

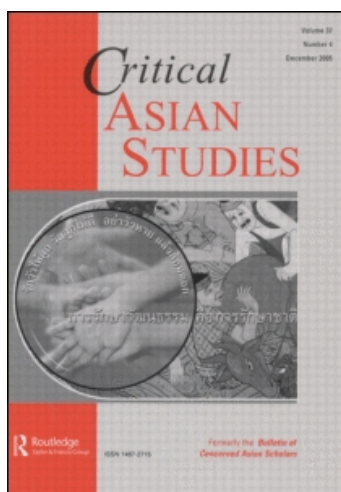
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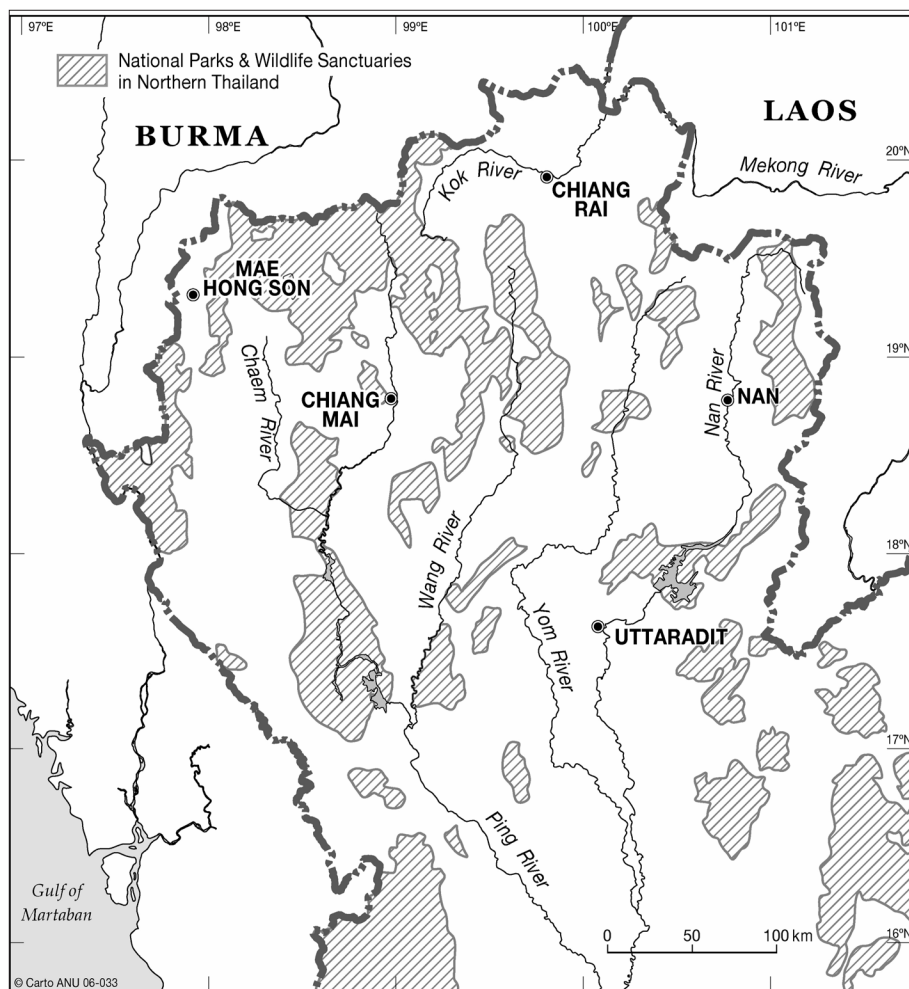
NORTHERN THAILAND'S SPECTER OF EVICTION

Andrew Walker and Nicholas Farrelly

ABSTRACT: Discussions of resource management and development in northern Thailand often emphasize the threat of eviction faced by uplanders living in forest reserve zones. This “specter of eviction” is to be found in official government policy, in academic accounts of highland development, and in the activist writings of nongovernmental organizations (NGOs). The review of the literature in this article suggests, however, that very few evictions have in fact taken place since the early 1980s and the threat of eviction in accounts written over the past two decades is exaggerated. The authors examine some of the political, practical, and policy reasons why the rate of eviction has been very low. They conclude by arguing that reliance on the specter of eviction by activist academics and NGOs seeking to defend the rights of upland farmers results in a political strategy that is disempowering and disengaged from current livelihood realities.

Since the end of northern Thailand's insurgencies in the 1980s, this highland region has largely shed its notoriety as a site of opium cultivation and armed rebellion. Thai government efforts to pacify, integrate, and control the peoples of the uplands have helped to cultivate a very different image of the north. It is now widely considered an exotic, peaceful, and welcoming landscape, dotted with picturesque villages and marked by sites of great natural beauty. At the same time the highlands have become more accessible and more comfortable than ever before. The region is a tourism promoter's dream with “hill-tribe treks” on the tourism “to do” lists of those seeking a manageable combination of ecological immersion and cultural authenticity. All-weather roads and regular public transport today service many villages that were once a long hike from the nearest major town. Journeys that once took days now take hours.

At the same time as the region has boomed with the investment and innovation that comes with global tourism it has also seen major social transforma-



National parks and wildlife sanctuaries in northern Thailand. There are other conservation areas in northern Thailand, in particular Class 1 watershed areas, that are not marked on this map. (Source: Forsyth and Walker 2008, 43.)

tions. The lure of the city, and higher urban wages, has left many villages without a supply of abundant and youthful labor. The pressures and vagaries of farming have not, however, decreased. Subsistence farming has been largely replaced by relatively capital-intensive and input-dependent cultivation, one outcome of which has been the intensification of resource conflict. Tensions over water resources now divide upstream and downstream communities, alarm mounts about increasing levels of agrochemical use, and an alliance of state officials and conservationist nongovernmental organizations (NGOs) accuse upland farmers of wreaking havoc with the region's once abundant forest resources. Behind the benign, tourist-friendly image of northern Thailand there is discontent about social, ecological, and political change. It is one key dimension of this discontent that we seek to unravel in this article.

