



---

Territorialization and State Power in Thailand

Author(s): Peter Vandergeest and Nancy Lee Peluso

Source: *Theory and Society*, Vol. 24, No. 3 (Jun., 1995), pp. 385-426

Published by: [Springer](#)

Stable URL: <http://www.jstor.org/stable/658074>

Accessed: 02/07/2013 22:47

---

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.



Springer is collaborating with JSTOR to digitize, preserve and extend access to *Theory and Society*.

<http://www.jstor.org>

## Territorialization and state power in Thailand

PETER VANDERGEEST and NANCY LEE PELUSO

*University of Victoria and York University; Yale University*

Weber and many other theorists have defined the state as a political organization that claims and upholds a monopoly on the legitimate use of physical force in a given territory.<sup>1</sup> Writers who draw on this Weberian approach have devoted considerable theoretical attention to political organization, legitimacy, and physical coercion in the making of modern states. Until recently, however, the meaning of territory as a key practical aspect of state control has been relatively neglected by many theorists of the sources of state power. Territorial sovereignty defines people's political identities as citizens and forms the basis on which states claim authority over people and the resources within those boundaries.<sup>2</sup> More important for our purposes here, modern states have increasingly turned to territorial strategies to control what people can do inside national boundaries. In this article, we aim to outline the emergence of territoriality in state power in Thailand, formerly called Siam. In particular, we examine the use of what we call internal territorialization in establishing control over natural resources and the people who use them.

Although sociologists who take a comparative approach to understanding the development of the modern state have given scant attention to internal territorialization and natural resource control, we can find a basis for the analysis of territoriality in the work of political geographers and those political scientists who have examined the establishment of territorial administrations. The literature on the administrative changes during the French Revolution and on rural market and administrative systems in China are the most notable in this regard. The dramatic reorganization of local administration during the French Revolution has inspired observers to analyze in detail the implications of the formation of territorial departments, of particular interest here since French territorial strategies were later a model for the reorganiza-

*Theory and Society* 24: 385–426, 1995.

© 1995 Kluwer Academic Publishers. Printed in the Netherlands.

tion of the Thai state.<sup>3</sup> Since William Skinner,<sup>4</sup> analysts of rural China have often noted the cellular characteristics of rural markets and state administration in China, a characteristic that persisted after the revolution.<sup>5</sup>

We argue, however, that a territorialized local administration and market system are only one aspect of a much broader process of territorialization. Thus in this article we systematize and generalize the analysis of territorialization. We then illustrate the process through a discussion of the establishment of territorial civil administrative units, and the state's attempts to take over the administration of rights to land and "forest" in Thailand. In doing so, we suggest a way of conceptualizing territoriality that differs from the usual approach taken by most sociologists and political scientists, and that could enhance their analyses of state power.

It is worth reviewing briefly some of the ways that territoriality has been addressed by sociologists and political scientists, as a way of situating our approach. As mentioned above, the most striking feature of the sociological literature on state power is the degree to which territoriality has been neglected.<sup>6</sup> A quick survey of three of the most popular current sociological writers on the development of European states demonstrates this point. Jessop,<sup>7</sup> in a recent volume of essays on current theories of the capitalist state, refers only briefly to the territorial characteristics of modern state power.<sup>8</sup> His definition of the state fails to mention territory,<sup>9</sup> and his index includes neither territory nor space. Poggi<sup>10</sup> mentions territory, territorial rulers, and the contemporary "crisis of territory" in his discussions of the state but does not elaborate on internal territorial control. Mann<sup>11</sup> is an exception; he defines the political power of the modern state as a centralized, *territorial* regulation.<sup>12</sup> But he does not take up the importance of abstract space (see below) to the territoriality of the modern state; rather, he understands territorial control as located in a center, "radiating outwards." Curiously, this notion of the centered-ness of power invokes the radial space associated with pre-national rulers in Southeast Asia (see below) and China,<sup>13</sup> rather than the abstract and homogeneous space defining modern states' territoriality.<sup>14</sup>

Many analyses of state power that mention territory do so in relation to international boundaries, territorial sovereignty, or political identity, rather than the spatial organization of state administration within a state territory.<sup>15</sup> Where analysts do address the territorial administra-

tion, they almost always study the variation of political institutions across space rather than territoriality as we define it – as a resource control strategy. The approach of Bulpitt<sup>16</sup> exemplifies the understanding of territoriality as center-periphery relations. He defines territorial politics as

that arena of political activity concerned with the relations between the central political institutions in the capital city and those interests, communities, political organizations and governmental bodies outside of the central institutional complex, but within the accepted boundaries of the state, which possess, or are commonly perceived to possess, a significant geographical or local/regional character.

Rokkan is central to the study of territoriality as the study of variations in political institutions across space,<sup>17</sup> but we would also include in this approach studies of the regional subdivisions and regional differences within national states.<sup>18</sup>

In recent years work by political geographers including Soja,<sup>19</sup> Harley, Cosgrove, and Smith<sup>20</sup> has prompted political economists to give more attention to spatial relations. Spatial analysis, however, is not the same as the study of territorialization.<sup>21</sup> With only a few exceptions, geographers writing on the political economy of space focus on the spatial distribution of economic activities and the spatial strategies of “capital,” giving little systematic attention to the state’s territorial strategies in controlling people and their relations to land-based resources. This is also true of the emerging literature on the politics of mapping.<sup>22</sup>

We are concerned here not so much with the demarcation of external boundaries, the construction of national identity, or center-periphery relations, as the internal territorialization of state power and its relation to the allocation and realization of resource access rights. All modern states divide their territories into complex and overlapping political and economic zones, rearrange people and resources within these units, and create regulations delineating how and by whom these areas can be used. These zones are administered by agencies whose jurisdictions are territorial as well as functional. The territories are created by mapping; thus modern cartography plays a central role in the implementation and legitimation of territorial rule.<sup>23</sup>

In conceptualizing territoriality, we have found the definition offered by Sack most useful for our purposes. According to Sack,<sup>24</sup> territoriality is the “attempt by an individual or group to affect, influence, or

control people, phenomena, and relationships by delimiting and asserting control over a geographic area.” Control by territorialization thus works by proscribing or prescribing specific activities within spatial boundaries. Although territoriality is a type of activity in space, it is not the same as variation across space. The study of the spatial location of activities (as in Soja’s<sup>25</sup> work on the spatiality of economic activities) is thus not the same as the study of how activities are regulated by territorial strategies,<sup>26</sup> although his argument that “the space of physical nature ... is literally made social” through its appropriation (or management) by contending actors is relevant.<sup>27</sup>

Territorialization is about excluding or including people within particular geographic boundaries, and about controlling what people do and their access to natural resources within those boundaries.<sup>28</sup> As Sack outlines,<sup>29</sup> territoriality involves classification by area, theoretically eliminating or altering the need to regulate specific resources or individuals within a territorial zone. Territoriality also involves the communication of both the territorial boundaries and the restrictions on activities within the territory.<sup>30</sup> Forms of communication range from locally recognized markers (a tree, stream, rice bund) to mapped points locating boundaries according to the Global Positioning System – a global spatial grid. Registered land titles and maps based on cadastral surveys are the key texts that provide for clear communication of property rights to and among state authorities.<sup>31</sup> Property rights thus become textually mediated.<sup>32</sup>

The territoriality of the modern state is based on what we call abstract space.<sup>33</sup> Abstract space dimensions are “linear;” they can be cut up into discrete units (e.g., meters or degrees latitude and longitude) and measured. Abstract space is homogeneous in that it is represented as uniform within any given territory; any unit can be compared and rendered equivalent to another unit by spatial categories. The construction of such abstract, comparable grids permits the location or nesting of an area in a larger abstract space. The territory of a national park is nested in national territory, which is nested in a global territorial grid.<sup>34</sup>

The external perspective afforded by modern mapping techniques is key to conceptualizing abstract space. Modern maps claim to present abstract space in specific ratios to verifiable external referents. They enable the communication of territorial boundaries because readers can verify whether the location of a particular village, township, farm,

house, elevation, or soil type corresponds to its representation on the grid in the map. As Anderson has pointed out, mapping situates space in a global grid defined by latitudes and longitudes, and composes empty boxes (as it were) to be filled in through the census,<sup>35</sup> and, we might add, natural resources such as forests, minerals, water, or soils. Maps do more than represent reality; they are instruments by which state agencies draw boundaries, create territories, and make claims enforced by their courts of law.<sup>36</sup>

People do not experience space as abstract,<sup>37</sup> and they generally have no access to maps produced by militaries and government surveyors. Experienced territory or space is not abstract and homogeneous, but located, relative, and varied. Thus territorial land-use planning is, like market liberalism,<sup>38</sup> often a utopian fiction unachievable in practice because of how it ignores and contradicts peoples' lived social relationships and the histories of their interactions with the land. We contend that the lack of fit between lived space and abstract space has contributed to the instability of the territorial strategies of the modern state. States often have had to rely on open coercion against rural residents to implement territorial control. Even under such conditions, people often refuse to acknowledge the territories claimed by states for parks, protected production forests, and even state regulations on private property.

The enforceability of territorial claims is achieved by their recognition by a relevant audience,<sup>39</sup> by social pressure, and by the threat and use of violence.<sup>40</sup> Potential enforcers of property rights range from local kin to large states, and in a given time and place, several enforcement institutions may have some degree of authority and power. Where different legitimating authorities conflict in their allocation of rights, the one that is the most enforceable in practice (*de facto*) will have a greater influence on behavior and resource use than *de jure* controls.

The state's territorialization of resource control implies that the state can mobilize the means of coercive enforcement inside national boundaries as well as against foreign intruders. In many parts of the world, the state is far from achieving a monopoly on the internal use of physical coercion. However, more powerful states and international non-state groups often supply military hardware to help poorer or strategically important states to repress anti-state insurgency, eliminate the cultivation of illegal drug crops, and protect natural resources.<sup>41</sup>

Because state territoriality is often linked to the demarcation of the external boundaries of the modern states, attention to the military basis of modern states has also tended to focus on war-making between rival claimants on territory. Thus the monopoly of violence is usually understood in the context of setting external boundaries, repressing rivals challenging these boundaries, and obtaining income necessary to defend these boundaries.<sup>42</sup> The monopoly on the legitimate use of violence is not often theorized as central to the expropriation of the administration of property rights to land and territorial controls within state boundaries.

Rulers territorialized state power to achieve a variety of goals. Foremost among these was the need to make claims on territory to protect access to people and income from taxes and natural resources, in a world in which only territorial claims were recognized as legitimate. Second, territorialization enabled increased efficiency in the collection of regular taxes. A regular money income was necessary to finance permanent militaries, assess the availability of young men for a conscript military, and finance a growing bureaucracy as well as government investments that sustained local production in a context of global competition. Territorialization was in turn dependent on commercialization and the increased ability to extract money taxes on a regular basis,<sup>43</sup> since modern territorial bureaucracies are composed of officials who demand regular salaries. In the colonies, where the majority of the population was engaged in agrarian livelihoods, the problem of a regular supply of money income was often resolved by assessing a head tax, an institution that frequently had catastrophic consequences for the peasantry.<sup>44</sup> Although the initial impetus behind territorialization was the need to make territorial claims, protect resources, and collect taxes, most states later employed the territorial administration to organize surveillance, gather information about the population, force them to settle down (important among the mobile peasantries of Southeast Asia),<sup>45</sup> and organize close control over people's everyday activities.

