



## **Rubber, rights and resistance: the evolution of local struggles against a Chinese rubber concession in Northern Laos**

By: Karen McAllister

Paper presented at the International Conference on

### **Global Land**

### **Grabbing II**

**October 17-19, 2012**

Organized by the Land Deals Politics Initiative (LDPI) and hosted by the Department of Development Sociology at Cornell University, Ithaca, NY.

**Karen McAllister**  
**Department of Anthropology**  
**McGill University**

**Rubber, rights and resistance:  
the evolution of local struggles against a Chinese rubber concession in Northern Laos**

Sitting on the floor of a small woven bamboo hut in Ban Samsun<sup>1</sup>, a remote Khmu ethnic minority village in Northern Laos, a group of villagers and I concentrate on a large piece of white paper spread out across the floor between us. The conversation is lively as the village headman takes a large blue marker and draws a rough map of the village, pointing out where the different resources and crops are located. He focuses on drawing the hamlet and houses, then on the winding streams and valleys, followed by the tops of mountains and large limestone karsh formations within the village territories. The map includes multiple perspectives, but no boundaries are drawn around the village perimeter. While drawing, he explains;

*We had land allocation in the village. Before, the government gave individual households 3 places for cropping, but this was not permanent. We had land allocation, but no allocation with paper. They said they would, but they didn't do anything, just made the order. Before, when we had land allocation, we were told that we owned the area with the rubber. Before, we cropped on both sides of the stream.*

Then, using a thick red marker, the headman drew a perimeter around the forest and cropland that had been taken that year for a Chinese-owned rubber plantation. It comprised more than half of the most fertile village land and forest. On subsequent interviews with the different households in Ban Samsun, it became clear that the land which had been given as concession had the best soils, was under customary forms of tenure, was the area that was most often cropped by farmers, and was the land on which some farmers, in compliance with state policy and with encouragement of other development projects, had begun to grow more permanent cash crops such as paper mulberry, teak, pineapples and fruit trees. The lands which were being left to the people of Ban Samsun had poorer soil and problems with imperata grass (*nya kha*).

This anecdote is drawn from my doctoral fieldwork experience in Pak Ou District, Luang Prabang Province, Northern Laos between 2006-2007, which coincided with the early introduction of rubber plantation concessions into the villages where I was working, and with the very beginning of a rubber bandwagon that has since taken off in Laos. At the time of my

---

<sup>1</sup> The name of the village has been changed for purposes of this paper.

research rubber was being heavily promoted by the Lao government for its promise to transform traditional upland agriculture from subsistence to market production. There was a widespread assumption that rubber would increase foreign investment and national income, and at the same time would alleviate poverty by providing wage labour and new cash crop opportunities, and would replace shifting cultivation to encourage more ‘modern’ and ecologically sustainable agriculture in highland communities. “Land grabs” for rubber coincided and intersected with a number of on-going policy imperatives of the Lao government, as well as with local and national desires for economic development. Villagers’ responses to rubber ranged from reckless enthusiasm, cautious acceptance to outright resistance, depending on the process through which the trees were introduced.

Using the case of rubber in Laos, this paper examines how the global and regional economic forces that are encouraging transnational “land grabbing” interact with ongoing national and local struggles over resource rights. How do governments justify the expropriation of village lands for lease to trans-national companies? How do local people resist or comply with these dispossessions? Taking the case of a small ethnic minority Khmu community affected by a rubber concession owned by a Chinese company, I outline the evolution of various forms of local resistance by which villagers have thus far been able to stall the expansion of the plantation on their territory. This case is placed in context of spontaneous eruptions of local resistance to concessions in different parts of the country, and an emerging double-movement by which the state attempts to assert better control over the situation. Underlying the various forms of resistance that are emerging at different scales are struggles over property rights, as local people, the state, and international commercial enterprises apply specific and competing representations of natural environment, appropriate resource use, and identity in order to legitimize and enforce claims to (or resist dispossession from) natural resources.

### ***Situation of land concessions in Laos:***

Since the mid-2000s, Laos has experienced a steady increase in foreign investment, primarily in mining<sup>2</sup>, hydropower, and agriculture. A recent report based on preliminary analyses of data collected from across Laos estimates that about five million ha, approximately

---

<sup>2</sup> Mining exploration projects account for about 85% of conceded area (Wellman, 2012).

21% of the total territory of Laos, have been leased or conceded<sup>3</sup> to foreign and domestic enterprises (Wellmann 2012). The Lao government has approved 4,470 investment projects, in total worth approximately US\$24.4 billion, of which about US \$19.4 billion comes from foreign investments (VT 2012, June 26). In the agricultural sector, foreign investment accounts for about 85% of land concessions, primarily for plantations of rubber, eucalyptus and sugar, with recent interest in jatropha for biofuels. About 50% of this investment comes from China, followed by Thailand, Vietnam, Korea and India (Wellmann 2012).

In spite of a comprehensive legal and policy framework intended to centralise control of concession allocation in Laos, the actual practice of granting concessions is chaotic and non-transparent, involving various state departments and different scales of government which do not always communicate about what is occurring on the ground. Concession projects do not necessarily comply with laws and regulations, terms of contract are often violated, and land zoned for other purposes or under local or other legal claims is conceded, sometimes concurrently to more than one company for different purposes (Nanthavong, Schoenweger et al. 2009). There have also being allegations that some concessions are cover-ups for logging, and the land is left idle once the trees are cleared (Barney 2008; VT 2012, Aug. 14), and state officials have expressed concern that plantations are becoming a prime cause of forest clearing (VT 2011, Sept. 16). Accusations of corruption are emerging, as some state officials have allegedly benefitted from conceding or leasing land to companies in contradiction with national legislation (Nanthavong, Schoenweger et al. 2009; Baird 2011; VT 2012, July 27; Smith 2012a; Smith 2012b ). Because of the dynamic and chaotic situation on the ground, the actual amount of land involved in agricultural concessions is unclear, but recent estimates place it somewhere between 330,000 ha (Wellmann 2012) and 429,000 ha (VT 2012, June 26), while another source estimates that about 300,000 ha are devoted to rubber concessions alone (VT 2012, Sept 7). The national government has made a series of attempts to assert greater control over the allocation of leases and concessions in the country through revising legislation and enforcing a series of moratoriums to contain the situation, the most recent of which was announced in June of this year. In addition, attempts are being made to keep track of the situation of land concessions in

---

<sup>3</sup> Article 2 of Prime Ministerial Decree 135 on “State land leases and concessions” (2009) differentiates between land leases, which authorise organisations, individuals, and or juridical entities etc. with *rights to use land* based on conditions and terms of contract *with no minimum time duration*, and land concessions, which authorise individuals or juridical entities *the right to operate business using state land within a specified time frame* and according conditions outlined in the contract. Concessions have a minimum duration of 5 years.

the country. Between 2009-2011, the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) funded a project under the National Land Management Authority (NLMA) (which has since been absorbed into the new Ministry of Natural Resources and the Environment (MoNRE))<sup>4</sup> to undertake a comprehensive national inventory and spatial mapping of land concessions in Laos, the results of which are not yet finalised (Wellmann 2012). In addition, the Land Issues Working Group (LIWG), a subgroup of the Lao international NGO network, is currently compiling a data base of the situation of concessions and their impact on local people, based on submissions by development workers and researchers working in different parts of the country.

Transnational agro-industrial investments in Laos intersect with the broader policy goals of the Lao government for “modernisation” and development, and the objective to shed Lao’s status of Least Developed Country (LDC) by 2020, to be accomplished in part by increasing direct foreign investment in the country. Tree plantations form an important component of the national forestry strategy, as a way to bring highland farmers into the market and to manage forestlands for national economic development and conservation<sup>5</sup> (GoL 2005). For about two decades, a major goal of the state has been to modernise and sedentarize highland farmers practicing shifting (or swidden) cultivation and to utilise upland resources to fund national development, essentially turning “land into capital” (Dwyer 2007). These mountainous areas make up about 80% of the country, and are legally designated as state forests, regardless of actual tree cover or use (Lao PDR 2007). Highland farmers, often ethnic minorities who make up almost 50 % of Lao’s 6.2 million people, live and farm in these “political forests”. Although under various forms of customary and formally recognised tenure, because these forest-farm landscapes legally belong to the state, highland farmers have historically had little recourse to negotiate for their territorial rights in the face of more powerful commercial interests. The expropriation of village lands is further legitimised because the government equates shifting cultivation, with “backwardness”, wasteful use of resources, and forest destruction, and assumes

---

<sup>4</sup> The study was undertaken by the Land and Natural Resources Research and Information Centre (LNRRIC), under the NLMA between 2009-2011. On 24 June 2011, the government established the new Ministry of Natural Resources and Environment (MoNRE), merging the NLMA, the Water Resources and Environment Administration (WREA) and the Geology Department under one ministry. The LNRRIC was renamed the Natural Resources and Environment Information Centre (NREIC) to reflect a broader mandate (see Wellmann 2012).

<sup>5</sup> At the time this document was released (2005), it is clear that the government was not anticipating the rapid expansion of tree plantations in the country. Rubber, which has become probably the largest plantation crop in the Laos, is mentioned only in a footnote in the document.

a causal association between swidden cultivation and poverty (MAF 1999; GoL 2005; Rigg 2005). This constructs highland farmers as targets for state and development projects intent on improving their well-being, but which sometimes act to their disadvantage. The Lao government has implemented various policies intended to eradicate shifting cultivation and modernise highland villages. Upland farmers are being encouraged to grow cash crops for the market and the cultivation of swidden rice, the main subsistence crop in the uplands, is being actively discouraged. Remote villages and those with less than 50 households are being resettled to roadsides with the rationale of providing better access to services, increasing land pressure along roads (Vandergeest 2003; Baird and Shoemaker 2007). Landscapes have been ecologically zoned according to slope rather than land use or forest cover, and a “Land and Forest Allocation Policy” (LFAP) has been deployed to demarcate community boundaries, zone village lands for specific forest types and uses, and transform customary communal tenure systems into more clearly defined private property rights (Vandergeest 2003). These various policies can be seen as forms of *‘governmentality’* (Foucault 1991), through which the state intervenes to improve the ‘wellbeing’ of the population, to structure how people perceive and interact with their environment, and to influence the ‘appropriate’ use of resources within its territories. Such policies also act to increase ‘legibility’, state bureaucratic knowledge about people’s activities, populations and environments, in order to improve state planning and increase control over peoples and territories (Scott 1998). The combination of the various state policies in the highlands has restricted village territorial resources and increased livelihood hardship for highland farmers by making swidden systems less viable (Lestrelin and Giordano 2007; Lestrelin 2010). Furthermore, these policies legitimize expropriation of village lands and intersect with the push to increase foreign investment in concession agriculture. Highland villages are subject to the constant threat of displacement, often in the name of their own development or for the “good of the nation”. The idea that social disruption is an unfortunate but necessary cost for longer term national development is widely accepted by state officials (Baird 2011).

