Land, State, and Society in Laos: Ethnographies of Land Policies

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Abstract

Land policies are a contentious topic in Laos. The banning of swidden agriculture in the 1990s prompted widespread resettlements, while land allocation was implemented during the same period; the following decade saw massive land grabs. Unfavorable to small farmers, these processes transformed everyday social relations with land, which used to be managed at the village level but presently fall more and more within the administration's domain. However, State employees are not alone in using a new lexicon to refer to land issues; those impacted by such measures are also adopting it to protect themselves, sometimes with relative success. Gossip and rumor can affect the authorities' decisions. And land policies can never be implemented without vernacularization, which ends up constructing a practical order on land negotiated—in uneven terms—by the local administration and the local actors. Ethnographic case studies throughout Laos illustrate how the state has become an inescapable mediator between people and land, transforming the social fabric and reshaping people's agency.

Keywords: Laos, Anthropology of the State, Micro-Politics, Land Policies, Land Grabbing, Resettlement

Resumen

Las políticas de tierras son un tema controvertido en Laos. La prohibición de la agricultura itinerante en los años 1990 resultó en muchos movimientos de personas, mientras que la asignación de tierras fue implementada durante el mismo periodo; la siguiente década vio apropiaciones de tierra masivas. Al no ser favorables para los pequeños granjeros, estos procesos transformaron relacio-

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nes sociales cotidianas con la tierra, que antes eran gestionadas a nivel de aldea pero que actualmente yacen más y más dentro del dominio de la adminstración. Sin embargo, los empleados estatales no están solos en su uso del nuevo léxico para referirse a los problemas con la tierra; los que fueron impactados por aquellas medidas también están adoptándolo para protegerse a sí mismos, a veces con un relativo éxito. El chisme y el rumor pueden afectar las decisiones de las autoridades. Y las políticas de tierras nunca pueden ser implementadas sin "vernacularización," lo que termina construyendo un orden práctico de la tierra negociada—en términos desiguales—por parte de la administración local los y actores locales. Los estudios etnográficos de caso a través de Laos ilustran cómo el estado se ha convertido en el mediador inescapable entre la gente y la tierra, transformando el tejido social y dándole nueva forma al poder de la gente.

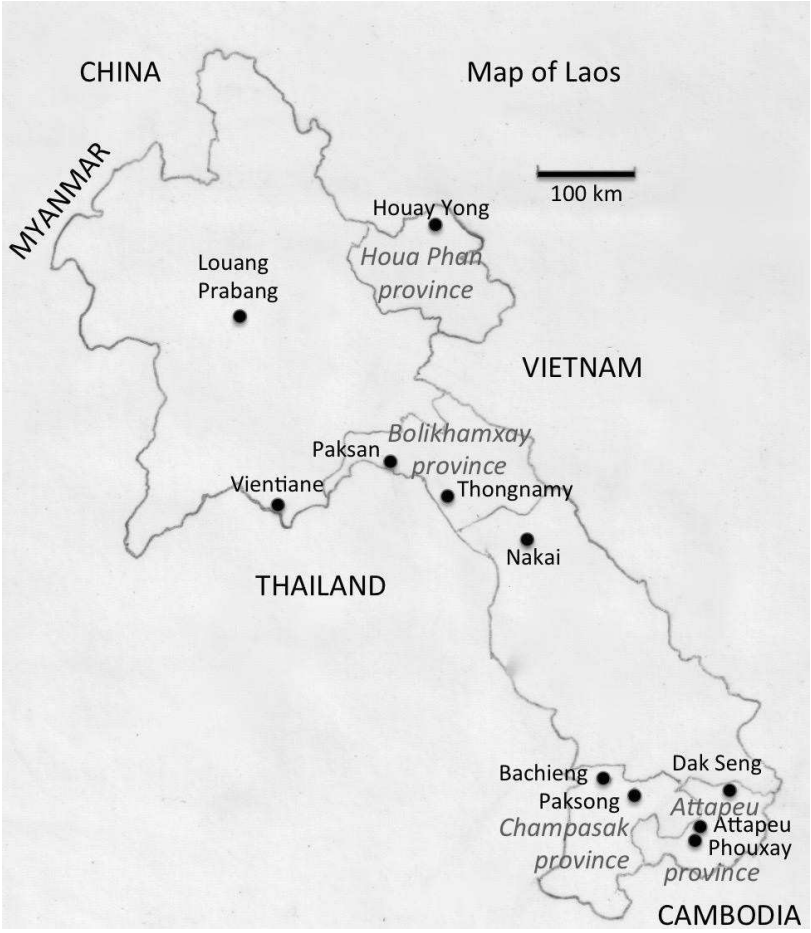
Palabras clave: Laos, antropología estatal, micro políticas, políticas de tierras, apropiación de tierras, reasentamiento

摘要

土地政策在老挝是一个争议性话题。20世纪90年代老挝禁止了刀耕火种农业，这推动了大范围的土地安置。尽管土地分配也在此期间开始实施，但接下来的10年发生了大规模土地争夺。 不利于小农户的是，这些过程转变了日常社会与土地间的关系。土地过去由农村管理，而如今却越来越多地进入了（国家）行政领域。然而，使用新术语来代指土地问题的并不是只有国家员工；受此类措施影响的那部分人也采取同样的方式试图保护自己，有时还取得了相对成功。绯闻和谣言能影响权威（政府）的决定。土地政策在没有被地方口语化（vernacularize）之前是绝不会实施的。本地口语化最终将对地方行政和地方行为者在不平等谈判中的土地建构实际秩序。本文对老挝进行民族志案例研究，阐述了该国如何在成为人民和土地间不可避免的调停者的同时，改变社会结构、重塑人民机构。