The Thai state, like other nation-states, is extending and intensifying its use of territorial strategies of population and resource control.<sup>46</sup> The state has increased its capacity and willingness to deploy violent means of land-use control, in part due to its involvement in the global political-economy and the high stakes in the export-led economic growth strategies it has embraced. Territoriality, far from being undermined by

global processes, is increasing in importance and sophistication as a state resource-control strategy in Thailand and elsewhere.

To illustrate these arguments, we focus on the territorialization of resources and people in rural areas, specifically: (1) The territorialization of civil administration in rural Siam/Thailand; (2) State attempts to take over the administration of rights to land through mandatory registration of land titles based on surveys; (3) State attempts to control the use of major portions of national territory by demarcating it and defining it as forest. The state agency given jurisdiction over this territory (the Forestry Department) also claimed exclusive rights to allocate and enforce use rights (for example, logging, grazing, or mining rights) while setting conditions and refraining from allocating the right to sell the land.

The latter two territorialization strategies have met with only limited success. As we indicated above, territorialization is often unstable. In Thailand, the people most directly affected by the state's resource territorialization have undermined it by practices that ignore and resist the state's goals.<sup>47</sup> Conflicting mandates among state agencies also undermine territorial control, as shown below. Finally, the Thai state has not maintained a sufficient monopoly on the means of enforcement to control people's activities effectively as required by state laws and policies. Landholders look to local enforcers to protect their land claims. As the state increases its capacity for enforcement, conflicts emerge between state agencies with different objectives in implementing territorial regulations. As a result, although the Thai state has increased its capacity to enforce territorial controls, it has failed to meet the zoning objectives outlined in its development plans. The failures result not from international integration but from local resistance to the project.

### **Territorializing Siam**

Whereas the trend toward territorialization was a slow process spanning many centuries in Europe and North America,<sup>48</sup> in Southeast Asia territorialization resulted from global processes that came rapidly to a head during the nineteenth century. These included the consolidation of territorial states in Europe and the Americas, European claims on major territories on every continent, and the evolving dominance of

capitalism in the global economy. At that time both colonial and non-colonial state agencies in Southeast Asia began to represent and express state sovereignty in terms of territory. Most pre-colonial states in Southeast Asia would fail to qualify as states in the Weberian sense on the grounds of lack of territorial integrity.

The modern concept of national boundaries ... did not exist in Southeast Asia until the nineteenth century.... Southeast Asians were not much concerned with the demarcation of frontiers.... It is only quite recently that the rulers of the traditionally dominant societies have sought to establish a modern sense of allegiance to the notion of a nation-state identity, with its concomitant demand of loyalty from all citizens living within sharply defined national boundaries.<sup>49</sup>

Except for Vietnam, where the provincial elites controlled land as well as people, the administrations in most Southeast Asian areas were based on control of labor, not land.<sup>50</sup> As we show in the next few paragraphs, pre-national states in Southeast Asia were thus not much involved with any of the three activities that we identified as important to territoriality. First, they classified political units by their rulers and ruling centers, not by their territorial boundaries. Second, they did not communicate boundaries around specific areas to relevant audiences by mapping them. Third, they used their capacity for physical coercion to enforce claims on people's labor, the products of peoples' labor, or people's lives (conscripting them for dry-season wars). But they generally did not try to enforce territorial claims.

The political systems in the area now constituted as Thailand (hereafter referred to simply as Thailand) were typical of mainland Southeast Asia and parts of what is now Indonesia. Thailand was dotted with hundreds of principalities (*muang*), each ruled by a lord or king who usually also gave allegiance to the king in Bangkok as well as sometimes kings in other major centers in Cambodia and Burma. The extent of Bangkok's involvement in the affairs of the *muang* depended mostly on the proximity of the *muang* to Bangkok. Distant *muang* were ruled by lords who were relatively independent of Bangkok save payment of tribute and periodic ritual displays of loyalty.<sup>51</sup>

Ruling monarchs and nobles in Bangkok and other *muang* did not involve themselves directly in the activities of serfs, but rather appropriated a portion of their labor, goods (as tax-in-kind), a head tax, or blood (as conscripted fighters). Populations claimed by various rulers were registered as individuals or large extended households for collec-

tion of head-taxes, tax-in-kind, corvee labor, or military conscription.<sup>52</sup> Human labor was also controlled by slavery in many different forms, a status that often followed from indebtedness.<sup>53</sup> Women were not required to register with a master, but they could be enslaved. The exceptions (people who were not registered and not obligated to provide labor or tax-in-kind to the nobility) in the nineteenth century included upland “hill-tribe” people and many recent Chinese immigrants.

Relations between central and local authorities, as between masters and groups of serfs and slaves, were neither territorial nor based on corporate units such as households or villages.<sup>54</sup> Groups of serfs and slaves were classified not by their residence in a bounded territory, but by their category of serf and their common subordination to a master.<sup>55</sup> Legal codes, based on the 1805 *Law of Three Seals*, specified categories of person and the distribution of property rights in person in great detail. Each male serf was supposed to be tattooed with a mark that identified his category and master, while men had property rights to their wives and unmarried daughters.<sup>56</sup> But a property claim on a person was not an exclusive claim to indivisible rights, so that in contexts such as inheritance, woman had rights to personal property including slaves.

Officials in the ruling centers also did not try to monopolize the communication of territorial rights or rights to land. They did not survey land, create permanent written titles, or register rights to land-based resources. Finally, the ruling groups in Bangkok and the major principalities did not claim a monopoly on the use of force to defend territorial boundaries. The Bangkok monarchy used military force to defend its claims to tribute in economic products and the loyalties of local lords, and to assist local lords in suppressing local rebellions. But the control of military force was fragmented among different noble families and local lords; it was not centralized under the king.<sup>57</sup>

Ruling groups in Bangkok and other major centers were concerned with people's spatial location, but their concern was limited mostly to the question of their subjects' distance from the center, and the possible escape of serfs and slaves into the “wilderness,” where rulers had limited power. The power of a ruling center declined with distance, and in the boundary regions between ruling centers smaller places were nominally subject to the weak power of several such centers. The rulers' control and the enforceability of their claims to places, people,

and resources far from the ruling center or otherwise not accessible (such as a nearby swamp) was not equivalent to their control in areas near to and accessible to the center. The far reaches of the rulers' domains often had frontiers, not borders. These frontiers were sometimes unclaimed "wild" forests, and sometimes transition zones characterized by multiple sovereignty. Multiple distant rulers could make overlapping claims on people, their labor, and local resources.<sup>58</sup> Thus, proximity of serfs and slaves facilitated their extraction of goods, labor, and blood when necessary, so that rulers often engaged in wars with the purpose of resettling populations closer to the ruling center.<sup>59</sup>

Territoriality, though not important to the major centers, was not absent from the pre-national state or civil society in Southeast Asia. Local people did have concepts of territoriality that were understood in terms of geographic boundaries and, particularly, a range of rights governing resources within those territories. But these boundaries were flexible; for peoples who migrated or expanded to new "territories" the boundaries often expanded or migrated with them; old claims to resources could be maintained through several generations.<sup>60</sup> In addition, claims to rice fields, the management of small irrigation systems, and tax farms<sup>61</sup> all involved concepts of territoriality. However, territoriality tended to be local – locally classified, locally communicated, and especially, locally enforced. Rights to use land and associated resources were enforced through webs of rights among individuals linked by kin relations, and the local authority of influential strongmen/bandits.<sup>62</sup> Insofar as pre-national ruling centers in Southeast Asia controlled territory, they did so indirectly, by controlling the people (e.g., local leaders) who controlled territory.

Although pre-modern ruling groups were more concerned with property rights in people rather than land, ruling groups did formally claim some rights to land near the ruling center, and a symbolic right to the products of the land. The Bangkok kings had a title that can be translated as the "lord of the land," which is now interpreted as giving him formal rights to expropriate land and to tax land use. Cultivators maintained legal rights to land as long as they continued to cultivate it and pay the appropriate taxes. Miscellaneous provisions in the *Law of Three Seals* suggest that Bangkok officials took the role of enforcers of property rights in some contexts; these provisions protected possessory rights by specifying punishment for the forcible seizure of, or trespass on, land under someone else's cultivation (see Ishii, p. 181). But there is little evidence that provisions of this type were enforced by ruling of-

ficials outside of the immediate vicinity of the ruling centers, where systems of resource tenure were locally maintained.

Rulers in the major centers understood space sometimes in terms of direction (east-west, front-back, landward or seaward, or local equivalents), sometimes in terms of travelling routes, and sometimes in terms of sacred sites. At the center, space was often organized according to a located, centered, and radial perspective of space. According to Tambiah,<sup>63</sup> the geometrical and topographical formulas of the “*mandala*” has provided the design for communities in many parts of Southeast Asia ranging from lineage-based segmentary societies to complex centralized polities. The spatial orientation of town architecture and the administrative divisions were modelled on the idea of a located sacred center (identified with Mount Meru) from which power radiated outwards, becoming more diffuse with distance. Officials were grouped into Ministries according to their orientation with respect to the king. Thus ministries and princely palaces were organized into those of the left, right, front, and back. Since the king on the throne faced east,<sup>64</sup> these also corresponded to the cardinal directions north, south, east, and west.

In Bangkok and Ayuthaya before it, the ministries of the North (*Mahathai*) and the South (*Kalahom*) were responsible for the administration of the *muang* outside Bangkok.<sup>65</sup> These two ministries were functionally distinguished by the types of obligations owed them by people under their control rather than by types of duties performed by its officials.<sup>66</sup> The labels North and South did not indicate territorial control of a bounded space. Rather, they were organized according to relationships between “leaders” and their retainers, and between the minister and the lords of the principalities. Each principality or tributary state was similarly organized by these radial principles.

Sacred and radial space did not exhaust nineteenth-century conceptions of space in this region. For example, space for ruling groups was also oriented by the paths by which goods and armies could move; thus it was imagined in terms of the experience of travelling routes. Thongchai<sup>67</sup> shows how pre-twentieth-century maps of the area that is now made into Thailand were not oriented in terms of latitude and longitude, but by the rivers and coasts along which traders and armies travelled. In other pre-twentieth-century maps, space was organized to express religious teaching.<sup>68</sup> The perspective of peasants living at a distance from ruling centers in Southeast Asia has not been recorded but was no doubt not the same at that of their rulers or long-distance travellers.

Following trends among colonized states in the region,<sup>69</sup> the Bangkok monarchy in Siam undertook internal administrative reforms, adopted a Western land code, and claimed ownership of all “unoccupied” land more or less simultaneously during the last decade of the nineteenth century. These policies were the result of changes in conceptions of space and territorial sovereignty that took place through the latter half of the nineteenth century, as well as pressure from England and France.

In the 1840s, British requests for Siamese assistance in demarcating boundaries with Burma were not understood in Bangkok, where rulers still thought in terms of non-territorial sovereignty. When pressed by the British to help identify the location of the border, they repeatedly suggested asking “old inhabitants on the frontiers... what they know.”<sup>70</sup> By the 1860s a new king (King Mongkut) had learned about modern conceptions of space, and was able to discuss the demarcation of borders with the British.<sup>71</sup> However, the Bangkok rulers, who had previously not been interested in borders, were typically unable to comply with repeated British requests that they participate in demarcating the border between Burma and Siam, and they allowed the British to do so on their own.

