

**THE POLITICAL ECOLOGY OF ILLEGAL LOGGING IN THAILAND: FOREST
EXPLOITATION, VIOLENCE, AND ANTI-POLITICS**

by

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Abstract

Policy definitions of illegal logging are anchored in national forest governance institutions. However, extensive scholarship finds that national forest governance institutions stemming from the colonial era undermine customary rights to forest landscapes, adversely impacting Indigenous Peoples. Through a post-structural examination of the state and sovereignty, this dissertation interrogates illegal logging as a discursive construction concerned with the appropriation and continual reproduction of boundaries and rules over land and resources. In doing so, this dissertation reveals that operations of sovereign power and state institutions perpetuate historical and current forest degradation, resource inequities, and violence within Thailand's State forests.

The dissertation's findings are drawn from historical analyses and ethnographic fieldwork undertaken during 2018-2019 in Thailand. First, I found that throughout the 20th century, legal and illegal logging were ordinary constitutive components of state-capital relations which served to enrich powerful actors in state bureaucracies and their private sector allies, further driving widescale forest exploitation. Second, I detail the localized subjugation of a Karen Pwo Indigenous community, located within a National Reserved Forest bordering Huai Kha Khaeng Wildlife Sanctuary in western Thailand, who lack substantive legal land and resource rights. I found that state actors' continued governance and maintenance of State forests, justified through civilizing ideologies, facilitated the imposition of sovereign power over such tenure-insecure communities by state and state-supported actors. The enforcement

of forestry laws resulted in constrained livelihoods and violent dispossession via illegal logging, associated with forced labour and drug addiction.

Third, I found that the Forest Law Enforcement, Governance, and Trade, Voluntary Partnership Agreement negotiation process between Thailand and the European Union failed to address embedded inequalities in Thai forest governance structures that benefit elites at the expense of the rural poor. Through an examination of political logics, I showed how actors from the government and private sector succeeded in structuring the terrain of negotiations to minimize civil society demands for reforms to local people's land and timber rights. I conclude that the maintenance and (re)production of Thailand's State forests, advanced through national and international policy efforts, obscures and renders banal the resultant and continuing violent dispossession of Indigenous Peoples.

Lay summary

Many Indigenous Peoples communities lack substantive land and resource rights and instead inhabit land legally held by states. As a result, such communities are governed through inequitable laws and policies that favour state and private sector actors. Such regulatory inequalities lead to diminished resource access for communities, broader social and economic inequalities, and even violence.

This study examines the construction and ongoing reproduction of inequalities in Thailand's state forests by examining illegal logging and conditions of land and resource rights and access. I encourage the reader to view illegal logging as the manifestation of ongoing inequities produced through state-driven forest governance that facilitates timber access by large private sector businesses, state actors, and timber smuggling gangs. I show how current Thai and international processes to support forest governance fail to address the drivers of forest degradation and the structures that dispossess rural communities of their rights to land and resources.

Preface

This dissertation is an original and independent work by the author S. Lewis. Throughout the Ph.D. process, the author received guidance and feedback from their Ph.D. supervisor, Dr. Janette Bulkan, and committee members Dr. Leila Harris, Philippe Le Billon, and Dr. David Gritten. The supervisor and committee members helped shape the doctoral research objectives and provided feedback for the dissertation manuscript.

Two journal publications resulted from this dissertation and are currently under review in academic journals. These are listed below.

A version of Chapter 3: Lewis, S. R., Bulkan J., Le Billon P., and Gritten D. “Thailand's violent political forests: Dispossession, addiction, and forest loss.” Submitted 18 March 2021. The article is under review following revisions. My contribution is 75% – I identified the research objectives, conducted the fieldwork and analysis, and prepared the manuscript. Bulkan J. provided advice concerning the fieldwork. Bulkan J., Le Billon P., Harris L., and Gritten D. provided recommendations and inputs for the manuscript.

A version of Chapter 4: Lewis, S. R., and Bulkan J. “The political logics of EU-FLEGT in Thailand’s multistakeholder negotiations: Hegemony and resistance.” Submitted 24 May 2021. The article is under review following revisions. My contribution is 80% – I identified the research objectives, conducted the fieldwork and analysis, and prepared the manuscript. Bulkan J provided recommendations and inputs for the manuscript. Le Billon P., Harris L., and Gritten D. commented on a draft version.