关键词：老挝，国家人类学，微观政治，土地政策，土地争夺，安置

Figure 1. Map of Laos



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Introduction

In 2013, I was chatting with a taxi driver in Vientiane, explaining that I had come back from Attapeu Province where I was working for a food security project. I mentioned it was difficult to work in a context where rubber tree plantations were implemented so extensively. The driver went on with humour, saying that the government had sold all the land north of Louang Prabang to Chinese, and all the land south of Paksan to Vietnamese. He concluded without further ado that "*lattabaan kôn boo dii*"[2], "the government is made up of bad people".

I was surprised that a taxi driver would talk so casually on that topic. I thought land issues were a "public secret" (Taussig, 1999) and could not be debated so openly. However, their publicity seems on the rise nationally. For example, the state-owned Vientiane Times dedicated its "Opinion" column on 18 June 2013 to the question: "Do you think that community resettlement

2 Lao transliterations are based on Mingbuapha & Becker (2003); usual spelling has been conserved for toponyms.

is fair in Laos?" The four people interviewed were all critical, mentioning possible corruption within companies and stipulating that the government should more responsibly defend public interests. On Facebook, a media much less controlled by the State, users post and share videos showing trucks loaded with timber from illegal logging in protected areas, lamenting this as an alienation of national wealth by foreign companies. Land issues are often imbued with nationalistic emotions, with the feeling that national sovereignty is at stake. This makes them a potential leverage point for collective action.

Land policies are one of the main topics through which the morality of the state has been debated in Laos for two decades. International watchers have played an important role in the rise of such anxieties. People involved in the defense of human rights, the environment, and ethnic minorities have repeatedly denounced the disastrous impacts of the Laotian state's "grand schemes" as well as the global land grab perpetrated by foreign companies.[3] For example, in May 2013, Global Witness published a report titled "Rubber Barons", with a telling subtitle: "How Vietnamese companies and international financiers are driving a land grabbing crisis in Cambodia and Laos". It denounced at once Vietnamese rubber companies, political authorities in Laos and Cambodia, and international donors like Deutsche Bank. The companies would have been granted concessions on hundreds of thousand hectares without any regard for the basic rights of local farmers.

Such large-scale concessions to foreign companies (mainly in the sectors of agro-industry, electricity, and mining) are presently the main topic of land policy discussions, but this has not been always the case. In the 1990s, debates centered on policies barring shifting cultivation in the highlands and the ensuing resettlement of villagers to the lowlands. A large national report described the often-dramatic consequences of these policies for those resettled (Goudineau, 1997), beginning a long series of publications that took a critical stance toward such policies and their consequences for rural populations.

Resettlements took place when land-use planning was implemented with the support of international aid agencies. The land and forest allocation policy was supposed to define licit and illicit use of land around the villages, while farmers were provided temporary land-use certificates that would guarantee them access to land (Evrard, 2004). Ducourtieux, Laffort, and Sacklokham (2005, p. 521) criticized this land reform unambiguously, arguing that "the impact of the policy has been negative both for rural development and for environmental conservation" and that it would engender counter-effects like food shortages, especially among the poorest.

Later, High (2008) took a different approach in considering the issue of

3 See Dwyer (2013, pp. 309–312) regarding the coverage of land grabs in Laos by the Western media.

resettlements, focusing on the need to consider individual agency in mobility; some Laotians have indeed been driven by aspirations of "escaping poverty", as the official motto declares, and entering what they see as a "modern" life (see also High 2014). The problem is not so much mobility per se, but the failure of the state to provide the conditions for its success. High tries to go beyond the domination/resistance paradigm, showing how people have appropriated and reformulated the state's discourses on development in light of their own desires.

Another critical viewpoint has been developed by Lund (2011), who is concerned by the way land policies are linked to and participate in the creation of political subjectivities. He argues that these policies do not reflect the Laotian state's pre-existing sovereignty over land, but rather create it. In local contexts, land issues have long been settled by village or family authorities. The land reforms were not intended to protect villagers' access to land, as officially announced, but instead to impose the state's sovereignty over land. This made both the people and the land visible and legible, and the administration became an inescapable actor in defining their rights. "This started to change people's political subjectivities: the authority to grant rights to land inserted government onto the lives of people" (Lund, 2011, p. 901). Tan (2012, pp. 84–86) suggests that the large land concessions and enclaves provided to Chinese companies in northern Laos cannot be equated with losing sovereignty; counter-intuitively, they instead entrench the Lao state and its "technologies of governing" in places that had hitherto largely escaped the state's reach. Similarly, Dwyer (2013) presents two detailed case studies showing that the literature's focus on the foreign or corruptive dimensions of land grabbing misses the most important point, namely their strong embedding in the national and local political landscapes of Laos.

