang Prabang’s unique geography:

Thus it was important to make the king of Luang Prabang feel that, one day, we could ourselves take on the rights exerted over his principality by the court of Hué, now our vassal. That from now on he should resort to French influence to resist the claims of neighboring countries and stop this tiring search for equilibrium which he tried to maintain among them. ... Too far away from us ever to fear a direct subjection, which moreover was not necessary to realize our interests, he could be said to reflect our power and replace so many bothersome tutelages by an efficient protection without demands. Indeed, we would only ask him to favor the development of commerce toward the southern part of the peninsula, to help us do away with the fiscal hindrances, and to improve the roads in this direction (295).

This is the end of Garnier’s argument, and it is notable that it ends with a plea for infrastructure, both physical and social. In his account, the exploration of the Mekong comes full circle: unable to plan for a French Hong Kong in Saigon via a river monopoly, Garnier had begun to look for territorial opportunities instead. With the switch, the task of *débloquement* (“unblocking”) in the region grew substantially. The apparently simple proposition with which Garnier ended – “only” to direct commerce toward Saigon, clear out “fiscal hindrances” along the way, and connect the Lao interior to the lower Mekong by a network of roads – turned out to be an enormous undertaking, far greater than the establishment of commercial infrastructure along the Mekong could have ever been.

Half a century later, road building, and specifically the experience of *corvée* labor, would come to dominate how Laos’s upland population experienced the French colonial state (Gunn 1990: 55-60). As debates about imperial expansion became mired in the domestic politics of France’s Third Republic, Garnier’s promise of a “protection without demands” became subsumed by a

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<sup>22</sup> See Soren Ivarsson (2008) on the larger issue of the relationship between geopolitics and racial discourse in and about the territory that ultimately became Laos.

political economy of outsourced colonial development, in which Paris demanded wealth from its Indochinese colonies but relied heavily on the French private sector to finance infrastructure and resource development. In Laos in particular, the burden of infrastructure-building would fall largely on upland peoples, the high cost of infrastructure confining profitable investment largely to the Vietnamese highlands and deltas (ibid.; Brocheux & Hémary 2009: 119-120). By the early twentieth century, road-building epitomized “unmitigated colonial oppression,” and *corvée* labor (which “probably never embraced less than twenty percent of the population” (Gunn 1990: 59)), was implicated in a string of upland revolts throughout the Indochinese Union (Stuart-Fox 1997; Evans 2002). But all of this was in the future. At the time of Garnier’s visit, only one thing was certain. When the French traded the Mekong strategy for the dream of a Lao territory, the task of “unblocking” Laos gained a new and far more complex target: the uplands of upper Laos.

## SAKDINA GEOPOLITICS

In 1887, more than a decade after Francis Garnier’s death in Tonkin helped propel France into northern Vietnam, another Frenchman got the opportunity to press the case for French protection to the king of Luang Prabang. His success testified less to the logic of the proposal than to the fact that much had changed in the two decades since Garnier had first articulated it.

The intervening years had brought a group known collectively as “the Haw” into northern Laos. The story of the Haw helps bring into focus the changes in socio-political space that occurred in the upland heart of mainland Southeast Asia during the latter half of the nineteenth century. These changes formed the backdrop for portions of Thongchai Winichakul’s *Siam Mapped* (1994), which chronicles the emergence and consolidation of the “geo-body” of Siam – the cartographic polygon that came to define Siamese territory during the nineteenth century, as the Siamese state made the transition to the Westphalian paradigm of singular hierarchical sovereignty and well-defined national boundaries. The mapping of the Siamese northeast is in many ways the climax of *Siam Mapped*; after learning “modern” geography along the Burmese frontier, the Siamese administration was called to put its skills into practice along the eastern frontier, especially in the mountainous areas northeast of Nan and Vieng Chan (see Figure 4). Although this ultimately brought them into conflict with the French, what originally drew the Siamese to the northeast was geographical confusion over the precise location of the “Haw disturbances.” Following the British-Siamese friendship that developed earlier in the century, the British surveyor James McCarthy was seconded to the Siamese government in 1881, and was well-placed to contribute when the Haw issue drew the attention of the king.

Contradictory reports frequently reached Bangkok concerning ravages by Haw on the north-east frontier of Siam; and as villages were now reported to be plundered and destroyed, the whereabouts of which puzzled the heads of those who ought to have known, the king was graciously pleased to appoint me to the command of an expedition to the region of disturbance. ... For geographical research, especially, the frontier region provided a wide and interesting field; for the greater part of it still remained unvisited by Europeans, and on the maps the country was a blank (McCarthy 1900: 18).

Thongchai’s account is written to problematize the nationalist historiography of Siam’s “lost territories,” and his perspective is therefore centered on the geo-body itself: national scale, and largely cartographic. Looking more closely at the politics of population in the particular vicinity of Luang Prabang, the remainder of this chapter places the analytic focus on the dynamism of the

uplands themselves, and provides a complement to Winichakul's genealogical account of the geo-body. My focus is instead a genealogical glimpse of the uplands themselves as a socially and politically dynamic landscape. The "Haw marauders" provide a point of entry, and show that the uplands were far more than a backdrop, whether conceived as a blank spot on the map or a technical problem to be overcome. They were a historical subject in themselves – a dynamic assemblage of the social, the political and the geographical that would, to borrow Stuart-Fox's term, continue to "exercise" colonial and postcolonial officials for decades to come.

James McCarthy's book *Surveying and Exploring in Siam* bears a subtitle – "with Descriptions of Lao Dependencies and of Battles against the Chinese Haws" – that is doubly telling, testifying not only to the central role that the Haw played in his experiences, but also to how the area he was surveying was constructed geopolitically in Bangkok. McCarthy arrived in what is now northern Laos in 1884, part of a second Siamese mission to fortify its north-east frontier, and to sort out the confusion over precisely where the "ravages" were taking place.

Who and what were these Haw that brought so much misery on large tracts of country, and established such a name for cruelty as to terrorize a whole population? They were, in a word, Chinese brigands. At one time, Chinese traders, known in Luang Prabang as Haw, came down from the north in great numbers to traffic with the inhabitants, and when the peaceful traders gave place to brigands of the same nationality, the name of Haw was naturally transferred to these. Since the appearance of these marauders, communications and trade had ceased, and the whole district had been thrown into confusion (McCarthy 1900: 44).

McCarthy wrote that it was "about the year 1870 that the depredations began, the plunderers rapidly overspreading the country near the Tonkin borderland" (ibid.: 44). This tracks well with Garnier's account from twenty years earlier. In 1868, the Mekong Exploration Commission had encountered the question of how to head north from Luang Prabang. The Haw, still beyond the frontier at that time, had nonetheless crept into Luang Prabang's interstate relations. Despite the apparent prosperity in Luang Prabang, turmoil to the north was already a substantial concern. Garnier wrote:

The situation in the surrounding countries was such that it engendered the greatest hesitation as to the [choice of] route to adopt when leaving Luang Prabang. The Muslim rebellion in Yunnan against the emperor of China had been the signal for disorder and endless wars in the various Laotian principalities lying between China, Burma and the Siamese territories. Banditry became a chronic nuisance and some parts of this area had been complexly depopulated. The king of Luang Prabang had seized this opportunity to break off relations with China, to which it had stopped sending the usual tribute about ten years ago (Garnier 1885: 304).

Two waves of Chinese (Qing) repression made the advance of the Haw seem to sweep not only southward, but westward as well. The first wave came, as McCarthy noted, from the borderlands of Tonkin, to the northeast of Luang Prabang (see Figure 4). These were largely the "Flag gangs" formed in the wake of Qing efforts to put down the Tai Ping revolt (1850-64); the most famous Flag gang, the Black Flags, was subsequently recruited by the Annamese and the Qing to fight the French on the Chinese frontier, and was responsible for the death of Francis Garnier in 1873 outside Hanoi (Garnier 1885: xviii-xx; Brocheux & Hémery 2009: 40-44). A second wave came from the suppression of Muslim revolts mentioned by Garnier in Yunnan in the 1870s; together, these waves of "Haw brigands" wreaked havoc on northern Laos (ibid.), and in particular on the

stability and isolation that had made Luang Prabang a relatively peaceful and prosperous refuge. One of the reasons these intrusions caused so much political calamity was that they inspired local uprisings as well, including an important upland revolt near Luang Prabang in 1875 (Evans 2002: 35). The Haw raids, in other words, caused the *sakdina* system, a political-geographical system described below, to break down along one of its key fault lines: social class.

Anthropologist Grant Evans describes pre-colonial social relations between the king, his local lords (*chao muang*), lowland peasants and upland minority groups as orderly, if profoundly unequal. “The *sakdina* system (glossed as ‘feudalism’) in Laos prior to the French was one where the king theoretically had absolute rights, and his subjects had discrete and subordinate rights” (Evans 1998: 143). Under *sakdina* rule, both “the Lao peasantry and the *kha*” – a term that I will explain shortly – “were obliged to render to the king and his *chao muang* goods in kind or labor.” Evans is explaining a court ritual that was conducted in Luang Prabang in the second half of the twentieth century, and that had its roots in the political geography of the Haw period and before. The ritual involved the king and representatives of the Khmu, an ethnic minority group who live in the uplands around Luang Prabang. Evans relates how the ritual – in which the king acknowledged the Khmu as the former owners of his territory, while the Khmu acknowledged the king’s ultimate authority – symbolized reciprocity without equality. In contrast to the view of upland minorities as beyond the pale of the lowland state (Scott 2009), the Khmu, under the *sakdina* system, were “not despised heathens but loyal, and respected, subjects” (Evans 1998: 145). Evans is precise about his language:

I use the term ‘respected’ advisedly, and mean by it that in a context where there is no assumption of universal equality, and where if people act according to their ‘station in life,’ then one can have a system of mutual respect and reciprocity even though inequality is intrinsic to the system (ibid.).

This system of unequal reciprocity is inherent in the term *kha*, a Tai (Lao and Thai language) term for upland minorities that is sometimes translated as “slave” but that, as Evans’ description implies, was far more complex than familiar notions of western slavery. As Andrew Turton and others elaborate, the opposition between Tai and *kha*, while rooted in linguistic and religious difference, is analogous to the geographic opposition between *muang* – the lowland rice plain where Tai state-making was centered – and *pa* – the wild, uncivilized forest where the *kha* reside (Turton 1999; Winichakul 1999). The *kha* appear frequently in the accounts of Garnier, McCarthy and other travelers of the era. Henri Mouhot, a French explorer who preceded Garnier in Luang Prabang by half a decade, described the *kha* in terms that, while clearly lumping together a number of groups, gestured to the tension between the subjectivity of the *muang* and the freedom of the forest. Mouhot, in other words, was describing the forested edge of the *muang*, the upland frontier of *sakdina*:

The whole chain of mountains which extends from the north of Tonquin to the south of Cochin China, about 100 miles north of Saigon, is inhabited by this primitive people, divided into tribes speaking different dialects, but whose manner and customs are the same. All the villages in the immediate neighborhood are tributary; those nearest to the town supply workmen for buildings erected for the king and princes, and these are heavily taxed. Others pay their tribute in rice. Their habitations are in the thickest part of the forests, where only they can find a path. Their cultivated grounds are to be seen on the tops and sides of the mountains; in fact, they employ the same means as wild animals to escape their enemies, and to preserve that liberty and independence which are to them, as to all God’s creatures, their supreme good (Mouhot 1862: 362).

Later accounts pulled this aggregate apart in a few ways, gesturing to the complex geography at the edges of *sakdina* rule. Garnier's and McCarthy's accounts in particular form a striking pair for analyzing the changes in northern Laos's political geography just prior to French colonization. As it had in Cochin China, France would soon carve out a new territorial niche at the fault lines of two existing empires (China and Siam). For Garnier, the "many martial wild tribes which inhabit[ed] the borders of Tong King and Laos" were a key reason for Luang Prabang's uniqueness, providing a combination of protection and industriousness that contrasted markedly with what he saw further south. If this was hinted at above, it was more explicit in another part of his report. Describing a village along the Mekong just south of Luang Prabang, Garnier noted that "[t]he population of Ban Cocsay is Laotian but a great number of savages from the neighboring mountains come to the village to trade their products" (1885: 288):

Those that we saw belonged for the greater part to the tribe of the Khmous. They are very numerous in the vicinity of Luang Prabang. Their physiognomy no longer had the submissive and timid expression which the savages of the south show in their daily relations with the inhabitants of the river valley. They were treated as the equals of the conquering race. In the bosom of this mountainous region, their own cradle, they showed the better part of their native energy and their most virile qualities. Their numbers and the need to use them to defend the mountain passes against enterprising neighbors made them auxiliaries that were managed and not, as is the case in [southern Laos], [treated as] a taxable resource, productive in gold dust and in providing slaves (ibid.).

Evans' account above provides an important corrective to Garnier's assertions of equality, and suggests that Khmu willingness to "defend the mountain passes against enterprising neighbors" may not have been absolute. Still, between Evans and Garnier, we can see the outlines of an upland political geography that seemed to work well – at least for Luang Prabang – when times were good, but that broke down in the 1870s with the arrival of "the Haw."

In 1884, McCarthy visited a village northeast of Luang Prabang that, based on his description, lay outside the orbit of the *sakdina* system. A highland village of "Meo" (Hmong), it contained a number of representatives from the "*kha*" tribes that had been involved in the uprising of 1875:

We halted for some days at a large settlement of Meo, between whom and the Haw of Tung Chieng Kam there was a close connection. There were upwards of 200 representative men of the Ka Che tribes. These tribes had been goaded into revolt some years before, when *more than half of them were killed or died from starvation*. They are usually called Ka Che (meaning slaves), and their homes are on the slopes of the mountains all over the Luang Prabang division. ... At one time they were associated only with Luang Prabang, but after the rebellion upwards of 20,000 settled in the Nan division [see Figure 4]. The teak trade of Siam is carried on chiefly by their means, as they are sturdy and hard-working foresters, content with very small remuneration (McCarthy 1900: 92, emphasis added).

In McCarthy's account we glimpse an upland landscape around Luang Prabang that was significantly depopulated by the arrival of the Haw, first by attacks, then starvation, then migration westward to safer parts of the Siamese empire. A decade earlier, Garnier had estimated the population "for the whole province" of Luang Prabang at 50,000 (Garnier 1885: 293). Although the numbers are highly uncertain – Garnier qualified his estimate with the caveat that "the population can barely be assessed in a precise way" (ibid.) – a loss of the magnitude

described by McCarthy is nonetheless staggering. If the two sets of numbers can be even roughly believed and compared, they imply an almost complete decimation of the upland population during the latter 1870s and early 1880s. Garnier also estimated the city of Luang Prabang to have around 15,000 people (*ibid.*), leaving roughly 35,000 or more (his estimate was a minimum) in the countryside. Some of these would have been residents of lowland villages: while Luang Prabang's lowlands are small, they are not nonexistent. Garnier's estimate of the upland population was thus in the range of less than 35,000. McCarthy's description above implies an upland population of over 40,000. More than half of these, according to the stories he heard, died from war or starvation; the other half survived and migrated to Nan, with only a remaining few sticking around in villages like the one he visited. McCarthy, in short, suggests that *all and then some* of the uplanders estimated by Garnier either died or left.

At the very least, the two estimates suggest a profound shift in the social fabric of the upland landscape. This had profound implications for Luang Prabang. As noted above, the kingdom had far less lowland space than comparable or even smaller *muang* like Nan, Vieng Chan, Sing or Chiang Mai. A French surveyor quipped around the turn of the century that “[w]ithout the agriculture of the *Khas*, the Lao [of Luang Prabang] would not have a grain of rice to put between their teeth” (Lefèvre-Pontalis, in Walker 1999: 37). Writing around 1900, this reflected the fact that uplands along the Nam Tha (Figure 4) had once again become “the granary of Luang Prabang” (*ibid.*). But by then Laos was almost a decade into becoming part of French Indochina. In the 1870s and 1880s, in contrast, the upland periphery of Luang Prabang's *sakdina* geography had all but disappeared.

## REREADING THE “CONQUEST OF HEARTS”

It was in this context that a well-placed French representative was able to press the case, in 1887, for French protection to the king of Luang Prabang. Auguste Pavie, the French vice-consul and first French official posted in Laos, had written earlier to an acquaintance, “Let us gently extend our influence in Laos by placing agents there, by letting explorers and merchants travel throughout it, and its limits will become large” (in Stuart-Fox 1995: 117). Pavie was perhaps the most important of these agents in the expansion of French influence in Laos. His feats in Luang Prabang have, as historian Martin Stuart-Fox aptly notes, become the stuff of legend (Stuart-Fox 1997: 22). But despite being remembered as a “conquest of hearts” (Pavie's own phrase), the events that led to French protection were both violent and contingent. The events of 1887 show how the destruction of the *sakdina* frontier allowed the French to capitalize on the geopolitical fracturing of mainland Southeast Asia for a third time.<sup>23</sup>

The title of McCarthy's (1900) book reflects his intent to survey the “Lao dependencies” *within* the kingdom of Siam, not create a boundary *between* Siam and Laos; it also testifies to the fact that his mission was not only scientific, but military (also see Winichakul 1994: 109-112, 121-124). Ironically, it was a conflict generated by this larger securitization effort that ultimately led the king of Luang Prabang to seek protection from the French. McCarthy related the story of how a *chao muang* on the Tonkinese frontier had allied himself with the local Haw in order to secure the area against Vietnamese encroachment, which authorities in Luang Prabang had allegedly ordered him to do. The account turned on a tale of intrigue, in which the lord had been

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<sup>23</sup> The first two were Cochin China (at the Cambodia-Annam frontier) and Cambodia (at the Siam-Annam frontier).



deceived by a former apprentice, and was forced to take extreme measures – an alliance with the Haw – in order to defend the area (McCarthy 1900: 100-101). McCarthy thought this account “very satisfactory” and recounted it without any hint of doubt (ibid.: 100). Nonetheless, it apparently failed to convince the Siamese commander, who doubted the *chao muang*’s profession of loyalty and demanded to speak to him in person.<sup>24</sup> As a means of leverage, he placed two of the man’s sons “in close confinement” (ibid.: 106).

McCarthy, writing with the benefit of hindsight, described the lord as “the man who, above all others, influenced the whole of these countries” (see M. Lai in Figure 4). “[U]nless he were appeased, there would be no end of complications” (ibid.: 105-106). Complications did, in fact, ensue. After sending McCarthy off to survey further to the south and east, the Siamese military commander returned to Luang Prabang and then set off for Bangkok, “denud[ing]” Luang Prabang “of such means of defense as it had possessed” (ibid.: 108). Meanwhile, the Haw with whom the *chao muang* of Lai had allied himself headed for Luang Prabang, “these marauders having been brought down by the eldest son of Chao Lai, who intended with their help to avenge the arrest of his brothers” (ibid.).

McCarthy’s account of Haw’s descent from *Muang* Lai to Luang Prabang belies the distance involved, which was over 150 kilometers as the crow flies (see Figure 4). In his description of their passage through the Nam Ou gorge, the destruction of the *sakdina* geography is the subtext, inverting the “friction of terrain” with which the region was typically described:

The Haw continued their advance down the Nam U and reached M. Ngoi. There a narrow river-gorge, over a mile long, is commanded by a hill, whose limestone cliffs rise perpendicularly from the water. In the gorge the river is very deep, but the current is imperceptible, and boats descending can make no progress against a head wind. No hostile band anticipating opposition would attempt to force a passage, but the Haw evidently knew the men they were dealing with. They ascended the hill, and, seizing the excellent mountain howitzers, which had been provided for the defence of the position [presumably by the British to the Siamese military], rolled them over the cliffs into the river. They then pushed on to Luang Prabang (ibid.).

The rest is almost predictable:

The Haw now acted in accordance with their usual barbarity. Beginning at the [temple], where they had chosen their quarters, they extended their murderous work throughout the town. The Chao Uparaj [vice-chief] was put to death, and the old chief<sup>25</sup> was compelled by his sons and Burman guard to go on board a boat, where one of his sons was shot before his eyes. Luang Prabang was fired and looted (ibid.: 109).

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<sup>24</sup> Evans (2002: 36) implies McCarthy’s naïvete, relating how “local elites” like this *chao muang* played both sides, using Lao titles in their relations with Luang Prabang and Siam, and Vietnamese ones in their dealings with Annam and the French.

<sup>25</sup> Following McCarthy’s English (“the old chief”), I have translated *Chao Uparaj* as “vice chief,” although it could be also be translated “viceroy.” Where McCarthy uses the term “chief,” Garnier, also reflecting the geopolitics of his mission, referred to the head of Luang Prabang as a king. Mouhot (quoted above), a Frenchman by birth who was nonetheless more closely tied to English zoological and geographical circles, split the difference, calling the two leaders of Luang Prabang “the princes who govern this little state, and who bear the title of kings” (Mouhot 1862: 362).

The Haw's descent through the Nam Ou River Gorge was thus a symbolic and fateful ending to a process that began almost two decades earlier. When McCarthy tells his audience that the Haw "evidently knew the men they were dealing with," his ambiguity is palpable. On the one hand, he seems to be chastising his Siamese superiors, whose efforts he saw as bungling and tactless (ibid.: 105-108). But we can also read in his account a clear reference to the *kha*, who were for all intents and purposes gone. Much of this disappearance was physical, the result of death, starvation and flight. But even among the Khmu who remained, McCarthy's account suggests that few could be described as *kha*: they had left the social relations of the *sakdina* system, and *kha* is, above all, a relational term (Turton 1999; Evans 1998). The Haw, McCarthy suggests, knew that the *kha* had disappeared in a metaphysical sense as well as a physical one; the upland subjects described by Garnier were no longer there.

It is in this light that we must view the decision of the Lao king to seek French protection in 1887. Luang Prabang's pre-colonial security sat at the intersection of interstate tributary relations, the *sakdina* system and physical distance. When the upland political geography of *sakdina* broke down, distance became irrelevant, and Luang Prabang succumbed to a tactical misstep within its relations of Siamese tribute. With the coming of the Haw, the uplands of Luang Prabang became, to use Scott's terminology, essentially frictionless. With the loss of traditional security measures, the turn to the French – "the symbol of a new form of overarching order and protection" (Evans 2002: 36) – was, if difficult, at least understandable. The irony here is important, and carries a lesson about the need to be precise about upland friction and, its converse, upland flow: If the problem that exercised men like Francis Garnier was the need to unblock the Chinese frontier, it was precisely the opposite problem – the *opening* of the uplands in the 1870s and 1880s – that created the opportunity for France's colonization of Luang Prabang, and beyond.

## CONCLUSION: LEGACIES OF UPLAND UNDERDEVELOPMENT

While it is beyond the scope of this chapter to trace the history of the *débloquement* efforts that followed Laos's incorporation into French Indochina, it is widely acknowledged that the effort was slow to materialize, and partial at best (Gunn 1990; Stuart-Fox 1995; Ivarsson 2008). Given the prioritization of Vietnam and then Cambodia by the colonial administrators (ibid.), much of what *was* built in the way of public works was based on corvée labor provided by the local, and specifically by the upland, population (Gunn 1990). In contrast, concession-based development efforts, despite a speculative burst in the 1920s, crashed hard in the Great Depression, and left only the tin mines on the Paten River and the plantations of the Boloven plateau to prove the rule that "for colonial capitalism, the 'profitable' Indochina centered on the Vietnamese highlands and deltas" (Brocheux and Hémerly 2009: 120).

As I elaborate in the next chapter, this did not merely slow down development; it figured into a systemic geopolitical reconfiguration of the Lao uplands. The question of whether "the Lao" could govern themselves as a nation had begun during the colonial period, when it was linked largely to questions of agrarian productivity (Ivarsson 2008). If this had ramifications during the colonial period (ibid.), after the Second World War it elevated to a whole new level as Laos became enrolled in the American effort to contain communism to China and Vietnam. This process produced the fundamentally important (if in retrospect trite-sounding) debate about the

extent to which Laos was a “real” country. If the question has provided extensive critical fodder for scholars (Evans 1999; Ivarsson 2008), it had major implications when it was asked at the time by American policymakers. As chapter 3 details, when high-level U.S. opinion changed about what Laos *was*, the legacies of failed *débloquement* figured importantly in this shift. As American experts reevaluated whether Laos could provide an effective buffer against communist aggression, they turned to questions of infrastructure, ethnic diversity and the culture of national civil service. In all of these, the legacy of French policy and the upland dynamics it wrestled with were central. The impacts were substantial, and influenced the political shape of upland Laos – and Laos as a whole – for decades to come. In many ways, this shift in U.S. policy pushed the pendulum of *sakdina* geopolitics back in the direction it had been in the wake of the Haw invasions. It took the state’s absence in the uplands as a given, and sought to put it to strategic use.

### Chapter 3

## “Bricks without Straw”: De-nationalizing the Lao Uplands, 1960-1970

*We live in a revolutionary world in which internal war is a basic fact of life. ... Studies of the techniques by which internal wars can be molded and channeled are therefore of the utmost importance. The Machiavellian overtones, the apparent cynicism, may make such studies repellent, but that cannot be helped.*

“Social Science Research and National Security,” by Ithiel de Sola Pool, A.J. Coale, W.P. Davidson, H. Eckstein, K. Knorr, V.V. McRae, L.W. Pye, T.C. Schelling and W. Schram, A report prepared by the Research Group in Psychology and the Social Sciences, Smithsonian Institution, Washington, D.C., under Office of Naval Research, March 5, 1963.<sup>26</sup>

In December 2002, the two hundred or so inhabitants of Phousavang, a remote village in the mountains of northwestern Laos, walked off into the forest and began to clear a new patch of land. Only days later, they were tracked down and returned to their former village site by the Lao army; their “leader,” a hermit who had been living in a nearby cave, was arrested on charges of rebellion and imprisoned in the provincial capital. The whole episode took less than a week and left no official traces, at least no public ones. It did, however, catch the eye of a local French development worker, who contradicted the official story of rebellion by identifying the hermit as a Lahu millenarian leader, one of a handful of indigenous millenarian figures who emerged in the early 2000s in northern Laos.<sup>27</sup> The hermit, according to the development worker, had told villagers that “a messiah would arrive to feed and take care of them,” and had led them out into the forest to clear an area in anticipation of his coming. It was in this combined act of clearing forest and awaiting assistance that Phousavang’s residents were tracked down and “forced back to the village.”

The perspective of the French development worker was sympathetic to the villagers, and was adopted and elaborated by Ian Baird, a geographer who, following Geoffrey Gunn’s foundational work on colonial Laos (Gunn 1990), posited a link between millenarian activity and state efforts to “stabilize” swidden agriculture and eradicate opium poppy cultivation in the early 2000s. In this reframing, the residents of Phousavang were not the rebel aggressors of the official story, but victims of state enclosure and land management policies aimed directly against their land and livelihoods. But there is a twist. Despite the authors’ efforts to distinguish the “official” from the “true” versions of the story, a very modern past intrudes into their account. In addition to waiting for a messiah to appear, some of Phousavang’s residents “reported waiting for American airplanes or helicopters to land in the cleared area (‘the Americans are back’), or waiting for planes to drop sacks of rice into the area, like Air America did during the war.” Someone – the development worker? one of his local informants? – added a further speculation: “Perhaps they were also waiting for guns and money to be dropped.”

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<sup>26</sup> Quoted in Deitchman (1976: 33)

<sup>27</sup> My account of these events is based on that of Ian Baird (2004: 272), from whom direct quotes are taken.

This chapter examines the political geography of Laos's northwestern uplands during the height of the Cold War. In doing so, it begins to provide an explanation about why the ghosts of American military intervention continue to haunt the forests of northern Laos, and about how issues like land use and settlement can become inflected with the question of national security. The events recounted above took place in a small corner of an administrative entity called the Nam Nyu Special Zone. At the time, it was one of a handful of military special zones that dotted the uplands of northern and central Laos. One of these, the Saisomboun Special Zone, was hardly a dot: located in the mountains northeast of Vientiane, it occupied over seven thousand square kilometers – Nam Nyu, by contrast, was a “mere” six hundred. Before being formally dissolved in the mid-2000s,<sup>28</sup> Laos's special military zones bore testimony to the lingering social legacies of wars fought largely by proxy – wars that outlasted the official end of the “Vietnam” (or “American”) War in 1975. As later chapters show, these legacies of regional and even global geopolitical conflict have not yet disappeared, although in many places they are no longer as overt as in the events described above. The case of Phousavang village thus presents an extreme case of historical legacy being turned into a political weapon – in this case, a charge of rebellion being used to reframe a coping effort into an assault on national security. As later chapters show, this mixing of political with economic security questions was not limited to officially declared military zones.

In this chapter, I examine the uplands of northern Laos through a second key moment in modern geopolitical history: the decade of the 1960s. My account provides a glimpse of the Cold War legacy that continues to loom large, and shows how U.S. intervention helped create a landscape where simple acts like spontaneous relocation and forest clearing could become invested, even decades later, with suspicions of rebellion. The “American period” I describe articulated in key ways with the French one that preceded it; while I emphasize the contrast between French *débloquement* efforts and the fragmentation pursued by the U.S. after 1960, both histories are, as I will show, cut from the same cloth: the U.S. decision to capitalize on the fissures of the Lao landscape was based on expert assessments of precisely the sorts of things that the *débloquement* problematic addressed itself to: physical infrastructure, ethnic and regional differences, and the *esprit de corps* of civil servants and the urban elite. To put it in the language that became politically salient in the early 1960s, American experts were wrestling with the ontological question of what Laos was, and specifically with the question of whether or not it was a “real” nation.

During the 1950s, U.S. engagement in Laos had been geared largely toward the urban milieu, targeting the electoral and coalition politics that flourished in Vientiane in the years after the 1955 Bandung Conference, when non-alignment seemed like a real possibility for countries like Laos. As this political moment began to fade in the late 1950s, however, American and Soviet tensions increased through, among other things, a series of proxy conflicts, including Laos. It was in this context that American experts and their advisors began to rethink the political-geographic entity they were dealing with, and launched what I describe as the denationalization

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<sup>28</sup> Saisomboun and Nam Nyu special zones were incorporated into the regular administrative landscape sometime in the mid-2000s. A special zone in northern Xayaboury province existed at some point as well (Walker 1999: 20-21). Likewise, eastern Bolikhamxai was, and may still be, home to at least three special zones (Muang Cham plus two others) (Jerome Whittington, pers. comm. August 2010).

of the Lao countryside. This centered on the uplands. Specifically, it entailed a shift in the focus of American intervention from overt and urban-centered nation-building to clandestine, upland-oriented military activity that scaled up the effective U.S. presence while simultaneously proclaiming Laos's neutrality. If both the 1950s and the 1960s were geared toward the containment of communism, the tactics that each period employed differed radically. Nation building took the problems of colonial underdevelopment and attempted to fix them; clandestine proxy war, in contrast, took them as characteristics to be acknowledged, worked with and strategically exploited.

This chapter thus recasts one of the key tropes of modern Lao studies. As Grant Evans notes at the beginning of *Laos: Culture and Society*, "one of the paradoxes of studying Laos is that even those people most engaged in its affairs have questioned whether Laos exists as a 'real' national entity" (Evans 1999: 1). Evans quotes such Cold War luminaries as Arthur Dommen, Bernard Fall and Arthur Schlesinger, Jr., as well as the French novelist Jean Lartéguy; these men referred to Laos, respectively, as "more a conglomeration of 'tribes' than a people," "neither a geographical nor an ethnic or social entity, but merely a political convenience," "a state by diplomatic courtesy," and "a figment of the imagination of a few French administrators" (ibid.). In contrast to Evans's invocation of "the idea of 'natural' nations rather than historical ones" (ibid.), I suggest that the "paradox" named above begins to unravel when the discourse of Lao national unreality is placed in the context of the reorientation of American policy that occurred around 1960-61. This shift implicated all four of the men named above: Fall and Dommen were both journalist-historians, and emerged as two authoritative voices on "the Indochina question;" while at times critical of American policy, their historical and political analyses were firmly on the side of Western anti-communism (Dommen 1964; Fall 1969). Fall is well known for his analysis of American "overreach" during the "Laotian crisis of 1961," which Dommen witnessed first hand (Evans 2002: 116); as the quotes above suggests, they both seem to have linked American "overreach" to a misjudgment about what Laos actually *was*. Schlesinger was best known for his role as "court historian" of the Kennedy presidency, which ushered in the era of Lao proxy war, while Jean Lartéguy was a French novelist who lionized the "centurions" who guarded the gates of the empire even as they were abandoned by politicians back home. One such "centurion" was Roger Trinquier, who plays a key role in the pages that follow as the father of French counterinsurgency and what became known as the "montagnard strategy."

Echoing the previous chapter's analysis of how macro- and micro-scale dynamics articulated to create the geopolitics of the 1880s, I suggest that a similar approach helps to understand the denationalization of the Lao uplands that occurred in the 1960s. While the macro scale of U.S. relations with China and the Soviet Union help explain why Washington took up the "montagnard strategy" of the French, an equally important piece of the story emerges from the history of CIA engagement in the uplands of the Burma-China frontier during the 1950s. Only by bringing out the workings of this set of technological and human capabilities does the full extent of the American transformation of the Lao uplands begin to become clear: it was secrecy that was at the crux of the American use of the Lao uplands, and this depended not simply on alliances with upland groups like the Lahu, but on a mix of local intermediaries and transportation and communications infrastructure that the Americans brought largely from their work in Burma and China. It was thus this mixing of the Vietnam and China theaters of the Cold War that produced the legacy profiled in the opening sketch: Nam Nyu was the home of a CIA

base that was set up in 1962 to mediate between the China and Vietnam spheres of American interest and intervention. This lasted more than a decade, and helped create not only the myth of national unreality, but a series of lingering on-the-ground effects as well.

The chapter begins by elaborating the United States government's shift to clandestine, upland-focused military activity during the 1960-61 period, and describing the emergence shortly thereafter of northwestern Laos as a region of strategic importance. It then examines the specifics of the CIA base at Nam Nyu, focusing on the way various segments of the upland population became enrolled in the creation of a proxy military apparatus that was both technically capable and plausibly deniable. The latter was important not just because of the Geneva Accords of 1962, but because of Nam Nyu's role in cross-border espionage in Burma and especially in China; whereas violations of the Geneva Accords were more of an open secret (in the larger Hmong area to the south and east, and along the so-called Ho Chi Minh Trail), American leaders took the risk of provoking China quite seriously. This placed a premium on deniability. The final part of the chapter returns to the specific issue of Laos's ontological status. Through a close read of a CIA insider's account, I show that this question was not merely academic, but also figured centrally in Washington's tactical reorientation of 1960-61. As decision-makers became convinced that they had been trying to "make political bricks without straw" (Blaufarb 1972: 5), they changed their analysis, and their methods, accordingly. As the opening sketch suggests, these changes cast a long historical shadow.

## WASHINGTON'S MONTAGNARD STRATEGY

If American policy in Laos was formulated from day one in order to serve the larger geopolitical project of containment (Prados 2009), the early 1960s were an important turning point in the relationship between means and ends. In this section, I examine this turning point through the case of Nam Nyu, the base whose history haunts the opening sketch above, and which appears again in chapter 5. Located in the northwestern Lao hinterland (Figure 5), Nam Nyu during the 1960s exemplified this larger shift from a set of proxy *politics* centered on nation building to the proxy *war* that centered on what the CIA called its "tribal program." This shift is important to flag since, as I elaborate in the conclusion, it cuts against the commonly held view that the Cold War brought a general stepping up of American engagement in the politics of nation-building. While this was certainly the case early on (in the mid- to late-1950s), the events I describe here point largely in the opposite direction. Developed between 1962 and 1965, Nam Nyu illustrates the geopolitical logic, as well as the on-the-ground arrangements, of what would be increasingly called limited, or unconventional, war: a scaling up of military presence through coordinated outsourcing that simultaneously allowed Washington to claim that it was actually backing down against the Soviet Union and China.

Setting up a secret base in northwestern Laos became a priority in the wake of the "Laotian crisis" of 1960-61, and because of two events that pulled Laos's geopolitical center of gravity northward during 1961-62.

At the end of the Second World War, President Franklin Roosevelt had outlined a doctrine of American support for Third World decolonization, but had simultaneously begun a process by which the U.S. came to support France's reoccupation of its Indochinese colonies after the war – first passively, then actively (Prados 2009: 13-19). This reversal stemmed largely from the birth

of the Cold War, and specifically from the changing calculus of global hegemony. While Roosevelt believed that Japanese aggression had been abetted by weak colonial governments around the Pacific Rim, the shift toward countering Soviet aggression demanded a strong (and thus a colonially re-equipped) France to help shift the balance of power in Europe (ibid). As re-colonization stumbled with the French defeat at Dien Bien Phu in 1954, the U.S. increasingly took up the mandate of anti-communism in Indochina (ibid.; McCoy 2003; Conboy 1995). This set the stage for the Eisenhower era in Laos.



**Figure 5. The American Uplands**



In the mid-1950s, Washington set up massive civilian and military aid programs to Laos and “South” Vietnam that were aimed at creating a pair of anti-communist “bastions” – i.e., strong states rather than weak “dominoes” – on the borders of China and “North” Vietnam.<sup>29</sup> By the late 1950s, the American aid program in Laos (as in Vietnam) had become mired in widespread corruption and had fostered conspicuous consumption among the urban elite, but made only minimal inroads into rural areas and the improvement of the Royal Lao military (Stuart-Fox 1997; Conboy 1995; Gilkey 1958; Halpern 1958b).<sup>30</sup> Despite awarding Laos the distinction of receiving the most American aid at the time – \$150 per capita per year, over twice the average annual income (Warner 1996: 7) – American nation-building efforts in Laos had essentially stalled by the late 1950s. By one estimate, almost a third of all annual American aid revenues was linked to “scandals or fraudulent transactions” involving “virtually every member of the country’s ruling elite” (Gilkey 1958: 92). In 1958, the situation was “made to order for the communists” (ibid.).

By January 1961, just as Dwight D. Eisenhower prepared to pass the American presidency to John F. Kennedy, events in Laos confirmed the American program to be failing badly, and the situation escalated – as in the newly independent Congo – toward a showdown with the Soviets. First, American efforts ran into a group of partisans attempting to give the politics of non-alignment, a lasting home in Laos. This came via a military coup, led in mid-1960 by an army officer and self-proclaimed “neutralist” who, with substantial popular backing, reinstated the prime minister who had been deposed only months earlier by an American-backed candidate in an election that was widely seen as rigged. Almost immediately, a counter-coup returned the anti-communist faction to power, and in doing so drove the Neutralists – including a large slice of the army – into alliance with the communist Pathet Lao (literally “Lao Nation”). As the Neutralists began receiving airlifts from the Soviets and the Pathet Lao continued to be advised and assisted by the Viet Minh, the American geopolitical position in the region was deteriorating rapidly in late 1960. This was the “Laotian crisis” that provided the context for Eisenhower’s famous warning to the incoming President Kennedy: “If Laos is lost to the Free World, in the long run we will lose all of Southeast Asia.”<sup>31</sup>

The shift from Eisenhower’s Cold War to Kennedy’s brought major changes to Laos, including a shift northward. First and foremost of these was a scaling up of the American “tribal program,” which happened as Washington attempted to distance itself from the Royal Lao Army (linked to the embarrassing visibility of the counter-coup) while maintaining and even increasing its

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<sup>29</sup> The political entity of South Vietnam – and the implied one of North Vietnam – grew out of Washington’s support for Ngo Din Diem’s scrapping the plan, outlined in the 1954 Geneva agreements after Dien Bien Phu, to conduct nation-wide elections in Vietnam within two years. As Prados elaborates, contrary to Diem’s and Washington’s interpretation, the 1954 agreements did not create two sovereign nations of North and South Vietnam. Rather, they created “regroupment zones” in northern and southern Vietnam (and northern and southern Laos) for the various sides, an arrangement that Washington read as a giveaway to the communists (Prados 2009: 26-38). The so-called “domino theory” of communist spread was first articulated as Eisenhower tried to assemble public support for American intervention on behalf of the French in the weeks before Dien Bien Phu fell to the Viet Minh (ibid.).

<sup>30</sup> The finer points of the Laos-Vietnam comparison on the issues mentioned here are beyond the scope of this chapter. See Phillips (2009) for a comparison of the strategic hamlet programs in both countries; compare Prados (2009) versus Conboy (1995) or Warner (1996) on the question of regular military capacity; see Stuart-Fox (1997) and Gilkey (1958) on urban corruption in wartime Laos.

<sup>31</sup> This quote is from Robert McNamara, who wrote up his recollection of this meeting at the subsequent request of President Kennedy (Greenstein & Immerman 1993).

military presence in Laos. This shift toward “tribal” outsourcing and geographic remoteness would also be reinforced in the wake of the 1962 Geneva Accords, discussed below. Although American work with Laos’s “hill tribes” had begun in the late 1950s (Conboy 1995; Jonsson 2009), it was not until early 1961 – the peak of the crisis – that the tribal program began to occupy center stage with the launch of “Operation Momentum” (Conboy 1995; Warner 1996). Momentum brought together two existing trajectories of irregular warfare in Southeast Asia: French efforts begun in the early 1950s to channel “minority grievances” into anti-Viet Minh resistance (Conboy 1995: 6), and American efforts, begun around the same time, to defend Thailand against a possible Chinese invasion (Warner 1996). Prior to 1961, American military advisors had done a limited amount of work with the remains of the ethnically organized and geographically limited militias, or *maquis*, set up by Roger Trinquier, a French counterinsurgency specialist who, fittingly, had started his career in the 1930s organizing upland militias to “[fight] Chinese pirates and opium smugglers” in a colonial outpost in the “One Hundred Thousand Mountains” of northern Tonkin (Fall 1964: x).<sup>32</sup> As the Americans took over the French military mandate in the 1950s, they retained Trinquier’s model more than his actual program; many of his *maquis* fighters were “wiped out one by one” in the months after Dien Bien Phu (ibid.: xiv). Operation Momentum nonetheless focused on reassembling one of these *maquis* units – a Hmong militia based in the mountains northeast of Vientiane – that boasted a mid-level army officer named Vang Pao. Already up and coming (he had been sent, for example, to a 1958 seminar on counterinsurgency in the Philippines), Vang Pao was a key reason why the Hmong of northeastern Laos became, for the Americans, “the right tribe in the right area at the right time” (Conboy 1995: 59, 60).

Seeking to minimize the visible American presence in Laos while maintaining its military capabilities, Operation Momentum also brought in a CIA-developed program from Thailand: the Police Aerial Reinforcement Unit, or “Paru.” Developed during the 1950s in Thailand, the Thai Paru forces worked to develop similar *maquis*-style relationships with the hill tribes of northern Thailand, whom they hoped to recruit as a first-line defense if American support for the Chinese Nationalists, or KMT, erupted into a wider war (Warner 1996; Conboy 1995). As Momentum grew into an actual military apparatus, the Paru played a key role as officers and trainers; as Momentum expanded into the northwest, the Paru would continue to fulfill this role, although they would increasingly be complemented by additional “third-country” recruits, elaborated below.

Momentum’s third leg was civilian logistical support, which had played a role in American operations in Laos prior to 1960 but was scaled up and militarized as the tribal program expanded and took precedence. In keeping with the need to roll back the visible military presence, USAID was used as a hub for both military advising and logistics (through the use of retired “military specialists”), as well as for coordinating the “refugee relief” effort – “an AID-sponsored program fully integrated with the tribal effort, which sustained the families of the guerillas and thereby provided a reassurance essential to morale” (Blaufarb 1972: viii). Momentum also drew extensively on the services of Air America and a few other nominally private “contract” airlines that were in fact linked to the CIA (ibid.: 52-53). Negotiating the upland landscape where the tribal program made its home meant flying in and out of short, often

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<sup>32</sup> The term *maquis* (literally “bush”) seems to have originated in the Free French (guerilla) resistance set up during the Second World War.

steeply sloped and roughly cleared dirt landing strips; this in turn required the services of specially developed (“short-takeoff-and-landing,” or STOL) airplanes and, even more important, specially trained and highly skilled pilots. These three pieces – well-placed hill tribes, “third-country” advisor-coordinators like the Paru, and a nominally civilian logistics support network – were the key components of a proxy war apparatus that came together in 1961 and expanded throughout the uplands of Laos over the next decade.

