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# Building the Politics Machine: Tools for ‘Resolving’ the Global Land Grab

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## ABSTRACT

The recent proliferation of transnational land deals has put the long-fraught relationship between international cooperation, national development and local dispossession back in the political spotlight. This article argues that transnational land access cannot be resolved as a political question without a better understanding of the material, legal and administrative geographies that accompany and enable it. Using evidence from Laos, the paper illustrates two tools for ‘resolving’ the global land grab geographically: first, a biographical or trajectory-based approach that connects specific land grabs to larger development landscapes (e.g. of urban infrastructuring); and second, genealogies of property formalization that interrogate and deconstruct the legal geographies of land access, both on and off the map. The paper concludes by suggesting that these tools have purchase elsewhere as well.

## INTRODUCTION

In November 2008, a striking image appeared on a widely read online forum about development in Laos. Clipped from satellite data and projected into Google’s landscape view, the picture showed thousands of identical rubber trees, planted in neatly contoured rows, stretching from foreground to horizon. The title of the image — ‘GoogleEarth Screen Capture, Looking Toward the Chinese border, January 2007’ (Figure 1)<sup>1</sup> — located the viewer

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1. Although the quality of the images depicted in the figures in this article does not meet normal publication standards, the author felt it important to include them to illustrate his arguments.

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Figure 1. 'Looking Toward the Chinese Border, January 2007'



Source: <http://www.laofab.org/document/view/263> (© Google 2008, Europe Technologies 2008, TerraMetrics 2008, and GeoEye 2008).

in northern Laos, facing northeast, and gazing out on what appeared to be a vast, rapidly maturing array of Chinese rubber trees.

A decade earlier, Laos's Luang Namtha province had been famous for its splendid isolation — its dense forests, its abundant wildlife, its colourful 'hill tribes'. But times had changed. Since 2004, a combination of provincial and national development initiatives had brought a rush of Chinese agribusiness investment into the province, much of it along a newly built highway known as the Northern Economic Corridor. The results were being written into the landscape one hillside at a time. GoogleEarth showed this plainly — or at least seemed to. Posted in late 2008, the image resonated with the area's recent investment boom, as well as with a rising regional and global trend of transnational farmland acquisition (Borger, 2008; Cotula et al., 2009; GRAIN, 2008; Rice, 2009). The image was thus an alarm bell, its uniform rows conjuring a wave of population-displacing enclosures, and an accompanying political shift that, to many, was even more worrying. The image's symbolism was all too literal: the Lao–China border appeared to be a mere formality, a thin line draped unconvincingly across a monochrome-green landscape of industrial rubber. The state-owned plantations of China's Yunnan province were spilling into Luang Namtha; the Chinese were no longer 'on their way' — they had arrived. Northwestern Laos was turning into an industrial plantation, and into Chinese territory.

There was, however, a problem. The landscape depicted in Figure 1 did not actually exist. The boundary line that cut across its horizon was almost 2 km out of place, an artefact of an age when satellite imagery has outpaced the spatial resolution of accompanying data about international borders.

The rubber trees are real, and the plantation is, in fact, located close to the China–Laos border. But all that appears above sits squarely inside China’s Yunnan province.<sup>2</sup>

Figure 1 nonetheless challenges us to look closer. Despite its unreality, its *plausibility* should remind us that transnational farmland deals have been widely understood not just as a question of local land entitlements, but of national sovereignty. Foreign land deals in Laos have been widely read to fit the storyline of ‘mercantilist agriculture’ and ‘unequal international relations’ that FAO head Jacques Diouf used in mid-2008 to describe the emerging ‘neocolonial pact for the provision of . . . raw materials’ to foreign buyers — the so-called global land grab (Diouf, 2008: 8). Western journalists had been worrying that Laos was ‘being pulled into Beijing’s orbit’ since at least 2006 (Fullbrook, 2006; also see Gray, 2008; McCartan, 2007, 2008a, 2008b; Schuettler, 2008; Symon, 2007), and estimates of foreign land concessions had since approached and surpassed a *fifth* of the country’s entire surface area: 1 million ha in 2007 (Hanssen, 2007), 2–3 million in 2008 (MacKinnon, 2008), 3.5 million and counting in 2010 (Glofcheski, 2010). Even if the landscape in Figure 1 is technically wrong, it evokes the ‘sovereignty implications’ that many observers have wondered about (Crispin, 2010; Glofcheski, 2010; TNI, 2010; *Washington Post*, 2010), and it challenges us to dig more deeply into the political geography of transnational land access.

In late November 2008, only days after the BBC announced the now-infamous plan for a 1 million ha Daewoo plantation in Madagascar (see Burnod et al., 2013: 357–380),<sup>3</sup> *The Guardian* published a feature on the ‘great land grab’ (Borger, 2008) that featured central Laos. A *Guardian* reporter went in search of transnational plantation deals, and specifically the development — the jobs, the schools, the infrastructure — that had been conjured in Daewoo’s announcement. He came up empty, instead finding a mix of investment, corruption and governmental abdication:

“The situation is completely out of control”, said one foreign advisor in Vientiane. “It’s a fire sale. People in power are just desperate to get their hands on the money so they don’t miss out. For the companies coming in it’s a massive land grab”. (MacKinnon, 2008)

Prominent academics seemed to agree; it was not just the professional development community that saw ‘officials desperate to line their own pockets’ (ibid.) as a threat to the public interest.

Martin Stuart-Fox, a retired professor and Laos specialist from the University of Queensland, casts the trend not as one of rich foreign countries grabbing what they can, but of local greed. “It’s simply a matter of greed. Officials are grabbing what they can. Companies need land and are prepared to pay well. It all goes under the table”. (ibid.)

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2. For details, see Dwyer (2011: Appendix 1), which provides a precise geo-referencing of this image.

3. ‘Daewoo Leases African plantation’, *BBC News* 19 November 2008.