Even if High, Lund, Tan and Dwyer's approaches are different, they share a common interest in the way land policies have become central to spreading "state relations" in Laos. Such state relations refer to social relations predicated on bureaucratic procedures, administrative authority, political decisions, or reference to anything emically indexed to "the state" by the interacting parties. I use this concept as opposed to "state–society relations" to refrain from an overly substantive view of the state as different by nature or separable from society. Even if the state/society dichotomy is a pervading representation in modern societies, it should not be taken at face value: it is a construction, not a fact (High & Petit, 2013; Li, 2005; Mitchell, 2006; Sharma & Gupta, 2006). Further, a too binary concept of state–society relations does not capture interactions between state officers themselves, who may have divergent opinions or interests, nor does it capture interactions between local employees and citizens who use the law or other state rhetoric in promoting their views.

I shall try to unpack the modal-

ities of state relations created through land policies in different contexts, mainly in rural areas. Most studies on the topic are based on a detailed case study. To refrain from the tendency to present a specific situation as a paradigmatic example, this article will rather develop ethnographic vignettes to describe state relations related to land in a wide range of situations. I will first emphasize their pervasiveness, showing how they have created a new lexicon, a specific "language of stateness" (Hansen & Stepputat, 2001) that is obligatorily used when discussing land issues. And second, I shall show that this does not deprive stakeholders of their agency in their often-tense interactions, but instead reframes such interactions entirely.

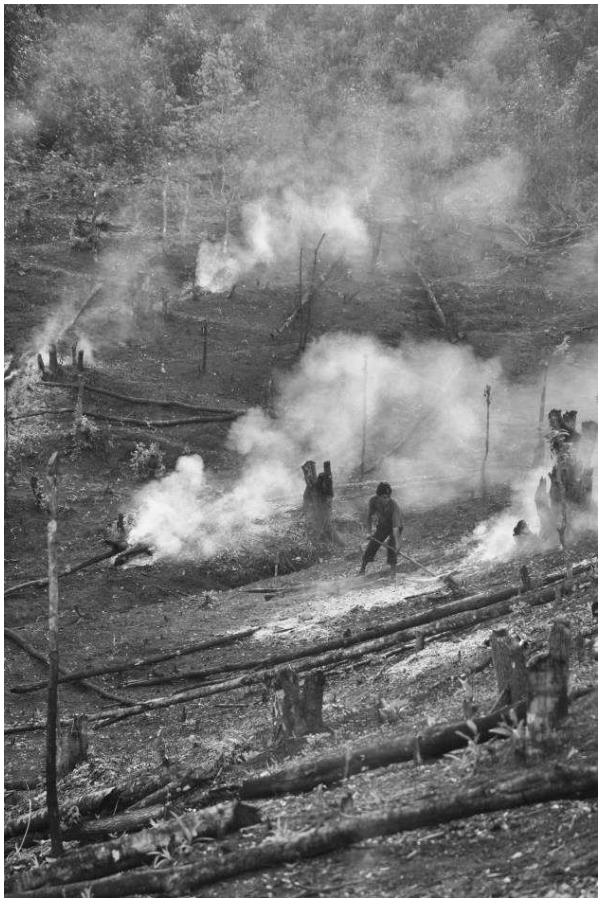
The Practicalities of Land Policies

Based on my visits to Laos since 2003, I have observed how land policies are central to ongoing socio-economical changes throughout the country, though the range of situations is wide.[4] In some places, land policies seem at first glance to have minimal impacts. This was the case in Dak Seng, a small Talieng village in the remote mountains of Attapeu Province, in the far south of the country. During my fieldwork in 2012, no land or forest allocation had been carried out yet, nor any land-use certificates granted. Land use was managed through customary practice and swidden cultivation was still extensively practiced (Fig. 2). The village chief claimed that all residents knew the rights of each family, so he seldom had to settle land disputes. Similarly, in the same period, the Tai Vat inhabiting Houay Yong Village in the mountainous northern province of Houa Phan reported that access to their upland fields relied on knowledge shared by all of them, for they all knew which families had cultivated which plots of land in the past (Petit 2015).

However, Dak Seng, and Houay Yong were indeed affected by national land policies. The 1990s were marked by campaigns against swidden cultivation. Though cultivation practices themselves may not have been changed by these campaigns, the villages have both been affected by the concomitant promotion of migration to the lowlands. About half of the population of both villages left within a decade as part of an ongoing process. And in 2007, Dak Seng was resettled closer to

4 As a Belgian anthropologist, I have been working successively in a research on rural development in Bolikhamxay Province (cooperation between the French-speaking universities of Belgium [CUD] and the National University of Laos, 2003-2008); in an assessment of Nam Theun 2's social development plan (Agence Française de Développement, 2004); in Annâdya, a food security project implemented in Attapeu and Ratanakiri (EU, 2012-2015); and in a joint research on the socioeconomic transformations of Houay Yong village (ULB-NUoL, 2009-2017). See Fig. 1 for locales. Fieldwork was carried out in collaboration with Lao research assistants/interpreters. Beside the data collected formally throughout these researches, much information was gathered through observation and casual discussions with Lao people. My intermediate-level understanding of Lao enables me to have basic conversations in that language. I warmly thank all the institutions previously listed, the many Lao colleagues who took part in the researches, and the anonymous readers of a former version of this paper.

Figure 2. Swidden Agriculture in Dak Seng



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the road serving it, about 1 km from its former location; although this was not presented as an imposed measure, it clearly followed the priorities of the administration.

