THE POLITICS OF CONSERVATION AND THE COMPLEXITY OF LOCAL CONTROL OF FORESTS IN THE NORTHERN THAI HIGHLANDS

ANAN GANJANAPAN

Department of Sociology and Anthropology, Faculty of Social Sciences, Chiang Mai University, Chiang Mai 50200, Thailand

ABSTRACT This paper argues that conflicts in the northern Thai highlands are a clear case of the politics of environmental discourse in the sense that conservation has played a role in lending legitimacy to both government agencies and ethnic communities in their struggle for the control of forest resources. Underlying such conflicts is the official line of negative thinking about ethnic minorities in the hills by associating them with various vices, namely as enemies of the forest, opium producers, and a threat to national security. The government agencies always cite ethnicity against a role in conservation, which keeps them from appreciating ethnic-specific knowledge in the management of the forest. Shifting cultivation has been distorted for having only a negative impact on the environment, disregarding the realities found in local practices which are varied, complex, adaptive, and quite dynamic in many cases.

The ethnic minorities, on the other hand, keep raising the issues of community rights in relation to their role in the protection of the forest. Rarely are their voices recognized until serious conflict occurs, which can be seen particularly in cases of the eviction of minorities from conservation forests. Only recently have government agencies begun to show some positive concern over the social issues of rights, as seen in the official pilot project on community forestry and the drafting of the community forest act. However, there is still no serious discussion of legal recognition of minorities' rights to live in the forest.

RéSUMÉ La Politique de Défense de l’Environnement et la Complexité du Contrôle Local des Forêts dans les Régions Montagneuses du Nord de la Thaïlande. Cet exposé soutient que les conflits des régions montagneuses du nord de la Thaïlande constituent un cas manifeste de débat politique sur l’environnement en ce sens que la défense de l’environnement a joué un rôle dans la légitimation de la lutte des agences gouvernementales et des communautés ethniques pour le contrôle des ressources forestières. La politique officielle négative menée contre les minorités ethniques des montagnes, accusées de divers crimes, c’est à dire d’être des ennemis de la forêt et des producteurs d’opium et de constituer une menace pour la sécurité nationale, est à la base de ces conflits. Les agences gouvernementales citent toujours l’ethnique comme raison de leur non-participation à la défense de l’environnement, ce qui les empêche d’apprécier les connaissances de ces minorités ethniques dans la gestion de la forêt. Le déplacement des cultures a été perçu comme n’ayant qu’un impact négatif sur l’environnement, sans tenir compte des réalités des pratiques locales qui sont variées, complexes, adaptatives et très dynamiques dans beaucoup de cas.

Les minorités ethniques, en revanche, soulèvent constamment la question du droit des communautés par rapport à leur rôle dans la protection de la forêt. Elles sont rarement écoutées, jusqu’à ce qu’un conflit sérieux se produise, comme dans le cas particulièrement des expulsions de minorités des forêts protégées. Ce n’est que récemment que les agences gouvernementales ont commencé à se soucier réellement des aspects sociaux des droits, comme dans le projet-pilote officiel de sylviculture communautaire et la rédaction du projet de loi communautaire sur les forêts. Toutefois, il n’y a toujours pas de discussion sérieuse sur la reconnaissance légale du droit des minorités de vivre dans la forêt.

ZUSAMMENFASSUNG Die Politik der Bewahrung und die Komplexität lokaler Kontrollen in den Wäldern der nördlichen Thai Highlands. Im vorliegenden Text wird behauptet, daß die Konflikte in den nördlichen Thai Highlands eindeutig auf eine Politik zurückzuführen sind, in der die Diskussion von Umweltaspekten eine wichtige Rolle spielt. Begründet wird dies damit, daß die Bewahrung der Rohstoffquellen sowohl Regierungsvertretern als auch ethnischen Gruppen in ihrem Kampf um die Kontrolle über diese Quellen zu einer gewissen Legitimität verholfen hat. Diesen Konflikten zu Grunde liegt die offizielle negative Linie gegenüber ethnischen Minderheiten in den Bergen, die mit verschiedenen Untugenden in Verbindung gebracht werden: als Feinde des Waldes, Opiumproduzenten und Gefahr für die nationale Sicherheit. Für die Regierungsvertreter steht die Zugehörigkeit zu einer bestimmten ethnischen Gruppe im Widerspruch zu einer Rolle der Bewahrung der Umwelt, wodurch sie sich um den Vorteil bringen, das spezifische Wissen dieser Gruppen bei der Bewirtschaftung des Waldes für sich zu nutzen. So ist z.B. der Fruchtwechsel einzig auf seine negativen Auswirkungen auf die Umwelt reduziert worden, wobei die tatsächlichen Umstände der lokalen Praxis, die vielfältig, komplex, anpassungsfähig und in einigen Fällen sehr dynamisch sind, außer acht gelassen werden.