In the uplands of northern Thailand the specter of village relocation has long hung over environmental debate. State officials and politicians, often working

alongside sympathetic NGOs, have regularly endorsed the need to move “illegal squatters” out of environmentally fragile zones. Their draconian proposals are justified by ambitions to protect the region’s internationally significant biodiversity and to maintain watershed services (the supply of water in particular) to downstream communities. In response, other NGOs, in alliance with activist academics, have countered with claims that villagers live in harmonious coexistence with upland forests. From this perspective upland farmers are, in fact, the forest’s stewards whose distinctive cultures, livelihoods, and conservationist practices are threatened by state resettlement plans. On both sides of this normative chasm the issue of evictions is used to mark out the need for further political action. The situation in northern Thailand has mirrored international developments where, according to Brockington and Igoe, “protest against the experience of displacement and marginalisation by protected areas, against impoverishment and injustice, against disempowerment and disenfranchisement, has become one of the defining features of the politics of protected areas in the last two decades.”¹

Given the significant interest in upland evictions — and the impassioned responses that the issue provokes — we thought it worthwhile to clarify the evidence of village evictions in northern Thailand. Our goal is not to justify state action, or to undermine those who chronicle the profound negative impacts of forced relocation when it occurs. Instead, we want to examine the extent to which the prominence given to eviction on both sides of environmental debate distracts attention from more pressing political and social concerns. This critical review of the nature and extent of upland evictions will provide a basis for more realistic strategies to defend the rights of upland groups.

State Classification

Probably the most interesting kind of watershed is the large, highland watershed, because these are the sources of many rivers, which arise as a result of intense mountain rains, running down hill and collecting in troughs and valleys. When the soil structure of large, highland watersheds becomes degraded, water is not retained and is lost to human use. Therefore, that particular area no longer acts as a water supply for a river lying downhill from the watershed area. The removal of the tree cover from a watershed is thus particularly damaging. In the short-term, the yield from the watershed land will decline rapidly due to erosion of fertile topsoil and declining water capacity. In the long-term, the area ceases to feed downstream rivers, affecting numerous ecosystems and the livelihoods of both local people and the people downstream.²

Environmental battles in northern Thailand often coalesce around the emotive frontline of “watershed management.” Managing upland areas so that they provide consistent and predictable “watershed services” to lowland areas has be-

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1. Brockington and Igoe 2006, 242.
 2. Highland Research and Development Institute 2007, 172.



Property for sale in a national park: “For sale: 25 rai orange orchard (2000 productive trees), surrounded by water, next to a road and with electricity. Could be a resort or a fresh-air retreat. Call now.” (Credit: All photos courtesy of authors unless noted otherwise.)

come a key part of the national environmental discourse. Images of forested, highland catchments providing clean and bountiful water to productive lowland villages, towns and cities are an integral part of the region’s ecological narrative.³ That narrative is also shaped by a commitment to preventing the erosion of fragile upland soils and the destruction of the region’s abundant biodiversity. Any threats to this nationally important highland environment are regarded as legitimate targets for state regulatory action.

To provide a framework for that state action, the classification of highland areas has become a major outlet for official energies and agendas. Nationally, 25 percent of Thailand’s area is classified as “conservation forest.” The impact of this policy is most significant in Thailand’s northern provinces where roughly 50 percent of the land falls into this conservation category.⁴ This broad-brush system of land classification is overlaid with a somewhat more specific system of national watershed classification. Large areas of the northern uplands are defined as “Class 1 watershed” given their upper-catchment position, steep slopes, and often-abundant forest cover. These are areas that are to be strictly conserved as sources of downstream water supply and “degraded zones” within them are targeted for reforestation. At least 30 percent of the uplands of northern Thailand fall into this strict conservation category.⁵ A roughly similar proportion is classified as “Class 2 watershed” in which “use of land for agricultural activities is to be strenuously avoided.” In many areas these general classifica-

3. Forsyth and Walker 2008.

4. *Ibid.*, 42.

tions are linked to more practical conservation measures. Most important is the establishment of national parks and wildlife conservation areas. The far northern provinces of Thailand feature more than twenty national parks that take up about 15 percent of the region's entire land area. The uplands of the north have also witnessed the establishment of numerous "watershed management units" that have implemented an enthusiastic program of reforestation.

The key point to note is that these systems of classification are administrative categories that do not necessarily match actual land cover. To put it in simple terms: just because an area is classified as "conservation forest," "Class 1 watershed," or "national park" does not mean that there will be trees there! In many places there is a broad match between administrative classification and actual land cover but it is far from perfect. Anyone driving through a protected area in northern Thailand (and you *can* drive through many of them) will be struck by the presence of agricultural fields, orchards, rural development schemes, the occasional resort, and numerous villages. Colorful signs advertising land for sale are not an uncommon sight.

The social implications of this mismatch between land use and land classification are immense. In the far northern provinces estimates in 1990 showed that about one third of all villages were located inside various forms of "forest."⁶ Around this time a detailed survey of 1,400 upland villages undertaken by the Department of Land Development in Chiang Mai Province found that over 90 percent were located in forest reserves.⁷ Estimating the precise number of people living in conservation areas is difficult, but it seems likely that in the north of Thailand the figure may exceed 1 million.⁸ What this means is that there are vast numbers of rural residents whose occupation and agricultural activity is, in the starkest terms, illegal.

The Specter of Eviction

In Thailand, the conservative position holds that forest and people cannot coexist, implying that "forest-eating" hill tribes and others who inhabit the mountainous areas of Northern Thailand must be evicted in order to protect forested areas classified as watershed classes 1A, 1B, and 2. Those who hold this position argue that deforestation is caused by population increases and by illegal forest encroachment for farming purposes, including shifting cultivation, in the highlands. Conservative environmentalism opposes community forestry based on local people's knowledge and decision-making. Instead, it favors expansion of the national park system and scientifically based land-management controlled by the RFD [Royal Forest Department] and other government agencies in accordance with the existing division of power between the state and the people. — Isager and Ivarsson⁹