In all the other places where I have worked, the constraints introduced by land policies are much more onerous: land relations have become increasingly mediated by a series of objects, practices, discourses, officers, and institutions related to the state. In most regions of the country, district employees are now the mandatory mediators through which one can access land; they are in charge of land allocation and establishing land-use planning. Most villages now have a colored map specifying land uses within their divisions (Fig. 3). Villagers are often unable to understand the representation of space on these maps and do not seem to care a lot about them, but are more concerned with obtaining highly valued temporary land-use certificates from district officers specifying the location, surface characteristics, and shape of their residential and cultivated areas[5].

5 Paradoxically, such zoning—intended to protect villagers' rights—has been used by companies and authorities alike to legitimate massive land deals, targeting agricultural or nonagricultural land depending on the context (Dwyer, 2013). Recent (2017) field researches in Houay Yong revealed that land-zoning and land certification are currently being implemented in the area.

Figure 3. Land-Zoning Map in Phouxay



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Another practicality of the land policies was the organization of village meetings. People keep a fresh memory, in Houay Yong, of the way district employees came to hold meetings informing residents of the problems with shifting cultivation, the protection of water sources, and government assistance to villagers migrating to the lowlands. In 2004, I also observed meetings in villages slated for complete resettlement due to the construction of the Nam Theun 2 dam. The Laotian officers in charge of these "participatory consultations" for those being resettled on the Nakai Plateau brought along materials such as scale models of the houses to be built as part of resettlement (Fig. 4) and colored posters with optimistic cartoon drawings describing life after resettlement (Fig. 5); they also had specific instructions to involve women and train small groups of locals to "raise awareness" among other villagers before a community gathering. Such sophisticated equipment and gender sensitivity are unusual in resettlement procedures in Laos; international attention aimed at this large-scale, partially Western-funded project seemed to have prompted an effort (and budget) to anticipate possible criticisms and to promote the role of the involved agencies.[6] But if the paraphernalia was innovative and uncommon, the bureaucratic routines were rather more familiar. Officials followed well-oiled village meeting mechanisms for inducing allegedly popular "decisions", which had been in fact taken by the authorities long before

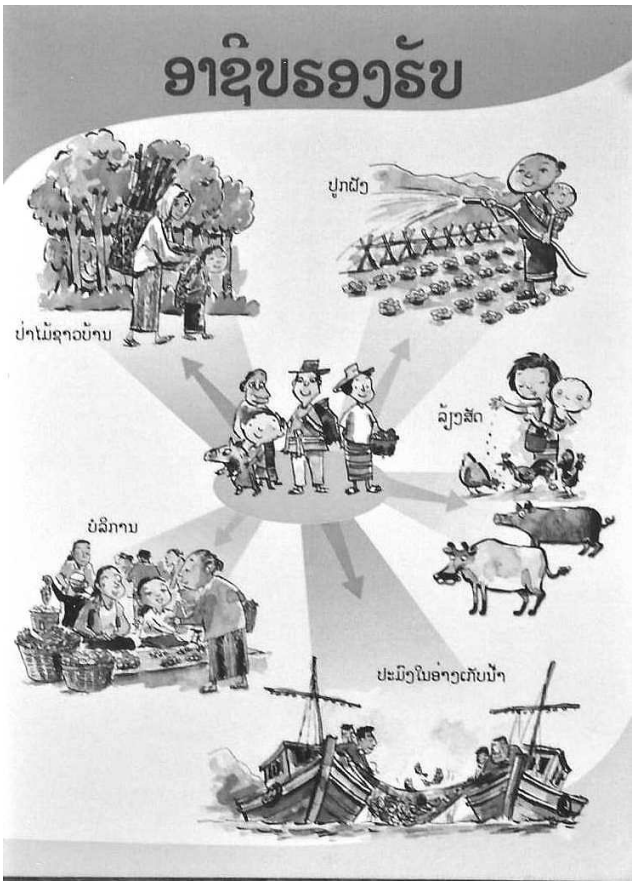
6 The main focus of this aid was the catchment plateau itself; much less concern was devoted to the populations in the downstream areas impacted by the dam (Manorom, Baird, & Shoemaker, 2017), probably because of the lower media coverage.

Figure 4. Model Houses for the Participatory Consultation in Nakai



© P. Petit 2004

Figure 5. Board about Occupations for the Resettled (Participatory Consultation in Nakai)



© P. Petit 2004

the meeting; outreach teams were composed of district officers and members of Party-affiliated mass organizations such as the Women's Union and the Youth Union. Despite the participatory rhetoric and the conspicuous presence of international staff, the whole process revealed how the Lao state managed the mobility of the "target" population.

The practicalities of land policies also include public events and artifacts—seminars, reports, glossy publications, TV broadcasts and the like—depicting win–win situations, empowerment of the poor, smiling children confident about their future, natural resource protection, and gender mainstreaming. All these elements were most conspicuous in the case of Nam Theun 2. Such public outputs, which also include official pictures showing decisions being endorsed by those in the circles of power, display the political legitimacy of such projects.

Let us now turn to a very different case, namely the rubber plantations in Attapeu mentioned earlier. In some villages, this project was given no publicity, and the inhabitants alienated from their land were neither consulted nor given information. This does not mean that state mediators were absent from the process. After Vietnamese workers began to cut down the forest (Fig. 6), relations with the villagers soured and the district head eventually had to invite the chiefs of all affected villages to a meeting. He explained that the plantation company aimed to develop (*pattanaa*) the region as well as the whole country and made it clear that the decision was not his own nor even the governor's: it had been taken at the central government level and could not be changed. A few weeks later, the village chiefs received a letter from the governor asking them to comply with the order and allow the company to proceed.