Problems with sovereignty and border demarcation in teak areas controlled by the Lanna lords in the north of Thailand indicate how European conceptions of and interests in particular types of territorial sovereignty helped to push the Siamese rulers into rapid internal territorialization of the administration. By the 1870s and 1880s the British search for shipbuilding timber had brought them through Burma to the Lanna states, where they encountered what they called “banditry,” the need to “bribe” the lords to obtain logging “concessions,” and overlapping concessions. All parties who could wield the instruments of violence, from lords to local strongmen, in effect demanded protection fees.

In a move that was repeated in many other situations, the British chose not to acknowledge the Lanna lords’ local power, instead recognizing Bangkok’s sovereignty in the northern territory. Knox, the British Consul in Bangkok, demanded that “the Thai Government was either to give up claim of territory over which they had no control or take immediate steps to drive out the intruders.” In a series of treaties between the British and Bangkok, Bangkok agreed to send police units to the North, assign judges to settle disputes, permit the establishment of a British Consulate in Chiangmai, and regulate bidding for teak con-

cessions.<sup>72</sup> Problems continued, however, and in 1891 the British took over some of the territories also claimed by Bangkok and unilaterally mapped a border.<sup>73</sup>

Under this resource-related pressure, the Siamese state, which previously was concerned more with local lords' loyalty and tribute than with maps and territorial boundaries, also began to claim territorial sovereignty by military occupation and mapping. According to Thongchai, Bangkok effectively became a small imperialist power by the last decades of the nineteenth century, pre-empting European expansion by using military force to occupy territory between their own and French claims in Indochina.<sup>74</sup> The need to occupy and thus control formerly ambiguous territory also help spur military reforms: already by the 1880s the king (Chulalongkorn, who followed Mongkut) had been able to bring most military forces in Bangkok under his control, and he had instituted a series of changes aimed at Europeanizing the military. These included a permanent, paid volunteer force (rather than a militia mobilized by *corvee*) and a salaried officer corp trained in a palace military school. Bangkok also purchased European arms for the reformed sections of the military, which were much superior to those available in outlying areas.<sup>75</sup>

The forcible takeover of formerly semi-autonomous principalities was accompanied by the first systematic efforts to map territory in Siam. The first group of mapping officials was formed in 1875 from the Royal Body Guard, which was also the basis of King Chulalongkorn's military reforms. In 1880, Siam was brought into a global spatial grid by a triangulation brought down into Bangkok by an English surveyor, James McCarthy.<sup>76</sup> McCarthy was subsequently hired by the king for additional survey work (for example, he determined the position of the six other important towns, and various new national boundaries<sup>77</sup>), and helped form the Royal Survey Department in 1885. Surveying activities were concentrated in the Bangkok area (for reasons outlined below) and the peripheries, the latter as surveyors travelled with the Siamese armies of the 1880s to map territory as they occupied it.<sup>78</sup> The department continued to make boundaries in the Bangkok area and new provinces until 1896, when the department published a map of Siam in English. Thereafter the department's efforts were turned to cadastral surveying.<sup>79</sup>

The changes at the turn of the century were also made in the context of economic pressures set off in part by the Bowring Treaty with the

British in 1855. The Bowring Treaty was signed under military threat, particularly demonstrations of British military might in the attack on China over trade issues. Treaties with the other imperialist states followed on the model of the Bowring Treaty. These opened up internal markets by making most monopolies illegal, and by limiting import and export duties and internal taxation.<sup>80</sup> External trade increased, with rice from the Central Plains quickly becoming the major export although teak and tin were also significant.<sup>81</sup>

Commercialization and increased dependence on external markets put pressure on the Bangkok administration to increase its money income to pay for the infrastructure (e.g., railways, irrigation) needed to compete with exports from nearby colonies<sup>82</sup> as well as military expenditures. To increase money income, ruling elites promoted the expansion of rice production for sale, monetized serf obligations in many areas, and gradually abolished slave labor. They replaced their own reliance on slave and serf labor by promoting the immigration of wage laborers from China, whom they hired for state projects and exploited through gambling and opium monopolies. They also set up many new tax farms on specific commodities, which were taken up mostly by the Chinese.<sup>83</sup> Income from these monopolies and tax farms allowed the monarchy to eliminate its reliance on serf obligations and slavery almost entirely by the turn of the century. In addition, the centralization and reform of the military in Bangkok had shifted the balance in military power to Bangkok.

These changes gave Bangkok the power to initiate a massive program to territorialize and centralize local administration throughout the national territory. The program was initiated during the 1890s and completed through the first decades of the twentieth century. The monarchy in effect transformed layers of nobles and local lords into salaried officials. Bangkok ministries were reorganized by functional specialization: the old ministry of the North, for example, became the Ministry of Interior and the Ministry of the South became the Ministry of Finance. New functional Ministries (Agriculture, Education, Defense, Public Works, and others) were also created and staffed with salaried officials.<sup>84</sup>

The administrations of the principalities outside of Bangkok were incorporated into the administrative hierarchy of the Ministry of Interior.<sup>85</sup> The lords of the principalities were displaced by provincial governors who took over local administration. Provinces were sub-

divided on the basis of territory into districts, and one of the local nobility was transformed into a district officer. Schools were set up in Bangkok and major principalities for training the children of the nobility to become salaried government officials, who during their careers were rotated through a series of positions in different provinces so as to minimize the development of local loyalties. All indirect taxes, labor obligations, and tax farms were eliminated or replaced by a direct poll tax collected throughout the territory now claimed by Bangkok. A military conscription linked to the poll tax was proclaimed in 1905.<sup>86</sup>

Local nobles led some rebellions against these changes, but the new coercive power of Bangkok forced local lords to accept them. In some areas discontent was contained by allowing the lords to retain their titles and some income for several decades after they had lost much of their power.<sup>87</sup> In the South the inability of local rulers to resist was partially due to their exploitation of local peasants during the late nineteenth century, and the flight of many peasants to the forest.<sup>88</sup>

Below the level of the district, the direct masters of serfs were replaced with village heads and subdistrict chiefs (*kamnan*): Instructions sent out from the new Ministry of Interior instructed provincial and district officials to create villages and subdistricts by having the “heads of approximately ten households” whose houses were located near each other to elect a village head. Villages were in turn clumped into subdistricts (*tambon*); the number of villages in a subdistrict was supposed to be determined by a radius of three hours walk between a central village and the villages furthest from the center.<sup>89</sup> Officials were further instructed to ask the village heads to elect one of themselves as the *kamnan* (head of the subdistrict). Peasants who had been serfs attached to a master became instead villagers under the jurisdiction of village heads and *kamnans*. Eventually villages were defined territorially, by mapping them like cells onto the landscape. The “village” was thus created as territorial administrative unit.

“Households” were similarly a twentieth-century product of territorial administration. As the government created villages, it also instituted the registration of births, deaths, and marriages according to village residence. All inhabitants of the village, according to these registrars, are allocated a village address in a small territory comprising residential land. The collection of individuals registered at this address is the household. That is, each person is assigned to a small area on a grid, basically a cell occupied by a group identified as a “household.” The

government office at the district center has a card for each such household cell, which lists its inhabitants categorized by gender, age, and marital status. The village was in effect a larger cell encompassing the household cells.

This territorial village and household registration was the means by which persons were fixed in the national territory, where they can now be located, identified, counted, characterized, categorized, and mapped.<sup>90</sup> When the system was first implemented, the Ministry of Interior used it to collect the poll tax and to mobilize people for the military and police draft, which was slowly implemented region by region after 1905. Now they use it to collect information through censuses and surveys, to allot land rights, and administer development projects. Territorial classification has replaced the old systems based on classification by social category – the myriad categories of slaves, serfs, nobles, and princes. Classification by kind is not eliminated, as the household registration system is augmented by classification by gender, age, and educational level, but territorial registration is now primary.<sup>91</sup>

The central government also tried to take over the role of enforcement. This was partly achieved through a military presence, but responsibility for everyday policing was given to a Provincial Gendarmerie, introduced in 1897 under the Ministry of Interior, and organized by territorial administrative units. In 1908 there were over 8,000 police in 345 stations. From the beginning the police were set up as para-military units; during the early period the police officers were trained as military officers, while the non-commissioned officers were recruited by conscription together with the military recruits. After the Second World War, the United States continued this tradition by providing aid and military training for police paramilitary units, who were promoted partly as a counterweight to the army.<sup>92</sup> In recognition of the limited power of the police in everyday matters, the *kamnan* and headmen were empowered to settle most small disputes and assess small penalties such as fines. The *kamnan* was able to call out the coercive power of the police to support him, and he thus became a locally powerful person. Although the judicial system was also reformed, until recently few rural people used the courts, preferring instead local brokers, the village head and *kamnan*, or district officials of the Ministry of Interior.

The Department of Local Administration in the Ministry of Interior was set up to administer people through territorialization. Territory

without people, “unpopulated” from the point of view of the state,<sup>93</sup> was not included in the villages. This territory was defined as forest and placed under the jurisdiction of the Royal Forestry Department, which was initially also in the Ministry of Interior, although it was later moved to the Department of Agriculture. Smaller land areas were awarded to other agencies such as the railroad administration and the military. The entire territory of the nation-state was thus divided into non-overlapping administrative units defined by their borders, and placed under the jurisdiction of a relevant agency.

Thailand’s territorial administration was modelled after that in nearby colonies. The institution of the village head was similar to the British system in India and that used by the Dutch in the Netherlands East Indies (today Indonesia), while the highly centralized provincial and district administration is similar to that in the French colonies of Indochina. More generally, all modern states have reorganized local administrations on a territorial basis characterized by spatial boundaries, territorial definitions of communities, and territorial administrative hierarchies. There is considerable variation on this general model, particularly in the degree to which the initial reorganization was based in pre-existing local relationships, and the degree to which local administrations are autonomous from the center (in turn a function of budget autonomy and whether key local administrators are elected or appointed).<sup>94</sup> In Thailand, the territorial administration is highly centralized, although there is now pressure to make provincial governors electable and decentralize some budget control. Nevertheless, increased autonomy at the provincial level would not compromise the territorial delimitation of local administrative units – in all likelihood it would increase its importance.

Territorialization of the local administration is an important facet of the internal territorialization of the state, and is the aspect of territoriality most often discussed by the political geographers mentioned above. However, administrative territorialization in no way exhausts territorialization of state rule. States have also increasingly used territorial strategies to control people’s activities and their access and use of local resources. The state’s attempts to take over the administration of property rights to land are central to this latter process.

### Property rights in land

The history of law relating to property in land in Thailand follows a more general pattern in Thai legal history: It is a history of the wholesale adoption of Western models, incapacity to implement these models effectively throughout Thailand, and subsequent reforms that combined some recognition of local practice with attempts to make people conform to national laws.<sup>95</sup>

Two sets of legal codes are applicable in matters relating to land law: the Civil and Commercial Code and a series of Land Codes. The Civil and Commercial Code, enacted in 1936, sets out laws on private property in general, including property in the family. The provisions in the Civil and Commercial Code establish the basic qualifications of “persons” who may own and dispose of property, and conditions that need to be fulfilled to establish ownership. According to the code, a person establishes “possessory” right of anything by “holding it with the intention to keep it for himself.”<sup>96</sup>

The territorial characteristics of land have prompted a series of land codes regulating property in land and committing the government to surveying and mapping the entire territory of the nation to establish boundaries on land control. Under the Civil and Commercial Code, possession is sufficient to establish the right to cultivate land against rival, non-state claimants to the same rights. But the Land Codes specify that possession is not sufficient to establish either the right to sell land or to continue to hold rights against possible state claims on the land. To establish these, land must also be surveyed and registered according to the provisions of land codes created for this purpose.