### ***Concessions and resistance:***

It is estimated that about 13% of villages in Laos have at least one concession within their boundaries (Wellmann 2012). The negative impact of land concessions on local populations has been documented in case studies published in academic articles (Barney 2008; Baird 2010; Baird 2011), in grey literature published by international non-governmental organisations working in

Laos (Dwyer 2007; Shi 2008), and in increasingly critical articles in the Vientiane Times, Laos' English newspaper, which until fairly recently, was highly controlled and rarely published critiques of government policy. In the recent June 2012 meeting of the Lao National Assembly (NA)<sup>6</sup>, which meets each year and allows citizens to phone a hotline and submit petitions to raise grievances, land disputes were the main issue of concern (VT 2012, July 27). Illegal encroachment on village lands, inadequate compensation paid to villagers who have lost lands to concessions, and unfulfilled promises of local benefits made by companies were common complaints (VT 2012, July 27).

Over the past 5 years, isolated cases of overt local resistance to foreign-owned concessions on village land have begun to emerge in different parts of the country, some of which have gained the attention of national and regional media and have become topics in informal on-line discussion networks of Lao and international development workers. However, resistance is not always overt and easily recognisable, and can be ambiguous, difficult to classify, and may appear as compliance (Amoore 2005; Turner and Caouette 2009). Because of the potentially risky consequences of open protest in Laos and the slim chance of resolutions in favour of the community, it is likely that there are many cases of “quiet” local resistance occurring throughout the country that are going unrecognised.

Theories of resistance highlight its different forms, ranging from “hidden” everyday resistance embedded in local socio-cultural life and daily practice, to overt large-scale social movements, from peaceful non-compliance to outright confrontation and violence. Resistance by “marginal” or subordinate groups evolves according to local world views and material experiences, influenced also by exposure to regional, national and international political narratives and movements. These supra-local linkages act to constrain and/or open up new spaces for non-compliance and for local confrontation of unequal power relations. With increasing linkages between the local, national and global, forms, discourses and actions of resistance interact and overlap. Some key theorists of resistance include Polanyi, Foucault, Gramsci and Scott, each of whom presents important ideas about how and why resistance emerges and the various forms that resistance takes. The following section provides an overview of the main arguments of these writers. I further attempt to connect theories about resistance to

---

<sup>6</sup> The NA enables villagers who have been unable to resolve their concerns with their district and provincial government representatives to have their complaints investigated and dealt with by the NA or referred to appropriate government agencies.

the struggles over property, resources rights and labour which are at the heart of local struggles with international land grabs.

Polanyi (2001 [1944]), in his examination of industrial capitalism in Europe, focuses on resistance to capitalism and to the impact of unfettered free markets on nature (land), people (labour) and capital (money). For Polanyi, resistance emerges from both the State and from civil society, in response to capitalist forces which encourage the exploitation of people and nature with the goal of generating surplus. When not contained, market forces treat land, labour and money as pure commodities, however these are “fictitious commodities” because they have social functions and their main purpose is not to serve the market. The expansion of capitalism incites a “double-movement” – the establishment of laws and institutions by the State and society designed to regulate, protect and resist market exploitation of land, labour and money in order to protect their social value.

Power relations are at the core of resistance, and different forms of resistance are contextual, emerging within specific constellations of power and shaped by different and interacting worldviews and meanings. Foucault writes that power is never abstract, but always a relation between domination and subordination. Power relations always include the possibility of resistance, which is formed “right at the point where relations of power are exercised” (Foucault 1972:142). Forces of resistance and domination are mutually constituted, evolving and continually renegotiated to shape and reshape each other. Resistance itself brings to light power relations (Foucault 1994).

Gramsci (2008 [1971]) portrays resistance by subaltern groups as emerging from particular experiences with specific material and political conditions, and as expressed through local meanings and understandings of the world - local “common sense”. He focuses on class based resistance against the hegemony of the State and the elite classes whose interests are served by state institutions, policies and hegemonic ideologies. He argues that resistance by the subaltern classes is not initially based on a clear ideology or “collective class consciousness”, but arises “spontaneously” in response to specific material circumstances and place-based experiences of domination. It is therefore fragmented, and the emergence of a collective social movement needs to be explained not by one adherence to an abstract ideology, but by how these various spontaneous in-place resistances become unified under one collective “theoretical



consciousness”. Multiple and dispersed wills with different goals are welded together under a single purpose and common philosophy through the emergence of “organic intellectuals”.

*“The unity between “spontaneity” and “conscious leadership” or “discipline” is precisely the real political action of the subaltern classes, in so far as this is mass politics and not merely an adventure by groups claiming to represent the masses”.*  
(Gramsci 2008 [1971]:198).

James Scott also situates the emergence of resistance in the place-based experiences of subaltern groups, but focuses on the covert “everyday forms of resistance” in the face of intimate and immediate relations of power, often provoked in defence of subsistence and material interests (Scott 1976; Scott 1986; Scott 1990). Actions like pilfering, foot-dragging, gossip, clandestine sabotage, and so on undermine the authority and productive enterprises of perceived exploiters or groups in relative power when the risk of outright resistance is too great and chances of success are low. Scott emphasises that actions which benefit subordinate groups materially, such as theft of grain from a wealthy landowner, should often also be seen as a form of resistance against exploitation and inequity. These acts of resistance function to balance power between subordinate groups and the dominant elite by constraining exploitative relationships. They also act as a foundation for the formation of collective consciousness against perceived oppression and for more visible and collective acts of resistance.

In the case of transnational land grabs, local resistance emerges in response to new contestations over access to land, and therefore intersects directly with on-going struggles over property and resource rights. Resistance against dispossession from land or resources is “double-edged” because it simultaneously involves a claim to possession of these resources. In this way, theories of resistance merge with theories of property rights. Hall, Hirsch and Li (2011) emphasize the “double edge” of exclusion<sup>7</sup>, arguing that “all land and access requires exclusion of some kind” (4). They identify four central forces that influence exclusion - regulation (formal and informal laws, policies, land zoning, and rules of land access and use), force (violence and the threat of violence), the market (prices and incentives for individual land rights) and legitimation (moral claims to land, justifications for regulation, market and force, including

---

<sup>7</sup> Hall, Hirsch and Li differentiate between exclusion as a condition (that poor do not have access to land, resources, services, etc.) and exclusion as a process (that poor are actively dispossessed or evicted from the resources that they did own by powerful actors).

narratives and counter-narratives justifying competing claims) (Hall, Hirsch et al. 2011). Because resistance to dispossession is at the same time a counter-claim to possession, these various forces are also often at play in overt and covert processes of resistance. Claims to perceived rights from which subalterns are excluded (whether these are for land, fair wages, employment, social services, respect, etc.) and struggles against dispossession from “held” rights are often at the root of both struggles over property and the emergence of various forms of resistance. Seen through the frame of resistance, regulation can act both to expropriate resources from less powerful people, but also can act to support their resistance to dispossession by protecting their rights and interests (as argued by Polanyi). Counter-claims to property in the face of dispossession are a form of resistance to exclusion, and may take the form of legitimizing narratives to support rights, as well as actions through which local people attempt to assert more exclusive land claims and keep others out. Collective local identities articulated to assert claims as “legal citizens”, as “indigenous peoples”, and so on are often forged in the face of dispossession, and can be seen as “resistance identities” which are constructed according to specific constellations of power and in context of exposure to particular discourses or ideologies circulating at the local, national and transnational scales.

The following case study provides an account of ongoing local resistance to a Chinese owned rubber plantation introduced into Ban Samsum, an ethnic minority Khmu village in Pak Ou District, Luang Prabang Province. Villagers creatively combined different types of resistance in their opposition to the company, and so far, have been able to successfully obstruct the expansion of the plantation within their territory and maintain hold of most of their land. This case is likely representative of small-scale struggles against dispossession by land grabs which are happening across the country, but which do not make national headlines. It differs from the reported cases of overt resistance in Laos (which will be described near the end of the paper), since these have rarely met with success.

### ***Introduction of rubber into Pak Ou District:***

In northern Laos, the main concession crop is rubber, and the rapid expansion of rubber trees introduced through plantation concessions, contract farming arrangements<sup>8</sup>, and

---

<sup>8</sup> Rubber plantation concessions are popularly referred to as 1+4, meaning villagers provide labour, while the company holds the land, capital, market and technology. Contract farming arrangements are known as 2+3, where the village maintains control of land and labour, while the company provides capital, a market and technology.

independent adoption by highland farmers seeking to improve their livelihoods has transformed social relations and landscapes (Manivong and Cramb 2008; Mann 2009; Thongmanivong, Fujita et al. 2009; Ziegler, Fox et al. 2009). Rubber in northern Laos is being introduced primarily by Chinese companies and is part of a wider trend of the trans-national expansion of Chinese commercial interests that are enclosing natural resources in less developed countries around the world. The investment in Laos is an example of China's "international development policy", which is centred on encouraging overseas investment, trade and migration ("*zou chu qu*" – "to go out") (Cohen 2009). Chinese interest in developing rubber concessions in Laos and other parts of Southeast Asia is driven the need for resources to fuel China's rapid industrialisation, as well as by the average increase in global prices for natural rubber in the past 10 years, and predictions for continued price increases over the next decade<sup>9</sup> (Vongkhamor, Phimmasen et al. 2007; Douangsavang, Thammavong et al. 2008; Manivong and Cramb 2008). Although clearly a commercial enterprise, rubber plantations in Laos are promoted by the Chinese government as a development intervention to improve incomes of upland communities, and particularly as an opium replacement strategy that targets the source of illegal drugs into China (Cohen 2009). Thus, Chinese rubber enterprises in Laos are subsidised with loans and tariff exemptions by the Chinese government.

According to the Luang Prabang Provincial Agriculture and Forestry Extension Services (PAFES), Chinese companies have submitted plans to plant 20,000 ha of rubber in the province, targeting the neighbouring districts of Pak Ou and Nambak. Rubber planting in Nambak district began in 2003, and by 2005 rubber plantations and contract farming arrangements had already been established in the district. The expansion of rubber in the province expanded rapidly

---

<sup>9</sup> At the same time, the market for rubber is notoriously volatile. In 2006, farmers in Thailand protested to gain government support to protect producers and institute a minimum price for rubber in response to a 60% drop in price over a few months (Vongkhamor, Phimmasen et al. 2007). Similarly, during the economic recession of 2008, rubber prices dropped by 30% within one month (from September to October 2008), prompting Chinese businesses to default on the purchase of more than 10,000 tonnes of rubber from Southeast Asia because of slowing industrial growth in their country, primarily in the automobile industry (Reuters, October 16, 2008). This coincided with an extreme rise in global food prices. A recent article in the Vientiane Times highlights that local rubber prices in Luang Namtha have dropped in the past 6 months, because traders are offering lower prices since there is a local "oversupply" (VT 2012, Sept 7). The provincial authorities of Luang Namtha banned the granting of new land concessions for rubber in the province, however local farmers are permitted to expand plantations on their own lands.

between 2005 to 2006, from about 300 ha to approximately 2500 ha in that year alone (Vongkhamor, Phimmasen et al. 2007).