5. Ibid.

6. Sopin et al. 1990, 11.

7. Bandith, Thirayut, and Daranee 1993.

8. Forsyth and Walker 2008, 62.

9. Isager and Ivarsson 2002, 400–1.

A key motif in recent writing on environmental management in the uplands of Thailand has been the ever-present risk of eviction. The Thai state itself has made a key contribution to this specter of eviction with policy guidelines and informal statements regularly asserting the need to relocate villages from conservation forest zones. In 1966, the Royal Forest Department (RFD) declared that “illicit clearing of the forests for cash crops by local villagers constitute one of the major problems in forestry.” To address this problem the authorities called for vigilant patrol and the “establishment of a number of large settlement areas of the landless cultivators and gradually colonizing them.”¹⁰ According to Jonsson, “forced relocation of uplanders has continued...lately in the name of watershed and forest protection.”¹¹ The survey of upland villages in Chiang Mai Province undertaken by the Department of Land Development in the mid 1990s recommended that 40 percent of villages be classified as “communities which do not have the potential to become permanent villages.”¹² The department described these as villages that are “too small or engage in inappropriate agricultural practices. Most are scattered about Class One and Class Two catchment areas.” The recommended remedy was to “evacuate the target population to more suitable areas.” The second “master plan” for the control of narcotics in the uplands, which was produced in 1997, takes a similarly hard-line approach.¹³

During the 1990s this state conservation ethic was most vividly represented by the contentious figure of Plodprasop Suraswadi, the head of the RFD. In 1998 he “ruled out the principle of coexistence between man and nature in tackling the problems of people living in the forest.” He justified the expulsion of upland residents from conservation areas on the basis that “the forest exists for hundreds of years but you are just born... You can live in the forest if you live like barbarians. But now your life is civilized and we have no more forest left, so you have to go.”¹⁴ More recently, in 2003, a government spokesman said that “the government would relocate hill-tribe people without land rights to lowland areas to prevent them from felling trees. Those who remained in the forests must stay on their designated plots.” Part of the motivation for this announcement was concern that hill tribes were being used by “dark influences” to encroach on forestland, which could then be subject to illegitimate tenure claims.¹⁵

These sorts of official statements have provided fertile ground for academics and activists attempting to highlight the plight of marginalized uplanders in the face of an authoritarian state. According to the standard account, the official classification of land means that there is a general threat of eviction throughout

10. Pinkaew 1999, 41.

11. Jonsson 2005, 101.

12. Bandith, Thirayut, and Daranee 1993.

13. Government of Thailand 1997.

14. Plodprasop, quoted in Chakrit 1998a; see also Brenner et al. 1999.

15. Pradit and Porpot 2003.

16. Francis 2004, 122.

highland areas. In the words of Francis, the relevant laws mean that “most hill communities’ occupation of their land is irregular according to at least one criterion, and they live under the constant threat of eviction, a threat which from time to time is realized.”¹⁶ Molle argues that “the discourse depicting slash-and-burn agriculture as nefarious and backward lends support to the eviction of local communities (often Hmong people in the north) to the benefit of afforestation which is presented as modern and productive, thus sanctioning a transfer of benefits to the timber industry (or to tourists, in cases of reservations).”¹⁷ Jonsson writes that “eviction orders to highland villages have continued since the 1960s, most recently in the name of a Masterplan on the Environment, within which settlements that are not linked to the state (through having a school, development project, or a hard-surface road) are defined as illegal.”¹⁸ And Toyota links the threat of relocation back to the “Western model of forest management”:

Since the 1990s, following the Western model of forest management, the Thai government has stepped up efforts to forcibly evict hill-tribe people from upland forest areas in the name of forest conservation. This has greatly added to the problems of the peoples here. Now the threat of eviction has been added to denial of citizenship as part of their woes — and all of this was greatly exacerbated by the national economic crisis...[T]hey are often harassed, arrested as “illegal encroachers” in forest conservation zones (in effect within their own home villages), or even deported (from the country in which they were born).¹⁹

Mulder and Coppolillo are reading from a similar script when they note that “the pattern of forcibly removing resident populations repeats itself again and again, for example, in northern Thailand, where Karen and Hmong hill-tribe villagers still live under the threat of eviction from forests that were classified first as forest reserves, then national parks, and now in some cases world heritage sites.”²⁰ And, according to Tapp, the threat of eviction remains a potent source of insecurity in the uplands:

More frightening than actual incidents, perhaps, are these frequent rumours which spread [across] the hills of impending relocations, since these are almost certainly deliberately instigated and serve to create a constant atmosphere of terror and uncertainty about livelihood and tenure security...Continuing cases of land confiscation further reduce the options for hill people, forcing them to relocate even where they are not forcibly relocated.²¹

In northern Thailand itself, Anan Ganjanapan has been a key contributor to the debate about relocation. A prominent player in the Chiang Mai scene, where university professors straddle the divide between activism and academia, Anan

17. Molle 2005, 14–15.

18. Jonsson 2003, 323.

19. Toyota 2006, 4.

20. Mulder and Coppolillo 2005, 36.

21. Tapp 2005, xxviii.

sides strongly with those who seek to protect highland settlements from eviction. “Highland ethnic groups, . . .” he argues, “are trying to participate in the conservation of the watersheds as they are often threatened with relocation out of conservation forests.”²² In his account of “the politics of environment in northern Thailand,” Anan reports that “the Royal Forestry Department in particular has been busy with implementation of the national forest protection policy without much attention to social issues in terms of community rights and ethnicity.”²³ He gives three examples: an eviction order issued to the Hmong of Huai Yew Yee (citing Eudey²⁴); the Hmong village of Khun Klang “relocated” from Doi Inthanon National Park (citing Chayan²⁵); and “most recently . . . the case of the Mien villages of Mae San and Pa Daeng, which were evicted from Doi Luang National Park in 1994.”²⁶ In another discussion of the “politics of conservation” Anan writes that “environmental threats had become considered as a national security issue” and “conservation policy to protect watersheds . . . even allowed for the use of military force to relocate villagers from conservation forests.”²⁷ Marshalling his evidence again, Anan notes that twenty-four Karen were arrested in Doi Suthep National Park in 1990; the Hmong village of Khun Klang was “threatened with relocation” (citing Chayan again²⁸); relocation commenced for the villages of Mae San and Pa Daeng in Doi Luang National Park (citing his own research findings²⁹); Lahu villagers in Lo Pah Krai lost access to swidden fields when a plantation concession was issued; and several Karen villages in Mae Wang lost swidden fields to reforestation.³⁰

Anan’s colleague, Pinkaew Laungaramsri, has been a similarly vigorous critic of state policy in the uplands of Thailand. She links the insecure fate of the upland Karen village where she conducted fieldwork to the “powerful project of nature conservation . . . within an unequal power system.”³¹ “Resettlement, arrest, and forceful intimidation,” she writes, “have become commonly accepted methods for solving the problems of forest destruction.”³² Pinkaew vividly describes the “confrontational style” and penchant for evictions of former forestry chief Plodprasop, noting that “military operations form part of his routine.” In one case Plodprasop, “brandishing an assault rifle, demanded that the Karen leave the forest.”³³ For some of her Karen contacts, “‘Opphayop!’ (resettlement!) . . . was a familiar yet terrifying word.” According to Pinkaew, “this authoritarian word has led many Karen into a new chapter of life, i.e., the experience of

22. Anan 1997, 216–17.

23. *Ibid.*, 217.