INTRODUCTION

Although the last decade (1985–1995) was a period of rapid economic development in northern Thailand, the increasing benefits are rather unevenly distributed, particularly between the urban rich and the poor villagers and the ethnic groups who live in marginal areas, particularly the highlands. In contrast, the natural environment, especially forests, which has been customarily considered to be in the sphere of the poor whose livelihood depends so much on it, has been depleted at an alarming rate. Such drastic environmental changes, however, are not simply problems of deforestation, land degradation, or resource scarcity which are physically manifest. Rather, they can be understood as the politics of environment in a sense that the state of the environment is not an end in itself but a discourse in the struggle for the control of environmental resources.

THE POLITICS OF FOREST CONSERVATION POLICY

In February 1989, in response to increasing environmental threats which had become considered as a national security issue, the Thai cabinet passed a resolution calling for a stronger conservation policy to protect watersheds. This policy demanded more control over the forest settlers who would only be permitted to practise permanent and sustainable agriculture. Moreover, in certain instances, the policy even allowed for the use of military force to relocate villagers from conservation forests. The ethnic minorities of the northern highlands were among the first to feel the impact of this policy. In August 1990, 24 Karen of two villages, Huai Pu Ling and Tin Tok, in Doi Suthep national park in Chiang Mai province (Figure 1) were arrested for practising shifting cultivation in an area where they had lived for centuries. In 1991, the Hmong of Khun Klang village, in Inthanon national park, were forced to stop cultivating their swidden fields and were threatened with relocation (Chayan, 1991).

Through changes in the forest conservation policy in

![Figure 1. Provinces of Northern Thailand, showing national parks and wildlife sanctuaries.](image-url)
1992, the state has stepped up its threat of relocation. The seventh National Economic and Social Development Plan (1992-1996) increased the proportion of the conservation forests targeted for 1996 from 15 to 25 percent of the national territory and reduced the area of economic forests to 15 percent. The National Security Council, together with the Office of the Narcotics Control Board and the Royal Forestry Department (RFD) formulated the Master Plan for the Development of the Highland Community, Environment and Narcotics Control (1992-1996), providing a higher budget and a better coordination framework for relocating villagers from protected forest areas and solving drug abuse problems (Kwanchewan, 1996:6).

In 1992, 45.9 percent (147 out of the total 320 million rai, where one rai = 0.4 acre) of the national territory was classified as national reserved forest. In March 1993, the cabinet approved a new classification of forest reserved land, increasing the targeted area for conservation forests to 27.5 percent (88 million rai) and economic forests to 16.2 percent (52 million rai), as recommended by Thai Forestry Sector Master Plan (Kanok and Benjavan, 1994: 27-28). This was the first time that the government set a targeted area of the conservation forests higher than the existing extent which, in 1993, was only 28 percent (83.5 million rai) of the national territory, aiming for a rapid expansion of conservation forests, mainly by establishing more national parks and reforestation programs.

At this point, the forest conservation policy became very political in the sense that the state strictly enforced the policy on some groups, particularly ethnic minorities in the highlands and poor villagers in the lowlands, while favoring others, mainly business interests. The notion of environmental conservation became a cover up for the struggle for control over resources. The highlanders soon felt the pressure on their security of tenure when, in 1994, the RFD started to relocate the Mein villages of Mae San and Pha Daeng in Doi Luang national park (Anan, 1997) (Figures 2 and 3). Even the inhabitants of Lahu village of Lo Pah Krai (Chiang Mai province), which is located in an economic forest, experienced the insecurity of land use rights when the RFD forced them out of their swidden area and awarded the land to the Forest Industry Organization (a State-owned company) to develop a eucalyptus plantation (Kanok and Benjavan, 1994:28-30).

As the State turned increasingly to a militarized approach in carrying out its forest conservation policy with little regard for local complexities, the results are both contradictions in the forest policies and the aggravation of conflicts with local villagers. Although several government agencies have set up many types of development program for the ethnic highland minorities, no legal recognition of any kind exists for ethnic rights over land in the hill areas. The RFD, for instance, continues to evict highland villagers from conservation forests, and the government allows lowlanders and investors to utilize upland areas almost freely for many purposes in the name of national development. This can be clearly seen in the forest land allocation programs which issue land use rights (STK) certificates to individual occupants of national reserved forest land in certain areas but do not stop them from selling their rights and clearing more forest land (Anan and Mingsan, 1992).