The decision to expand the tribal program from the Hmong *maquis* into the northwest came in the middle of 1962. After a turbulent and politically ambiguous 1961, the anti-communist forces (advised and assisted by American green berets) lost the provincial capital of Houakhong in the spring of 1962 in the battle of Namtha, read by Washington as a humiliating embarrassment by an inferior force. The battle of Namtha had both local and national effects. Locally, the Pathet Lao’s movement westward in Houakhong province posed the threat of an unchallenged communist advance all the way to the Mekong, and thus to northern Thailand. Nationally, the battle shifted the political terrain by giving the communists, who had managed to alienate themselves from the Neutralists in the intervening year, additional political clout. The month after the battle, the country’s three political factions (Communist, Neutralist and Royalist) announced a tentative agreement and returned to Geneva in June 1962.

In July, the Geneva Accords of 1962 formally “neutralized” Laos and mandated the withdrawal of all foreign forces by October. Douglas Blaufarb, who would become CIA station chief in Vientiane in 1964, acknowledged (in a 1971 account that I examine in greater detail below) that Geneva did not actually end the U.S. military presence in Laos, but rather, in the face of a growing North Vietnamese presence as well, “imposed certain constraints upon U.S. military and paramilitary activity which greatly increased the delicacy of this involvement and complicated the operational problems it entailed” (Blaufarb 1972: 6). Just as the accords came into effect, Operation Momentum developed the basic spatial model for American proxy war in Laos, turning Laos’s abundance of rugged and forested hinterland terrain – and its corresponding lack of roads – from what had been a national liability into a tactical advantage. Officially ending the earlier “White Star” military assistance program, Washington converted an old White Star base in the mountains north of Vientiane into a publicly acknowledged “refugee relief” center run by USAID and serviced by Air America, and opened up a secret military installation in the secluded mountain valley of Long Cheng just ten kilometers – a long walk or a short STOL flight – away (Conboy 1995: 90-91). This spatial model, predicated on remoteness, small airplanes and “civilian” aid, would be replicated in the uplands of Nam Nyu.

There was one more piece of context that profoundly shaped the creation and development of Nam Nyu: China. Since the early 1950s, the U.S. had been supporting the Chinese Nationalist Army, or KMT, in the borderlands of first Yunnan and then in northern Burma and Thailand. As the KMT worked itself into this landscape throughout the 1950s (it had attempted a number of unsuccessful invasions of Yunnan in the earlier half of the decade), its recruitment of local allies brought it into the north-south trade in arms and opium, as well as into alliance with the Shan independence movement (Lintner 1993: 57-58). The Burmese government took the issue of the KMT’s presence to the U.N. in the mid-1950s, and then appealed to Beijing for help “demarcating” the common border between the two countries in 1960. In late 1960 and early 1961 – as the “Laotian crisis” emerged further to the south – thousands of Chinese communist

troops came across the Yunnan border and into the Shan states of northeastern Burma. They wiped out some units of the KMT, but scattered the others into an area that, thanks in part to their continued presence, would become known over the next two decades as the Golden Triangle (ibid.; McCoy 2003). As the U.S. looked to take Operation Momentum into northern Laos in late 1962, it faced not only the Geneva Accords, but the immediate aftermath of this campaign. This was a mixed bag: on the one hand, it faced the threat of increased Chinese presence in the region; on the other hand, it had the old assets of the KMT at least partly at its disposal.

## NAM NYU

Nam Nyu was set up in late 1962 and 1963 by a man named William Young, whom the CIA considered to be its “tribal expert” (McCoy 2003: 306). Young had grown up in northern Thailand, the third generation of an American family who had come to the area – first to Burma, then to Thailand – as Baptist missionaries, and had ended up working for the CIA during its KMT support efforts during the 1950s (Warner 1996; McCoy 2003). Young had grown up speaking a number of languages, including Hmong and Lahu, that would serve him well in Laos. After helping to get Operation Momentum off the ground in the Hmong area northeast of Vientiane, Young was sent to the northwest to build an American *maquis* in one of Laos’s most ethnically diverse landscapes (McCoy 2003; Warner 1996). Houakhong province’s southern portion covered the northern reaches of the old kingdom of Luang Prabang, and its northern extent went as far as the Mekong River, into the caravan-trade country that connected southwestern Yunnan with northern Siam along what had subsequently become the Lao-Burma frontier.<sup>33</sup> In addition to the diversity brought by trading, northwestern Laos was also something of a “melting pot” due to the in-migration of Hmong-Mien and Tibeto-Burman peoples who had fled the Qing pacification campaigns of the nineteenth century. To tackle and even exploit this diversity, Young drew on the legacy of the French, as Operation Momentum had done with the Hmong. He also drew heavily on his family’s connections with the hill tribes mobilized in support of the KMT.

Two longer historical-geographical arcs thus intersected in Nam Nyu: the formerly French colonial (but by 1962 firmly American Cold War) trajectory of intervention in Vietnam and Laos; and the American trajectory in China, which dated from the Second World War but drew on older networks as well (most notably, Young’s family missionary legacy). These two strands corresponded roughly to Nam Nyu’s two strategic objectives: (i) defending northwestern Laos against communist advancement from the northeast toward the Mekong and Thailand (the *maquis* dimension), and (ii) spying on Chinese military activities across the border as well as, by the mid-1960s, Chinese road-building in northern Laos. As these two arcs came together, they bent, as we will see, distinctly toward the American model and away from the French one. This had profound implications in terms of the type of political space that was created in and around Nam Nyu.

In late 1962, William Young began developing a guerilla force at Nam Nyu based on the same

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<sup>33</sup> Houakhong province covered Laos’s northwest corner and abutted Luang Prabang province to the south and Phongsaly province to the east. As such, it comprised what are today Luang Namtha and Bokeo provinces, as well as the northwestern portion of Oudomxai province.

approach that the CIA used in Operation Momentum, but with one difference. Lacking a local hill-tribe *maquis*, Young tapped the French colonial structure of indirect rule, recruiting a pair of brothers known as Chao Mai and Chao La. As anthropologist Hjørleifur Jonsson explains:

The father of Chao Mai and Chao La ... was known as *Phya Long Hai*, “cruel great chief,” which suggests something other than an unqualified admiration. He rose to prominence not because he was the only leader but because of rivals whom he overshadowed through tax collection and military suppression campaigns for the benefit of French colonial rule (Jonsson 2009: 131-132).

Like their father, Chao Mai and Chao La were members of the Iu Mien (“Yao”) ethnic group, one of the more recently arrived ethnic groups that French colonial authorities classified as “evolved” montagnards (in contrast to the “backward” *kha*) because they knew how to grow opium (Gunn 1990: 74). One of three state monopolies (along with salt and alcohol) which “never contributed less than half the revenues of the general colonial budget,” opium was central to the French policy of *mise en valeur* (value extraction), an effort to make its Indochinese colonies pay for themselves (ibid.: 61). Opium was thus at the heart of indirect rule throughout the uplands of northern Indochina. While high taxes – paid in opium, cash, or corvée labor – led to material hardship and even revolt (especially prior to the 1930s),<sup>34</sup> by the late colonial period a number of the “evolved” montagnard leaders – people like Phya Long Hai and Vang Pao’s mentor and patron Touby Li Fung – had forged close and lucrative working relationships with colonial authorities (ibid.; Stuart-Fox 1997). If Trinquier’s *maquis* program sought to tap “minority grievances” in a time of growing communist agitation (Conboy, above), it also drew on this earlier landscape of indirect rule, and on the apparatuses of coercion – the ability to provide soldiers, for instance – that this necessarily entailed (Jonsson 2009).

The montagnard, or *maquis*, program started by Trinquier, and continued by the Americans in Operation Momentum, nonetheless departed in a key way from the system of indirect rule upon which it relied: it was recalibrated to a landscape of war. The essence of what is often called France’s “montagnard strategy” was that it refashioned the administrative architecture of indirect rule into a geography of military resistance and autonomy. Where colonial rule had played ethnic tensions and hierarchies off one another to knit the social landscape *together* in a system of coercion-based extraction (facilitated by indigenous middle-men like Phya Long Hai) (Gunn 1990; Brocheux & Hémerly 2009), the building of *maquis* units reinvested these tensions and hierarchies with a politics of local autonomy amidst a wider landscape of war. As historian Alfred McCoy explains, the French montagnard program was the upland component of “a vast chessboard” that the French developed during the First Indochina War “where hill tribes, bandits, and religious minorities could be used as pawns to hold strategic territories and prevent Viet Minh infiltration. ... The French hope was to atomize the Viet Minh’s mobilized, unified mass into a mosaic of autonomous fiefs hostile to the revolutionary movement” (McCoy 2003: 132). Young repeated this basic approach at Nam Nyu, recruiting hundreds of troops for the base’s defense force from the “followers” of Chao Mai and Chao La, who fled west from northeastern

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<sup>34</sup> Taxes were calculated in cash and could be paid in kind via opium or corvée labor; see Stuart-Fox (1997) and Gunn (1990), who also discuss upland insurrections during the colonial period. Jonsson (2009: 139) wrote that “Some of my contacts recall the hardship of French colonial taxation, when many Iu Mien were forced to sell off children in order to pay.”

Houakhong province in the aftermath of the battle of Namtha.<sup>35</sup> Enrolling an authority structure that had been built up by French rule, Young put it to use defending territory rather than cultivating it.

Young recruited from the other local hill tribes as well, drawing to Nam Nyu members of the indigenous Mon-Khmer groups (the “*kha*” discussed in chapter 2). Here Young seems to have drawn on the remains of the *sakdina* system described in chapter 2, which had left the Royal Lao Army, especially in the north, well-staffed with skilled and dedicated Khmu soldiers. As Nam Nyu developed, the Khmu played an increasingly prominent military role.<sup>36</sup> Young’s other major recruits came from the Lahu, the tribe that his family knew best, and whose presence in the four countries of the Golden and Emerald Triangles – Burma, Laos, Thailand and China – made them ideal agents for CIA espionage work (McCoy 2003: 335-349).<sup>37</sup> Given Washington’s broader objective of escalation (visibly in Vietnam, quietly in Laos), an additional dimension of the CIA’s expansion into the northwest was to look for signs that China planned to respond in kind (ibid.; Shackley 2005: 191-2). The Young family’s special relationship with the Lahu was integral to this effort.

William Young’s grandfather had been a Baptist missionary who had arrived in northeastern Burma’s Shan states around the turn of the century and focused his efforts on the Lahu. His son, Young’s father, had expanded the family’s mission northward into the Wa states further up along the Chinese border in the 1930s. After being forced to move to Thailand after the Second World War, the Young family maintained their ties with Lahu communities in the Shan and Wa states, and as the KMT opened up a “second front” against Beijing in 1950,<sup>38</sup> Young’s father and older brother – the latter was the future anthropologist and “hill tribe” expert Gordon Young – ran a CIA intelligence network using Lahu and Shan agents to report on troop movements in Yunnan. In 1962 and 1963, William Young integrated northern Laos into this older KMT-CIA network (also see Lintner 1993), bringing to Nam Nyu a group of Lahu and Shan intelligence veterans to coordinate Nam Nyu’s cross-border program and recruit agents, most of whom were also Lahu, for intelligence work. Trainees would go first to Thailand, where they received radio and paramilitary training from the Paru, and then go either on three-to-four-month espionage missions into Yunnan or to one of two listening posts that the CIA maintained along the Burma-China border.

Using four-pound radios with a broadcast range of four hundred miles, the teams transmitted ... directly to a powerful receiver at Nam Yu or to specially equipped Air America planes that flew back and forth along the Lao-Chinese border. ... By ... 1967, [Young] had opened three major radio posts within Burma’s Shan states, built a special training camp [in Phitsanoulouk, Thailand] that was graduating thirty-five agents every two months, and sent hundreds of teams deep into Yunnan (McCoy 2003: 339).

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<sup>35</sup> Jonsson (2009) describes how allegiance and leadership hardened in times of war, and in this setting in particular, because of the control that authorities like Chao Mai and Chao La wield over refugee processing and relief services.

<sup>36</sup> Warner, for instance, notes that the Mon-Khmer ethnic groups in northern Laos “were fierce fighters” who “signed up in droves” for guerilla forces like those at Nam Nyu (1996: 126).

<sup>37</sup> Unless otherwise indicated, my information about Nam Nyu’s espionage program and Young’s family history comes from McCoy, who interviewed Young in 1971. Warner (1996), who also interviewed Young, confirms the basic outline of events, if not the precise details, related here.

<sup>38</sup> The first front was the Korean War, which started in 1950 as well.

In the mid-1960s, as the American proxy war apparatus expanded throughout Laos, Nam Nyu matured into a full-scale *maquis*-cum-spy base. By 1967, its military force numbered almost seven thousand, making it second only to Long Cheng (the Hmong *maquis* base discussed above).<sup>39</sup> Like Long Cheng, Nam Nyu had an openly acknowledged “refugee center” a few kilometers away, at a place called Nam Thouei. Nam Nyu also had its own version of “Pop’ Buell,” a “pistol-packing” International Volunteer Service (IVS) volunteer who managed – as Buell did further south near Long Cheng – USAID’s deliveries of food, supplies, medical assistance, and even education, for the families of Nam Nyu’s guerillas (McCoy 2003: 336). As it did with the other secret American *maquis*, Air America connected Nam Nyu to urban hubs like Vientiane, Long Cheng, Luang Prabang, and Houei Sai, as well as to an ever-growing network of CIA-managed STOL sites (also see Baird 2010c).<sup>40</sup> By the mid-1960s, Nam Nyu had blurred the boundaries between the tribal program’s key pieces; its most important “third country advisors” (the so-called Sixteen Musketeers) were “tribals” themselves (even William Young was often said to be half-Lahu [Warner 1996]), and the “private” and “civilian” Air America was thoroughly imbricated with not only the logistics of aid provision, but also with Nam Nyu’s espionage program. But this blending was precisely the point, in that it facilitated the larger aim: outsourcing the war. In the remote mountain base of Nam Nyu, the pieces – hill tribes, the CIA, upland missionaries, the Paru, Air America, USAID, the KMT and the IVS – had gelled into one of the “various devices and expedients” that, as CIA station chief Douglas Blaufarb would later write, allowed the U.S. to develop “a rather sizeable military response” in Laos while officially maintaining precisely the opposite (Blaufarb 1972: 6).

### “ONE CRIPPLING FLAW”

In 1971, Douglas Blaufarb was hired as a consultant by the Rand Corporation to analyze the organization and the management of the American war in Laos. Over the preceding decade, Rand had increasingly stepped into the knowledge gap as the U.S. military struggled to develop its social science capacities in ways that reached outside the conventional personnel and staffing issues of running a large organization. Blaufarb had been the CIA’s station chief in Vientiane during the period 1964-66, and had thus been at the heart of Washington’s efforts to scale up its “irregular” activities in Laos amidst the constraints created by the 1962 Geneva Accords on the one hand and China on the other. Blaufarb was thus just the kind of person whose experience Rand sought to convey to its client, the Pentagon. Blaufarb’s 1972 report, which was declassified in 1997, combined big-picture strategy with technical precision to argue that the proxy war conducted in Laos between 1962 and 1970 had “largely achieved its aim” (ibid.: v). He framed the contribution this way:

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<sup>39</sup> Theodore Shackley (2005: 157), CIA station chief in Vientiane in 1967, gave the following tallies for “irregular” forces in Laos in 1967 (see Figure 5 for locations):

Long [Ch]eng (north)	21,741	Savannakhet (central)	3,535
Nam [Ny]u (northwest)	6,843	Luang Prabang (north central)	2,502
Pakse (south)	4,232	Total	38,853

<sup>40</sup> The 1970 edition of Air America’s “Facilities Data” book lists 281 landing sites in Laos; maps printed in 1975 by the U.S. government’s Defense Mapping Agency Topographic Center in Washington D.C. show well over 450. This growth, during the latter years of the war, does not indicate expansion so much as “running to stand still” as existing sites were captured.

The 1962-1970 Lao case is significant because of the uniqueness of the situation and of the innovative solutions attempted. It provides experience in the management of a novel group of unconventional programs, some in the field of counterinsurgency, others going beyond the content of that label as commonly understood. It also incorporates new organizational departures. In the progress of deploying airpower in support of primitive tribal irregulars ... and of ensuring cooperation among a half-dozen U.S. civilian and military agencies, the United States Mission evolved empirically an approach to its management tasks that should be of considerable interest to students of unconventional conflict (ibid.: 6).

Blaufarb's account is useful for my purposes because it pays close attention to the relationship between tactics (the what) and strategy (the why) in the reorientation of American policy that took place around 1960. Writing in 1971, Blaufarb makes it clear that Nam Nyu was somewhat typical. The object of his analysis was a set of activities that, given the account above, should sound somewhat familiar. Even with the by-then standard terminology of counterinsurgency, Blaufarb could classify the American program only in exceptional terms:

Programs directed against the Communists eventually ran the gamut from small-scale intelligence collection to sizable paramilitary activity and large-scale USAF [U.S. Air Force] bombing campaigns. But this effort as a whole is difficult to categorize within any existing typology of military operations. The unique political constraints ... have limited its scale and nature. Some activities correspond to standard concepts of counterinsurgency against rural-based insurgencies, but the whole has been broader and more complex. In Laos, the insurgency has evolved into a civil-war-cum-foreign-invasion. ... Perhaps we should simply style it an unconventional war, a term which calls attention to its outstanding characteristics (ibid.: 32).

One reason that it was difficult for Blaufarb to characterize the American war in Laos as a counterinsurgency operation was that he knew the extent of the U.S. Air Force bombing program. Bombing did not play a role in my account of Nam Nyu because the Air Force was forbidden from getting anywhere near China; air power was nonetheless an essential feature of American intervention in Laos between 1964 and 1973, when "the U.S. military dropped almost two million tons of bombs [there], which worked out to two thirds of a ton for every man, woman, and child" (Warner 1996: 352). Much of this was deployed to defend the Hmong *maquis* in the highlands surrounding the Plain of Jars, northeast of Vientiane. The second great bulk of American bombing targeted the Ho Chi Minh trail system in central and southern Laos (Warner 1996; Branfman 1972). Blaufarb's report, written when the bombing campaign was just beginning to come to light (see ibid.), gave sample data from 1969 and 1970 that showed an average of over ten thousand attack sorties (individual plane flights) *per month – excluding B-52 runs* (Blaufarb 1972: 50).<sup>41</sup> Blaufarb mentioned the lingering debate about whether or not the bombing had been militarily effective, but noted that:

one certain result was the obliteration of such towns [many of them district capitals] of Xieng Khouangville, Phongsavan, Khang Khay, and Ban Ban – all on the Plain of Jars – as well as, among others, Mahaxay and Tchepone [Ho Chi Minh trail centers in central and southern Laos, respectively]. Of course, such destruction did not stem from a deliberate decision but was a consequence of relaxed ground rules, permitting heavy attacks on military targets in or near these towns, and of a huge increase in available sorties (ibid.: 51).

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<sup>41</sup> These ranged between a high of 14,181 in January 1970 and a low of 3,567 in September 1970. Only seven of 23 months shown had fewer than 10,000 sorties (Blaufarb 1972: 50).



As the most visible and physically destructive feature of the American war in Laos, bombing often occupies pride of place in discussions about Laos's wartime legacy. As with the proxy war apparatus described above, air war maintained physical distance between Americans and on-the-ground violence, creating the plausible deniability that was politically necessary to conduct a secret war. (Officially, all of the planes that bombed Laos were headed for or returning from Vietnam.) But there is another dimension to Blaufarb's claim that the "unconventional" war in Laos was something other than a standard counterinsurgency operation. It thus starts to point to the question of a strategic shift as well. In Blaufarb's account of the tribal program, he was emphatic to note that "the tribal program ... cannot be equated with a standard counterinsurgency effort aimed at rebuilding security and effective government in the countryside" (ibid.: 33). The reason was the political geography of the conflict:

The NLHS [*Neo Lao Hak Sat*, or Lao Communist Party], in its own name and that of the dissident Neutralists, claimed control of most of the territory in which the tribesmen lived. Some of it they [the NLHS] had in fact controlled and governed since the early 1950s, particularly in [the northeast]. The Meo and other tribal movements were in large part popular resistance *against* a government [that of the NLHS] perceived as oppressive, rather than an effort to secure the countryside *for* a threatened government (ibid., emphasis in original).

Here, Blaufarb is describing the *maquis* geography exemplified by bases like Long Cheng and Nam Nyu, contrasting them with standard counterinsurgency operations aimed at securing the countryside *for* a national government. The Americans were certainly familiar with counterinsurgency, having studied it extensively in the Philippines and elsewhere, and having attempted it with the strategic hamlet program in Vietnam beginning in the mid-1950s. In fact, the CIA had sent Rufus Phillips to Laos in 1957 to set up a USAID "civic action" program inspired by the strategic hamlet program in Vietnam, which Phillips had just helped counterinsurgency specialist Edward Lansdale develop (Phillips 2009). But as Blaufarb explains, Washington abandoned this earlier program of civic action, nation-building and counterinsurgency-oriented development in the wake of Laotian crisis of 1960-61; it opted instead for the proxy war apparatus illustrated above. He explains this change quite carefully, and his report is worth quoting at length because it brings us to the shift that Washington underwent in 1960-61 as it realized that it had been trying to, as Blaufarb put it, "make political bricks without straw" (Blaufarb 1972: 5).

In addition to inheriting the Laotian crisis of 1960-61, John F. Kennedy inherited, according to Blaufarb, a Laos policy that contained "one crippling flaw": a "hidden assumption ... that Laos was a nation with sufficient national unity, leadership, and political and social infrastructure to use U.S. aid effectively in a policy of firm resistance to its enemies" (Blaufarb 1972: 2).

In fact, however, Laos was and is not such a country. History and terrain have divided the land into separate regions, with little to bind these together. The population is a mixture of races and religions, of primitive hill tribes and lowland paddy-growing Lao peasants, who regard each other with fear and hostility. Although in control of the government and its military forces, the ethnic Lao comprise less than half the population. The elite of this Lao minority is a collection of rival clans, who share little in the sense of national purpose but regard the government and the public service as an arena where they compete for influence and power to enrich themselves.

The country as a whole is underdeveloped in every way. A limited road network connects the main towns along the Mekong but, with few exceptions, avoids the hinterland, a rugged, roadless expanse of jungled hills and limestone ridges. The economy is rudimentary and incapable of supporting even the modest military and civilian services normal to a country of three million, much less armies and civil services greatly swollen as a result of war. The civilian services suffer from crippling deficiencies in training, in pay, and in traditions of service.

In this environment, the United States found that all its efforts to build a solid Lao government trickled off into the sand (ibid.: 2-3, 5).

“Observers,” in sum, “agreed that the failure stemmed from inadequate appreciation of the constraints imposed by the social and political environment. The material from which to build a firm opposition to communism was not to be found in Laos” (ibid.).

Blaufarb was pragmatically oriented, and the purpose of the above was forward-looking: to ground a rationale, both locally (with respect to Laos) and in the larger geopolitical landscape (of East and Southeast Asia), for Washington’s “unconventional” war in Laos between 1962 and 1970. Nonetheless, Blaufarb could not help but glance backward. If, as we saw above, the American program after 1960 would borrow extensively from the French legacy (both the *maquis* program of the First Indochina War and the system of indirect rule that preceded it), Blaufarb’s description of Laos’s shortcomings vis-à-vis American political aid is a remarkably concise and damning critique of the earlier legacy of French colonialism in Laos. In Blaufarb’s estimation, building “a firm anti-Communist ‘bastion’ on the borders of China and Vietnam” (ibid.: 2) would have required raw materials that were far more *nation*-like than Laos had to offer: a better infrastructure network, greater regional integration, a public ideal among the elite and members of the government and civil service, and an ethnic landscape that was more unified than it was divided and “tribal”-ized. Blaufarb’s account of Laos’s national shortcomings was in this regard not so much a critique of French colonialism as an acceptance of it: Laos, he argued, did not merit being considered on its own terms, but was better thought of – and after 1960 was treated – as “a secondary theater,” with American policy there driven by larger objectives in Vietnam (ibid.: vi). Once Washington decided to recalibrate its Laos operation, and to deploy a set of tactics that took advantage of colonial underdevelopment rather than foundered upon it, things turned around markedly, at least in Blaufarb’s estimation:

If one grants that the U.S. purpose in Laos has been to fight a low-cost, low-profile delaying action to preserve the Lao buffer zone against North Vietnamese pressures, then the United States during 1962-1970 largely achieved its aim. It managed the unconventional war in Laos through the unified civilian management of field programs, delegation of responsibility to field operators, and adaptive responses to the real-life needs in that remote scene of conflict (ibid.: v).

By 1970, Laos had completed its transition in the minds of American policymakers from nation to buffer zone, from anti-communist bastion on the border of China and Vietnam to a remote scene of conflict. Blaufarb’s thesis is chillingly illustrated by Nam Nyu’s *maquis* geography of proxy war: once the U.S. realized that Laos was not a *nation* to be defended but a *fractured landscape* whose physical and social characteristics could be exploited for larger geopolitical purposes, the uplands turned from a strategic problem to a strategic asset, and tactical failure into tactical success.

## CONCLUSION: APPLIED POSTCOLONIAL STUDIES

In laying out a framework for understanding and evaluating the design of development projects, the economist Albert O. Hirschman (1967) described the paradox of intervention in a foreign society in terms of what he called trait-making and trait-taking: accept too many of the society's characteristics as unchangeable, he wrote, and you fail to leverage the full transformative potential of development as an *intervention*; accept too few, on the other hand, and your efforts will inevitably succumb to the entrenched powers of the status quo. In this chapter, I have shown how American intervention in Laos changed course radically around 1960; and I have suggested that this shift, as evidenced by the *maquis* geography of American proxy war and the account of a well-placed CIA operative, turned on a belief about whether Laos had sufficient "material" to be built as a national "bastion" in the global fight against communism. To use Hirschman's terminology, Laos's nation-ness was something that American policymakers believed could be *made* until around 1960, when "observers" (as Blaufarb cryptically described them) decided that Laos's tribal-ness was a trait that, given the wider geopolitical landscape, would have to be accepted, or *taken*. Washington, it was decided during the Laotian crisis of 1960-61, had overreached in the 1950s.

The "luminaries" discussed in the introduction – men like Dommen, Fall and Schlesinger – were thus trait-takers on national unreality in Laos, and they were likely the observers that Blaufarb mentioned. There were also trait-makers. One was Rufus Phillips, the CIA contractor sent to Laos in 1957 to conduct a "civic action" program modeled on the one in Vietnam. Phillips' memoir is notable for its assertion that even though the U.S. government espoused the principle of nation-building, Americans on the ground were not actually doing much of it. Phillips described his decision to go to Laos in 1957 in the following way:

I wanted to stay in what was loosely called 'political action.' It was mainly overt nation building – work that had gone to the CIA by default, since it was not being done by any other government agency. Yet if you took an overview of the typical underdeveloped country under the threat of communist subversion or rebellion, it was the most essential kind of work; it went to the heart of what a country's people and government had to do together to prevail. The Magsaysay experience, and its embodiment in the Filipinos' unselfish service in Vietnam, as well as the "people first" approach we had helped to introduce, had fired my imagination and enthusiasm (Phillips 2008: 93).

Phillips nonetheless describes his naïve disappointment as he was received as a "spook," his efforts to "create a link [between villages and] the Lao government and thus forestall a [communist] election landslide" in May 1958 hamstrung less by conditions on the ground than by opposition within the American aid community (ibid.: 95). Although his account suggests that he was hardly a Blaufarb-type "realist," Phillips had similar criticism for the colonial education system, noting that "civic action did not proceed as planned" because the Lao prime minister vetoed the original plan to have it done by soldiers: "The teams had to be civilian. This created a recruitment problem, as few civilians were available with the requisite primary education and skills" (ibid.). When a "crash village-aid program, using mainly air drops of construction materials and tools" did actually get off the ground, the whole thing lasted a month and reached about a thousand rural villages. "Nothing on this scale had ever happened before in Laos" (ibid. 96).

Perhaps the most telling critique of American policy in Laos prior to 1960, however, comes from Joel Halpern, a UCLA anthropologist who was based in Luang Prabang in 1957 as the American aid mission's northern field representative. Halpern's critique sits uneasily on both sides of the reorientation described in this chapter. Halpern was clearly one of those who believed that anti-communist nation-building was indeed possible in Laos (Halpern 1958a). His critique of what he called "Little America" is chilling, however, in that it advocated precisely the sort of move "up-country" that the CIA would subsequently make, although with a very different analysis and a very different plan:

Little America may be defined as the intellectual culture of official American government personnel residing in Vientiane, Laos, in 1957. It also includes the various American material imports which have made possible to a significant extent a way of life fundamentally similar to that of middle-class government workers in Washington, D.C. (Halpern 1958b: 3).

Little America, in Halpern's experience, was fundamentally disconnected from the lives of ninety percent or more of the Lao population; it attended little to transferring actual skills via the cultivation of sustained personal relationships; and it was largely seen – especially by the subject of Halpern's narrative, "the Lao villager" – as enriching the urban elite while doing little for anyone else (*ibid.*; also see Gilkey 1958). Halpern's critique was a constructive one, however: he recommended transforming Little America into a different sort of aid apparatus by reining in the material excess of expatriate life in Vientiane and shifting American aid efforts toward the rural sphere where most Lao people actually lived. He suggested that the aid mission focus on knowledge transfer – again, echoing the earlier critique of colonial underdevelopment in the field of education – by fostering relationship development and explicitly putting "ideas before materials;" that it emphasize the need for its staff to learn local languages and appreciate "local cultural values;" and that it place more emphasis on developing a presence in the countryside, especially among ethnic minorities (*ibid.*: 25-29). Halpern's critique, circulated as a draft paper "prepared for limited distribution within the United States," indicated that the danger was already clear and present in 1958. It ended with this: "The United States Operations Mission to Laos is by no means a lost cause, but present methods and procedures will not ensure success; new ways and ideas must be found and tried" (*ibid.*: 30).

As this chapter has shown, new ways and ideas were in fact found, although they were found in places that Halpern likely did not have in mind: in the French rearguard strategy for fighting the First Indochinese War, and in the CIA's support for the KMT in the borderlands of Yunnan, Burma and Thailand. Halpern's critique of Little America thus stands as a fitting way to frame one final point: as Washington abandoned the strategy of nation-building as "unrealistic," it continued to keep its eyes not only on the prize of geopolitical containment, but on the tool with which to do it: local populations. As American leaders discarded the idea that Laos was a country that could be defended politically, they stopped listening to men like Rufus Phillips and Joel Halpern in favor of those like William Young and Douglas Blaufarb – men who could see local populations in ways that left behind the limits imposed by the idea of the nation. Colonial anthropology and missionary work provided this framework readily: that of the tribe, and in particular the hill tribe. In closing, I want to return to Blaufarb's comment that the unconventional war in Laos was not quite a counterinsurgency operation. This is a bit of an understatement.

In 1976, Seymour Deitchman, who had recently been at the center of the Thailand Study Group profiled in Eric Wakin's (1992) book *Anthropology Goes to War*, published an insider's account of Project Camelot, a Defense Department effort to recruit social scientists to counterinsurgency research in 1964 that was scrapped when news of it leaked out. Deitchman's account, fittingly (or perhaps ironically) titled *The Best-Laid Schemes*, quotes extensively from a number of official sources that Deitchman uses to sketch out the Cold War "mentality" of many Washington insiders in the early 1960s – a mentality illustrated by Blaufarb above, and in the epigraph quote from a 1963 report by Ithiel de Sola Pool and others. One of Deitchman's sources, taken from anonymous congressional testimony from the 1965 "Hearings on Winning the Cold War," traces an arc from the military's old experience with social science (aptitude testing, teamwork psychology, isolation and combat stress experiments, etc.) to its newfound needs with respect to the civilian populations of the developing world:

Since World War II, the foreign relations of the United States have increasingly involved the developing nations of Asia, Africa, and Latin America. In all these areas countries have been struggling against great odds to establish stable governments, to maintain their independence and to improve their standards of living – efforts the United States has supported. The major Communist powers have, on the other hand, sought to exploit the instability and economic problems in these nations to expand their control over large parts of the world.

The State Department, the Defense Department, and key agencies such as the CIA, AID and USIA [U.S. Information Agency] have increasingly had to turn their attention to meeting this threat. Because of its involvement in military assistance activities in these nations, and because of the all-encompassing nature of the threat – in the political, economic, social as well as military spheres – the Defense Department's missions in this area have been viewed as broader than the traditional mission of providing U.S. Armed Forces for the national defense. ...

The war itself revolves around the allegiance and support of the local population. The Defense Department has therefore recognized that part of its research and development efforts to support counterinsurgency operations must be oriented toward the people, United States and foreign, involved in this type of war; and the DOD has called on the types of scientists – anthropologists, psychologists, sociologists, political scientists, economists – whose professional orientation to human behavior would enable them to make useful contributions in this area (Deitchman 1976: 23-24).

By now the Pentagon's history of enrolling social scientists in counterinsurgency work has been well documented, and widely and critically discussed (Klare 1972; Deitchman 1976; Wakin 1992; Elliott 2010).<sup>42</sup> What is often downplayed, however, is the fact that social science – and in particular the social science of tribalism – was also put to work doing precisely the opposite of counterinsurgency: exploiting ethnic and geographical tensions for wider political purposes because they worked precisely *against* nation-building. This chapter has shown that the State Department and the Defense Department did indeed turn their attention to meeting the "communist threat" in Laos, and that they did this by reaching out to experts who could help them recruit "the local population" to their efforts. But these efforts focused on *destabilizing* a national landscape by exacerbating its political fault lines – precisely the opposite, as Blaufarb took pains to make clear, of "secur[ing] the countryside *for* a threatened government." Like the "dreaded" Haw whose arrival marked the transition described in chapter 2, "tribal" men like

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<sup>42</sup> There is still much to learn, as evidenced by Mai Elliott's new book on the Rand Corporation's involvement in Southeast Asia during the Cold War (Elliott 2010). In addition to her interview research, Elliott gained access to – and summarizes extensively – a number of trip reports by Rand staff that remain otherwise closed to the public.

Roger Trinquier and William Young saw the upland landscape as the Achilles' heel of lowland nation-building. These men were not the trained academics whose intellectualism often frustrated military efforts to use their expertise (Wakin 1992: 57). They were more like right-wing versions of what Antonio Gramsci called "organic intellectuals," men whose life experience made them skilled at using tribalism to assemble the *maquis* landscapes of upland proxy war via the various "devices and expedients" described above. This was applied postcolonial studies at its worst, and as the case of Phousavang village hinted, it cast a long historical shadow. A U.S. army officer was infamously quoted in Vietnam as saying that his unit had to destroy a particular village in order to save it. The American montagnard strategy in Laos worked on the same principle, but applied it to the nation of Laos as a whole. As Part II shows, the territory inherited by the new regime in 1975 would bear the scars of this operation for years to come.

The two chapters of Part II examine the legacy impacts of Cold War conflict on development efforts during the 1980s and the the mid-2000s. In chapter 4, I use the case of industrial forestry in the uplands northeast of Vientiane in order to examine the concept and the practice of "population management work." Chapter 5 then jumps ahead to the contemporary landscape of the northwest in order to examine the geography of Chinese agribusiness. Together, the chapters problematize the distinction between security-related and development-related resettlement that is often made in the literature on the Lao state. They suggest, in contrast, that the two problematics of security and development need to be examined together, and that the articulation of the two depended intimately on the conditions of the time. Part II thus argues that the framework of postwar population management applies not only to the obvious postwar period of the 1980s, but to the present-day period as well.

Part II  
Population Management Work

## Chapter 4

### “Population Management Work”: Forestry, Security and Nation Building, 1975-1990

*To act in the political domain is still to act in the domain of nature.*

Foucault (2007:47)

In February 1988, the Lao Council of Ministers issued an “Instruction on stepping up population management work.”<sup>43</sup> Addressed to ministries, state committees, mass organizations, provinces and municipalities, it stressed the importance, as well as the challenges, of pursuing economic development and national defense simultaneously. Early 1988 was an uncertain moment. Despite the end of the American war and the establishment of the Lao People’s Democratic Republic over a decade earlier, internal fault lines and external geopolitics continued to articulate in shaping the domestic socio-political landscape. Sino-Lao relations had begun to thaw in the wake of Mikhail Gorbachev’s outreach to Beijing in mid-1986. But even though 1988 would see the call to turn the battlefields of the past into the marketplaces of the future, the first few months of the year were marked by military conflict with Thailand. The Council’s language reflected this mix of hope and adversity. “The fundamental principle of population management work,” their instruction began, was “to allow Laos’s multi-ethnic citizens to enjoy legitimate equal rights in all spheres of life and to further enhance their right to collective mastership and a sense of creativeness in fulfilling their two strategic tasks – to defend the country and build socialism.”

The Council of Ministers signaled the breadth of what it meant by “population management work” by praising a number of earlier efforts: the “grasping of overall population statistics, recording birth and death statistics, issuing identification cards, organizing population relocation, arranging domicile patterns, and finding and creating new occupations for multiethnic citizens who own no land on which to earn their living.” But the instruction, while patiently worded and pedagogical in tone, was unambiguously a critique. “Even though we have carried out population management work to a certain degree in the past, ... too much effort has been placed solely on [its] administrative aspects. Meanwhile, the people’s right to self-mastery in this work has not yet been effectively promoted. Certain localities have not paid adequate attention to improving the cultural and material life of the people, especially in remote mountainous regions inhabited by multi-ethnic tribes who still live in poverty and suffer severe hardship.”

The uplands figured centrally in the instruction, reflecting their importance as a political space in postwar Laos, and gesturing to the relationship between population mobility and national security issues. “A number of our Hmong tribal compatriots,” the Council noted, “have moved back and forth in many localities, thus creating favorable grounds for the enemies to create rifts

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<sup>43</sup> “Instruction on stepping up population management work, issued by the Lao PDR’s Council of Ministers and signed by Nouhak Phoumsavan, vice chairman of the council,” 1 Feb. 1988; translated by the United States’ Foreign Broadcast Information Service (FBIS), with slight changes by the author. Texas Tech University Vietnam Center and Archives, Vietnam Veterans Association Project – Laos; box 30, folder 4; accessed 11 Mar. 2009. All other FBIS materials in this chapter are from the same archive.



between them and the administrative power, and to instill a sense of animosity in our multi-ethnic people.” The instruction converged on the need for fixity:

In order to bring tranquility to and normalize the living conditions of citizens, the administrations at various levels must outline immediate- and long-range plans in arranging fixed domiciles and places for them to earn their living, especially those living in poverty-stricken areas where no favorable conditions for production exist. ... Each province must try to limit irrational migration of population into big towns or to other provinces so as to create tranquility for them so that they will have ample time to concentrate efforts on carrying out production and improving their living condition.

Elaborating this imperative that upland residents be directed to “settle down,” the Council noted the importance of walking a fine line between coercion- and consent-based direction:

In organizing population management, attention must be paid to the right and freedom to settle down in a place as one’s domicile and to earn a living. The people’s democratic rights as well as their right to legitimate, free movement and trading must be respected. All acts of unilateral exercise of bureaucratic power that encroach on the people’s right to collective mastery must be avoided.

This problem of excessive “administration” or “bureaucratic power” underscores a second key feature of population management work: the management of the state itself. Almost a decade before the Council’s 1988 instruction, a short-lived agricultural collectivization effort had taught the country’s new regime that collective agricultural production could not be forced on farmers, even if it was pursued “step by step” – a reference to the far more extreme measures pursued in China and Cambodia (see Evans 1990; Chanda 1986: 43-44). The Council’s efforts to proscribe the “unilateral exercise of bureaucratic power” indicates that population management was not simply a matter of exerting sovereign authority, but of attending to the complex relations between people and their material environment. Insisting on “relentless attention to the grass roots,” the instruction ended with a passage that could have come from Michel Foucault’s 1978 lectures on governmentality (Foucault 2007):

All in all, population management work is an enormous and all-encompassing task which requires those who manage it to maintain a correct attitude; have a high sense of responsibility; have sufficient capabilities in executing political, social, economic, national defense, and public security work; respect the democratic rights of the population; and possess skillful, subtle, and careful methods of avoiding deception by the enemies.

This chapter examines the human landscape that gave rise to the problematic of upland-oriented population management in Laos during the early and mid 1980s. My focus is on the forested hinterland that became the target of industrial forestry in the late 1970s, just as the Lao PDR was beginning to constitute itself politically and economically in the wake of almost two decades of war. In addition to rich timber resources, the state forestry landscape contained a population that was heavily dependent on swidden agriculture, and well as a new wave of clandestine warfare that ignited with the Sino-Vietnamese conflict of 1978-79. Enclosing a forest for large-scale extraction is never easy, even when population numbers are low. The region-wide conflict pitted Vietnam, Laos and Cambodia against China, Thailand and the west, and thus made what would have been a challenging project of postwar nation-building even more difficult because it raised the delicate question of neocolonialism. Not only was the local population being asked to live with a process of state-managed enclosure; it was being asked to do so for the benefit of what

appeared to be a foreign power: Vietnam. While Laos was not occupied in the way Cambodia was during the 1980s (see Gottesman 2003), the Vietnamese military presence was substantial, and concentrated around strategic infrastructure like the Laos's nascent system of state forest enterprises. Population management thus became extremely tricky in the state forest zones – especially the ones exposed to cross-border raids from Thailand. In the process, it generated a series of experiments, one of which – the “focal site” – has since become one of the key pillars of upland population management. In charting the genealogy of the focal site, this chapter provides a key point of comparison for the landscape of contemporary plantation development examined in chapter 5.

The most explicit discussion of state efforts to put the “two strategic tasks” of development and defense into practice during the 1980s comes from the anthropologist Grant Evans. In the early 1980s, Evans got unprecedented access (for a western researcher) to Laos's agrarian countryside; his subsequent analysis of the government's collectivization effort emphasizes the mix of political and economic factors that made collective farms attractive to the new Lao government.

As the smallest state in the region [Laos] had the greatest interest in stability, and Kampuchea's [1977] attacks on Vietnam threatened the security not only of the latter, but ultimately of Laos as well. With an eye to this, the Lao People's Revolutionary Party saw collectivization not only as a means of economic security, but of political security as well. “In coordination with the national defense and peacekeeping task,” the party leader said [in early 1978], “it is necessary to build a strong administration at the grassroots level by grasping the central task – to reorganize production along collective lines” (Evans 1990: 49).