The article opened with a statement of local opinion that echoed — and indeed gave force to — the explanations given by the experts:

The blackened tree trunks say it all. Three times in recent months these tracts of palm oil plantation have gone up in smoke, along with plants and machinery. The neighbouring coconut operation suffered the same fate, but there the Thai owners replanted. Here, the Malaysians had had enough and called it a day. The sabotage is a testament to growing local resentment at the way land is being sold off to big foreign investors with deep pockets. (MacKinnon, 2008)

This was the ‘social outcry’ that the FAO’s director-general had predicted would emerge when farmland, with its ‘emotional’ or ‘mystical’ connections to national sovereignty, began to fall into ‘foreign hands’ (Diouf, 2008: 8). And it was a compelling narrative, a double movement in which corrupt third world states sell off land to ‘foreign investors with deep pockets’ and are in turn resisted by those with the most to lose (cf. Polanyi, 1944). But as in Figure 1, there is more to this picture than meets the eye. In *The Guardian*’s account — and indeed for all who decry the absence of state regulation in trying to make sense of transnational land deals (e.g., Cohen, 2009; Fox and Castella, forthcoming) — there are only foreign investors, foreign governments, and corrupt local officials: there is no *domestic government* in the real sense of the term. But if we dig deeper, there is more to the story. As it turns out, the ‘deep-pocketed’ foreign investor who haunts the plantation grabs of central Laos cannot be reduced to the private logic of commodities and corrupt officials. A closer look reveals a more complicated picture, one in which the state itself stands even larger than those who use its cloak of authority for private ends. Bringing the state back into the analysis does not make things any easier, but it does change the story of the Lao land grab substantially, and perhaps the global land grab as well.

#### **‘RESOLVING’ THE GLOBAL LAND GRAB**

This article argues, with Wolford et al. (2013: 189–210), that the local territorial relations of transnational land access must be better understood in order to adequately grasp transnational land deals as political phenomena. The paper is framed and organized methodologically, presenting two case studies as ‘tools’ that can help reveal the specific political and social relations that shape the ways that transnational land deals unfold on the ground. In doing so, the two cases help to ‘resolve’ the global land grab in finer-scale geographic terms.<sup>4</sup>

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4. The two cases rely on document analysis, interviews and (in the second case) ethnographic fieldwork in northwestern Laos, all of which were conducted between 2005 and 2008 as part of the author’s doctoral dissertation work (Dwyer, 2011). The second case is examined from a different analytical perspective and is elaborated in greater detail in another paper (Dwyer, forthcoming).

The first case focuses on the land grab featured in *The Guardian* article summarized above. By linking a particular plantation project to the larger landscape of infrastructure building and state efforts to recruit foreign investment, the case critically reframes the question of ‘land grabbing or development?’ that has emerged as a central framing device in the debates about transnational farmland deals (Cotula et al., 2009 von Braun and Meinzen-Dick, 2009; FAO et al., 2010; World Bank, 2010). Instead, it asks *how* foreign agribusiness investment, and specifically how the political technology of the *managed* land grab, have been deployed in development work, both in the rural hinterland and in the urban core. The case thus challenges us to inquire not just into the territorial strategies of investing countries like China or the Gulf States,<sup>5</sup> but also of host states like Laos. Looking at how foreign investors fit into the complex and multi-scalar landscape of state-managed enclosure (and administered development more generally) builds on the Polanyian dialectic of commodification and resistance that began to emerge in *The Guardian*’s account above. But in focusing explicitly on the relationship between land grabbing and development, it also moves the *domestic* territorial dimensions of transnational land access to the centre of the analysis.

The first ‘tool’, trajectory-based spatial analysis (Hart, 2002; Massey, 1994), thus critically reframes not just the global narrative of *land grabbing versus development*, but also the narratives of unregulated (‘frontier’) capitalism, lack of effective policy, and rampant corruption that have been applied to Laos and elsewhere. In showing how land deals become tools for managing not only problematic villagers, but local authorities as well, the first case provides an example of how following key investors through the domestic landscape can help explain the on-the-ground geographies of transnational land deals that emerge. It also shows how new bilateral connections can strengthen the hand of central-level authorities. If this turns over particular patches of land to foreign control, it also inverts the popular narrative of sovereignty erosion (cf. Wolford et al., 2013: 189–210), and suggests ways in which transnational land deals actually boost the effective sovereignty of particular central-state actors. In a country like Laos, where effective or de facto sovereignty is particularly fragmented (Dwyer, 2011; Lund, 2011), this means that transnational land deals can become highly significant in reshaping the politics of domestic territory.

The second case focuses on property formalization, an issue that emerges in the first case but demands more examination than the case can provide. Formal landownership is often taken to be technically straightforward, if in short supply because of its expense and reliance on modern technology and efficient bureaucracy. The 2010 discussion paper on ‘Responsible Agricultural Investment’, for example, describes the area most at risk for land

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5. On China’s motivations and hesitations about farming abroad, see Cotula and Vermeulen (2009: 1236); Shi (2008); TNI (2010). On the Gulf States, see ‘New on Gulf’s Shopping List: Foreigners’ Farmland’, *NYT* 17 October 2008; Woertz et al. (2008).

grabbing as hinterland areas ‘[for] which no formal records exist’ (FAO et al., 2010: 3; also see World Bank, 2010). In the second case, I use the tool of map genealogy to examine the politics of formality and formalization, and show how the interpretation of an earlier set of formal property maps depended not solely on the technical question of formality, but also on local historical conditions.

The second tool thus illustrates one approach to deconstructing the formal geographies of land access that are constructed to regulate and legitimize transnational land deals (see Wolford et al., 2013: 189–210). In doing so, it also shows how the technical practices of formalization become politicized when they link up with historical issues of population management, as well as with contemporary questions of displacement. The second case thus helps ‘resolve’ the geography of transnational land deals in not just the formal arena of property making, but in the historical-material arena as well. I suggest that dispossession may be calibrated in different ways in order to manage the problem of displacement, which does not automatically result from enclosure (Perelman, 2007), and which carries political connotations of its own. In this particular case, situated in the northern borderlands conjured in Figure 1, upland mobility is associated with national insecurity, and I interpret the managed forms of enclosure to be attempting a form of dispossession without displacement that is geared toward the particular history of the area.

The paper thus illustrates two ways in which the explicit politicization of transnational land access (Borras and Franco, 2010; GRAIN, 2008; Li, 2011) can be expanded and refined as empirical information continues to emerge. The title reference is to James Ferguson (1994), whose now-classic study showed how development practitioners de-politicize their work and, in doing so, render complex social landscapes into simpler terms that they are putatively capable of dealing with. The currency of the phrase ‘the global land grab’ already testifies to civil society’s success in making transnational land access an explicitly political issue (see Wolford et al., 2013: 189–210). But this is only the beginning. Developing an analytic toolkit for working in this overtly politicized landscape is one of the central challenges of the immediate future. This paper is predicated on the claim that land grabbing cannot be resolved politically until it is better resolved geographically — that is, until its spatialities are more precisely charted, both materially and discursively. The tools illustrated below are an attempt to aid this ‘resolution’ effort, in both senses of the word.