In addition to the relocation programs, the establishment of new national parks and the expansion of reforestation programs have threatened the security of tenure of local villagers who usually have only customary access to land in the forests. Several Karen villages in Mae Wang district of Chiang Mai province, for example, had their swidden lands taken away for reforestation. Without legal recognition of communal property, the RFD began to establish new national parks, in both highland and lowland areas, often enclosing community forests which many villages had long protected as their sacred and watershed areas as well as communal woodland. Such actions provoked so many disputes and conflicts that local villages have begun to form a network to protest against enclosure by the state (Anan, 1997).

Forest conservation requires more than just legal protection; it involves complicated watershed management with the full participation of all those involved, especially the forest settlers. It has to be more a social development policy than a legal policy. So far only one government-sponsored development program has subscribed to this social policy: the Sam Mun Highland Development Project in Chiang Mai province, launched in 1987. It is a pilot project in social forestry and integrated development under the supervision of the RFD in support of local initiatives. With an emphasis on participatory land-use planning, the project has encouraged hill villagers to participate in both the development and management of their own watershed areas (Uraiwan et al., 1988). However, such a social development program is an exception with very limited success.

In 1992, the Prime Minister’s Office, in cooperation with the RFD and other agencies, ambitiously attempted to use the Sam Mun model for 400 other highland villages in sensitive watershed areas within the Project for the Protection of Thai Forest and Accelerated Recovery of Watersheds (RFT Project). The project classified highlands into three land-use zones, according to the relative sensitivity of the watershed and only allows conservation activities in the restricted zone. For those villages outside the restricted watershed areas, the Watershed Management Division of the RFD will send extension workers to encourage villagers’ participation in a “community forestry” program which deals mainly with land-use planning, reforestation, and forest conservation, protection, and management. Permanent and sustainable cultivation is also encouraged, with a threat to force a reorganization of their land-use practices and to relocate villages from sensitive areas. This kind of policy produces both conflicting incentives and pressure on local villagers, who are left with greater frustration about their status and rights to remain in place.
FIGURE 2. Provinces of Northern Thailand, showing locations mentioned in the paper.

1. Doi Suthep National Park
2. Lo Pah Krai Village
3. Khan Klang Village
4. Mae San and Pha Daeng Village
5. Sam Mun Highland Development Project
6. Ban Pa Kuai Village
7. Wat Chan District
8. Doi Tung Development Project
9. Tambon Silalseng (Sub-district)

FIGURE 3. Mae San village in Doi Luang National Park.
Northern Thailand can be classified into three agro-ecological zones: lowland, highland, and intermediate. The lowland is mainly the home of wet-rice growing Thai villages. The highlands are the home of several ethnic minorities, including the Hmong, Mien, Lahu, Lisu, and Akha, who have been migrating into Thailand for about a century. Most of these people traditionally practise swidden agriculture with rice, maize, and opium as their main crops (Grandstaff, 1976; Uraiwan et al., 1988).

The intermediate zone is an upland area dominated mainly by the Karen and, to the lesser extent, the Lua. The Karen migrated into Thailand from Burma more than three centuries ago, while the Lua are the indigenous people of this region. Both the Lua and the Karen have long practised a combination of irrigated wet-rice farming (Figure 4) and swidden agriculture. As a result, they are well known as conservationists because of their ability to control and manage the watershed area of their irrigation systems (Sutee, 1993).

Due to their practices of shifting cultivation, the highlanders have been consistently blamed for the destruction of the forests. Thus, together with growers of illegal opium, they are identified as a threat to national security even though scholars have long proved that the degradation of watershed is not simply a result of a physical problem of agriculture but of complex social and political problems relating to the process of unequal development (McKinnon, 1987, 1989). Most of the official policies for the highlands have been based largely on this misconception of so-called shifting cultivation, also known as swidden or slash-and-burn agriculture. However, the fact is that there are several types of swidden agriculture, and villagers in all three zones have, for generations, been practising some of those types as supplementary to other kinds of farming systems. In most cases, officials misunderstood that villagers had to practise shifting cultivation because of soil erosion, while the principal reason was that villagers could not compete with weeds. After more than three decades of economic development (1960–1996), all three zones have experienced rapid and complex changes in their swidden agriculture, particularly the highlands.

**Changes in Agricultural Practices**

During the 1960s and 1970s, when intensive studies of shifting cultivation in Northern Thailand were carried out, the three types of cultivating practices had been somewhat correlated along ethnic lines, even though the realities were much more complex. The Northern Thai who settled in permanent lowland villages mainly practised the first type—short cultivation and short fallow—only as supplementary to their irrigated wet-rice cultivation. With their settlement in permanent villages on the upland areas, the Karen and Lua subscribed to the second type—rotational swidden with short cultivation and long fallow—in addition to the wet-rice cultivation on terraced fields. The Karen and Lua swidden farming was considered as an ecologically-sound practice, resulting in a rich biodiversity, with hundreds of useful plant species found in cultivated and fallow fields. Highlanders, such as the Hmong and Lisu, usually settled for 20 to 30 years in one village, leaving when soil was exhausted. They mostly practised the third type—pioneer shifting cultivation with long cultivation and very long fallow (Kunstadter and Chapman, 1978). Since most highlanders grew opium continuously for up to eight or ten years in the same plot, lowland Thai officials misunderstood this as the only practice of shifting cultivation even though many crops other than opium were also cultivated.