In most parts of the country, collectivization proved short-lived. Collective farms were highly unpopular, and while Evans doubted the official claim that “enemy” subversion was to blame, the consensus on all sides was that they did not work. “By 1990,” Evans wrote later, “the cooperatives had all but disappeared from the rural landscape of the Lao PDR” (Evans 2002: 196). In contrast, the focal site is a parallel technology of agrarian settlement that has not passed into history. If anything, as the commercial demand for Laos's upland resources has grown, the focal site strategy has been normalized as a mainstay of rural development efforts, being adopted as official policy in the mid-to-late 1990s (Baird & Shoemaker 2005, 2007; Rigg 2005). As this chapter shows, the genealogy of the focal site dates back to the population management problems of postwar industrial forestry, where the need to create order and productivity in the same place was paramount. What is most striking about this history is not the continuity, but the contingent mix of continuity and difference: even as the focal site persisted from the early 1980s to the present-day period of market-oriented development, the methods of population management that have accompanied and operationalized focal site development have changed in key ways. Market-based efforts brought with them a set of state territorial interventions organized around the creation of formal property and the abstraction and legal homogenization of rural space (the chief program being Land and Forest Allocation, discussed in a later chapter). In contrast, the postwar state forestry landscape of the 1980s saw a distinct *reticence* about legal and “administrative” means of population management, at least among those doing the policy-making. I read this difference as a result of the geopolitical tensions of the day, and suggest that the evidence clearly shows the rural population being taken seriously as a political force that needed to be won over and maintained as an ally even as it was being displaced from a key state resource. The Council of Ministers' emphasis on freedom and liberty was no empty rhetoric.

Population management advisors would later embrace zoning and other overtly legal forms of exclusion, but in the early 1980s they pursued their enclosures by more subtle, and more convincing, means.

This chapter is based on archival sources and secondary material, and centers on a 1982 report written by a pair of researchers connected to the Lao-Swedish Forestry Project. While their analysis must be read critically, and at times against the grain entirely, it is an important historical source for a few reasons. Most importantly, its authors had reasonably good access to a landscape that was largely off-limits to independent researchers, and that is described in detail by few available English-language sources. While the authors had their own externally imposed limits on field access (which are themselves instructive), their report offers a level of detail about the resource politics of the Lao hinterland in the early 1980s that is rare in the published literature. Moreover, their explicit relating of population management techniques to the inherent conflict between local and national development is both instructive and, an era where “win-win” rhetoric dominates much of the policy discussion, refreshing. Second, the authors’ geographic sensibility makes it possible to cartographically reconstruct of some of the landscape they were describing. Figure 7 and Figure 8 are derived from their accounts, and allow me to first complicate the “upland-lowland” binary that is often used to describe the Southeast Asian landscape, and then relate this *economic* problematic of resource separation to the *security* problematic of upland insurgency. It is at the intersection of these two strands that Muang Houng, Laos’s first focal site, emerges. Finally, the Lao-Swedish Forestry Project was more than just a source of funding. As a source of expertise and education, and as forum for interaction with foreign donors and policy-makers, it was also an important crucible for developing and testing intervention models that could be used elsewhere. By combining my archival sources from Vientiane with a set of media compiled and translated by the United States government’s Foreign Broadcast Information Service (FBIS), it becomes possible to relate the focal site project to the larger discourse on the population management work in concrete ways. The focal site concept, I suggest, did not merely embody the principles of national development and defense conjured above; experiments in the Lao-Swedish Forestry Project also probably helped shape the ways state leaders thought about how to put them into practice.

## POLITICS IN THE DOMAIN OF NATURE

Among the numerous challenges that industrial forestry faced in the early years of the Lao PDR, two were paramount. The first was simply to isolate the resource. Located at the heart of montane Southeast Asia, Laos had never had the bold line between agricultural lowlands and forested uplands as exist in Thailand, Cambodia or Vietnam. Even prior to 1975, industrial forestry demanded not just technology and infrastructure, but reorganization of the social landscape. By the late 1970s, the refugee population, displaced from the eastern war zones of the Plain of Jars and the Ho Chi Minh Trail, exaggerated even more this blurring of the farm-forest interface. As refugees settled in the forests near the Mekong lowlands, industrial forestry there became as much a population management project as anything else (Persson 1983: 14; Trankell 1999).

A second challenge was explicitly military, and articulated with the first in important ways. During the early 1980s, antigovernment resistance efforts that had been limited in the 1970s to the upland interior, expanded down and toward the Mekong as Laos was drawn into the

burgeoning regional conflict between Vietnam and China. Although the Third Indochina War was initially confined to Vietnam's northern and southern borderlands (with China and Cambodia, respectively), its impacts spread to Laos in the early 1980s. After the Vietnamese invasion of Cambodia in 1978, a growing alliance between China, Thailand and the remnants of the Cambodian Khmer Rouge made Laos a strategic location for outside powers seeking to destabilize Vietnamese "imperialism" (Chanda 1986). Laos's industrial forest landscape reflected both the local challenges of postwar industrialization and this larger dynamic geopolitical terrain.

It is best to begin in a place called Muang Mai, an area about 150 kilometers to the northeast of Vientiane. Muang Mai was home to Laos's first state forestry school, and to State Forest Enterprise (SFE) No. 1, making it the gateway to the extensive forest resources of the Lao panhandle. Along with State Forest Enterprise No. 3, located just to the west (Figure 6), Muang Mai and SFE 1 comprised the Lao-Swedish Forestry Project. Supplied by the Swedish International Development Agency (SIDA) with industrial logging and road-building equipment, and backed by a small cadre of European experts (Persson 1983), SFEs 1 and 3 made the forest around Muang Mai one of the Lao PDR's earliest rural-industrial landscapes.

The basic challenges of postwar industrial forestry were laid out in a study conducted in 1981 by a pair of consultants, and published the following year (Thongphachanh & Birgegard 1982). The *Paksan District Regional Development Study* began bluntly and wasted no time in highlighting the agrarian question.

Already at the planning stage of the Muang Mai Forestry Project was the need to take a broader view on the development potential and the development problems of the area recognized. For one thing, widespread shifting cultivation made isolated forestry development planning irrelevant (ibid.: v).

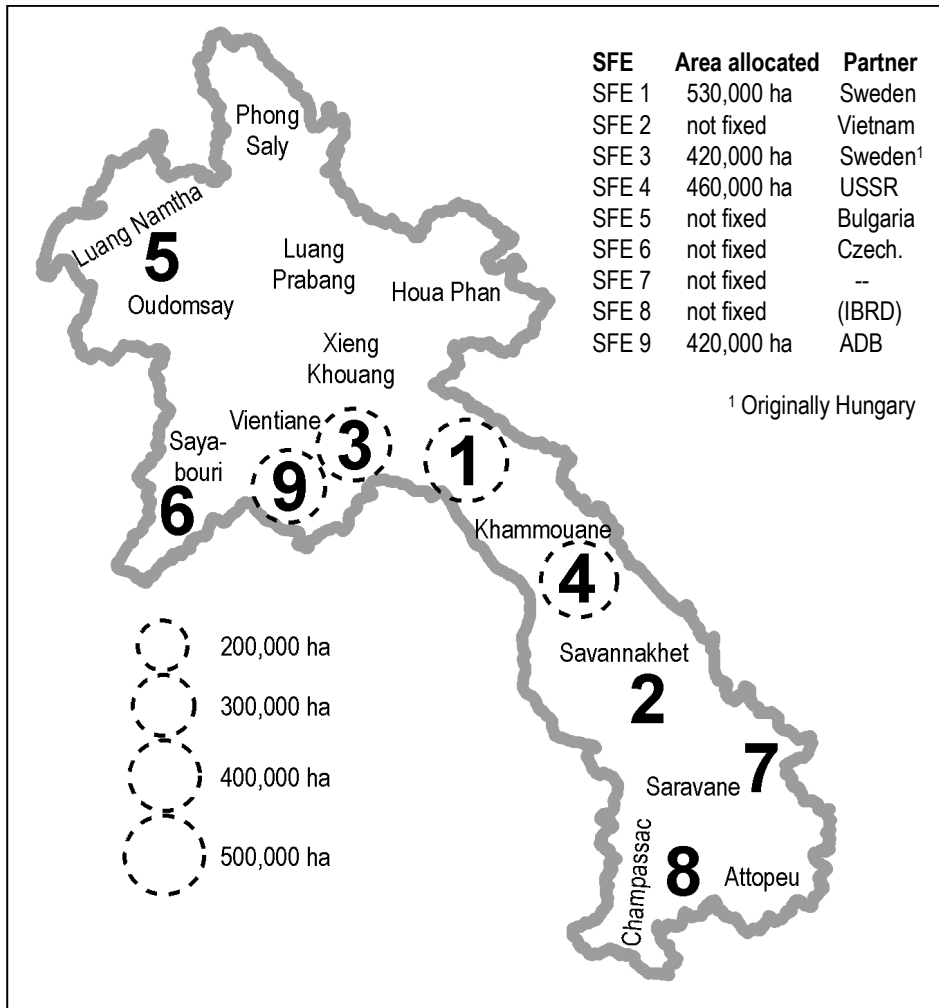
Thongphachanh and Birgegard's mandate, in short, was to re-imagine "forestry development planning" from something that was "isolated" and technically defined to something that would be able to develop the local population in addition to the timber resources of Muang Mai. Their study began by foregrounding the spatial dynamics of shifting cultivation in and around Muang Mai, and used this as a lead-in to their analysis of state forestry and the "security" issues in the area. Their account converged on a number of proposed interventions – including the focal site – that would become widespread in the years that followed, and that resonated with the Council of Ministers' later instruction on population management work.

### ***Shifting Cultivation***

The first lesson from Thongphachanh and Birgegard's yearlong study was that swidden farming was not just a minority occurrence, either numerically or ethnically. Although shifting cultivation was often a discursive proxy for ethnic minority land issues, it was actually widely practiced, especially in the lowlands of the Lao panhandle. Thongphachanh and Birgegard quoted the results of a district-wide survey that found a full third of the population entirely dependent on swidden, and more than two thirds relying on a mix of upland and lowland rice production (p. 3).<sup>44</sup> This was a conservative estimate: their sample had excluded the "high mountain areas" where shifting cultivation was ubiquitous and where, as the authors later noted, "it proved

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<sup>44</sup> I use the terms shifting cultivation, swidden agriculture and upland rice farming interchangeably.



**Figure 6. Approximate locations of State Forest Enterprises in the early 1980s (reconstructed from Persson 1983).<sup>45</sup> Province names and spellings follow Persson and reflect the situation in 1983.**

impossible to carry out information collection.” After referring to shifting cultivation as therefore “not ‘a problem’ but a precondition for the survival of nearly one third of the population” (p. 3), the consultants translated this finding into ethnological terms that formed the basis of their subsequent analysis and recommendations. (In the following, *Lao Lum* refers to the ethnic majority “lowland” Lao.)

*Hai* [shifting] cultivation is not a mountain phenomenon and not a cultivation method practiced only by hill tribes. The great majority of the farmers included in [this study] are Lao Lum, and only 17 percent of the estimated area under *hai* cultivation is found in the mountain [areas]. *Hai* cultivation is extensive in the [areas] along the Mekong.

The present pattern has developed not so much because of a preference for *hai* cultivation among the Lao Lum but as a result of the scarcity of wet field paddy (*na*) land and the relative abundance of land

<sup>45</sup> SFE 5 is located in Luang Namtha province in accordance with Persson’s map (p. 38), although his text locates it – along with SFE 4 – in Khammouane (p. 28). For the purposes of this chapter, this discrepancy is irrelevant.

that could be used for *hai* cultivation. The *na* potential that farmers could easily exploit, given their technology and resources, is already exploited. The increase in staple food production made necessary over the years by the growth of the population has been achieved primarily through expanded *hai* cultivation (pp. 3-4).

For the industrial forestry program in and around Muang Mai, this history warned of a difficult future. Thongphachanh and Birgegard noted the looming conflict between “farming and forestry interests” in no uncertain terms, and predicted that what was “a moderate conflict at present” was “likely to develop into a more serious one over time” (p. 20). Assuming an annual population growth rate of 2.5 percent, they predicted “a rapid increase in the pressure on available land resources” over the coming years due to the land-hungriness of both local farming practices and the concern of their study: state forestry. Although Thongphachanh and Birgegard’s analysis was based on a rough calculation about population growth and land use, their worry about land scarcity was hardly boilerplate Malthusian alarmism. Noting the barriers to paddy expansion due to flood risk and a shortage of government resources (even with moderate foreign aid), Thongphachanh and Birgegard reasoned that the expansion of Muang Mai’s population into the forested hinterland of the panhandle’s interior would depend largely on how well swidden agriculture could cope with intensification.

In areas of the Muang where fallow periods are 5-10 years one can expect [them to] drop over the next ten years, thereby absorbing an increased number of cultivators without too big an expansion of the area (in the full [swidden] cycle). Where fallow periods are very short already, as is the case in most areas of the Muang, farmers will have no alternative but to look for new *hai* land. Such land will be more and more scarce, particularly in the [areas] along the Mekong. Distances to *hai* fields will increase and eventually people will tend to migrate towards the mountains and preferably settle along rivers and streams. The strength of this trend is hard to predict and it will be determined by a number of additional factors, including security. Perhaps one could dare to suggest that the trend will not be too strong in the next ten years but that it will become gradually stronger thereafter (p. 11).

This trajectory of agrarian expansion into the hinterland, they suggested, could be slowed and mitigated to a degree by developing new paddy lands and re-allocating a few hundred hectares of paddy that had been abandoned. That said, Thongphachanh and Birgegard’s emphasis was on the need to accept that shifting cultivation was there to stay, even if such a conclusion bucked against the official policy of the new government.

The following conclusion is inescapable. *Hai* cultivation will continue to play an important role for the survival of the population in the area *for decades rather than years*. It is more likely that the number of *hai* cultivators and the *hai* area will increase than it will decrease, at least in the next ten years. ... This perspective contrasts with the Government’s policy to reduce and to eliminate *hai* cultivation. The policy is not wrong, but it has to be seen in a very long time perspective (pp. 11-12, emphasis in original).

After describing this baseline of agrarian expansion, Thongphachanh and Birgegard turned to the geography of state forestry.

### ***State Forestry***

Just after the prefatory note about the irrelevance of “isolated forestry development planning,” Thongphachanh and Birgegard described the location of the forest resource that SFE 1 had begun

to exploit. After noting that “most of the forest land between the Mekong River and the mountains” was a combination of lowland agriculture and “bush and highly degenerated forest,” they explain that the enterprise had set its sights on an interior area beyond a range of mountains called Sayphou Nyou (p. 1-2).

The inventory work carried out by State Forest Enterprise no. 1 has located considerable areas with reasonably dense forest east of the Nam San [River and] northeast of Sayphou Nyou. The exact extent of these resources remains to be determined, but they are large enough to permit a substantial logging operation for many years to come (p. 2).

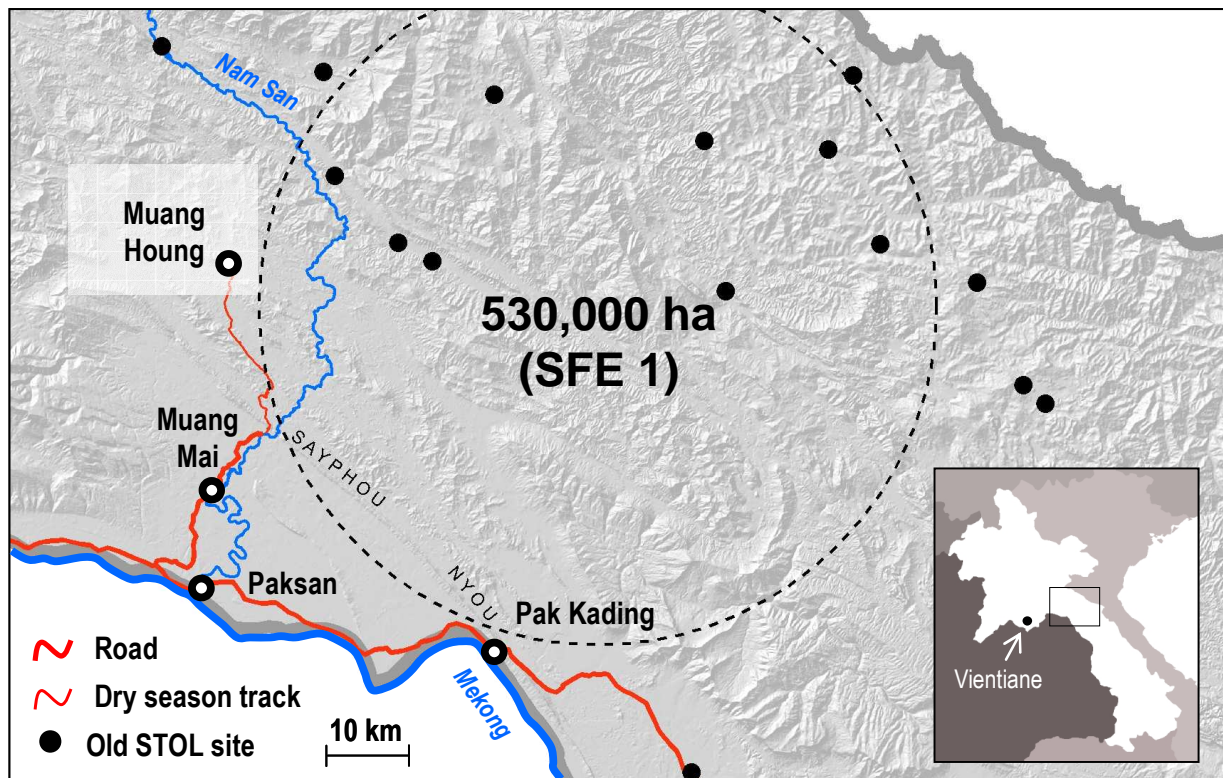


Figure 7. State Forest Enterprise No. 1 and environs. The rectangle around Muang Houng shows the outline of a later map.

Figure 7 represents my effort to reconstruct the basic geography of the area in and around SFE 1. My reconstruction draws on Thongphachanh and Birgegard’s account above, as well as their description of the local road network (p. 24). It includes fourteen “STOL sites,” discussed below as well. But its center is a 530,000 hectare circle, centered on the area east of the Nam San and northeast of Sayphou Nyou, which I have taken from a 1983 report by Reidar Persson (also see Figure 6).

Persson was the head of the Swedish aid mission to Laos during the early 1980s. In his 1983 report “Forestry in Laos,” written as he was leaving Laos after six years leading the Lao-Swedish Forestry Project, Persson elaborated on the inventory work mentioned by Thongphachanh and Birgegard. SFE 1 was part of a patchwork of inventory work that was taking place in the early 1980s, but that had failed to yet produce, in Persson’s terms, a “reliable national picture” of

Laos's forest resource. "This is a pity," he wrote, "because the higher Laotian authorities have a tendency to over-estimate the forest resources. ... As long as I have been working with Laos's forestry [efforts,] the lack of knowledge about forest resources has been one of the most serious obstacles" (Persson 1983: 52-53). Read alongside Persson's report, Thongphachanh and Birgegard's account suggests that SFE 1's level of forest legibility, while on the higher end nationally, was still quite low. The enterprise's allocation of 530,000 hectares, in this context, does not represent anything near a specific allocation of land. Rather, it signals that planners *hoped* that SFE 1 would eventually develop the region, and had granted the enterprise a free hand to go where it wanted to in a given general area.

Thongphachanh and Birgegard were entirely transparent in that the purpose of their study was to figure out how SFE 1 could continue to work as an essentially extractive operation without running afoul of the local population. They framed this as a question of regional versus national development: of seeing how the Muang Mai Forestry Project "fit into a wider regional development context" (p. 20). "The key question in this respect," they wrote, "is how the forest interests represented by SFE 1 and the legitimate interests of the local population to satisfy their basic needs for food can be reconciled" (ibid.).

[An] important aspect of the Muang Mai Project from a regional point of view is to what extent it is designed to benefit the region. For reasons which largely are acceptable, the Project has progressed to a considerable degree as an enclave in the regional economy with limited linkages and benefits to the region. ... This is said *not* as a critique of SFE 1. It is merely a fact that a limited share of SFE 1's expenditure has gone to the region. Looking into the future it is important to recognize that the forest exploitation and processing activities will not benefit the *region* to any considerable extent even if they will benefit the country (p. 20, emphasis in original).

There was another dimension as well. On top of the tension between national and local development was the fact that much of the area that had been allocated to SFE 1 lay beyond the area that Thongphachanh and Birgegard's survey team had been able to reach. Physical access was likely part of the problem, but even more important in the skipping over of "substantial areas of the Muang" (p. 12) was the security problem. Thongphachanh and Birgegard treaded lightly in this regard, although their references to "the Hmong" are telling. Given that their report was written only a few years after the Lao and Vietnamese armies undertook a major military operation against the Hmong resistance in the highlands just north of SFE 1 (Stuart-Fox 1997: 176-177), Thongphachanh and Birgegard did not need to make the reference explicitly; to their readers, any reference to the Hmong would have been taken as a proxy for security problems.

### ***Security***

Thongphachanh and Birgegard first referred to the Hmong, or Lao Soung ("highland Lao"), just after describing the area out beyond Sayphou Nyou as the location of SFE 1's primary timber resource. This landscape, as suggested by my (and Persson's) use of a circle to demarcate the territory of SFE 1, was only barely legible:

Land use in the vast tracts of land in the high mountains is little known. An unknown number of Lao Soung live in these mountains. Over time they have reduced the forest areas by their farming practices. Generally the Lao Soung cultivate cleared land in the forest until it is severely depleted, whereafter they look for land elsewhere with no intention to return to the abandoned land after a



fallow period. The regrowth on such land is normally characterized by grasses and bamboo rather than trees. At this stage the land is of little value either as agricultural land or as forest land. The extent of the losses of land for productive purpose through this farming system is not known (p. 2).

This passage shifts back and forth between the particular Hmong population in SFE 1's territory, about whom very little was known due to lack of access, and the Hmong in general, about whom a great deal, most of it negative, was apparently known. This mix of ignorance/inaccessibility and general knowledge conspired to make the development of the Hmong areas beyond Sayphou Nyou a major concern of Thongphachanh and Birgegard's report. As elaborated below, the development SFE 1's extensive allocation required a combination of carrots and sticks that was hardly predictable at the time Thongphachanh and Birgegard were writing. Nonetheless, it would have been eminently clear already that SFE 1 had set its sights on the southern region of the old Hmong *maquis* (see chapter 3 and the STOL sites in Figure 7), and would thus face a range of security issues on top of the purely economic competition for resources described above. What is notable about Thongphachanh and Birgegard, however, is that they transgress the clichéd identity between security problems and Hmong areas; Hmong security problems are, after all, a staple of writing about Laos (e.g., Brown & Zasloff 1979; Ireson & Ireson 1991; Stuart-Fox 1997; Goudineau et al. 1997; Evrard & Goudineau 2004; Baird & Shoemaker 2007). More interesting is that for Thongphachanh and Birgegard, the Hmong were just the tip of the iceberg when it came to insecurity in the state forestry landscape of the early 1980s. It was in the practical dimensions of securitization efforts that the political economy of Lao development became intertwined with the low-level insurgency that spanned the Second and Third Indochina Wars, and that actually seem to have expanded during the early 1980s. This articulation, as I describe below, was what ultimately produced the novel forms of population management that began to appear in the landscape in and around Muang Mai.

Thongphachanh and Birgegard had some very interesting things to say about security and development in and around Muang Mai. Before examining them, I want to focus on something that remains implicit in their account: the heavy Vietnamese military presence in and around SFE 1. This may have been a deliberate elision on their part (part of the depoliticization that often accompanies development work, especially in writing), but it also may just have been too obvious to need saying. Like the link between the "Lao Soung" and the security problems that plagued the area throughout the 1980s (Trankell 1999; Bolikhamxai Provincial Authority 2000), the extensive Vietnamese military presence would have been known already to Thongphachanh and Birgegard's intended audience of government officials and development professionals. In contrast, the presence of the Vietnamese military leapt out to foreign observers who were farther removed from the everyday world of Lao forestry and development in the 1980s. In May 1987, a reporter for *Svenska Dagbladet*, a major Swedish newspaper, visited the Lao panhandle to write a feature on Swedish forestry aid to Laos. More than half a decade after Thongphachanh and Birgegard's report, security problems continued to loom large.

Standing in the base camp in Muang Mai are five empty white houses. They were built for the Swedish advisers who worked here until the spring of 1984. That was when a Lao guerrilla band attacked a truck shipment and killed three people. The two Swedes who were present escaped, but since then, all Swedish personnel have been stationed in Vientiane ... and are allowed to make only brief and well-guarded visits (*Svenska Dagbladet*, 2 May 1987, translated by FBIS).

The *Svenska Dagbladet* article elaborated on the security situation in the Muang Mai area, noting “numerous Vietnamese military camps” in the area, and the presence of “wrecks of cars that have been shot to pieces” along the road between Vientiane and Muang Mai. Muang Mai’s head of planning and administration was quoted as saying, “Here in camp we are in complete control. But the situation is less safe in the forest.” Throughout 1987, relations between Laos and its neighbors to the north and west were beginning a long arc of improvement – the transformation of “battlefields to marketplaces” upon which the current wave of transnational investment is based. Yet in early 1987, despite groundbreaking diplomatic visits from China and Thailand over the preceding months, the Vietnamese military presence remained a striking feature of the Muang Mai landscape.

Swedes and other foreigners who visit Muang Mai say they are escorted by Lao soldiers or militiamen. But during *Svenska Dagbladet*’s visit, the Lao escort was replaced by a Vietnamese escort in Muang Mai. About twenty well-armed Vietnamese soldiers kept watch over our trip to the forest and our stay there.

“Security is better now, but even since 1984 we have had many clashes with Lao groups that came across the Mekong River from Thailand. A shipment was attacked recently,” said Vietnamese Lieutenant Pham Van Thu, who has spent nine years in Laos.

There are between 40,000 and 50,000 Vietnamese soldiers in Laos. A sizeable force is also stationed at the main camp in Muang Mai. They move about the area freely and sit in groups talking to the Lao workers. In the evenings, they go down to the little private market.

“They are here to help us. Lao soldiers are deeper in the forest, while the Vietnamese guard the roads,” says [the head of planning and administration] (*ibid.*).

Attacks from Thailand had in fact been a staple feature of local insecurity since the late 1970s, when Lao anti-government resistance began to receive support from Thai and Chinese authorities who hoped to destabilize the Vietnamese presence in the region (Gunn 1983; Chanda 1986). The Lao panhandle had long been a site of insecurity, not just since attack of 1984. A November 1980 report by the Chinese state news service, for example, praised the “Lao patriotic forces” who “blew up a strategic bridge” over the Nam Ngiep River (*Xinhua*, 12 Nov. 1980, translated by FBIS), which crosses the road between Muang Mai and Vientiane just west of Paksan (see Figure 7).

It is in this light that Thongphachanh and Birgegard’s comments on “security and its implications for development” (p. 23) demand to be read. Outlining “three aspects of this problem,” they distinguish first between “reactionary groups and bandits” and the rest of the population. While not entirely unconcerned by the former, it was within the main body of the population that their chief concern lay. Describing a “reserved and uncommitted” population whose allegiance needed to be *won*, counterinsurgency style, Thongphachanh and Birgegard framed their discussion of population management work appropriate to the postwar forestry landscape.

[T]he situation has placed the rural population in a difficult position. The reactionaries are trying hard to alienate the population from the Government by threats and harassment. As an understandable reaction, the attitude of the population is reserved and uncommitted. Under these conditions mobilization for development becomes more difficult (p. 23).

The phrase “mobilization for development” is often interpreted these days to mean uncompensated sacrifice to the national community (e.g., High 2006). A recent GTZ report, for instance, describes “an increasing awareness among Government officials on expropriation and compensation issues” using this meaning:

Overall, there has been a general shift from the culture of political mobilization and “education policy,” which meant getting concerned owners of land use rights to contribute their land for free, towards a fairer compensation scheme as outlined by the [2005] Decree on Compensation (GTZ 2007c: 18).

There is certainly a hint of this in the “mobilization for development” that Thongphachanh and Birgegard refer to. But given their concern for what might happen if the government pushed its citizens too hard, it is better to think of this “mobilization” as the “win-win” efforts described by the Council of Ministers, in which population management was intended to benefit *both* citizens *and* nation simultaneously. As elaborated below, Thongphachanh and Birgegard’s proposals for population management attempted to do just this.

Thongphachanh and Birgegard’s third point on security focused on the overt conflict between development and security-related resettlement. For them, the resultant paradox highlighted the need to address population management issues with the utmost care.

Thirdly, the security situation may demand measures e.g., in terms of movement and relocation of population, which is not conducive to development. Resettlement of whole villages and even entire *tasseng* [sub-district] populations for such reasons may upset both short-term and long-term development efforts. As an improvement of the living conditions of the population is probably the most effective way of overcoming the security problems[,] there is a paradox that development efforts are most needed where the security situation makes them most difficult to carry out (p. 23).

Reading these comments in light of the Vietnamese military presence, the conflict between national and local development that Thongphachanh and Birgegard elaborated earlier takes on a neocolonial dimension as well. It was difficult enough to ask villagers to sacrifice for Laos’s *national* development; the close working relationship between the Vietnamese military, the Lao military and the Muang Mai forestry operations made this an even tougher sell. In this context, Thongphachanh and Birgegard’s sympathy for the population’s “reserved and uncommitted” attitude toward SFE 1 and government intervention more generally reflects the daunting nature of population management work in the postwar industrial forest.

Most accounts of the Vietnamese presence in postwar Laos focus on state-to-state “advising”: the political training and education of party cadres in Vietnam; the placing of Vietnamese advisers throughout the Lao state bureaucracy; and the close personal ties of a number of Laos’s top officials to Vietnam. Describing “Vietnam’s *mission civilatrice*” in the early postwar years, for example, Grant Evans gestures to the hypocrisy that was plainly visible to Lao citizens: “The major role played by the Vietnamese communists at key levels of the state appeared to contradict Lao People’s Revolutionary Party claims to have fought against the Royal Lao Government for ‘true independence’, against the ‘new colonialism’ it said the old government was part of. To many Lao the new regime seemed equally part of a ‘new colonial’ system, especially following

the signing of the 20-year treaty between the two countries” (Evans 2002: 189).

The Vietnamese military, if less visible in bureaucratic centers, was highly visible in strategic centers like Muang Mai. A feature in the *Far Eastern Economic Review*, written a few years before Thongphachanh and Birgegards’ report, provides a glimpse of the negative entanglements between agrarian livelihoods, security measures and the Vietnamese army. Written by an anonymous “Western student” who snuck into Laos for eight days in August 1978, the following account describes a visit to the Mekong lowlands of Savannakhet, about two hundred kilometers south of Muang Mai.

Conversations with villagers, guerillas, an army officer who recently defected with 10 men and their weapons, and an escapee from “Seminar” (a re-education labor camp) demonstrated why the Laotian insurgency is markedly different from whatever resistance activity may be occurring in Vietnam or in Cambodia. The Laotians are fighting not only a rigidly authoritarian regime but, as they see it, one that is kept in being by the armed forces of an occupying power, the Vietnamese.

The Vietnamese are said to be invariably in control of their Laotian counterparts... [V]illage leaders said that their villages were visited and searched by Vietnamese units up to five times a month. All goods not produced in Laos are confiscated. Chickens, fruit and rice are also taken by Lao and Vietnamese soldiers...

I was also told that all rice harvested is appropriated by the Government, except for 100 kgs per person. Farmers are told it is going to feed the Government’s soldiers and the Vietnamese soldiers who are there to help defend Laos from its enemies. ...

The villagers had an unalloyed hatred of the Vietnamese and disgust with Laotian officials and soldiers who were seen to be working for the Vietnamese and against their own people (*Far Eastern Economic Review* 1978).

Whatever the reasons for Thongphachanh and Birgegard’s sympathies with the local citizenry, their characterization of them as “understandably” uncommitted vis-à-vis the government was reflected in the population management techniques they proposed. These techniques, calibrated to the tripartite distinction between lowlands, inner uplands and outer uplands, were designed to balance the need for state forestry in the latter two spaces especially with the need for livelihood development in all three. As such, Thongphachanh and Birgegard’s recommendations are worth examining not only because they anticipated and specified the more general rhetoric of win-win development and security that the Council of Ministers would articulate later in the decade, but also because the techniques – in particular the technique of focal site development – would reappear in the 1990s and 2000s as a staple of upland development intervention. Given the lingering debates about the line between voluntary and coerced participation in these schemes, a close look at their genealogies is in order.

## POPULATION MANAGEMENT WORK

Thongphachanh and Birgegard’s approach to population management in and around Muang Mai mapped roughly to the geographic spectrum delineated in their analysis: it began in the Mekong lowlands, where both paddy and swidden agriculture were most intense; it then proceeded to the nearby forests just beyond Sayphou Nyou, where the conflict between state forestry and swidden

expansion was expected to occur in the short term; and it converged on the “high mountain areas” where security-related resettlement was most concentrated, and where SFE 1 had set its long-term sights. This section considers each of these in turn, focusing, given its legacy, on the third.

Although Thongphachanh and Birgegard were critical of the potential for paddy rice production to meet the needs of the whole population of Muang Mai, they made paddy improvement and expansion one component of their population management strategy. Focusing on the Mekong lowlands southwest of Sayphou Nyou (see Figure 7), they recommended distributing improved ploughs to increase yields, redistributing fields that had been abandoned, and building new paddy land in areas where forest quality was already poor. Thongphachanh and Birgegard’s first suggestion had an overtly strategic reasoning, targeting lowland farmers who already had paddy land of their own. Plough distribution, they reasoned, exemplified the “clear political dimension” of development work since it would “reach a large segment of the population, can be implemented without delay and without too much difficulty, [and will] have a visible impact” (pp. 27, 43).

They then turned to the landscape beyond Sayphou Nyou, where the real challenge lay in the middle and long term. Thongphachanh and Birgegard differentiated between the river and stream valleys of the inner frontier zone and the “high mountains” of the “Lao Soung,” and took these in turn. For the first, they pushed for a generalized effort to “improve and transform” shifting cultivation through a mix of yield improvements and conversion to “permanent up-land cultivation.” They recommended a long-term approach that would draw heavily on “experiences in other countries” (p. 29). What really captured their attention was the immediate imperative of protecting the forest resource in areas where conflict was likely to be high, and to do so in ways that would not aid the “reactionaries.” Here Thongphachanh and Birgegard elaborate on their reference to experiences from elsewhere: they hoped, in short, that Laos would employ the *taungya* system developed under British colonialism to enclose the forest landscape without provoking too strong a backlash from the local population (see Bryant 1996). They characterized it this way:

Protection of forest resources should be achieved by integration of shifting cultivators into forestry activities rather than by law enforcement, fencing and guarding. The integration should primarily take the form of development of agro-forestry (*taungya*) systems for reforestation. Areas for reforestation should be selected at the fringes of forest reserves where the encroachment by shifting cultivators is a threat (p. 29).

As this passage makes clear, the type of agro-forestry Thongphachanh and Birgegard had in mind was not the smallholder agro-forestry exemplified by, for example, Indonesian rubber systems (Dove 1995). Rather, it was agro-forestry in which the agriculture was temporary and the forestry was long-term and state-owned. It was, in short, a form of managed enclosure (Perelman 2007) that will appear in a different guise in the next chapter. In Thongphachanh and Birgegard’s report, the confluence of political and physical alienation was literal: their prejudice against “law enforcement, fencing and guarding” was based on the rationale that it risked pushing locals toward the “reactionaries [who were] trying hard to alienate the population” (pp. 23, 29).

A decade after Thongphachanh and Birgegard's report, anthropologist Ing-Britt Trankell spent seven weeks in the same general part of Laos on a self-described "hit-and-run" anthropology project (Trankell 1999: vii). The overlap of physical and political alienation that she observed was striking. Like her predecessors, her research team, which was studying the effects of upgrading the main road, had limited access to the villages in the putative study area. In some of the villages she *was* able to visit, she described a reforestation effort that had the essential features of the *taungya* method sketched out above.

Villagers now receive plots from the forest company on which they are allowed to work for 2-3 years, on the condition that they plant tree saplings for the reforestation of the area. The work is performed simultaneously with the planting of rice. After the harvest, the area is marked with a fence in order to prevent cattle from damaging new plants. Villagers approve of reforestation programs and plea[d] for more such work to be done, but at the same time they resent the idea of being excluded from an area which they have themselves cleared and worked (Trankell 1999: 80-81).

Trankell also noted "a certain 'shortage' of villages suitable for our project, since the authorities would not allow us to visit villages in the hinterland" (ibid.: 65). Her comments on state forestry, popular discontent and insecurity resonate with the geographical spectrum described by Thongphachanh and Birgegard. Moreover, her mention of a "no-swidden policy" suggests that the *taungya*-style approach of managed enclosure was deployed far less widely than had been envisioned by Thongphachanh and Birgegard a decade earlier.

The issues of land use and land rights with regard to forestry and agricultural land are presently the most difficult and crucial problems which these [swidden-practicing] groups have to face after the government has declared a no-swidden policy. Clashes with forestry company staff and forestry programs due to mutually conflicting views regarding the right to and the use of forestry products are reported. Thus, one village refused to admit our team; they related that they had already been subjected to socio-economic evaluation, and that this had done them no good at all. On the contrary, forest company staff had allegedly emptied their fish ponds and cut down nutritionally valuable secondary growth in their forest area (Trankell 1999: 17).

Trankell distinguished between these sorts of inner zone problems and Hmong issues related to resettlement from the highlands. The passage that directly follows the paragraph above begins with this:

Disaffected Hmong present a special concern since they are regarded as responsible for the occurrences of insurgent activities that regularly haunt the area. Resettlement programs have been seen also as a way to pacify the Hmong by bringing them down from the hills; provincial authorities reported that at the time they had three different programs for "the settlement and education" of Hmong groups in lowland areas (ibid.).

Trankell's account is telling and tragic, because it foreshadows what became of the third strand of Thongphachanh and Birgegard's strategy. In contrast to the *taungya*-style approach that they proposed for the inner swidden landscape, Thongphachanh and Birgegard proposed a rubric for combining resettlement with education in the more remote upland areas. Given their inability to access the areas they were talking about, they emphasized that "at this stage only some general principles can be formulated[,] and they should be seen as working hypotheses rather than ... as a basis for action" (p. 38). Nonetheless, their proposal is worth reading closely because of its mix

of abstract rationality and concrete focus on a place called Muang Houng.

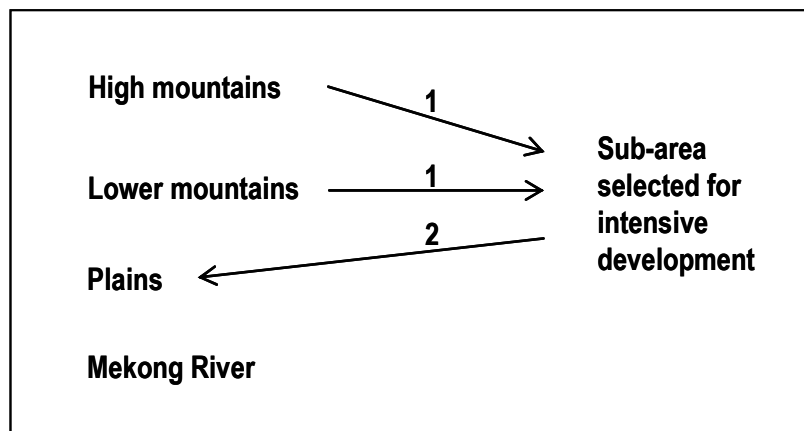
**“Sub-Areas for Intensive Development”**

Thongphachanh and Birgegard’s “general principles” for the development of remote areas were as follows:

Firstly it is suggested that the development of the mountain areas in the country as a whole as well as in Muang Paksan can *not* imply a development of the entire mountain areas (in terms of road networks, electrification, social services, etc.). Rather, development has to be *concentrated* to certain sub-areas and pockets with a relatively good economic potential. In the long run, agricultural production in such areas probably should focus on intensive production of high value crops (industrial crops, fruit, spices, etc.). Livestock may also prove to be a viable proposition, taking advantage of the tradition in raising livestock among the Lao Soung.

A strategy of selective (and intensive) development in the mountains most likely presupposes a gradual out-migration from these areas. The reason is that it may be difficult (and economically unacceptable) to develop a sufficient economic base in selected areas for the entire mountain population (p. 38, emphasis in original).

Thongphachanh and Birgegard’s vision of upland relocation conjured a squeezing of the upland population’s economic base that would leave room for some, but not for all. The rest, they suggested, would be induced to relocate to the lowlands. Using a crude but clear graphic (reconstructed below), they laid out their proposal in spatial and temporal terms:



People from the mountains are to be encouraged to settle in the sub-areas selected for intensive development. This movement is illustrated by the arrows marked (1) in the figure above. The second movement involves an out-migration from the mountain sub-areas to the plains (arrow marked 2). After an initial period of settlement in the sub-areas (arrows marked 1), the two movements are expected to go on simultaneously. The time perspective involved is very long (25-50 years).

The underlying assumptions for this model are 1) that sub-areas and pockets with an economic potential can be identified at a sufficiently large scale to make the approach relevant and 2) that the first generation of the hill tribe population to re-settle find[s] it more acceptable to do so in the mountains than in the plains (p. 39).

### *The Muang Houg Focal Site*

Thongphachanh and Birgegard's distinction between "general principles/working hypotheses" and actual action plans blurred together in a place called Muang Houg. Located at the end of the road that provided a key point of access to the forest resource beyond Sayphou Nyou (see Figure 7), Muang Houg seems to have been the place that Thongphachanh and Birgegard had in mind when they described their generalized schema for "sub-area" development. They devoted almost four pages later in their study to the "construction of a lower secondary school for the mountain *tassengs* [sub-districts];" this school, they suggested, should be located in Muang Houg. In contrast to the general principles outlined above, Thongphachanh and Birgegard's proposal for this school was quite detailed, covering "the proposed activity," "the buildings," "benefits and justifications," "implementation responsibility," "inputs required," "cost estimate," and "agricultural activities to reduce boarding costs" (pp. 80-84). They elaborated further on the plan by locating it within their larger approach to spatial planning.

The provision of social infrastructure and services should purposively be used to influence future population settlement patterns. This means that priority should be given to (i) the plains along [the] Mekong; (ii) the pockets in the mountain areas identified for intensive development; and (iii) locations where agro-forestry systems are introduced (as an incentive to involve the farmers). To speed up out-migration of the high mountains it is proposed that even stronger efforts than hitherto are made to favor education of the children among the hill tribes. Well educated new generations are more likely to look for a future outside the mountain areas. The aim should be to enroll a disproportionately large share of these children not only in the primary school system but also in higher education (p. 32).

Muang Houg eventually became Bolikhamxai province's first focal site. A "Socio-Economic Profile with Special Emphasis on District Development," published in 2000 by the Bolikhamxai Provincial Authority, describes in detail both focal site development in general and the Muang Houg focal site in particular. Its chronology begins in 1994, although this is likely a reference to the formal adoption of focal site development as national policy (see Baird & Shoemaker 2007: 875). Two years earlier, in 1992, Trankell had heard from provincial authorities that "they had three different programs for 'the settlement and education' of Hmong groups in lowland areas" (Trankell 1999: 17). Given the Socio-Economic Profile's reference to Muang Houg as the first of the province's original two focal sites (BPA 2000: 19), it seems to conclude that population management work had begun in Muang Houg long before 1994. (The detailed planning by Thongphachanh and Birgegard for the school at Muang Houg supports this interpretation as well.) More important than the precise timing, however, was how provincial authorities dodged the awkward question of donor support for areas that had been recently pacified by the military (for a more general critique, see Baird & Shoemaker 2007).

At the turn of the millennium, the Bolikhamxai Provincial Authority characterized its focal site development this way:

The essence of our Focal Site-based rural development is "*an area approach targeting rural poverty.*" Our 'Focal Site' strategy is hence the "*bringing together of development efforts in an integrated and focused manner within a clearly defined geographical area, aiming at the eradication of poverty and at promoting sustainable development*" (BPA 2000: 19, emphasis in original).