On March 28, 2005, the Division of State Assets under the Provincial Finance Office, with the approval of the provincial governor, signed a contract with the Chinese owned Sino-Lao Jinrun Development Company and their Lao subsidiary company (operated by the former governor of Luang Namtha Province), granting the company joint-venture concession rights in Nambak<sup>10</sup> and Pak Ou Districts (Vongkhamor, Phimmasen et al. 2007). That same year, the District Governor of Pak Ou approved a 40-year lease of 7000 hectares of “state forest lands” to the Sino-Lao company for the development of a mono-cropped rubber plantation. The concession area encompassed the territories of five neighbouring ethnic minority Khmu villages, all of which were located in the mountains and inaccessible by road. The area covered stretched to the border of Nambak district, enabling the establishment of a contiguous 14,000 ha plantation comprised of 7000 ha of land in each district.

The village chosen as the pilot site for the rubber plantation was Ban Samsun, a small Khmu village of a mere 54 households located a 2 hour hike along a narrow path into the mountains from the main road. The Khmu are widely considered to be the most impoverished and marginalised of the ethnic minorities in Luang Prabang province, and Ban Samsun was among the poorest villages in the district. Village livelihoods were primarily subsistence-based, organised around shifting cultivation for upland rice along with some cash crops such as sesame and Job’s tears. The majority of villagers were rice short every year, balancing precarious yields by selling labour to better off neighbouring Lao and Lue villages and by hunting and gathering products from forest and fallow lands for sale and consumption. Although livestock husbandry had been important in the past, epidemic diseases had killed all the buffalos and cows, and only a few villagers kept pigs, which were allowed to roam wild in the forests to forage for food. Villagers often referred to themselves as “*ban nok*”, which holds a negative connotation of backwardness similar to “hillbilly”, and expressed desires to become “up to date”, developed and modern. As a poor, small and remote village, Ban Samsun was a prime candidate for the state resettlement policy that had forced the relocation of many neighbouring communities to

---

<sup>10</sup> Vongkhamor, Phimmasen, et al. (2007) also report that the Sino-Lao and its subsidiary company had been conceded 7000 ha of land to develop a rubber plantation in Nambak as early 2002. Certainly rubber had been established in the province before 2005.

overcrowded areas along the road. Village leaders were acutely aware of their vulnerability to various state development policies.

In early 2006, Lao district officials accompanied Chinese representatives from the Sino-Lao Company to meet with the villagers of Ban Samsun and promote the creation of a rubber plantation on their territory. The plantation was advocated as a new opportunity for wage labour which would help alleviate poverty in the village, and also as a means for villagers to comply with government policy to switch from planting subsistence rice to cash crops in the uplands. Several meetings were held in the village to gain local permission for the concession, and each time the villagers rejected the proposal. They were not opposed to rubber, and many households expressed interest in planting rubber trees if they themselves owned the trees, but they did not want to give away their land to the company. Eventually, the District Governor went himself to Ban Samsun and according to village accounts, “slapped the table” and threatened the villagers with resettlement if they did not comply, telling them *“If you don’t agree to let the Chinese plant rubber here, then you will always be poor”*. The villagers felt that they could not refuse the governor, and so the rubber plantation was approved with “official” consent of the village and approximately half of village territory incorporating the most village fertile land was allocated to the company.

Villagers were instructed that year to cut and clear adjacent swidden plots within the concession area, and Chinese company representatives were to come to the village on a later date to teach the villagers how to prepare their fields for rubber, including the construction of bench terraces along the contours of the hillsides, the digging and spacing of holes, and the planting of the small trees. Farmers were to be paid a set wage for each task. Farmers would also be paid for clearing the land, something they needed to do anyhow for planting their upland rice crop, and therefore most villagers intentionally chose to plant rice that year within the area designated for the rubber concession. During the first year, the rubber would be intercropped with the upland rice crop. After this, the land would revert to company control for 40 years, and farmers would no longer be able to use it for forest products, grazing livestock or for cultivation. Even though the land had been officially reallocated to the Chinese and had become locally referred to as “Chinese land”, customary rights prevailed, and because they were being paid, farmers only cleared those plots to which they had claims. On “village” land not under household claim, any villagers could help clear. Wages for cutting the trees and clearing the land ranged between 2-

400,000 kip<sup>11</sup> (US \$20-40) per hectare, depending on the type of trees and how difficult these are to clear. The wage was lowest for clearing fallow, at 300,000 Kip/ha (approximately US \$30.00), and higher for cutting forest<sup>12</sup> (350,000 Kip/ha) (US \$35.00). The highest wage was paid for clearing land with bamboo (400,000 kip/ha) (US \$40.00), because it has thorns and is difficult to cut. Because the wages were calculated by land area cleared not per labourer, they were to be shared between those involved in clearing the land. In some parts of Ban Samsum, primary forests were cut down to make way for rubber.

***State justifications in the face of local resistance:***

District officials themselves are under pressure to comply with national mandates to eradicate swidden cultivation and to develop cash cropping systems in the uplands, and rubber was seen as a promising solution to help villagers comply with these national policies. In the face of local resistance to the concession, district officials used a number legitimizing narratives and legal arguments to validate the expropriation of Ban Samsum territory. They emphasized that the Khmu were impoverished and short of rice every year, and the rubber plantation would alleviate poverty by providing them with new wage labour opportunities. The ambiguous legal status of Ban Samsum was also given as a justification for choosing the village as the pilot site for the plantation.

Mountainous areas in Laos are officially zoned as “State-owned forests”, however highland farmers are given rights to use these lands. Beginning in the 1990s, a national Land and Forest Allocation Policy (LFAP) has been implemented across the country to demarcate village territorial boundaries, zone village lands and forests for specific uses, and institute more privatised forms of land tenure for villages in state forest lands. The final step of this policy involves allocating three parcels of approximately one ha each per household on land zoned as “degraded forests” to be used for cropping<sup>13</sup>. The goals of the policy are to provide clearer and “more secure” land tenure to farmers in order to motivate farmers to grow cash crops, to restrict land used for swidden cultivation, and to confine highland villages within specific boundaries so that the rest of Lao territory can be managed for state or entrepreneurial activities such as conserving forests or

---

<sup>11</sup> These values are given at the exchange rate at the time of the research, when 10,000 kip was approximately the equivalent of US \$1.00.

<sup>12</sup> It is somewhat ironic that there is an officially recognised wage for clearing forest for rubber, since one of the major goals of transforming upland system from shifting cultivation to cash crops such as rubber is ostensibly to protect forests. In this case, primary forests were being cut down to make way for rubber.

<sup>13</sup> Two parcels of one ha are allocated to households which own paddy rice fields.

developing plantations. In Pak Ou District, officials from the District Agriculture and Forestry Extension Office (DAFEO) began implementing the policy in 2000 however the execution of the process was spatially fragmented. By 2005, all the steps of the LFAP had been completed in roadside villages. However in remote villages such as Ban Samsun, while territorial boundaries had been demarcated in 2003, the headman had been instructed to allocate three plots per household but this had not been formally overseen by the government. In fact, land within village territory continued to be used under customary tenure. District officials argued that because this final step had not been formally implemented, the land still officially belonged to the state. In contradiction to its original purpose, they deployed the final stage of the LFAP to redefine village boundaries by allocating private household rights to only half of village territory, legally freeing up the remaining village land for lease to the rubber concession. The most fertile land was conceded to the company. As one district official pragmatically explained;

*“It was the governor who gave the Chinese permission to plant rubber in these villages. These 5 villages haven’t had land allocation yet, so it is still the government’s land. We asked the farmers first (for their agreement to the rubber plantation), but there’s no land allocation yet. So we will make land allocation first, then what is left over, the governor will give to the Chinese company to rent for rubber. If the area where the rubber will be planted has lowland rice, fish ponds, or gardens, then we won’t take this. We will only take the places where there are no crops (permanent crops) or teak. In places where there is upland rice or fallow, then the government will take the land and give it to the Chinese.”*

*“...The target of the government for land allocation is that villagers have three more years during which they can plant rice, and after this, then the land should become a garden<sup>14</sup> (suan). If they keep planting upland rice after three years and they haven’t yet made a garden, then the government will take back the land, because the government wants farmers to stop growing upland rice.”*

This statement illustrates how the implementation of the LFAP – initially designed to formalise village land rights - is implicated in the appropriation of village territories for rubber concessions. The application of the final stage of the LFAP constituted a land grab on behalf of both the district and Chinese companies. The (mis)use of the LFAP as a means to legally enclose and free up village lands for plantations rather than supporting village territorial rights is

---

<sup>14</sup> A “garden” (*suan*) is considered to be any upland plot on which ‘permanent’ crops such as pineapples, fruit trees, teak, paper mulberry, etc. are planted. Crops such as upland rice, sesame, and Job’s tears, cultivated under a system of shifting cultivation, are classified as ‘*hai*’ crops, and as such are considered to be impermanent because they are not cropped continuously on the same piece of land (the land is left fallow for several years between cropping). Lowland rice (*nah*), cultivated on levelled, banded fields (either irrigated or rain-fed), where there are clearly defined privately held property rights, is also classified as a permanent crop.

not unique to Ban Samsun, and has also been well described by Barney (2008) in his case study of eucalyptus plantations in Khammouane Province. However, the openness of the district cadre complicates a simplistic analysis that positions the official as legitimizing state land grabs at the expense of local people. Rather, it illustrates a pragmatic practice of bureaucracy in compliance with national policy, told with complete assurance that the process was legitimate and appropriate as a development intervention and move towards modernising the country. According to District officials, the plantation would not only provide wage labour for impoverished communities, but would provide a model that the Khmu could follow to modernise their own production systems. The fact that the company had enclosed the most fertile half of village land and that the Khmu had neither access to credit nor capital to invest in rubber on their own was overlooked. For villages where land allocation had been fully completed, land rights were respected and villagers were being encouraged to voluntarily enter into contract farming arrangements with the Sino-Lao company. Thus, the LFAP is implicated in creating both security and insecurity of local land rights, depending on how it is interpreted and implemented locally.