The first land code was enacted in 1901 to deal with the many land disputes resulting from rapid settlement of land in the Central Plains and the intensification of commercial agriculture in this area between the 1870s and 1890s. Well-established local authorities such as kin elders who mediated or prevented such disputes elsewhere were probably absent from these newly settled areas, while the commercial orientation of agriculture made land valuable as a commodity. In addition the commercial orientation of agriculture in the Central Plains produced a need for credit, while the abolition of slavery meant that cultivators could no longer offer themselves or their children as security. Alienable land titles thus became important as security for loans. By 1896, the

Survey Department had turned away from mapping the territorial administration and begun to focus on cadastral surveying near Bangkok. After a series of measures and acts that failed to resolve the problem of clear identification of non-overlapping land rights,<sup>97</sup> the government adopted in 1901 the Torrens system of land titling.

The 1901 Land Code made state-guaranteed land rights contingent on a cadastral survey and registration. The Director of the Royal Survey Department described the process of doing the cadastral surveys (in 1908) in the following terms:<sup>98</sup>

A well-known point in each province is taken when convenient as the center or point of origin of the cadastral survey of that province, and the whole province is cut up into imaginary but properly coordinated squares, each 2,500 rai [1 rai equals approximately 0.4 acres] in extent. Drawing an imaginary line north and south, and another line east and west through the point of origin, each square is given a number according to its position; thus we might have a square called 4N-3E, or another 6S-8W, the reference in each case being to the central point.

Thus all of Central Thailand was mapped into homogeneous or abstract areas for the purpose of registering land rights, a process that is repeated at a more detailed level the mapping of provinces and villages.

Since 1901, registered land titles and maps have become the key texts that provide for clear communication of property rights to and among state authorities. These texts provide a perspective on space comparable to the mapping of administrative territories. The boundaries on parcels in which individuals or groups hold rights are rendered locatable in space by inserting them into a grid of landed properties constituting the national territory. This makes claims easier to document and enforce by state officials.

Although the land code was formally applicable throughout Thailand, it was in practice written to apply to landlords and smallholders in the Central Plains, and for urban landholders, where serious problems had emerged due to the commercialization of land. Between 1901 and 1909 state agencies surveyed land and issued land titles in the Central Plains, establishing eleven land offices to register land transfers.<sup>99</sup> But after 1909 surveying slowed, and very few title deeds were issued outside of the Central Plain up to the 1940s.<sup>100</sup> In most areas, the allocation and enforcement of land rights continued to be an activity of local people. Although the land code of 1901 did not affect the allocation and enforcement of land rights outside of the Central Plains, the effects

of the administrative reforms on local power did. The state-appointed *kamnan* became a key arbitrator of land rights, partly because he was backed by the coercive power of the state,<sup>101</sup> and partly because he collected land taxes. Receipts for land taxes soon became an important local indicator of land occupancy.

Tax receipts were used as indicators of land rights in part because cultivators in the rapidly commercializing economy needed proof of ownership recognized by non-local agents such as merchants and state agencies, and because the 1901 land code had no provisions for recognizing occupancy without a survey and the resultant map. After 1932, the new regime tried to solve this problem by legislation that recognized occupancy and utilization as long as such had been reported to state officials. However, the majority of cultivators did not report land use to the government, and the government lacked the capacity to investigate occupancy everywhere.

A new Land Code enacted in 1954 was intended to solve this problem by forcing cultivators to report occupancy. The inducement was the threat that any land not declared within 180 days would be considered unoccupied and therefore state property. Upon declaration cultivators were issued a certificate (S.K.1) recording their claim.<sup>102</sup> The S.K.1 was intended as a temporary document; it was issued without inspection and formally gave no rights with respect to use or sale. The 1954 Land Code specified three documents to be issued by the Lands Department: The “Pre-emption Certificate” authorized temporary occupation of land; the “Certificate of Use” was issued after an official investigated the field to check for proper use, and the Land Title Deed was issued after a cadastral survey and after the boundaries were marked with posts.<sup>103</sup> The latter two documents gave rights to alienate land; the first did not.

In practice the state was slow to issue Land Title Deeds, as it lacked the capacity to carry out the requisite surveying. In 1970 less than five percent of the area in regions other than the central region had been surveyed.<sup>104</sup> This and other aspects of the land registration practice illustrate the incomplete hegemony of state strategies to claim, control, map, and territorialize resources and people.

Cultivators had been uninterested initially in applying for land documents, but the threat induced many to declare land occupation and obtain S.K.1's. Although the S.K.1 document was intended to be a temporary document facilitating tax collection, it quickly became the

most common proof-of-ownership document held by cultivators (apart perhaps from tax receipts). Moreover, in spite of the inroads made by the central state into local land administration, most of the actual enforcers of property rights remained local: family elders, the *kamnan*, or a local strongman. Cultivators and dispute arbitrators recognized the S.K.1 as an ownership document on the basis of which people could buy, sell, rent, and mortgage land. Although land disputes are not often taken to court in Thailand, disputants who did not recognize these local authorities could go to the courts – which also, significantly, considered the S.K.1 a viable document.<sup>105</sup>

In face of this unintended authority of the S.K.1 the central government amended the Land Act in 1967 to specify that the S.K.1 no longer gave any rights to landholders. After this, villagers began to change the S.K.1 into the “Certificate of Use.”<sup>106</sup> By 1985 in the country as a whole, the Certificate of Use was the most common document.<sup>107</sup> A mere 15 percent of private land was held with full “Land Title Deeds.”

Although most people declared the land they occupied in 1954, many people in remote areas and those engaged in shifting and rotational agricultural work did not. Cultivators, frequently encouraged by government agencies (see below), continued to clear and occupy new land. In 1971 the government was forced to recognize that the situation was beyond its control, and abolished a provision that had declared land not registered under the S.K.1 to be unoccupied.<sup>108</sup> They also officially agreed to register land occupied after 1954 but not reported under the land code. The actual practice of settlers, therefore, led to major changes in the laws intended to regulate what they did, effectively turning the legal process on its head.

Many villagers have gained land rights through land-allocation programs, some of which involved resettlement (e.g., from areas flooded through dam construction, eviction from National Parks, or land reform).<sup>109</sup> Various government agencies distribute land that government officials regard as unoccupied, using a variety of land documents. These documents are issued as temporary documents with restrictions pending surveys leading to full private rights. In practice, according to many observers,<sup>110</sup> the agencies administering the programs are reluctant to give up their involvement in the schemes and do not invite survey teams to initiate the issuing of titles.<sup>111</sup> The finalization of the process would mean the end of jobs and land control. About 230,000 “households” (probably about 1.5 million individuals) had been allocated land in these schemes by the middle 1980s.<sup>112</sup>

The effect of the 1901 and 1954 land codes, and of the legal conditions associated with land-allocation programs, is that the state (claiming to act on behalf of all citizens) has claimed first right to ownership of all land in the national territory. From the point of view of state actors, allocation of property rights to land is a transfer of rights from the state to citizens. In practice, the transfer of rights is only partial, so that the ownership status of most land remains ambiguous, even from the perspective of state agencies. Boundaries between state and private land, which according to private-property theory should be clear, are in practice blurred.

Land titling has also been slowed by the government's use of the bounded and registered household as the basis for property rights in land. The household, shown above to be a colonial and national invention, became not only a basic political unit constituting the territorial village, but also the unit for awarding property rights in agricultural land. Although households were made the property-holding unit, the state needed to specify which individuals within households had the capacity to act with respect to this property. Because of its compatibility with the nineteenth-century legal status of men and women, it was easy for the Siamese state to go along with European notions of the male head of household. The sections on the capacity of persons in the Civil and Commercial Code specified that a wife could not carry out any act binding the "common" property without the signed consent of the husband,<sup>113</sup> with some qualifications (if husband was dead, had deserted, was incompetent, of unsound mind, imprisoned), while husbands did not need the wife's permission for similar acts. In many rural areas these provisions contradicted lineage control over the allotment of land, especially because through much of rural Thailand (and despite the old legal codes) the matrilineage had greater importance than the husbands' family in these matters. These sections of the Civil and Commercial Code were amended during the 1970s so both husband and wife must now sign off on acts binding their common property. Nevertheless, many family elders have been reluctant to register land because registration would imply the need to allot ownership to specific households within the lineage.<sup>114</sup>

Peasants in areas where land and agriculture have become highly commercialized, however, have long favored land titling. Since the mid-1980s the situation in areas accessible to the cities began changing rapidly due to land speculation. Because speculators want full ownership documents, villagers can increase the monetary value of land by

obtaining registered land title. In addition, the ongoing commercialization of the rural economy has heightened people's need for loans and thus land titles as security for loans, while the government has increased its capacity to carry out its threats to dispossess those without legal documents. These changes have convinced many people to obtain land titles if they can. The more commercialized an area is, the more likely that villagers have converted to Full Title Deed or the Certificate of Use.<sup>115</sup> In such localities, the incorporation of villagers into the global economy and increasing state capacity has enabled state agencies to strengthen their administration of rights to land in Thailand.

Although the commoditization of land intersected with the territorialization of the state in Thailand, they are not the same process, and they can occur separately. Non-capitalist (socialist) states have territorialized rule without instituting a market in land.<sup>116</sup> Markets in land have emerged without direct involvement by state agencies. But in the latter case, a state bent on territorialization will not long leave such markets to operate autonomously.

In summary, the government has become increasingly involved in the administration of property rights to land, in part because of the intersection between land rights and territorial control. They codified laws regulating access to land, and made land rights contingent on written texts including appropriate maps. The process occurred in tandem with a shift in the sources of social power away from property rights in persons to property rights in land and capital. However, land laws have generally failed to achieve fully their intended goals. This failure was due to peasant non-cooperation, to non-cooperation by some agencies involved in land-allocation schemes, and lack of state capacity to enforce land rights in the context of this non-cooperation. But peasants will accept and even demand state guarantees of their rights to land as the economy becomes commercialized and when there are threats of land takeovers by powerful outsiders.

### **Territorial forests**

Since the turn of the century, two government agencies have been primarily responsible for territorializing state power. The first is the Department of Local Administration in the Ministry of Interior, under which the administration of people was territorialized through the mapping of villages, household registration, and allotment of land title

under the Lands Department. The second is the Royal Forestry Department, which was awarded jurisdiction over most territory considered unoccupied.

Territorialization of the forest in Thailand took place in three stages. The first stage was the declaration that all unoccupied land within the national boundaries was state forest under the jurisdiction of the Royal Forestry Department – a negative definition that allowed cultivators to take land out of the forest by acts of possession and use. The second was the demarcation of reserve and permanent forests, which was initiated in the 1930s, and accelerated after 1964. This redefined forest positively, and created large areas legally off-limits to occupation and cultivation. Third was “functional territorialization”: the remapping of forest and other land according to scientific criteria such as soil type, slope, and vegetation, which have become the basis for laws prohibiting and prescribing specific activities in these areas.