#### **TOOL 1: INVESTOR TRAJECTORIES**

The blackened tree trunks which opened *The Guardian*’s feature did not even begin to ‘say it all’. Although they testified to local resentment toward a particular ‘development’ intervention, the burnt saplings were conspicuously silent about the man to whom they belonged. Looking briefly at their owner,

an investor named Peter Chan, begins to cast land grabbing in a different light. His identity reveals more than just the depth of his pockets. It also points to a series of spatial, institutional and financial connections between this particular land grab and the larger terrain of land-based development in contemporary Laos. If this landscape has been sculpted by corruption and private payoffs, this is but one piece of the bigger picture.<sup>6</sup>

In December 2004, the *Vientiane Times* announced with great fanfare that a Thai investor named Peter Chan was going to develop a 5,000 ha coconut plantation in an area called the Snake Hills (*Phou Ngou*), about 100 km east of Vientiane. The newspaper's front page displayed a half-page photo of Chan standing proudly in a newly-planted coconut nursery under the heading 'Coconut plantation to create thousands of jobs'.<sup>7</sup> Clearly attentive to the sensitivity of foreign land acquisition, the article explained that although Chan had built an agro-processing factory in Vientiane, government survey teams had had to look to the neighbouring province of Bolikhamxai in order to find land that was both physically suitable and not, as the article put it, 'locally owned'. But this was as deep as the newspaper dared to dig. It did not examine what it meant for a parcel of land (much less 5,000 ha) to be 'locally owned' or not. Instead, signalling that the land acquisition was a *fait accompli*, it focused on Chan's next steps. Chan declared the Snake Hills to be 'the best area of the country' for his project, and announced his intention to begin developing the plantation immediately, using a fleet of tractors he had just imported from China.

As evidenced by the sabotage of Chan's first round of seedlings (*The Guardian*, above), the Snake Hills landscape was neither empty nor unclaimed. The sabotage, it turned out, was the tip of the iceberg. Peter Chan's concession qualified as a land grab in several different ways.

### Dimensions of Land Grabbing

The first dimension of the Snake Hills land grab was the most blatant, although it was likely the smallest in terms of the area involved. In 2007, GTZ investigated Chan's project for a pair of studies on Lao land policy, conducted as part of a World Bank-funded land titling programme. One study found that local villagers had been denied compensation for land they had been farming, and even paying taxes on, simply because they lacked what authorities called 'proper titles' to the land — titles, ironically, that the project was in the process of issuing, but that had not yet come to the

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6. This section draws largely on material from the *Vientiane Times* (*VT* in footnotes), Laos's state-run English language newspaper, where Chan appeared over thirty times between 2003 and 2009; it also relies on research published in 2007 by the German Technical Assistance organization GTZ (now GIZ).

7. 'Coconut Plantation to Create Thousands of Jobs', *VT* 14 December 2004.



Snake Hills. Emphasizing the illegitimacy of this ‘improper title’ argument, the GTZ report pointed out that villagers had nonetheless been paying taxes on some of the land that was taken from them. The receipts that they held (GTZ, 2007b: 43) would thus likely have functioned — at least locally — as de facto titles; it was only in light of the not-yet-arrived *new* title document (*bai ta din*) that the existing documents were deemed inadequate.

Yet even here there was slippage. Despite being denied the rights of formal ownership, villagers were told (by the same unidentified ‘authorities’) that their compensation for lost production would be day labour jobs on the plantation, as well as a network of newly-built roads — roads that, again ironically, facilitated the bulldozing of their plots (*ibid.*). This ‘compensation’ seems to have been received as inadequate, given the conflict that resulted, and that the *Guardian* reported on the following year.

Ninety-two families who have been working on the 5,000 ha concession area have not been compensated for loss of livelihood resources since the [land clearing] took place, or for loss of agricultural land parcels acquired for the plantation. Initially, the company forbade villagers access to the land[;] however, [it] later relented and allowed the population access to the land because of concern that violence may ensue. (GTZ, 2007b: 22)

This acquiescence — letting villagers access ‘their’ plots because of concerns about violence — gestures to the limits of legal sleight-of-hand as a tactic for cheap land acquisition. It shows that the discourse of ‘improper title’ helped authorities deny villagers’ claims for proper compensation, but that it nonetheless failed to exclude them entirely from land they had been cultivating and that, especially in the case of rice paddy land (GTZ, 2007b: 43), would have been seen as unambiguously theirs. Subsequent events suggest that the two sides reached some sort of accommodation, the terms and methods of which are hazy given the lack of available evidence. Nonetheless, two years after GTZ’s visit (and a further five months after the *Guardian* article), Laos’s prime minister visited Chan’s plantation on a trip ‘to spur on production’ in southern Laos. This was almost certainly an effort aimed at rehabilitating the project from its troubled past.<sup>8</sup> The article pictured Chan standing side by side with then-Prime Minister Bouasone Bouphavanh next to a full-grown coconut tree.<sup>9</sup> The newspaper praised Chan’s effort, calling it the largest coconut operation in Laos, noting Chan’s investment of more than two million dollars in the project, and forecasting an expansion to 10,000 ha.

The acquisition of ‘developed’ land was not the only dimension of Chan’s land grab. As Figure 2 illustrates, his plantation also targeted areas that

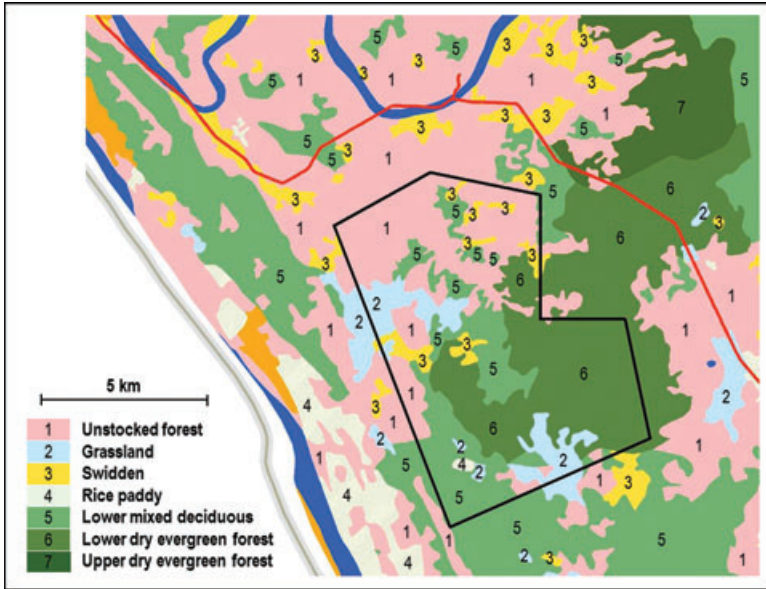
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8. Between GTZ’s and *The Guardian*’s coverage, Chan’s project appeared negatively in the *Vientiane Times*, when it was cited as a trigger for the government’s efforts to place a moratorium on new land concessions (‘Govt Suspends Land Concessions’, *VT* 9 May 2007; also see Baird, 2010; Kenney-Lazar, 2012).