Recent studies have found that both the long fallow rotational system and pioneer shifting cultivation have largely disappeared because most villagers tend to use very short rotations, with one- or two-year fallows,
since they have to settle permanently (Kanok and Benjavan, 1994, Morrison, 1995). Virtually all shifting cultivation in Northern Thailand, therefore, is now rotational, but it is a ‘degraded’ rotational system in a sense that fallows are short, fertility build-up is not as good as before, fewer species are grown, and many indicator species of degraded land appear. However, shifting cultivation has increasingly become only a part of a ‘mixed’ farming approach alongside permanent agriculture which allows villagers, especially highlanders, to be less dependent solely on shifting agriculture. Since 1990, most highland villagers have completely ceased their cultivation of opium. Thus, a certain swidden practice can no longer be associated with any particular ethnic group.

**Contradictions of State Policy and Threats from the State**

In terms of land tenure rights in shifting cultivation, a recent study has confirmed that they are much more complex than described in earlier studies (Kanok and Benjavan, 1994). The customary practice is under an indigenous concept of usufruct rights which give individual households a right for a certain period of time during their cultivation period. But there are also several other activities associated with swiddening that require a kind of communal control and management, such as the clearing of forest, the collection of forest products, the management of irrigation, and the conservation of headwater forests. This local control and management of forest is customarily found in various forms among most highland ethnic groups. In other words, shifting cultivation is not only a form of agriculture but also a form of local control and management of resources.

However, this communal control is not always able to cope with external threats, mainly from officials who demand the right to hunt for wildlife and game in communities’ protected forests. Some villages have also lost their land to other groups, for example a Karen village, about 20 years ago, lost about 1000 rai to Hmong villagers who moved in to plant opium (Kanok and Benjavan, 1994: 84). The main reason is that most highlanders have no legal rights to their swidden land in state-owned forest; most forest land is more or less open-access in practice. Nevertheless, the government only gives legal recognition for land tenure for permanent agriculture. For the ethnic minorities, such land has to be a part of upland terraced rice-fields.

The complexities of highlanders’ farming systems are, on one hand, also dynamic responses to state policy and market conditions and, on the other hand, coping strategies which are varied by each ethnic group according to their local systems. Examples of three villages from a recent micro-level study illustrate this point (Kwanchewan, 1996). The study area is partly within the Pai Wildlife Sanctuary in the Nam Lang watershed of Mae Hong Son, where the RFD local office has kept a close watch over watershed protection with a plan of forest settlement relocation and a threat to arrest those who cut trees. Villagers are frightened by the risk of cutting trees in their fifth-year fallow fields, as these are considered forest trees by the officials. Within the area is also the Thai-German Highland Development Programme (TG-HDP), introducing new cash crops and sustainable agriculture under its soil and water conservation program, and units of the Watershed Management Division of the RFD that encourage villagers to participate in the state-initiated ‘community forestry’ program.

Although the three villages under study are of different ethnic groups—Lahu, Lisu, and Karen—they have commonly opted for mixed farming strategies which are not specific to their respective ethnic groups but more a response to state policies and market conditions in the area. As traditional pioneer shifting cultivators, the Lahu and Lisu have recently developed the more permanent wet-rice cultivation which has long been practiced by the Karen. The shifting cultivation of all three groups, on the other hand, has also increasingly become permanent farming with rotation of mixed crops. In response to the forest conservation policy, all three villages have participated in the protection of their watershed areas.

**Threats from Outside Commercial Interests**

With the expansion of the market into the area, the villagers respond differently according to their local systems. The unified Lahu community, with strong leadership, had once produced commercial crops under a contract farming system, but decided to stop after learning about the danger of chemical insecticides and being cheated on weighing. In contrast, the Lisu village, with constant internal conflicts, encountered a strong pressure of insecurity over access to forest land and its members opted for selling their land rights to outsiders, mainly district officials and the urban rich. They then invested in off-farm activities, such as grocery shops and handicrafts for tourists. Those villagers who keep their swidden fields continue to produce under a contract farming system but hire illegal Burmese migrant workers, while they themselves look for higher income employment in town (Kwanchewan, 1996).