24. Eudey 1989.

25. Chayan 1991.

26. Anan 1997, 217.

27. Anan 1998, 72.

28. Chayan 1991.

29. Anan 1997.

30. *Ibid.*, 72–73.

31. Pinkaew 2001, xi.

32. *Ibid.*, 31.

33. *Ibid.*, 105.



Picking flowers in a conservation area in northern Thailand. “[G]eneralized accounts of this eviction threat oversimplify a complex and changing history of state action in the uplands. We have found that...the risk of relocation for upland communities in northern Thailand is very low.”

displacement.”³⁴ Very recently, another Chiang Mai scholar, Chusak Wittayapak, has written about “resource conflicts and ethnic violence in northern Thailand.” Like Anan and Pinkaew he emphasizes resource insecurity and the threat of eviction in contributing to “an arena of fierce resource contestation and ethnic violence.”³⁵ Chusak documents several specific cases, starting with the destructive raids on the lychee orchards of Hmong farmers by lowlanders in Nan Province. He also refers to the famous Chom Thong dispute in which lowland farmers accused uplanders of resource degradation. In relation to this dispute he mentions harassment directed against the Hmong village of Khun Klang, which appears to be still present in Doi Inthanon National Park despite previous reports of its demise.³⁶ His third case is the village of Pang Daeng in Chiang Mai Province where “forty-eight villagers were arrested for violating forest laws.”³⁷ And his fourth case is the village of Ban Huey Kok in Phayao Province where the declaration of a Wildlife Sanctuary has placed various restrictions on local forest use.³⁸ According to Chusak, “wildlife conservation is inherently conducive to violence as the state-directed control of wildlife resources often employed paramilitary-style park rangers to do the jobs.”³⁹

34. Ibid., x.

35. Chusak 2008, 122.

36. Ibid., 124.

37. Ibid.

38. Ibid., 125.

39. Ibid.

There is a close synergy between academia and activism in northern Thailand and it is unsurprising that NGOs working in the region have also harnessed this specter of eviction. In order to add urgency and piquancy to their calls for grassroots mobilization, NGOs have framed many of their campaigns in terms of the resource and residential insecurity of villages located in conservation areas. A common theme in NGO writings is that the extension of state property into the uplands of northern Thailand, through processes of forest classification and protected area declaration, has undermined the tenure rights of local communities creating the conditions for the ongoing violation of the rights of long-resident “forest villages.”⁴⁰ NGOs in northern Thailand have published prolifically on environmental management issues and their accounts resonate with those provided in more formal academic settings. Activists draw on the same cases of eviction and harassment to support their campaign against heavy-handed state conservation. And they suggest that such violations of rights are widespread by asserting, for example, that “there are one hundred other cases where the rights of forest villages have been violated.”⁴¹ A statement issued by a group of prominent northern NGOs in 1998, points to the importance of relocation in reinforcing an image of upland vulnerability:

Increasing the area of...conservation land...illustrate[s] more clearly than anything else the western image of conservation which has been adopted by the Royal Thai Forestry Department. Once land has been classified as conservation land, all communities already in residence must be, if possible, relocated away from the delicate area. Trees [are then] planted immediately in all areas of the vacated land. If immediate relocation is not possible the government takes control of all the land used by the community and strictly controls any activity upon that land. The community should be convinced to leave the land and when this is achieved trees are to be immediately planted. This system of regeneration of land shows the view held by the government on conservation land, i.e., that it is pristine forest devoid of all human habitation, a state of existence which is ultimately and obviously unsustainable.⁴²

The Evidence

In spite of the provocative tone of some government statements, generalized accounts of this eviction threat oversimplify a complex and changing history of state action in the uplands. We have found that in contrast to the rhetoric deployed by academics, activists, and some branches of the government the risk of relocation for upland communities in northern Thailand is very low.

In the 1960s and 1970s there was, no doubt, a considerable amount of forced relocation. Much of this was motivated by “security concerns” given the ongoing war in Vietnam and Laos and a low-level insurgency in several districts in

40. See, for example, Nantaa and Supamaat 1999; Somsak and Permsak 2000; Northern Development Foundation 1998.

41. Nantaa and Supamaat 1999, 4.

42. Northern Farmers Network et al. 1998.

northern Thailand. Hearn suggests that during this period there were about one hundred villages resettled or destroyed.⁴³ Less militaristic approaches to resettlement involved the establishment of a small number of “welfare stations” and “forest villages” where basic services and more secure forms of land tenure were provided as incentives for villagers to move out of conservation zones. But from the mid 1980s onward the evidence makes clear that forced relocation in northern Thailand has been very infrequent indeed. In fact, the persistence of the specter of eviction in much of the literature relies on either disengagement from the empirical evidence or repeated reference to a small number of high profile cases. Combined with potent memories of military heavy-handedness in the 1960s and 1970s these cases serve to create an impression of general threat, when the actual threat is much more localized and highly specific.