9. ‘PM [Prime Minister] Tours Provinces to Spur on Production’, *VT* 5 March 2009.



Figure 2. Coconut Project Survey Map (reconstructed\*)



Source: Author’s reconstruction based on GTZ (2007a).

\*To recreate the original survey map, I hypothesized and confirmed (using the locational information in the *Vientiane Times*) that the survey’s base map was Laos’s 2002 national land cover data set. I then geo-referenced GTZ’s black-and-white map to this data set and extracted the outline of Chan’s concession boundaries from the GTZ map. The reconstructed version here is zoomed out slightly in order to show the area (to the north of the existing concession; see GTZ, 2007a: 43) that seems likely to be targeted if the project expands.

were used by locals for swidden agriculture and forest-based harvesting. This farm–forest interface sits largely beyond the pale of ‘developed’ or ‘improved’ land — land that would have been taxed, and thus eligible for a title — and exemplifies the substantial mismatch between cultivation and ownership that typifies many parts of rural Laos (and elsewhere in upland Southeast Asia; see Dove, 1983; Fox et al., 2009). The GTZ reports were vague — perhaps deliberately so — on precisely how much of the land that was improperly expropriated by Chan’s concession was swidden land; the two reports cited above refer merely to ‘plots’ and ‘livelihood resources’. But Chan’s survey map, produced by the government teams mentioned above and reproduced by GTZ (2007b: 44), does not mince words: depicting a few patches of ‘swidden’ land within a virtual sea of ‘unstocked forest’ (Figure 2), the survey map makes it clear that much of the northern half of

Chan's concession had been used for swidden cultivation at some point in the recent past.<sup>10</sup>

The conversion of swidden lands to more 'permanent' agriculture is a fixture of contemporary plantation agribusiness throughout much of the Lao countryside (Alton et al., 2005; Barney, 2007; Shi, 2008; Thongmanivong et al., 2009), and reflects a longstanding state goal of upland population management and sedentarization (Baird and Shoemaker, 2007; Chamberlain et al., 2001; Dwyer, 2011 and forthcoming). This dimension of Chan's land grab is distinct from the 'improper title' argument examined above in that its focus is not expropriating 'already-owned' land (or its more extreme cousin, eviction), but about reorganizing land and labour *in place* in order to 'modernize' agricultural production. The village where Chan's concession is located was hardly the empty landscape implied by the term 'locally un-owned' (*Vientiane Times*, above). According to Laos's 2005 census, the village contained almost 1,400 people, making it the fifth largest village (out of fifty-one) in the district. Moreover, the village had received an additional sixty Hmong families from northern Laos sometime around the time Chan's project started.<sup>11</sup> The siting of Chan's plantation thus seems less the result of surveyors' search for *empty* land than for a population without a 'permanent livelihood' (*asiip thavon*) — a population, that is, that was deemed to be in need of development. The swidden landscape of the Snake Hills, in this sense, was not an unintended casualty of Chan's project, but its specific target.

There was a third dimension to Chan's land grab. This concerned the control of logging rights within the state, and began with the fact — also suggested by Figure 2 — that Chan's allocation contained not just swidden land, but a substantial amount of high-quality forest. In addition to being used by local villagers for hunting and collecting (GTZ, 2007b: 22; Hunt, 2006), this area had previously been zoned as a 'natural regeneration forest' by provincial authorities who apparently planned to log it in the future (GTZ, 2007b: 43; MCTPC and IUCN, 2000: 32). Chan's operation foreclosed this possibility. Using, as GTZ noted, 'a sawmill and a plywood factory specially transported from Vientiane', his company cleared over 3,000 ha of 'the so-called production forest of the province', and then exported it (as plywood) to Thailand through the nearby port of Paksan (GTZ, 2007a: 43). Provincial authorities, clearly displeased, managed to halt Chan's logging in mid-2006 and, when GTZ investigated the following year, were attempting to push his project onto a mix of 'degraded forest' and 'private production land' (*ibid.*). While the available evidence does not allow a complete reconstruction of the

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10. 'Swidden' and 'unstocked forest' are the terms used in the GIS data set, which was created by professional foresters based on 2002 satellite imagery. *Pa lao*, the Lao term for 'unstocked forest', is also translated as 'swidden fallow'.

11. These families are mentioned in Hunt (2006). Their absence from the 2005 census suggests that they were recent arrivals.

three-way struggle between villagers, local authorities and Chan's company, it is clear that such a contest occurred, and that Chan, in the end, prevailed with the help of high-level officials (GTZ, 2007b: 43 and 2007b: 22).

### The Bigger Picture

All of which begs the question: Why was finding land for Peter Chan such an important matter? Part of the answer turns on Chan's promise to help launch an agro-processing industry in a country that is widely portrayed as under-industrialized yet 'land-rich'. Chan emerged on Laos's development scene in 2002 and 2003, when the *Vientiane Times* began describing him as an 'international investor' with strong local ties. A 'well-known Sino-Thai businessman' (according to his company's website),<sup>12</sup> Chan was raised in southern Laos, and turned heads with his ability to speak Lao with a native accent. Managing a transnational portfolio that spanned agro-industrial production and marketing as well as forestry and wood processing,<sup>13</sup> Chan was featured in the *Vientiane Times*' first issue of 2003 under the headline 'Good Time, Good Place, Says Investor':

Investor and big businessman Peter Chan, President of the Tangfrere Company in Thailand, says that Laos has great potential for agricultural production, but lacks only technology in production and marketing to promote the industry. "Both these skills are what my experience is all about, so I am very confident about investing here", said Peter Chan. Peter Chan explained that successful investments need four components including capital, technology, markets and raw materials. "I have three of these components. I believe Lao farmers can produce all that I need for my canned fruit and vegetables. I trust in Lao skills and Lao farmers", said Peter Chan.<sup>14</sup>

Throughout 2003 and early 2004, Chan worked on developing contract-based growing relationships with Lao farmers, although for reasons that are unclear, these efforts failed. In August 2004, at a government-sponsored meeting with investors to 'discuss and grow together', Chan identified his inability to source raw materials as the key barrier to his agro-industrial investment plans, his comments framed by those of the head of the government's Committee for Planning and Cooperation: 'We are in the same boat. If your business grows, we will grow, but if you have troubles so will we'.<sup>15</sup> Less than four months later, the *Vientiane Times* announced Chan's plantation concession.