Figure 6. The Border of the HAGL Plantation (200 m. from Phouxay village). The place beyond the trench used to be a forest a few months before.



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The next step was the payment of compensation to villagers. This had to be carried out properly, for the villagers already possessed land use certificates. Each village chief collected information from the villagers affected by the project. Then, agents from the company came to carry out payment; villagers signed the documents quickly and took their money, fearing that if they did not, they would lose everything.

It turns out that even when basic procedures for dispersing information and engaging with the public have not been completed by the state as it should, the latter remains the legitimizing authority. This was evidenced by the meeting in the district chef's office, in the letter from the governor requiring village chiefs to comply with the project, and in the payment of compensation based on land-use certificates. The language of stateness is certainly visible in these late information and mitigation procedures.

Most plantations in Attapeu Province belong to the HAGL (Hoang Anh Gia Lai) Company, which acquired extensive land rights as compensation for building infrastructure when Laos hosted the Southeast Asian (SEA) Games in 2009. HAGL has since built a sumptuous six-floor hotel in the small city of Attapeu. The presence of this building, much higher than any other in the city, is a clear public reminder that the company benefits from a special status. The large and usually deserted lobby of the hotel contains large framed pictures above the lift doors depicting Doan Nguyen Duc, the president of HAGL group, in the company of Laotian high officials during ground-breaking ceremonies or official openings. One picture shows him smiling and receiving a giant golden key—a symbol of his "access", perhaps (Fig. 7). Another picture shows him standing with Choummaly Sayasone, the former president of Laos (2006–2016) who was born in Attapeu, with the flags of Vietnam and Laos flying behind them (Fig. 8)—a reminder of the "special relationship" linking Vietnam to Laos since 1975. HAGL is clearly welcome in the Lao PDR.

In short, the case studies discussed above show that people–land relations cannot be grasped without reference to the state. National land policies and land-lease agreements between the state and private companies have drastically transformed the relationship people have with their living space. Ironically, land policies implemented with the support of international aid agencies aiming to empower local communities have instead involved the state in formerly micro-local land relations. This eventually empowered state administration more than villagers.

Taking Over the Language of Stateness

Does the winner—the State and allied companies—take all? For sure, the new language of stateness related to land has come into general use and has transformed the state administration into a compelling intermediary for anything to do with land use. This has not deprived locals

Figure 7. Doan Nguyen Duc (right) and Lao Officials. Picture exposed in the lobby of the HAGL hotel, Attapeu



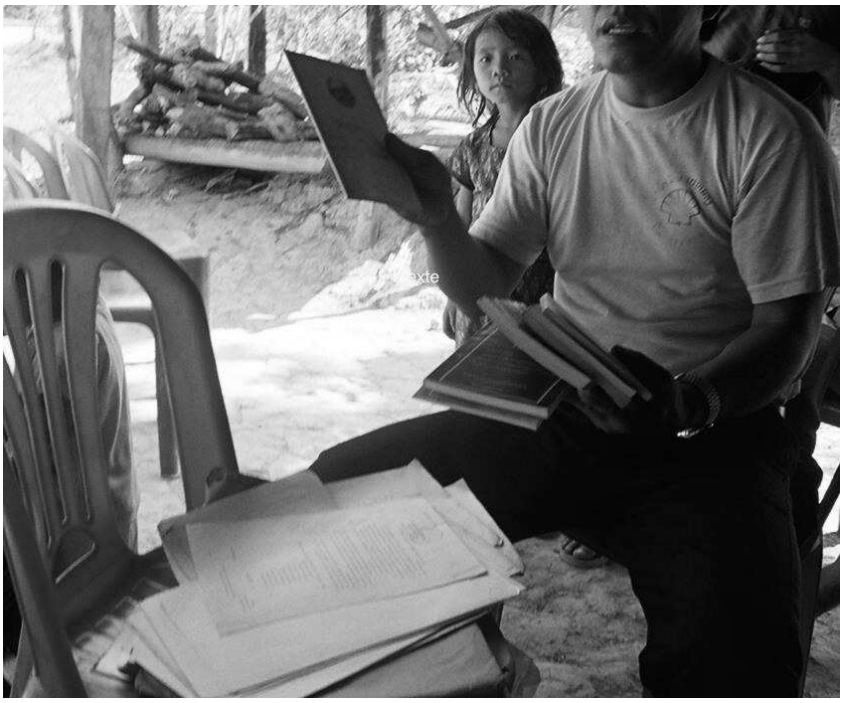
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Figure 8. Doan Nguyen Duc (right) with Choummaly Sayasone, the Former President of Laos. Picture exposed in the lobby of the HAGL hotel, Attapeu



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Figure 9: The Hmong Leader Showing his Documents (Thongnamy)



© P. Petit 2006

from their agency regarding land, but has transformed the whole framing of negotiation for access and use.

The story of a Hmong leader born in Louang Prabang Province and presently living in Thongnamy, Bolikhamxay Province, is a revealing example of the ways people can call on the law to protect their rights when they have been scorned. In 2000, he learned that shifting agriculture would soon be prohibited and that villagers would need to vacate their land. He and his fellows looked for a place to stay, and chose a plateau area in Paksong District, Champasak Province, in the south of the country. They eventually received legal documents and a map of their new fields issued by the district authorities of Paksong.