Table of Contents

Abstract.....	iii
Lay summary.....	v
Preface.....	vi
Table of Contents	vii
List of Tables	xii
List of Figures.....	xiii
List of Abbreviations	xiv
Acknowledgements	xvi
Dedication	xviii
Chapter 1: Introduction	1
1.1 Introduction.....	1
1.2 Conceptual approach: Political ecology as an epistemological project -redefining illegal logging and centring the state as a focal point for analysis	7
1.2.1 Objectives	11
1.3 Conceptual framework.....	14
1.3.1 State-capital relations: Logging rents and corruption.....	14
1.3.2 Territorialization and violent dispossession.....	16
1.3.3 Anti-politics	19
1.3.4 Table of objectives and key points from the conceptual framework	23
1.4 Field study context.....	26
1.5 Methodological approach.....	30
1.5.1 Approach.....	30

1.5.2 Positionality	31
1.5.2.1 Personal positions	32
1.5.2.2 Position within the research context	34
1.5.3 Ethics.....	37
1.6 Dissertation structure and chapter overviews	37
Chapter 2: Examining illegal logging at the national scale - The politics of forest exploitation and state power in Thailand (1800-2021): Blurred boundaries between legal and illegal logging	41
2.1 Introduction.....	41
2.2 Theoretical approach.....	42
2.3 Results: Corruption and forest exploitation from 1800 to 2021	46
2.3.1 Integrating forest capital with state power (1800-1899).....	46
2.3.2 British dominance (1900-1932).....	51
2.3.3 Revolution and war (1932-1945).....	54
2.3.4 The seeds of military autocracy and the nationalization of the forest sector (1945-1957).....	57
2.3.5 Military dictatorship and provincial strongmen (1957-1973).....	60
2.3.5.1 Autocracy	60
2.3.5.2 Provincial strongmen	64
2.3.6 The growth of money politics and increased logging rates (1973-1988)	65
2.3.7 Continued factionalism, the military's downfall, and a logging ban (1988-1997).....	69

2.3.8 Logging in neighbouring countries in the aftermath of the logging ban (1988-1997).....	75
2.3.8.1 Myanmar.....	75
2.3.8.2 Cambodia.....	77
2.3.8.3 Laos.....	78
2.3.9 Logging at the edges (1997-2021).....	79
2.4 Summary: Forest capital and state power.....	83
2.5 Conclusion.....	85
Chapter 3: Examining illegal logging at the local scale - Thailand's violent political forests: Dispossession, addiction, and forest loss.....	88
3.1 Introduction.....	88
3.2 Theoretical approach: The Trilateral of Logics in Thailand's political forests.....	96
3.3 Methodology.....	102
3.3.1 Data collection.....	102
3.3.2 Data analysis.....	104
3.4 Historical context: The production of forest territory through civilizing ideology	105
3.4.1 Creation of State Forests from 'unoccupied' land.....	105
3.4.2 Forest territorialization.....	108
3.4.3 Functional territorialization.....	111
3.4.3.1 <i>Kor Tor Chor</i> , communal land registration scheme.....	113
3.5 Results: Territorialization and violent dispossession.....	115
3.5.1 Displacement, enclosure, and primitive accumulation.....	116

3.5.2 Extended territorialization	123
3.5.3 Illegal timber smuggling, methamphetamine, and violent dispossession	126
3.6 Conclusion: The state of exception and bare life.....	129
Chapter 4: Examining illegal logging discourse through policymaking - The political logics of EU-FLEGT in Thailand’s multistakeholder negotiations: Hegemony and resistance.....	131
4.1 Introduction.....	131
4.2 Theoretical approach: Political logics and hegemony in coalition building.....	135
4.2.1 Merging PDT with the work of anti-politics.....	139
4.3 Methodology	142
4.3.1 Thai EU-FLEGT structure	142
4.3.2 Data collection	143
4.3.3 Data analysis	145
4.4 Historical context: The construction of land and timber rights in Thailand within state forest land, 1890-2013.....	145
4.4.1 Forest governance and timber rights.....	146
4.4.2 Land rights within State Forest land at the beginning of EU-FLEGT negotiations, November 2013	149
4.4.3 A summary of timber rights at the beginning of EU-FLEGT negotiations, November 2013	150
4.5 Results: Political logics of Thai EU-FLEGT VPA negotiations	153