The italicized quotes, as the profile's authors took care to point out, were extracted from the



“Official Government Document” presented at the May 1998 Sixth Roundtable Follow-up Meeting on the National Rural Development Program, a process mandated by a “Geneva Roundtable” meeting with donors in June 1997 (ibid.). In the profile’s subsequent description of focal site development in the district that now contains Muang Mai and Muang Houng,<sup>46</sup> the abstract focus on spatial concentration and economic development is supplemented by a strong security theme. This was due to Muang Houng’s proximity to the old Hmong *maquis* and, after 1975, to the Saisomboun special military zone (see chapter 3).

In 1997, three years after the official designation of Muang Houng as a focal site, the boundaries between Bolikhamxai Province and the Saisomboun Special Zone were redrawn to bring three additional areas into the Muang Houng focal site. Two of these new areas were soon carved off to create a second focal site where the “structure [had been] established but no development activities [undertaken] yet” (BPA 2000, p. 21 of the Bolikhan District Profile, hereafter BPA-BDP). In contrast, the Muang Houng focal site, comprised of the original Muang Houng and a second area to the west called Muang Bo (Figure 8), remained an area of “accelerated development.”<sup>47</sup> This reorganization and prioritization had clear ethnic dimensions: Muang Houng and Muang Bo were “half Lao Loum and half Lao Soung, with a minority of Lao Theung” (BPA-BDP: 18). Together, they contained *half of the district’s entire population* of 20,000 (ibid.), suggesting a substantial population consolidation effort in the years between Thongphachanh and Birgegard’s work and the late 1990s. The other (de-prioritized) focal site, in contrast, was a tenth of the size (1,000 people) and was “without any Lao Soung” (ibid.: 21).

“Accelerated” development was explained in a way that elaborated an earlier reference to Muang Houng as a “provincial” focal site “located in our district” (ibid.: 17).

For us, focal site development must be ambitious and, at first, necessarily provincial government driven because of the basic need to first provide access, land clearing, etc. ... We are aware that once the initial effort has been provided, a ‘softer’ approach has to take over, giving communities, through an appropriate participation process, the responsibility of identifying and analyzing their needs and how to satisfy them, as well as of implementing and monitoring the development process (ibid.: 20).

This “accelerated” process of “access, land clearing, etc.” was a polite way of referring to what was described elsewhere as a mix of logging and military operations that, in the case of Muang Houng, proved especially daunting. The first step “normally” taken to develop a focal site was to “open [a] new road to the remote areas (with logging activities)” (ibid.: 17). As suggested by Figure 8, the Muang Houng area was rich in forest resources,<sup>48</sup> and topographically challenging. The Provincial Authority’s description of the road “opening” process connotes a mix of physical and military difficulties:

The province has spent tremendous effort to open the road in the middle of the forest. While security problems were an issue a few years ago, no troubles have occurred since accessibility has been improved, because improved accessibility meant improved access to socio-economic development (ibid.: 18).

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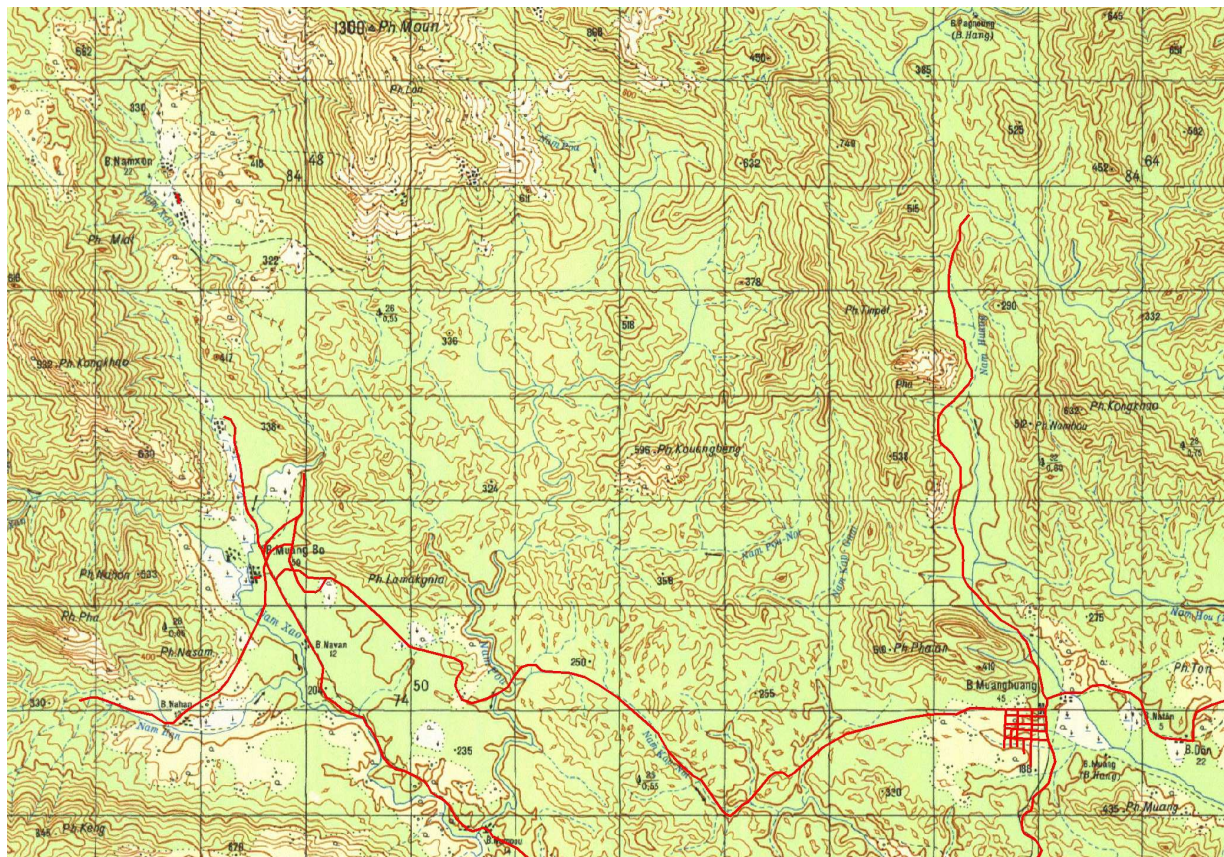
<sup>46</sup> These are now classified as sub-districts.

<sup>47</sup> The BPA refers to this consolidated area as Pha Muang; to reduce confusion, I use Muang Houng.

<sup>48</sup> The base map shown in Figure 8 was made from aerial photos taken in 1982. Light green areas indicate forest cover, while yellow and white indicate “open forest” (i.e., swidden fallow or *pa lao*) and cleared areas, respectively.

The profile of the district that contains Muang Mai and Muang Houn makes it clear that the provincial administration of Bolikhamxai had inherited the industrial facilities that had earlier belonged to SFE 1. The document’s list of “services and enterprises” included “two provincial saw mills,” as well as five unspecified “wood furniture” operations (ibid.: 2). A map published by Ben Hodgdon (2007) depicts the area as a hotspot for provincial forestry operations, and connects this earlier reference to “provincial sawmills” to the Muang Houn landscape in particular. Figure 9 illustrates this by overlaying the road network in Figure 8 on a portion of Hodgdon’s map. This overlay, inset on the right side of Figure 9, testifies to the provincial logging activities that were taking place to the north, south and east of Muang Houn. Given that these were going on in the mid-2000s, they almost certainly reflect a legacy of forestry operations dating back to the time that the provincial profile was written, if not long before.

Parallel to this provincially orchestrated forestry operation, a suite of population management responsibilities were delegated to the district government’s agriculture and forestry office. The



**Figure 8. Muang Houn focal site. The base map is from Laos’s national 1:100,000 topographic map set (updated 1987); current roads (according to the Lao National Geographic Department) are overlaid in red. Muang Bo, formerly part of the Saisomboun Special Zone, is at left; the original Muang Houn area mentioned by Thongphachanh and Birgegard is at right. Two roads head south to the Bolikham district capital. The road at lower right goes to the Nam San River, in the heart of the old SFE 1 territory. The white rectangle in Figure 7 gives the location and scale of this map.**

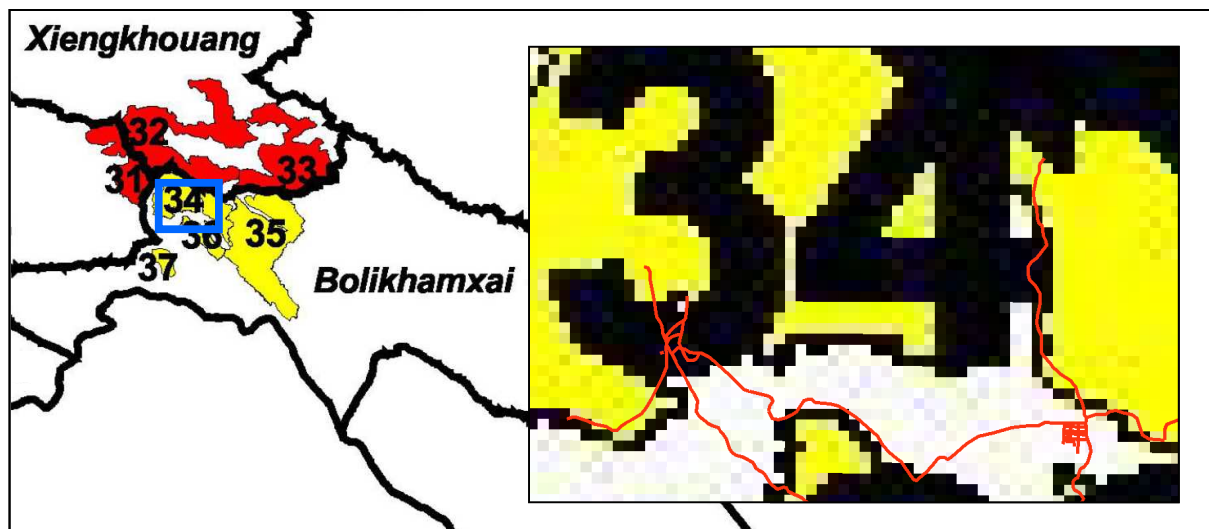


Figure 9. Provincial logging areas in Muang Houg-Muang Bo focal site (base map from Hodgdon 2007).<sup>49</sup>

profile’s description of forest sector responsibilities in Bolikhan district makes it clear that the “integration of shifting cultivators into forestry activities” envisioned by Thongphachanh and Birgegard and observed fleetingly by Trankell in 1991 had been largely abandoned. The new approach, in contrast, exemplified the “law enforcement, fencing and guarding” approach that Thongphachanh and Birgegard had been so keen to avoid. The district forestry sector’s responsibilities, according to the profile, were implementing the Land and Forest Allocation program, creating conservation forests in each part of the district, and “prohibiting logging and wildlife hunting, as well as wildlife trade, by enforcing the law and punishing offenders according to regulations and rules issued by the Ministry of Agriculture and Forestry” (BPA-BDP: 10). This was a different era indeed.

## CONCLUSION: “THE NEW BATTLEFIELD”

This chapter has looked to the industrial forest landscape of northwestern Bolikhamxai province to trace the ways in which problems of population management articulated with local conditions in the Lao government’s postwar quest for development and defense. The case of Muang Mai-Muang Houg has shed light on the complexity of Laos’s upland landscape, showing how population management was not something that could be theorized from afar and then applied uniformly, but required instead a local praxis that combined analysis of the immediate terrain, prediction about future scenarios and competing needs, and deployment of available resources to maximize complementarity and minimize conflict. The particular applications reviewed above – *taungya*-style managed enclosures here, focal sites there; deliberate avoidance of “fencing and guarding” at one point in time, the embrace of laws, rules and regulations at another – illustrates both the heterogeneity across social space and the changing times. While variability has been a central theme in scholarship on development policy and practice in Laos, especially when it comes to rural land issues (Goudineau et al., 1997; Vandergeest 2003; Ducourtieux et al. 2004;

<sup>49</sup> A “provincial land use planning map” included in the March 2000 Bolikhamxai Province Environmental Inventory (MCTPC & IUCN 2000: 32) shows this as well, but not as clearly as Hodgdon’s map. The different colored polygons on Hodgdon’s map are beyond the scope of this chapter.

Evrard & Goudineau 2004; Baird & Shoemaker 2007; Shi 2008), the overlaying of political-military security issues with economic ones has not been a major theme. Instead, scholars have tended to emphasize the transition from security-oriented interventions of the 1980s to the development-oriented ones of the last two decades (Evrard & Goudineau 2004; Rigg 2005). The material examined above, while focusing only on one particular area, shows how these two strands of intervention came together, sometimes working with each other, but frequently pulling in opposite directions.

In December 1987, only months before he signed the Council of Ministers' instruction on population management work, Deputy Prime Minister, Minister of Finance, and First Vice-Chairman of the Council of Ministers Nouhak Phoumsavan visited Bolikhamxai province and met with cadres there "in order to consolidate and develop [the area's] regional potential." His speech to cadres, as reported in Laos's official national news source, "focused on socio-economic development in the country, [and] particularly on the implementation of the party and government new guideline on how to improve the economic, social and ideological work" (*Khaosan Pathet Lao [KPL]*, 12 Dec. 1987; translated by FBIS). Weeks later, Laos's then-president and chairman of the Council of Ministers, Kaysone Phomvihane, visited another important node in Laos's upland hinterland: Salavan province's Ta Oi district, located in the northwestern quadrant of the SFE 7 area depicted in Figure 6. He promoted the "settling down to fixed farming" as a way to "fulfill the two strategic objectives of national defense and socialist construction" (*KPL*, 22 Dec. 1987; translated by FBIS). Given these trajectories, it is little wonder that the instruction on population management work placed such emphasis on the need for "a correct attitude," "a high sense of responsibility," and a high aptitude for "political, economic, national defense and public security work." If population management work could be legislated from the center, it would not have been characterized as such an "enormous and all-encompassing task." As the case of Muang Mai-Muang Houng illustrates, balancing national defense and development was a highly contingent process that could only be attempted (and even then not necessarily achieved) on a case-by-case basis.

The instruction on population management work sat right in the middle of Laos's official turn toward market-based development. This "Renovation Policy" or "New Economic Mechanism" was embraced in 1987 and led, through the late 1980s and 1990s, to the pseudo-privatization and devolution of control over various state enterprises, the writing and adoption of a Constitution and beginnings of a legal code, and a range of state- and donor-led efforts to recruit foreign direct investment. This period, as has been widely noted, gave birth to the Land and Forest Allocation program, as well as to focal site development as a national policy for the uplands (Vanderveest 2003; Evrard & Goudineau 2004; Rigg 2005; Baird & Shoemaker 2007; Barney 2009). But it also launched a new official discourse of "heightened vigilance" as Laos proceeded onto what authorities called "the new battlefield where no gunfire can be heard."<sup>50</sup> An excerpt from a Lao radio broadcast seven months after the Council issued its instruction on population management work testifies to the official concern with the security dimensions of increased contact with the outside world.

The enemies have taken advantage of the conveniences of traveling in our country to send their spies in the guise of businessmen, traders, tourists, or workers to gather information about us and launch

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<sup>50</sup> Lao radio, 7 Sept. 1988, "Heighten vigilance against enemies' new schemes"; translation by FBIS.

propaganda to create rifts between Laos and its friendly countries, between soldiers and police and civilians, between state officials and cadres and people, and among the people of different ethnic groups[. They] hope to cause mutual suspicion, antagonism and distrust between the lower and higher echelons, triggering internal conflicts so as to start riots and uprisings as they did in other countries. These are the most dangerous, subtle, and cruel of the enemies' tricks (ibid., note 50).

As a way to combat these schemes, official Party rhetoric emphasized the need for relentless diligence in population management. Building on the themes outlined in the February 1988 instruction, a radio broadcast from early 1989 emphasized the need to “vigorously turn to the grassroots and build them into all-around strong localities,” and identified this method as “a foremost strategy in our party’s and state’s national defense and public security maintenance work.”<sup>51</sup> As the next chapter shows, this quest for “all-around strong localities” turned extensively to the outside world for economic resources and expertise, but it also drew on the population management methods developed and honed during the earlier postwar period.

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<sup>51</sup> Lao radio, 1 Apr. 1989, “The Open-Door Policy is Linked to the Maintenance of Internal Security”; translated by FBIS.

## Chapter 5

### “All-Around Strong Localities”: Chinese Agribusiness and the Internal Frontier

*The violence of war and control of the means of coercion weigh decisively today in the organization of postcolonial societies. Where it happens, war provokes a rearrangement of the ways territory and people are administered, as well as a transformation of the ways resources are tapped and distributed, of the framework in which disputes are settled. These new forms of ... control ... in fact incapacitate whole sections of the population politically.*

Mbembe (2001: 88)

On the morning of January 23, 2007, on the stretch of road in northwestern Laos, somewhere between Luang Namtha province's Vieng Neua village and the district market a few kilometers to the south, Sompawn Khantisouk disappeared. The co-owner of an internationally famous eco-lodge and trekking business, Khantisouk was well known in and around the provincial capital of Luang Namtha. An accomplished river guide and motorcross rider, he was athletic, confident, attractive, articulate – an established businessman and, although still young, an emerging civic presence. The time and place of his disappearance were publicized in the days that followed; a circular posted in shops around the provincial capital requested the assistance of “anyone with any knowledge” of the situation. Although the flyer made no mention of how or why Pawn had disappeared, many people – both around town and, as word spread, throughout the region – concluded that he had been abducted, and that his disappearance had been sanctioned, if not conducted, by the Lao government.

Khantisouk's disappearance turned into a sort of referendum on Chinese investment and bilateral development assistance, especially in northwestern Laos, which since the early 1990s had been progressively re-imagined as a “Golden Quadrangle” – a political-economic space formed by overlaying China on top of the Golden Triangle of Laos, Burma and Thailand. The Quadrangle narrative was shorthand for a variety of integration mechanisms designed to reorient the remote and historically troubled uplands of the Southeast Asian massif toward regional economic development and cross-border cooperation – a transformation of “battlefields into marketplaces,” as one Thai prime minister in the late 1980s put it. Khantisouk's disappearance foregrounded the challenges of this transition, and highlighted simultaneously the difficulties of making sense of the past's relationship to the present. It was speculated that “Pawn,” as he was locally known, had been “mobilizing local villagers against Chinese-sponsored rubber plantations,” as one journalist put it in an article on Chinese “expansionism” in Southeast Asia (Crispin 2010).<sup>52</sup> This was a tempting conclusion to draw; Pawn's disappearance was framed in both space and time by an emerging debate, both public and inside the more closed world of bilateral and donor discussions, about foreign land concessions, and specifically about whether rubber and ecotourism could coexist in Luang Namtha (Schipani 2007). As a visible face of Luang Namtha's ecotourism landscape, it was widely assumed that Pawn and his business partner, an

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<sup>52</sup> The article, which raised “questions about how far China has gone to manage its investment image,” intimated that the Chinese government had been involved as well.

American named Bill Tuffin, were against Chinese rubber development. Yet in a pointed response to the journalist who framed Pawn's disappearance as a result of his upland organizing, Tuffin insisted that "he was absolutely not involved in 'mobilizing' villages against the rubber plantations;" that the two of them had in fact developed a very measured position on rubber development (that it "could help local farmers if it was properly planned and forest lands could be converted to rubber plantations if other forest lands were properly preserved"); and, most importantly, that Pawn's disappearance was not about Pawn per se. Rather, it was a symptom of something larger.

Sompawn's disappearance coincided with a general purge of Americans and Christians in Northern Laos. Several Lao with close associations with Americans or Christians disappeared or were given threats they would be abducted. Close to 26 expatriates were forced to leave the area in an 18-month period. The Lao People's Revolutionary Party fears peaceful evolution – the overthrow of the socialist system by peaceful means. All of the foreigners purged from Luang Namtha, Bokeo and Udomsai provinces were working with marginalized communities to give them a voice in determining their own economic future. The fact that these foreigners were giving people choices and were becoming more influential than the local governments in the economic livelihoods of these communities was the threat (Tuffin 2011).

This explanation is striking not just for the larger picture it paints – the wave of expulsions and disappearances that occurred throughout the north – but for the context in which it frames these events: the Cold War. The concept of "peaceful evolution" was formulated by John Foster Dulles as a critique of the American policy of militarized containment, a pillar of the Truman Doctrine of the late 1940s and early 1950s (Dulles 1950). While Dulles became a chief implementer of containment in as secretary of state under Eisenhower, he also pushed his own ideas of "peaceful transition" or "peaceful evolution" as a more practical way to beat communism, especially in places like China and the Soviet Union where the U.S. had no intention of going to war. As a recently published memoir confirms, the peaceful evolution doctrine was a cause of serious concern among communist leaders, especially in China; Bo Yibo, a high-level Chinese official during the late 1950s, implicated it in the Sino-Soviet split and named it as a key motivation for Mao's decision to launch the Cultural Revolution in 1966 (Bo 2009). Calls for "heightened vigilance ... on the battlefield where no gunfire can be heard" show that this type of concern was present in late 1980s Laos as well, and that it was linked specifically to western tourism and private business (see chapter 4). Tuffin's account suggests these types of concerns have not disappeared (also see Lintner 2008).

This chapter uses this historical shadow of the Cold War as lens through which to investigate the geography of Chinese agribusiness in northwestern Laos. Building on an existing body of comparative and extensive research (Alton et al. 2005; Shi 2008; Diana 2008; Kenney-Lazar 2009), my approach is intensive and case-based, and focuses on the social landscape around a single investment project. This is a "rubber planting promotion project" that is part of a network of private investment supported by the Chinese government in the name of poppy replacement (Xiaolin 2007; Shi 2008; TNI 2010). This program, surprisingly, has few constraints that are directly related to opium: it requires only that projects be in northern Laos, and that they contribute to development, broadly construed.<sup>53</sup> This latitude, as this chapter shows, has meant

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<sup>53</sup> Shi (2008: 26) reports that projects must be in northern Laos, an area that is officially undefined and that remains debated among investors, and must target one of the following sectors: "agricultural plantations, livestock, fisheries

that local and historical factors come into play in shaping where and how projects work – that is, how they translate the concept of “promotional” rubber planting into practice. My focus is on what Achille Mbembe refers to as the political incapacitation that operates in the wake of war at the level of “whole sections of the population.” Read against the history described in chapter 3, the recent targeting of Americans, Christians and Lao who were seen to be working with them carries a distinct logic: whatever they were actually doing, and whatever their political sympathies were, the harassment they faced (and worse) seems directly a function of what Mbembe calls political incapacitation.

I suggest, specifically, that shades of political incapacitation are visible in the variable enclosures that have emerged throughout Laos’s northwestern uplands in recent years. As in the landscape examined in chapter 4, questions of population and enclosure intersect with one another in key ways, and they often have strong ethnic dimensions. But more importantly, they have historical and geographical dimensions that make these interactions far more contingent and complex than might be predicted. As this chapter argues, this distribution of enclosure and impact only begins to fully emerge when the full spectrum of population management work is examined.

One of the notable characteristics about the current landscape of Chinese rubber projects is that a number of the features that appeared in chapter 4 as separate possibilities are brought together: they have been modularized and recombined. The Land and Forest Allocation process, mentioned in a few of the earlier chapters, emerges here as a major intervention, exemplifying and concretizing the goal of fixed livelihoods that figures so centrally in state development rhetoric. Even more important are two population management techniques that appeared in chapter 4: focal sites and managed enclosures. Unlike the earlier landscape, however, these do not form separate items in a spatially distributed typology of population management, but modular options that can be overlaid and combined in pursuit of what authorities call “all-around strong localities.” The case study at the heart of this chapter features two such localities, and shows how the specific histories associated with each have produced radically different enclosure regimes. The Chinese project of “rubber planting promotion” spans both.

The chapter thus interrogates critically the notion of “win-win” cooperation that is often used to describe arrangements where investors get access to cheap land and labor, and host governments and populations get investment and development, respectively. Variants on this are common, as in the following, taken from a 2005 proposal by a Chinese rubber company: “The population will receive permanent livelihoods, will be able to alleviate their hardship via this stability, and will have an elevated standard of living compared to the past; the state will benefit from reforestation, protection of the environment and increased taxes and fees; the investor will benefit from rubber processing and trade.”<sup>54</sup> What is missing from statements like this are the details that emerge as projects are given material specificity. While some of these details are externally prescribed by investors and host country politics – in Laos’s case, the requirement that land concessions be “exceptions” and that agribusiness work generally on a contract farming model – much of the

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and associated processing; mining, tourism, commerce and trade, and other activities that are able to spur local economic and social development and expand employment opportunities; [or] supporting infrastructure such as roads, irrigation and power supply.”

<sup>54</sup> Sino-Lao Rubber Company, “Project for supporting rubber planting in Luang Namtha Province, Lao PDR,” May 2005, p. 4.



variability that results on the ground result from local and historical factors. As this chapter shows, population management work is all about searching for synergies between investors' interests and the interests of the population. But the interpretation of these interests by local authorities has meant that the history of political incapacitation weighs heavily on the distributions of risk and impact that result. Surprisingly, though, this does not always translate into exploitation, dispossession or abuse. Legacy, as we will see, works in complex ways.

## THE UPLAND INTERIOR

Visitors to the museum in the provincial capital of Luang Namtha are confronted, even before fully entering the building, with a large-scale map of the province. As with other members of its genre, this map is an official attempt to portray social space in a particular way; it can thus yield important insight if read correctly (Anderson 1991). Figure 10 shows the bottom two thirds or so of this map; the province's five districts are all visible. My focus is on Vieng Phou Kha, the southwestern district that was recently opened up by the paving of National Route 3, and that exemplifies the region's transition from isolation to connectedness. As reflected by the multi-colored (dot) legend at the right side of the map, Luang Namtha is renowned for its ethnic diversity. Indeed, the national ethnic majority Lao *Loum* (lowland Lao) are a minority locally, as they are throughout the north, and their villages do not appear on the map at all. Living up to its name, Vieng Phou Kha – along with Na Le, in the southeast – is shown to be populated largely by “Lao Theung” villages; *Lao Theung* means “upland Lao” and in this area refers to a pair of ethnic groups which together have historically been referred to by the much-debated term *kha* (Turton 1999). Vieng Phou Kha, in other words, is the name of an upland state of sorts: the mountainous (*phou*) political center (*vieng*) of the Lao Theung (*kha*). It is a place where Laos's ever-precarious line between lowlands and uplands is especially thin.

There are two key exceptions to the Lao Theung villages shown in Figure 10, highlighted in Figure 11. The first is a string of eight light gray dots off the road just north of the district center. These represent “Kui” villages, as indicated in the legend in Figure 10. The “Kui,” hereafter referred to as Lahu (an autonym), play a major role in the analysis that follows, and I will return to them later. The other exception to the dark gray villages of the Lao Theung is an array of white dots and whitish smudges that might appear to represent Lue villages, as implied by the legend in Figure 10;<sup>55</sup> two of them actually do. But the other half dozen or so faint whitish spots in Figure 11 are the remains of villages that have disappeared since the map was made, and have been painted over. Together, these whited-out villages, the neatly arranged Lahu villages to the northwest of the district center, and the variously distributed Lao Theung villages begin to evoke a particular type of spatial order that will figure centrally in the analysis that follows. There is one more dimension to the provincial map that deserves immediate attention, and that begins to draw out the historical geography of the area. This is the empty space: the forest.

The provincial map suggests that much of Vieng Phou Kha district, especially in the northwest and the northeast (with the exception of the Route 3 corridor), is devoid of human settlement. This is not quite the case, but it does accurately reflect the population concentrations in the district (Thongmanivong et al. 2009). Moreover, it provides a clear statement of provincial

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<sup>55</sup> The Lue are the dominant lowland ethnicity in Sing district and elsewhere in the north. They are not directly relevant to my account here.

authorities' *vision* for a well-settled and well-managed district. Part of this is the result of the Nam Ha National Protected Area (NPA), a large biodiversity conservation zone which sits in the center of the province, covering part of an area – the relatively empty zone in northeastern Vieng Phou Kha that extends into the other districts as well – that was known, earlier in the century, as the Yao Mountains (Izikowitz 1944: 74-75, 95-102). The Yao, hereafter called the Iu Mien (their autonym), are an ethnic group that used to be settled widely throughout the uplands of Luang Namtha, but are now much fewer in number. Many fled as refugees, and those who are left are largely confined to villages close to the provincial capital and the northern border with China. The mismatch between the “Yao Mountains” and the actual distribution of the Iu Mien population begins to hint at the large-scale dislocation brought by the Second Indochina War.<sup>56</sup> When I did my fieldwork, there were no Iu Mien villages left in Vieng Phou Kha, and the Nam Ha NPA testified quietly to the ongoing effort to replace the battlefields of the past with a more explicitly development-oriented future.



Figure 10. Luang Namtha provincial museum map (detail).

<sup>56</sup> This dislocation is elaborated below. On the Iu Mien specifically, see Jonsson, H. 2009. War's ontogeny: Militias and ethnic boundaries in Laos and exile. *Southeast Asian Studies* 47:125-149; McCoy, A. 2003. *The Politics of Heroin: CIA Complicity in the Global Drug Trade*. Lawrence Hill Books, Chicago; Warner, R. 1996. *Shooting at the Moon: the Story of America's Clandestine War in Laos*. Steerforth Press, South Royalton, VT.

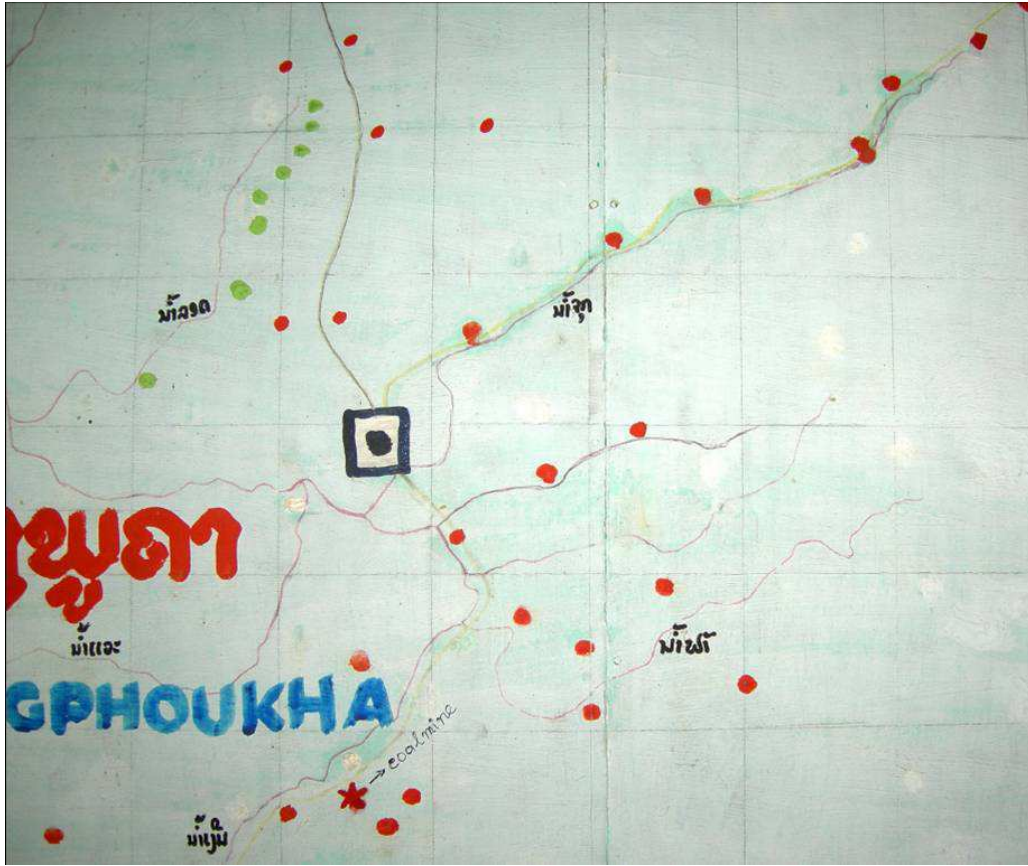


Figure 11. Provincial museum map (detail: central Vieng Phou Kha)

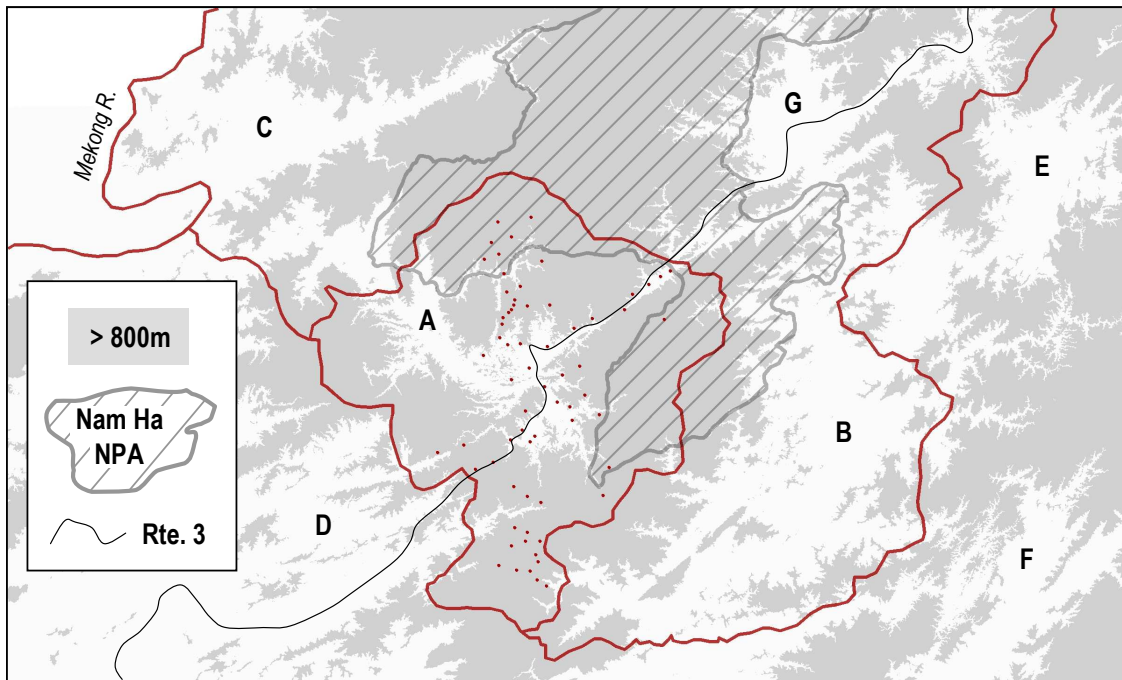


Figure 12. Lower and higher uplands in and around Vieng Phou Kha

West of the protected area is a river valley, the Nam Fa, that is just faintly visible in Figure 10 but jumps out of Figure 12, which divides the landscape into what I call the lower and higher uplands; my division follows the 800 meter elevation mark, after the Lao Ministry of Agriculture and Forestry's recommended vertical cutoff for rubber planting. Draining most of central and northwestern Vieng Phou Kha and emptying into the Mekong River just below the big bend in the upper part of the figure below, the Nam Fa River valley is one of a number of "lower upland" areas targeted for commercial rubber development in northwestern Laos. Figure 12 reproduces the provincial and district boundaries, as well as the village points, shown for Vieng Phou Kha district in Figure 10. On top of these, it overlays the outline of the Nam Ha NPA and a digital elevation model showing (in gray) areas above 800 meters in elevation. While my focus in the following sections is the Nam Fa Valley (labeled A in Figure 12), it is worth pointing out that many of the other large white areas in Figure 12 have also been allocated Chinese rubber projects, most of them under a poppy replacement subsidy program that I discuss further below: in addition to the Nam Fa Valley, these include (B) the lower Nam Tha valley in Na Le district (southeast of Vieng Phou Kha); (C) the Nam Ma/Mekong bend area in Long district (to the northwest); (D) the uplands of eastern Bokeo province (to the southwest of Vieng Phou Kha along Route 3); and (E and F), Oudomxai province's Na Mo and Beng River valleys (in the upper and lower right-hand corners of Figure 12). The provincial capital of Luang Namtha, northeast of Vieng Phou Kha along Route 3 (labeled G), is the exception that proves the rule, having been intensively farmed already and having had sufficient domestic capital to turn the lower uplands there into an illegible tangle of informal and smallholder cooperation projects.<sup>57</sup>

The case study below focuses on a Chinese company that has been implementing a "rubber planting promotion project" in the Nam Fa Valley – the white area surrounding and stretching southeast from the letter A in Figure 10. According to the museum map, only the upper reaches of this valley are occupied; the space around the letter A itself is a frontier space, devoid of village settlements (see village points, Figure 12). In the sections that follow, I describe the geography of rubber promotion in Vieng Phou Kha in the context of a government effort to settle this frontier space, a process that I describe, building on my opening remarks, as one of securitization. I want to start in a place that I will call Ban Deng, or Red Village.<sup>58</sup>

## THE INTERNAL FRONTIER

Ban Deng sits out at the end of a well-worn, but fairly recently built dirt road, about an hour's ride by truck or motorbike from the Vieng Phou Kha district center. Located in the middle reaches of the Nam Fa Valley, Ban Deng is the northwestern-most village in the district. At over nine thousand hectares – the official map reads 9,304 ha – Ban Deng is also by far the largest village in Vieng Phou Kha when measured in terms of area. As Figure 13 indicates, Ban Deng's territory covers a large swath of the district's prime rubber-planting land – the northwestern corner of the district where the Nam Fa falls in elevation on its way to the Mekong. The week

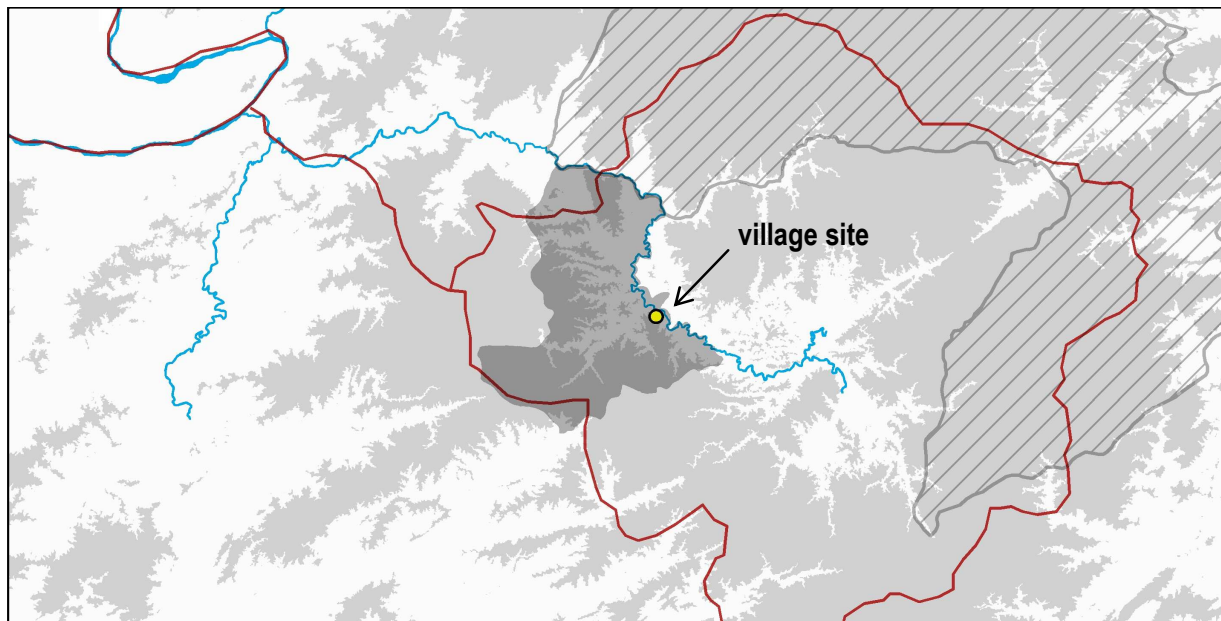
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<sup>57</sup> For B, C and G, see Shi (2008); for E and F, see Thongmanivong et al. (2010).; the note here on eastern Bokeo (D) is from my own fieldwork, but also see Kenney-Lazar (2009)

<sup>58</sup> Given my reliance on maps, it should be clear that I am not trying to keep this area entirely disguised. I have changed the name of the village in order to facilitate reading and pronunciation in English; my pseudonym is an homage to Andrew Hardy's (2003) book *Red Hills: Migrants and the State in the Highlands of Vietnam*. Readers who know this book will hear echoes of it in my analysis.

before I visited, in late 2007, the rubber “promotion” project had paid its first visit, working its way outward from the district center. The next time they came, they were planning to bring seedlings.

Ban Deng was a fairly new village at the time, having been settled in 2003 by migrants from Na Le district.<sup>59</sup> A 2005 report by district government staff<sup>60</sup> explained that the village had been established due to a shortage of productive land in the migrants’ old village site – a problem that the new site seemed to have remedied in spades. Mirroring its location, Ban Deng itself seemed to be an open frontier, its large official land allocation having spilled over into villagers’ farming practices. The same report – after cataloging a range of development successes – noted a single “challenge”: “Some of the villagers do not yet understand the Land and Forest Allocation exercise” that had been conducted in 2004-05, roughly a year after the village was settled. When we visited, my colleagues and I received a similar explanation from a resident, a former government technical staffer. He lamented that Ban Deng’s residents were planting what they wanted, wherever they wanted. Two soldiers had planted 700 rubber seedlings a few months earlier, and village-wide interest in rubber was growing. With the visit of the promotion project the week before, local interest in rubber planting was poised to expand to a whole new level. Meanwhile, swidden agriculture continued to be practiced widely, and the forest, he said, was disappearing as a result.



**Figure 13. Ban Deng and surroundings**

Our informant explained that controlling his compatriots’ farming practices was not currently a government priority, a comment that resonated when we got to our next stop, discussed below. This lack of concern had even been formalized, in a sense, on the village’s official Land and

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<sup>59</sup> Author data: “Summary of Land and Forest Allocation 2004-2005 in Ban [Deng],” Vieng Phou Kha Agriculture and Forestry Office

<sup>60</sup> Ibid., note 59.

Forest Allocation map. In place of the map’s representation of approved land use zoning plans for the village, someone had installed a pair of shiny new posters reminding parents to keep their children vaccinated (Figure 14).



Figure 14. Ban Deng zoning map, Dec. 2007

There were two important historical angles to this expansion-oriented development of Ban Deng’s village territory. Both point to the Cold War history of northwestern Laos, and both have important things to say about the geography of Chinese rubber investment. The first concerns the migrants themselves. As the above-mentioned report explains, Ban Deng was founded members of a particular ethnic sub-group – the Khmu *Rok* – who had come to Vieng Phou Kha from Na Le district.<sup>61</sup> As the anthropologists Yves Goudineau and Olivier Evrard explain, a mix of historical geography and ethnic solidarity made the Khmu Rok “a special case” in the late 1970s and 1980s (Goudineau et al. 1997: vol. 2: 23). Goudineau and Evrard’s work adds another layer to the explanation given in the official report for Ban Deng’s establishment.

