

# Excavating the Hidden Politics of Land Governance in Laos

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Villagers identify lands expropriated for a pulpwood plantation.

Over the past decade, rural areas of Laos have experienced rapid agrarian and environmental changes as the government has granted land and resource concessions to domestic and foreign investors. Over 1.1 million hectares (ha) of “state” land have been leased for agriculture, tree plantation, and mining projects (Schönweger *et al.* 2012),<sup>1</sup> equivalent to five percent of the national territory. Such land, despite being legally managed by the state, is customarily occupied, used, and managed by Lao peasants, especially ethnic minority groups (Dwyer 2007). Losing access to agricultural and forest lands, as well as the multitude of resources contained within, has threatened the viability of their rural livelihoods (Baird 2010; Barney 2011; Kenney-Lazar 2012; Laungaramsri 2012; Suhardiman *et al.* 2015).

Development organizations and the popular media often contend that a lack of state sovereignty or weak governance enables such transformations as the Lao government is unable to control its politically and economically dominant Chinese and Vietnamese neighbors. For example, in a recent video from *Al Jazeera* (Le Gouil *et al.* 2017) on the impacts of Chinese investments in northern Laos, the narrator authoritatively states that Laos is “fast becoming a Chinese province, an unofficial colony.” Similarly, the watchdog NGO Global Witness (2013, 13) argues that Vietnamese “rubber barons” establishing plantations in southern Laos operate in a “chaotic and

opaque ‘free-for-all’ due to lack of political will and weak rule of law.” While such accounts contain an element of truth, they are blind to the multitude of internal and often contradictory politics and power relations among foreign investors, the Lao state, and Lao peasants that actually shape access to land and drive agrarian-environmental change.

## Hidden Land Politics in Laos

In my doctoral dissertation and ongoing research at CSEAS, I seek to *excavate* these politics. Excavation is necessary as Lao politics are oftentimes not readily observable but lie beneath the surface and must be unearthed with time, patience, and ongoing engagement. Lao peasants and government officials are in no way apolitical. Instead, their reticence reflects a deep understanding of the sensitivity and danger of talking and engaging in politics and thus they do so with caution. In order to reveal these hidden politics, I employed a painstaking and oftentimes politically uncomfortable approach of simultaneously working and engaging with potentially antagonistic groups, including government agencies at multiple administrative levels, NGOs and land rights activists, impacted villages and households, and industrial tree plantation companies.

Over the course of 20 months of ethnographic fieldwork, I analyzed the ways in which Quasa-

Geruco, a Vietnamese state-owned rubber plantation enterprise, and Sun Paper, a private Chinese pulp-wood plantation company, sought to acquire land for their projects in eastern Savannakhet, Southern Laos (see Fig. 1) and how this was resisted by some communities and mediated by the state. I immediately learned that there were significant variations in each company's ability to acquire land, especially across different types of village territories, due to uneven power relations among peasant, state, and capital actors. The remainder of the research was concerned with revealing of what exactly these political relations were comprised. In the rest of this short essay, I cover three sites of land politics in Laos: a fragmented and contradictory state, the friction of state-capital relations, and the blurred boundaries between village and state land ownership.

is between the central and local (provincial, district, and village) administrative scales of government. While the central government approves and grants large-scale concessions, like the 8,650 ha awarded to Quasa-Geruco and the 7,324 ha for Sun Paper, this is done largely absent of meaningful consultation or land use and ownership surveys with local government agencies who are most knowledgeable of the situation on the ground. Yet, such local authorities, especially at the district level, are the ones responsible for actually finding and securing the land granted to the concessionaires as well as convincing or coercing villagers to concede parts of their community territories to such projects. Although district government officials are under orders to fulfill concession contracts, they are also sympathetic to the concerns of the villagers for whose well-being they are partly



Fig. 1 Map of granted concession areas to Quasa-Geruco and Sun Paper. Source: Author's drawing.

### Internal Politics of a Fragmented State

It is a truism of social theory that the state cannot be assumed to be a black box or a unified actor, but that it must be understood in all of its internal fragmentation and contradictions, external ties, and embeddedness within society (Marinetti 2007). A Gramscian-inspired approach further views the state as a social relation and thus also as a site of strategic action, where class struggles play out (Jessop 1990). Thus, the state is a site of politics, even in one-party states like Laos.