Our search of primary and secondary sources uncovers only a very small number of cases of eviction in the uplands of northern Thailand over the past twenty years:

Akha and Lahu villages in Chiang Rai Province: A number of Akha and Lahu villages in Chiang Rai Province were burned and their inhabitants deported to Burma, according to press reports.⁴⁴ Some of these incidents appear to have been linked to a major watershed rehabilitation and rural development project closely associated with the Thai queen. Later expansion of the project led to the seizure of land from three Akha villages in the same area. In a recent interview Matthew McDaniel, an advocate for Akha people’s rights, describes one Akha village where land was taken:

The Royal project took the land of Hooh Yoh, about 8500 *rai* that was full of biodiversity, food diversity, and most importantly it belonged to the Akha, they loved that land, they sculpted that land. It was one of the Queen’s projects. There was a project of the queen that set up three ag[ricultural] stations....The Akha loved that place, it was like walking on the back of their own hand. The Army and forestry tried to relocate all the villages they could, they destroyed so much, they planted pine and flower farms....But this is only one village.⁴⁵

Doi Luang in Lampang Province: Another famous, and much discussed, case took place in 1994 when four upland villages in Lampang Province were moved out of the newly declared Doi Luang National Park, despite claims that they had lived there for forty years prior to the declaration.⁴⁶ According to Pinkaew, “they were to be thrown out because they practiced shifting cultivation, thus destroying the forests.”⁴⁷ But Anan suggests a more commercial motive. The villagers had been encouraged to grow coffee by an international development project and this investment “turned land into a very valuable commodity.”⁴⁸ National

43. Hearn 1974, 188–89.

44. Bangkok Post 1987; Bangkok Post 1991a; Bangkok Post 1991b.

45. Quoted in Farrelly 2006.

46. Pinkaew 2001, 1; Anan 1997, 217; Nantaa and Supamaat 1999, 13; Benja Silarak 1998, 67.

47. Pinkaew 2001, 1.

park officials started putting pressure on them to move from about 1990. Development and welfare budgets to the village were cut; new house construction was forbidden; agricultural expansion was curtailed; farmers leaving the village to sell produce were harassed and maintenance work on the road to the village was halted. Considerable funds were spent on establishing a relocation site but farmers found that the agricultural land was poor quality and incapable of supporting their expectations of a reasonable livelihood. Anan reports that “after a long struggle, the villagers are now temporarily allowed to harvest their coffee on their land in the national park.”⁴⁹

Tungpaka village: In 1999, journalist Julian Gearing wrote about the destruction of the Lahu village of Tungpaka in Chiang Mai Province by forestry department officials. In this “unreported raid” on a small Lahu village “thirteen houses, as well as crops were destroyed...leaving 60 people homeless.”⁵⁰ Gearing quotes one Tungpaka resident as saying that the village was evicted so that the area could be cleared and a resort built. Gearing goes on to state that the villagers “live in fear they may now be ousted from their refuge at the foot of the hills, an hour-and-a-half’s walk from the remains of their 60-year-old village.”⁵¹ Plodprasop Suraswadi of the RFD (mentioned above) publicly denied that forestry officials had played any part in the destruction of Tungpaka.⁵²

Hmong villages in Nan: Some of the most potent symbols for the vulnerability of upland residents have come from incidents in Pua district in Nan Province.⁵³ In mid 2000 lowland villagers complaining about downstream water contamination, destroyed the orchards, field huts, and sprinkler systems of Hmong farmers who were accused of having established their orchards within the boundary of a national park. Forestry officials reportedly played a part in the raids: “Witnesses reported that the demonstrators were also guarded by over 200 border patrol policeman, who were fully armed with machine guns. All of the demonstrators were provided with machine saws, fuel and food.”⁵⁴

Labu in Lampang Province: In 2003, three hundred Lahu were forcibly evicted from four villages in Pha Thai Cave National Park in Lampang Province. Local authorities justified the eviction on the basis the villages had served as staging points for drug smugglers.⁵⁵

Harassment and arrest: There have also been reports of the arrest and legal harassment of villagers farming in conservation forest zones.⁵⁶ Pinkaew quotes a Northern Development Foundation statistic that “in the year 1998 alone, there were more than 20 cases of people being charged as ‘illegal encroachers’ by forestry officials in Chiang Mai.”⁵⁷ The village of Pang Daeng in Chiang Mai Province

48. Anan 1997, 213.

49. Anan 1998, 78.

50. Gearing 1999, 47.

51. Ibid.

52. Plodprasop 1999.

53. Chusak 2008, 111.

54. Jarat 2000.

55. Bangkok Post 2004; Chupinit and Prasert n.d.

56. Chupinit and Prasert n.d.

is a prominent case of legal harassment. Pang Daeng residents have been arrested and charged with conservation forest encroachment on a number of occasions since the late 1980s.⁵⁸ According to one account, up to twenty villagers were detained for three years in the early 1990s.⁵⁹ A later case brought in 1998 was dismissed when the villagers satisfied the court that they had not destroyed the forest. In 2004 almost fifty villagers were arrested and faced similar forest destruction charges. There are similar cases of Lawa arrested, reportedly for taking firewood from the forest.⁶⁰ Nonetheless the documentation of these cases is relatively sparse. According to one of the major critics of state environmental policy, Nidhi Eoseewong, “this is violence that is difficult to pin down.” In his interpretation “it does not simply emerge because villagers, capitalists, state officials, etc., like violence but because the structure of society has violence in its core so that it is difficult for people in the system to solve conflicts peacefully.”⁶¹

How are we to interpret the relatively small number of cases reported in the literature from northern Thailand? A first point to note is that this picture is consistent with the international survey of “eviction for conservation” undertaken by Brockington and Igoe.⁶² Their comprehensive review of literature uncovered “just under 250 reports of relocation from over 180 protected areas.” They identify only four cases from Thailand itself. They suggest that the international “paucity of cases” could be due to either a low rate of actual evictions or a low rate of reporting.⁶³ Their conclusion is that in some parts of the world the former is the case, while in others it is the latter. Our view is that northern Thailand is much more likely to fit into the former category, given that forest management has been a highly contentious political issue for at least twenty years and has attracted considerable international and local scrutiny from both academics and NGOs. This is one of the most studied regions in Asia (and environmental management has been the focus of an enormous amount of research) and it is highly unlikely that a substantial body of recent resettlement has gone unreported. As Brockington and Igoe state in their review of international studies “there is thus an element of uncovering past sins in the current literature.”⁶⁴

Overall our conclusion is that upland residents in northern Thailand currently face a very low risk of actual eviction. The cases we summarize above probably account for fewer than five thousand people over a twenty-year period (or about 0.5 percent of the estimated upland population living in forest reserve areas).

The very small number of official evictions in northern Thailand raises the possibility that the greatest risk of eviction comes not from the state but from

57. Pinkaew 2001, 31–32.

58. Chusak 2008, 125.

59. Walker 2007.

60. Nantaa and Supamaat 1999, 37.

61. Nidhi Eoseewong 2000, 11.

62. Brockington and Igoe 2006.

63. *Ibid.*, 427, 431, 434.

64. *Ibid.*, 442.