Without an understanding of the complexities and dynamics of shifting cultivation as actually practiced in Northern Thailand, the highland conservation and development policies sometimes produce adverse and contradictory effects on both forests and forest settlers. Several development programs have given only lip service to the sustainable agriculture or agro-forestry concepts stated in their objectives, relying mainly on the commercial production of cash crops—particularly coffee, fruit trees, and temperate vegetables—as a means to increase income for the ethnic minorities and as a crop substitute to opium. This kind of development strategy is readily accepted by most traditional opium growers who have long experience in the market system. Instead of sustainable land use, one finds the greater exploitation of forest land for the commercial production of cash crops, especially cabbages. Moreover, such development programs encourage higher uses of chemical fertiliz-
ers and pesticides as well as water (Mingsan et al., 1994).

**CONFLICTS BETWEEN DIFFERENT GROUPS**

The result is usually seen in some kind of ethnic conflict or lowland-highland conflict, as in the well-known case of conflict between the Hmong of Ban Pa Kuai and lowland Thai in Chomthong district of Chiang Mai. The Hmong community was recently settled, with intensive opium production on very steep slopes. In 1984, with the introduction of a United Nations Development Programme project, Highland Agricultural Marketing and Production (HAMP), the Hmong villagers converted most of their old opium fields to cabbage and potato fields, complete with small reservoir-fed gravity-operated sprinkler systems. Stone contour fences were also constructed to check erosion. In the period 1985–1989, when the Thai-Norwegian Church Aid Highland Development Project (with support from the United Nations Programme for Drug Abuse Control, UNPDAC) took over the project from HAMP, the Hmong had extensively expanded their cultivation of cabbage (Renard, 1988). As a result, they competed for forest land and resources as well as water with lowland villagers below them.

It appears that not only the people in the highlands and lowlands, who are mostly of different ethnic origin, have to compete for the use of water; lowlanders are outraged by the contamination of their water source. However, the facts are not that simple. Many lowland traders as well as farmers have their vegetable plots on the hills. The lowland traders even subcontract the Hmong to farm for them. In this sense, the conflict should rather be seen as a kind of competition for the variable use of water which has become a major problem for most people in the North as they try to adapt to the increasing commercialization of their region. In the process, the use-rights of swidden lands have been transferred to those involved in the economic mainstream (Kanok and Benjavan, 1994; Morrison, 1995).

In addition to problems of equity and conflict in the sharing of forest resources, the development direction fostered by the government has increased the deterioration of natural forests. Without any legal means to protect their usufruct rights to forest and their security of land tenure because of discrepancies between local customs and national laws, villagers tend to favor extensification of land use over intensification. In the process, more highlanders are losing control over their swidden land because, with a growing speculative land market, there is a strong pressure on villagers to sell their land to speculators and keep on clearing more forest (Suthawan, 1995). This is also an example of failure in the government's forest management policy, denying ethnic groups legal security on their highland farms.

**THE LACK OF CITIZENSHIP RIGHTS FOR HIGHLANDERS**

In the classic case of development in Doi Luang national park, Lampang province, the Thai-Norwegian Church Aid Highland Development Project has quite successfully encouraged the Mein and Lisu, traditional opium growers, to turn to coffee production as a first step towards establishing permanent settlements for these highly mobile groups. This development strategy is also considered as contributing towards the objective of conservation. It took more than a decade for the highlanders to finally stick to their permanent settlements because of the very high stake in their investment in coffee plantations; land which has turned into a very valuable commodity. However, instead of getting security of land tenure, the Mein have recently been relocated outside the park (Figure 5), while the Hmong at Ban Pa Kuai are still allowed to cultivate steep hillsides. This is clearly due to the highlanders' lack of citizenship rights (Anan, 1997).

Conservation is cited as the manifest reason for the resettlement, but the real motive appears to be more commercial—the promotion of tourism, as the park officials would like to save the surroundings of a waterfall in order to attract more tourists. The Mein villagers had protested this drastic action which jeopardized their livelihoods because they found the land in the new set-

---

**Figure 5. A Mein family evicted from Doi Luang National Park.**
tlement unsuitable for cultivation. Many had to turn to wage employment. After a long struggle, the villagers are now temporarily allowed to harvest their coffee on their land in the national park.

The government's gain in controlling forest and highlands within the conservation areas does not guarantee the success of conservation policy because what is considered a government gain is a loss to the ethnic minorities. With less control over their common resources, the highlanders are even more marginalized. This situation allows powerful outsiders to fill the gap left by highlanders. More traders and investors in towns have managed to take control of forest land. The competition for such control is most intensive in the intermediate zone because the indigenous occupants, such as the Karen, are mainly subsistence farmers who have little experience in the market. Most of them are very poor and thus very susceptible to market uncertainties (Anan, 1987).