[D]uring the last war, the modern district of Nale was the scene of quite violent encounters between the [communist] troops of the Lao *Issala* on the [east] bank and the counter-revolutionary guerillas on the [west] bank.<sup>62</sup> The Nam Tha was a true frontline at that time. More so here than in the other districts of the province, the events that took place between 1960 and 1975 seem to provide a key to

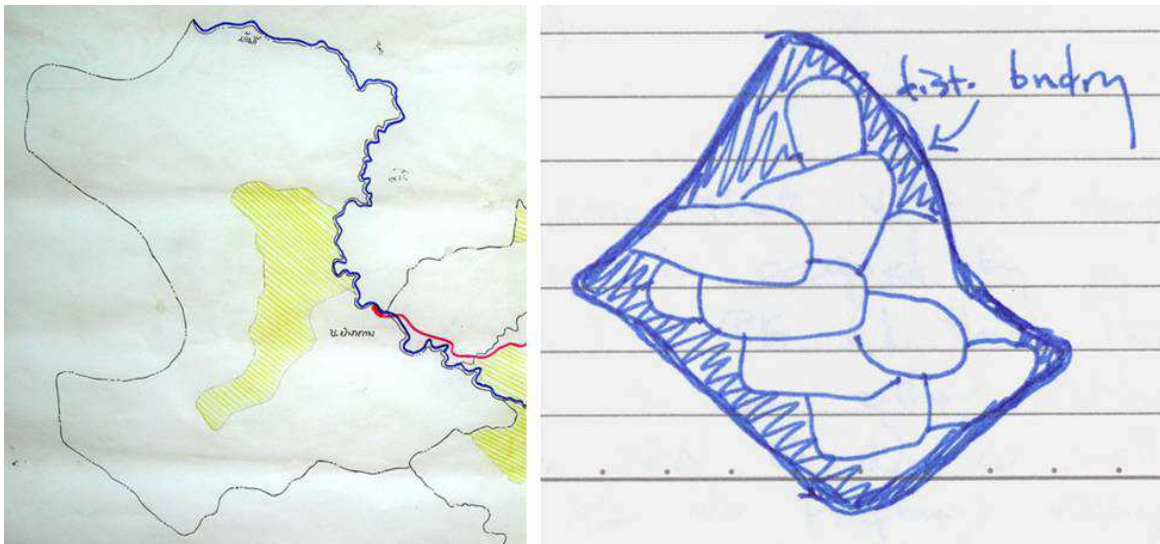
<sup>61</sup> Ibid., note 59.

<sup>62</sup> Goudineau et al. (citation in following note) use the terminology of left and right bank. Because the Namtha River flows mostly south, I have amended this to east and west, respectively.

an understanding of the village relocations that took place afterwards: By fighting on the winning side, the Austro-Asiatic [“Lao Theung”] populations on the [east] bank gained political representation at the provincial and district level, paddy fields [in] Namtha (for some of them, at least), more schools than the [west] bank, and, finally, the chance to refuse to relocate their village[s] if a majority of the population opposed the move. *The villages remain at their original sites, but population growth has been curbed considerably by a rural exodus linked to political integration* (ibid.: emphasis added).

Ban Deng appears to have been the product of one such politically linked “rural exodus” from eastern Na Le.<sup>63</sup> In addition to political representation, paddy fields in the Namtha valley, schools, and the ability to maintain their old villages, the ability to settle new villages on preferential terms seems to have been one of the benefits of belonging portion of the *Khmu Rok* community that was based in on the east bank of the Nam Tha. Goudineau and Evrard are fairly clear on this point; given that their study is largely about involuntary resettlement, this ability to resist resettlement and control the terms of growth-related “rural exodus” is one of the key things that drew them to calling the Khmu Rok “a special case,” compared to both other Khmu sub-groups and to other ethnic groups in the area.

One foreign development worker I met who was clearly tuned into the moral hazards of assisting coercively resettled villages justified his project’s decision to work in Ban Deng on the grounds that the move, although conducted with some sort of intrigue surrounding it, was completely voluntary by all accounts he had heard.<sup>64</sup> Another aid worker who had worked in Vieng Phou Kha in the late 1990s shed even more light on the settling of Ban Deng by explaining that during his time in the province, the governor of Na Le had been transferred to Vieng Phou Kha in order to bring “the right kind of Khmu” with him.<sup>65</sup> Founded shortly after the transfer, Ban Deng seems to have been one of the fruits of this endeavor.



**Figure 15. Village versus district boundaries**

<sup>63</sup> As Goudineau et al. explain a few pages later (p. 26), the above-mentioned “Austro-Asiatic populations on the [east] bank” of the Nam Tha were none other than the Khmu Rok.

<sup>64</sup> Fieldwork interview, 2007.

<sup>65</sup> Fieldwork interview, 2007

A second dimension of Ban Deng's exceptional land entitlement had to do not with the migrants but with the location of Ban Deng itself. Ban Deng, as is evident from the maps above, was located not just on the edge of the district, but on the edge – and on a very unpopulated edge – of the *province*. During my fieldwork between 2006 and 2008, I heard numerous stories about inter-province land disputes; Luang Namtha's western border with Bokeo figured prominently among these. One official I met claimed that the governor of Vieng Phou Kha had sent in the army to guard a particular section of forest after an official from Bokeo had seen the project map of the rubber company discussed above and claimed that a particular pocket of land was in Bokeo. The image on the left side of Figure 15 shows this portion of the project map; the disputed territory is the white space to the left of the village territory polygon. The image on the right side of Figure 15 is a reconstruction from my field notes of a map my informant drew for me illustrating the difference between the *boundary of villages* on the edge of the district and the actual *district boundary*; the shaded-in area – analogous to the white space just described – represents land that the district government claims to be *within the district* but *outside district villages*. In other words, it is their reserve forest. As if to acknowledge the tenuousness of this claim, he added that villagers from elsewhere in the district were being mobilized to move into this area in order to settle it more conclusively.<sup>66</sup>

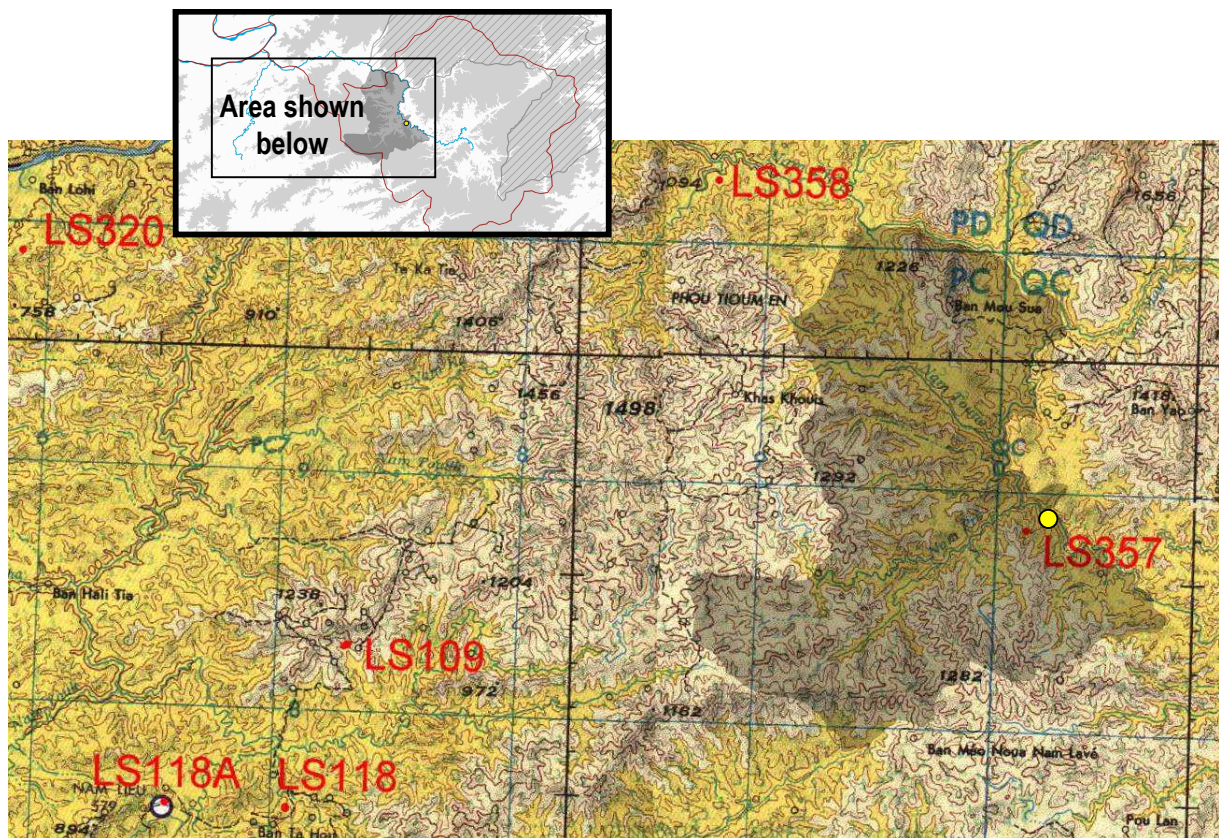


Figure 16. Ban Deng, then and now; the white dot is the author's GPS point taken in Ban Deng's residential area

<sup>66</sup> Fieldwork interview, 2007



This geo-politics of resource management was intimately entangled with geopolitics in the older, more traditional sense: the internal frontier that was being struggled over had emerged from the geography of the secret war waged by the United States government in the Lao uplands during the 1960s and early 1970s. Moreover, the politics of resettlement had direct material connections to this earlier geography of clandestine upland intervention, and thus casts a series of upland resettlement efforts in the shadow of “political incapacitation” described by Mbembe above. Here the Lahu reemerge as central to the analysis.

In 1962, the U.S. Central Intelligence Agency established the secret base at Nam Nyu, discussed in chapter 3; located in what became Bokeo province, Nam Nyu is about 35 kilometers to the west and south of Ban Deng. Figure 16 shows the territory of Ban Deng projected on top of an American military map that depicts the geography of upland villages and remote landing strips (LS) circa 1975, just as the Second Indochina War was ending.<sup>67</sup> A key part of Nam Nyu’s legacy lives on in the politics of resettlement: who gets to stay put, who has to leave, and who gets to move in and “settle” land that was formerly occupied by those who are made invisible. Figure 16 is littered not only with the code numbers of landing sites established by the CIA during the secret war (Nam Nyu was LS 118A) but also with the names of old Iu Mien and Lahu villages that have since disappeared: *Na Woua* and *Ban Yao* name Iu Mien villages; *Khas Kouis* and *Ban Mou Sua* name Lahu villages.<sup>68</sup> Lao government topography maps from the 1980s (not pictured here) show a similar geography of ethnically named villages, many of them abandoned (*hang*). Mostly this landscape is empty on the government maps, but the village names that appear – *Mousua (Hang)*, *Kouy (Hang)*, *Kouychaku*, plus a number of undistinguishable abandoned village sites labeled simply “*B. Hang*”<sup>69</sup> – attest to the earlier presence and subsequent departure of these same ethnic groups. As noted above, the Iu Mien are entirely gone from the area. The village just south of Ban Deng begins to trace the uneasy history of Lahu resettlement – a history that leads, in the next section, to a second dimension of rubber “promotion” geography, and that is very different from Ban Deng.

In 2000, the second-largest village in Vieng Phou Kha district was officially settled, just south of Ban Deng. Because this village’s history has been much less harmonious than Ban Deng’s, and because of its extreme remoteness, I was told by a local official that I would not be permitted to go there without special accompaniment. The settlement details of this village have nonetheless been recorded by consultants hired to scope out potential donor projects. One report from 2004 describes the complexity of settlement there, and links the question of Lahu resettlement directly to the historical geography of Nam Nyu. Forty Lahu families, it reports, had come to the area in 1986 from just south of Nam Nyu and lived there for fifteen years. In 2001, they had relocated “to the mountaintops in the area” and then returned to original settlement area sometime around the time that 34 Khmu families moved into the area (also from close by) as well.<sup>70</sup> The report is

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<sup>67</sup> U.S. Defense Mapping Agency Topographic Center, Washington DC, compiled 1975; map series 1501, edition 3, 1:250,000 scale, sheet NF 47-16 (“Luang-Namtha, Laos; Thailand; Burma”).

<sup>68</sup> Muser [Mou Sua] is a Thai name for a Lahu sub-group; on Na Woua being an Iu Mien village, see McCoy (2003).

<sup>69</sup> Lao National Geographic Department, 1:100,000 topographic map series. “B.” stands for *ban*, the Lao word for village.

<sup>70</sup> [Consultant details removed], Survey of ... Villages in Vieng Phou Kha District, Luang Namtha Province; October 2004, p. 17. The consultant recorded the origin of these families as the Namjomh area of Bokeo Province, which is just south of the Nam Nyu village cluster in east-central Bokeo (see the village cluster [*kumban*] map of

imprecise on the exact timing and circumstances of these three moves. It does, however, refer to a series of events from 2003-04 that highlight Lahu settlement as a particularly sensitive issue, and helps explain how this village could have been “settled” in 2000 even though Lahu people had been living there since 1986 and did not leave until the following year.<sup>71</sup> In 2003, apparently just after their return from “the mountaintops,” the Lahu mentioned above were sent to Sing district under a government relocation program.<sup>72</sup> This was almost certainly part of the larger opium-related resettlement campaign conducted throughout the province and described in some detail by Chris Lyttleton and colleagues (Lyttleton 2004; Lyttleton et al. 2004). When the same Lahu returned just a year later, allegedly due to the lack of adequate land, water and forest in the resettlement zone, they were prevented from living together because the government “would not accept a large ‘new’ Lahu village.”<sup>73</sup>

### “STRONG LOCALITIES”

If this remote village testifies to the government’s discomfort with large Lahu settlements, an area near the district capital suggests that this discomfort hinged at least somewhat on the fact of remoteness. In order to get out to the Khmu village of Ban Deng, one must travel through an area that locals call the Nam Fa Zone, or *Khet* Nam Fa. This area borders the Nam Fa River discussed earlier, and contains either three or six villages, depending on whether one counts settlements or territories. These are the Lahu villages shown above in Figure 11 – the string of light gray dots on the provincial museum map. The eight dots in a row overstate the number of villages: *Khet* Nam Fa contains three Lahu village territories, each of which contains two distinctly named village residential areas. Despite slightly overstating the numbers, the string of dots on the museum map makes a key point: unlike the more widely dispersed darker dots that indicate the Lao Theung villages, these Lahu settlements have been placed close together, in a pattern that is referred to widely in Laos as “focal site” development. As we will see, they also have a very different relationship to rubber planting promotion than Ban Deng.

The “focal site” model of upland development emerged in the crucible of postwar forestry in 1980s Laos, and has since been generalized as a geography of upland consolidation that attempts to bring remote villages together in the name of service delivery and improved road access (see chapter 4). The details above already problematize the narrative of service delivery and access by showing that focal site geographies are far more specific, and in this case address key security concerns; the two large frontier villages described above have been supported by both road projects, services like schools, and donor-sponsored integrated rural development projects. The consolidation of the Lahu into *Khet* Nam Fa is more than just an economic story. But if it has clear security dimensions, as elaborated below, it is important to foreground the dual notion of security that I described in the introduction. The effort to build “all-around strong localities” like *Khet* Nam Fa – and like Ban Deng – is not *either* political *or* economic, but must be seen as

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Bokeo Province available at <http://dpi-bokeo.com>, accessed Mar. 2011). The northern part of the Namjomh cluster was formerly within the extent of the Nam Nyu special military zone, which is discussed below in the conclusion.

<sup>71</sup> Another consultant I spoke to had surveyed the same village, and had also noted its official year of establishment as 2000 despite the “arrival” of 40 Lahu families from Bokeo province in 1990.

<sup>72</sup> Ibid., note 70.

<sup>73</sup> Ibid., note 70. The group then split. Some moved to a neighboring village, while others remaining behind, comprising one of the three settlements encountered by the consultant in 2004.

simultaneously both.<sup>74</sup> The securing of the upland frontier is not just about control. It is about the cultivation of livelihood.

Out on the frontier in Ban Deng, the promotion of rubber planting was supporting what Rudolf De Koninck (2006) has called the territorial spearhead of the state, exemplified by the recruitment of surplus residents of the communist heartland to colonize a frontier space that had opened up in the wake of security-oriented depopulation. The micro-dynamics of land use in Ban Deng, as we have seen, were de-prioritized by local authorities, whose concern had been with recruiting a particular sub-population to settle a key part of the district. While behaving ungovernably at the local scale, the Khmu Rok were doing their job at the “meso” scale, establishing a politically reliable presence in an area that had been historically insecure and that, more recently, had become *economically* insecure as the neighboring province had threatened to muscle in on the resource base (cf. Scott 2009).<sup>75</sup>

*Khet* Nam Fa was the other end of this process, and was in many ways its inverse. The Lahu who live in villages of *Khet* Nam Fa were described to me by local officials as constantly at risk of “running back to the forest” – i.e., retuning to the frontier area to the west. I was told that the “Kui” were uninterested in sending their children to school, that they sold off development assistance that had been provided by donors, and that they preferred to live in small groups off in their swidden fields. Opium was folded into this narrative as well, both in terms of production – remote, high-elevation swiddens lent themselves well to poppy cultivation – and consumption. In short, the Lahu were represented to me as exemplars of ungovernability, as the perfect candidates for exceptional management. The context of this representation was key: I was investigating the geography of rubber investment, and the government staff who were telling me about the Lahu knew this well. Indeed, the above account was a setup for the explanation that followed.

The Lahu villages of *Khet* Nam Fa have a remarkably different arrangement with the rubber company than the other ten villages in the project area. Unlike these other (mostly or exclusively Khmu) villages, which will eventually operate on a sharecropping regime based on the division of liquid latex, the villages of *Khet* Nam Fa have a relationship based on *tree* division: out of every ten trees planted on their communal land, the company will receive seven, the villagers three. This is essentially a form of managed enclosure that is currently covering hundreds of hectares in *Khet* Nam Fa (Figure 17), and is a substantial contrast to the 39-61 percent latex split (39 percent to the company, 61 percent to villagers) that is being offered in the other villages. Moreover, unlike the Khmu villages, where many residents are refusing to participate in the project and are either opting out of rubber altogether or choosing to get into rubber production as self- or family-financed smallholders, the residents of *Khet* Nam Fa, from everything I could observe, were presented with tree-sharing as a *fait accompli*. This difference, my informants told me, was the result of a decision by the district governor who wanted the Lahu villages to be able to participate in the rubber project, but who knew from past experiences that the standard sharecropping model would not work there. They explained to me that this was because the “Kui” were the poorest of the poor, and could thus not afford the seven-year wait on investment that rubber demanded from contract farmers. The district governor had thus crafted an alternate

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<sup>74</sup> “Strong localities” comes from the 1988 radio address cited in note 50.

<sup>75</sup> My discussion of relative (un)governability is closer to that of Watts (2004), who explicitly relates governability to particular scales which can pull against one another.

arrangement for these villages only, which was termed “1+4,” a variant on the “2+3” model in which villagers provided labor and land while companies provided capital inputs, technical expertise and a guaranteed market. In contrast, under the “1+4” scheme, the company would take responsibility for the labor, hiring village residents to take care of the rubber trees until they reached maturity. Upon maturity, the plan was to divide the trees among the company and the villagers along the lines outlined above.<sup>76</sup>



**Figure 17. Rubber plantations, *Khet Nam Fa***

In her 2008 study on Luang Namtha’s rubber planting boom, Weiyi Shi noted that variants on this “1+4” model were in fact the norm. Often, contracts referred to projects as “2+3,” reflecting the official policy that Chinese rubber investment should come into northern Laos along a contracting rather than a concessionary model. But out in the field, Shi’s research revealed “a vastly different picture than the official version”:

Villagers ... typically get no more than 30 percent of the partition, companies claiming the rest. The pre-partition period ranges anywhere from three years to until tapping. There is much ambiguity and uncertainty on exactly what is partitioned and contracting parties often demonstrate inconsistent understandings on the matter. The “2+3” model promotes profit sharing, but in reality this has often translated into a partition of trees or land, particularly if the pre-partition period is short (Shi 2008: 34-35).

Echoing this description, Shi’s analysis repeatedly describes “1+4” rubber as “concession-like,” implying that it is closer to the concession model of alienated “state” land than to traditional contract farming which engages farmers on their own land (ibid.: 46, 62, Appendix 1:4). Government technicians told me that the villages of *Khet Nam Fa* would still own the *land* even when the company owned 70 percent of the *trees* planted on it – a bit of legal slight-of-hand that supports Shi’s analysis, and highlights the importance of looking carefully at how geographies of “contract” farming actually unfold on the ground.

The history by which “2+3” became hegemonic in the northern Lao rubber sector is beyond the scope of this chapter, but the policy was of crucial political importance in the Lao debate over

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<sup>76</sup> Fieldwork interviews, 2007.

how sovereignty would be squared with the need for foreign investment and rural development assistance. The preponderance of “1+4” on the ground suggests that the implementation of this policy has given way to a corporate push for land, and that “2+3” remains not the rule, but the exception. This is a familiar story in Laos and elsewhere in the so-called developing world: progressive policy, poor implementation (Chamberlain et al. 2001; Fujita & Phengsopha 2008; also see chapter 6). But a closer look at *Khet Nam Fa* suggests that what was going on was not the compromising of a progressive policy in favor of a harsher reality, but something closer to the opposite. Again, the specific historical geography of Lahu (re)settlement efforts is the key to making sense of what was going on.

One of my key informants worked as a development professional in Vieng Phou Kha district during the period that the rubber promotion project was getting off the ground in the mid-2000s. He got to watch the transformation of *Khet Nam Fa* from a mostly swidden landscape into the mostly monoculture rubber landscape pictured in Figure 17. While this was happening, he was also working for a development project; one of his evaluation reports described limits in villagers’ “readiness to participate fully” as a key challenge.

This problem related principally to the government policy of village relocation and consolidation, pursued now with an avowed “development” rationale, but in the past seemingly associated more with issues of national security. The relocation of villages in Viengphoukha to more accessible, and usually lower lying, areas has had an immediate and devastating effect on villagers. A number of project target villages [that] moved in the past without the full consent of villagers report up to 20 percent of villagers dying within the first couple of years after the move, old people and children suffering most of all. While villagers insisted that living conditions were subsequently superior to life in the old villages, such an impact should call into question even implicit support for involuntary resettlement.<sup>77</sup>

The report from which this passage was taken follows immediately with a description of village topology that, while written in the abstract, has clear resonance with *Khet Nam Fa*.

A more lasting impact of resettlement policy, which affected the progress of the project markedly at times, concerns the practice of consolidating previously separate villages into a single unit. Some target project villages in Viengphoukha still acted as if they were two or more distinct communities 15 or 20 years after the initial move: land use rights were still contested, project benefits were not spread evenly, and community-based initiatives suffered from a lack of solidarity. The three ethnic Lahu villages included in the project had suffered especially, as resettlement policy was imposed on previously scattered households, so that there was little existing communal feeling on which to base new village life. Village leadership therefore lacked legitimacy among “villagers,” many of whom would evidently have preferred to be living in smaller units away from the designated village sites.<sup>78</sup>

My informant read this as a recipe for disaster, explaining that “such a situation left these villages especially vulnerable to outside exploitation.” He included a recently granted “500 hectare rubber concession ... to a Chinese company” – i.e., the project described above – among

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<sup>77</sup> Project evaluation [details removed], written in early 2007

<sup>78</sup> Ibid., note 77. Studying the Lahu in northern Thailand in the mid-1960s, Lauriston Sharp (1965) remarked on their high village fracturing rates even under normal conditions. Sharp’s analysis raises additional questions that are beyond scope of this work.

the list of ways in which the Lahu of *Khet* Nam Fa were being taken advantage of.<sup>79</sup> His report includes another source of exploitation, however, that complicates his interpretation of the Chinese project as simply exploitative, and lends some credence to the district governor's explanation that the "1+4" arrangement was a legitimate effort to give the Lahu a sedentarized and sustainable livelihood. In addition to the Chinese rubber concession, he lists "extensive 'sales' of village land for rubber and eaglewood plantations," a process my colleagues and I witnessed one afternoon when we spent the better part of an hour chatting with a man from the district center who had just purchased two hectares of land in a Lahu village, allegedly from a relative who lived there. He had not registered the transaction yet, and told us that he was planning to do so as soon as he got his rubber trees in the ground. When we visited, he and a helper were busy contouring the land, which I realized later (when I GPS-ed the location) was inside the village's community forest. When we passed by a week or so later, the parcel had been fully planted in rubber seedlings.<sup>80</sup>

My informant's placing of the word "sales" in scare quotes suggested that he viewed these transfers as land grabs rather than as transactions among equal parties. When I spoke to him later about the Chinese rubber project, he added something that built on this interpretation: many local elites had in fact been strongly opposed to the project because *they* had been hoping to grab the land in *Khet* Nam Fa for themselves.<sup>81</sup> This was a key point, and was backed up with more than just talk: a string of private rubber gardens planted between roughly 2003 and 2006 line the road to the Chinese plantation in *Khet* Nam Fa, and suggest that the land sale I witnessed was hardly unique. This parallel process of land acquisition thus complicates any effort to interpret the "1+4" geography of *Khet* Nam Fa as either an exploitative land grab or simply as a failure to enforce the "2+3" policy. It suggests, rather, that there was even another dimension to the process of variable enclosure that was on display in Ban Deng and *Khet* Nam Fa: an even higher rate of enclosure that was occurring in the "background," and against which the enclosures within the project need to be measured.<sup>82</sup> Rather than being simply exploitative, the Chinese rubber project figured centrally in local authorities efforts to mold disparate peoples and places into "all-around strong" – that is, both politically and economically secure – "localities."

## CONCLUSION: THE AUTHORITY GAP?

In the rubber landscape of northern Laos, it is common to hear references to anarchy and the frontier, especially among development professionals who think of government as adherence to policy or the law. The anthropologist Paul Cohen, in a recent article about rubber investment in Laos's northern borderlands, listed a string of these:

[The] lack of regulation highlights an aspect of what the GTZ Team Leader in Muang Sing describes as a "wild west" situation (personal communication) and of a type of 'frontier capitalism', a term I have borrowed from Pinkaew Laungaramsri. A recent study of rubber in Luang Namtha province notes the lack of nearly "any kind of guideline neither in agricultural, environmental aspect, nor in legal respects." Regarding rubber development in the same province Weiyi Shi comments, in a

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<sup>79</sup> Ibid., note 77. Because of their "concession-like" qualities (Shi 2008), tree-sharing projects are often referred to locally as concessions (Thongmanivong et al. 2010).

<sup>80</sup> Author's field notes, Dec. 2007

<sup>81</sup> Interview, July 2007

<sup>82</sup> I am drawing here on Michael Perelman's account of partial, managed ("relative") enclosure, elaborated below.

similar vein, that “land rights are not secure, environmental assessment is nonexistent, technical extension is weak, credit is limited, regulation is incomplete, and corruption is rampant” (Cohen 2009: 427).<sup>83</sup>

Western journalists have been quick to translate this apparent anarchy into claims that range from oversimplified versions of the extraterritoriality argument (see chapter 1) to even bolder claims of Chinese imperialism.<sup>84</sup> Even at the softer end of this spectrum, it is not uncommon to hear the rubber fields of Luang Namtha invoked as exemplifying “the authority gap in a growing number of areas in the country where Vientiane has effectively ceded sovereignty to Beijing.”<sup>85</sup>

This chapter has shown that this is anything but the case. I have shown how rubber projects are, in at least some cases, actually strengthening the authority of local officials through the ways that they underwrite the process of population management, both materially and symbolically. Most of this is not spelled out on paper (see chapter 7), but I have shown that the resulting landscape is nonetheless not without order. The case presented above exemplifies the problems with what Foucault (2003) called the sovereign model of power – that is, with the assumption that order and law come from the same place. Instead, I have shown how local authorities organize rural space using the tools at hand – including transnational land deals – to address the problems with which they are confronted. Some of these are more recent problems, such as how to regulate the enclosure process in a way that meets company expectations without causing too much local disruption; others are longer-standing, such as the administration and development of the area I called the internal frontier. I have shown how the dearth of policy was made up for by a spatial reading of the resettlement process, filled in with ethnographic and archival evidence. This is not an excuse for the way that government has taken place, but it is evidence that there is far more at work than anarchy or the “growing sovereignty of Beijing.”

This chapter nonetheless raises the question of what *is* going on in the formal arena of law and policy, and specifically in the arena of mapping. This chapter has included two examples of the formal- or legal-geographic representations that, in certain cases, accompany rubber projects in the field. The first example – the poster-covered Land and Forest Allocation map in Ban Deng – had relatively little effect on the actual geography of rubber planting; quite the opposite in fact: I used it to help show that the community had a relatively free hand when it came to making decisions about where and how to farm. The second example was similarly peripheral to my analysis: while it was a piece of the rubber project’s survey map, I used it to show how local authorities dealt with the administrative relationship between village territories and the larger territory of the district as a whole. If I left it here, it might be tempting to conclude that official maps have little effect on the geographies of rubber planting, or on larger issues of resource governance more generally. As I show in the next and final part of the dissertation, neither of these is the case.

In Part III, I examine the “paper landscapes” of transnational land access. The first chapter focuses on the Land and Forest Allocation program, which in many ways created the legal-

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<sup>83</sup> I have removed citation references for readability. “Frontier capitalism” comes from Laungararnsri (2008). The “recent rubber study” is Alton et al. (2005); the reference to Weiyi Shi is Shi (2008).

<sup>84</sup> See, e.g., J. Pomfret, Washington Post, 20 Nov. 2010, “China’s billions reap rewards in Cambodia.”

<sup>85</sup> Asia Times Online, 23 Dec. 2010, The limits of Chinese expansionism.

geographic “baseline” conditions into which many transnational land deals have been (and are still being) placed. The second chapter, chapter 7, then turns to the question of how transnational land deals of the type examined in this chapter are represented on paper. The two chapters examine the intertwined politics of formality and legibility – the former term referring to the legal or official stamp of approval that mapping conveys, the latter term referring to the ways in which information about land use travels through the bureaucratic channels of the state. Together chapters 6 and 7 suggest that while transnational land deals are being formalized by local authorities, this does not necessarily translate into legibility at the national level. As I show in chapter 6, national-level legibility has been a major problem for Laos’s central government since the late 1980s, and as chapter 7 shows, this has carried over into the present-day arena of land deal regulation. My analysis suggests, nonetheless, that even while legibility remains low within the state, new types of legibility are nonetheless emerging transnationally. These, as I suggest in chapters 7 and 8, should cause us to appreciate the complexity of the sovereignty question. Even as transnational land deals help to improve the effective sovereignty of local authorities, the politics of within-state legibility means that territorial affairs at the national level remain difficult to manage at best.



## Part III

# The Politics of Formalization

## Chapter 6

### Authority Problems: The Bureaucratic Politics of Land and Forest Allocation, 1990-2000

*The understanding of the authorities and the people ... is not deep, leading to the delay in implementation, creating opportunities for illegal land occupation and leaving the deforestation issue unaddressed in many locations.*

Prime Ministerial Decree no. 3, 25 June 1996, "Instruction on the Expansion of Land Management and Land and Forest Allocation"

During the rainy season of 2007, the residents of a village in western Vieng Phou Kha planted 24,000 rubber seedlings on the slopes just behind their village. Their work, clearly visible from the main road, contrasted starkly with the upland rice crop that had been there the season before (Figure 18). It also testified to the presence of a new development project. As village authorities explained the project, their account contained a series of tropes that have come to characterize upland development in the Lao countryside, and especially in the northern uplands: the project was an effort to lift locals out of poverty by shifting their livelihoods into the market economy, and to protect the environment by eliminating their dependence on shifting cultivation. The project, in short, was a local adaptation of the idea of sustainable development.

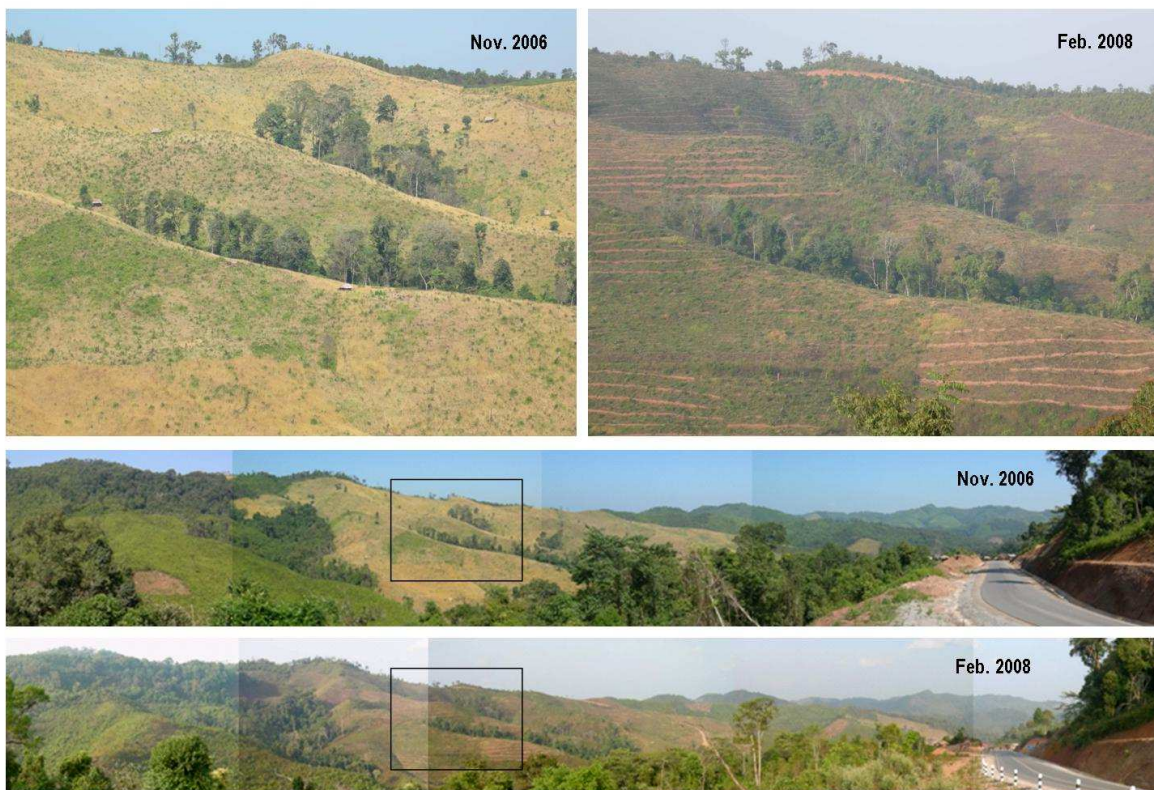


Figure 18. Rubber planting in western Vieng Phou Kha

There was a surprising addition to the project that added to its “green” spin: logging. The village had been selected to pilot a development model that the governor had designed to complement the Chinese project working in the villages to the north and west (see chapter 5). Unlike those villages, this part of the district sat at the high end of the elevation spectrum where rubber could be safely planted, and the Chinese company had opted not to work in them. The district governor had therefore selected another patron instead: a local sawmill owner. The owner had acquired the rubber seedlings and provided them villagers on credit, who planted them on the condition that the sawmill owner would get 39 percent of the crop. The district governor had thus replicated the model of 39-61 percent rubber contracting that was in place in most of the villages participating in the Chinese project, and had extended the rubber frontier beyond the vertical limit where foreign capital was willing to invest. He had also accomplished another objective: the area shown in Figure 18 had been reclassified from agricultural land to watershed protection forest, and as the rubber matured, it would help close the deforestation loop through not only stabilizing shifting cultivation, but by also offsetting the sawmill’s new timber concession (Figure 19). On balance, the village would have more officially-classified forest than when the Land and Forest Allocation process had been done in 2001, even when the new “production forest” concession

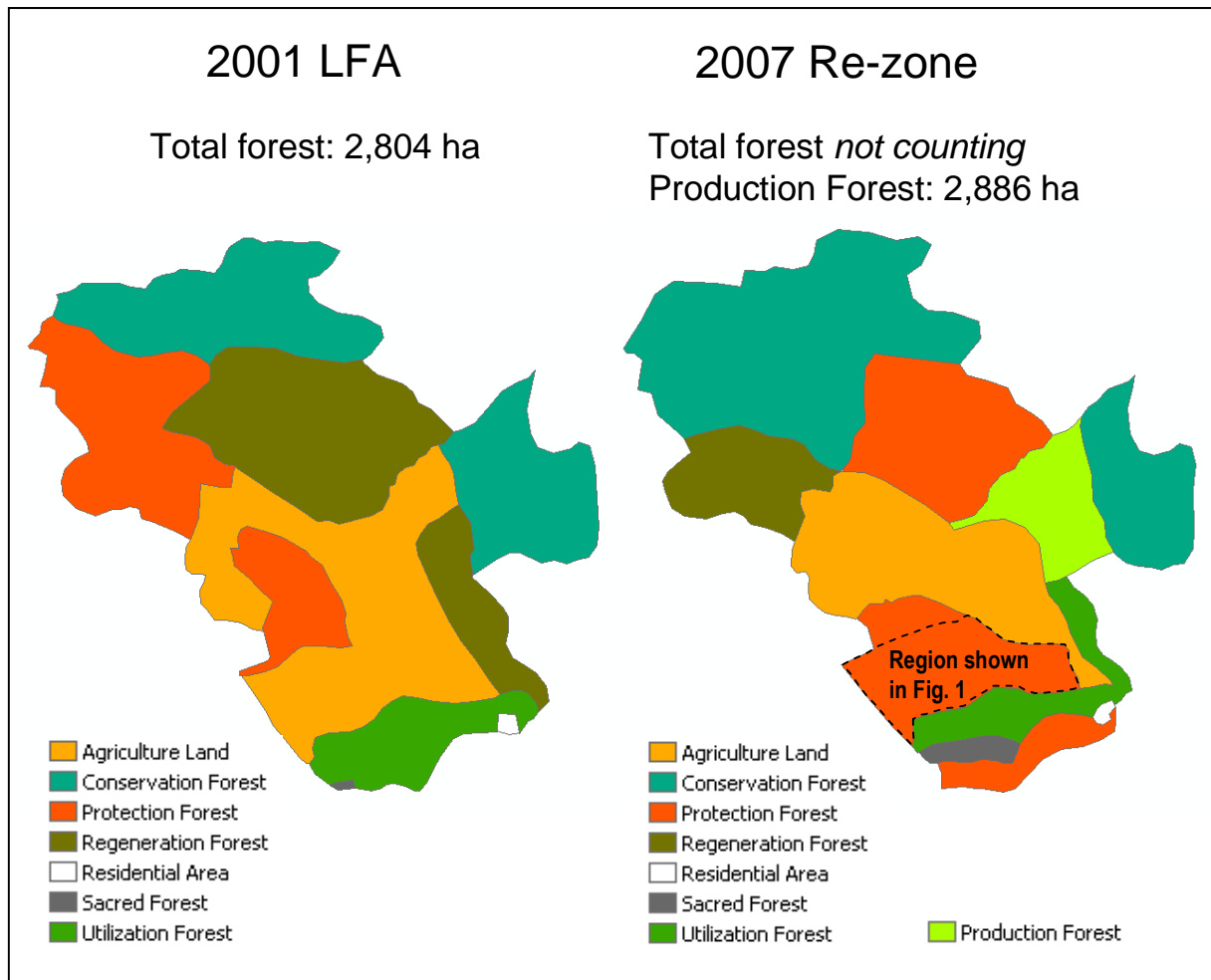


Figure 19. Land re-zoning in a northwestern village (reconstructed from original maps)

was excluded. The rubber project was doing double work, creating “stable” livelihoods and, as watershed protection forest, helping to green the local timber economy.

This brief sketch shows a few of the ways in which zoning has become an integral tool of upland population management in at least one area of northwestern Laos. The power to zone or manage land (*chatsan thi din*) is often claimed as an exclusive right by state authorities in rural Laos (Thongmanivong et al. 2010), and this was clearly at work here. Village residents retained their entitlements to the hillside shown in Figure 18, but lost the capacity to decide how the area was managed. In this sense, the authority over zoning builds on and extends the types of authority examined in the previous two chapters. Zoning, in short, is an important dimension of population management work, but hardly all that is involved.

Equally important, the greening of the sawmill operation – at least on paper – shows a very different use of zoning as a political technology. The greening narrative may have been aimed at the local population, but the central government was almost certainly an even more important target audience for the claim the rubber project was closing the loop on timber extraction. In recent years, “illegal” logging by “local authorities” has become a political issue on par with foreign land concessions, and has stimulated a range of state, donor and civil society interventions (Hodgdon 2007, 2008; EIA/Telapak 2008). At the same time, timber has remained a key resource for local authorities, funding outright corruption, yes, but also paying for things like local infrastructure and salary supplements that are seen as locally legitimate, if not entirely within the letter of the law (Stuart-Fox 2006; Baird 2010b). The case above thus shows local authorities attempting to embed an increasingly embattled status quo within the rhetoric of sustainability as well as, perhaps more importantly, the technical work of land use planning that is typically associated with good government and sustainable land management. It shows, in other words, that Land and Forest Allocation has become a tool for managing not just the local population, but far-away authorities as well.

Ironically, the Land and Forest Allocation program was originally developed as a way to wrest the authority to allocate land for “development” away from local authorities and place it in the hands of central government planners, technical regulatory staff and donor-funded experts. LFA had a strong population management component, but as chapter 4 in particular shows, the praxis of population management work was well-developed in Laos by the time the LFA program got started. Many accounts do not even consider the question of timing, taking it as natural that a state would pursue a program like LFA because that is just what states do. Some authors (e.g., Baird & Shoemaker 2007: 873) connect LFA to the Tropical Forestry Action Plan process launched by the World Bank in the late 1980s. While LFA did emerge in the wake of Laos’s TFAP process, there is much more to it than the impetus of foreign donors and lenders. My approach thus follows Peter Vandergeest’s injunction to study land zoning and allocation not as state territorialization in the abstract, but as products of particular historical conjunctures:

Zoning and land allocation usually have multiple objectives – they cannot be reduced to something simple like increasing the economic product, or making what people do visible as a way of enhancing state power (Scott 1998) although both of these are often important. The main point is that all states to a greater or lesser degree use zoning and land policy to create political spaces and to shape how these spaces are used (Vandergeest 2003: 48).

Building on a body of earlier primary research (see esp. Chamberlain et al. 2001), Vandergeest's analysis highlights the displacements and dispossessions that LFA has caused, and uses the larger agenda of state forestry to explain the program's glaring mismatch between progressive ideals and on-the-ground results. "How," he asks, "can a land tenure reform program that seems to incorporate so many of the currently popular approaches to grassroots development and community-based resource management have so many deleterious effects?" (Vandergeest 2003: 51).

To understand this, it has to be put in the context of the government's larger efforts to reorganize the use of space in Laos. The Land and Forest Allocation Program not only allocates land to farmers, but also creates large areas of state forest land outside the new village territories, although much of this land has long been used by rural people. Today the program is justified through managerial forms of environmental knowledge produced by (or more accurately, recycled by) newly greened development agencies like the World Bank and the [Asian Development Bank]. But the drive to reorganize space in this fashion was not produced by international aid agencies; it was part of Pathet Lao [communist party] policies almost from the moment they were able to control territory. The net result of this reorganization of space is supposed to be a concentration of population into clearly demarcated lowland areas and along major transportation routes, leaving most space uninhabited, covered by forest, and administered by state agencies (ibid.: 51-52).

Vandergeest rightly points to the long-term state effort "to reorganize the use of space" in pursuit of industrial forestry. As chapter 5 showed, as agriculture has become worked into the suite of state-led hinterland development, the associated geographies of settlement have become substantially more complicated. My account of "all-around strong localities" in a range of accessible *but also remote* locations provides a small corrective to Vandergeest's account of the spatiality of state-territorial reorganization. But Vandergeest also leaves out what I have called the bureaucratic politics of Land and Forest Allocation; while correct on methodological grounds, his analysis is one of many that have minimized or ignored altogether the problematic of local authority.