They settled in Paksong, but in July 2001, the army came quite unexpectedly to expel them from their new village. According to the Hmong leader, this decision was motivated by the "confusion" of the Hmong community for spies working for the insurgency.[7] Soldiers came and ordered them leave at gunpoint. The leader said he told the soldiers to kill him if they dared, as the disruption was totally illegal. During our interview, he clutched administrative documents and law books. When he told us about his confrontation with the soldiers, he held up a booklet and proclaimed, as if he was reliving the scene, "It is not your law, it is not my law: this is our law and you have to respect it" (Fig. 9).

The Hmong managed to suspend

7 In that decade, there were still small groups of insurgent Hmong, mostly descendants of the Secret Army soldiers trained by the CIA during the civil war in Laos.

the decision for 3 days, but eventually had to move; the army transported them in trucks to the village of Thongnamy. Provincial employees promised them compensation upon their arrival: land, rice, irrigation. They got most of what was promised, but the land they were provided never got the expected irrigation system—so in 2006, they started building a canal by themselves. Their leader continued still furious about these events. He showed us a document stipulating the investment made in Paksong by the families: 93,375,000 Kip, or about 12,000 USD at the time.

This evidence is revealing on many points. Of course, the most obvious element is the authoritative way state authorities enforced a decision with no regard for previously granted rights of resettlement. But the Hmong did not simply give up. Their leader collected books on land rights, gathered official documents regarding the resettlement in Paksong, and compiled a list of the assets and investments his people had made in order to calculate a very precise bill of 12,000 USD. His attitude clearly indicates a clear understanding of land rights according to the law, as well as how to use evidence to pressure authorities. This goes beyond mere economic considerations: his insistence demonstrates that the issue of compensation was a way for his group to express their strong disapproval about the whole affair, and to phrase it in terms that emphasize their right to such compensation under the law.[8]

Thongnamy provides a second example of the ways land policies can be used by groups on the social margins. This village where the above-mentioned group of Hmong was forcibly resettled has in fact attracted thousands of migrants from the north of Laos. The hamlet of 40 families in 1995 has now become a small rural city of more than 6,000 inhabitants (Petit, 2006, 2008). The migrants who came after the year 2000 could not be provided with land by the authorities, despite access to land being an important commitment of the resettlement propaganda. This led to the creation, in 2002, of a committee of 52 landless families from various ethnic backgrounds, with a majority of Khmu. On the advice of two Khmu generals contacted by a leader of this committee, they officially presented their demands at different levels of the state administration: the district, the province, and the capital.

In 2003, a land allocation program was designed under the aegis of the Ministry of Agriculture and Forests, and in 2004, each family was allotted a few hectares in the forest of a neighbouring village, Na Bouay. However, residents of Na Bouay considered themselves the legitimate owners of their village's land and refused to give it for free to the new migrants. The situation was very tense and the district authorities ended up not enforcing the new land allocation, siding instead with the inhabitants of Na Bouay. Altogether, only five to seven families benefitted from the land allocation.

8 Green and Baird describe a similar process among the Heuny resettled in Champasak Province (2016, p. 13, 18).

A third example comes from Phouxay, a small Laveng village in Attapeu Province. When it became evident to the villagers that Vietnamese HAGL workers had surveyed the border of a future plantation to be well inside their village's territory, the village chief gathered a delegation of six people to meet the workers, explaining that they would not allow the work to proceed if the company could not produce an authorization from the governor of the province. Though the Vietnamese agreed to sign a document in which they promised to seek the governor's approval before doing anything, they did not end up respecting this commitment.

What is revealing here is the villagers' reaction: they assembled an official delegation, including the chief of the village, a policeman, a militiaman, a village forest warden, etc.; they asked for a permit from the governor; and they made the Vietnamese sign a document. They were framing their contestation in legal language to most effectively protect themselves from the company. Miles Kenney-Lazar (2010), who wrote a detailed report on land concessions in Attapeu, lists other instances in which households tried, based on what they knew of their land rights, to oppose sub-standard financial compensation offered by the company in addition to cases of villages that refused to sign away their land (2010, p. 25–28, 46–47). In at least one case, this opposition was successful.

As these examples demonstrate, the new land policies and their various implementations cannot be simply equated with a story of dispossession without resistance. New bureaucratic language allowed the villagers to formulate legitimate claims that were not always in line with the dominant groups' interests. To be sure, our case studies are not success stories: the Hmong were resettled against their will with limited compensation; the 52-family committee was not granted the land it claimed; and the bulk of Attapeu villagers ended up with no choice but to sign away their land to the Vietnamese company. But in all three cases, individuals drew on state relations to contest decisions and/or claim compensation. This eventually helped to bring benefits they would not have gotten, had they reacted passively. The apparent insufficiency of the compensation and its limitation to a few people should not obscure the fact that using the bureaucratic idiom was met with partial success in the three areas, and allowed for voicing discontentment in an authoritarian regime.

Hidden Transcripts

This point addresses another modality of the social relations emerging from land policies, namely forms of resistance popularized by James Scott as "hidden transcripts", a concept referring to these "low-profile forms of resistance" of "subordinate groups" that fight an "ideological guerrilla war" against power holders (Scott, 1990, p. 19, 137). These are distinct from the contestations discussed above that use the legal lexicon to defend one's rights; hidden transcripts circulate under cover, and have more to do with moral economy than with legal rights.