DAFEO is responsible for allocating land, for encouraging cash cropping, as well as for finding land to lease for plantation companies. The state officials responsible for implementing the LFAP are often the same individuals in charge of finding land to lease to rubber companies. Therefore, these two policies are integrally implicated in processes of “frontier capitalism” (Barney 2009) through which lands that are deemed “empty” or “marginal” are emptied of their original inhabitants and granted to lucrative business ventures. This process of dispossession is also given legal legitimacy in the 1996 Lao Forest Law, which was the framework for forest management at the time the plantation was established in Ban Samsun. This law stipulates that forest land *“is owned by the state, however if an individual or organization (with permission from the state) invests capital in the land in order to reforest it, then they can gain rights to the land”* (Lao Forest Law 1996, Article 5). Furthermore, the negative legal classification of village swidden land as “degraded forest<sup>15</sup>” obscures its importance for local livelihoods, not only for

---

<sup>15</sup> The 1996 Forest Law distinguishes between five different types of forest. These include “*production forests*”, used for timber and other forest products for local livelihoods and national development, “*conservation forests*” for protecting plant and animal species, “*protection forests*” for protecting watershed areas and preventing soil erosion, “*regeneration forests*”, which are young fallow areas which should be left to regenerate into mature forests, and “*degraded forests*”, which are areas deemed heavily damaged, to be allocated to villagers and organisations for agriculture, livestock grazing, and tree plantations. Barney (2008) rightly points out that the distinction between



cropping, but also as village commons for grazing and collection of forest products, and helps justify the reallocation of this land for mono-culture tree plantations which can be portrayed as an economic and environmental improvement (see also Barney 2008). Such narratives of environmental improvement are often claims *on* (rather than *for*) the environment (Galaty 2000), by state authorities seeking to legitimize processes state ‘territorialisation’ which enclose village lands in the name of development, economic productivity and conservation.

In the new Lao Forest Law (2007) and Prime Ministerial Decree 137 on State Land Lease or Concession (GoL 2009), which are central for determining what types of land can be allocated for concessions, the forest classification system is reorganised slightly from the 1996 Forest Law. However, these legal documents also clearly state that plantation concessions or leases are to be granted only for land classified as “degraded” and/or “barren” forestland<sup>16</sup>, which are the same types of “forestland” to which villages are granted household usufruct rights. Companies seeking to lease or concede forest lands are required to conduct a survey of the land, a study of socio-economic information of the site, a social and environmental impact assessment, a technical and economic feasibility study, a land use plan and map, and a work plan which outlines procedures for preservation of the environment, village development, sharing of benefits, and so on. One important feature of the new forest law is that plantations are defined as a legitimate type of forest, while shifting cultivation is categorised alongside illegal logging as a culprit of forest destruction, and is being made illegal.

***Everyday forms of resistance:***

---

“degraded forest” and “regeneration forest” is arbitrary, based government aspirations for how the land *should* be used in the future rather than on actual biophysical differences.

<sup>16</sup> The PM Decree 137 states that concessions can be granted for waste land and denuded land, which it classifies under the category of “degraded forest land” in accordance to Article 69 of the 2007 Forest Law. The 2007 Lao Forest Law defines *Forest* as “a precious natural resource of the nation and its specific ecology consists of biodiversity, water sources, and Forestland with various trees growing naturally or planted in the areas of Protection Forest, Conservation forest and Production Forest. Within these classifications are included “*degraded forest*” is defined as “forestland areas where forest has been heavily damaged such as land without forest or barren”, “*regeneration forest*”, defined as degraded forest areas such as young and secondary forest designated for regeneration to become old fallow and natural forest, “*fallow forest*”, which includes areas where shifting cultivated has been practiced or has been under various forms of encroachment for many years, but which can become natural forest, and *village use forest*, which includes areas of village territory allocated to village management, use and preservation according to the LFAP. Village use forest includes “non-classified” land to be used for production, presumably meaning sedentary agricultural activities. The law distinguishes between “forest” and “forestland”, the latter being defined politically rather than ecologically, as “all land plots with or without forest cover, which are determined by the State as Forestlands”. Within this broad classification, “*degraded forestland*” is defined as “areas where forest has been heavily and continually damaged causing the loss of balance of organic matter which prevents natural regeneration to become rich forest again, while “*barren forestland*” is defined as forestland without trees caused by natural and human destruction.

Following their unsuccessful attempts to formally reject the concession, villagers in Ban Samsum enacted various forms of “everyday resistance” (Scott 1985) in their attempts to undermine the plantation. Wage labour, presented by district officials as the primary benefit (and justification) to the villagers for the plantation, became both a source of intense conflict and an avenue for local resistance. By the time the company arrived to manage the construction of terraces in preparation for the rubber trees, the rainy season had already started, the fields had been cleared and were already planted with upland rice. Some of the rice crop would need to be uprooted for the construction of the terraces, which the villagers refused to do. Withholding labour was both an attempt to protect their growing rice crop, as well as a way to resist company appropriation of their lands, as some villagers flatly refused to work for the company, regardless of their alternatives. Faced with an uncooperative labour force, the company representatives left Ban Samsum and returned with ethnic Lue labourers from Nambak district to do the work. Ban Samsum villagers protested openly, and convinced these new labourers not cut down their standing rice crop because it was a “sin”. This was a particularly potent argument, because in local cosmology, rice is not only the main subsistence crop, but is believed to have souls or “life forces” (*khwan* in Lao, *hman* in Khmu), similar to people and a few specific animals, such as elephants and water buffalo (Tambiah 1970; Simana and Preisig 1997; Évrard 2006). Caring for the souls of both rice and people is considered important so that the souls don’t leave their hosts, which would cause poor yields in rice or illness in people. In protesting the destruction of their rice crop, Ban Samsum villagers drew on spiritual understandings of reciprocal obligations between people and rice, in addition to notions of moral and social justness. Their arguments were persuasive, and the labourers built terraces where rice was not growing, but refused to destroy the crop. Frustrated, the company representatives left the village again, to return with a different group of labourers, who were eventually coerced to cut down about one-third of Ban Samsum’s standing rice crop to make way for rubber. No compensation was given, and villagers became increasingly concerned that they would not be able to meet their subsistence needs that year.

Some of the men from Ban Samsum eventually consented to work for company since they were short of rice at the time, needed money and were losing an opportunity to earn wages to labourers from outside the community. Rubber needs to be planted on level soils for tapping, so once land was cleared, bench terraces needed to be constructed along the contours of sloping

land (Alton, Bluhm et al. 2005). After this, holes of about 60 cm<sup>3</sup> must be dug, after which these are refilled with softer soils immediately prior to planting. The local wage for digging the holes was 2500 kip/hole (US \$0.25) and for filling the holes was 250/hole (US \$0.025). At the time of this research, the average daily wage for agricultural work on rice fields in the area (planting lowlands, weeding, etc.) was between 10,000 00 -15,000 kip (US \$1-1.50), depending on the particular task and whether or not the employer provided food for lunch. The wages provided by the Chinese were not considered to be good wages by the Khmu, and were lower than what were originally promised and what was written in the official contracts. It is likely that some of the wages were being appropriated by a middle-man – either within the state or within the company - since the wages paid by the Sino-Lao company to villagers in Nambak district were slightly higher and concurred with the contracts held by the province and district. Before submitting to work for the company villagers tried unsuccessfully to negotiate for higher wages. Ban Samsum villagers also did not like working for the company because the managers were strict and yelled at them, did not allow them to take breaks to smoke, and did not provide lunch, as is customary for local agricultural labour. Another source of conflict was that the company withheld wages until the entire job was finished, which caused significant anger because rice supplies were low and the Khmu were accustomed to being paid daily so that they could buy food. Although the first farmers who had cleared land in the concession area had been paid, most farmers were still waiting for payment for work that had been done 1-2 months earlier, and they were especially angry because their rice stocks were gone and they needed this money for food. Chinese company representatives had also racked up debts in some of the small village stores, for beer, coke and other goods. In protest against their poor treatment, some Ban Samsum villagers and labourers from Nambak who were being paid as porters to carry sacks of rubber saplings from the road up the steep paths to village secretly dropped some bags into the streams *en route*. Saplings were planted upside-down when the Chinese managers were not paying attention. Over time, most of the rubber saplings growing along the paths were anonymously trampled or uprooted. Such forms of everyday subvert and overt resistance by subaltern groups in the face of powerful actors that threaten local livelihoods have been well described by James Scott.

Even though the concession was disliked by the villagers, the possibility of new opportunities for wage labour was appreciated by some of the men. Shifting cultivation for rice is arduous work, and increased land pressure had contributed to declining rice yields. Furthermore,

the Khmu had long been selling labour to neighbouring communities to make up for rice shortages, so wage labour was not a new concept. The headman himself expressed that the rubber plantation had the potential to be good for the community if wage labour had provided greater livelihood security.

*When I am working for myself, in some years I don't get a good yield or have a bad yield, then I get a good or bad income. However, if you work for a company, then you can get money for a long time. I am happy that there will be ways for people in the village to earn money by weeding, planting, etc. If you work for yourself, then some years you get a lot, and some years you don't get anything. When you don't get anything, then you are short of rice. Some years you get no rice, and are short of rice from early in the year. Every year some households in Ban Samsun are short of rice.*

However, their inability to negotiate for fair wages and the delay in payment contributed to increased resentment of the concession, which merged with frustration with other state policies that were negatively affecting livelihood security. One major concern among the villagers was the policy to eliminate shifting cultivation for upland rice. District officials keen on complying with this policy were attempting to force the transition from subsistence to market economy by requiring villagers sign formal contracts agreeing to stop planting upland rice by a specific year (in 2006, the final date was 2010, but this has been extended). Villagers were concerned that their rice crops would be burned if they did not comply because district officials had burned opium fields several years earlier after this was banned. The mounting frustration against the combination of policies that were threatening local livelihoods is expressed well by one Khmu farmer,

*"The government asked us to stop growing rice, and to grow pineapples, paper mulberry, sesame, or Job's tears instead. To grow lowland rice. Not to work in the hai (not to grow swidden rice in the uplands). I am afraid that the government will come and cut down the rice like they cut down the opium crop. Then what will we eat? If the government people come and cut down the rice crop, maybe I will shoot them."*

*"If the government people come to cut my rice field, I will just sit quietly in the field and wait for them. I will talk to them nicely in a quiet voice, and then when they start cutting the rice, I will shoot them with my gun and take the rice stalks that they've cut and stuff them in their mouths".*

*"We signed a contract with the government that we would stop growing upland rice by the year 2005, but the government didn't stop us because they didn't give us any alternatives. Then we had to sign a contract again – this time to stop planting upland rice by the year 2010... This time the government will say that they have given us an alternative with rubber. They will say that we can work on rubber and get wages from the Chinese instead of growing rice."*

*But if we work for the Chinese, we will be poor and we still won't have enough rice to eat. The Chinese came with a bag of money and said they would give us the money if we worked for them. And at first, they gave us the money. But then, they said that they would come back to plant rubber in 10 days after the people had dug and filled the holes, but they haven't come back yet. The Chinese owe us a lot of money, but they haven't paid yet, and now we are short of rice."*

*Working with the Chinese, we will be poor and still short of rice. But we won't be able to grow upland rice anyhow, because our land has been given to the Chinese".*

While this narrative appears to invoke violence against the state, it should be interpreted as an expression of bravado and frustration against the injustice of certain policies rather than an actual plan of action, since this would never have been enacted in reality (see Scott 1990 on the use of narrative by subaltern groups as an expression of resistance). Villagers were very concerned about maintaining good relations with the government, which was also seen as a source of "protection" and services.