The first stage was initiated in 1896 with the establishment of the Royal Forestry Department. The immediate purpose was to take over income generated by local lords from teak concessions to the British, and to head off a possible British takeover of the areas with teak forests (above). Through the British, the king hired a British Forester (H. A. Slade) from India to establish the Forestry Department.<sup>117</sup> He was its director until 1901, after which another Englishman, W. F. Lloyd, was director until 1923.<sup>118</sup> The Forestry Department was dominated by Siamese foresters trained in the Indian Forestry School until well after the Second World War, and British India and Burma became the model for forestry in Thailand.

At Slade’s recommendation, the control of all forest lands was transferred from local lords to the Forestry Department.<sup>119</sup> This new “forest” included most of the land area in Thailand – probably about 75 percent at this time.<sup>120</sup> A variety of acts created a legal framework for the Forestry Department’s claims to forests, the most important of which were the Forest Preservation Act of 1897 and the Forest Conservation Law of 1913. Under the latter law, the Forestry Department could declare any forest product to be “reserved.” Those who wanted to take reserved forest products had to obtain permits, pay fees, and follow a series of very specific regulations on how the product was to be cut, tapped, or whatever. Local people could still legally use forest resources for domestic needs.<sup>121</sup>

The effects of these policies were limited partly because the Forestry Department enforced them only in areas where there was substantial trade in major forest products (such as teak) and partly because species regulations were compatible with existing taxes on specific products. In practice, access to forest products was still controlled by local influential people rather than the state, and it was these influential people who were most likely to stake out territorial control of specific products.<sup>122</sup> Moreover, until the 1954 land code there were no laws specifically preventing villagers from clearing and cultivating new land out of undemarcated forest, and after this they could still do so with the permission of local administration officials. Government policies encouraged the clearing of new land for the production of rice, which was the major export during this period. The forestry department could prevent this only by a positive demarcation of the forest land.

The second stage of territorialization, demarcation, was initiated after the promoters of the 1932 coup replaced the monarchy with a government composed of bureaucrats and military officers. The Protection and Reservation of Forests Act of 1938 provided for the demarcation of “reserved” and “protected” forests. The first category, “Protected” forests, prohibited clearing and burning; other uses were permitted as in the past. In the “reserved forests” local inhabitants were also forbidden to graze animals, damage the forest in any manner, and they needed to apply for permits to extract legally any forest product, including non-reserved products such as all animal products, soil, rock, gravel, oils, and so on.

In practice, demarcation proceeded very slowly until the mid-1960s, due to elaborate procedures for local consultation and the veto power of Ministry of Interior officials.<sup>123</sup> Although the 1954 land code took away the right to convert forest without permission from the government, the slow demarcation meant that most forests were in practice negatively defined as unoccupied land until the 1960s. The territorial boundaries of the forest remained ambiguous, changing, and unenforceable.

The early 1960s marked an acceleration of the territorial strategies initiated in the 1930s, and legally altered the local-central power nexus. A series of new laws were enacted<sup>124</sup> that committed the government to maintaining 40 percent of national land area in reserved forests, and to demarcating the reserve forests rapidly.<sup>125</sup> These laws removed most of the requirements for local consultation, and marginalized the Ministry

of Interior from the process. By 1985 the area mapped as reserve forest had reached 42 percent of national territory.<sup>126</sup> Mapping the forest in effect allowed the Forestry Department to displace the old negative territorial definition and the ambiguous, unenforceable territorial boundaries by a positive definition of forest as that territory that had been mapped as forest and that either already consisted of or was intended to consist of a certain amount of woody vegetation cover.

Although the forest had been defined territorially since the administrative changes, it was the demarcation of the forest through mapping that shifted state regulation of forest use to a territorial form of control. Previously, the Forestry Department had relied primarily on species and product controls, which entailed a level of surveillance and enforcement that the Forestry Department could not mobilize. Demarcating the forest shifted this to the surveillance of boundaries and the simple prohibition of most activities within these boundaries. This shift was intended to make control of forest uses easier. But by the 1980s this policy had failed. Instead, the Forestry Department has had to come to terms with millions of forest occupants. By the 1980s twenty to thirty percent of all cultivators in Thailand worked land that was mapped as reserve forest, for reasons outlined below.<sup>127</sup> It is likely that by now less than half the reserve forest is actually covered with enough woody vegetation to be identified as a biological forest.

There were many reasons for this occupation. They included the enclosure of many prior occupants into the forest by demarcation, policies encouraging upland settlement and agriculture, and (probably most important) logging concessions. The logging concessions specified tight regulations for selective logging, but the Forestry department was unable to enforce these regulations, and major parts of the reserve forests were logged out during the 1970s.<sup>128</sup> Loggers facilitated unauthorized occupation and cultivation of forest land by building roads and by doing most of the difficult clearing.

Other government agencies also promoted the occupation of reserved forests. Those government agencies more concerned with the administration of people than natural resources believed that the government could more effectively control people and territory when they were settled and organized into villages. Thus the military and the Ministry of Interior organized forest clearing and settlement to secure areas in which insurgents were operating,<sup>129</sup> especially national border areas, as a means of solidifying the central state's territorial claims.<sup>130</sup> Even in

non-sensitive areas, the Ministry of Interior followed settlers into the reserve forests, organized them into villages, registered them, and collected land taxes on cultivated land. The land taxes collected by the Ministry of Interior are very low, and cultivators were happy to pay, as the taxes implied recognition of cultivation rights.

These actions by the Ministry of Interior in effect condoned actions that forest law had rendered illegal. Although the Ministry of Interior collected taxes, they could not give out legal land-ownership documents in the reserve forests. The Forestry Department, by territorializing its jurisdiction, had claimed “ownership” of reserve forest territory on behalf of the state, and remained the sole agency that could legally allocate land rights in these areas.<sup>131</sup> Thus, the documents issued to cultivators under the 1954 Land Code (including the SK1 and Land Title Deeds) could not be issued for land in reserve forests. Until 1982 the Forestry Department did not formally recognize occupancy rights within the reserve forest, and settlers depended on local enforcement of land rights in these areas.<sup>132</sup> Ironically, they used the state-issued land-tax receipts as a means for the communication of possessory rights to the land among themselves.

The ambiguous situation of the forest settlers thus resulted from the conflicting actions of different government agencies, especially the Forestry Department and the Ministry of Interior. On one hand, the mandate of the Ministry of Interior prioritizes the management of people. The provincial and district officials of the Ministry of Interior are also responsible for peace and tranquillity in the territories for which they are responsible. Thus they are likely to recognize existing situations as practical exigencies not only to fulfill their mission of mapping and registering the population, but to avoid conflict. Until recently, the Ministry of Interior was not concerned with whether or not the villages were in the forest. Prior to the demarcation of the reserve forests, an act of possession by definition removed land from the forest, whether or not it was mapped. After demarcation, the Ministry of Interior acted as if nothing had changed. This attitude may have been due to the way the procedures for demarcation after 1964 included only a marginal role for the Ministry of Interior – they may have been unwilling to go along with new restrictions in which they had a only a small role.

The Forestry Department’s mandate, on the other hand, prioritizes natural-resource management. They are less likely than the Ministry of

Interior to take an accommodating view of forest settlers. They increasingly understand their power in terms of the amount of territory controlled, so that they take settlement in the reserve forest as a loss of territory controlled by the Forestry Department.

As the massive failure of the reserved forest policy became apparent, the government in the early 1980s formulated new policies for taking control of forest activities. The new approach was what we call the third stage of territorialization of forest regulation – functional territorialization. Functional territorialization means controlling what people do according to detailed land-classification criteria. This approach was initiated during early 1960s with legislation for creating Wildlife Sanctuaries and National Parks. By 1985, nine percent of national territory was in one of these two categories, and demarcation has continued since. Most of these areas are still under forest cover, because the government did not give out logging concessions in these areas, and because the government has used force to defend these areas.

As technical capacity of the government was increased by foreign assistance, government agencies classified land throughout the kingdom according to suitability for agriculture during the 1960s and 1970s. During the early 1980s, the government also developed a watershed classification system, which it used to map the entire country.<sup>133</sup> Beginning in the early 1980s, the forestry department gave out limited land rights in the form of a so-called STK certificate in areas classified suitable for agriculture. In 1985 a new National Forest Policy directed the Forestry Department to reclassify the forest reserves into conservation forest and economic forest. The conservation forests include areas mapped as sensitive watersheds, wildlife sanctuaries, and national parks. Access is supposed to be strictly regulated and cultivation is prohibited. Economic forests include so-called degraded forest. The forestry department was directed to award STK certificates in occupied economic forests. Otherwise it was intended to be replanted with tree plantations.

The temporary rights specified by the STK documents allowed households to cultivate 2.4 ha of land for five years, and they were renewable if a series of conditions was followed. These conditions include not leaving the land idle continuously for more than two years (which often undermines sustainability on the fragile soils of upland areas) and a ban on any transfer except by inheritance. By 1990 over 700,000 households had been given STK certificates. The STK program can be understood

as an attempt to contain forest cultivation within 2.4 ha cells and to regulate cultivation practices within these cells. This control was partially funded by a World Bank loan, which in effect aided the government in this latest phase of internal territorialization. The containment policy has succeeded partially at best; according to at least one researcher<sup>134</sup> less than fifty percent of those receiving STK papers were still cultivating their original pieces of land in 1992. As of the writing of this article there was little information on whether these cultivators moved because the soil was exhausted by continuous cash-crop cultivation, and whether they had moved to cultivate new forest areas.

It appears as if the territorial containment of new settlement has been more successful. During the 1980s the Forestry Department increased surveillance of areas classified as inappropriate for agriculture, with particular focus on National Parks (whose demarcation has been accelerated), Wildlife Sanctuaries, and Sensitive Watershed areas. It also set up programs for moving people out of these areas, with the help of the military, which were only partially implemented due to resistance by peasants, NGOs, and academics. Certain NGOs have emerged as the key supporters of peasant cultivators opposing government land-use controls; these organizations are calling for a shift to more local control of resources to replace failed government policies.

In the context of the way that some theorists believe that increased global integration is weakening the capacity of national states, we should note that direct military aid from foreign sources has been central to the increased capacity of the Forestry Department to enforce territorial controls. Beginning in the early 1950s, the Thai military was armed and trained by the United States as a bastion against Indo-chinese communism. The United States CIA also set up a paramilitary police unit, the Border Patrol Police, as a non-military counter-insurgency force. By the middle 1980s, however, communism could no longer be presented as a threat. Instead, a series of environmental threats has allowed the military and para-military police to frame forest protection as a national security issue. These included repeated flooding in Bangkok and a major flood in the South in 1989.

After the 1989 flooding the government imposed a ban on logging, and began to take an increasingly militarized approach to watershed conservation. Frequent reports on the Forestry Department's lack of enforcement capacity in Wildlife Sanctuaries and National Parks have also

led the print media to support military involvement in forest protection, a call echoed by some international groups.<sup>135</sup> The attempt to use force to implement these policies intensified during a short period of military rule in 1991 and 1992. The Forestry Department and military initiated a program that was intended to move millions of people out of areas classified as conservation forest. Relocation was strongly opposed by villagers as well as NGOs and intellectuals, and the result was chaos and open resistance. The program was canceled by a new civilian government shortly after the May 1992 events forced the military out of power.<sup>136</sup> The civilian government that replaced this military government has indicated that it intends to avoid the use of force; however, newspaper reports and case studies indicate that the military, Border Patrol Police, and Provincial Police have continued to augment the enforcement capacity of the Forestry Department and involve themselves in the protection of forests.<sup>137</sup> The overall result is a period of intensified conflict over land rights in Thailand.