The existing literature comprises two variants, both of which are predicated on a distinction between the state and the population. As a result, they study the effects of state policy on a social body that is entirely outside the state rather than looking at how policy targets a population that spans the porous "boundary" of the state. Vandergeest (2003), Evrard and Goudineau (2004), Ducourtieux et al. (2004), Baird and Shoemaker (2007) and Barney (2007) exemplify one school of thought. For them, the negative impacts of resettlement and land allocation are the result of the all-too-successful implementation of state territorial policies. Their focus is on the separation of agrarian producers from "state" land via a locally contingent mix of resettlement, formal land zoning and plot-scale allocation of property rights. As important as this primitive accumulation story is, it has little to say about struggles over authority within the state. State, government and policy speak in a single voice.

Another school of thought is a bit more attentive to variation within the state. Focusing on the issue of local government capacity, this approach portrays the extensive health and livelihood problems that have followed resettlement and land allocation as the result of "implementation problems" (e.g., MAF 2005). The first Participatory Poverty Assessment, published in 2000 by the Asian Development Bank and the government's State Planning Committee, exemplifies this

line of argument:

The gap between policy and implementation remains a severe and pressing problem, especially in the case of villages that have become poor because of the lack of capacity on the part of provinces and districts. Policies that directly affect people's livelihoods such as Land-Forest Allocation have been less than successfully implemented. In some instances this policy has impoverished villagers rather than assist them in improving their livelihoods. Implementation of Land-Forest Allocation has been carried out by unqualified Government personnel, resulting in losses in production (Chamberlain et al. 2001: xviii).

Under-capacity is, as geographer Jonathan Rigg has pointed out, one of the essential leitmotifs of Lao development discourse (Rigg 2006: 101). If the first school of thought spoke in the voice of the Marxists (framing LFA as primitive accumulation), the second speaks in the voice of the state. Recall the Council of Ministers' description of population management work as "an enormous and all-encompassing task which requires ... a correct attitude, ... a high sense of responsibility, sufficient capabilities ..." and so on. It then went on, in a passage I did not quote, to lament the lack of "uniform regulations," "structures" and "skilled cadres" with which to implement state policy, much like the quote from the mid-1990s that frames this chapter. These capacity-based narratives need to be read against the grain. It may be the case that local capacity is an issue, but as this chapter will show, by the time the central government launched the LFA program in the early and mid 1990s, the existence of a protracted internal struggle over forest rents makes it difficult to believe that under-capacity was the main reason that LFA's nationwide zoning effort ran into problems.

A few of the best studies on LFA mention that the program was originally designed to curb illegal logging (Chamberlain et al. 2001; Lao Consulting Group 2003; Baird & Shoemaker 2007). These studies, however, had other objectives, the most important of which was showing the negative impacts of LFA and other forms of "internal resettlement" (ibid.; also see Ducourtieux et al. 2004; Lestrelin & Giordano 2007). As I will show in chapter 7, the legal-bureaucratic legacy of the LFA program is important as well; while perhaps of minimal importance to the "first wave" of impacts, it is likely to figure centrally in the long-term impact trajectories of transnational land deals.

This chapter draws on a variety of sources. The opening sketch is based on ethnographic and archival research conducted in northwestern Laos, as is the final part of the chapter, where I return to the implementation of Land and Forest Allocation in Vieng Phou Kha district. The three sections that comprise the bulk of the chapter draw largely on archival sources from the Texas Tech University Vietnam Center and various offices and libraries that I visited during my time in Vientiane. These middle sections describe the conditions of possibility for the LFA program, beginning in the late 1980s "Renovation" period of market reorientation and culminating in the problem of local authority that resulted from the devolution of control over Laos's state forest enterprises. Through a close read of some of the policy language associated with the LFA program, I show how it was targeted not only at farmers and the upland population in general, but at local authority and the process of ad hoc "development" in particular. LFA, I suggest, represents an important early step in the subsequent and ongoing effort to centralize and formalize control over the practice of land allocation, and over the granting of land concessions in particular. Setting up the next chapter's more detailed analysis of the formal geography of

transnational land access, the end of the chapter briefly examines the zoning landscape created by the LFA process in Vieng Phou Kha district during the late 1990s and early 2000s. But as I emphasize in closing, this new legibility, despite the explicit intentions of the LFA program, did not find its way back to Vientiane.

### “RENOVATION AND DEVELOPMENT”: PHYSIOCRACY REVISITED

The Lao government’s embrace of market-based development in the late 1980s has been widely documented and analyzed (Mongkhonvilay 1991; Than & Tan 1997; Stuart-Fox 1997; Walker 1999; UNDP 2001; Evans 2002; Rigg 2005; Goldman 2005). Whether taken first-hand from the speeches and interviews of key political figures, the policy and legal record, the various institutional and on-the-ground shifts, or the regional and international context, the period between 1985 and 1989 was highly transformative, both in Laos and elsewhere. Arguably the height of neoliberalism in the U.S. and Britain, it was the time of Soviet perestroika, the age of Deng Xiaoping, the era of Vietnam’s *Đổi Mới*, and the period that gave rise to Thailand’s call to turn mainland Southeast Asia’s fractured battlefields into the integrated marketplaces of the future. State rhetoric in Laos adopted a new vocabulary in the mid-1980s, drawn explicitly from Lenin’s New Economic Policy of the 1920s and more generally from Soviet efforts to put the power of the state behind the service of production (Lefebvre 2009). “State capitalism,” the “New Economic Mechanism,” the “new way of thinking” and “socialist business accounting” all appeared as part of this new lexicon.

Reflecting on the Lao PDR’s first decade in a 1988 article in the Soviet journal *Pravda*, President Kaysone Phomvihan began by emphasizing the country’s lack of development. Unlike parts of the Third World that had become underdeveloped through too much resource extraction, “Laos began [its] national development while basically still a colony in which no large-scale exploitation of its resources had yet been carried out” (Phomvihan 1988). This, in turn, set the stage for a “very low starting point in the socioeconomic field”:

[A]fter the liberation, the characteristics of the national economy were still largely similar to those of the natural and semi-natural economies; the majority of the population was largely composed of multiethnic farmers; the property left behind by the old regime was practically worthless; the aftermath of the war was also severe; the standards of the people’s cultural and material life were very low; and severe hardships and shortcomings were present (ibid.).

Phomvihan’s account of state efforts since 1975 began from this low baseline, framing the “Renovation and Development” effort as an effort to overcome the tension between political and economic security that is by now a familiar theme:

In the early years, we placed top priority on tasks of creating administrative power throughout the country and increasing defending the nation and peace and security with the aim of firmly defending and safeguarding our national sovereignty and territorial integrity, and establishing political tranquility and social peace and order. We implemented the policy of national reconciliation and solidarity among the multiethnic people while nationalizing the old regime’s industrial, trade and banking foundations and applying the state management system. ...

Most of these activities were carried out at the *administrative level*. Through the aforementioned economic modification and management, we detected abnormalities because the *production and*

*circulation of goods had come to a halt*, considerably affecting the people's livelihood. ... Since then, we have modified the attitude of left-leaning and haste and stopped abolishing private and individual rights to ownership and markets. We have also modified a number of policies and promoted and expanded production to improve the people's living conditions (ibid., emphasis added).

During the state-capitalist effort of the late 1980s, official encouragements emphasized the need to expand production, promote "the circulation of goods and money" and eliminate "harmful barriers" like government roadblocks and barter-based exchange. This discourse of economic circulation targeted the uplands in particular. The official slogan of the 1986 Fourth Party Congress was "Everything for the socialist fatherland and for the plentiful and happy life of the people of all ethnic minorities."<sup>86</sup> Echoing French rhetoric of *débloquement* more than a century earlier, the Council of Ministers' June 1987 "Order on the Free Market" began by conjuring the uplands as hampered by both a lack of development and the heavy hand of "administration":

Since the national economy is basically a small-production economy characterized by self-sufficiency and each person acting on his own behalf, only a few types of goods are produced and the quantities are small. Direct exchange of goods [i.e., barter] has been carried out throughout, such as in rural and mountainous areas. Restrictions and the application of many administrative measures have limited goods and currency circulation (*Vientiane Pasason*, 6 Aug. 1987; translated by FBIS).

Articulating a theme that would appear in the following February's instruction on population management work, the order went on to emphasize the role of monetized trade in shifting from a "natural" to a "goods production" economy and in "raising the standard of living of people of [all] ethnic groups so that they will be able to carry out the two strategic duties of national defense and socialist construction" (ibid.). The order's "basic provisions" called for an end to barter, the increased and "balanced" use of goods and money, the switch to "socialist business accounting," the elimination of trade-hampering "intermediaries," and a "complete separation" between administrative affairs and business. In its section on concrete orders, titled "techniques for increasing goods circulation and currency," the call to end disruptive security measures was especially loud:

All types of bans must be eliminated. ... Goods checkpoints along domestic communication routes must be eliminated. Under no circumstances should soldiers, police, or militias be permitted to inspect goods circulation. Provinces, districts and [sub-districts] are not permitted to monopolize trade for themselves. The Ministry of Defense and the Ministry of the Interior must order all military units, police and militia units at all levels to stop all forms of goods inspection (ibid.).

Speaking the following March at Laos's second national conference on "business accounting," Phomvihane continued to develop this critique of heavy-handed "administration":

[T]here remain a number of enterprises that still hesitate to take control of self-mastery. These enterprises continue to rely on higher echelons. They have failed to take responsibility. As a result, the accumulation of raw materials, production, and the distribution of products have been unsystematic. In addition, there is still a shortage of people with sufficient experience and qualifications to carry out business accounting. Accountability remains inadequate. As a result, there

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<sup>86</sup> Texas Tech University Vietnam Center and Archives, Vietnam Veterans Association Project – Laos; box 30, folder 2; accessed 11 March 2009. From an un-attributed English language document ("Present situation in Laos, February 1987") found with missionary materials.



appear to be negative phenomena, such as corruption, people taking advantage of others, failure to increase state production, and abuse of the state executive authority to put pressure on other economic sectors (11 Mar. 1988; “Kaysone Phomvihane speaks at business meeting”; Lao radio [“Vientiane Domestic Service in Lao”]; translated by FBIS).

In the early 1980s, development analysts had railed against the single-channel bureaucracy that required state enterprises and their associated development projects to go through the district administration, then the province and finally the center in order to procure something as small as a bag of cement (Thongphachanh and Birgegard 1982). By 1988, this excess of “administrative” measures had become a systemic liability. “Socialist business accounting” was an effort to shed the incentives for heavy-handed administration one state enterprise at a time. In at least one sector, this worked all too well, creating a new problem that would haunt Vientiane into the mid-1990s: uncontrolled productivity in the forestry sector.

### “SOCIALIST BUSINESS ACCOUNTING” IN THE FORESTRY SECTOR

Piloted in 1985 and expanded in 1987, the “switch to socialist business accounting” emphasized profitability and sought to de-link productive capacity from micro-management by the central government. Following a February 1987 implementation decree on the transition to business accounting, Vientiane undertook a wave of autonomy-granting to state enterprises. By May, eight of twelve enterprises under the Ministry of Posts and Telecommunications had transitioned to “business” status. The State Publishing House’s autonomy was announced in August. In October, the Mountain Areas Development Company, which I will come back to, “was officially granted rights to autonomy in production.”<sup>87</sup> By the second national meeting on business accounting the following March, at least 105 provincial and 38 central-level enterprises had been granted autonomy. And these were the ones that had favorable production numbers; on top of these, “[m]any other services and localities whose enterprises ... switched to business accounting [had] also actively made efforts to fulfill the 1987 plans.”<sup>88</sup>

While the push for business autonomy and increased production generated uneven results, one sector where it was quite successful was forestry. The late 1980s are generally regarded as a boom era for Lao forest extraction, and especially for provincial administrations’ use of forestry revenues to support their long-neglected budgets (Walker 1999; MAF 2005; Baird 2010b). The imposition of provincial logging quotas in 1990 was done, as a key study put it, “largely to combat the widespread overharvesting that had occurred in the late 1980s when provinces exercised almost complete control over the industry” (Anon. 2000: 7). Between 1987 and 1989, timber exports increased “to the point where [they were] the primary source of foreign exchange, accounting for between 29 and 36 percent of annual export earnings” (Ireson & Ireson 1991: 930).

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<sup>87</sup> *Vientiane Pasason*, 18 May 1987, “The Posts and Telecommunications Company and the Bridge and Road Company Change to Businesses”; *Vientiane Pasason*, 24 Aug. 1987, “State publishing house attains business autonomy”; Lao radio, 1 Dec. 1987, “Development company granted autonomy”; all translations by FBIS.

<sup>88</sup> These were given as 14 enterprises under the Ministry of Transport and Post, eight each under Industry and Handicraft and Agriculture and Forestry, six under Construction, and one each under Health and Interior. At the provincial level, the figures were 71 in Vientiane, 14 in Champasak, 13 in Savannakhet and eight in Luang Prabang (Lao radio, 5 Mar. 1988, “Report on Production Increases by chairman of the State Planning Committee Sali Vongkhamsao”; translated by FBIS).

If decentralization was a powerful tool, it begged the question of how to channel, use and regulate the resulting productivity for intended governmental ends. A few news fragments that followed the “freeing” of infamous the Mountain Area Development Company, or BPKP,<sup>89</sup> hint at the struggles that ensued over some of the most powerful state forest enterprises.

A few months after the BPKP was “granted business autonomy,” Vientiane announced its plan to retain direct state control over certain strategic enterprises. “The first criterion,” the head of the State Planning Committee explained, was “that all the enterprises which are regarded as the veins of the economy and are of significance in various aspects to the foundation of the national economy must be directly controlled by the state.”<sup>90</sup> The BPKP was one such “vein”; created in 1984 (Stuart-Fox 2006: 61), it was one of three military-affiliated forestry companies that were “quarantined from the privatization of the state enterprises that took place in the late 1980s and early 1990s” (Walker 1999: 178). About a year after the BPKP was “quarantined” from privatization, an editorial testified to the difficulties, if not the outright absurdities, of state-capitalist regulation in late 1980s Laos. Arguing that “administrative management” and “business management” needed to be “completely separated” so that cadres would be able to properly know their “roles and responsibilities,” the article implied the emergence of a full-blown internal regulatory struggle. Not coincidentally, given the forestry boom that was going on at the time, agriculture and forestry was singled out as the editorial’s only example:

[T]hose units running businesses of agricultural and forestry production must maintain contacts with the Agriculture and Forestry Ministry to grasp both immediate and long-term policies for implementation in running their businesses. On the other hand, the said ministry has the right to supervise the businesses related to the services under its management in order to direct the various business units to correctly carry out their activities in accordance with the line and policy of the party and state. But this does not mean that the said ministry has the right to interfere in the work of those business production units. By saying this, it does not mean that the ministry has to support or allow the said business units to carry out their businesses any way they wish. In this regard, the various business production units must also directly take responsibility over the implementation of various regulations and laws adopted by the party and the state (*Pasason*, 29 Mar. 1989, “Turn All Activities into the New Management Mechanism”; translated by FBIS).

This tangle of orders and caveats only hints at the complex political terrain that lay out of sight. In the mid and late 1990s, after the BPKP was given control over logging quotas in central Laos – ironically, to rein in the decentralization-fueled over-cutting of the late 1980s and early 1990s (Walker 1999: 177-182) – it would emerge as a major problem in the Nam Theun 2 hydropower project.<sup>91</sup> The timing is perhaps coincidental, but the week after this editorial was published, the BPKP hosted a four-province meeting that welcomed, among others, the future President and then-Minister of Defense Khamtai Siphandon (Lao radio, 13 Apr. 1989, “Mountainous region development meeting held”; translated by FBIS).

The editorial almost certainly refers as well to the Provincial Forest Enterprises created in the

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<sup>89</sup> This acronym, from *Bolisat Phatthana Khet Phoudoi*, is widely used in English as well.

<sup>90</sup> Lao radio, 8 Mar. 1988; translated by FBIS.

<sup>91</sup> As the World Bank and others have documented, the BPKP was logging well outside of the intended reservoir area throughout much of the 1990s, so much so that the “rehabilitation” of central Laos’s Nakai plateau became part of the rationale for going ahead with the controversial Nam Theun 2 project.

early 1980s, alongside the nine central-level SFEs mentioned in chapter 4. These Provincial Forest Enterprises (PFEs) were, according to Laos's Ministry of Agriculture and Forestry, "dissolved, privatized and/or rented long-term to foreign companies" during the New Economic Mechanism (MAF 2005: 5). As the next section elaborates, they re-emerged in the next few years as among Vientiane's chief land management problems. The problem was not that they were logging, but that their productivity was unmanaged. The Land and Forest Allocation program, in turn, began as an effort to channel and regulate this productivity where possible, and to replace it with more regulable forms of state-capitalist development where necessary.

## THE PROBLEM OF LOCAL AUTHORITY

The Ministry of Agriculture and Forestry's *Forestry Strategy 2020*, published in 2005, contains a few pages that come as close to an official history of forestry in contemporary Laos as one can hope for. While leaving out certain details (for example, the awkward "quarantine" issue mentioned above), it provides a useful, as well as an official, framing of the problem of local authority in the land sector, as well as an outline of a series of steps that the central government took in the early 1990s to address the issue. It begins with the Provincial Forest Enterprises.

After the SFEs were established, almost all Provinces created Provincial Forest Enterprises, involved in logging and processing, or issued private companies with logging permits to raise revenue for development projects. At the same time some of the SFEs were operating at a considerable loss to the government because of a lack of business management skills, which in turn led to poor returns on subsidies given. Soon after the [National Forestry] Conference [in May 1989], most of the SFEs and PFEs were dissolved, privatized and/or rented long-term to foreign companies while the government promoted the state-owned enterprises (SOEs) only in strategically important areas such as finance and energy in pursuit of the policy of market-oriented economic management (MAF 2005: 5).

The *FS 2020* neglects to mention a logging ban that was issued in 1988, and that generated so many exceptions that the debate about it spilled over into Vientiane's main newspaper.<sup>92</sup> This seems to have motivated, in turn, the National Forestry Conference held in May of 1989. In the wake of this conference, the prime minister's office issued decree no. 117, the next in a series of efforts to bring forestry under more centralized control during the first half of the 1990s. Decree no. 117 (Oct. 1989) both laid the grounds for the Land and Forest Allocation pilot projects in northern Laos and attempted to further formalize the logging process. It "stipulated that logging should only take place in inventoried production forests with MAF approved economic-technical plans, and that full payment of log royalties should be made and compensatory tree planting undertaken" (ibid.). This was followed by what was, in retrospect, a lukewarm implementation at best. As the *FS 2020* notes, "with international assistance[,] attempts were also made to strengthen planning and management capacity" (MAF 2005: 5), although the passive voice helps to conceal not only what these "efforts" actually were, but that they had little effect. One reason for the difficulty comes from the important fact, acknowledged later, that "[i]n many cases Provinces harvested above the allocated plan to create additional fund[s] for development projects, and there were many irregularities concerning log sales contracts as well as logging, grading and sales themselves" (ibid.: 5-6). This was, in turn, linked to rising demand for raw logs from Thailand in the wake of that country's own 1989 logging ban. The flouting of decree 117

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<sup>92</sup> *Vientiane Mai*, 24 Aug. 1988, "Before a forest is cleared"; translated by FBIS under the title "Rationale for, exceptions to logging export ban discussed."

was sufficiently extensive over the next year and a half that Vientiane issued a second logging ban in August of 1991, just after Laos's Fifth Party Congress (ibid.: 6). This did little as well. The following is a euphemistic admission that this "ban" was in fact a slowdown, and that log sales – a staple of provincial operating budgets – remained roughly the same, even increasing in 1993 as supplies of "old logs" ran low:

The logging ban was well implemented, causing log production in 1992 to fall to half of that of the previous years, with much of the remaining production coming from old logs or trees felled in the previous years. In 1993, however, log production increased dramatically to levels in excess of those recorded before the ban in 1991 (ibid.).

The scaling up of Land and Forest Allocation from pilot program to national policy (Ducourtieux et al. 2005; Baird & Shoemaker 2007) came toward the end of this trajectory, in March of 1993. Later described by MAF as "a new comprehensive forestry legislation," decree 169 contained "54 articles with provisions on forest definition, ownership, forest categorization, contract management of forests and prohibition of development and forestry activities in protection and conservation forests" (MAF 2005: 6). The decree also defined five categories of forest that appear widely on Land and Forest Allocation maps and that became legalized in the 1996 Forestry Law: Protection Forest, Conservation Forest, Production Forest, Regeneration Forest and Degraded Forest. This decree, along with 1984's prime ministerial decree 186, which sought to attract investors to tree planting in particular (ibid.), provided the legal foundation for the plantation industry, and sent a trio of important signals about the central government's intention to formalize, regulate and when necessary, outsource rural land development. To investors, it signalled that Vientiane was serious about recruiting them to the task of improving "degraded" lands. To villagers, it signalled that they would have their option to invest in the care of their own forest resources. And to local officials, it signalled that they could allocate degraded lands to investors, but with strict area limits (ibid.).

Decrees 169 and 186 nonetheless had minimal effect on local administrations' land use practices, as the *FS 2020* implies without quite making clear (ibid.). In the middle of 1996, two and three years, respectively, after these decrees were issued, Vientiane attempted yet another intervention into the land allocation practices of local authorities. Land and Forest Allocation, under decree 169, had already been made "national policy" in the sense that it had been expanded from pilot status to include roughly half of the provinces in the country (Ducourtieux et al. 2005; Baird & Shoemaker 2007). But lacked a practical framework for translating its instructions into an actual praxis that would be accountable to central-level oversight. A pair of documents issued in the middle of 1996 attempted to change this. The first was Prime Ministerial Decree no. 3.

***"Starting from this Instruction..."***

Decree 3, "Instruction on the expansion of land management and land and forest allocation," was issued in late June 1996. It built on the regulatory framework established by decrees 169 and 186, but cast a wider net than these earlier documents. Its focus was on land administration as a whole, and it was far more explicit about its intention to reform the land allocation prerogatives of local administrations. It began by noting that "the understanding of the authorities and people ... is not deep, thus leading to the delay in implementation and creating opportunities for illegal

land occupation and leaving the deforestation issue unaddressed in many locations.”<sup>93</sup> It began with two “objectives” that echoed this dual problematic of swidden farmers and local cadres.

Objectives:

1. To continue to make the policy on land management and land-forest allocation more deeply and extensively absorbed by government officials and people, in view to making authorities of all levels and all Lao citizens clearly understand their obligations, benefits and responsibilities in protecting, managing, utilizing and enriching land and forest in perpetuity.
2. To manage land and forest over the country in accordance with the national socio-economic plan, contributing to the improvement and uplifting of the living standard of Laos’s multi-ethnic population, the protection of the environment, and the transformation of the nature-based economy into a commercial one. At the same time, it is to solve the problem of illegal and uncontrolled encroachment and occupation on land and forest.

Under the “activities” portion of the decree, articles 5 and 6 merit special attention because they focused on how land access was to be administered at the local level. Article 5 mandated the establishment of local-level committees that were instructed to review all instances when “the acquisition or possession of land [had occurred] due to village administrative authorities’ decision to *exchange it for constructions of public interest*, such as roads, electricity, schools, hospitals, and so on” (emphasis added). The committees were instructed to ascertain whether the exchanges had been reasonable, and where they had not been, to withdraw part or all of the allocated land. The decree further insisted that “persons receiving the right to manage and use land” follow the specifications of the relevant state agencies. More importantly, article 5 issued an outright ban on “local” land allocation:

Starting from this instruction, the administrative authorities at each level shall be strictly forbidden to further exchange land for constructions.

Article 6 then specified a new land-for-development policy. In order “to build confidence in investment for land development, as well as orderliness in the Lao population’s livelihood,” article 6 acknowledged the “lawful rights” of possession, use, usufruct, transfer, inheritance and the “right to compensation from transfer as state property,” rights that would be codified in the Land Law the following year. The article ended by replacing local authorities’ practice of “exchanging of land for constructions” with the now-familiar state land concession:

State and social organizations receiving the right to use and conserve land shall not be entitled to transfer, lease, grant as concession or evaluate such land as collateral for loans. The right to use land by foreign residents, persons without nationality living in the Lao PDR, [or] aliens investing or conducting other activities shall be acknowledged by the State under the form of lawful lease or concession only (ibid.).

Cognizant of the previous half decade of failed efforts, Vientiane hosted a conference for local-level authorities in July 1996; this First Nationwide Review Conference on Land Management and Land-Forest Allocation occurred just weeks after decree 3 was issued. As the official “resolutions” from the conference testify, the issues raised by decree 3 figured centrally in the

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<sup>93</sup> Prime Ministerial Decree no. 03, “Instruction on the expansion of land management and land and forest allocation,” 25 June 1996; the passages quoted here are based on an amalgam of two un-sourced translations.

conference.<sup>94</sup>

The Resolutions document began with introductory comments that gave summary statistics that indicate that Land and Forest Allocation had already been widely implemented (1,520 villages; 72,000 families); it also gave bland praise with obvious room for improvement:

Generally speaking, in places where Land-Forest Allocation has been implemented, the problems related to land and forest have been remarkably and basically resolved; first and foremost the livelihood of the population has become stable, land conflict has been reduced, agricultural commodity production has been increased, [and] the consciousness of the population in forest and environmental protection has also increased, enabling the prevention of detrimental illegal tree cutting and forest fire (p. 1).

Other opening remarks focused on the management of state land assets, and locate the Land and Forest Allocation effort in a larger framework that included not just uplands, but the lowlands as well. Referencing some pilot work that had begun in the area near Vientiane, the remarks emphasized the “necessity to fully continue the work of gradually putting land management into a legal framework, settling cases of illegal occupation of land, the falsification of documents, the illegal purchase/sale or occupation of state land and the land of those who fled the country, [and] at the same time allowing the state to collect taxes and fees from land, which constitute considerable income” (p. 2). This theme of “illegal” disposal of state land assets gestures to the fact that ad hoc land allocation was not simply something that local authorities did. Through the 1990s, ad hoc timber allocations for both high-level private individuals and specific holes in the state budget were a recurrent theme in the forestry sector (Anon. 2000); and as late as 2008, the allocation of land and resources to “persons with outstanding performance and good contribution to national revolutionary tasks” remained such a problem that a six-page decree on the practice was needed.<sup>95</sup>

After outlining a number of “weaknesses and shortcomings” and lamenting that the “absorption” of government policies to date was “not yet appropriately profound” (p. 3), the Resolutions document got down to business. The top priority long-term goal was a landscape that would be legible to regulatory oversight intervention at multiple scales:

[P]lan for the land survey and management in order to collect data, work out management plan, and classify land types based on the sectoral and regional development plan, based on scientific use of land and realities[.] [T]hen make land maps[;] particularly in the coming years the focus should be firstly made on priority development areas, districts and suburban areas, which will be the basis for the delegation of management responsibility to concerned sectors as well as the allocation of land and forest to villages and families to manage and use (pp. 4-5).

The document twice mentioned the goal of creating a nationwide set of fine-scale zoning maps

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<sup>94</sup> Resolutions of the First Nationwide Review Conference on Land Management and Land-Forest Allocation, 19 July 1996; un-sourced translation, International Union of the Conservation of Nature (IUCN) library, Vientiane.

<sup>95</sup> In the late 2000s, this is still a matter of regulatory difficulty. See the November 2007 Prime Ministerial Decree no. 343 (“Decree on Implementation of Privileges Towards Persons with Outstanding Performance and Good Contribution to National Revolutionary Tasks”) as evidence that this process is still a problem for government land management (GTZ 2008: 72-77). The decree is six pages long in English.

by the year 2000 (pp. 5, 6), and laid out a series of plans to facilitate central-level control over this latest territorialization effort. These plans converged on the need to change the earlier pattern of central-level instructions going “down” to the local level, but little coming back “up” the chain of administration. The first instruction was for the creation of “regional plans” that would be subject to central-level approval. While the scale of these regions was not clear from context (perhaps deliberately so), what was unambiguous was the need for geographically specific planning documents to travel *to* Vientiane (p. 5). The other instructions all involved a newly created central-level Committee for Land Management and Land-Forest Allocation that would oversee a series of regional pilot projects in Laos’s major productive regions of Luang Prabang, Vientiane, Savannakhet and Champasak. Again, while practical details were missing, the clear message was that the committee would not be just an on-paper formality, but an actual group of central-level authorities who would travel to the field and closely manage the integration of state land management and Land and Forest Allocation in key geographic locations (p. 5). The Resolutions document also empowered the committee to issue detailed instructions to the local-level committees mandated by article 5 of decree 3, instructing local authorities to create these committees and await further instruction (pp. 6-7). Provinces, parastatals and two key ministries were singled out as strands in this emerging network of central-level oversight:

Provinces and parastatal organizations have to report the success of this conference to their respective party organs and leadership as well as discuss about the dissemination of the Prime Minister’s instruction No. 03/PM dated 25 June 1996 and a number of other necessary documents. The Ministry of Finance [and] the Ministry of Agriculture-Forestry must take control on the responsibility of their respective line sectors (ibid.: 8).

The resolution ended with the threat of something like a random spot-check, as well as a final summary of what was expected:

The Central-level Committee for Land Management and Land-Forest Allocation may go to the grassroots to direct the experimentation in some provinces or open up training on concepts, directives and various technical topics for local personnel. The provinces, [Vientiane] prefecture and [Saisomboun] special zone must have plans to extend and implement the work on land management, land-forest allocation, survey for preparing the registration of families and land titling, and the inspection of state land and houses in their respective localities based on the decrees, regulations, rules and lessons drawn up from actual practice (ibid. 8).

The Resolutions reminded conference participants that “land management, land-forest allocation, the survey to develop land title registration, and the management of state land and houses ... is delicate, comprehensive work, linked to political, economic, social, environmental, and security aspects of the population” (p. 6). As officials departed for their home areas, they did so with the knowledge that their authority had been named as a problem, and its days officially numbered.

## CONCLUSION: “THEN MAKE LAND MAPS”

In the years following this meeting, Land and Forest Allocation turned into the juggernaut of state territorialization that has been widely described in the literature (Chamberlain et al. 2001; Vandergeest 2003; Ducourtieux et al. 2004; Baird & Shoemaker 2007). From the 1,520 villages named in the Resolution minutes, the scale of the program increased substantially, although the varying estimates hint at to the extent to which the process remained only partly legible to

Vientiane. In 1999, Nathan Badenoch reported that “8,000 villages out of a total of 20,000 have participated in land allocation, and the number is expected to reach 12,000 in 1999” (Badenoch 1999: 6). Four years later, GTZ cited government estimates that between 1995 and 2003, “district agricultural and forestry staff ha[d] conducted LUP/LA<sup>96</sup> activities in a total of 5,400 villages in all provinces” (GTZ 2004: vi, 12). Not only do these figures differ substantially, they seem to be based on different baselines: GTZ also remarked that “approximately half of the nation’s villages” had undergone Land and Forest Allocation (ibid.: 1), suggesting a total number of villages substantially lower than Badenoch’s 20,000. The critique of “internal resettlement” developed by Chamberlain et al. (2001), Evrard and Goudineau (2004), and Baird and Shoemaker (2005, 20007) highlights the fact that LFA was often used in combination with involuntary (or at least softly coerced) resettlement. This process not only had drastic negative impacts on the population. It also seems to have thrown off the statistics as well.

But as this chapter has shown, it was not *numerical* statistics that central-level authorities wanted to extract from their local-level counterparts; they wanted knowledge that could be used for *spatial* planning. The problematic of state land management and land and forest allocation was oriented toward making Laos’s forest landscape function as a *national* resource. This meant developing not just a forest bureaucracy and a set of functional tools for upland population management, but also the capacity to coordinate inter-ministerial work; projects like large-scale hydropower, for example, require a combination of technical work that cuts across engineering, land management and livelihood and resettlement issues. This demands legibility at the village scale. Land and Forest Allocation was not merely about implementing the law for its own sake; it was about centralizing land management through a mix of formalization and standardization so that land *allocation* (in a general sense) could be conducted on a scale that matched the government’s vision for national development.

The figures above testify to both the scale with which the 1996 injunction to “make maps” was followed by local authorities, but also the degree to which these maps remained out of reach. The 2004 GTZ study has a number of references to the fate of the maps created under the LFA program. On a first reading, GTZ’s prognosis appeared grim:

In general there is poor registration and management of land allocation data at district level. Copies of [plot-scale land certificates] and land use maps are stored in district agricultural offices without any specific protection or classification. Hardly any of the data has been registered in computerized files. This entails a high risk that within the next years all relevant data from the LUP/LA activities will disappear. ...

In the sample villages visited during this study as well as in the offices of [the District Agriculture and Forestry Office] in the three districts, LUP/LA documents and maps were *in most cases either incomplete or lost altogether*. There is no systematic record system in place at DAFO to check that all relevant documents elaborated during LUP/LA are kept according to a filing system. Furthermore, storage conditions of TLUC hardcopies at DAFO are often inappropriate and unsafe (GTZ 2004: 18, 39, emphasis added).

If we distinguish between the zoning maps and the rest of the documents, however, this account becomes more ambiguous. The weight of the critique seems to come down harder on the issue of

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<sup>96</sup> LUP/LA stands for Land Use Planning/Land Allocation and is the formal name in English for LFA.



disorganization and risk of future loss than it does support the claim that village-scale zoning information was “incomplete or lost altogether.” Elsewhere in the report, it is mentioned that “Village land use boards were available in most villages, although the place where they were erected sometimes suggests that they cannot be consulted in everyday activities” (ibid.: 36). Here again the emphasis is not on the existence of information, but on its de-prioritization through a lack of proper arrangement. The opening sketch above in fact matches this description perfectly, in at least two respects. First, the original LFA map did in fact sit, seemingly un-regarded, by the side of the road in the village – I say un-regarded because when village authorities described the new rubber scheme, they mentioned the land reclassification that had taken place but neglected to say anything about the old signboard map, which sat less than fifty meters away (Figure 20). Second, the re-zoned map was not posted or otherwise available in the village at all, but was stored in the district Agriculture and Forestry Office. In order to get access to it, my colleagues and I had to endure excuses about how the office’s map collection was incomplete, disorganized, out of date, falling apart and so on. While each of these things was in part true, the maps in the office’s collection nonetheless had a surprisingly high quantity of geographic information when it came to zoning. They were easily geo-referencable using the local river system (Figure 21), they meshed spatially with one another (Figure 22), and they included a set of six maps where re-zoning had been conducted in 2007 (one of these being the pilot project). The irony was that there were a few maps missing, but these had been borrowed by some foreign experts who had sent them to Vientiane as part of a donor project. To my knowledge they never came back. Except for these villages (located in the northeast corner of Figure 22), the district’s collection of zoning information was relatively complete, and highly usable. It was messy, and there were problems with other parts of the LFA documentation. But as I elaborate in the next chapter, zoning information from the LFA program was in fact being used extensively.



**Figure 20. Old signboard map, pilot rubber project village**

Reading the literature on Laos, it is tempting to see the problem of local authority as a direct descendant of Tai political geography. Martin Stuart-Fox describes “Lao political culture” today as the result of French, American and then socialist rule being put “on top of, rather than in place of, traditional Lao social and political relationships” (Stuart-Fox 2006: 66). The persistence of

long-held and locally oriented clientelism makes provincial administrations, for Stuart-Fox, “the modern *muang* – enjoying considerable independence from the center in return for a tribute (tax) which is often [in practice] withheld” (Stuart-Fox 2002: 14). Stuart-Fox is not alone in looking to pre-colonial history for explanations of contemporary resource politics. Commenting on the political economy of logging in southern Laos during the mid-2000s, a foreign development professional offered this analysis:

In other countries, the political culture surrounding timber is often termed a ‘kleptocracy.’ But to me, here in Xekong [province], it is more of a ‘tributocracy.’ The way that it is handled is very much in keeping with both the traditions of Lao politics and the long history of paying tribute to more powerful entities, be they internal or external (quoted in Hodgdon 2008: 63).

Without denying the possibility of historical continuities (whether “real,” strategically constructed, or a bit of both), I have tried to point to a more recent, and perhaps more precise, set of causes for what remains a significant concentration of political authority at the local level. Without being too reductionist, I have suggested that there was a strong economic component to the rise of provincial authority in the late 1980s, and that this lay in the devolution of forestry capital from the SFEs and the granting of “business autonomy” to the PFEs and parastatals like

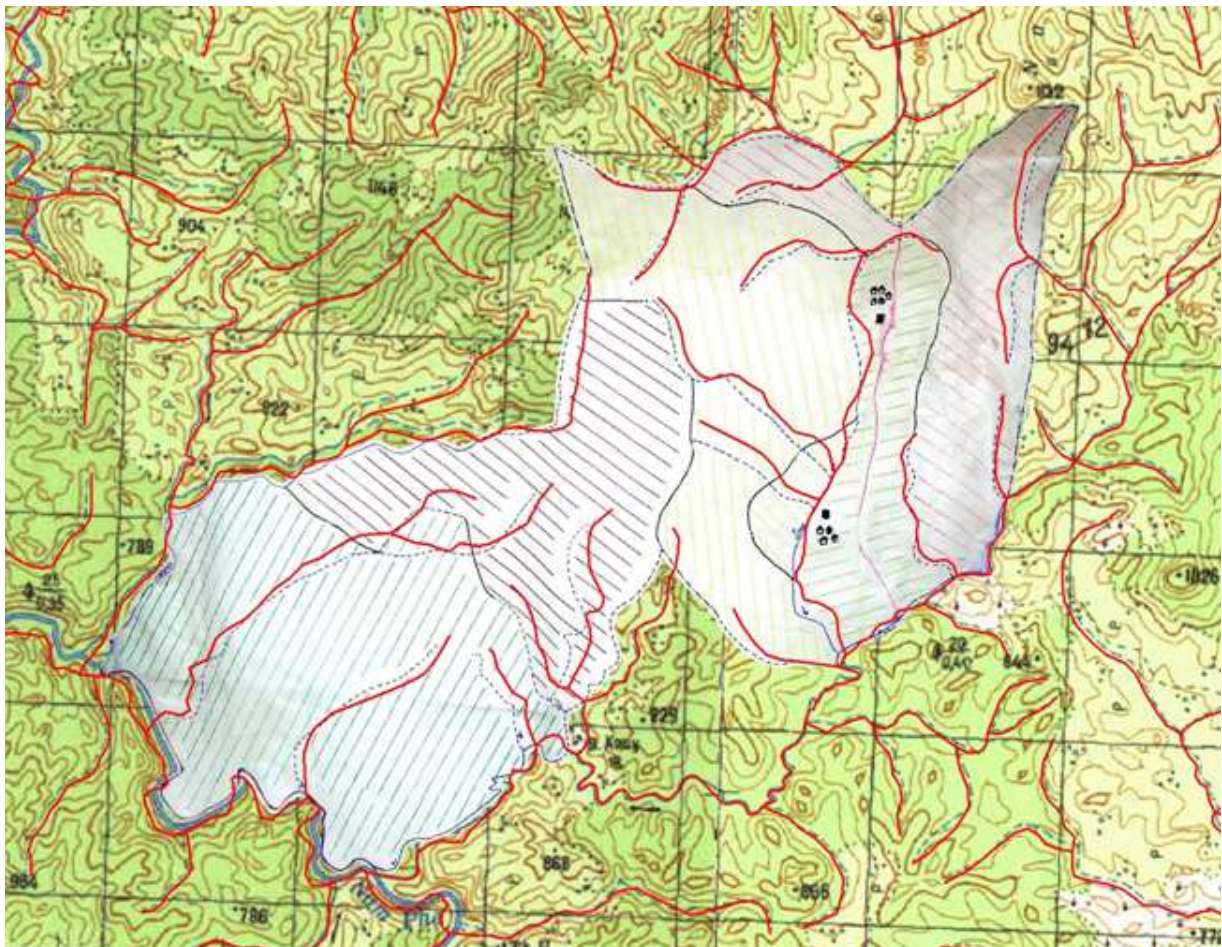
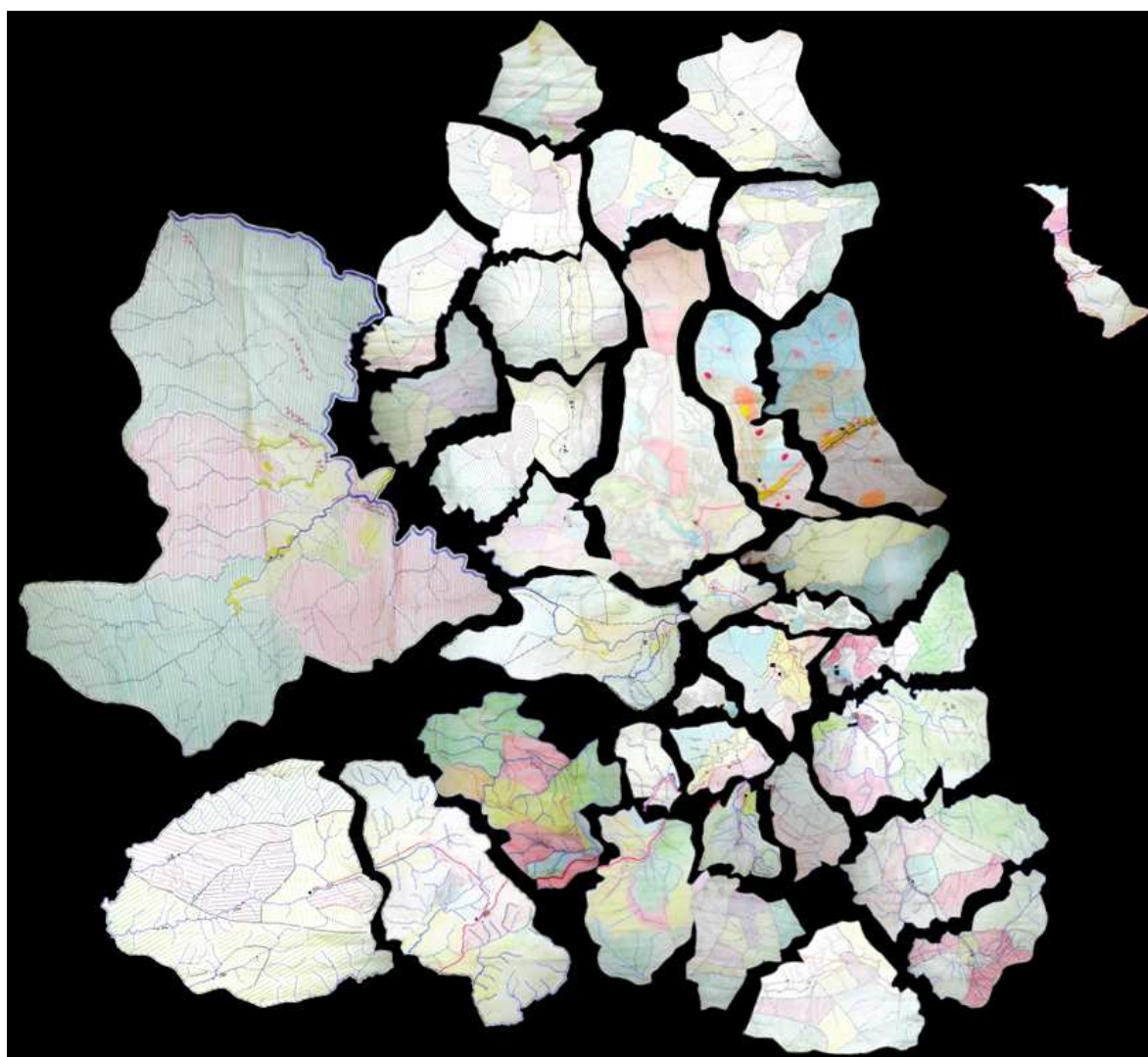


Figure 21. LFA maps were hand-drawn, but nonetheless easily geo-referenced to the rivers in the area.

the BPKP. New Economic Mechanism, in short, created demons that the government is still wrestling with.