But there is another angle as well. As powerful a motivation as Chan's agro-industrial promise might have been, the land grab described above

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12. <http://www.lao-itecc.la/companyprofile.htm> (accessed 13 February 2010).

13. 'Thai Big Business Eyes Investment in Laos', *VT* 2 September 2002; 'Peter Chan Hints at Potential of Agriculture', *VT* 16 December 2002; 'Chan's Tangfrère to Run Business in Laos', *VT* 23 December 2002.

14. 'Good Time, Good Place, Says Investor', *VT* 2 January 2003.

15. 'Gov[er]nment Encourages Investors to Speak Up', *VT* 30 August 2004.

needs to be seen in the context of Chan's other identity in Vientiane: a builder. Between late 2002 and the end of 2006, Chan erected a primary school in the country's poorest province and a rural marketplace in the province where he grew up; he donated to flood victims, gave cash prizes to Lao athletes who did well in regional sporting events, and sponsored a crop substitution programme for opium poppy farmers in the north. He even gave an indoor sports complex to the Ministry of Defence. After building a tourism complex along the Mekong River in southern Laos in 2006, Chan was awarded Laos's 'Development Medal, Second Class'. And just as his logging operations in Bolikhamxai were ramping up in 2005, he built a 5.5 million dollar water supply system in peri-urban Vientiane and started work on a commercial exhibition centre in Laos's southern city of Pakse.<sup>16</sup>

One project, however, towered above all of these. When Chan launched his agro-processing venture in late 2003, he also announced his intention to build the Lao International Trade Exhibition and Convention Centre, or Lao-ITECC. Between early 2003 and early 2004, his company built Lao-ITECC from scratch, completing the 10 million dollar, 8,200 m<sup>2</sup> complex in time for Vientiane to host the ASEAN Tourism Forum in February 2004. Chan built ITECC into what its website calls 'the venue of choice for prominent international and regional conferences and historical events hosted by the Government of [the] Lao PDR'. Within a year of completing ITECC's first iteration (he would subsequently add an 'international-style' supermarket, a food court, movie theatre, go-cart track and driving range), Chan built a 5 million dollar set of elite urban villas;<sup>17</sup> with ITECC, these helped Vientiane to host Laos's first ASEAN ministerial meeting in November 2004.

Regional heads of state attended, including China's Wen Jiabao and India's Manmohan Singh. Foreign journalists were impressed; as the *Vientiane Times* noted with pride, ITECC and the other conference facilities lived up to 'international' expectations.<sup>18</sup> The newspaper correctly predicted record foreign investment in the meeting's wake, while the Lao-language press called the ASEAN ministerial meeting 'a new page in Lao history'.<sup>19</sup> Two

16. 'Siam Import-Export Group Offers Aid Relief for Flood Victims', *VT*, 9 September 2002; 'Companies to Award Cash Prize to Gold Medal Winners', *VT* 30 September 2002; 'Paksong District Opens New Market', *VT* 17 March 2003; 'Loan Promotes Opium Eradication in Rural Areas', 25 September 2003; 'Indoor Stadium a Present to the Army', *VT* 22 January 2004; 'Vientiane Starts New Water Supply System', *VT* 6 June 2005; 'New Trade Centre in Champassak', *VT* 17 August 2005; 'New Secondary School in Huaphan', *VT* 4 January 2006; 'Government Awards Development Medal', *VT* 17 January 2006; 'Water Treatment Plant Turns on the Taps', *VT* 5 December 2006.

17. 'Dongpasak Villas Ready for Summit', *VT* 16 November 2004; 'Les Investissements Directs Etrangers et la fabrication urbaine à Vientiane' ['Foreign Direct Investments and the Urban Fabric of Vientiane'] <http://villes-environnement.fr/uploads/peyronnie.doc> (accessed 14 February 2010).

18. 'Foreign Media Give their Verdict', *VT* 1 December 2004.

19. 'FDI Set for Record Highs Next Year', *Vientiane Mai* [Lao language newspaper], quoted in 'Summit Improvements Should Only Be the Beginning', *VT* 1 December 2004.

weeks to the day after congratulating all parties involved on ‘a summit to remember’,<sup>20</sup> the *Vientiane Times* announced Chan’s coconut plantation.

By now, the bigger picture is clear. Chan’s land grab takes on a very different narrative when placed in the context of state efforts to woo foreign investors to do the heavy lifting of development. This process may involve corruption, but in no sense can the story of Peter Chan be interpreted solely, or even primarily, through the logic of the private payoff. My account of Peter Chan’s exploits has emphasized that the key payoff he delivered was not to particular *officials*, but to *government itself*—building infrastructure that enabled Vientiane to recruit foreign investors and conduct its diplomatic affairs; helping to jumpstart Laos’s nascent agro-processing industry; and even, despite initial local objections, bringing the landscape of the Snake Hills into line with official expectations about what ‘modern’ farming looks like. Thoroughly enmeshed in the Lao government’s ongoing efforts to ‘turn land into capital’ (cf. Dwyer, 2007), the trajectories traced by Peter Chan’s endeavours sketch out a territorial logic that is far more systematic than the ‘fire sale’ conjured above. This may not be good governance, but it is hardly anarchy.