The provision of local wage labour opportunities as a means to reduce poverty is often used as a legitimising narrative to justify appropriation of local lands for transnational agricultural investment by agencies such as the World Bank (2010), by companies, and by governments. However, the potential of local wage labour opportunities arising from these "land grabs" has been fairly challenged, particularly since the goal of most companies is profitability and access to land and resources rather than local job creation. Li (2011) points out that projections for promised labour opportunities from commercial plantations are overly optimistic and that the amount of labour required for most tree plantations is both limited and seasonal. Although rubber requires a relatively high amount of labour compared to other tree crops<sup>17</sup>, once the rubber is planted little labour is required for maintaining the trees, and these jobs don't materialise for about 7-8 years once the trees grow mature enough to tap. Furthermore, smallholders often earn more from growing commercial crops themselves rather than from promised wages from concessions, which undermines the rhetoric of poverty alleviation.

The ability of villagers to withhold labour as a means of resisting the expropriation of their land or in defiance of poor wages and working conditions is contingent on the ease with which companies can bring in labour from elsewhere, and as well as on whether locals have been able to maintain access to sufficient land resources to meet their livelihood needs. Unlike

---

<sup>17</sup> Baird (2010) estimates that the amount of labour for tapping ranges between 150-200 days/ha/year.

concessions described in other parts of Laos (Baird 2011; Kenney-Lazar 2012), where processes of “primitive accumulation” have been more complete and have left villagers with so little land that they are forced into wage labour, villagers in Ban Samsun have maintained enough resources to subsist without working for the company. Li (2011) points out that villagers who are able to maintain some land and are not dependent on wages from the plantation are difficult to control, and are often depicted as “lazy” by companies. By representing local people as unskilled or lazy, and by selecting areas with low population density, plantation companies are able to justify importing “hardworking and skilled” labour from elsewhere (Li 2011). Baird (2010; 2011) reports that Vietnamese and Chinese companies involved in plantation development would often prefer to hire labourers from their own country who are perceived to work harder for lower wages (see also VT 2011, Sept. 16). Although there are laws in place to protect Lao labourers, these can be interpreted to allow the import of “skilled” labourers from elsewhere. The Lao Labour Law (2004, Article 7) dictates that companies can only hire foreign labourers if there are no appropriately qualified workers available in Laos, however what counts as “qualified” is open to interpretation. In addition, the Law on the Promotion of Foreign Investment (1994) stipulates that foreign companies must give priority to Lao workers, and restricts the number of foreign labourers to 10% of the workforce, with the idea of protecting local employment opportunities. DAFO officials in Pak Ou were well aware of this law, and had prevented the Sino-Lao company from bringing in labourers from China, which it had initially requested. However, these laws are not always followed. Baird (2010) notes that Vietnamese workers have been hired illegally by a Vietnamese rubber plantation in Bachieng, Southern Laos, while company practice has restricted which local people have been able to benefit from promised employment, excluding middle-aged and older villagers. According to the Vientiane Times, there are approximately 200,000 illegal foreign workers in Laos, mainly from China, Thailand and Vietnam, and the government has difficulty controlling illegal immigration because of concern for maintaining cordial relations with neighbouring countries. Because of the numbers of illegal labourers already in the Laos as well as pressure from companies to be allowed to import labour, the Lao government is considering providing permits to illegal workers in the country (VT 26 March 2012). Furthermore, these laws do not regulate movement of labour from other places *within* the country, which may undermine wages for those displaced by concessions if other groups are considered better qualified or more disciplined.

### *Counter-claims and the construction of resistance identities:*

Everyday forms of resistance such as enacted by the Khmu are often considered to be non-political and nonthreatening to the status quo (Amoore 2005). However, spaces for more overt and open resistance in Laos are limited and risky (Stuart-Fox 2004; Barney 2008; Baird 2011). How can vulnerable groups such as the Khmu challenge powerful state claimants to their lands and resist displacements that are legitimised in the name of their own development? In some parts of Southeast Asia and other parts of the world, local counter-claims to protect territory against powerful state and commercial interests have been framed through specific representations of “indigeneity”. These “counter-narratives” link indigenous identity with a specific territory, with place-based ecological knowledge (or wisdom), and with an ethic of environmental conservation (Tsing 1993; Brosius 1997; Brosius 1999; Tsing 1999; Li 2000; Peluso and Harwell 2001; Li 2002). Such essentialized representations of “indigenous people” are often constructed in collaboration with outsiders, mirroring romanticised western imaginings reminiscent of the “noble savage” that are advocated by international indigenous rights and environmental movements (Brosius 1997). These strategic simplifications have facilitated collaboration between marginalised people and environmentalists, providing both groups with political power to act, however they also obscure different and sometimes conflicting goals. Local people are often motivated primarily by the desire to keep hold of (but not necessarily conserve) their land, while environmentalists often advocate for forest conservation and traditional livelihoods, which may contradict local desires for development and change (Galaty 2000; Li 2000). Nevertheless, such fragile alliances create new possibilities for social resistance and have been described as the “hopeful edge of a political project” (Tsing 1999).

In Laos, as in much of Southeast Asia, “indigeneity” is an ill-fitting construct. Different ethnic groups have long lived intermingled or in close proximity, ethnic boundaries are permeable, there has been a long history of migration and mobility, and all groups can arguably be considered as indigenous. In such situations, indigenous” identities are sometimes constructed strategically in response to struggles over resources (Li 2000). As such, these can be considered “political” or “resistance” identities, formed as part of a legitimizing narrative to assert preferential claims to resources and to resist dispossession. However, the use of “indigeneity” as a basis for territorial claims implies that local people have been exposed to these international discourses and are able to articulate their identity in a way that is recognisable and

usable by international environmental advocates (Li 2000). This is not the case for all marginal groups in Southeast Asia, many of whom, like the Khmu, struggle with piecemeal territorial displacements on a daily basis that do not attract international attention and who do not necessarily form a “collective consciousness” of resistance based on identity. Furthermore, unlike in some parts of Southeast Asia, Laos does not have a history of legal pluralism which grants certain ethnic groups (such as the Dayak of Indonesia and Iban in Malaysia) with special autonomous “native rights” (*hukum adat*) based on customary law and group identity – rights that are distinct from the legal rights of peasants and other citizens (see for example Cramb 2007; Davidson and Henley 2007; Potter 2009). Some ethnic minorities have successfully linked “native rights” to discourses of indigeneity in their struggles for territorial claims (Li 2007). However, narratives of indigenous land rights are only powerful if the state will recognise “indigenesness” as a valid category.

In socialist Lao PDR, imaginings of “indigenous” or “native peoples” who have a special long-standing attachment to place and an ethic of environmental conservation are not part of political or popular discourse. This identity would be complicated as a basis for territorial claims in any case, given the high mobility of all ethnic groups in most parts of the country and the relatively recent displacement of many villages during the Vietnamese war. Since 1975, when the communist Pathet Lao took control of the country, the Lao government has been preoccupied with a nationalizing agenda that incorporates ethnic minorities into the country as “equal citizens” (Lao Front for National Construction (LFNC) 2005:a) and has followed a policy of assimilation that holds the politically dominant Lao-Tai ethnic group as the standard. The diverse 49 recognized ethnic groups in the country have been classified into three simplified nationalizing identities based on stereotypes about livelihood and geographic/topographical location; the *Lao Loum* (lowland Lao, which include the politically dominant Lao Tai), the *Lao Theung* (midland Lao, which includes the Khmu), and the *Lao Sung* (upland Lao, which includes the Hmong). Although given equal status in law, ethnic minorities living in mountainous areas are socially marginalized by the state because their livelihoods and villages do not fit the increasingly hegemonic image of what it is to be a modern Lao citizen.

Government ideologies of development and modernisation are promoted to rural communities not only through policies designed to reshape local livelihoods, but also through roadside billboards, local media, political speeches, and agricultural and health extension



services. Prominent road signs draw attention to “modern sanitary villages”, located near the road, which have a village pump for clean water. Likewise, “model ethnic villages” have lowland rice fields and residents sell ethnic handicrafts along the road. “Model farmers” and “model villages” are those who have switched from producing subsistence rice to cash crops for the market. Field trips are organised to bring farmers from other areas to visit these model villages, encouraging them to follow their lead. What is represented through such messages are not only development lessons for how to improve livelihoods, but also specific ideas about ‘acceptable’ or ‘better’ ways of being Lao. To be a good rural Lao citizen in a model Lao village is to live near the road, to plant paddy rice in the lowlands, to plant cash crops for the market in the uplands, and to have a good water pump and a school. The many highland ethnic minorities practicing shifting cultivation for upland rice find themselves positioned outside of this Lao ideal.

The Khmu are widely acknowledged to be the “original owners of the land” by the Lao and in local myths of origin (Proschan 2001). They are recognised as autochthonous people who have special authority over the territorial and nature spirits of the area (Holt 2009). Although these characteristics could lend themselves to group representations of “indigeniety” (regardless of histories of mobility), the “resistance identity” that has formed among the Khmu in Ban Samsun in their struggles against state policies and the rubber concession has taken on a different character. The axis of difference that frames their practical identity is the divide between the uplands/shifting cultivation/backwardness and lowlands/sedentary farming/modernity<sup>18</sup>. Because policies such as resettlement and rubber plantations that threaten to displace them are being deployed in the name of their own development, Ban Samsun villagers have framed their counter-claims through representations of being ‘good’, ‘deserving’ and adequately ‘developed’ Lao citizens, mirroring various state messages and values for modernity. Like the district officials, the Khmu strategically apply state discourses and narratives as a way of legitimizing their claims to land and resisting displacement.

In challenge to the assertions of district officials that Ban Samsun territory legally belongs to the state, the Khmu leaders counter that land allocation had already been implemented when the district government demarcated community boundaries in 2003, and therefore their territorial claims should be supported by the state. Furthermore, leaders claim that each

---

<sup>18</sup> The upland-lowland dichotomy is a common trope across Southeast Asia, and has been well described elsewhere (see for example Leach 1997 [1954]); Li 1999; Scott 2009; Michaud 2010).

household pays yearly taxes for three private land parcels in the mountains, in compliance with state policies. In spite of *de facto* adherence to customary tenurial practice, the payment of taxes for three private land parcels is held up as evidence of local compliance to the final phase of the land allocation policy. Villagers further emphasized that they have been complying with state policies for greater integration into the market. Many had successfully adopted cash crops, such as teak, pineapples, and paper mulberry trees that had been introduced by a government-run project several years earlier, and were now being asked to remove these because they were planted within the concession area. Village leaders visited the district government offices to protest their rice being cut down, to complain about low wages, and to negotiate to keep land on which they had planted tree and cash crops that was located in the rubber concession zone. Some of the teak trees had been planted through an informal agreement with a Yao businessman from the town, who had supplied the capital for the trees, while the Khmu had provided the land and labour. Although the initial plan was that the profits would be shared once the teak was large enough for sale, many of the Khmu had borrowed money from the business man, and had given him full ownership of the trees when they were not able to repay. The trees were therefore either co-owned or fully owned by the businessman, and by appealing for his support, villagers had managed to stall the removal of some of their tree crops within the rubber area. Although DAFEO officials stated that permanent crops such as teak would not be taken by the concession, when villagers sent a delegation to the district governor's office to protect their trees, they were told that any in the concession would need to be cut down. It was not clear whether or not compensation would be paid.