In summary, through these programs the Forestry Department has become a key agent for the management of land rights on territory demarcated as state property. Their authority has taken different forms in different types of forests, but whether or not it succeeds, their activities influence land use and the eventual configuration of the landscape. Many villagers refuse to recognize the legitimacy of either the Forestry Department or other state land agencies and continue to thwart state property claims in forests. The military, whose capacity was built up by foreign aid, has been used to evict Thai peasants and forest dwellers from their land. Territorial controls are also encouraged and legitimized by the involvement of many international groups ranging from aid agencies and development economists to environmental groups. But the use of force has provoked open resistance by villagers and some NGOs and academics. In response, the 1994 civilian government has taken a more conciliatory approach to most "forest" settlers, including the degazetting of some forest reserve for land reform.

### **Concluding comments**

In this article, we have argued for bringing the notion of territoriality to the center of sociological discussions of state-society relations. Although focussing on Thailand, we have argued that the use of territorialization strategies characterizes all modern states, most of which attempt to control people's actions by surveying and registering landed

property and by mapping and guarding forests and other natural resources. Siamese rulers did not invent the specific forms of these strategies that they applied in their realm: they borrowed the Torrens system from Australia and other countries of the British commonwealth. They also borrowed a model of territorial forest control from the British colonies in the region and based their current resource-protection policies on American models of National Parks, Wildlife Sanctuaries, and land-use zoning.

Despite the centrality of what writers like Sahlins<sup>138</sup> and Brubaker<sup>139</sup> label the “territorialization of rule” in the making of modern states, most political theorists of the modern state have focussed their work on the organizational characteristics of states, and on state-society relations. They have tended to ignore the ways that territoriality shapes state-society relations, in particular the nature of internal territorialization characteristic of modern state rule, and the role that natural-resource control plays within these territorialization strategies.

Writers such as Soja who address the spatiality of economic activities point to what they call the commoditization of space. Our evidence in this article suggests that the commoditization of land addresses only one of three processes of territorialization: the creation and mapping of land boundaries, the allocation of land rights to so-called private actors, and the designation of specific resource (including land) uses by both state and “private” actors according to territorial criteria. More generally, the focus on non-state actors such as corporations, and on processes such as commoditization, misses the contradictory, yet central, role of the state in territorial organization of people and economic activities.

In Thailand, as elsewhere, territorial models have failed as often as they have succeeded. Thus, after almost a century of land codes whose writers aimed toward private property as the inevitable endpoint for modern development, only fifteen percent of the land area is held as legally alienable private property. Moreover, the state’s ignorance of local claims renders boundaries on land and resource use more contested and ambiguous than map-makers and state land planners assume. Local property rights and claims continue to comprise complex bundles of overlapping, hierarchical rights and claims. This reality contradicts the clear boundaries assumed by state titling programs, has slowed the land titling process, and complicated state efforts to claim property for itself.

People's disruption of territorial strategies by non-compliance<sup>140</sup> or open resistance has helped render territorial control, which is simple and efficient on paper, complex and inefficient in practice. Government agencies are continually reclassifying and remapping territory to account for how people have crossed earlier paper boundaries. State land management agencies are forced to recognize local rights deriving from local classification, modes of communication, and enforcement mechanisms. Programs such as those awarding limited land rights to cultivators in reserve forest areas are simultaneously a state attempt to contain people's activities and a state response to what people had done to undermine previous such policies.

Far from abandoning territorialization, however, the state has repeatedly responded to peasant activities through an intensification of territorial strategies of control. As the coercive capacity of the state has improved, supported by international aid and legitimation, the government has been more capable of implementing some of these strategies. Increased integration into the global economy and the increased global involvement in national-level environmental protection has facilitated internal territorialization in Thailand.

We have also shown that not all cultivators in Thailand oppose government involvement in the administration of territorial rights, favoring state-guaranteed property rights in land. This is especially true in more commercialized areas, where cultivators want to use land as security to obtain institutional credit, and in areas where the government has threatened to move people forcibly off the land they are cultivating. However, projects to "allocate" these rights are complicated by divergent understandings of the basis of such rights. From the government's point of view, the state has eminent domain over all national territory, and the registration of title is, in effect, a transfer of ownership from the state to an individual or household. The state thus claims the authority to specify which land can be turned over to cultivators, and to set conditions on the granted rights.<sup>141</sup> These decisions are increasingly made on the basis of territorialized "scientific" criteria, though these criteria often mask implicit economic interests.

Most rural cultivators, meanwhile, maintain land rights enforced by non-state authorities. Cultivators do not always recognize state claims to limit land use and disposition, even in areas classified as forest. The government has only recently been in a position to enforce its claims, but it faces disabling resistance to policies that contradict local rights.

We believe that such resistance will continue to render the project of the territorialization of control unstable.

### Acknowledgments

Many people have helped us in preparing this article. Luin Goldring and David Nugent provided detailed criticisms of an earlier draft, and the fellows of the 1992–1993 Agrarian Studies program at Yale read or heard sections of it. Many of their comments have been incorporated into this draft. Comments on later drafts were offered by Rod Neumann, Nick Menzies, and the Editors of *Theory and Society*. The usual disclaimers for blame apply. Grants from the National Science Foundation's Law and Social Science Program (#SBR-9310921), the Canada-ASEAN Center, and the University of Victoria made the research on which this article is based possible.

### Notes

1. Max Weber, *Economy and Society*, Guenther Ross and Claus Wittich, editors (Berkeley: University of California Press, 1978), 54.
2. Nancy Peluso, *Rich Forests, Poor People* (Berkeley: University of California Press, 1992).
3. See especially J. B. Konvitz, "The nation-state, Paris, and cartography in eighteenth- and nineteenth-century France," *Journal of Historical Geography* 16/1 (1990): 2–16. Other sources include Ted Margadant, *Urban Rivalries in the French Revolution* (Princeton: Princeton University Press), and Isser Woloch, *The New Regime: Transformations of the French Civic Order, 1789–1820s* (New York: Norton).
4. William Skinner, "Marketing and social structure in rural China," *Journal of Asian Studies* 24 (1964): 3–43.
5. See, for example, Vivienne Shue, *The Reach of the State* (Stanford: Stanford University Press, 1988), and Joseph B. R. Whitney, *China: Area, Administration, and Nation-Building* (Chicago: University of Chicago, Department of Geography), Research Paper No. 123.
6. An assertion supported by John G. Ruggie, "Territoriality and beyond," *International Organization* 47/1 (1993): 139–175, who notes on 174 that "[i]t is truly astonishing that the concept of territoriality has been so little studied by students of international politics; its neglect is akin to never looking at the ground that one is walking on."
7. Bob Jessop, *State Theory: Putting the Capitalist State in its Place* (Cambridge: Polity Press, 1990).
8. In his discussions of Foucault's "panoptic diagram" (*State Theory*, 230–231); Weber's definition of the state; Luhmann's notes on the territorialization of political dominance (*State Theory*, 322, 350); and occasional mention of territorial boundaries (for example, *State Theory*, 349).

9. Jessop, *State Theory*, 341.
10. Gianfranco Poggi, *The Development of the Modern State: A Sociological Introduction* (Stanford: Stanford University Press, 1978), and *The State: Its Nature, Development, and Prospects* (Stanford: Stanford University Press, 1990).
11. M. Mann, *The Sources of Social Power*, Volume 1 (Cambridge University Press, Mann, 1986).
12. Mann, *Sources*, 10–11.
13. On China see, for example, Whitney, *China*, 33–45. Note also that Central Place Theory is based on a kind of radial space, although in a sense more appropriate to periods of early industrialization. See, for example, Skinner, “Markets in China.”
14. Territory has recently received more attention from many theorists, but only because of a purported “crisis of territory” (Poggi), that is, a *de*-territorialization of political and economic institutions, a process linked to increasing globalization of these institutions. This approach not only misses the importance of an intensification of territorial forms of control, but also continues to treat territoriality solely as a question of sovereignty.
15. For example, Ruggie, “Territoriality” provides a perceptive discussion of the importance of perspectives of space and of cartography, but he employs these insights to discuss only the victory of the territorial state in terms of external boundaries. Other theorists focussing on the construction of national boundaries include Peter Sahlins, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989), and Friedman, “A theory of the size and shape of nations,” *Journal of Political Economy* 85/1 (1977): 59–77.
16. Bulpitt, *Territory and Power in the United Kingdom* (Manchester: Manchester University Press, 1983: 6).
17. See, for example, Rokkan, “Dimensions of state formation and nation-building,” in C. Tilly, editor, *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975). The essays in Per Torsvik, editor, *Mobilization, Center-Periphery Structures and Nation-Building* (Bergen, Norway: Universitetsforlaget, 1981) provide additional examples of this approach.
18. See, for example, Mildred A. Schwartz, *Politics and Territory* (Montreal: McGill-Queens University Press, 1974); Peter Madgewick and Richard Rose, *The Territorial Dimension in United Kingdom Politics* (London: The Macmillan Press, 1982); most papers in Gregory and Urry, *Social Relations and Spatial Structures* (London: Macmillan, 1985); Ronan Paddison, *The Fragmented State* (Oxford: Basil Blackwell, 1983); Ivo D. Duchacek, *The Territorial Dimension of Politics* (Boulder: Westview, 1986); and Alan D. Burnett and Peter J. Taylor, editors, *Political Studies from Spatial Perspectives* (New York: John Wiley, 1981). The essay by Robert Sack in the last volume is an exception to this approach. We might add that scholars on China tend to see the cellular social relations of rural China as a barrier to, not as an expression of, territorial state power. For example, Shue (*The Reach*) links parcelization to limits on the reach of the state, and she does not define cells in terms of territoriality but in numbers of people (*The Reach*, 132).
19. E. Soja, *Postmodern Geographies* (London: Verso, 1989).
20. Neil Smith, *Uneven Development* (Cambridge: Basil Blackwell, 1984). Others as previously cited.
21. Although Soja’s understanding of the term is the similar to the way we use it here. See *Postmodern Geographies*, 150.