Agricultural buildings at a Royal Project field station. "Given the national and international prestige of royally sponsored highland development activity, government agencies working in northern Thailand are keen to cooperate with the upland network of Royal Project development centers."

the activism of other villages. Certainly the two most high profile recent cases of violent harassment of upland communities and attempted eviction — the destruction of orchards in Nan Province and the Chom Thong dispute — were led by lowland farmers' organizations complaining about lowland degradation allegedly caused by upland agriculture. There are also some brief accounts of other upland communities destroyed or harassed by downstream farmers seeking to protect forest and water resources.⁶⁵ Further research is required to determine how common these sorts of incidents are but they do raise an intriguing possibility. Protected areas such as national parks are regularly identified as creating tenure insecurity for upland farmers. In some cases, however, they may also function as buffers that isolate upland communities from resource conflicts with their neighbors in the lowlands.

In documenting the small number of cases of state-led eviction in northern Thailand three important caveats should be noted.

First, in the northeast of Thailand, there is a more recent history of forced evictions in relation to the *kbor jor kor* program (Land Distribution Program for the Poor Living in Degraded National Forest Reserves). Pye notes that in the early 1990s the initial implementation of the program involved the forced relo-

65. Chusak and Dearden 1999; Forsyth and Walker 2008, 184–85.

cation of sixteen villages accounting for about two thousand families.⁶⁶ It is relevant to note that Pye's figure is much lower than the forty thousand households said to have been relocated in another more dramatic account of the khor jor kor scheme.⁶⁷ There were much more extensive plans for relocation and land re-allocation in forests throughout the northeast, but these were shelved after vigorous protests from farmers' organizations and other civil society groups.

Second, while the number of villages that have suffered eviction in the northern highlands is very small, the impact from restrictions on access to forest resources has been more widespread. These have limited villagers' use of timber, non-timber forest products, and wildlife. Fallow fields in upland shifting cultivation systems have also been vulnerable to incorporation by forest protection schemes and in some areas fallow fields have been targeted for reforestation. In questioning the extent of upland eviction we are not attempting to play down the livelihood impacts of these less dramatic resource restrictions. Nevertheless these are manifestly different sorts of issues and, as such, should be addressed through different types of scholarly and activist engagement. Also, the reality is that in most areas informal (though technically illegal) systems of access and resource harvesting continue.

Third, the degree of local politicking that underpins some of these cases of eviction, or threatened eviction, needs to be better understood. The threat of eviction can be a potent weapon in disputes between villages and state agencies and can also be deployed in feuds among state agencies themselves. Jonsson provides a helpful account of the way that infighting, and complex interactions with state agencies, underpin some resource conflicts.⁶⁸ He describes how in one case:

There was no immediate action on the eviction order. Among the reasons for the standstill were [*sic*] the lack of a site for resettlement of the villagers. Also, there was a standoff between two ministries of the national government. The Royal Forestry Department was invested in the expansion of the nature reserve, while the Royal Highway Department was concerned to expand the road network in the region.⁶⁹

Chusak also suggests that political point scoring, rather than environmental policy, can motivate state action in the uplands.⁷⁰ In all cases it is important to bear in mind myriad (and sometimes unreported) political and social concerns. If used too ostentatiously, the specter of evictions can be an all too unwieldy way to understand the range of local political contestations that do occur.

Constraints on Eviction

A large number of people inhabit forest conservation areas in northern Thailand, probably over 1 million. And long-standing law has declared this occupa-

66. Pye 2005, 130–31.

67. *Ibid.*, 339, n. 33.

68. Jonsson 2005, 132–42.

69. *Ibid.*, 132.

70. Chusak 2008, 111.

tion to be inappropriate and often illegal. So why, over the past twenty years, has the level of forced eviction from these areas been so modest? There are several important reasons.

NGOs and local farmers' organizations have waged a vigorous and high profile campaign against forced relocations. One of the most prominent examples of this was the campaign undertaken by a broad coalition of grassroots organizations against the notorious *khon jor kor* scheme in northeast Thailand. This campaign involved extensive networking with threatened villages, civil disobedience, the establishment of a "refugee camp" for resettled villagers, and a seventeen-day mass march along the main highway toward Bangkok. The networking involved in the anti-*khon jor kor* campaign was one of the factors leading to the formation of the Assembly of the Poor, which staged a three-month protest outside the Thai parliament in 1997. In the north, the Assembly was linked to the Northern Farmers Network and other NGOs working to protect the tenure rights of upland farmers. These organizations coordinated a major "Rally for Rights" outside Chiang Mai city hall in April 1999. They have also been key contributors to the ongoing campaign for community forest laws that would strengthen the rights of farmers to manage forests for conservation purposes.⁷¹ And they coordinated symbolically potent interventions such as the "ordination" of trees, so that villagers could demonstrate their commitment to environmental protection. As we indicate below, these campaigns clearly contributed to the modification of government policy. And, with memories of insurgency still relatively fresh in the bureaucratic memory, concerns were real that evictions might generate more violent forms of resistance than the protest and advocacy activities coordinated by farmers' groups and NGOs.

But it would be misleading to see the grassroots campaign as the sole, or even most important, factor in accounting for the small number of relocations. A range of other practical, policy, and political issues need to be considered. During the 1980s and 1990s, it became clear that large-scale relocation of villages in forest conservation areas was simply not practical given the number of villages involved and the relative shortage of arable land in nonconservation lowland locations to accommodate relocated upland villages.⁷² During the second half of the twentieth century sustained population growth, agricultural expansion, and the closure of the land frontier largely exhausted supplies of agricultural land in northern Thailand. While some land is underutilized, especially land acquired by speculators or absentee landowners, no serious proposals for reallocation of such land have been made to transfer farming out of conservation areas. Schemes that have attempted to settle landless farmers in marginal agricultural areas have produced some notable failures primarily due to the poor quality of the available land.⁷³ And land, of course, is not the only constraint. It has become increasingly clear that lowland agricultural systems are in

71. Somsak and Permsak 2000.

72. Aguetant 1996, 59.

73. Aree and Kesinee 1993.

some cases approaching, or even exceeding, the hydrological limits of their catchment systems.⁷⁴ Adding further pressure to lowland irrigation systems with the addition of substantial numbers of resettled farmers would be practically and politically unviable.

