



# Political memories of conflict, economic land concessions, and political landscapes in the Lao People's Democratic Republic



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## ABSTRACT

Political memories—which are crucial for establishing and maintaining 'political capital', based on individual and group positioning during past conflict and wars, but also in relation to presentday politics—are important when considering varied outcomes from negotiations and other interactions that occur in the Lao People's Democratic Republic in relation to large-scale economic land concessions. This paper continues to expand on the idea of political memories of past conflicts and wars by considering the concept in relation to the theoretical framework proposed by Hall et al. (2011) in their book *Powers of Exclusion*, which stresses the importance of interactions between regulation, force, the market and legitimation for understanding different types of exclusionary processes, especially those linked to land access. I argue that political memories are particularly relevant when it comes to legitimation, but that expanding the concept so as to include political memories is important. In relation to large-scale plantation, mining and hydropower dam concessions, I also stress the importance of political memories in (re)shaping understandings of landscapes, thus creating particular varieties of memory laden political landscapes, which too are constituted by the past but are also politically mobilized in the present.

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## 1. Introduction

Since the early 2000s, the government of the Lao People's Democratic Republic (Lao PDR or Laos) has allocated many large "economic land concessions"—covering hundreds of thousands of hectares in various parts of the country—to mainly foreign investors. Numerous land concessions have been granted for large-scale mining exploration and development (Haglund, 2011; Kyophilvong, 2009), the construction of large hydropower dams (Molle et al., 2009; Baird and Shoemaker, 2008; Lawrence, 2008; International Rivers Network, 1999), and for establishing industrial-scale plantations for 'boom crops', especially rubber (Laungaramsri, 2012; Kenney-Lazar, 2012; Baird, 2010a, 2011; Shi, 2008; Diana, 2007; Dwyer, 2007).<sup>1</sup> These economic land concessions have been quite controversial, locally, nationally in Laos, regionally, and internationally. Plantation concessions have frequently resulted in serious negative impacts to the environment as well as to local livelihoods, especially those of rural peasants and upland ethnic

minorities (Baird and Le Billon, 2012; Kenney-Lazar, 2012; Laungaramsri, 2012; Baird, 2010a, 2011; Thongmanivong et al., 2009; Lao Biodiversity Association, 2008; Dwyer, 2007; Obein, 2007; Chamberlain, 2007; Schipani, 2007; Hanssen, 2007). Mining development has also resulted in serious pollution problems and land conflicts in various parts of the country (Sengdara, 2010; Vientiane Times, 2010; Vientiane Times, 2012b; Baird, 2010b). Hydropower dam concessions have led to serious environmental and social problems, virtually all of which have been inadequately and inappropriately mitigated or compensated for (Baird, 2013b; Whittington, 2012; Molle et al., 2009; Baird and Shoemaker, 2008; Lawrence, 2008; Barney, 2007; International Rivers Network, 1999). Indicative of the extent of the problems that have arisen due to various kinds of land concessions, in June 2012, when the National Assembly in Lao PDR was in session, by far the most frequent citizen complaints received through the National Assembly's complaint "hotline" related to land disputes (Vientiane Times, 2012a). Indeed, land conflicts associated with large-scale economic land concessions are now of considerable political concern in Laos, and are believed to have recently led to the expulsion of one high-level Swiss non-government organization (NGO) worker from the country, as well as the forced disappearance of a very well-known and highly respected Lao civil society leader, Sombath Somphone,<sup>2</sup>

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<sup>1</sup> The boom in rubber production in Southeast Asia has occurred due to high demand for rubber in India and particularly China. Rubber is used for many products, of which car tires are the most important. The price of rubber is linked to the price of petroleum products, as rubber constitutes a substitute for many products made with petroleum products. As long as the price of oil remains high, the price of rubber is unlikely to decline dramatically. Although the French developed large rubber plantations in neighboring Vietnam and Cambodia during the colonial period, this was not the case in Laos, where rubber plantations were only created in the early 2000s (Baird 2010a).

<sup>2</sup> Sombath Somphone, who studied at the University of Hawai'i, was the founder of PADETC, an important civil society organization in Laos. In 2005 he was awarded the prestigious Ramon Magsaysay Award for his development work in Laos. Sombath was abducted on December 15, 2012, just eight days after Anne-Sophie Gindroz, of the Swiss NGO Helvetas was expelled from the Lao PDR.

who was videotaped being taken away by security personnel in Vientiane. Yet the negative social and environmental impacts of these land concessions have frequently been underestimated, partially because Laos is often imagined as a frontier, rich in resources and virtually empty of people (see Barney, 2009; Laungaramsri, 2012). Along with foreign investors, many urban elites in Laos similarly imagine that there are plenty of unused or underutilized spaces that are open and ready to take, or readily available to give to foreign investors in the form of large-scale and long-term concessions. Still, the success, or lack of it, in obtaining economic land concessions has been frequently influenced by ‘political memories’, which link communities to past politics, including violent conflict, either as allies or adversaries of the government or investors, and also contribute to present-day politics through influencing political decisions (Baird and Le Billon, 2012).