22. See, e.g., J. Harley, *A History of Cartography*, 1992; Buisseret, editor, *Monarchs, Ministers, and Maps* (Chicago: Univ. of Chicago Press, 1992). Both Kain and Baigent, "The cadastral map," and Harley, "Maps, knowledge, and power," talk about internal mapping but not in terms of territorialization strategies.
23. See especially Benedict R. O'G. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1991, revised edition), and Michel Foucault, *Discipline and Punish* (New York: Vintage, 1977). Although Foucault probably did not intend his work to be applied to the study of state power, his insights on the importance of modern controls over the spacing and timing of human activities in *Discipline and Punishment* has not yet been fully appreciated in sociological theories of state power. Studies on the link between cartography and state power are only recently being published. See J. B. Harley, "Historical geography and the cartographic illusion," *Journal of Historical Geography* 15/1 (1989): 80–91, and "Maps, knowledge, and power," in Denis Cosgrove and Stephen Daniels, editors, *The Iconography of Landscape* (Cambridge: Cambridge University Press, 1988) for discussions of cartography as power linked to the state. J. B. Konvitz ("The nation-state") gives an example of the role of mapping in the reorganization of the territorial administration in France. See also David Buisseret, editor, *Monarchs, Ministers, and Maps: The Emergence of Cartography as a Tool of Government in Early Modern Europe*, Roger J. P. Kain and Elizabeth Baigent, *The Cadastral Map in the Service of the State: A History of Property Mapping* (Chicago: University of Chicago Press, 1992); Takashi Shiraishi, *An Age in Motion* (Ithaca: Cornell University Press, 1991).
24. Robert David Sack, *Human Territoriality: Its Theory and History* (Cambridge: Cambridge University Press, 1986), 19.
25. Edward W. Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London: Verso, 1989).
26. Soja has elsewhere discussed territoriality in the sense that we use it here. See Edward Soja, *The Political Organization of Space* (Washington: Association of American Geographers Resource Paper No. 8, 1971).
27. Edward W. Soja, "The spatiality of social life: Towards a transformative retheorization," 90–127 in Derek Gregory and John Urry, editors, *Social Relations and Spatial Structures* (New York: St. Martin's Press, 1985).
28. See also N. K. Menzies, "Strategic space: Exclusion and inclusion in wildland policies in late Imperial China," *Modern Asian Studies* 26/4 (1992): 719–733.
29. Sack, *Human Territoriality*, 21–22.
30. Carol Rose, "Possession as the origin of property," *The University of Chicago Law Review* 54 (1985): 75–88, discusses this in the context of property rights to land.
31. Rose, "Possession."
32. Dorothy Smith, *The Everyday World As Problematic* (Boston: Northeastern University Press, 1987). Smith discusses the "textually-mediated" world in the context of patriarchy, but her insights can be extended to state-peasant relations.
33. Following Yi-Fu Tuan, *Space and Place: The Perspective of Experience* (Minneapolis: University of Minnesota Press, 1977).
34. Benedict Anderson, *Imagined Communities*, 2nd edition (London: Verso, 1991), 173. See also Neil Smith, *Uneven Development*, 68ff.
35. Anderson, *Imagined Communities*, 170ff. Anderson draws on Thongchai Winichakul, *Siam Mapped*, "Siam Mapped" to discuss the relation between nation-making and the mapping of abstract space (see below). He also discusses at length what he calls the "empty, homogeneous time" of the imagined nation, although we

would argue with Konvitz that national states have pursued the homogenization of space more completely than time, since control over space augments power in a way control over time does not. Neil Smith, *Uneven Development* also discussed the equivalent of what we call abstract space (his term is “absolute space”) as “emptiness, a universal receptacle in which objects exist and events occur, as a frame of reference, a coordinate system (along with time) within which all reality exists” (68).

36. Harley, “Maps.”
37. See Yi Fu Tuan, *Space and Place*, for a broad-ranging discussion of the experience of space. Tongchai Winichakul, *Siam Mapped*, shows with maps from Siam that mapping can take place on the basis of principles other than abstract space, including cosmological space and travelling routes. J. B. Jackson discusses changing perceptions of space in European landscapes in his many publications. See, for example, *The Necessity for Ruins and Other Topics* (Amherst: University of Massachusetts Press, 1980) and *The Vernacular Landscape* (New Haven: Yale University Press, 1984). See also, J. B. Harley, *A History of Cartography in South Asia* (Chicago, University of Chicago Press, 1992).
38. Karl Polanyi, *The Great Transformation* (Boston: Beacon Press, 1944).
39. Sara Berry, “Social institutions and access to resources,” *Africa* 59/1 (1989); Daniel P. Bromley, *Environment and Economy* (New York: Blackwell, 1991).
40. Nancy Lee Peluso, “Coercing conservation?: The politics of state resource control,” *Global Environmental Change* (June, 1993): 199–218.
41. A well-known example is the United States’ arming of states, including Thailand, who confronted left insurgencies or were adjacent to socialist states. The arming of the Thai military and policy by the United States has been described by Sura-chat Bamrungsuk, *United States Foreign Policy and Thai Military Rule 1947–1977* (Bangkok: Duang Kamol, 1988). Less is known about how some international environmental groups arm state natural resource agencies or legitimized states using coercive resource-management tactics, to help these states claim large territories using environmental justifications. See Peluso, “Coercing conservation,” and Fred Pearce, *Green Warriors* (London: The Bodley Head, 1991).
42. For example, the essays in Mark Greengrass, editor, *Conquest and Coalescence: The Shaping of the State in Early Modern Europe* (London: Edward Arnold, 1991), and Charles Tilly, *Coercion, Capital, and European States, AD 990–1992* (Cambridge: Blackwell, 1990).
43. On the transition from the “Domain State” in which state income is derived largely from the state’s commercial activities to the “Tax State,” see Ladewig E. Peterson, “From Domain State to Tax State: Synthesis and Interpretation,” *Scandinavian Economic History Review* 23 (1975): 116–148.
44. James C. Scott, *The Moral Economy of the Peasant* (New Haven: Yale University Press, 1976).
45. See Paul H. Kratoska, “The peripatetic peasant and land tenure in British Malaya,” *Journal of Southeast Asian Studies* XVI/1 (1985): 16–46.
46. See Tongchai Winichakul, *Siam Mapped: A History of the Geobody of Siam* (Ph.D. Thesis, University of Sydney, 1988; also forthcoming with University of Hawaii Press) for an examination of the mapping of borders of Siam and of changing notions of space and time among the political elite in Siam. Although Thongchai treats territoriality in terms of external boundaries and exclusive sovereignty, he is exceptional in that he also devotes considerable attention to changing concepts of space and cartography.

47. See also Ramachandra Guha, *The Unquiet Woods: Ecological Change and Peasant Resistance in the Himalaya* (Berkeley: University of California Press, 1990) and Peluso, *Rich Forests*, for examples of everyday resistance to forest zoning in India and Java.
48. See chapter 6 in Roy E. H. Mellor, *Nation, State, and Territory: A Political Geography* (New York: Routledge, 1980) for an overview of territorial administration in some European countries. Konvitz, "The nation state" links the reorganization of territorial rule in revolutionary France to developments in cartography.
49. David J. Steinberg et al., editors, *In Search of Southeast Asia* (Honolulu: University of Hawaii, 1987), 5.
50. Steinberg et al., *In Search*, 30.
51. Thongchai, *Siam Mapped*; S. J. Tambiah, *World Conqueror and World Renouncer* (Cambridge: Cambridge University Press, 1976).
52. Robert Heine-Geldern, *Conceptions of State and Kingship in Southeast Asia* (Ithaca: Cornell Department of Far Eastern Studies, 1956); David K. Wyatt, *Thailand: A Short History* (New Haven: Yale University Press); Theodore G. Th. Pigeaud, *Java in the Fourteenth Century*, Volume 4 (The Hague: Martinus Nijhoff, 1964), 52. Soemarsaid Moertono, *State and Statecraft in Old Java* (Ithaca: Cornell Modern Indonesia Project Monograph Series, Publication Number 43, 1968); Benedict R. O'G. Anderson, "The Javanese concept of power," in Claire Holt, *Culture and Politics in Indonesia* (Ithaca: Cornell University Press, 1963); Anthony Reid, "The precolonial economy of Indonesia" (*Bulletin of Indonesian Economic Studies* 20/2 (1984): 151–167).
53. Reid, *The Precolonial Economy*; Steinberg et al., 1987: 15–16.
54. Jeremy Kemp, "The dialectics of village and state in modern Thailand," *Journal of Southeast Asian Studies* 22/2 (1991): 312–326 and *Seductive Mirage: The Search for Community in Southeast Asia* (Center for Asian Studies, Amsterdam: Comparative Asian Studies Number 3, 1988). Akin Rabibhadana, *The Organization of Thai Society in the Early Bangkok Period* (Ithaca: Cornell University, Southeast Asia Program Data Paper Number 74, 1969) describes these relations for the Bangkok region.
55. Interviews conducted during the 1950s in the Bang Chan area near Bangkok indicate that during the 1870s and 1880s settlers in this area were either attached to one of several different masters, or escaped registration altogether (Sharp and Hanks, *Bang Chan*). In interviews during the 1980s in the district of Satingpra on the Malay peninsula older people remember debt-slave relations during the early 1900s in which different wealthy families living near each other had debt-slaves living in a widely dispersed area (Peter Vandergeest, "Siam into Thailand," unpublished Ph.D. Dissertation, Cornell University, 1990).
56. Yoneo Ishii, "The Thai Thammasat," in M. B. Hooker, editor, *The Laws of South-East Asia*, Volume I: *The Pre-Modern Texts* (Singapore: Butterworth and Company, 1986), 187; Aroonrut Wichienkeo and Gehan Wijeyewardene, editors, *The Laws of King Mangrai* (Canberra: Australian National University, Department of Anthropology Occasional Paper, 1986).
57. Noel Alfred Battye, "The military, government, and society in Siam, 1868–1910" (Cornell University: unpublished Ph.D. Dissertation, 1974), 92f. Within Bangkok's ruling groups, the distribution of power rested on control of military force – for example, the military forces controlled by the Bunnag family allowed it to place King Mongkut on the throne in 1851, and as king, Mongkut made no major decisions without getting Bunnag approval (96f).

58. On the area now made in Thailand, see Thongchai, *Siam Mapped*. On Indonesia, see Peluso, *Rich Forests, Poor People*, 28. On Europe, see Sahlins, *Boundaries*.
59. Social histories such as those by Sharp and Hanks, *Bang Chan*, and Katherine Bowie, "Peasant perspectives on the political economy of the northern Thai Kingdom of Chiangmai in the nineteenth century" (University of Chicago: unpublished Ph.D. Dissertation, 1988) describe how many people living near Bangkok and Chiangmai (in the North) were resettled war captives. See also Batty, "The military," and Tambiah, *World Conqueror*, 120–121. Nineteenth-century wars often took the form of raids in which the human "booty" was resettled and enslaved near the victors' principality.
60. Unpublished field data collected by Nancy Peluso and Christine Padoch, in Indonesia, and Peter Vandergeest, in Thailand, contain examples of a group's retention of claims to trees through several generations despite having moved from that territory – and the recognition by other groups of those claims in the form of payment of fines for using them.
61. Hong Lysa, *Thailand in the Nineteenth Century: Evolution of the Economy and Society* (Singapore: Institute of Southeast Asian Studies, 1984).
62. David Bruce Johnston, "Rural society and the rice economy in Thailand, 1880–1930" (Yale University: unpublished Ph.D. Thesis, 1975).
63. Tambiah, *World Conqueror*, 102.
64. Tambiah, *World Conqueror*, 140.
65. F. W. Riggs, *The Modernization of a Bureaucratic Polity* (Honolulu: East-West Center Press, 1967).
66. Batty, "The Military."
67. *Siam Mapped*, 70–74. Thongchai (*Siam Mapped*, 61–66) also discusses the Chinese coastal maps used for travel between China and South Asia; these maps show the coast running in a horizontal direction "irrespective of its true direction."
68. Thongchai, *Siam Mapped*, 74.
69. On Malaysia, see Evelyn Hong, *Natives of Sarawak* (Penang: Consumers' Union of Malaysia, 1990); on Java, see Peluso, *Rich Forests, Poor People*.
70. Thongchai, *Siam Mapped*, 139; this reply was given 1826. Thongchai (*Siam Mapped*, 144, 153, 162) identifies similar responses in 1840s.
71. Thongchai, *Siam Mapped*, 156.
72. Banasopit Mekvichai, "The teak industry in north Thailand" (unpublished Ph.D. Thesis, Cornell University, 1988): 200; Batty, "The military," 145.
73. Mekvichai, "The teak industry," 206.
74. Thongchai, *Siam Mapped*, 289.
75. Batty, "The military."
76. R. W. Giblin, "Royal survey work," in Arnold Wright and Oliver T. Breakspear, editors, *Twentieth Century Impressions of Siam* (London: Lloyd's, 1908), 122.
77. Giblin, "Royal survey work," 121.
78. Thongchai, *Siam Mapped*, 286–287.
79. Giblin, "Royal survey work," 121ff.
80. The Bowring Treaty limited import duties to three percent, set export duties on most commodities, and limited internal taxation. The Siamese also agreed to legal extraterritoriality for British subjects. Treaties with other European states and the United States included similar provisions. See Lysa, *Thailand*, and James C. Ingram, *Economic Change in Thailand* (Stanford: Stanford University Press, 1970).
81. Commercialization was important before the treaties, and the finances of the