## TOOL 2: GENEALOGIES OF FORMALIZATION

While the case of Peter Chan provides a corrective to the ‘out of control’ narrative that has been widely used to characterize the land grab in Laos (and elsewhere), it leaves important issues insufficiently resolved. The first concerns the history of the social landscape in and around the Snake Hills. The available evidence, and hence my account above, suggests that the victims of Peter Chan’s land grab were average, unremarkable citizens of the Mekong lowlands: they engaged in a mix of permanent and shifting cultivation, they hunted and harvested in the farm–forest matrix that typifies the area, and they comprised a mixture of longer-established lowlanders and more recent upland migrants. But outside of these details, we know relatively little about who they actually *were*. The available data render the residents of the Snake Hills in the abstract and ahistorical terms of development-speech (‘villagers’, ‘farmers’, ‘families’); this ultimately leaves little to go on when trying to locate Chan’s project — and the land grab that accompanied it — *politically*. Similarly, we know too little about the concrete details of the legal argument that was used to carve out Chan’s 5,000 ha concession, first on paper and then on the ground. What was the balance of ‘developed’ versus swidden agriculture land, and how did the ‘lack of formal title’ argument apply to this heterogeneous landscape? Who actually told the villagers that they lacked ‘formal title’ to land they had been farming and paying taxes on, and how did the villagers respond? The broad-brush dimensions of Peter Chan’s land grab are clear enough, but the details are not.

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20. ‘Laos Delivers a Summit to Remember’, *VT* 1 December 2004.

These kinds of details matter. In mid-2007, in the face of growing problems with projects like Peter Chan's, Laos's prime minister issued a moratorium on new farmland concessions to investors (see esp. Baird, 2010). With it, he announced the government's intention to promote contract farming-based investment until a new, more suitable concessions policy could be devised. The prime minister's announcement instructed local officials to account for locally owned land more carefully than they had in the past, and to promote collaborative forms of investment that worked with farmers *on their own land*.<sup>21</sup> This shift to 'promotion'-based agribusiness on farmers' own land marked a rhetorical departure from earlier policy language which had cast rural land as little more than state land for the taking. The shift nonetheless raised important questions, including how 'locally owned land' was to be accounted for; how 'promotional' agribusiness would be operationalized; and whether concessions might still retain an exceptional role in certain cases. The embrace of contract farming at the policy level thus highlighted the importance of geographic (and thus social) difference. How would the various possibilities it offered be distributed among the population? And how would this more flexible approach to agribusiness development be dealt with in legal and regulatory terms?

This section illustrates a method that grapples with these questions by embedding the formal narrative of 'locally owned land' into the social landscape of northwestern Laos. My account is specifically genealogical: a historical description of the process by which narrative itself is produced (Foucault, 1984) — in this case, the formalized, pictorial narrative of who owns what, and where. As in the Snake Hills, farmers in northwestern Laos lack 'proper titles' to their land. But two years later and 1,000 km north, the official embrace of contract farming meant that rather than see this absence as the *presence* of state land, local authorities needed to use other means to assess 'local' landownership. My focus is a map created by government technicians responsible for helping implement a 3,000 ha rubber planting promotion project in the northern province of Luang Namtha (Figure 3). The investor, a Chinese company, on one level exemplifies the hundreds of foreign companies that have been approved for agribusiness development in Laos during the last half decade (see GTZ, 2009; Nanthavong et al., 2009). Its survey map, like those of other projects, speaks in abstract terms, presenting the rural landscape in a way that creates space (literally) for transnational investment. Yet it does this in particular ways, and demands case-based elaboration in light of both changing national policy and, as explained below, the local contingencies of the area. The genealogical method employed here thus opens implicit avenues for comparison with other projects, but pursues an explicit comparison between the landscape formalized on paper and the

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21. 'Gov[ernmen]t Suspends Land Concessions', *VT* 9 May 2007.



Figure 3. 'Target Village Land Use Map, [name removed] Company, Ltd. Rubber Planting Promotion Project'



Source: Vieng Phou Kha District Government, photographed with permission by the author (2007).

inevitably more complex social landscape on the ground.<sup>22</sup> As I will show, grasping this relationship adequately requires that both the resonances and the departures be accounted for.

**Operationalizing ‘Locally Owned Land’ on Paper**

The map in Figure 3 represents local authorities’ efforts to channel ‘promotional’ rubber planting into the countryside of northwestern Laos. The polygons outlined in black depict the official boundaries of the twelve villages in the project’s target area; the region’s major river appears in bold; roads appear as intermediate black lines, and village settlements as dark

22. In Dwyer (forthcoming), I elaborate on the social and historical dimensions in greater detail; here, the focus is on the genealogical deconstruction of the formal property narrative depicted in Figure 3.



points. It is the grey hatched polygons, however, that really matter. These both tell the story, and hide it.

The grey polygons show the amount and location of agriculturally-zoned land in each of the project's target villages. It is *within* these agricultural zones (as opposed to the forest landscape shown as negative white space) that the project is encouraging villagers to plant rubber. The table at the bottom of the map elaborates this numerically. As it explains, the twelve villages in the project area contain 8,381 ha of agricultural land, distributed among twelve village territories totalling almost 39,000 ha. The project's 3,000 ha, when planted, are thus planned to cover roughly 36 per cent of the agricultural land, and 8 per cent of the total 'target' area.

The grey polygons in Figure 3 — and the calculative precision they enable more generally — are remnants of a zoning process conducted in the late 1990s and early 2000s. As Figure 4 elaborates, the survey map is a simplified amalgamation of a more detailed landscape of formal land use zoning that attempted, half a decade earlier, to demarcate the Lao hinterland into individual village territories, and, within those, into various categories of agricultural and forest land, each with their own legally specified tenure regimes and prohibitions. Envisioned at first as a mechanism for controlling deforestation through the sedentarization of upland farming and the devolution of forest control to local communities, the Land and Forest Allocation (LFA) programme was, in practice, put to a variety of uses by local authorities, NGO- and donor-sponsored development projects, and private companies (Baird and Shoemaker, 2007; Barney 2007; Chamberlain et al., 2001; Vandergeest, 2003). The programme's effects on the communities involved have been widely characterized in negative terms; despite the potential for local empowerment, the LFA's history has largely been read as one of alienation. The farm-forest landscape of rotational swidden farming was carved into two distinct — and fixed — land systems: a state forest reserve and a matrix of formally zoned agricultural land (Ducourtieux et al., 2005; Vandergeest, 2003). If debate has persisted about the extent to which LFA has been enforced (compare with GTZ, 2004), Figure 4 shows that the zoning maps created by the LFA programme have not been entirely forgotten.