Although the government's politics of conservation have mostly resulted in negative impacts on the forest, the increasing pressure to evict settlers from conservation forests, on one hand, and the villagers' need for security of land tenure because of their production for the market in the state forest, on the other, force many hill communities to opt for conserving their forest as a strategy to bargain with the government in exchange for their security of settlement in the state forest. These communities, particularly highland ethnic groups, do not only reinforce their conservation of community forest but also increase their conservation practices in agriculture (Suthawan, 1993). The continued existence of indigenous systems of communal forest management, however, requires appropriate government policies and legislation, such as participatory resource management rights and a community forest law.

COMMUNITY RIGHTS AND DYNAMICS OF LOCAL CONTROL OF FORESTS

In Thailand, there are two lines of thinking about forest conservation. Government officials think that either their agencies or the market can best conserve the forest and the environment for the benefit of national development. The opposing line, subscribed to mainly by academics and NGO workers, places more trust in the potential of people, linking forest conservation not to commercial development but to rural development. These two views are based on fundamentally different concepts of property rights for the forests. The government only considers forests as state property, which the state alone can manage for the benefit of the whole nation. Scholars and NGO workers stand for the people's point of view, considering the forest both as state property and communal property which is not recognized by the state. Thus the forest as a communal property or community forest is an area requiring re-evaluation of the relationship between the environment and rural development. However, the government remains slow to promulgate a law on community forests.

History of Community Forests

The local control of forests has a long history in Thailand, embedded in the culture of the regions, notably the North. The concept was partially mentioned in the law of King Mangrai, the first king of Chiang Mai in the late 15th century AD. The earliest form is known as a sacred forest, commonly found in upper watersheds in areas where certain communities believe in the spirit of the watershed. These spirits are regarded as the protectors or guardians of the forest. This belief provides an underlying morality for the management of resources essential for wet-rice cultivation (Anan, 1992).

In addition to traditional systems of local control of forests, there are a large number of indigenous and externally-sponsored systems in different regions of Thailand: at least 300 in the North alone (Sanae and Yos, 1993). The indigenous system is a form of management based on internal initiative within a local community, as a dynamic response to changing situations. However, some of the traditional practices may be incorporated in externally-sponsored systems, which are primarily set up by outside agencies.

The traditional systems of local control of forest in Northern Thailand include three types of community forest: sacred forest (pa phi), watershed forest (pa ton nan), and communal woodland (pa chai soi). A sacred forest is reserved mainly for ceremonial purposes as a shrine for its guardian spirits, a cremation ground, or a pagoda containing Buddha's relics. As any utilization of forest products is strictly prohibited in this kind of sacred forest, they usually remain as a biologically rich area in the community. They can be located anywhere, but mostly cover a small area, no larger than 100 rai. Some communities, particularly the Karen, have traditionally protected a large area of forest, in some cases from 1,000 to 10,000 rai, at the head of the watershed from which they draw their water supply. This kind of community forest is sometimes considered a sacred area which is believed to be protected by the spirit of watershed, and only in a few cases is minimal use of forest products allowed. A communal woodland is a forest area delineated by the community for specific utilization, such as grazing and harvesting forest products. These are most often in dry dipterocarp forest unsuitable for agriculture (Anan, 1992).

At present, the community forests traditionally preserved by villagers are increasingly encroached on by villagers themselves due to economic pressure. But new community forests are also reproduced by local initiatives as a dynamic response to contradictions and conflicts in conservation policy and Thai development direction. They demonstrate villagers' potential to translate local feelings and traditional moral values into action under outside pressures.

In Northern Thailand, the earliest form of indige-
nous system of forest management has gradually developed during the past 30 years as the response of villagers to a shortage of forest products and continuous drought caused by over-exploitation of forests, disrupting their water supply for rice cultivation. This can be seen in the form of community-protected forest initiated by several villages, mainly at the head of their watershed. In this case, the existing local irrigation organization, *klum muang fai*, played a major role in such efforts. Moreover, the villagers’ response also proves that the community forest is essentially an integral part of their subsistence farming system (Anan, 1992).

The most important recent origin of the indigenous system of forest management, however, is the villagers' struggle for control over forests in competition with outsiders. Several new community forests have been established and strengthened by the local protest against logging concessions, and the encroachment of businessmen or other highland ethnic groups. The community-protected forests that are established as a result of this competition include both *pa ton nam* and *pa chai soi*. The competition for control over forests largely results from the present situation with practically no legal recognition of communal property.

**The State’s Views on Forest Management**

Although the Thai government has stepped up its forest conservation policy and the RDF is drafting a community forest law, the overall implementation of forest policy has produced many conflicting incentives. Logging concessions are now no longer available, but forest lands continue to be opened up for industrial development. While denying access by the poor to forest land for subsistence farming, the government encourages business interests to exploit the same resources. As a result, much of the farmland of poor people that is considered to be in reserved forests has been leased to land developers to be used for plantations of fast-growing trees, commercial orchards, and tourist resorts (Lohmann, 1991, 1993).