A second key reason for the very low level of relocation relates to the diversity of approaches taken by government agencies themselves. While the RFD may often have expressed a hard-line attitude toward residents of conservation forest zones, other government agencies have been active in extending health, welfare, and local economic development services to those same residents. In fact, many farmers living in areas of upland forest reserve have various forms of documentation issued by state agencies that attest to their right to own or use the land. It is also common for roads, dams, and other infrastructure to be constructed in upland conservation zones by government agencies, or with the support of well-connected development organizations.

Local development services have also been provided in close cooperation with the highly prestigious Royal Project Foundation (RPF), in line with the king's publicly stated commitment to improve the welfare of upland people. The widespread presence of highly prestigious royal development initiatives in upland forest zones has strengthened the residential claims of many upland communities and provided them with a degree of royal protection. Established in 1992 through the amalgamation of existing royally sponsored development activities, the RPF currently operates twenty-eight extension stations across northern Thailand. According to official figures, the foundation's development centers cover 306 villages with a combined population in excess of one hundred thousand. Given the national and international prestige of royally sponsored highland development activity, government agencies working in northern Thailand are keen to cooperate with the upland network of Royal Project development centers. In some places, more than a dozen different government agencies have entered into partnership with the king's development initiatives and the Royal Project imprimatur authorizes and legitimizes government spending in many different highland areas. Relocation is not part of the Royal Project agenda and the efforts of the royal family to support highland settlements are a key part of the king's image across Thailand. With this sort of high-level endorsement too much bureaucratic prestige and importance are attached to efforts to improve the lives of upland peoples for regular village evictions to be politically viable.

The moderate state environmentalism and development the RPF spearheads has been accompanied by an increasing emphasis on land-use regulation within conservation zones rather than eviction. In April 1997, in response to vigorous protests by farmer organizations, a series of cabinet resolutions permitted "encroachers to stay on forest land they occupied pending a land survey after which they could be granted land right documents."⁷⁵ According to then prime minis-

74. Walker 2003.

75. Chakrit 1998b.

ter Chavalit Yongchaiyudh, the resolutions reflected “the concept of coexistence between humans and forests, and...benefited tens of thousands of rural inhabitants who had settled in forests generations ago before they were declared wildlife sanctuaries, national parks or forest reserves.”⁷⁶ A cabinet resolution of June that year on “solving the problems of land in forest areas” ruled that communities that have lived in certain conservation areas since their declaration may be permitted to remain, but within strictly demarcated residential and agricultural areas — with no provision for future expansion — and with a focus on subsistence production.⁷⁷ The resolution still makes provision for the relocation of communities that moved into areas after their declaration but it recognizes that this may not always be possible. At a more general level, Section 46 of the now defunct 1997 constitution encouraged and gave momentum to those campaigning for a community forest bill.⁷⁸ This provision has also been included (as Section 66) in the 2007 constitution that was implemented after the coup of 2006.

These sorts of legal provisions have provided some basis for more collaborative approaches to forest management. More sustainable solutions to land-use conflict have now been proposed with modern mapping technology and participatory processes facilitating the development of land-use agreements between local communities and state agencies.⁷⁹ Even Chusak, a vigorous critic of state policy, pays these more conciliatory approaches a backhanded compliment:

Initiatives of more decentralised and participatory resource management, although a mere tokenism, have provided some spaces for negotiation and protest that keep the conflict and violence from spurning into ethnonationalism, at least for now.⁸⁰

Conclusion: A Highland “Regime of Images”

The specter of mass eviction and resettlement has been repeatedly overstated since the end of armed rebellion in northern Thailand. The government has based its approach to highland settlements in environmentally sensitive areas over this period on a pragmatic appraisal of their options. The Thai government cannot realistically remove all of the villages that have been long established in conservation areas. The relatively few cases of eviction cited in the academic literature demonstrate that a series of Thai governments, and their agencies, have no capacity to mount a region-wide campaign against highland settlements.

Yet the specter of eviction continues to haunt discussions of environmental management in the uplands of northern Thailand. The primary reason for this is that the declaration of large areas of conservation forest, where nature is given priority over human activity, is an important part of Thailand’s environmental

76. Bangkok Post 1998.

77. Government of Thailand 1998.

78. See, for example, Permsak 2000a, 31; Permsak 2000b, 79; Nantaa and Supamaat 1999, 50–54.

79. Roth 2004a; Roth 2004b; Roth 2007.

80. Chusak 2008, 126.



Farmers selling corn inside a national park. "The specter of mass eviction and resettlement has been repeatedly overstated since the end of armed rebellion in northern Thailand."

"regime of images." Jackson has advanced the notion of a regime of images to address a commonly observed disjuncture between public representations and private behavior in Thailand: "The distinctiveness of Thai power lies in an intense concern to monitor and police surface effects, images, public behaviours, and representations combined with a relative disinterest in controlling the private domain of life."⁸¹ Of course, government policy statements on relocation and government (in)action are both in the public domain, but Jackson's argument usefully highlights the seeming disjuncture between strict regulatory regimes and seemingly low levels of enforcement. Using the regime of images concept, the insistence by branches of the Thai state on the illegality of human settlement in forest conservation zones can be seen as a symbolic statement of authority that should not be automatically interpreted as reflecting a desire (or ability) to impose a strict conservation agenda on the ground. There is a strong element of bureaucratic performance in the generation of maps of forest conservation zones, in the production of "master plans" for their protection, and, of course, in the submission of budget bids for the maintenance of a large forest conservation bureaucracy. The regime of environmental images is one of the ways in which the RFD has attempted to maintain its status within the highly competitive and factionalized Thai bureaucracy. And, most generally, it is one of the ways in which the Thai state itself asserts its control of national territory.

81. Jackson 2004, 181.

Recognizing the specter of eviction as part of an environmental regime of images raises important questions about the political strategies of those who seek to defend the rights and livelihoods of upland people. As we have noted, since the early 1990s, NGOs have waged a vigorous campaign to protect the residence rights of villages in upland conservation areas. In response to the perceived threat of conservation-motivated relocation, NGOs and activist academics have created a counter-discourse that emphasizes the forest friendly credentials of upland residents. They have argued that upland communities — especially ethnic minority communities — possess sophisticated systems of indigenous knowledge and resource management institutions that provide a basis for sustainable residence in conservation forest zones. This campaign has placed a strong emphasis on the cultural importance of subsistence-oriented livelihoods and on the relationship between cultural diversity and biodiversity. Of course, this highly selective campaign has hidden the realities of cash cropping in upland communities and the extensive network of nonsubsistence economic relations that link upland communities with regional and national economies.⁸² These contemporary economic realities have been airbrushed out of the counter-discourse as they are seen as inconsistent with the conservationist and forest friendly image that activists see as necessary to counter the threat of eviction from protected areas.