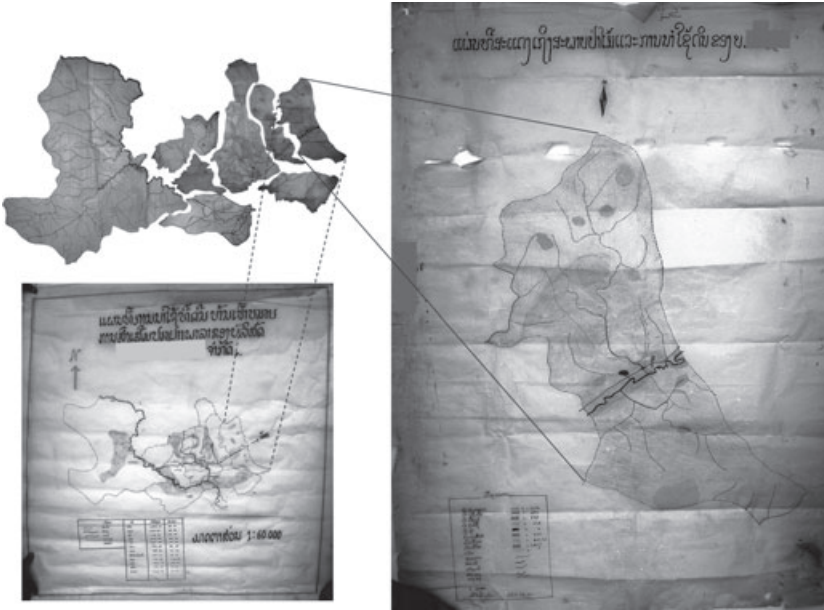
Figure 4 illustrates the translation of the formal landscape created by LFA into a 'second-generation' formalization — in this case, a depiction of agricultural land suitable for contract farming. As is evident from the complex mix of reproduction, interpretation and exclusion, this translation process has been anything but straightforward; as Blomley (2008) notes, simplification is complicated. The geographical translation is inexact; agricultural land, for instance, migrates northward and expands slightly in size in the mapping illustrated in Figure 4 (ii).<sup>23</sup> Moreover, the translation process has resulted in a

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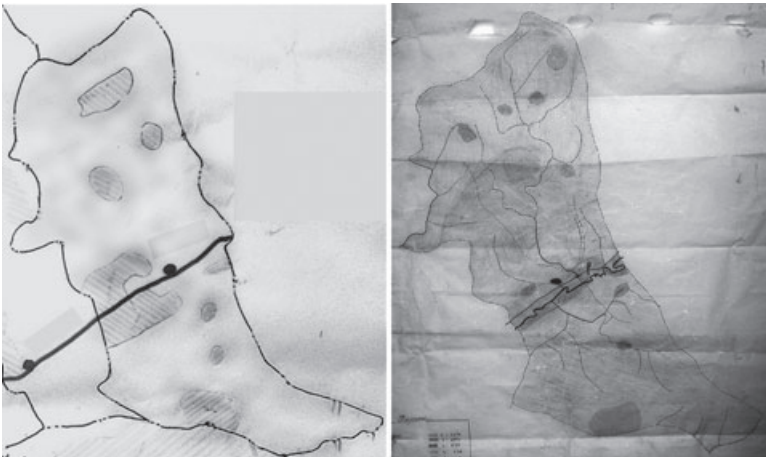
23. Agricultural land appears in dark grey on the right side of Figure 4 (ii).

Figure 4. Cartographic Legacies and Implications

(i) Project Landscape (top)



(ii) Detail (bottom)



Source: Vieng Phou Kha District Government, photographed with permission by the author (2007).

radical simplification, as many types of forest land have been reduced to a binary of *agriculture or forest*. The message is nonetheless clear: ‘promotional’ rubber planting is to follow the geography of formally zoned agricultural land created under the LFA programme. It is intended to further the sedentarization of agricultural production, and to channel labour into areas where the forest has already been cleared. The survey map shown in Figure 3, in other words, represents an effort to breathe new life into a landscape that was conjured, but only sporadically implemented, by the LFA programme. If the new map is less precise, its formality is of a stronger sort because it is backed by capital investment in the range of a few million dollars.<sup>24</sup>

It is in this context that one of the survey map’s key audiences emerges. In addition to directing the company to locations where rubber promotion was authorized, the map spoke directly to Chinese bureaucrats far across the Lao–China border. As with many of the Chinese private sector projects that took off in northern Laos during the mid-2000s, this one benefited from a subsidy programme created by China’s central government for the purpose of speeding up the replacement of opium poppy with industrial cash crops (Shi, 2008; TNI, 2010; Xiaolin, 2007). As Weiyi Shi describes, this programme gave a variety of subsidies to investors who qualified, covering 80–90 per cent of exploration and insurance costs, providing ‘greater freedom in cross-border movements of labour, equipment and vehicles’, and giving annual cash subsidies of 150 to 450 Yuan per ha after crops are physically in the ground (Shi, 2008: 27). The map in Figure 3 is thus notable, given that one requirement to begin accessing the subsidies is proving technical and legal feasibility through the provision of contracts and locally approved work plans (*ibid.*). As a form of spatial calculability that links the Lao hinterland to the transnational investment of sovereign wealth, this map plays a critical role in the remaking of rural Lao space that is currently underway.

### Differences on the Ground

The survey map depicted in Figure 3 and deconstructed in Figure 4 reflects a few of the key dynamics underway in contemporary Laos: the putative shift, especially in the north, away from concession-based investment on ‘state’ land and toward contract farming ventures on ‘locally owned’ land; the operationalization of this reorientation through the zoning architecture of past territorialization and simplification efforts; and the production of transnational legibilities as a key piece of forging new material connections through private yet state-backed investment. But other, less visible, dynamics are at work as well. Some of these emerge from following subtler clues on the map. Others, as I will show, are missing entirely.

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24. Provincial statistics list the value of the project as just under US\$ 3 million.

The legibility described above emerges from the polygons — the grey patches of agricultural land depicted in Figure 3. This narrative of *contract farming on officially zoned agricultural land* is the survey map's intended reading. It is the one given, for instance, by government technicians when they explain the map to interested visitors (myself included). But if the map is read slightly against the grain, via the *topology* of its villages, another story begins to emerge. This is not a story of similarity, but of difference, and it is one with substantial implications.

Most of the villages depicted on the Figure 3 map follow the standard 'one-to-one' rule of villagization begun with the LFA programme. These villages have one name, one territory, and one red dot; they are, topologically speaking, well-defined. But there are two exceptions: two village territories (located in the middle-top of the map) contain two village points each. Examination of the earlier LFA maps confirms that this difference existed when the villages were demarcated and zoned in the late 1990s as well. These two villages — or are there four? — are different.