4.5.1 The logic of equivalence through rhetorical redescription: From illegal logging to the promotion of legal timber production and trade	154
4.5.2 The logic of difference: tenure and timber rights	162
4.5.2.1 Tenure	163
4.5.2.2 Timber harvesting rights	165
4.6 Discussion and conclusion: Political logics and anti-politics	171
Chapter 5: Conclusions	174
5.1 Research contributions and key findings	175
5.1.1 Chapter 2: Examining illegal logging at the national scale	176
5.1.2 Chapter 3: Examining illegal logging at the local scale	178
5.1.3 Chapter 4: Examining illegal logging discourse through policymaking	180
5.2 Policy insights and recommendations.....	182
5.2.1 Summary of policy recommendations	184
5.3 Limitations	186
5.4 Future research directions	188
5.5 Conclusion	190
References	191
Appendices.....	213
Appendix A: List of Prime Ministers with date in office and affiliation.....	213
Appendix B: Household survey	218
Appendix C: Semi-structured interview questions for Thai EU-FLEGT	224
Appendix D: List of analyzed policy documents from Thai EU-FLEGT	225

List of Tables

Table 1: Ban Mali livelihood products and income 2017-2018	119
Table 2: Income of maize per plot size 2017-2018.....	122
Table 3: Summary of actors interviewed from Thai EU-FLEGT VPA negotiations (2019)	144
Table 4: Timber rights before Thai EU-FLEGT VPA negotiations	152
Table 5: Summary of Thai EU-FLEGT actor groups' demands for reform.....	159
Table 6: Timber harvesting rights and processes as outlined in the Thai VPA Legality Definition Annex (Draft August 2020) and Supply Chain Control Annex (Draft March 2021)	168

List of Figures

Figure 1: Phases of the EU-FLEGT VPA development	4
Figure 2: Map of Southeast Asia in the 19th century	48
Figure 3: Smuggling routes of illegally logged rosewood from Thailand.....	82
Figure 4: The Trilateral of Logics of Thailand's political forests	98

List of Abbreviations

ALRO	Agricultural Land Reform Office
CF	Community Forestry
CP	Charoen Pokphand
CPT	Communist Party of Thailand
CSO-FN	Thai Civil Society Organizations FLEGT Network
DA	District Administration
DG	Director General
DMCR	Department of Marine and Coastal Resources
DNP	Department of National Parks, Wildlife, and Plant Conservation
EFI	European Forest Institute
EIA	Environmental Investigation Agency
EU-FLEGT	European Union - Forest Law Enforcement, Governance, and Trade
FAO	Food and Agriculture Organization
FIO	Forest Industry Organization
HKK	Huai Kha Khaeng Wildlife Sanctuary
HTWU	Hill Tribe Welfare Unit
KTC	Kor Tor Chor
MoI	Ministry of Interior
MoNRE	Minister of Natural Resources and Environment
NCPO	National Council for Peace and Order
NGO	Non-Governmental Organization

NRFs	National Reserved Forests
PDT	Poststructuralist Discourse Theory
PFC	Provincial Forestry Company
PSI	Public Scholars Initiative
QUANGO	Quasi-Autonomous Non-Governmental Organization
REDD+	Reducing Emissions from Deforestation and Forest Degradation -Plus
RFD	Royal Forestry Department
SLORC	State Law and Order Restoration Council
STK	Sor Tor Kor
TEFSO	Thai EU-FLEGT Secretariat Office
UN	United Nations
VPA	Voluntary Partnership Agreement

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Dedication

To,

*My family for their love and support and all the communities of Thailand fighting for their
land and resource rights.*

Chapter 1: Introduction

1.1 Introduction

In South and Southeast Asia, forest governance structures (such as laws, regulations, and forestry departments) stemming from the colonial era were initially designed for resource extraction and the conservation of forest stock for the benefit of colonial administrations and national elites (Bryant, 1993; Peluso & Vandergeest, 2001; Sivaramakrishnan, 1999). As state bureaucracies, private sector actors, and non-governmental organizations (NGOs), continue to vie for access to capital, land, and resources, colonial forest governance structures, despite recent reforms, continue to benefit state bureaucracies and dominant private sector actors (Gritten et al., 2015; Kelly, 2011; Larson & Ribot, 2007). At the same time, such structures subject rural communities enclosed within demarcated forest territory to ongoing livelihood disadvantages, dispossession, and various forms of violence (Dressler & Guieb III, 2015; Lukas & Peluso, 2020). Both past and current, international policy initiatives¹ aimed to strengthen forest governance and reduce deforestation in Southeast Asia since the 1980s have not only largely failed to stem deforestation (Hansen et al., 2013; Turubanova et al., 2018) but continue to reproduce the aforementioned ‘double standards’ whereby government and private sector actors dominate rights and access over land and