With heavy competition for the utilization of forests by both the poor and developers, forest encroachment and illegal logging are common, and commercial interests enjoy more benefits at the expense of the poor. In the political dimension, the developers have legal support, through the 1992 Forest Farm Act, to exploit forests in the name of industrial development while the poor are, ironically, left without any legal means to safeguard their rights to conserve the forests.

Another irony is that the government, on one hand, is allocating forest land under the land reform program to the rich but, on the other hand, is taking cultivated land away from the poor by relocating highland villagers out of the national parks. This type of policy is carried out quite arbitrarily because the government even supports the development programs of certain highland villages. It seems that the eviction policy not only violates villagers' use rights but is also against the whole concept of equitable and sustainable development. Settlers in conservation forests should be encouraged and recruited to participate more in forest management if their indige-

nous systems can be proved sustainable (Anan and Mingsan, 1992). But the government tends to play with the politics of conservation rather than taking seriously the dynamic nature of indigenous systems in forest management (Anan, 1997).

The continued eviction of highlanders demonstrates quite clearly that the state agencies still subscribe to the idea that people and forest cannot be considered together in forest conservation—especially those ethnic groups which are considered as the 'enemy of the forest.' But these agencies do not seem to mind the market as a mechanism for conservation management. In other words, while the presence of people is regarded as endangering forest conservation, its commercialization is not; one must conclude that the government has more trust in market-managed conservation than people-managed conservation. Most government officials do not think that the people-managed conservation of forest is possible. Thus, unfortunately, large highland development projects, such as the Doi Tung Development project under the former patronage of the late royal Princess Mother, will support this way of thinking since conservation and commercialization are fully integrated.

The underlying official line of reasoning is that only government agencies can be the guardian of the forest. But ethnic minorities, especially the Karen who are traditional conservationists, would also like to compete for the same role as the protectors of the conservation forests, in order to justify their rights of continued existence in the forests. Other highland ethnic groups are also trying to participate in watershed conservation, as they are often threatened with relocation from conservation forests. In this situation, the environment seems to play a crucial role in lending legitimacy to both government agencies and ethnic communities in their struggles over the control of forests.

**Struggles over the Control of Resources and Space**

Highland villagers do not always recognize the legitimacy of the state claims over forest land, but justify their rights in customary and local practices which have some basis in modern Thai laws but which the government chooses to ignore. Faced with increasing destruction of their environment, some ethnic minorities have begun campaigns to save their livelihood. In particular, the Karen have a long history of opposing logging of their watershed areas (Anan and Mingsan, 1992).

One example is the case of the Karen in the Wat Chan area of Mae Chan district in Chiang Mai province. The local residents, who are mainly Karen, have long managed to conserve a wide range of pine forests on their watershed areas. In the early 1980s, the Forest Industry Organization received cabinet approval for logging of these pine trees as well as construction of a sawmill in the area. Once they learned about the project, the Karen communities in the area came together to oppose the building of the sawmill, first by sending a petition to the deputy governor of Chiang Mai province in 1989. The construction of the sawmill, however, con-
continued. Not until 1993, when the villagers sent a petition to the prime minister, was the sawmill machinery withdrawn from the area and construction temporarily abandoned (The Bangkok Post, May 9, 1993).

For the protection of *pa ton nam*, the villagers' incentive is quite obvious because these are mostly natural forests that supply water for their irrigation systems. In the case of *pa chai soi*, it is a little more complicated since these are mainly degraded forests that are not appropriate for agriculture; in some cases, they are not even connected to natural forests but scattered around farm lands. Such forests range in size from 50 to 1,000 rai, and were probably once open-access land. However, several villages have begun to improve these degraded forest areas by allowing new trees to regenerate naturally or by planting some additional trees. Villagers say that they want to keep these forests for fuelwood, other forest products, and grazing their cattle.

It is in the interest of local organizations to protect their forest resources intensively for community benefit because areas not appropriate for agriculture might be taken by outsiders. Establishing an area as a community forest is one way of securing forest land for community benefits. As for highland communities which are recently under strong pressure from the state to be evicted from the conservation forests, they have also turned to conserving their community forest as a strategy to bargain with the government in exchange for their security of land tenure in the state forests (Anan and Mingsan, 1992).

However, much tension and scepticism still prevail on both sides, as seen in various incidents of confrontation when all actors tend to play with the politics of environment. In 1994, the ethnic minorities in Northern Thai highlands formed a loose network, and large numbers demonstrated their grievances in the city of Chiang Mai (Anan, 1997). In addition to their rights in the participatory management of forests in the form of community forest, the hill people also demanded their rights of existence in the forests where they have lived for generations. Thus, without serious joint consideration of the issues of environment and community rights, more conflicts between the state and the hill people will continue for the foreseeable future.