One such contradictory relation within the Lao state

responsible. Thus, they often find themselves stuck in the middle of political pressures from central level ministries, plantation companies, and wary villagers, embodying how the state operates as a site of strategic action among multiple actors.

### The Friction of State-capital Relations

Plantation companies can either exploit these internal state politics to their advantage or be burdened by them. Quasa-Geruco expertly achieved the former by developing close relations with the district government, understanding the importance of mobilizing

local state power to coercively separate peasants from their land. While bribery was essential to such mobilization, more important was how they used corruption to develop personal relationships of reciprocity, such as by establishing a small rubber plantation on the district governor's land for free and financially supporting a land official's daughter's studies in Vietnam.

Sun Paper, on the other hand, was caught by the friction of an awkward relationship with the district government, the importance of which it failed to value. Assuming that the contract they signed with the central-level government guaranteed their access to land, they let government officials take the lead in acquiring land for them. When villagers resisted, the company was surprised that district officials would do little to resolve the issue in their favor. As a district official aptly summed up, this was partly due to how they treated local officials. He remarked that "they don't take care of us like Quasa does" and that they are "stingy, they don't give anything to villagers or district officials, beyond what is required by the regulations." Out of frustration, the district government asked Sun Paper to arrange their own land deals with communities or enter into contract farming arrangements with individual households. However, neither of these approaches were attractive to most villagers as they lacked the ideological and coercive weight of state power. Ultimately, Sun Paper could only plant trees on less than half of the land initially granted to them.

### Blurred State-village Boundaries

Villagers also engage with the internal politics of the state when they wish to defend access to land. Despite the coercive pressure placed upon villages that drove many of them to concede their lands, few if any villages were convinced that it was a good idea to do so and many sought to resist the expropriation of their lands as much as possible. One avenue available for villagers to engage in a politics of control over land is to debate the meanings and boundaries of "state" versus "village" land. The common understanding that all land in Laos is owned by the state (e.g. Lund 2011) misreads the complexity of land relations in the country. The legal framework states that land is owned by the "national community" but is managed by the state. While many interpret this to mean that the state effectively owns all land within the country, it can also be interpreted in other ways on the ground to argue that villagers are part of that national community and that because the village is the lowest level of government authority, villagers have the right to play a role in owning and managing such lands. One village leader cogently summarized

this complex situation of joint village/state land ownership and its accompanying ambiguities by noting that "This isn't only village land, it also belongs to the state, but we live here, we protect it (*pok pak hak sa* in Lao language), we are the owners (*hao pen chao*)."

The Lao legal framework provides that the state allocates land use rights to individuals, which are fully protected when a permanent land title is issued but can also be partially recognized by other forms of documentation like temporary land use certificates or even land tax receipts. Thus, demonstrating that village territory is occupied and in use by households for agricultural production — and is on a path towards private ownership — can wrest such land away from the ambiguous boundaries of state/village land ownership. While villagers interviewed did not have formal title to their lands, several villages effectively applied a strategy of discursively framing land communal/state lands as individual plots to be used by the next generation. This type of reserved land (*din chap chong*) is a customary form of land management that, although not formally documented, can act as a powerful mechanism for demonstrating a village's drive to expand agricultural production in ways amenable to state concepts of modern development (see Fig. 2).

Politics permeate these three sites — within, between, and at the boundaries of the state, the company, and the village — and play a decisive role in shaping access to land in the face of large-scale plantation development. They demonstrate that the structural forces of capitalist expansion via coercive dispossession, otherwise known as land grabbing, are contingent upon the grounded politics over land among a variety of involved actors. Unearthing such politics of land is critically important for understanding contemporary processes of agrarian and environmental change across Southeast Asia. It is also essential for identifying pressure points for action and change that puts greater control over land in the hands of the rural people who live and work there.

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Fig. 2 Agro-forestry lands defended from clearance by the plantation company

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#### Note

- 1) This figure only accounts for the land granted, not all of which is actually developed.