Everyone in Laos has learned what (s)he can say and what (s)he cannot. Self-control is an embodied quality and everyone seems to know what the touchy topics to avoid in public are (Petit, 2013). "*Boo waô*", they say, "Don't speak about that"—or you can create problems; "*Gaanmüang* ... ", "It's politics ... "—a friendly reminder that the conversation is starting to lean toward a sensitive issue. This of course applies to land policies. I had a discussion in Attapeu with a Laotian project manager whose program partly dealt with land-use planning and allocation. I told him that I shared his interest in land issues, but he immediately denied having any interest in "land issues". I presume his reaction was motivated by a fear of being seen as critical of the Vietnamese rubber plantations in the province, as many NGO workers were. This would then be a case of self-censorship. Censorship is well-attested in relation to land issues, as evidenced by Baird's (2010) experience with a Canadian NGO working on land rights in Bachieng District.

However, widespread censorship and auto-censorship do not seem to impede the diffusion of "politically incorrect" information. Laotians enjoy chatting about touchy issues in private circles and among people they trust—or when they feel confident, as the anecdote with the taxi driver illustrates. This kind of critical conversation or gossip is called *jôm*, which can be translated as "grumbling" or "complaining". *Jôm* topics range from the corruption of local authorities to the government's immorality in granting land concessions to foreign companies.

Jôm can be a means of political action. In Vientiane, a 1,640-hectare shopping, industrial, and residence area was recently slated for construction on a 50-year concession in the vicinity of That Louang marsh. The project, run by Chinese companies, was compensation for China's help in the building of sporting infrastructure for the SEA Games in 2009 (Stuart-Fox, 2009; Tan, 2012). The inhabitants of Vientiane were shocked with this project and took every opportunity to express their dismay and anger. This anxiety was certainly fueled by some land owners, including Party members, who were afraid that their expropriation would not be properly compensated, as often happens. It was also stoked by a nationwide fear of the invasive Chinese presence in Laos: it was rumored that Chinese alone would settle in this area and that 50,000 of them were expected (Stuart-Fox, 2009, pp. 142–143). It is unclear to what extent gossip was instrumental in the reorientation of the initial project—which was reduced in scope though not cancelled—but it seems to have been an important factor.

At the southern end of the country, Attapeu was another place where complaints were voiced about the huge concessions granted to companies in exchange for infrastructure provided for the 2009 SEA Games.[9] Villag-

9 Providing infrastructure for an international event like a conference or a sporting competition is a common bargaining chip for companies negotiating access to land at the national level; see Dwyer (2013, pp. 314–321) for another telling example.

ers were alienated from their lands, as in the village of Phouxay, and sharply expressed their dismay. They declared that they were not given a choice, that their rights were violated, that they did not have any more rice fields to cultivate, and that the Vietnamese had polluted and depleted the forests and rivers upon which they had previously relied for their livelihoods. Two women who lost their fields spoke with me in 2012 in a small shop, complaining that the village chief had been unable to preserve the rights of his fellows; they said there had been no real resistance (*dtaan*), in contrast with how locals had bravely fought (*dtoosuu*) against the French in the past; they thus adopted the rhetoric of patriotic resistance, which is still very popular today in Laos (Tappe, 2013).

In downtown Attapeu City, the Laotian population felt as having become a minority by 2012. This led to fierce *jôm* regarding the villagers' complaints about land grabbing, as locals denounced the collusion of corrupt authorities with foreign companies and their lack of concern for their fellow citizens. However, new rumors also began to circulate: the Vietnamese were whispered to be taking part in large-scale amphetamine trafficking, with the complicity of the police, in order to addict Laotian plantation workers as well as schoolchildren; a river was so polluted by the outflow of chemicals from a Chinese-operated gold mine that villagers living downstream got skin problems from contact with the water; infuriated, they would have thrown stones at the Chinese workers of the mine; etc.

I do not intend to discriminate between what is true or not in such denunciations. I am rather interested in the use of these "horror stories" peddled as evidence against the companies, the Vietnamese presence, and the local authorities. It would be difficult to verify whether stones were really thrown at mine workers, but similar rumors according to which a villager shot a Vietnamese worker were reported regarding rubber plantations in Bachieng District (Baird, 2010). Such rumors are not grounded, according to Baird, but "are created to discursively support what many villagers might hope would happen, even if nobody dares to take the risk" (2010, p. 27); they are very telling examples of the "weapons of the weak" popularized by Scott (1985).

Despite the pervasive sense that state officers and the rest of the population are on opposite sides of a great divide, "weapons of the weak" are not used only by the weak. In some contexts, state officers state similar critiques regarding the livelihood consequences of the plantations. In private conversations, they complain about the massive Vietnamese migrant presence and express their fear that Vietnamese will eventually own all of the province's land, pollute and deplete its rivers and forests, and push local ethnic groups to the most peripheral zones. Such grievances were articulated to me by two officers of the Provincial Agriculture and Forestry Office of Attapeu during a long car drive appropriate for discussion.