A strategy that creates an unrealistic image of traditional forest livelihood may be justified as a last-ditch defense in the face of a clear and present danger of eviction. But given strong evidence that the threat of eviction is very small, it may well be time to consider more realistic and empowering options. Upland residents in northern Thailand face profound livelihood challenges. The 2007 edition of the UNDP's *Human Development Report* highlighted the profound disparities in health and livelihood outcomes between urban and rural areas of Thailand. Compared to residents in Bangkok people in the northeast and north of Thailand are more likely to be disabled and more likely to report physical illness but they have much lower access to health services; they also have lower access to education; lower standards of housing and living environment; lower access to mobile phones and the internet; and they are much more likely to be living in poverty. According to the UNDP report, the province in Thailand with the lowest "human achievement index" is Mae Hong Son — the province with the highest proportion of ethnic minority groups living in upland areas.⁸³ Finer resolution data would no doubt show that quality of life in most highland areas is significantly below the national average. Against this backdrop of socioeconomic disadvantage, eviction remains a threat, but it should be considered a second order issue in the context of more immediate concerns.

The risk is real that the current counter-discourse promoted by activists and academics could reframe substantial socioeconomic disadvantage as a desirable forest friendly and subsistence-oriented way of life. The thrust of much of the

82. Walker 2001; Walker 2004.

83. United Nations Development Programme 2007, 3.

activist writing on upland communities is that these simple lifestyles can be best maintained in the absence of state services and market access. With the state symbolically represented by the specter of eviction, the interests of upland communities are seen as being best served by the absence of state investment in infrastructure and livelihood support. And with an emphasis on forest friendly lifestyles presented as the best response to the threat of eviction, the desirable economic future of upland farmers is manifested by relative isolation from the market. While the basic residential rights of communities are vigorously defended, their rights of access to specific resources — including state-provided resources — to pursue market-oriented forms of production are undermined. It is relevant that some of the upland communities most regularly targeted by recent campaigns of eviction and harassment are communities that have actively pursued commercialized agriculture in the form of orchards and intensive vegetable production, clearly moving outside the discursive umbrella of protection offered by the NGO movement. These communities have been targeted, by an alliance of lowland farmers' groups and state officials, not primarily because they are resident in conservation zones but because they are drawing on natural resources — water in particular — that lowlanders see as rightfully theirs. The NGO-promoted view that desirable and appropriate upland lifestyles should be subsistence oriented and make minimal demands on local natural resources has compounded the insecurity of these commercially oriented upland farmers.

The issue of land tenure highlights the key limitation in the current defense of the rights of upland residents. A crucial constraint faced by farmers in forest reserves is that they have no secure tenure to their agricultural land and, as such, cannot use it as a basis for agricultural credit to support investment in intensification. But campaigners for the rights of upland farmers have actively opposed government initiatives that have sought to grant forms of individual title to some farmers in forest reserve areas. Activists have argued that upland villagers are, in fact, uninterested in individual title.⁸⁴ Adopting strongly anticommmercial rhetoric activists argue that granting tenure to farmers would allow them to use their land as collateral, burdening them with “heavy debts” and tempting them to squander the borrowed money. The end result would be that “their land would be snapped up by businessmen.”⁸⁵ Instead, activists have devoted their energies to a campaign for forms of communal title for farmers in forest reserves. But while communal title may be appropriate for the management of some local forest resources, it is inappropriate in the case of individually cultivated agricultural land that is usually managed by single households.⁸⁶ The end result of the conservation-oriented campaign against the specter of eviction has been a community forest bill that gives farmers limited management rights over some areas of forest land but says nothing about the agricul-

84. Anan and Mingsarn 1995, 302; Somsak 2000, 5.

85. Post Reporters 2002.

86. Walker 2004.

tural land tenure of farming households and, in fact, makes agriculture illegal in community forest zones.⁸⁷

Is there an alternative? Our view is that recognizing that the threat of eviction is part of Thailand's environmental regime of images — and that the prospects of actual implementation are remote — opens up some more radical and empowering alternatives. Rather than adhering closely to the strictly conservationist terms of the RFD's regime of images, activists could argue much more enthusiastically for upland communities to have equitable access to infrastructure, welfare services, education, and agricultural extension. Of course, this would necessitate a rather more collaborative posture toward the various government agencies that provide these services, rather than tarring all state authorities with the brush of conservation-motivated eviction. Activists could also help work toward more open and transparent market access for upland communities and help facilitate better transport and communications infrastructure. This would necessitate greater open-mindedness about the impacts of commercialization in the uplands, seeing commercial activity as potentially beneficial rather than a corrosive force that undermines the conservationist credentials of upland residents. This direct engagement with the livelihood challenges facing upland groups and individuals at the fringe of Thai modernity would put the overstated specter of eviction in its rightful place.

In making this argument we are certainly not suggesting that upland communities in Thailand will never face the threat of relocation or legal harassment. In some places, there may still be locally specific threats of eviction when villages are sporadically targeted by zealous officials or in cases where the disjuncture between official policy and actual land use attracts concerted public attention. But these should be treated as exceptional cases requiring exceptional responses, rather than indicating a general condition of residential insecurity in conservation zones. Treating such cases as exceptional will assist in highlighting the unacceptability of forced relocation, rather than presenting it as the seemingly inevitable fate of a marginalized section of the population.

Under current conditions, reinforcing the general threat of eviction leaves the people of the uplands vulnerable to the limitations of the counter-discourse that has been mounted in their defense. Far from guaranteeing the idyllic image of the north presented in NGO publications, or marketed to foreign tourists, this defense undermines the diverse engagements with the market and the state that will provide the best long-term security for people in the uplands. The imposition of stark bifurcations between the interests of the state and the interests of upland villagers only serves to limit choices — whether discursive or material — on all sides. By working together with state agencies to foster a more collaborative and realistic regime of images the specter of mass evictions can hopefully be disposed of for good.

87. Ibid.

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