- Bangkok monarchy were already dependent on external trade (see Lysa, *Thailand*). Thus the treaties can be seen as a reinforcement of existing trends that made the capitulation to British demands possible. The treaties did force a change in the nature of trade, from “government” monopoly to “private” trade taxed by the government. It also forced increasing reliance on tax farming for income (Lysa, *Thailand*). Other important English-language sources on this period include Sompop Manarungsan, *Economic Development of Thailand, 1850–1950* (Bangkok: Institute of Asian Studies, Chulalongkorn University, 1989), Ingram, *Economic Change*; Chatthip Nartsupha and Suthy Prasartset, *The Political Economy of Siam, 1851–1910* (Bangkok: The Social Science Research Association of Thailand, 1978), and Ian Brown, *The Elite and the Economy in Siam c. 1890–1920* (Singapore: Oxford University Press, 1988).
82. Lysa, *Thailand*; Brown, *The Elite*.
  83. Lysa, *Thailand*.
  84. F. W. Riggs, *The Modernization*, 110ff.
  85. See Tej Bunnag, *The Provincial Administration of Siam 1892–1915* (Kuala Lumpur: Oxford University Press, 1977) for a description of the administrative reforms.
  86. Batty, “The military,” 419ff.
  87. Bowie, “Peasant perspectives.”
  88. Peter Vandergeest, “Hierarchy and power in pre-national Buddhist states,” *Modern Asian Studies* 27/4 (1993): 843–870.
  89. Bunnag, *The Provincial Administration*, 111.
  90. We are invoking the modern techniques of surveillance described by Foucault in *Discipline and Punish*.
  91. Household registration as a means for locating or fixing people in space is not unique to Thailand; most modern states employ some kind of registration system. An extreme example is the post-war Chinese state, which has effectively used a household registration system to keep the rural population away from the cities, and to force the majority of Chinese to continue producing agricultural products as their major source of livelihood. Mark Seldon, *The Political Economy of Chinese Development* (Armonk, New York: M. E. Sharpe, 1993).
  92. Surachat, “United States foreign policy.”
  93. Mobile and unregistered people, especially upland “hill-tribe” peoples, were ignored, as indicated by their explicit exclusion from the military draft. Their exclusion from the draft is reported in Batty, “The military,” 453.
  94. France is the paradigmatic case of a highly centralized territorial administration, whereas local administration in United States is relatively autonomous. In the colonies, the British tended to set up administrations with strong local-level institutions that drew on pre-existing systems of authority, although incorporating these in the British territorial system. The French-based colonial administration on the highly centralized French model, which aimed to assimilate rather than incorporate (see Mellor, *Nation, State, and Territory*).
  95. The Bangkok monarchy avoided the legal fragmentation (separate legal codes for different categories of people) prevalent in colonized Southeast Asia, although legal extra-territoriality (i.e., the exemption of European and American subjects from Siamese laws as specified in the mid-nineteenth-century treaties) may be considered a limited form of such fragmentation. Instead they enacted a series of national codes modelled on European and Japanese codes, which formally applied to all Thai citizens, and which gave little recognition to local custom. See

- Apirat Petchsiri, *Eastern Importation of Western Criminal Law: Thailand as a Case Study* (Littleton, Colorado: Fred B. Rothman and Co., 1987). The Chinese were classified separately until the 1930s, as discussed by Kasian Tejapira, "Pig-tail: A Pre-History of Chineseness in Siam (*Sojourn* 7/1 (1992): 95–122). They were, however, generally subject to the same legal system as were the "Thais." The primary motivation for changing the legal system was to meet European conditions for ending legal extraterritoriality. But the result has been an enormous gap between the law and practice.
96. Sophon, in *Farmers in the Forest*.
  97. David Feeny, *The Political Economy of Productivity* (Vancouver: The University of British Columbia Press, 1982), 95.
  98. Giblin, "Royal survey work," 126.
  99. Feeny, *The Political Economy*, 96.
  100. Feeny, *The Political Economy*, 96.
  101. Vandergeest, "Siam in Thailand," and Sharp and Hanks, *Bang Chan*.
  102. These provisions were in the act promulgating the Code, not the Code itself.
  103. Jeremy Kemp, "Legal and informal land tenures in Thailand," *Modern Asian Studies* 15/1 (1981): 1–23.
  104. Kemp, "Legal and informal," 9.
  105. David M. Engels, *Code and Custom in a Thai Provincial Court* (Tucson: University of Arizona Press, 1978): 163.
  106. Anan Ganjanapan, "Social context of the accelerated land titling project" (Kasetsart University, Bangkok: Research Report # 9, Center for Applied Economics Research, 1989).
  107. Tongroj Onchan, editor, *A Land Policy Study* (Bangkok: The Thailand Development Research Institute, 1990), 65.
  108. James A. Hafner, "Forces and issues affecting forest use in northeast Thailand 1900–1985," in Mark Poffenberger, editor, *Keepers of the Forest: Land Management Alternatives in Southeast Asia* (Manila: Ateneo de Manila University Press, 1990), 85.
  109. In 1985, 14 agencies were involved in land allocation and settlement. The major agencies included the Agricultural Land Reform Office, the Department of Co-operative Promotion, and the Department of Public Welfare. The latter aims to resettle upland peoples in permanent lowland villages.
  110. In particular, Tongroj Onchan, an influential economist working on land issues in Thailand.
  111. Tongroj, *A Land Policy Study*.
  112. *Ibid.*
  113. Civil and Commercial Code (BE 2466) Book 1, Part II, Sections 38 to 43.
  114. See Anan, "Social context" for an analysis of some of the typical problems encountered by officials trying to register land into discrete households due to lineage control.
  115. Anan, "Social context."
  116. China's household registration system is a primary example (see Seldon, *The Political Economy*).
  117. Mekvichai, *The Teak Industry*, 211.
  118. Krom Paamai (Thailand), *Prawat lae ponngaan kong Krom Paamai* (History and Work of the Forestry Department, Bangkok: Royal Forestry Department, 1958).
  119. Anat Arbhahirma, Dhira Phantumvanit, John Elkington, and Phaitoon Ingkasuwana, *Thailand: Natural Resources Profile* (Singapore: Oxford University Press, 1988), 161.

120. Feeny, "Agricultural expansion."
121. Hafner, "Forces and issues," 80.
122. For example, Ananya Ungphakorn and Nipon Poapongsakorn, "The process of land settlement in the central region," in MIDAS Agronomics Company Ltd, *Study of Conservation Forest Area: Demarcation, Protection and Occupancy in Thailand*, Volume III (Bangkok: MIDAS Agronomics Company, 1991), describe how local influential people actually divided the forest into plots for allocating rights to collect a resin that was legally a reserved product.
123. Peter Vandergeest, "Territorialization of rights to the forest in Thailand." (Paper presented at the Association for Asian Studies Annual Meetings, Boston, 25 March 1994.)
124. The 1960 Wildlife Conservation and Protection Act, the 1961 National Park Act, and the 1964 National Forest Reserve Act.
125. The process took place in two stages. First, in 1961 "permanent forests" were mapped by officials in Bangkok using military maps. Then, the National Reserve Forest Law of 1964 initiated the demarcation of forest land through on-the-ground checks. Since for some purposes the definition of reserve forest did not supersede that of permanent forest, there are in effect now two separate territorial definitions of the forest. Local forestry officials have maps of both, and the double definition adds to a general confusion about boundaries and about how to implement various policies.
126. Philip Hirsch, *Development Dilemmas in Rural Thailand* (Singapore: Oxford University Press, 1990), 168.
127. Tongroj, *A Land Policy Study*, and Hirsch, *Development Dilemmas*.
128. Prayong Netayarak and Bantorn Ondam, "The history of forest land occupation for cultivation in northeastern Thailand" (Bangkok MIDAS Agronomics Company Ltd, 1991).
129. Foreign-aid agencies and the government poured money into an accelerated rural development program that targeted remote people suspected of being sympathetic to the Communist Party of Thailand. They aimed to woo these "pink areas" away from the insurgents by integrating them into the national state. The program emphasized road-building, and roads were pushed through major forest areas, with settlers following in the wake of the bulldozers.
130. Larry Lohmann, "Peasants, plantations and pulp: The politics of eucalyptus in Thailand," *Bulletin of Concerned Asian Scholars* 23/4 (1991): 3–18.
131. For an analysis of the same issue for Indonesia, see Peluso, *Rich Forests*; Charles P. Barber, *State, People and the Environment: The Case of People and Forests in Java* (Ph.D. dissertation, University of California, 1989). For Sarawak, see Evelyn Hong, *Natives of Sarawak* (Kuching, Malaysia: Institut Masyarakat, 1989). For Southeast Asia in general, see Poffenberger, *Keepers of the Forest*.
132. Many examples of the different means by which land rights were allocated and enforced are given in the occupancy study carried out by MIDAS Agronomic Company, *Study of Conservation*.
133. The government has also mapped the country into zones corresponding to soil type and slope.
134. Apichai Puntasen, interview.
135. On media support for militarization of forest protection, see *Bangkok Weekly Post*, "The vicious circle of dams and death" (8 October 1993) and *Bangkok Weekly Post*, "Show us that Seub did not die in vain" (22 October 1993). On the support of an international environmental group (Earth Island Institute) for

- coercive measures for conserving wildlife, see *Bangkok Post*, “Saving Thailand’s tigers” (5 September 1993).
135. On military involvement in forest protection more generally, see Apichai Puntasen, “A study of impact and proposed solutions for the settlement of the deteriorated forest for the poorest in the north-east” (SDF-PIN) Project (Research Report, Faculty of Economics, Thammasat University, 1 May 1992). See also the many Thai newspaper reports on the SDF-PIN project.
  137. See, for example, *Bangkok Post*, “Hill folk destroying forests,” (8 August 1993); “Tribesmen told not to trespass on forests” (15 September 1993), and “Villagers defying forest plans get warning” (15 July 1990). Examples of the use of force by the military and Border Patrol Police are also given by Ananya Ungphakorn and Nipon Poapongsakorn, “The process.”
  138. Peter Sahlins, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989).
  139. William Rogers Brubaker, “Immigration, citizenship, and the nation-state in France and Germany: A comparative-historical analysis,” *International Sociology* 5/4 (1990): 379–407.
  140. James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985).
  141. There is however a vigorous debate with government and academic circles on what kind of rights should be transferred. Some economists (e.g., Tongroj, *A Land Policy Study*) and World Bank publications (e.g., Feder et al.) argue that most peasants should be given full private-property rights without conditions so that they will invest in the long-term productivity of the land, while most state agencies including the Forestry Department resist this.