In chapter 7, I examine the contemporary geography of formal zoning in Vieng Phou Kha in more detail, returning in particular to the rubber project examined at length in chapter 5. As I show, the paper landscapes like those pictured briefly above mask the historical dimensions that have led to a highly uneven distribution of enclosure and risk in Vieng Phou Kha district. But these maps are more than just mystifications – ways to “paper over” the “real story” of what is happening on the ground. They represent their own “on the ground” landscape that, as this chapter has described, demands critical investigation because of the legibilities and legalities they create. Looking at them highlights not only a set of new legibilities that are emerging in the transnational arena, but also the fact that what counts as “formal” property is, at least on the northwestern frontier, still an open question.



**Figure 22. District-scale zoning legibility**

## Chapter 7

### New Legibilities: Formal Geographies of the Northwestern Uplands

*Territory is dependent on a particular way of grasping space as calculable.*

Elden (2005: 8)

A pair of signs greets visitors to a rubber nursery just outside the district capital of Vieng Phou Kha. The first is located at the compound's entrance, a wide gate off a side road that meanders out to the newly paved National Road No. 3, the Northern Economic Corridor. On behalf of a company I will call *Bolilat Z* and the Luang Namtha Provincial Agriculture and Forestry Department, the sign identifies the nursery as part of a 3,000 hectare "rubber plantation and promotion project." The second sign, a hand-painted map, builds on this introduction. Taking up much of the second-story wall of the nursery's main building, its title is long and formal: "Land use map of the 3,000 hectare Rubber Planting Promotion Project, Vieng Phou Kha District, of [*Bolilat Z*] Ltd., Yunnan Province, People's Republic of China." Despite its size (about two square meters), the map is easy to miss; its lines and colors blend in easily with the dirty white surface on which they have been inscribed (Figure 23).

When I came across this map in 2007, it was barely legible. This was not because it was hard to see, although it was that, too. But even when the image came into view, it remained impossible to *read*, at least initially. Maps, as the sociologist of science David Turnbull (1989) explains, make sense because they contain signs that link them to the real world, signs that Turnbull calls indices. This one had no visible indices, at least none that I could make out: the usual starting place, the legend, had been laid out to the right of the image, but never filled in. A small yellow blob appeared there, but there was no corresponding explanation that might index it to something I would recognize (Figure 23, bottom image, upper right). Likewise, the map itself gave no visual clues what the black lines or yellow might represent. Other than the title, there was no text or supplemental symbols: no roads, no rivers, no villages, no prominent mountaintops – nothing to tie the white and yellow polygons to the surrounding landscape of Vieng Phou Kha. It was as if the map was drawn to announce the project's official *presence* without giving anything away about its actual *geography*. The map, in short, did not seem to help its audience navigate Vieng Phou Kha's emerging transnational investment landscape; if anything, it said "we've got things under control; you can go away now."

The government researchers I was traveling with were equally lost. Our bewilderment stemmed from the fact that we were witnessing the formal geography of the *Bolilat Z* project for the first time. We had nothing to compare the map with, and it thus lacked the symbolism that it had for local government officials, technicians and company representatives. Unlike us, these viewers had seen the more fleshed-out version of the map that sat in a local government office, as well as the earlier generation of Land and Forest Allocation maps from which the map was made. They therefore knew two things: first, that the black lines represented the boundaries of local villages and internal land use zones, and second, that the yellow areas corresponded to the roughly 8,400



Figure 23. *Bolisat Z* project map at company nursery, Vieng Phou Kha District (author photos, December 2007)

hectares that had been zoned for agriculture in the map's twelve villages. We knew none of this. Rather than asking the hard questions that might have followed if we had, we were condemned to the sorts of inquiries reserved for unequipped visitors: What was the project doing? Where was it working? What did local people think of it? and so on. We did not get to ask why the project targeting was agricultural land for conversion to industrial tree crops; what this was doing to local food security; how the 3,000 hectares of "promotional" rubber planting would be distributed within the 9,000 hectares shown on the map; and whether "promotional" planting meant the same thing in all of villages. This was the map from the rubber project at the heart of chapter 5. As I showed there, these were the questions that mattered. In contrast, the map confronted us as an inscrutable black box (Latour 1987). There was no struggle over regulatory matters, only polite questions.

This chapter examines the formal landscapes that accompany and enable the material geography of "promotional" rubber planting examined in chapter 5. The polygons at the bottom of Figure 23 are one example of the type of formal geography I have in mind. Formality is related to what Turnbull calls indexing: it connects particular representations – a map, a set of numbers, a policy model, etc. – to other things, embedding them in a larger system where meaning is made, and where politics are conducted. But in contrast to the internal/external indexing described by Turnbull (the map vs. the material world), formal geographies reference *themselves* – that is, they link to other parts of the same formal system, or link different formal systems together. This is not an either-or process, as all formal systems have to index themselves to the real world at some point in order to make sense; but formality, by channeling the indexing process *internally*, creates a way to control the terms on which the outside world is brought into the debate. The map at the bottom of Figure 23, then, is a formal-geographic representation because its primary referents are Vieng Phou Kha's Land and Forest Allocation maps. Located within the formal system of zoning or land management (*kanchatsan thi din*, see chapter 6), the *Bolisat Z* map is a highly constrained representation of reality: it ignores differences between villages; it ignores histories of resettlement, as well as other forms of in- and out-migration; it ignores the complex relationship between land zoning and actual land use. All it cares about is showing where *Bolisat Z* is and is not authorized to seek out its 3,000 hectare quota for "promotional" rubber planting.

This chapter proceeds in three parts, all oriented in relation to the map in Figure 23. The first steps back slightly, and examines the regulatory shift that took place in the mid-2000s, eventually producing the "2+3" policy. This shift, from state land to locally owned land as the default mode of large-scale agribusiness, has figured centrally in Lao land politics for the last half decade, and for even longer than that in the northwest. While the "2+3" policy's commitment to respect local land entitlements has been twisted and abused (see chapter 5), it still represents a key political moment in that it produced a critical rethinking, both publicly and internally, of the concept and the practice of state land. On the down side, the regulatory milieu that launched "2+3" as official policy also gave rise to the technology of tree division, which provided a way to skirt the policy imperative of working largely with smallholder contractors. This process spanned the first half of the decade, and produced the formal-geographic framework that the "2+3" (and later the "1+4") policies were operationalized, and centers on a company called the Sino-Lao Rubber Company. The first part of the chapter examines this geography.

I then turn to the map in Figure 23, and examine the legal genealogy of the land access it

attempts to authorize. Given the analysis of chapter 5, there is a strong argument that a primary function of the map in Figure 23 is to mystify the concept of “locally owned” land by representing it uniformly across all of the villages in project; as I have shown, locally owned land was operationalized in very different ways in a small number of villages that nonetheless produced a high fraction of the company’s quota of rubber trees. The second part of the chapter examines the relationship between the rubber company map and the Land and Forest Allocation maps that preceded it, and looks at the legal logic that local authorities deployed in order to circumvent the uniformity that LFA had established. This turned, surprisingly, on a distinction between land that was owned communally versus individually, and yielded the “1+4” variant on “2+3” as a reading of the commons as an absence of both communal and individual management, and therefore as a space that was in need of state intervention. If this was rooted in the historical contingency of the “1+4” zone, it also showed the degree to which local authorities viewed the formal landscape of LFA as open to reworking in accordance with their governmental needs.

The final part of the chapter examines a third form of legibility that is wrapped up in the map at the bottom of Figure 23. In addition to providing a way to operationalize and manage the concept of locally owned land, rubber surveys like this one are creating transnational forms of land-based connection between Laos’s northwestern hinterland and what Bruno Latour (1987) calls “centers of calculation” – in this case, places like Beijing and Kunming where Chinese sovereign wealth is parceled out to Chinese companies working abroad. As mentioned in chapter 5, the rubber “promotion” project in Vieng Phou Kha is just one of a number of Chinese companies working in northern Laos and Myanmar under the auspices of opium poppy replacement. These projects, according to the Yunnan Department of Commerce, are aiming to produce 1,000,000 mu (66,667 ha) of plantation crops in Laos and Myanmar between 2006 and 2010, and have recently been expanded to include a range of other industries as well (Shi 2008: 26-27). As Shi has noted, this subsidy program demands that companies provide proof of their activities, including contracts, feasibility studies and letters of support from local counterparts (ibid.: 26). Maps, as key parts of this process, inject geographic legibility into this chain of oversight. While minimal, this oversight highlights the other dimension of formality: formality in the *weak* sense of the term. The geography depicted on maps like the one I examine is anemic, a poor substitute for what is actually transpiring on the ground. Its claims to capturing reality are *merely* formal. If this highlights the limits of the due diligence process, it also provides a point of comparison for the degree to which rubber projects are legible to regulators in Vientiane. As my colleagues’ and my visit suggested, northwestern Laos may be closer to Kunming in formal-geographic terms than to Vientiane.

The chapter thus completes my engagement with the politics of property formalization. It shows that what counts as formal property is in fact highly contingent, open to the manipulation and interpretation of those who maintain control over the technical capacity to produce geographical formality – in this case, district- and village-scale zoning maps. The processes I describe contrast markedly with the global hinterland conjured by the World Bank, FAO and other institutions that imply that areas like the Lao uplands are entirely informal because they have never been *titled* (FAO et al. 2010). Although they emphasize the importance of taking “traditional” and “communal” forms of entitlement into account when dealing with transnational agribusiness, their perspective presents formalization as a technical process that, while demanding, time-

consuming and expensive, is essentially apolitical in and of itself. The fact that formalization efforts have already taken place and are in the processing of being selectively *informalized* is not part of this debate. The politics of formality itself, in other words, are going largely unexamined.

More locally, this chapter shows that the legacy of Laos's Land and Forest Allocation program depends on what follows it on the ground, and is thus difficult to characterize in general terms (cf. GTZ 2004, quoted at the end of chapter 6). By connecting the legibilities created under LFA to the management of Chinese investment, this chapter shows just how complex the territorial affairs of northwestern Laos have become. While the ability to keep track of foreign investors' plantation projects has remained a vexing problem for Laos's central government (GTZ 2006; Voladet 2009; NLMA & GTZ 2009), local authorities have nonetheless been forging connections with investors and where sovereign wealth is involved, with foreign governments. This is hardly "Vientiane ceding sovereignty to Beijing," but it points to the extent to which the internal politics of resource control have become articulated to the transnational ones of bilateral investment. If territory depends on spatial calculability, the processes featured in this chapter overlay another dimension of territoriality on top of the one presented in chapter 5. Chinese agribusiness may be strengthening the hand of local authorities to conduct population management work in the areas under their jurisdiction, but it is also embedding these areas in the larger landscape of state-backed Chinese capital. If this is not an immediately territorial issue per se, it can not remain divorced from political geography for long.

### "COMPANY + PEOPLE"

The policy that became known as "2+3" emerged from a contentious and politicized struggle that unfolded between 2000 and 2005, and centered on the terms under which a key Chinese rubber company would gain access to Lao labor and land. The details of this process are notable in a few ways. Despite the commonsense appeal of the "2+3" policy's intention to have investors work with farmers on their own land, this negotiation process shows that there was always a plan to have *some* fraction go to company concessions; the question was how much. Second, the abstract value of smallholder labor emerged as a key point of contention: since contract farming produces a commodity that is jointly owned, the share accruing to the owner versus the grower depends on how each side's inputs were valued. Capital input values were debated, but the real divide came when it came to valuing smallholder labor. Finally, this negotiation process was what generated *tree division*, first as a proposal and months later as a reality. While the company was rejected by provincial authorities in Luang Namtha, the practice nonetheless took root in Oudomxai province, and as chapter 5 shows it eventually spread to Luang Namtha as well. The negotiation that took place between 2000 and 2005, in other words, shaped the conditions of possibility for *all* of the rubber investment in northern Laos, Chinese and otherwise, that followed subsequently; it thus provides a fitting beginning to the formal geography of northwestern Laos's rubber landscape.

In the wake of Jiang Zemin's historic state visit to Laos in November 2000,<sup>97</sup> the Luang Namtha provincial government signed an agreement with a pair of Chinese companies to cooperate in

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<sup>97</sup> People's Daily, 12 Nov. 2000, "Documents on Sino-Lao cooperation signed." The documents included "a joint declaration on the bilateral cooperation" and five other agreements "on economic, technical and trade cooperation, on the building of a hospital in [Laos's] Luang Prabang province, [and] on mining and agricultural production cooperation." Also see Shi (2008: 25).



developing up to 10,000 hectares of rubber plantations over a period up to 50 years.<sup>98</sup> The next day, the province's Department of Planning and Cooperation delineated the responsibilities of each "side" to district officials and other relevant authorities:

The province of Luang Namtha agrees to facilitate rubber planting and factory construction by convincing upland farmers to give up swidden-based livelihoods and plant rubber; to assign government staff from the relevant offices in order to coordinate with the Chinese investor side; and to implement rules, laws, etc. in order to assist the Chinese investor side in working in accordance with the policies of the exporting country [i.e., Laos]. The Chinese investor side will be solely responsible for investing in the building of the rubber processing factory, contributing the relevant technical inputs, and providing the market for Luang Namtha's upland farmers by buying their rubber and processing it for export.<sup>99</sup>

Echoing a 1991 Party decision to pursue rubber as "a key poverty alleviation strategy and an instrument to stabilize shifting cultivation" (Shi 2008: 17), this paragraph clearly conjures a model of investment cooperation based on contract farming, in which the persuasion of farmers is tasked to the government and the role of the contractor is allocated to the investors. This model, however, was not what the companies seem to have had in mind. More than three years after the survey was agreed to, a GTZ research team reported that the project – consolidated into one company shortly after the announcement above (Shi 2008: 25) – was still up in the air.

The Sino-Lao contract setting up a joint venture between the Sino-Lao Company of Yunnan, China and the Luang Nam Tha Provincial Agriculture and Forestry Office is straightforward in its written version. The study team understands [nonetheless] that a meeting in October [2004] between representatives of the Government of Laos and Sino-Lao did not resolve certain contentious issues. It is not known at what point the proposal will be officially approved, although there is certainly a significant degree of forward planning based on the expectation of the proposal's approval (Alton et al. 2005: 97).

These "certain contentious issues" seem to have referred to the division of the planned 10,000 hectares between the company and the upland farmers the government was planning to enroll in the project. A pair of proposals exchanged in the months following the October 2004 meeting elaborate on GTZ's understanding that Sino-Lao was trying "to obtain a concession" (ibid.: 98), and illustrate the distance between the company and negotiators from the Lao Ministry of Agriculture and Forestry. These proposals circulated just after the creation late 2004 of a body called the 122 Working Group, "led by the [Chinese] Ministry of Commerce and joined by more than ten other ministries and commissions at the national level," "formed to prescribe policies to encourage and coordinate Chinese businesses to invest in opium replacement developments in northern Myanmar and Laos" (Shi 2008: 23).

In early 2005, the Lao Ministry of Agriculture and Forestry circulated a "Plan for cooperation in rubber planting between Lao PDR and P.R. China, 2005-2007" to its provincial counterparts in

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<sup>98</sup> Contract for the building of a rubber processing facility between Luang Namtha Province, Lao PDR and YNPC Company, Yunnan & BGRU Company, P. R. China, 11 Jan. 2001, article 15; contract for cooperative rubber development project, Luang Province, Lao PDR and YNPC Company Yunnan, BGRU Company Beijing, P.R. China, 24 Aug. 2000. All documents cited in this chapter are archival sources in the author's possession.

<sup>99</sup> Letter of introduction: Cooperative rubber development project, Luang Province, Lao PDR and YNPC Company Yunnan, BGRU Company Beijing, P.R. China, Provincial Planning and Cooperation Office, 12 Jan. 2001.

the three northwestern provinces of Luang Namtha, Oudomxai and Bokeo.<sup>100</sup> The ministry's cover letter made it clear that the proposal referred specifically to the Sino-Lao Rubber Company, mentioning a trip to Luang Namtha and Oudomxai provinces by company representatives the month before "to assess the feasibility for rubber planting there" (p. 1). The document itself was labeled a "draft plan," highlighting its intention to move the sides closer to resolution on the thorny question of what "cooperative investment" would actually look in practical terms.

The eight-page work plan covered a number of topics, from physical geography to economics, and converged on a proposal that heavily favored contract farming. One of the plan's first items of business was a statistical conjuring exercise designed to show that allocating 30,000 hectares to the Sino-Lao project would "not be a problem":

Laos has an area of 236,000 square kilometers... [and] three target regions for rubber: (1) three provinces in the north: Luang Namtha, Oudomxai and Bokeo; (2) three provinces in the center: Vientiane, Bolikhamxai and Khammuane; and (3) four provinces in the south: Champasak, Xekong, Salavan and Attapeu. These three regions comprise sixty percent of the country, or 140,000 square kilometers, within which twenty percent is capable of production, or roughly 28,000 square kilometers or 2,800,000 hectares. Therefore, planting 30,000 hectares of rubber will not be a problem (p. 1).

The next section, titled "Labor," clarified that these 30,000 hectares referred to the three northern provinces mentioned above:

Based on national statistics, Luang Namtha contains roughly 150,000 people; 23,000 families and 50,000 labor units; Oudomxai roughly 270,000 people; 40,000 families and 80,000 labor units; and Bokeo 140,000 people; 22,000 families and 45,000 labor units, providing sufficient labor capacity to plant an additional 30,000 hectares of rubber (p. 2).

After dangling the carrot of 30,000 hectares, the work plan then made it clear that it intended *four-fifths* of this area to be for contract-based smallholder production, and *one fifth* for concession-based production by Sino-Lao. The plan specified 10,000 hectares in each of the three provinces, with each 10,000 hectare quota divided into 2,000 hectares of company gardens and 8,000 hectares for the local population (p. 2). Later (pp. 6-7), the plan laid out a rapid timeline geared toward achieving this 30,000 hectares by the end of 2007.<sup>101</sup> Central to note is the balance of give and take: on the one hand, the ministry was extending an offer of large-scale land *access* and government assistance in "supplying and providing land, organizing the population to participate in a united and disciplined manner, and coordinating the relevant state organizations" (p. 3). On the other hand, the government's promise of land to the company was comparatively small, at least in comparison to what Sino-Lao wanted. The 2,000 hectares offered directly to the company was four times less than the land allocated to smallholder contracting. Anticipating the terminology that would later become "2+3," the ministry called this investment model "company + people" ("*bolisat + pasason*") (p. 4). Finally, the ministry plan presented a calculation comparing the cost of developing a hectare of

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<sup>100</sup> The cover letter is dated February 2005; the document itself is undated.

<sup>101</sup> The plan specifies 667 and 2,667 hectares per year of company and smallholder plantation, respectively, in each of the three provinces.

company rubber with the cost of a similar hectare by smallholders. Itemized step by step, the calculation argued that it cost more than five times as much to develop a hectare of company garden as a hectare of smallholder garden (Table 2). By implication, smallholders would be contributing more than 80 percent of the value to their rubber gardens, and would be therefore entitled to a high fraction of the product.<sup>102</sup>

**Table 2. Ministry of Agriculture and Forestry per-hectare cost estimate, February 2005**

<b>Cost per hectare (\$) <sup>103</sup></b>	<b>Company garden</b>	<b>Smallholder garden</b>
1. Land cost	[blank]	None
2. Land clearing	216	Smallholder labor
3. Plowing and hole digging	324	Smallholder labor
4. Fertilizing	90	Smallholder labor
5. Seedlings (assuming 495 per hectare)	297	297
6. Planting	90	Smallholder labor
7. Terracing	90	Smallholder labor
8. Spraying and pesticides	180	90
9. Weeding for 6 years (\$216/yr)	1,296	Smallholder labor
10. Administrative cost	27	None
11. Technical extension and instruction	90	90
<b>Total</b>	<b>\$2,700</b>	<b>\$477</b>

**Table 3. Sino-Lao per-hectare cost estimate [vs. ministry values from Table 2]**

<b>Cost per hectare (\$) <sup>103</sup></b>	<b>Company alone</b>	<b>Cooperative investment</b>
1. Land cost	[blank]	None
2. Land clearing	50	Smallholder labor
3. Plowing and hole digging	95	Smallholder labor
4. Fertilizing	4	Smallholder labor
5. Seedlings (assuming 495 per hectare)	325	325
6. Maintenance	40	Smallholder labor
7. Spraying and pesticides	10	10
8. Technical extension and instruction	10	10
<b>Total</b>	<b>\$554</b>	<b>\$345</b>

This proposal, whatever its limitations, was far more smallholder-friendly than the one Sino-Lao came back to the ministry with three months later.<sup>104</sup> Against the ministry's proposal of 80 percent smallholder land and highly valued smallholder labor, Sino-Lao proposed a tree-division plan that would yield a 1:1 ownership ratio:

Regarding the gardens produced by cooperative investment with the population, these will be divided 50-50 by total area via a division that will occur one year after planting and then each side will take care of its own [trees] (p. 4).

<sup>102</sup> The ministry calculation implied that smallholders would be contributing ¥18,525 out of ¥22,500, or 82.3 percent.

<sup>103</sup> Original calculation in Renminbi (¥); dollar figures are calculated here at ¥1 = \$0.12 (2005 rate) in order to facilitate comparison with Table 3.

<sup>104</sup> Sino-Lao Rubber Company, "Project for supporting rubber planting in Luang Namtha Province, Lao PDR," May 2005

This was backed up by a valuation exercise (Table 3) that looked putatively similar to the ministry's but made a very different argument. Because Sino-Lao planned to divide the trees after one year, its calculation left out the six years of weeding labor that had contributed almost half of the value to the cost of a *mature* hectare under the ministry's calculation. This lowered Sino-Lao's estimate substantially in absolute terms. But the *relative* cost estimate was even more striking: Sino-Lao valued land clearing at 23 percent of the ministry's estimate, plowing and hole digging at 29 percent, fertilizing at 4 percent, planting and terracing at 22 percent, spraying and pesticides at 6 percent, and technical extension and instruction at 11 percent. Of these, fertilizing, pesticide spraying and technical extension are multi-year activities; they are the most undervalued, and suggest that Sino-Lao was calculating only one year's worth while the ministry was calculating multiple years. But the only explanation for lower cost estimates in the other columns (clearing, plowing, hole digging, planting and terracing) is that Sino-Lao was assuming faster labor, cheaper labor, or both. In contrast, the only cost that Sino-Lao estimated at a higher rate than the ministry was seedlings (which it would be providing); these it estimated to be 9 percent higher than the ministry's estimate.

The Sino-Lao proposal overlapped significantly with the ministry's qualitative language, noting Luang Namtha's proximity to Yunnan and emphasizing its abundance of upland areas:

The location, weather and land are suitable for rubber planting, and the target area is *pa lao* [swidden fallow] and people who are interested in planting rubber. ... The population will receive permanent livelihoods, will be able to alleviate their hardship via this stability, and will have an elevated standard of living compared to the past; the state will benefit from reforestation, protection of the environment and increased taxes and fees; the investor will benefit from rubber processing and trade" (pp. 3-4).

But when it came to the details that mattered most, Sino-Lao was proposing two and a half times more concession land than the ministry was (5,000 vs. 2,000 hectares), and a far lower value on the labor of Laos's upland population. Despite agreeing on the rhetoric of swidden stabilization and upland poverty alleviation, the formal geographies conjured by the two sides could not have been farther apart.

In October 2005, provincial authorities in Luang Namtha held a meeting with their counterparts from Oudomxai and Bokeo that is generally described as the birth of the "2+3" policy (Shi 2008: 30; Vongkhamhor et al. 2007: 39). Representatives "agreed that providing land concessions to investors to manage rubber plantation[s] will not resolve rural poverty, as farmers lose access to agricultural land and [are] merely hired by investors as laborers" (Vongkhamhor et al 2007: 39). The official minutes contained the following declaration:

The cooperative investment mode is hereby agreed to be the 3+2 model, namely:

- Investors are responsible for 3 aspects: (1) capital, (2) technique and (3) market
- Villagers are responsible for 2 aspects: (1) labor and (2) land, in accordance with state land management.<sup>105</sup>

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<sup>105</sup> Minutes of the meeting about Chinese cooperative rubber planting between Luang Namtha, Oudomxai and Bokeo provinces, 10 October 2005, authorized by the governor of Luang Namtha; article 2.2.

But there was also disagreement over the question of “product sharing,” and in particular over whether the sharing of liquid rubber latex (*nam yang*) was confirmed as a consensus decision or merely offered as a proposal.<sup>106</sup> This was especially significant in the case of Sino-Lao, whose representatives were at the meeting and whose cooperative investment model was described in the meeting minutes using the vaguest of language. Both sets of minutes list the company’s activities in Luang Namtha and Bokeo as “cooperative investment work,” and in Oudomxai as a 50-50 split on “production.”<sup>107</sup> Reading between the lines, Sino-Lao representatives had not given up their designs on tree division, whatever was implied by the rhetoric of “2+3.”



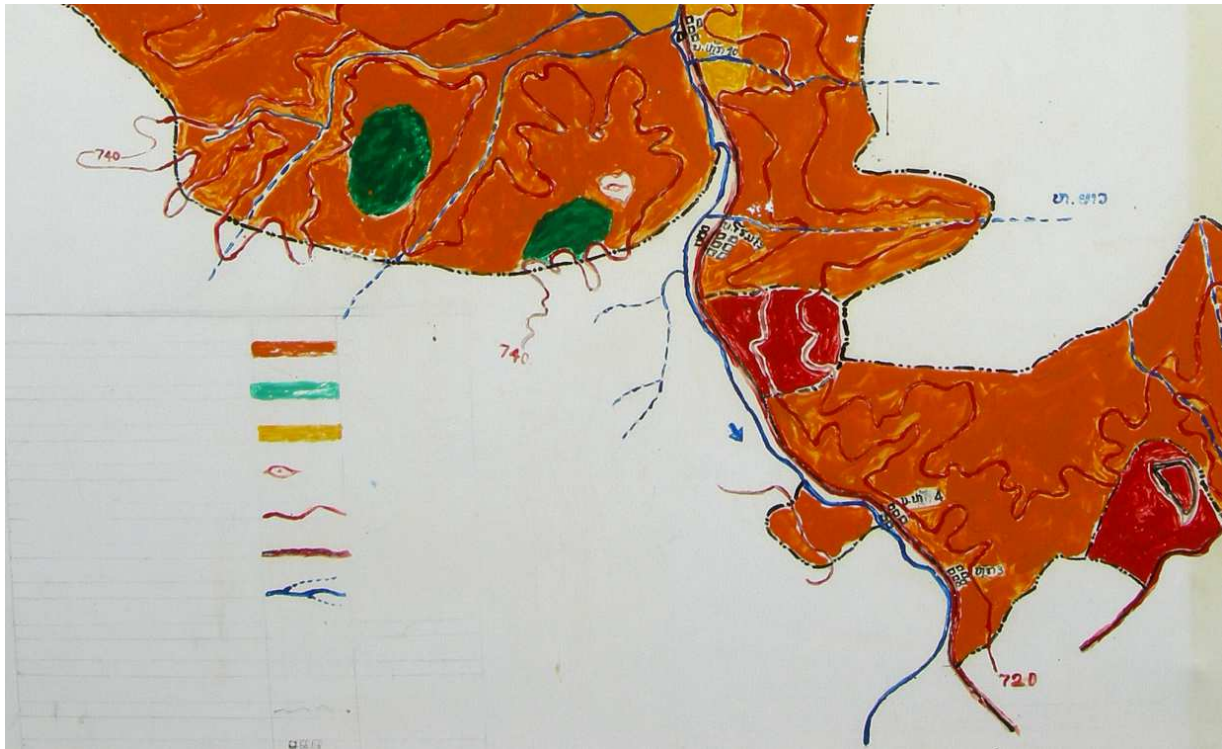
Figure 24. Sino-Lao roadside map, Route 13, Xai district, Oudomxai province (author photo 2007)

The company never got its hoped-for concession in Luang Namtha province, despite building a (now defunct) rubber processing facility there. Provincial technical staff explained this politely, saying that “the company was interested in seeking [a] concession and was unable to obtain enough land” (Shi 2008: 25). In contrast, three weeks after the 2005 meeting, the company signed a 5,000 hectare agreement with the government of Oudomxai. The contract entitled Sino-Lao to a 1:1 tree-division scheme, the same as it had proposed in Luang Namtha, but with the

<sup>106</sup> Compare the official minutes with the “Minutes of the meeting to revise and plan the implementation of Chinese cooperative rubber investment promotion,” 10 October 2005, Oudomsin Hotel, Luang Namtha, unstamped and unsigned, p. 2.

<sup>107</sup> Ibid., notes 105 and 106.

modification that it would also pay for wage labor until tree division took place (Thongmanivong et al. 2010). Its planned geography was formalized in a sign displayed prominently by the road to Luang Namtha, just outside the Oudomxai provincial capital (Figure 24). The orange area showed the 5,000 hectare landscape that had been rezoned “for the people ... in accordance with the scope of power of the district, province and central government” (meeting minutes, quoted in *ibid.*: 26). The map, according to its own data, covered 18 villages and 1,873 families. Like the sign in Figure 23, its legend was left blank (Figure 25).



**Figure 25. Sino-Lao project map (detail) (author photo 2007)**

## FORMALIZING THE COMMONS

Despite rubber companies’ and local authorities’ reticence to be too formally precise,<sup>108</sup> the unfinished signboard maps were elaborated with fairly well-indexed paper versions. In Vieng Phou Kha, a paper version of the map from the nursery wall (Figure 23) was kept in the district Agriculture and Forestry office. It was much easier to read because it contained a range of additional items, including the Nam Fa River, National Road No. 3, two smaller roads, labeled village points, a north arrow, a scale reference, an arrow pointing toward the provincial capital, and a legend. It also had a table at the bottom listing the areas and amounts of agricultural land in each village pictured on the map (Figure 26). Like the nursery map, this one bore the formal-sounding title “Land use map of the 3,000 hectare Rubber Planting Promotion Project, Vieng Phou Kha District, of [Bolilsat Z] Ltd., Yunnan Province, People’s Republic of China.” But this

<sup>108</sup> In addition to having no legend, the total number of hectares on the Sino-Lao Oudomxai project map (5,122) had been modified on both sides of the sign to read 512 (see Figure 24).

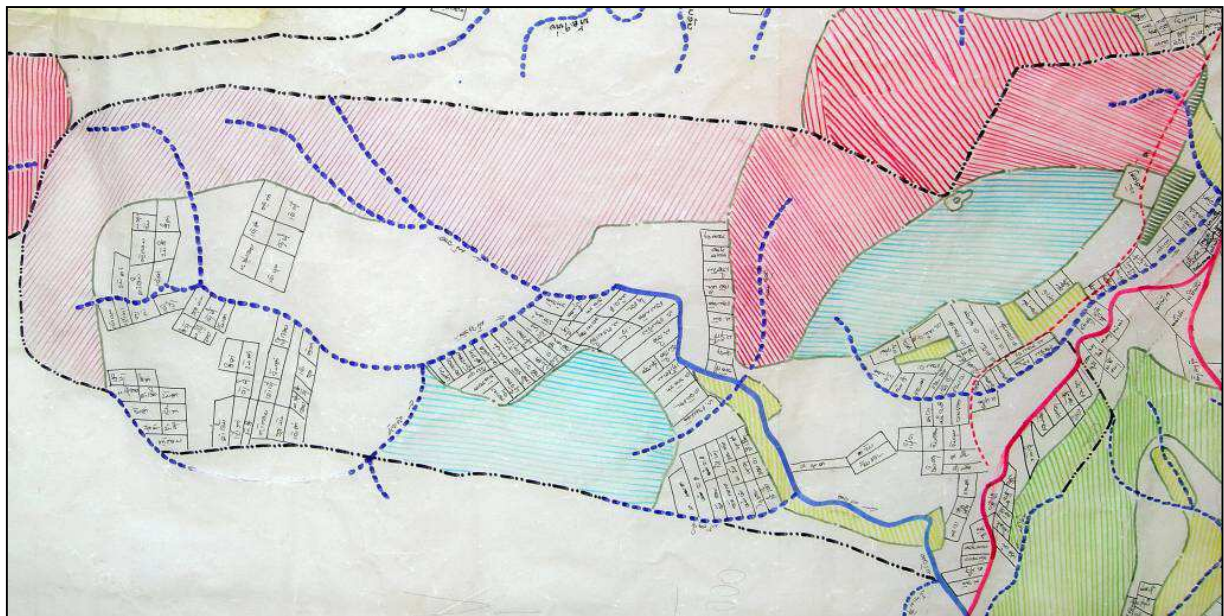
map made sense, at least for the most part. Unlike the disembodied shapes on the nursery wall, this one clearly referred to the dozen or so villages in and around Vieng Phou Kha's district center. Three questions nonetheless emerged from a closer read of the map: First, where did the yellow "agricultural land" polygons actually come from? Second, how did the project's 3,000 hectares square with the map's 8,400 hectares of "agricultural land" and more than 30,000 hectares of implied "forest zones"? (The map's legend defined the negative space outside the agricultural areas as *khopkhet pa*, or "forest zones.") And third, why did some village territories have two villages?



Figure 26. Bolisat Z survey map

District officials' explanation of the project answered all of these questions, and revealed a set of formal-internal indices in addition the external ones that tied the map to the actual landscape. They explained that the project was targeting areas zoned for agricultural production during the Land and Forest Allocation process, and that this would convert former swidden lands into permanent cash cropping, as well as minimize the project's impact on the surrounding forest, especially the Nam Ha National Protected Area (to the north and east, see below). They also explained the distinction between the "2+3" and the "1+4" villages, and noted that the villages with two village points per territory were the "1+4" areas, since the two sets of "Kui" preferred to live together in the same area. This account glossed the conflicted history of these villages, but matched the formal geography constructed by the contract and the map. The contract explained where the map had come from: it named the various villages in the project area, listed the 3,000 hectare quota, and distinguished between "2+3" and "1+4" as "techniques for encouraging or promoting farmers."<sup>109</sup> It also referred to the need to zone the area "through a series of processes that would take into account the suitability of the land." The map was the result of this process.

This basic geography was confirmed by company representatives I spoke with in the field office in Vieng Phou Kha as well as in provincial capital, where the company had hired a former official from the provincial Industry and Commerce department to liaise with local officials.<sup>110</sup> The latter interview added an important detail in explaining the legal rationality of the project's bifurcation into "2+3" and "1+4" modes: in the "2+3" villages, the company was working with farmers who had *individual* plots, while in the "1+4" villages, agricultural land was managed *communally*. This distinction had been formalized during the Land and Forest Allocation process, when plot-scale land allocation had been done in some of the villages; in and around the



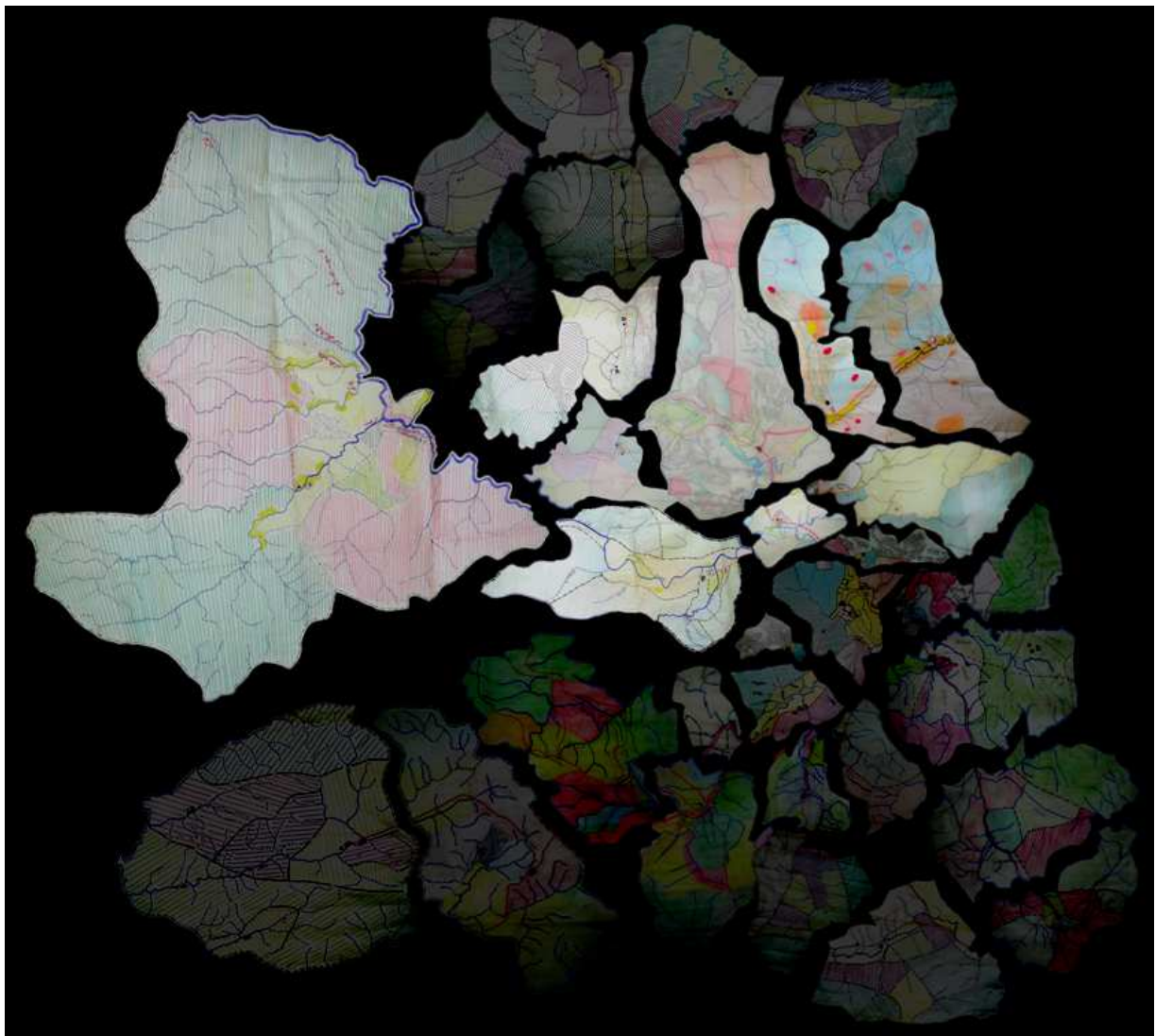
**Figure 27. Example of plot-scale legibility produced Land and Forest Allocation**

<sup>109</sup> Contract on Project Promoting Rubber with Farmers in Vieng Phou Kha District, Luang Namtha Province between the Office of Planning and Investment, Office of Agriculture and Forestry and [Bolisat Z] Company Limited, [month] 2007. I thank Dr. Yayoi Fujita for graciously providing translation.

<sup>110</sup> Interviews, December 2007



district center, this process had even been mapped (Figure 27). As the formal zoning created under LFA was translated into the rubber project map (Figure 28 and Figure 29), this distinction was more or less preserved: villages where land had been allocated individually ended up as “2+3” villages, while villages where only zoning had taken place ended up in the “1+4” category. The exception seemed to prove the rule, highlighting that local authorities treated the landscape formalized by LFA as somewhat flexible: in one of the “1+4” villages, individual land use certificates had been drawn up but retained unsigned in the district Agriculture and Forestry office.<sup>111</sup> The “1+4” model had been designated for a subset of the population deemed too poor to take on the burden of contract farming (chapter 5); in the formal arena, this had been translated into zones of agricultural land that were communally “owned” but simultaneously “managed” by the state and developed by the rubber company. Formal ownership was left with the village, but little else was.



**Figure 28.** LFA maps used to make the *Bolisat Z* project map

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<sup>111</sup> Office visit, Dec. 2007

The rubber project map thus reflected a selective reproduction and interpretation of data created during the LFA process of 1997-2002 (with the exception of the village I called “Ban Deng” in chapter 5, which had been created in 2004). Figure 28 shows the subset of LFA maps that were used to create the formal geography for the *Bolisat Z* project, while Figure 29 shows this process in more detail for the project’s easternmost village. As Figure 30 elaborates, this translation was both simplified and approximate. From the complex categorization system laid down by LFA, only the two fundamental categories of agriculture and forest had been retained. District officials simplified the boundaries of the agriculturally zoned areas, which expanded substantially in Ban Deng, for example, and drifted north in the village shown in Figure 30. But they kept the numbers, as indicated by the correspondence between their summary statistics from a few years earlier and the table located at the bottom of the new map.<sup>112</sup>



**Figure 29. Formal genealogy of the *Bolisat Z* survey map**

The “on-paper” geography of the *Bolisat Z* project was thus flexible but formal, adaptable to both graphical manipulation and circumstances on the ground, but also providing a genealogical lineage to anchor the project’s otherwise heavily arbitrary distinction between agricultural and

<sup>112</sup> Vieng Phou Kha district Land and Forest Allocation summary statistics, undated.

forest land. Land and Forest Allocation had begun the process of creating “purified” categories of agriculture and forest from a messy upland landscape, anticipating on paper the enclosure of forest and the shift to commodity-based agriculture that was articulated extensively in the policy arena. But the LFA process had been unable to achieve this on its own. The new rubber project, in contrast, had injected capital into this still-inchoate landscape; the upland world that had been previously zoned only on paper was progressing slowly to reality on the ground.



Figure 30. Translation of “agricultural land” from LFA map (orange) to *Bolisat Z* map (yellow)

## TRANSNATIONAL LEGIBILITY

The legal genealogy of the *Bolisat Z* rubber promotion project nonetheless raises a further question: was all that detailed map work really necessary if its sole purpose was to justify the program’s activities to local villagers? As illustrated in chapter 5 and the sketch at the opening of chapter 6, maps seem to have played a secondary role at most in local authorities’ efforts to manage the upland population. Yet they made the maps anyway. Why?

The most convincing answer to this question appears above, at least in a narrow sense: the company’s contract tasked the government with zoning the project area in order to allocate “suitable” land for company activities. This points to a final form of legibility that is, I suggest, both *at work in* and *emerging from* the types of formal geography examined in this chapter. If zoning maps like those of Sino-Lao and *Bolisat Z* appear as mere formalities when placed in the context of the material landscapes they claim to represent, this “mere” or “weak” formality, I suggest, gets stronger as they become progressively removed from the local context, as empirical analysis about actual land access is replaced by the formal and abstract narrative of the law.

Bruno Latour's well-known work on "immutable mobiles" like maps emphasizes the relationship between political power and foreknowledge. The classic case he describes is naval supremacy that is able to conquer because it has a good map – that is, because its allies have visited the area before and brought back a representation that familiarized the ships' navigators with a place they had never actually seen (Latour 1987: 219-225; also see Turnbull 1989). But as critical cartographers have shown, the power of maps is not merely to carry realistic representations to faraway places, but to carry ideas and claims, whatever their relationship to reality (Harley 2001; Pickles 2004). Nikolas Rose, for example, refers to the map as "a little machine for producing conviction in others" (Rose 1999: 39). The less familiar the viewer is with the area being shown, the more easily their conviction can be manipulated. As formal geographies travel, the stronger their formality becomes because of the attenuation of the correspondence with on-the-ground reality.

In this context, China's poppy replacement subsidy program mandates one last look. The anthropologist Xiaolin Guo has described Yunnan province's 4,000 kilometer-long border with Myanmar, Laos and Vietnam as China's "new frontier" for development cooperation (Xiaolin 2007: 50):

China has traditionally been particularly perturbed by border trade, associating an open border with instability detrimental to national interest. However, the development of border trade since the beginning of China's economic reform has moved China's perception away from risk-aversion towards a coordinated effort on both sides of the border to keep the border stable through prosperity (ibid.: 64).