Land conflicts related to plantation concessions emerged as a particularly significant issue during the 2000s—since before then there were very few large-scale plantation-based land concessions in the country—and in May 2007 Bouasone Bouphavanh, the Lao Prime Minister at the time, decreed a moratorium on allocating new plantation land concessions. Conflicts between villagers and Vietnamese rubber concessions in southern Laos were particularly important for influencing the moratorium (Baird, 2010a). One of the main reasons for the moratorium was to centralize the decision-making process regarding land concessions, since some large concessions had previously been approved only at the provincial level (see Baird, 2010a; Laungaramsri, 2012). When the ban was rescinded in May 2009 by a Prime Minister’s decree on state land leases and concessions, many National Assembly members voiced their concerns, due to the many complaints received from villagers who have had their agricultural and common forest lands taken in the name of development. Thus, in June 2009, less than two months after the first moratorium was revoked, the government suspended large-area plantation concessions again, although those less than 1000 ha were permitted, but only when approved by the central government (Baird, 2010a). Still, these bans on new plantation concessions have not proven effective, and many new concessions have been granted since the bans were announced, especially to Vietnamese companies with strong political capital in Laos (Global Witness, 2013; Baird and Le Billon, 2012; Baird, 2011, 2010a). Problems linked to land concessions for plantations have not diminished, and considerable controversy continues to surround them. Thus, on June 26, 2012, it was announced that, “The government [of the Lao PDR] won’t consider any new investment proposals in mining or [plantation] land concessions for rubber and eucalyptus plantations until December 31, 2015” (Vientiane Times, 2012a). The Minister of Planning and Investment, Somdy Duangdy explained that the government plans to conduct a nationwide survey to assess the status of previously granted land concessions. As he put it, “We approved large plots of land without looking into the details, like what land belonged to the state and which belonged to local people” (Vientiane Times, 2012a).

In this article I consider the intersection between the politics of memories of conflict and landscape creation associated with the development of large-scale plantation, mining and hydropower dam economic land concessions in Laos. It has been argued elsewhere that ‘political memories’—which are crucial for establishing and maintaining ‘political capital’, based on individual and group positioning during past wars and conflicts—are important for understanding the different outcomes from various kinds of negotiations, both formal and informal, that occur in the Lao PDR regarding large-scale economic land concessions (Baird and Le Billon, 2012). Indeed, conflict and land grabbing frequently go hand-in-hand (Ybarra, 2012), but some links between the two can be found in the past rather than in the present, as memories of conflicts and war. Here, I expand on the idea of political

memories by applying the theoretical framework proposed by Hall et al. (2011) in their ground-breaking book *Powers of Exclusion*. Hall et al. stress the importance of legitimation as a force of influence, but also the interactions between *regulation*, *force*, the *market* and *legitimation* for understanding different types of exclusionary processes, especially in relation to access to land. Ultimately, I argue that Hall et al.’s conceptual framework can be usefully expanded to more explicitly consider political memories, and that political memories are particularly relevant when it comes to the idea of *legitimation*. My goal is to bring the role of political memories of past violence and conflict fully into their framework, while also adding the idea that variously accessible and exclusionary landscapes are often produced and legitimized through social processes significantly associated with political memories. Finally, I want to stress the importance of political memories in (re)shaping understandings of landscapes, and producing particular types of new landscapes, varieties of historically constituted *political landscapes*—landscapes linked to both past and present-day politics—and link them with understandings of access and exclusion, thus connecting work by Baird and Le Billon (2012) and Hall et al. (2011), while adding the importance of political landscapes. Political memories are not just important for determining the outcome of land concession development processes; they are a crucial element—at particular times and places—for both socially and physically constituting landscapes themselves, something that geographers have long generally recognized, but have not specifically considered in relation to land grabbing and land alienation in places with conflict-heavy and violent histories.

In the next section of this article, I engage with the Hall et al.’s (2011) notion of legitimacy in relation to access and exclusion. I then review some literature of relevance to political memories and landscapes, in order to show how political memories interact with and construct landscapes. This is followed by a section about the recent history of conflict and war in Laos since World War II. I then turn to considering how political landscapes are constructed in the particular place-based context of Laos. I provide some conclusions at the end.

The empirical and historical sections of this article are largely informed by my over two decades of working, living and conducting research in Laos (as an academic researcher and as a non-government organization worker and donor)—including a considerable amount of on-the-ground field work, especially in southern Laos—and the particular focus I have put on concessions linked to large-scale plantations, hydropower dams, and mining.

## 2. Powers of exclusion

In their recent book, *Powers of Exclusion*, Hall et al. (2011) provide us with an exciting new theoretical framework for considering how *access* and *exclusion* are related to land issues. Using a wide variety of examples from various parts of Southeast Asia, they argue that when considering land tenure, it is useful to think of exclusion as a necessary condition, rather than as something always undesirable and undoubtedly negative. Instead of framing exclusion as the opposite to *inclusion*, they urge us to think of exclusion as the contrary to *access* (see Ribot and Peluso, 2003). They convincingly illustrate that exclusion is a necessary part of land tenure, something that is fundamental for gaining and maintaining tenure over land and resources. For example, even poor farmers need to know that they can reasonably expect to be able to exclude others from harvesting before they are likely to be willing to invest capital and labor into planting agricultural crops. Thus, exclusion can be seen as both a necessary part of tenure relations, and also potentially something undesirable, depending on the context.

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