In order to give the village a more legitimate presence in the eyes of the state, the village headman had initiated a policy of accepting new immigrants into the community, with the specific intention of increasing the population size of the village to make it less of a target for resettlement. As mentioned earlier, remote highland villages with populations of less than 50 households are subject to state resettlement programs which relocate them to land near major roads. As a small village of a mere 54 households located some distance from a road, the Khmu in Ban Samsun were keenly aware of their vulnerability to forced resettlement. The headman had welcomed more than ten new households into the village within the previous two years, and was actively encouraging more immigration. The acceptance of these new families created new land conflicts within the village, since some households were expected to cede their customary

land rights, however the intension was to increase the security of the territorial claims of the entire village.

Village leaders also attempted to fast track overt markers of village development by petitioning to improve the schoolhouse and by establishing a formal contract with an independent business man, who agreed to build a road to the village and several water pumps in exchange for some of the village's valuable hardwood trees. The contract had to be approved by the district government, and when it was rejected, the villagers accused the district authorities of wanting to benefit from the timber themselves. In summary, rather than emphasising their indigenous rights to place, Khmu counter-claims to territory and resistance to displacement took the form of fast tracking the markers of development that were locally recognised as symbolic of a "model modern" Lao village. 'Being developed' therefore took on a dual-meaning, both as a desired right to be claimed of the state (as the legitimate entitlement of a good Lao citizen) and as a 'resistance identity' through which to strengthen claims against the state in the face of resettlement or displacement from resources in the name of development (as 'adequately developed' good Lao citizens).

***Resistance revisited:***

When I returned to Ban Samsun in June 2012, I anticipated finding an impoverished village relying on inadequate wage labour and an expanded rubber plantation encompassing not only Ban Samsun, but the other four Khmu villages in the concession area. Indeed, the village had been completely transformed, but the proletarianisation of the Khmu which I had anticipated and which has occurred in other parts of the country (Baird 2011; Kenney-Lazar 2012) had not transpired. Instead, villagers had continued to resist the plantation by withholding their labour and only choosing to work for the company when it was convenient for them. They were able to do this because they had retained enough land to cultivate their own crops, could continue to sell their labour locally, and were able to subsidize (and improve) their livelihoods with the sale forest products. Furthermore, the wages paid by the company were still low – 300,000 kip per ha for weeding - and most villagers were able to make as much or more money from other local activities. Some of the older members of the community were earning income from renting out land to which they had customary claims, something which did not happen 4 years earlier. Other villagers had gone to work in a new tobacco factory close to Luang Prabang town, and most of the young unmarried women and teenage girls had left the village and were working as

prostitutes in town centres, something which is increasingly considered as an option by young Khmu women squeezed by development processes and seeking to improve their material circumstances (Lyttleton and Vorabouth 2011). In addition, in 2008 Ban Samsun was given official government permission to trade some of their valuable hardwood trees to a private timber company to pay for construction of a road and several water pumps in the village. The narrow dirt road had an enormous impact on village prosperity. Traders could now enter the village with trucks, creating more competition for village produce and better prices for farmers. Some villagers had become traders themselves. The road also facilitated trade in timber, since wood could be transported more easily. Much of this trade was for the enormous stumps and roots of valuable hardwood trees such as agar wood and rosewood, which had already been cut down and left in the fields by earlier logging or by the road company. These roots were in high demand by Chinese merchants, and men working to dig out and cut these roots could earn between 70,000-200,000 kip per day, depending on their strength and age. Even small pieces of wood which before held little value were collected and sold to small furniture stores in Pak Ou District or to the Chinese merchants. Because of increased income resulting from better trade and transport conditions and new labour opportunities, many households had converted their small woven bamboo huts into concrete houses with tin roofs, and had purchased motorbikes, satellite dishes and televisions powered by small hydroelectric generators in the stream.

Villagers' ability to continue to resist the concession by withholding their labour had undermined the success of the rubber plantation, which had not expanded beyond the initial 93 hectares in Ban Samsun. The company occasionally brought in labourers from Nambak district for weeding and planting, but possibly because of lack of regular maintenance, the rubber trees on the concession were small, skinny and neglected, and many had died. This contrasted to the trees owned by the eight village households<sup>19</sup> who had planted rubber themselves, which were growing very well. Although the land was still legally owned by the company, villagers had effectively reclaimed it, and were using it for swidden rice cultivation.

---

<sup>19</sup> Of the five households who had planted rubber in Ban Samsun, three were resettled Hmong families who had obtained seeds, technical knowledge and capital from relatives who had experience with rubber in other parts of the country. Three of the five Khmu households had planted rubber under contract with the Yao business man from Luang Prabang who also had planted teak in the village. He had supplied them capital in exchange for their land and labour, but as with the teak trees, the villagers had borrowed money from the man, and had given him the trees and land as repayment for their debt.

Resistance to the plantation had also begun to take more active forms. When fire accidentally spread into the rubber plantation while villagers were burning weeds along the road, they did nothing to prevent the fire from destroying some of the trees, as they would have done if the trees were owned by a local farmer. Under customary rules, farmers who set fire to someone else's crop, or whose animals destroy a crop, are responsible to pay compensation. However, when the company demanded compensation from those who had started the fire, the villagers refused to pay. Following this incident, one of the Sino-Lao company directors visited the village to check the situation of the plantation, and a company representative was stationed in the village in order to better manage the rubber plantation, and deal with some of the local conflicts. While villagers accepted him, they continued to resent the plantation itself.

The Sino-Lao company had improved the roughly built road in order to transport more rubber seedlings to plant, and in 2011, the company attempted to expand the plantation into the neighbouring Khmu community Ban Theung<sup>20</sup>, which was also part of the concession. Seeing what had happened in Ban Samsun, these villagers refused to allow the rubber to be planted within their territory, claiming that the land had not been properly surveyed as is required by law. The rubber saplings were brought back to Ban Samsun, and used instead to replace the trees that had died. Following these incidents, village representatives from Ban Theung and Ban Samsun went together to visit the newly appointed district governor to negotiate getting their lands back from the company. Villagers felt that the previous governor had been paid by the Chinese to allow the plantation although there is no evidence that this occurred. Furthermore, villagers maintained that the contract required the company to plant 1000 ha of rubber before the end of 2012, or the land would be returned to the original owners. If the company wanted to keep the land, they would need to revise the contract officially. Indeed, Article 36 of the PM Decree on State Lease or Concession (GoL 2009) does stipulate that if the concession holder does not complete the establishment of the "industrial farm" within 7 years of signing the contract, the contract is cancelled and assets are reclaimed by the state without any compensation, with exception for "reasonable cases" which are considered individually. The new governor acted in support of local claims, and wrote a letter on behalf of the villages arguing that the concession had not gone through the proper channels to be approved, which was submitted at the June 2012 National Assembly. My recent discussions with the villagers of Ban Samsun and

---

<sup>20</sup> The name of the village has been changed for the purposes of this paper.

Ban Theung indicate that they are increasingly aware of their legal rights, and are now deploying legal narratives to resist the concession and reclaim their land. I am unclear whether this awareness has been gained from their interactions with the new governor, from popular radio broadcasts, or from elsewhere.

The spread of rubber throughout Pak Ou District, which appeared to be inevitable in 2006, has not materialised. Even the neighbouring roadside village of Ban Lue<sup>21</sup>, where many villagers had signed contract farming arrangements with the Sino-Lao company in 2006, rubber had not been planted, and villagers had recently become involved in new contract farming agreements for jatropha, which was planted in the area initially zoned for rubber. One senior provincial authority was surprised when I mentioned that there was rubber planted in Pak Ou District, saying the Sino-Lao company was planting mainly in Nambak District, and that the district must have been in charge of what was happening in Pak Ou. He claimed that it was quite common for districts to undertake activities without informing provincial authorities, and it was difficult to keep track of what was happening on the ground in so many villages when resources are limited.

#### ***Cases of overt local resistance to land acquisitions in Laos:***

The unfolding conflict between villagers and plantation concessions in Ban Samsun is but one of many local grievances concerning land conflicts that have been presented to the National Assembly over the past several years. Discussions about social injustice related to foreign land grabs were also prevalent on a popular call-in radio show, “Talk of the News”, which allowed locals to anonymously air their complaints. The program ran for four years until it was shut down in February 2012, allegedly in response to too much open criticism of state policy (Smith 2012c). In spite of potentially negative consequences of outright protests in Laos, isolated cases of overt village resistance against land concessions have popped up spontaneously in different parts of the country. It’s likely that there are also many more cases of “quiet” resistance, similar to that described in Ban Samsun that have not caught popular attention. However, while villagers in Ban Samsun have (so far) been able to stall the expansion of the plantation on their lands, these open protests by villagers have not been successful in helping resolve land conflicts in their favour. Debates about land conflicts are becoming more open, particularly as senior government officials have publically expressed their concerns. At the same time, open critique is still risky and constrained, and many cases become known through rumour and informal

---

<sup>21</sup> The name of the village has been changed for the purposes of this paper.

discussions among networks of concerned Lao and international officials, development workers and researchers. Here, I will give a brief account of several specific cases of overt resistance that have made local and regional news or that have been documented in academic publications<sup>22</sup>.

The impact of concessions on local livelihoods first reached the attention of the Lao media in August 2006, when the *Vientiane Times* published a series of articles, surprisingly critical for the time, describing a conflict between farmers and a Chinese concession over rights to traditional grazing land in Nambak District, Luang Prabang Province in the north. The farmers had organised a petition against the rubber company because they were being fined when their water buffalos destroyed the unfenced rubber trees (VT 2006, Aug 14; VT 2006, Sept. 11). Farmers argued that the company was responsible to fence the trees to keep them safe from free-roaming livestock, while the company argued that the farmers should tether their animals. Farmers were eventually forced to stop raising livestock because of the fines (VT 2010, 11 May).