Accommodations

The case studies discussed so far involve denunciation and confrontation, whether based on official rhetoric or circulating underground. The implementation of land policies, however, usually leads to less antagonistic relations, using "practices of compromise and collusion to fill the gap between project plans and on-the-ground realities" (Li, 2005, p. 391). Land policies often appear too restrictive to villagers as well as to state officers, who substitute more pragmatic arrangements for them. Such arrangements often do not abide by land regulations, but they respect some formal aspects attached to them.

Such accommodations were observed in Thongnamy. The rapid influx of migrants stimulated the need to find new lands to cultivate. However, residents of neighbouring "old" villages like Na Bouay and Nam Khou were not eager to provide "their" land rights for free to these new settlers—even if, in theory, land in Laos belongs to no one but the state.

A pragmatic system emerged in which the district employees became middlemen between the former inhabitants and the migrants. The old inhabitants registered unused plots of land on their village territory through temporary land-use certificates; they then sold the certificates to the migrants, with district land officers "legalizing" this illegal[10] sale and taking their share in the process through an alleged "tax" on the procedure. The name of the former land user was replaced on the certificate by the name of the new one (the migrant). With this validation, the latter was assured of his right to cultivate peacefully.

Such arrangements were not really legal, but were still framed as if they were official. This sort of exchange has given rise to neologisms and euphemisms, like referring to the "changing names" procedure; in hiding the commoditization of land, people did not say that plots were sold or bought, but claimed that they were "exchanged for a motorbike" or other assets.

Another related accommodation involved legalizing illegal acquisitions through a regime of fines. When the pressure on land was high in Thongnamy, some people cleared plots in protected forests. Paradoxically, when they were found guilty and fined by the village authorities, the perpetrators then felt endowed with rights to their previously illegal lands after paying the fine.

Such practices showcase how the land regulation system is vernacularized. Accommodations take place through (relative) consensus and with an eye to meeting the demands and needs of various stakeholders. This goes together with a strong will to (arguably) respect the rules, explaining why people

10 The land-use certificates, valid in theory for three years, must be distinguished from (full) land titles. The former are mostly used in the countryside, while the latter are mostly restricted to urban and suburban areas. Only the latter can be sold (Evrard, 2004; Prime Minister's Office, 2008, art. 3 and 16).

resort to certificates, district officer signatures, fines, and meetings with village authorities. The language of stateness is conspicuous in these transactions that paradoxically do not abide by the law. This could be labeled, to quote Strauss (1978), a "negotiated order" of land. In contrast to the contestations and denunciations addressed in the two preceding subsections, the present case studies demonstrate how state officers and users of land can find common ground between the strict application of land laws and a total departure from them.

Lestrelin (2011) elaborated on this topic in fine-grained ethnographies of two villages close to Louang Prabang. In his own terms, territorialization, as a powerful technique of regimentation of rural populations (especially ethnic minorities), cannot be addressed without taking into account the counter-territorialization processes through which official plans are rephrased, mitigated, or ignored once implemented at the local scale. Such accommodations clearly blur the state/society divide, as employees are enmeshed in the local networks of power. This pragmatic dimension of land issues has been under-studied, but seems to be a most interesting research avenue for an ethnography of bureaucratic routines.

Conclusion

Land policies are one of the main vectors through which the Laotian state imposes itself onto the population's daily life. The expansion of these policies' scope has progressively transformed the local administration into the inescapable mediator in land issues, increasingly replacing or overlaying the village institutions that used to govern such issues in the past. Land policies have thus often been approached with a critical stance and framed as the imposition of decisions made by the state or companies working under its aegis. However, this article has traced ethnographic vignettes showing how people and groups react; how they comment, appropriate, and possibly transform such measures; and how they sometimes resist their implementation. I have demonstrated that the lexicon of land policies is not used by state employees alone, for it is often appropriated by those the administration intends to control. Land policies arouse critical comments in private among the weak as among the powerful; such "hidden transcripts" can, through a war of attrition, reorient policies. Finally, land policies exist only through their concrete implementation, entailing processes of vernacularization in the local arena. A negotiated order on land eventually emerges from these usually tense interactions.

However, unpacking the dynamics of state relations on land from an ethnographic point of view and stressing the agency of impacted populations should not lead to the underestimation of the disruptive consequences of such policies. The recent transformations of land relations worldwide have deeply affected small farmer societies. As recently reported by Li regarding the rural highlanders of Sulawesi (2014), such process can create a great divide between the few who can take advan-

tage of the new system and the many who fail to do so. In Laos, as elsewhere, struggles over land create conflict among groups that are not equally endowed with political, social, and economic capital. Obviously, national and local elites have the upper hand in defining, for example, which "commodities" are eligible for compensation or not (Green & Baird, 2016). The inhabitants of Vientiane, who for the most part belong to the Lao ethnic group, were able to oppose and eventually transform the plans of the Chinese building project because academics, local bourgeoisie, and city political elites left on the sidelines of the project were able to unite under the banner of national integrity. This shows that in such circumstances, nationalist arguments seem particularly efficacious for justifying opposition. At the other end of the continuum, the ethnic minorities of Attapeu—rural, illiterate, and often despised by local Lao who decry their "backwardness" and "laziness"—had very limited means to face a massive land grab organized by a multinational Vietnamese company and supported by both the Laotian and Vietnamese governments, in a remote province with little media coverage[11]. The other case studies developed here would fall somewhere in-between in terms of capacity for mobilization and media coverage.

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11 See also Kenney-Lazar (2010, p. 13) about this difference of visibility.

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