**The Struggle over the Community Forest Act**

In an effort to defend their community rights to forests, villagers have increasingly transformed their cultural and moral values into more formal practices. These transformations can be seen in various forms. Many villages rely on more formal organizations such as village councils and tambon (subdistrict) councils, and some have even set up special conservation groups when formal leaders do not cooperate because they are under the influence of outside interests. These local organizations normally try to transform their customary rules into written regulations and organize patrol groups to safeguard their forest against outside intruders. The main reasons for the formalization of customary practices are to gain legal recognition from the government and to obtain official assistance in protecting their forests from encroachment by influential political and business interests (Anan, 1992).

Up to now, villagers have no legal rights to protect their community forests since they are mainly parts of national reserved forest or conservation forests. As a result, villagers cannot prosecute intruders in court and, in many cases, their lives are threatened. Their problems are more critical when intruders are government officials who are armed with authority which can be misused for their own benefits. Legal recognition of indigenous systems of forest control is therefore essential for their continued existence.

However, in the name of environmental protection, government agencies recently put more pressure on the hill population for both relocation from conservation forests and revocation of their use rights. In response, the ethnic hill minorities demonstrate that they also can play a role in the conservation of the forest, as seen in their active promotion of community forests and intensive efforts to experiment with sustainable agriculture.

As mentioned above, while there are a large number of community-protected watershed forests in Northern Thailand, the state's establishment of new national parks has heightened widespread disputes with local communities. For example, for the past 25 years, villagers in Tambon Silalaeng of Nan province have protected their large watershed areas against the encroachment of hill people and other squatters and have managed to turn them into the richest watershed forest in the region (Chusak, 1994). Recently the RFD took this forest to establish Doi Phu Kha national park. The local communities filed a petition contesting against this enclosure and later, with the support of NGOs, formed a network of villagers with similar disputes with the state, in order to campaign for new demarcation of parks that leave out their community forest areas. The resolution of such conflicts will very much depend on the legal recognition of community forest and community rights in participatory forest management, and how soon the government passes the Community Forest Act.

Without a Community Forest Act, conservation policy—especially the expansion of new national parks and reforestation programs—often encloses forest areas under local control and management, leading to conflicts between local communities and the state. Despite the government's strongly stated conservation policy, state forest land which is, in practice, open-access, cannot be solely protected by officials without local participation. However, even though the draft law has been recently agreed upon by most parties involved, its passage seems far off.

Moreover, the role of ethnic groups in environmental conservation or, in the case of the Northern Thai highlands, sustainable management of watershed forests, has never been considered because, although most groups have been there for generations, they are considered illegal migrants. Without the rights of citizenship, the hill people find no place in environmental conservation. Scholars and some NGOs propose that forest conservation and rural development should be combined, to strengthen the rights of local communities and the abil-
ity of local organizations to participate in the management of their environment. Because the hill environment, especially the watershed forest, is not only state property but also communal property, local communities should have customary rights to benefit from the resources that they help to protect.

CONCLUSION

The discussion above shows clearly that the conservation policy of the state has become increasingly political in recent years. The underlying objective of this policy is not so much forest conservation as the extension of state control over forest; also known as the process of territorialization. This is one reason why the government pays attention primarily to the strengthening of state property, in terms of the expansion of national parks, at the expense of local participation in forest conservation. Not only denying the rights of local communities in forest conservation, the implementation of the state's conservation policy has also produced all kinds of adverse effects, including the increased destruction of forests, marginalization of poor villagers as well as ethnic minorities, and aggravation of conflicts between the state and forest settlers.

Again and again, not only in Thailand but also elsewhere, a strong state apparatus or even market mechanisms alone cannot be relied on for forest conservation. They have often been proved a failure as the forest cover has continued to be rapidly depleted in recent decades. The tropical forests have long been culturally regarded as within the sphere of the poor and an integral part of subsistence farming. In this sense, forests cannot be conserved in isolation from local villages which have long existed within them. Instead, forest conservation should take into account both concepts of communal property and local participation in forest management because its real objective is not so much control over forest areas as an integration of conservation and development, oriented towards sustainability and equity. With this kind of objective in mind, forest conservation has far more to do with the idea of management—particularly participatory management—and community rights, than simply with the idea of state control, as most policies suggest.

In this regard, local communities can have more important roles to play in forest conservation. As this paper shows, even under conflicting incentives and state and market pressures, several local communities in the northern Thai Highlands have managed to change from shifting cultivation to more sustainable agriculture as well as conserving their watershed forests. Thus, another kind of conservation policy that pays more attention to community rights and participatory management is urgently needed in order to strengthen the dynamics of local organizations and encourage their participation in forest conservation.

REFERENCES


Lohmann, L., 1993: Thailand: Land, Power and Forest Colo-