Most cases of overt resistance have emerged from villagers in Southern Laos where concession plantations are more common<sup>23</sup>. In 2008, leaders of a village in Attapeu province in southern Laos who had observed the impact of rubber concessions in a neighboring province, refused to approve a land survey by the provincial government and the Vietnamese company Hoàng Anh Gia Lai (HAGL), who were attempting to acquire their land for a rubber concession. When HAGL employees tried to clear-cut village lands with bulldozers, they were stopped by village leaders and armed village police, and were forced to pay a fine for destroying village land and breaking the law. However, in spite of continued local resistance, most of the area was eventually cleared for rubber (Kenney-Lazar 2012). In neighboring Champasak Province, villagers have become more open in protesting against a Vietnamese rubber company, and although there has not been any violence, several villagers brought guns to protect their land from company bulldozers. Exaggerated rumors were spread that a Vietnamese had been shot and killed, although in fact no shots were fired (Baird 2010).

---

<sup>22</sup> Baird (2011) documents an early case local resistance in 1992 to a Thai commercial tree plantation in Paksong District, Champasak Province in the South of Laos, which resulted in the enclosure of the territories of 19 “ethnic minority” villages and clearing of their forest lands, preventing their access to common property grazing and forest resources. Some villagers protested the expansion of plantation by setting fires and destroying some of the trees. Although the Ministry of Agriculture and Forestry (MAF) eventually intervened and retracted 4000 ha of concession land, instead of returning the land to the locals, it was conceded to a different company. The plantation eventually failed because of the Asian Financial crisis in the late 1990s.

<sup>23</sup> In the Northern provinces, although there are concessions, provincial officials more often promote contract farming arrangements since these are considered to be more beneficial for local people.

In another evolving case in Champasak Province, villagers in Paksong protested against Outspan Boloven, a Singapore coffee company branch of the large agri-business Olam International which had been granted a concession for a coffee plantation in 2010. The initial 150 ha concession was approved by a provincial authority from a powerful political family, but the company expanded the plantation to 1,460 ha, and has requested permits for 3000 ha from the national government. Villagers claim they were not consulted and did not sign any agreements with the company, that their land was taken illegally, their coffee trees uprooted and valuable hardwood forests burned without compensation, and their graveyards and shrines were destroyed, and made allegations of government corruption. Villagers submitted their complaints along with documents supporting their land claims to the Lao National Assembly requesting legal intervention on their behalf (Smith 2012a; Smith 2012b ). Frustrated by lack of official intervention, they sent a delegation to Vientiane in February 2012, where they were interviewed on the call in radio show “Talk of the News”, which was shortly thereafter taken off the air (Smith 2012c). The dispute is ongoing.

In Thataeng District, Sekong Province, villagers have been actively protesting against a Vietnamese rubber concession since 2006, demanding better compensation and submitting a petition and letter of grievance to the National Assembly. Promises made by the company to return some of the land to the local people, to invest in infrastructure like schools and roads, and to provide employment were not met, in spite of pressure from the province. Furthermore, the project brought in labourers from outside the community and used herbicides for weed control, so locals did not benefit from promised employment (VT 2010, July 17). Apparently, in disregard of Lao investment laws, the investors sold shares to other companies without informing local authorities, and the new shareholders argue that they are not responsible for the promised infrastructure. In June 2012, seven villagers from Thataeng who were on their way to present their case to the National Assembly were “detained” in Sekong for several weeks, although all have since been released (RFA 2012, June 29 ).

These cases have been widely discussed informally among concerned Lao and international workers. As in Ban Samsun, these protests have emerged in a “Gramscian” manner, “spontaneously” in response to particular material conditions, power relations and experiences social injustice. While most are not framed by a wider collective ideology, as in Pak Ou District, there is evidence that some villagers are becoming more aware of the national laws



that protect their rights, and are articulating their resistance/claims in legal terms. In some exceptional cases, international and recently formed Lao NGOs (known as Lao Non-Profit Organisations (NPAs)) have worked with villagers to teach them their legal rights, as in the case in Bachieng (Baird 2010). The mounting pressure of these isolated local protests, increasing critiques by concerned international and national NGOs, and numerous local grievances being submitted to the NA are having an impact on national policy, prompting the beginnings of a Polanyi-type “double movement” to protect the people and nature of Laos. There is increasing open criticism by individuals within different levels of government about the value of plantation concessions for national development, and concern about their negative impact on local people<sup>24</sup>.

***Double-movement and a shifting legal and policy framework:***

The central government has expressed concern over the chaotic and unregulated situation of concessions in the country and has attempted to increase control over how concessions are allocated by the districts and provinces, and to respond to growing local complaints to the National Assembly. Furthermore, some district and provincial officials, seeing the negative impact on local livelihoods, have become more openly critical of concessions, and these critiques are increasingly published in the Lao media, providing spaces for more open resistance at the local level (Baird 2010; VT 2011, Sept. 16). In 2008, provincial authorities in Luang Namtha banned the granting of large scale concessions for rubber plantations in the province, preferring instead to promote contract farming arrangements since these seemed to be more beneficial for farmers. Furthermore, since the mid-2000s, the legal and policy framework for foreign land acquisition in Laos has been continually readapted both to promote concessions and to constrain (or at least keep up with) the wild-west frontier nature of how concessions and leases are being allocated in practice in the provinces and districts. In May 2007, the President of Laos announced a national moratorium on granting permits for large scale concessions of over 100 ha, citing growing concern about the speed at which ecologically diverse forest-farm landscapes in the mountainous north of the country were being converted into commercial mono-cropped rubber plantations (VT 2007, 9 May). However, the moratorium was never strictly implemented, and did little to stop district and provincial approval of plantation concessions. It was revoked in 2009 (VT 2009, June 16), to be replaced again in a weaker version a few weeks later (VT 2009,

---

<sup>24</sup> See Baird (2010) for an excellent and detailed account of the emergence of official resistance to rubber plantation development in Bachieng, Champasak Province.

July 2). The most recent decree (PM Decree 137 on state land lease or concession) denies districts the right to grant concessions, but allows provinces to grant concessions for industrial plantations of up to 150 ha for as much as 40 years, and authorises the National Land Management Authority (now absorbed into MoNRE) to lease up to 10,000 ha for up to 50 years (a maximum of 70 years for “industrial agriculture”), with the possibility to request an extension. Any area larger than this must be approved by the National Assembly Standing Committee (GoL 2009). These attempts to legally control land acquisitions are not necessarily successful, since many laws are ignored or manipulated, and district officials may not be aware of the legal framework in which they operate. The Lao government has again tried to assert control over the situation by recently announcing yet another moratorium on new foreign land concessions for mining and eucalyptus and rubber plantations as a response to the large number of local complaints about land conflicts made to the recent NA meeting in June 2012 (VT 2012, July 27; VT 2012, June 26). This moratorium is to be maintained until December 2015 in order to provide time to review policies and problems associated with existing projects, survey and re-examine land rights, and review compensation policies for villagers who are asked to give up their lands.

***Conclusion:***

The response of the Khmu to the introduction of the rubber concession in Ban Samsam likely represents one of many small-scale, uncoordinated and “spontaneous” cases of local resistance provoked by displacement by industrial tree concessions that are occurring across Laos. As emphasized by James Scott in his many writings, resistance by subordinate or marginal peoples is generally piecemeal and anonymous, occurring under the radar of media and falling short of outright coordinated social revolt. At the time the rubber concession was introduced into Ban Samsam, rubber was being heavily promoted by the national government as a means for poverty alleviation and for modernising upland agriculture. Resistance to the concession in Ban Samsam therefore unfolded within a political environment in which rubber plantations were seen as an optimal use of upland resources, and in which specific ideologies of modernising highland areas were hegemonic. Highly unequal power relations combined with national ideologies of development, transmitted to local people through state policies and images of “model villages”, influenced the approaches by which the Khmu attempted to maintain claims to their territory, resist dispossession by the concession, and frame a “resistance identity” through which to make

counter-claims to their resources. Over the past 5 years, the eruption of spontaneous local resistances across the country against dispossession by large-scale land acquisitions has reached national attention, and has provoked a “double movement”, as the government attempts to contain the situation by adapting and readapting laws to protect the people and lands of Laos, while concurrently facilitating moving forward with the goals of national development. Public debate about the pros and cons of plantation concessions, although still restricted, has gradually become more open, brought about by a combination of local protests, discussions among concerned international and Lao NGO workers, researchers and officials, and by more critical reports in Lao media. Through a variety of networks, villagers have become more aware of their legal rights, and are increasingly framing their materially-motivated resistances and counter-claims to resources in legal terms, under a broader “philosophy” of having legitimate rights through their identity as Lao citizens.

#### **REFERENCES:**

- Alton, C., D. Bluhm, et al. (2005). Para rubber study, *Hevea brasiliensis*, Lao P.D.R. Vientiane, Lao PDR, German Organisation for Technical Assistance and Cooperation (GTZ), Lao-German Program Rural Development in Mountainous Areas of Northern Lao PDR.
- Amoore, L. (2005). Introduction: global resistance - global politics. *The global resistance reader*. L. Amoore. London, Routledge: 1-11.
- Baird, I. (2011). "Turning land into capital, turning people into labour: primitive accumulation and the arrival of large-scale economic land concessions in the Lao People's Democratic Republic." *New Proposals: Journal of Marxism and Interdisciplinary Inquiry* 5(1): 10-26.
- Baird, I. G. (2010). "Land, rubber and people: rapid agrarian changes and responses in southern Laos." *The Journal of Lao Studies* 1(1): 1-47.
- Baird, I. G. and B. Shoemaker (2007). "Unsettling experiences: internal resettlement and international aid agencies in Laos." *Development and Change* 38(5): 865-888.
- Barney, K. (2008). China and the production of forestlands in Lao PDR: a political ecology of transnational enclosure. *Taking Southeast Asia to market: commodities, nature, and people in the neo-liberal age*. J. Nevins and N. L. Peluso. Ithaca, Cornell University Press: 91-107.
- Barney, K. (2009). "Laos and the making of a 'relational' resource frontier." *The Geographical Journal* 175(2): 146-159.
- Brosius, J. P. (1997). "Endangered forest, endangered people: environmentalist representations of indigenous knowledge." *Human Ecology* 25(1): 47-69.
- Brosius, J. P. (1999). "Analysis and interventions: anthropological engagements with environmentalism." *Current Anthropology* 40(3): 277-309.
- Cohen, P. T. (2009). "The post-opium scenario and rubber in northern Laos: alternative western and Chinese models of development (in press)." *International Journal of Drug Policy*.