This move toward integration is exemplified by, among other things, a Chinese state loan for one third of Laos's Northern Economic Corridor, as well as development assistance by state planners from Yunnan to create a regional master plan for northern Laos (Shi 2009). At a finer scale, China's poppy replacement subsidy program, recently expanded from agriculture to include a range of activities, brings this process of regional integration to the scale of particular villages. Subsidies are generous, including reimbursement for 80-90 percent of exploration and insurance costs, as well as cash payments of 150 to 450 Yuan per hectare per year once crops are actually in the ground (Shi, 2008: 27). As of 2009, the Yunnan Department of Commerce listed the program as comprising 99 agricultural projects, of which 47 were in Laos, and of which 19 were for rubber. Rubber occupied well over half of the total area figures listed.<sup>113</sup>

In describing the types of evidence investors are required to provide in order to access subsidy money, Weiyi Shi refers entirely to the types of formal documents examined in this chapter: contracts, feasibility studies and letters from host-country officials. In order to qualify for subsidies, in other words, investors must prove that they are welcome locally, at least by authorities, and that their projects have developed sufficiently fine-scale evidence about the local landscape that they can make the case that the project will work. The feasibility that Shi mentions is the correlate of the "suitability" mentioned in the *Bolisat Z* contract above: it is both physical and social, and it depends intimately on the survey. If there is one thing that the *Bolisat*

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<sup>113</sup> <http://xsbn.mofcom.gov.cn/aarticle/gonggao/200809/20080905777443.html> (accessed 1 Oct. 2008; with thanks to Weiyi Shi, Kevin Woods and Peng Ying).

Z map says, it is that the project area has more than adequate land and labor for developing 3,000 hectares of rubber plantation. Given the conflicted history of the Sino-Lao negotiations, Chinese planners could not have but known that local government would be as much of a factor as the local population in determining project feasibility. The map in Figure 26 provides a calculation much like the one that the Lao ministry did in its proposal to Sino-Lao, although it does it with villages rather than provinces. It says, in short, that providing 3,000 hectares of land “will not be a problem.”

The *Bolisat Z* zoning map was not the district’s only effort to produce formal zoning to match its population management efforts. The sketch at the beginning of chapter 6 illustrates another one that was going on in the western part of the district in parallel. Together, these show the formal geography working in the asymmetrical way illustrated in the opening sketch of this chapter: it spoke in the language of official authority without giving anything away. The LFA maps were, in this sense, deployed as legal artifacts until they were no longer necessary, at which point they were redrawn. This was explained, when it needed to be, as being within the scope of the power authority of the Lao state. More often, however, it was simply done. This ran into trouble locally, especially when the local population stood to lose and was politically empowered rather than politically marginalized (cf. Thongmanivong et al. 2010). But as I have suggested, a key purpose of formal-geographic legibility is to convince not locals who might argue with it, but faraway audiences who, given their mix of ignorance and economic incentives, are unlikely to object.

## CONCLUSION: “MIND-FRIENDLY” LANDSCAPES

*At this point, it is not difficult to understand how ... managers can plan their production curve, how economists can add to these maps a few calculations of their own, how the bankers may later use these charts to evaluate the worth of the company, [and] how they can all be archived to help the government calculate the proven reserves, a very controversial issue.*

Latour (1987: 226)

The complete formal landscape of Vieng Phou Kha province may be a planner’s dream, but as this chapter has suggested, the flexibility involved in using geographical formality makes it equally likely that it will never exist as such. What matters, instead, is the capacity to create formalizations *when it matters in a particular location*. State regulators and even investment promoters in Vientiane have lamented the fact that their legibility over Laos’s plantation landscape is relatively low. A researcher at Laos’s National Economic Research Institute noted that despite the importance of the plantation sector,

specific information about plantation sector size, location and types of plantations and plantation investors is limited. What information does exist is dispersed across government agencies making it extremely difficult to find. The Ministry of Planning and Investment has information on 123 large-scale plantation projects currently covering a production area of over 165,794 hectares (MPI, 2007). It does not hold information on the areas of medium and small-scale plantation projects (less than \$3 million investment and production area less than 100 hectares), which have been approved at the provincial level. This means that MPI does not have investment data on total plantation investment (Voladet 2009: 3).

The case of *Bolisat Z* offers an elaboration on one of the key loopholes in even this relatively

candid admission of low legibility. The project's quota of 3,000 hectares seems to qualify it for central level oversight. (Its registered worth was stated, conveniently, at just under three million dollars). But here the distinction between concessions and "concession-like" projects appears again. The *Bolisat Z* project was a rubber planting promotion project, not a state land concession. Its nursery involved a land concession of about 10 hectares, and its "demonstration garden," roughly 70 hectares (based on seedling counts<sup>114</sup>) was arguably a land concession. But the rest of its operations were conducted on *village* agricultural land. The eventual division of the "1+4" trees would undoubtedly push it above 100 hectares of company-controlled land, but whether or not this was a land concession from a regulatory perspective remained an open question. The project's formal geography seemed to answer this in the negative; without opposing evidence, it seemed likely to stay this way. *Bolisat Z* had acquired a legal geography that enabled it to pursue its 3,000 hectares of land access – much of this via "concession-like" company gardens – while remaining below the radar of central-level regulatory oversight.

In his book *The Mystery of Capital*, economist Hernando de Soto writes that "property makes capital 'mind friendly'" in language that is highly evocative of Bruno Latour (1987):

The revolutionary contribution of an integrated property system is that it solves a basic problem of cognition. ... We need to have the economic facts about ourselves and our resources boiled down to essentials that our minds can easily grasp. A good property system ... fixes [these facts] in representations that the system tracks as they travel through time and space. In addition, it allows assets to become fungible by representing them to our minds so that we can easily combine, divide and mobilize them... (ibid.: 219).

Spatial abstraction, as many scholars have noted is at the heart of capitalism, and in particular of planning (Lefebvre 1990; Foucault 2007). The quote from Bruno Latour, above, was written to describe the problem of figuring out how much oil is buried under the North Sea, not for purposes of extracting it per se, but for creating what the industry calls a "proven" reserve. The question of how much "available" land sits in the hinterland of the global south is a similarly "controversial" question. Efforts have been made to quantify it in physical-ecological terms, but these include major caveats about the social dimensions of "suitable" or "available" land (Fischer et al. 2002). Formal geographies like those derived from Laos's Land and Forest Allocation program will likely provide the terrain upon which these types of questions will be answered, although given the asymmetrical control over the data, it is not at all obvious that they will be answered fairly or adequately. As they convince far-away planners that various plans to develop plantations "will not be a problem," formal geographies will remain highly contestable in the landscapes where they were produced. The question then, is whether they will remain shuttered away in government offices until they are needed, and whether and when they will emerge as a terrain of political struggle before the trees are in the ground.

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<sup>114</sup> Interview with *Bolisat Z*, 18 Dec. 2007

## Conclusion: Other Golden Quadrangles?

*The past appears in a different light, and hence the process by which that past becomes the present also takes on another aspect.*

Lefebvre (1991: 65)

Northwestern Laos's transformation from battlefield to marketplace has been, and remains, a conflicted and complex process. If I have dwelt on the negative and, at times, on the finely detailed, it is to show some of the contingency involved, and to lay bare a few of the threads that connect to what might otherwise appear disparate places, times or subjects. The broad arc of my analysis has moved from upland geopolitics as a historical problematic centered on the dynamics of population management, to the particular practices of post-conflict development in two strategically important upland landscapes, to the ways that these areas and the policy trajectories that penetrate them illuminate the ongoing and ever-opaque process of internal state politics. The case of Northwestern Laos – home to one of Laos's most dynamic foreign investment booms, yet also the cradle of a broadly protective policy effort – offers a chance to reflect more broadly on transnational land access elsewhere by posing the question of “other Golden Quadrangles.” By this, I do not mean that the dynamics (let alone the details) of transnational land access will be replicated elsewhere, but that the questions of legacy effects and their articulation with state formation deserve to be interrogated more widely. In this concluding chapter, I revisit the key points and methods from earlier chapters to suggest how these broader questions might be approached in other places as well.

I do this in two stages. The first entails reading the “lessons from Laos,” and from the northwest in particular, into the two bodies of work on transnational land access discussed in chapter 1: the political economy-driven literature on the global land grab, and the more historically and political geography-oriented literature on territoriality and Chinese overseas development in particular. I focus on three themes from the Lao case that have broader relevance to the way that transnational land access is framed and examined – (i) the framing of Laos's postwar transition, (ii) the legacy of “applied postcolonialism” on state thinking and practice in the area of national security, and (iii) the characterization of the Lao state. Second, and finally, I reflect on the geography- (and specifically the map-)intensive methods that I have used in my efforts to reconstruct historical and present-day landscapes of resource conflict. I suggest that the geo-referencing of *paper* maps may be something to push more broadly, for two reasons: (i) it can help, as I have shown, bridge the digital divide that currently keeps many types of tenure documents from being seen as formal; and (ii) it can also, I suggest, help bridge a disciplinary divide between various groups of scholars who might otherwise be kept apart by methodological choices.

## REVISITING THE GLOBAL LAND GRAB

One of the risks of the literature on the “new global land grab” is that it has to wrestle with the possibility of conjuring an emergency that fails to pan out. If a certain amount of speculative alarmism was justified to help break the story initially (Grain 2008), it is now increasingly important to refine the analysis about how, where and why transnational farmland access is proceeding (or failing), and to back these analyses with as much evidence as possible (Borras & Franco 2010b). Given the political sensitivities and logistical difficulties involved, this will be a challenging endeavor, and it is therefore essential to both push individual case studies as far as they can reasonably go, and to engage more broadly in collaborative work that can bring together complementary approaches and materials. In this section, I focus on how the case of northwestern Laos can be “pushed” in ways that speak to the larger issue of global land grabbing. Toward the end of the chapter, I will return to the issue of collaboration.

It might be asked what precisely is new about the “new” global land grab. The two most compelling answers, in my view, are the growing presence of sovereign wealth in the political-economic arena of large land deals (Cotula et al. 2009; Rice 2009), and the scale of transnational land deals, both individually as projects and in aggregate (Economist 2009; World Bank 2010). But these, in turn, raise the issue of timing. Why now? A set of “global” answers have been put forward, including rising demand for farmland due to increased agrofuels production; the flight to quality that drove many Wall Street-type investors from collateralized debt to commodities; and the growing convergence of environmental problems like drought and unsustainable groundwater mining (Grain 2008; Montenegro 2009; Rice 2009; Smaller & Mann 2009). But there are also local and regional answers that, while they do not capture fully the “global” dynamics, are essential to understand how, where and why particular geographies of land access are unfolding in the ways that they are. Moreover, looking at local and regional dynamics help to answer the question of what is new by reframing it in terms of new events inside longer trajectories. The case of northwestern Laos speaks to both of these.

In chapter 5, I used the case of Vieng Phou Kha district to show that the geography of Chinese agribusiness – and specifically of rubber-based enclosure – only makes sense when it is located within the larger process of state authorities’ efforts to address problems of upland settlement and resettlement. These problems, in turn, emerged from the history of Cold War conflict in the area, and turned on the radically opposed histories of the populations of two areas that I called Ban Deng and Khet Nam Fa, respectively. Resettlement problems, in this sense, meant not just moving people around, but providing livelihoods that would keep them in place, once resettled. For the residents of Ban Deng, this meant giving them access to rubber, but also allowing them to farm and clear forest in other ways; the village’s residents, after all, had been recruited to come to the area from a revolutionary stronghold in another part of the province, and this history brought special entitlements. The residents of Khet Nam Fa were on the other extreme; their past shrouded in national security concerns, they had been forcibly resettled into the area years earlier, and their propensity to return to the forested hinterland left local authorities with the challenge of how to keep them fixed in place. For both communities, rubber was part of the answer to the livelihood question, but it worked very differently in each place.

This is a simplified and schematic account of the resettlement issues that went along with the *Bolisat Z* rubber project, examined again in chapter 7. Even this simplified version is sufficient



to show how the differentiation of the upland population played a key role in how local authorities chose where and how to implement state commitments to transnational land access, and more specifically where and how to place particular regimes of enclosure. Three points are worth emphasizing here. First, the literature on state-managed resettlement in Laos has tended to focus on population concentration and consolidation along the lines of the focal site model discussed in chapters 4 and 5 (ACF 2004; Evrard & Goudineau 2004; Baird & Shoemaker 2007). Much of this has overlapped with the literature on Land and Forest Allocation, which has also tended to follow a line of analysis based on enclosure; while not framed explicitly in the language of primitive accumulation, Marx's language of "divorcing the producer from the means of production" would have been at home in much of this work (e.g., Chamberlain et al. 2001, 2006; Vandergeest 2003). In showing the existence of a parallel process of sending particularly trusted villagers *out* onto the frontier, my work shows an example of how population management work is not simply about creating isolated resources, but rather about assembling particular mixes of resources and population that authorities deem secure (both politically and economically). Andrew Hardy (2003) has written about this dual mode of resettlement in upland Vietnam, and it is hardly surprising that despite the Lao literature's emphasis on "bringing people down" and "in," the opposite is happening as well. Different legacies figure centrally in explaining how people get sorted into one track or the other.

The second point is the need to re-examine the distinction between security- and development-related resettlement – a second major theme in the literature on the Lao state and its resource-oriented territorialization efforts (Goudineau et al. 1997; Evrard & Goudineau 2004; Rigg 2005; Baird & Shoemaker 2007). The very different resettlement trajectories discussed above depended on the respective security profiles of the communities involved. This simple link has important implications. I showed in chapter 4 how the counterinsurgency-style population management techniques developed in the early 1980s were carried over into rural development policy of the 1990s and today. Here we are seeing a similar continuity, operating not in official policy, but in the local knowledge of state authorities: In deciding where to locate focal sites, how to populate them, and who to send into areas that had been emptied out, officials in Vieng Phou Kha relied on their interpretations of wartime and postwar history, and they used this in order to match particular communities with particular regimes of enclosure and land access. While there may indeed be a historical inflection point around 1990 in how security and development figured into state resettlement efforts, to read this as a hard transition may mean missing the continuities when they exist. Chapter 4 showed one instance of the security-development articulation as it unfolded in the 1980s. As chapter 5 suggests, the two remain entwined today as well.

Third, it is important to remember that these different histories led to very different regimes of enclosure, but not necessarily to different degrees of displacement. Dispossession, enclosure and displacement are often used in similar ways (cf. e.g., Borrás et al. 2011), and while there are good historical reasons in some cases, we would do well to differentiate them here. The historical geography of what I called Vieng Phou Kha's "internal frontier" drove the dynamics of state resettlement that I examined in chapter 5. What was so striking about the *Bolisat Z* case was its avoidance of population displacement even as it pursued enclosure (and dispossession as well). I suggested in chapter 5 that we read this as a case of what Michael Perelman called "calibrated" primitive accumulation, in which the process of enclosure is adjusted deliberately so as to avoid socially disruptive outcomes and, in the history that Perelman discusses, to allow

subsistence production to occur within the enclosure process (Perelman 2007). Like Karl Polanyi, who insisted that what mattered the most in terms of causing or mitigating social disruption was the *rate* of enclosure (Polanyi 1944), Perelman's model of partial and calibrated enclosure provides an alternative reading to the displacement-heavy model foregrounded by Sassen, Li, Harvey and others (Sassen 2010; Li 2011; Harvey 2003; see chapter 1).

Ironically, in contrast to his historical work, Perelman's reading of "primitive accumulation today" is closely aligned with people like Harvey and Sassen.

Unlike the early primitive accumulationists, their modern counterparts are rabid ideologues who have no patience with moderation or the sophisticated calibration [of the past]. ... When economic historians look back at the history of primitive accumulation, they see a part of the larger process of the Industrial Revolution, which, overall, represented an enormous material advance. While early capitalism was brutal, it still furthered society's potential for creating a better life. This new variant of primitive accumulation offers nothing more than a callous redistribution of wealth and income without any promise of compensating technological advances that will benefit society as a whole (Perelman 2007: 60).

Perelman's ambivalence about "classical" primitive accumulation raises an important final point. Post-conflict transitions are never easy, and many are deeply tragic (cf. Unruh 1995, 2005; Le Billon 2001; Ybarra 2011). Despite my description of the "1+4" process as a "calibrated" grab of much of the agriculturally zoned land in Khet Nam Fa, I suggested that there was also another side of the story – namely, reasonable evidence that local authorities were trying to protect villagers from an even worse land grab by unnamed "local elites." The regulated land grab, in other words, provided an alternative to the unregulated one in that it left villagers with a fraction of their land planted in rubber trees (3 of 10 trees, to be precise), and with wage work that, unlike informal labor, might be regulated by the state.<sup>115</sup> Sylvia Federici makes related point in noting the political ambivalence of situations in which wage work and subsistence opportunities occur side by side (Federici 2004: 72-73). My point is not to put a rosey tint on the situation in Khet Nam Fa, but to emphasize its complexity. As new land deals move into landscapes of incomplete enclosures, these sorts of issues are likely to keep emerging.

I want to foreground the importance of historically oriented research in making sense of these emerging landscapes. It will be tempting to investigate the mix of dispossession and (hopefully) improvement in terms that are largely technical. I do not suggest we ignore these; crop and technology mixes, presence versus absence of value-adding, and opportunities or constraints on credit (among other things) will be essential to investigate and understand. But there is also the issue of what I will call the political valence of displacement. This refers to the political meaning that land access and mobility have in terms of the history of the area. In chapter 1, I discussed the work of Donald Moore (2000) to show how the history of Zimbabwe's national liberation struggle came back to haunt government officials when, decades later, they attempted to resettle a particular community from land that had been "given" to them because of their revolutionary service. Similarly, in describing the praxis of population management work, I tried to suggest that the historical association between national insecurity and unsupervised upland mobility had

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<sup>115</sup> See Baird (2010b, 2011) on the way that local officials in southern Laos have gotten involved in rubber project regulation because of disputes over labor.

placed a high political value on fixity, and that efforts to settle upland peoples down needed to be understood in these terms (cf. Chamberlain et al. 2001; ACF 2004). These historical dynamics created, as illustrated, variability in the value of population settlement. History, in other words, conditioned a calculus of sorts that maps only partially onto economics, resource value and the like. In looking at new geographies of displacement and land access, I suggest that we would do well to look in similarly historical terms.

## TERRITORIAL POLITICS WITHIN THE STATE

In addition to highlighting their importance in shaping the state-society politics that I have grouped under “population management work,” I also showed how transnational land deals have become deeply imbricated in the longstanding issue of resource politics within the Lao state. While the specifics of my analysis focused on the lineage traced by the government’s transition from Land and Forest Allocation (chapter 6) to the recent wave of transnational land deals (chapter 7), I suggest that these sorts of dynamics are likely to be somewhat general. The literature on the “resource curse,” while thin and reductive in many ways (Watts 2004), testifies amply to the problem of regulation and rent distribution within (and at the often-blurry edges of) the state. Similarly, research on transnational land access that has succeeded in interviewing state regulators has found that they themselves are often under-resourced and under-capacitated (Cotula et al. 2009; NLMA & GTZ 2009; NLMA & FER 2009). Corruption, while dominant in much of the literature, is only one dimension of the issue, and an often fuzzy one at that (Stuart-Fox 2006; Baird 2010b). I have tried to show that as important as the boundary between public and private may be, there is much at stake within the arena of intra-state politics alone. This section pursues three implications of the interplay between formality and legibility politics discussed in Part III.

At the most basic level, an understanding of the politics of formality and legibility add analytical depth to what many who have worked in or with government already know: that the state exists as a uniform entity only to the extent that it is strategically essentialized as such (Foucault 1991; Abrams 1988). In Laos, references to “the GoL” (the Government of Laos) are legion, but they frequently refer to an idealized version of the Lao state – the central government as it appears in a particular policy statement, for example, or to the unified front that many officials successfully erect when it suits their interests. As Part III illustrates, however, “distance” within the state can be substantial, both spatially and temporally. This was in fact the defining problematic of Part III: central-level officials pursued their quest for legibility via the Land and Forest Allocation program, but found that formalization was no technical fix for local authorities’ reliance on land allocation for, as they put it, “development projects.” This situation – formality without legibility – has persisted into the present, and is a distinct possibility elsewhere as well. Especially to the extent that transnational investors are able “forum shop” (von Benda-Beckmann 1981; Sikor & Lund 2009) for regulatory systems and property regimes that fit their needs, it is worth hypothesizing that the hinterlands of the global south that will be most sought out are not simply those with the most potential arable land and water, but those with the most flexible options for manipulating legal land access while still working within the realm of formality. To the extent that formal landscapes remain largely illegible (whether to the public or to concerned regulatory authorities), formalization politics are likely to be manipulated to increasingly instrumental ends.

A second issue is the depth of detail contained in the paper landscapes that convey formal

recognition to particular land deals. I noted in chapter 7 that the ugly history of differential population treatment examined in chapter 5 had left only the faintest of traces on the project's official map – the differential topography of target villages, in which the “1+4” villages had two village points while the “2+3” villages had only one. I argued that this was probably not left off the map deliberately, but was more likely a function of the fact that the project map was created for other purposes – specifically, to establish a legal genealogy of land access for the rubber company in question. The possibility nonetheless emerges that “shallow” forms of formality will be used in order to keep land grabbing deliberately out of the picture. Put another way, it is quite possible that states will seek deliberately to capitalize on their coercive powers, and that the tail of cheap access will wag the dog, so to speak, of formalization.

This question is worth posing in light of emerging evidence from a variety of places, including Colombia (Ballvé 2011), Burma (Woods 2011), Cambodia (Biddulph 2010), Ethiopia (Makki & Geisler 2011) and Mozambique (Borras et al. 2011). To the extent that new land deals are being brought into landscapes where violence has a long and normalized history, variation on the uneven “battlefield to marketplace” narrative are almost inevitable, and probably far more extreme than anything examined here. Achille Mbembe's account of the “political incapacitation” that can fall on “entire sections of the population” in the wake of war was particularly geared toward looking at situations where “the distinction between a state of war and a state of peace is increasingly illusory” (Mbembe 2001: 88, 89); I have suggested that these legacies can be mobilized even when they have been attenuated by years or decades of relative peace, but Mbembe's focus on more recently violent cases implies that the dynamics of private indirect government are all the more likely to apply in places like Colombia or Burma. Even in cases where legacies of violence are not paramount, the type of counter-territorializations that Robin Biddulph (2010) describes for Cambodia may be pursued in order to capitalize on the cheapness of untitled (or informalized) land. Especially where host governments are poor, they may be tempted to use legal means to cheapen the expropriation process. Biddulph's “geographies of evasion” are framed in terms of the dynamics between donors and recipient governments, but my work suggests that they are equally likely to occur within states as well – say, between planning or recruitment arms of government and regulatory arms. Given the range of opportunities to exploit histories of conflict and uncertainties in the formal arena, it seems optimistic and perhaps even naïve to pin hopes of reform on the “title-it-first” approach (cf. FAO et al. 2010; World Bank 2011).

Finally, then, there is the question of engagement for concerned scholars and practitioners. While it is beyond my capacity to offer specific suggestions for strategic intervention – this is far better developed collaboratively – I will point out that the approach I employed lent itself to a mix of case-specific and broad inventory work. As mentioned in chapter 1, my terms of access to the field were dependent on the political moment in which I was working, and I benefited in from the chance to collaborate with regulators on the latter. This had its drawbacks (for example, in terms of ethnographic access to particular project sites), but it was nonetheless well calibrated to the scale of my analysis. In this sense the potential to slip back and forth between case-specific and more general types of research not only helped with the development of the cases; it also provided an important point of access, allowing me to stay involved in the local debates through a mix of government, donor and private-sector informants.

It is now apparent that transnational land access poses substantial challenges for researchers, and that collaboration is therefore essential in order to triangulate the inevitable limitations (cf. Cotula et al. 2009; World Bank 2011; Oxfam 2011; LDPI 2011). At the risk of stating the obvious, I want to end by offering the suggestion that spatial methods provide a useful platform for cross-disciplinary collaboration. This is partly because of the appropriateness to the object of study and partly because of the “spatial turn” that so many disciplines have taken in recent years. But even more so is the capacity of maps to create and sustain conversation. Throughout my research, the ability to use GIS opened doors, sometimes because the technology is fetishized, but more often because of a real practical need. The mixing of digital and paper media was especially useful in that it both demystified the digital and, even more important, showed that paper maps could be harnessed for regulatory purposes. In all of this, I would like to think that my work has helped shift the conditions of possibility for what is contestable, both practically and ethically. Making the geographies of land access more “mind friendly” is hardly sufficient to address the historical situation that has brought them into being. But without better geographical resolution, political resolution will be slow in coming as well.

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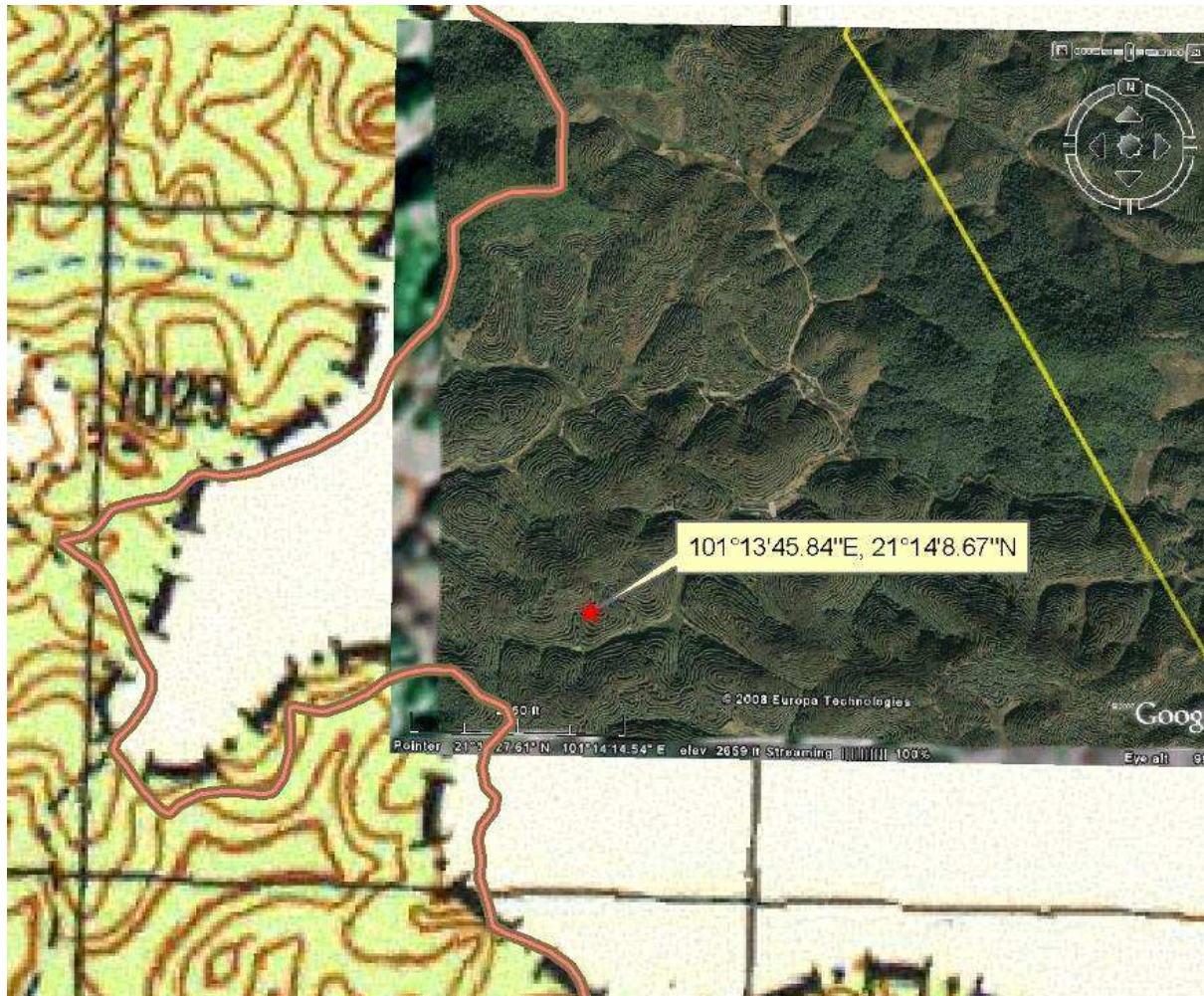
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## APPENDIX I: GOOGLE EARTH IMAGE GEO-REFERENCING

The GoogleEarth image in chapter 1 can be geo-referenced in two ways, both of which are combined here. First, the image contains a latitude-longitude coordinate pair at the bottom left of the image: 101° 13' 45.84''E, 21° 14' 8.67'' N. Plotting these coordinates yields a point about two kilometers northeast of a small piece of Lao territory that points northeast into China. This is the red star in Figure A-1 below. Figure A-1 also contains a geo-referenced GoogleEarth image that has been geo-referenced through a series of steps illustrated in Figures A-2 and A-3.



**Figure A-1.** See text for details.

Figure A-2 shows a zoomed-out GoogleEarth image that I geo-referenced to a GIS layer of rivers data (shown in light purple and red) in an adjacent portion of northwestern Laos. These rivers match the rivers depicted on the topographic map underneath, as shown on the left edge of Figure A-2. The large river (light purple) that runs north-south is plainly visible on the GoogleEarth image, and has been used to anchor the GoogleEarth image to the topo map. Zooming in on the area around the red-starred coordinate point (Figure A-1) shows the plantation depicted in chapter 1 to be entirely inside China.



Figure A-2. See text for details.

## APPENDIX II. “TURNING LAND INTO CAPITAL” (VIENTIANE TIMES)

Variants on the phrase *turning or transforming land into capital* (TLIC) appear 24 times between 2006, when it first appears, and June 2011. The phrase is associated with official development policy, and is largely associated with land concessions – both in the abstract, where the emphasis is on agribusiness, and in connection with two specific urban projects: a new national stadium and the so-called 450 Year Road project. The former plays a key role in bringing the phrase into widespread popular use. Prior to September 2010, TLIC was used a few times in connection with land concession projects, after appearing first in the context of land administration and titling. But the announcement of the stadium project brought the phrase into extensive use after it was used by the deputy prime minister (who is widely portrayed as having overly cozy links to China) to rationalize a land trade that was widely unpopular. The policy plays the role of guiding light in another project as well, as the Vientiane government engages in a blatant and unpopular land grab from urban residents in the case of the 450 Year Road. The 450 Year Road approach is later ditched while the policy that apparently motivated it is retained as a way “to lower state investment costs.”

2006

- March: The phrase TLIC appears first in the sixth installment (March 20-27) of the economic report from the 8<sup>th</sup> Party Congress. The report on the sixth 5-year socio-economic development plan was presented by the Deputy PM and head of the Committee of Planning and Investment (Thongloun Sisolith), and began with: “Amidst an atmosphere of the entire Party, army and people of Laos following the events of Congress VIII of the Lao People’s Revolutionary Party with keen interest, the Political Report presented to this Congress by Comrade President of the Party reconfirms the need to further implement the Party’s Renovation Policy” (Economic report, VT 20 Mar. 2006). TLIC appears in the context of land titling: “To improve systems of market economic development. To help us move toward becoming a progressive and modern society in line with socialism. The Party’s leadership and the Government’s administration and encouragement, will work to perform some conditions as follows: a. To improve the legal framework. To serve market economic systems. b. To pay attention to important market development as follows: (1) Expansion of the commodities market and services in order to ensure that Laos becomes competitive in the market mechanism. (2) Real estate: To make use of land as a commodity, legal trade to implement the policy of transforming land into capital. (3) To increase the labor market...”
- August: The Land Development Services State Enterprise is created in July 2006 as part of TLIC implementation agenda, as reported in an article about a 3-day meeting of representatives from Laos, Vietnam, China, Nepal organized by the Vietnam Association for Geography and Cartography and the Norwegian Development Agency: “General Director of Land Development and Services State Enterprise, Mr Phoumy Vongleck said that the Lao PDR established the enterprise to provide land services last month, aiming to support implementation of Party policy on transforming land into capital. The enterprise’s has role been to encourage land development and services to go forward and reach international standards. The enterprise will undertake contracted work to develop land for creation of tourist areas, economic zones, resettlement plans for rural development and poverty reduction projects as well as providing requested services to

customers for land registration, transferring of land use rights, land lease or concessions, for the exploration land for domestic and foreign investors (VT, 22 Aug. 2006, Sharing land for sustainable development).

- November: “A new state enterprise which helps to implement government policy on transforming land into capital has been inaugurated in Vientiane...” Land Development and Services State Enterprise. This is basically a one-stop service for investors being shaken down: ““We can check if there is available land in any area, and we will also help on negotiating a sale when the land in question belongs to individuals,” said Mr Anothai. “We act as the coordinator between private businesses and government authorities, and we can access local authorities better than private investors can do by themselves.” The enterprise also undertakes contract work to develop land in areas influenced by the government’s relocation of people, and those who are affected by the construction of new industrial zones, new cities, highways, railways, bridges, airports, hydropower dams, mines, tourism facilities and other developments. They also provide services to customers for land registration, including the sale, exchange and transfer of land use rights, and land leases or concessions. They provide expert advice and consult on land services, such as land policy, land laws, surveys, design and the development of information systems. “Since the enterprise opened in July, we have had approaches from many clients, but we are not ready to set a standard fee. However, we will be ready to serve all clients from the end of this month,” said Mr Anothai. “We make land registration faster and more transparent. Our clients can predict how much they will pay as the fees are clearly defined. We get fast results as we understand the procedures and we have good connections” (VT 15 Nov. 2006, New tool for land development).

2007

- September: The TLIC policy emerges in force by being articulated to a foreign commercial entity in the context of a key development project: “For Laos to be considered a gracious host, a top quality sports stadium is needed for the opening and closing ceremonies and the staging of the various sports events. This is a large project requiring a lot of financial backing. To achieve it, the Lao government proposed a ‘Transforming Land into Capital Policy’ to the Director General of the National Development Bank of China during his visit to Laos in the middle of 2006. The director general praised the government’s policy and said his bank would be happy to provide a loan for a Chinese company to build the stadium, so that the Lao government did not have to borrow money from the Chinese bank. In return the Lao government has provided a 1,000-hectare site for the Chinese company to develop, in which the percentage of the Lao investment share will later be agreed upon” (VT 10 Sept. 2007, Govt sets new land policy in motion).

2008

- February: The TLIC policy is invoked to explain an increasingly unpopular project: “Mr. Somsavat said the reason the government had granted permission for a foreign company to develop the area was part of the Party and government’s policy to turn its land into capital” (VT 12 Feb. 2008, Govt explains That Luang marsh development)
- July: “The National Land Management Authority’s Lands Department Director General Mr. Siphandone Sihavong said it was hard for the government to direct investors to areas

suitable for their industry. Lack of land certification also means investors can be granted land which is already being used for farming. To address the issue, the Lao government is formulating a nationwide master plan to allocate land for specific uses, including agricultural projects, industrial tree plantations, productive forests and preservation areas. ... ‘Granting land concessions to investors is a vital part of implementing the government’s policy of turning land into capital,’ he said” (VT 1 July 2008, Govt to create land allocation plan).

- September: A decree that will allegedly settle the dispute about how much concession recipients should be charged also confirms that concessions are for state land: “The decree, which will come into effect in December this year, is part of government policy to convert state land into capital for development purposes” (VT 11 Sept., Value of land concessions in dispute; also mentioned in the same way two days earlier in 9 Sept., Govt seeks consensus on land concessions).
- November: TLIC invoked with a new building given to the government by an investor: “Board Head, Dr. Phandouangchith Vongsa, said the government’s policy was to convert land into capital and the agreement was in line with that policy. (VT 7 Nov. 2008, Kolao helps fund Party magazine headquarters).

2009

- February: TLIC appears in the middle of the 450 Year Road compensation controversy, in which the central government compulsorily purchased land in a 50-meter strip along a new peri-urban ring road below market value, and announced that it planned to lease it back to investors at market cost: “This is the first project in Vientiane to follow the government’s policy of turning land into capital, to reduce the financial burden on the government in road building.” The Vientiane Times noted: “The scheme has some issues to address because local people are unhappy that authorities bought their land cheaply and plan to sell it for a higher price” (VT, 2 Feb. 2009, 450 Year Road forges ahead).
- May: The head of the National Land Management Authority “said he does not support the way villagers’ land is negotiated away when concessions are granted to foreign investors. ... He said the government’s policy to convert land into capital was not at fault, but the manner in which it was being implemented was regrettable.” “The government’s policy to transform land into capital is carried out in three ways. The first way is to use existing land by preserving natural resources for tourism and generating capital from tourists who visit areas of natural beauty. The second way is to extract minerals, fell trees or use other natural resources for development. The third way is to allocate areas for development projects such as road construction, crop production and tree plantations” (VT 14 May 2009, Minister: Protect villagers’ land in concession negotiation).
- June: The 450 Year Road scheme continues with villagers who lost their land now being given the chance to buy it back at a higher price: “The government has given priority to former land owners to buy the developed land first. If they do not want to buy the land, the government will put it up for sale to the public, using the money to finance the cost of road construction and infrastructure development in the area. ... The 450 Year Road construction project is a government pilot project aiming to convert land into capital. Under the policy, the government will have to take land back from the current occupiers to build roads and other infrastructure. The government will sell the developed land to the public to refund the cost of road and infrastructure construction as well as to compensate

land owners who have had to give up their land for development” (VT 25 June 2009, Former land owners get priority in purchase of 450 Year Road plots).

- June: “The government’s policy to ‘turn land into capital’ continues apace, especially regarding road building in the provinces.” This account conjures a build-operate-transfer scheme, then explains the compensation process and moves to the 450 Year Road as an example, even though the latter is government-owned. “The concept of turning land into capital is a form of public-private partnership. Under agreements with government authorities, a private investor will develop the necessary infrastructure. In return they will receive financial benefit from special rights or access over a defined time period. At the end of this period, the infrastructure in question reverts to public ownership. In the case of road development, investors build roads and then are often given the rights to recoup their investment over time by selling land plots on either side of the newly developed road. One such example is the six-lane 450 Year Road in Vientiane ...” (VT 29 June 2009, Govt to pursue land development policy).
- July: A repeat of the Nam Bank buffalo controversy in Luang Prabang in 2006, but this time in Phongsaly: buffalo owners have been going into debt after being fined after their animal have “trespassed” into rubber fields. This case seems connected to a new suspension of concessions, which date back to the TLIC policy: “The government decided to suspend land concessions last week after hearing comments from National Assembly members that concessions were being granted without proper studies being conducted. The government will resume the granting of concessions after it completes a land survey in accordance with its efforts to protect the rights of both local people and investors. The government first suspended land concessions in 2007 and resumed the practice in May this year, before suspending the system again last week. The government began granting land concessions to foreign investors a few years ago as part of its policy to turn land into capital and develop the country while reducing poverty” (VT 7 July 2009, Phongsaly farmers in debt to rubber tree growers).
- August: TLIC policy is used to explain Vietnamese success in development: “Turning land into capital has been a very helpful policy in supporting provincial socioeconomic development. Before 1995 the province had only four hotels. Investors, primarily from Russia, stayed there for oil exploration. However, when a total solar eclipse was scheduled to appear over the province in October 1995, astronomers from around the world turned up to see the special phenomena” (VT 27 Aug. 2009, Binh Thuan, Vietnam: a charming place for visitors).

2010

- March: The mayor of Vientiane announces that former owners of land along the 450 Year Road will no longer be allowed to repurchase their land, but will be given higher compensation in order to move the project along faster. He “said the construction of the 450 Year Road was one of several pilot projects in line with the policy of the Lao People’s Revolutionary Party to turn land into capital. The policy had been made to realize the country’s real estate potential” (VT 1 Mar. 2010, Vientiane ups compensation for landowners displaced by 450 Year Road).
- March: People displaced from the stadium project are given new land at Kilometer 21 but are not given land titles “due to fears they would sell the land.” The journalist does not seem to like the direction the TLIC policy has gone: “Vientiane authorities are seeking to

develop areas outside the city centre to reduce congestion. Chinese and Vietnamese companies have expressed interest in investing in the development of the new community at Km 21, as well as establishing a new industrial and commercial centre nearby. The government is in the process of turning land into capital as a means to speed up development. However, this policy has led to numerous families being forced to relocate to make way for development projects. While the government provides new land for those who have to move, the rising cost of land in the city is driving out low wage earners and many are forced to live on the outskirts” (VT 9 Mar. 2010, Vientiane authorities promise better life at Km 21).

- June: The 450 Year Road provides a negative lesson learned, but the TLIC policy survives intact: “Speaking at the National Assembly on Friday, Prime Minister Bouasone Bouphavanh said ‘The Vientiane Administration has proposed the construction of a new road from Nongtha to Nongbuathong via Nongbeuk. They suggested using the same investment format as for the 450 Year Road, but the government would like Vientiane to learn from the lessons of that earlier experience.’ ... Despite previous difficulties with the new investment format, the prime minister said the government would continue to pursue its policy of converting land into capital to lower state investment costs.” (VT 23 June 2010, Govt defers decision on road project using new investment format).
- October-November: TLIC policy linked to 450 Year Road (VT 14 Oct. 2010, 450 Year Road to be complete early next month; 12 Nov., 450 Year Road opens for public use).
- November: TLIC connected to the ongoing rural land concession controversy: A representative of the National Assembly’s Economic, Planning and Finance Committee “said the government needs to ensure that all provinces follow the land laws strictly, as some provinces have contravened them in recent years. For instance, provincial authorities are allowed to approve the development of 100 hectares of land under the government’s policy of converting land into capital, but some provinces have granted approval for larger areas. Land has been one of the most contentious issues in Laos for many years, with hundreds of people submitting their concerns on the issue through the NA hotline at every assembly session. The issue of unfair land compensation is a major part of the debate, in spite of substantial legislation on the subject” (VT 17 Nov. 2010, Assembly urges govt to accelerate land master plan).
- November: The That Luang Marsh controversy takes another step toward resolution, confirming what was implied in the March 2010 article – the rumored Chinese development of That Luang marsh would now take place at kilometer 21, and would be coterminous with the resettlement project discussed earlier: “A Laos-China joint venture has begun development of a 1,000 hectare site in Xaysettha district, Vientiane, after pulling out of a proposed development in the area of That Luang marsh. ... The company held a groundbreaking ceremony last week for the mega investment project at Nano village, 21 km outside the city centre. The ceremony was a definitive indication that That Luang marsh will not be developed as earlier proposed. ... Laos initiated the development project a few years ago as a source of funding to build the National Stadium and other facilities to host the 25th SEA Games last December. The project was made possible under the government’s policy to convert land into capital” (VT 25 Nov. 2010, Major urban development gets underway in Vientiane).



2011

- March: TLIC is invoked as part of a citywide effort “to become ‘developed’ by 2015”:  
“A scheme to convert land into capital and commercial ventures will be expanded to further boost development” between 2011 and 2015 (VT 9 Mar. 2011, Vientiane looks to become ‘developed’ by 2015).
- June: The UNDP links implementation of the TLIC policy to the erosion of national sovereignty: “A United Nations Development Programme (UNDP) economist has expressed concerns over the possibility of significant foreign ownership of land in Laos as the government looks to implement a policy to convert land into capital. UNDP Laos Resident Economist Mr. Robert Glofcheski said at a National Investment Strategy Workshop in Vientiane last month that the Lao government should apply the Investment Promotion Law with great care due to the possibility that foreign investors could own large areas of land in Laos. ... He explained that land concessions may have serious implications regarding wealth concentration and could widen inequality, and that this would impact the long-term sovereignty of the country” (VT 2 June 2011, Govt urged to use caution over foreign land ownership).