The exceptionality that manifests cartographically as two villages in the same territory reflects a complex and difficult historical legacy. During my fieldwork, the occupants of these villages, mostly members of the Lahu or Kouy ethnic group,<sup>25</sup> were invariably represented in terms of extreme political and economic marginality. A long-term foreign development worker, referencing the diverse ethno-cultural landscape of northwestern Laos, described them as the region's *real* minorities; a local official characterized them simply as 'the poorest of the poor'. This marginality/minority was reflected in the area's history of development interventions. An internal project report I was given noted the link between the government-mandated resettlement of these villages and 'issues of national security', a reference to the region's significance, and to the Lahu's role in particular, in the Second and Third Indochina Wars (see Dwyer, 2011 and forthcoming; Goudineau et al., 1997; McCoy, 2003).

Local officials appraised the 'Kouy' in more management-oriented terms. I was told that because they were the poorest of the poor, and were constantly 'going off into the forest' to live in their swiddens and grow opium, the district governor had decided that the rubber promotion project would operate differently in their villages. Because they had yet to develop any plots of farmland, the project was treating their agricultural land as a communal resource, and hiring them to plant rubber trees on it *en masse*. The land, my informants explained, would still technically belong to the village, but the trees would be divided between the company and the villagers: 70 per cent would belong to the company, and 30 per cent to villagers. This, the governor had decreed, would allow the Lahu to benefit from the project without having to endure the seven-year wait between labour investment

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25. Lahu and Kouy are auto- and exonyms, respectively. I use the former.

Figure 5. Swiddens Displaced into Forest with Rubber Plantation in the Foreground



Source: Author photo (2007).

and harvesting that the standard form of rubber contracting required (cf. Shi, 2008). Wage labour in the short-to-medium term, and a mix of smallholder rubber production and wage labour in the longer term: this was the vision of permanent livelihood (*asiip thavon*) that the district governor had created for the most problematically mobile sub-population in his jurisdiction.

In contrast, agricultural land in the non-Lahu villages was interpreted to be owned individually, with ‘promotion’-based rubber planting following a classic sharecropping model. Many residents of these villages, however, considered the project’s terms — a 39/61 per cent split between the company and growers — to be overly onerous, and were therefore opting to either avoid rubber entirely or find credit elsewhere and enter the rubber market as independent producers. This, in turn, impacted on the degree of enclosure in the Lahu villages: to the extent that the company found it difficult to fill its 3,000 ha rubber quota in the non-Lahu villages, its ‘promotional’ efforts increasingly targeted the Lahu villages, and looked increasingly like the concessionary model to which it was allegedly providing an alternative (also see Dwyer, forthcoming; Shi, 2008).

This ‘concession-like’ (Shi, 2008: 46) scheme of wage labour and tree division carried more than a whiff of primitive accumulation. When I visited in late 2007 and early 2008, the project was less than a third of the way through

implementing its 3,000 ha quota,<sup>26</sup> yet already the Lahu villages' former swidden area had been almost entirely converted to rubber. New swiddens, in turn, had been pushed out onto the forest frontier (Figure 5) — more difficult to reach, and more likely to be seen by authorities as encroachment onto state-owned forest. A group of Lahu men I spoke to in late 2007 spoke of plantation work in language evoking the silent compulsion of the 'free' labourer (cf. Marx, 1873: 874): they described their occupation as 'working by morning to eat at night' (*ha sao kin kham*). Still, there was a subtle difference between the tree-division scheme and the outright expropriation of the state land concession model. In the Lahu villages, locally owned land had been reduced to a mere formality, functionally meaningless in the face of company-owned trees planted on top of it. But the 30 per cent of the rubber trees allocated to villagers represented an effort to prevent the Lahu from being entirely 'free' labour. Given the past troubles with unsupervised Lahu mobility, the tree-sharing scheme was an effort to make 'villagers' of them after all. The landscape in Figure 5 exemplifies this precarious mix of enclosure and self-sufficiency, and shows that the district's experiment in managed land grabbing had only just begun.

## CONCLUSION

The two cases presented here show the importance of critically embedding narratives of formal property within the landscapes that surround them. The first case focused on the surrounding *national* landscape, and specifically on the cultivation by high-level officials of an investor whose importance far outstripped the boundaries of his most well-known concession. The second case examined the surrounding landscape in a more local sense, looking at the ways in which historical legacy has influenced authorities' efforts to make sense of local land entitlements in pursuit of 'promotional' agribusiness. As both cases show, in the face of multiple claimants to state authority (Lund, 2011), the ability to interpret and control formal categories like 'state' land and 'locally-owned' land has proven important, if not crucial, to realizing the outcomes of this contest.

The projects examined above are more than isolated examples. Other studies in northern Laos have identified a similar slippage from 'cooperative' to 'concession-like' rubber planting (Shi, 2008; Thongmanivong et al., 2009); research in southern Laos, meanwhile, testifies that the official moratorium notwithstanding, state land concessions are the rule rather than the exception (Baird, 2010; Kenney-Lazar, 2012; NLMA and FER, 2009). Yet, as the cases above illustrate, the land types on which concessions and 'cooperative' investment are predicated are anything but stable. In pointing to the contingencies and specificities involved in the creation and maintenance of

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26. Interview with company representatives, December 2007.

transnational land access, this article has sought to illuminate opportunities for civil society intervention, as well as additional government regulation, both in Laos and abroad. Three examples of such action might include: (i) critically revisiting the ways that swidden landscapes and livelihoods are characterized by donor-funded research; (ii) re-examining the mitigation strategies, and associated budgets, that lenders use in their efforts to prevent land grabbing along new road corridors; and (iii) looking at the ways in which NGOs address (or ignore) the legacies of Land and Forest Allocation when they undertake legal education and advocacy.

More generally, the approaches demonstrated above sketch out a complementary pair of tools that can help make better geographical sense of the changing landscape of transnational farmland access. A number of themes that appear above, for example, resonate with the framework laid out by Wolford et al. (2013: 189–210) — for instance, the importance of local historical conditions in determining land deals’ winners and losers; the role that *intra-governmental* struggle plays in the control, management and distribution of benefits from land deals; and the ever-unstable politics of legitimacy that accompany efforts to construct formal property narratives. The geographer Stuart Elden has described territoriality as an emergent political phenomenon that depends heavily on how space is ‘grasped as calculable’ (Elden, 2005: 8). This paper has presented a pair of approaches for unpacking the ways in which this is currently transpiring in the arena of transnational farmland access. With any luck, the geographical resolution pursued here may contribute to the political resolution of the land grab debate as well.

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