- Cramb, R. A. (2007). Land and longhouse: agrarian transformation in the uplands of Sarawak. Copenhagen, Nordic Institute of Asian Studies (NIAS).
- Davidson, J. S. and D. Henley, Eds. (2007). The revival of tradition in Indonesian politics: the deployment of adat from colonialism to indigenism. London and New York, Routledge.
- Douangsavang, L., B. Thammavong, et al. (2008). Meeting regional and global demands for rubber: a key to poverty alleviation in Lao PDR? Bangkok, Sustainable Mekong Research Network (Sumernet).
- Dwyer, M. (2007). Turning land into capital: a review of recent research on and concessions for investment in Lao PDR. Parts 1 and 2. A report commissioned by the Working Group on Land Issues of the INGO Network in Lao PDR. Vientiane, CIDSE-Laos and Plan International.
- Évrard, O. (2006). Chroniques des cendres: Anthropologie des sociétés khmou et des dynamiques interethniques du Nord-Laos. Paris, Institut de Recherche pour le Développement (IRD) Éditions.
- Foucault, M. (1972). Power/knowledge: selected interviews and other writings, 1972-1977. New York, Pantheon Books.
- Foucault, M. (1991). Governmentality. The Foucault effect: studies in governmentality. G. Burchell, C. Gordon and P. Miller. London, Harvester: 87-104.
- Foucault, M. (1994). The subject and power. Power: essential works of Foucault, volume 3. J. D. Faubion. New York, NY, The New Press: 326-348.
- Galaty, J. (2000). Pastures personified: environmental accusation and policy in East Africa. Working paper. Yale Centre for International and Area Studies. New Haven.
- GoL (2005). Forestry strategy to the year 2020 of the Lao PDR. Vientiane, Lao PDR.
- GoL (2009). Prime Minister's decree on state lease or concession. No. 135/PM, 25/05/2009. Government of Lao PDR.
- Gramsci, A. (2008 [1971]). Selections from the prison notebooks of Antonio Gramsci. New York, International Publishers.
- Hall, D., P. Hirsch, et al. (2011). Powers of exclusion: land dilemmas in Southeast Asia. Honolulu, University of Hawaii Press.
- Holt, J. C. (2009). Spirits of the place: Buddhism and Lao religious culture. Honolulu, University of Hawai'i Press.
- Kenney-Lazar, M. (2012). "Plantation rubber, land grabbing and social-property transformation in southern Laos " Journal of Peasant Studies **39**(3-4): 1017-1037.
- Lao Forest Law (1996). Government of Lao PDR.
- Lao Forest Law (2007). Government of Lao PDR.
- Lao Front for National Construction (LFNC) (2005). The Ethnic Groups of Lao PDR. Department of Ethnic Groups Lao Front for National Construction (LFNC). Vientiane, Lao PDR: 271.
- Lao Labour Law (2004). Government of Lao PDR.
- Lao law on the promotion of foreign investment (1994). Government of Lao PDR.
- Lao PDR (2007). Lao Forestry Law, 24 December 2007 (unofficial translation). Vientiane, Government of Laos.
- Leach, E. (1997 [1954]). Political systems of highland Burma: a study of Kachin social structure. London and Atlantic Highlands NJ, The Athlone Press.
- Lestrelin, G. (2010). "Land degradation in the Lao PDR: Discourses and Policy." Land Use Policy **27**: 424-439.

- Lestrelin, G. and M. Giordano (2007). "Upland development policy, livelihood change and land degradation: interactions from a Laotian village." Land degradation and development **18**: 55-76.
- Li, T. M. (1999). Marginality, power and production: analysing upland transformations. Transforming the Indonesian uplands. T. M. Li. Amsterdam, Harwood Academic Publishers: 1-43.
- Li, T. M. (2000). "Articulating indigenous identity in Indonesia: resource politics and the tribal slot." Comparative studies in society and history **42**(1): 149-179.
- Li, T. M. (2002). "Ethnic cleansing, recursive knowledge, and the dilemmas of sedentarism." International social science journal **173**: 362-371.
- Li, T. M. (2007). Adat in central Sulawesi: contemporary deployment. The revival of tradition in Indonesian politics: the deployment of adat from colonialism to indigenism. J. S. Davidson and D. Henley. London and New York, Routledge: 337-370.
- Li, T. M. (2011). "Centering labor in the land grab debate." The Journal of Peasant Studies **38**(2): 281-298.
- Lyttleton, C. and S. Vorabouth (2011). "Trade circles: aspirations and ethnicity in commercial sex in Laos." Culture, Health & Sexuality: An International Journal for Research, Intervention and Care **13**(Sup2): S263-S277.
- MAF (1999). The government's strategic vision for the agricultural sector: a discussion paper prepared for the donor round table conference. Vientiane, Laos, Minister of Agriculture and Forestry, Lao PDR.
- Manivong, V. and R. A. Cramb (2008). "Economics of smallholder rubber expansion in Northern Laos." Agroforestry Systems **74**: 113-125.
- Mann, C. C. (2009). "Addicted to rubber." Science **325**: 564-566.
- Michaud, J. (2010). "Editorial: Zomia and beyond." Journal of global history **5**: 187-214.
- Nanthavong, V., O. Schoenweger, et al. (2009). Findings of the state land concession and lease inventory project in the pilot of Vientiane Province Phase II. Vientiane, National Land Management Authority, Land and Natural Resources Research and Information Centre, Lao-German Land Management and Registration Project (LMRP), German Technical Cooperation (GTZ).
- Peluso, N. L. and E. Harwell (2001). Territory, custom, and the cultural politics of ethnic war in West Kalimantan, Indonesia. Violent environments. N. L. Peluso and M. Watts. Ithaca, Cornell University Press: 83-116.
- Polanyi, K. (2001 [1944]). The great transformation: the political and economic origins of our time Boston, Beacon Press.
- Potter, L. (2009). Oil palm and resistance in West Kalimantan, Indonesia. Agrarian angst and rural resistance in contemporary Southeast Asia. D. Caouette and S. Turner. London and New York, Routledge: 105-134.
- Proschan, F. (2001). "Peoples of the gourd: imagined ethnicities in highland Southeast Asia." The Journal of Asian Studies **60**(4): 999-1032.
- RFA (2012, June 29 ). Land Dispute Villagers Released. Radio Free Asia.
- Rigg, J. (2005). Living with transition in Laos: market integration in Southeast Asia. London and New York, Routledge.
- Scott, J. C. (1976). The moral economy of the peasant: subsistence and rebellion in Southeast Asia. New Haven, Yale University Press.

- Scott, J. C. (1985). Weapons of the weak: everyday forms of peasant resistance. New Haven, CT, Yale University Press.
- Scott, J. C. (1986). Everyday forms of peasant resistance. Everyday forms of peasant resistance in South-east Asia. J. C. Scott and B. J. T. Kerkvliet. London and New York, Routledge: 5-35.
- Scott, J. C. (1990). Domination and the arts of resistance: hidden transcripts. New Haven and London, Yale University Press.
- Scott, J. C. (1998). Seeing like a state: how certain schemes to improve the human condition have failed. New Haven, Yale University Press.
- Scott, J. C. (2009). The art of not being governed: an anarchist history of upland Southeast Asia. New Haven & London, Yale University Press.
- Shi, W. (2008). Rubber boom in Luang Namtha: a transnational perspective. Vientiane, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)
- Simana, S. and E. Preisig (1997). Kmhmu' livelihood: farming the forest. Vientiane, Lao PDR, Ministry for Information and Culture, Institute for Cultural Research.
- Smith, B. (2012a). Coffee colonialism in Laos. Asia Times Online. **12 June 2012**.
- Smith, B. (2012b). Coffee Colonialism: Olam Plantation Displaces Lao Farmers. CorpWatch. **4 June 2012**.
- Smith, B. (2012c). Off the air in Laos Asia Times Online. **22 February 2012**.
- Stuart-Fox, M. (2004). Politics and reform in the Lao People's Democratic Republic. Political economy of development. Political economy of development Working Paper No. 1. Williamsburg, Virginia, Program of Civil Society and Government, The College of William and Mary.
- Tambiah, X. (1970). Buddhism and the spirit cults in North-east Thailand. Cambridge, Cambridge University Press.
- Thongmanivong, S., Y. Fujita, et al. (2009). "Agrarian Land Use Transformation in Northern Laos: from Swidden to Rubber." Southeast Asian Studies **47**(3): 330-347.
- Tsing, A. L. (1993). In the realm of the diamond queen: marginality in an out-of-the-way place. Princeton, Princeton University Press.
- Tsing, A. L. (1999). Becoming a tribal elder, and other green development fantasies. Transforming the Indonesian uplands. T. M. Li. Amsterdam, Harwood Academic Publishers: 159-202.
- Turner, S. and D. Caouette (2009). Shifting fields of rural resistance in Southeast Asia. Agrarian angst and rural resistance in contemporary Southeast Asia. D. Caouette and S. Turner. London and New York, Routledge: 1-24.
- Vanderveest, P. (2003). "Land to some tillers: development-induced displacement in Laos." International social science journal **55**(1): 47-56.
- Vongkhamor, S., K. Phimmasen, et al. (2007). Key issues in smallholder rubber planting in Oudomxay and Luang Prabang Provinces, Lao PDR. Vientiane, Lao PDR, Upland Research and Capacity Development Programme, National Agriculture and Forestry Research Institute (NAFRI).
- VT (26 March 2012). Govt to legalize undocumented foreign workers. Vientiane Times. Vientiane. **72**.
- VT (2006, Aug 14). Petition for fences, buffalo grazing space: villagers need help from local authority, rubber plantations lack fences, roaming buffaloes cause damage. Vientiane Times. Vientiane.

- VT (2006, Sept. 11). Farmers cannot live without buffaloes. Vientiane Times. Vientiane.
- VT (2007, 9 May). Govt suspends land concessions. Vientiane Times. Vientiane.
- VT (2009, July 2). Govt again suspends land concessions. Vientiane Times. Vientiane.
- VT (2009, June 16). Govt resumes land concessions. Vientiane Times. Vientiane.
- VT (2010, 11 May). Survey aims to clarify land management issues Vientiane Times. Vientiane.
- VT (2010, July 17). Govt called to help locals swindled by foreign investors Vientiane Times.  
Vientiane.
- VT (2011, Sept. 16). Limits set on future rubber plantations in Laos. Vientiane Times.
- VT (2012, Aug. 14). Forestry management practices need to be toughened up. Vientiane Times.
- VT (2012, July 27). When can the poor take a rest. Vientiane Times.
- VT (2012, June 26). Govt halts new mining projects, land concessions for tree farms. Vientiane Times.
- VT (2012, Sept 7). Low rubber revenues in Luang Namtha hurting local farmers Vientiane Times.
- Wellmann, D. (2012). Discussion paper on the legal framework of state land leases and concessions in the Lao PDR. Vientiane, Integrated Rural Development in Poverty Regions of Laos (IRDP) under the Northern Upland Development Programme (NUDP), under IIZ NU-IRDP.
- World Bank (2010). Rising global interest in farmland: can it yield sustainable and equitable benefits? Washington, D.C., World Bank.
- Ziegler, A. D., J. M. Fox, et al. (2009). "The rubber juggernaut." Science **324**(22 May 2009): 1024-1025.