¹ Most notably the Tropical Forestry Action Plan under the World Bank and the United Nations Development Programme joining the FAO and World Resources Institute as international co-sponsor (1987-1995), National Forest Programmes of the FAO (2001-2012), the United Nation’s Reducing Emissions from Deforestation and forest Degradation plus (UN-REDD+) (2008 -ongoing), EU-FLEGT (2003-ongoing).

resources, while the conditions that "disadvantage, create and maintain the rural poor" are perpetuated (Larson & Ribot, 2007, p. 190).

The European Union (EU) Action Plan for Forest Law Enforcement, Governance, and Trade (hereafter, EU-FLEGT) is an ongoing international policy initiative launched in 2003 by the EU that aims to support timber-producing countries in the global South to combat illegal logging and related trade through strengthening forest governance and reducing the consumption of illegally harvested timber (European Commission, 2003). Globally there is a lucrative trade in high-value timber species such as merbau (*Intsia bijuga*), teak (*Tectona grandis*), and rosewood (*Dalbergia* spp.) (EIA, 2014, 2019; Randriamalala, 2009; Remy, 2017; To et al., 2014), and policy actors consider logging outside of national or subnational laws as a contributory factor to deforestation (EFI, 2020b; Hoare, 2015).

The Executive summary of the EU-FLEGT Action Plan (2003) states:

The Action Plan is the start of a process which places particular emphasis on governance reforms and capacity building, supported by actions aimed at developing multilateral co-operation and complementary demand-side measures designed to reduce the consumption of illegally harvested timber in the EU (and ultimately major consumer markets elsewhere in the world).

Voluntary Partnership Agreements (VPAs) are a central instrument in delivering EU-FLEGT's aims. The VPA is a negotiated bilateral trade agreement between timber-exporting countries and the EU that details the steps and procedures through which all agreed upon timber and timber products from the exporter can be verified through a timber legality

assurance system. VPAs generally contain a legal text accompanied by several annexes, including a *list of products* to be legally exported, traced and verified; a *legality definition* consolidating a partner country's laws, legal documents, and authorization processes and, where necessary, the implementation of legal reform; details of timber *supply chain controls*; details of a *timber legality assurance system* tracing timber and timber products from import/harvest to export; and details of a *FLEGT licensing scheme* (EU-FLEGT Facility, 2009). Once the VPA has been signed and ratified between the EU and partner countries and a national timber legality assurance system is operational, partner countries can export FLEGT-licenced timber and timber products to the EU in accordance with the 2013 EU Legal Timber Regulation.

Figure 1 shows the various stages of the EU-FLEGT VPA process. As of March 2021, Cameroon, Central African Republic, Ghana, Guyana, Honduras, Indonesia, Liberia, the Republic of the Congo, and Vietnam have all negotiated and signed VPAs with the EU. Only Indonesia has reached the stage of fully implementing and enforcing the VPA with the issuance of FLEGT licences. VPA negotiations are ongoing in Côte d'Ivoire, Democratic Republic of the Congo, Gabon, Laos, Malaysia, and Thailand.

Several studies (Acheampong & Maryudi, 2020; Lesniewska & McDermott, 2014; Maryudi et al., 2020; Myers et al., 2020; Setyowati & McDermott, 2017) outline concerns that EU-FLEGT VPAs fail to address the aforementioned double-standards maintained through present forest governance structures. Critically, through an analysis of the VPA in Indonesia, Setyowati & McDermott (2017) determined that the EU-FLEGT further narrowed the scope of who and what counted as legal, potentially impacting local people's access to timber.

Further, by investigating the power constellations of wood furniture actors in Indonesia, Maryudi & Myers (2018) concluded that the timber legality assurance system implemented under the EU-FLEGT perversely reinforced existing inequitable power relations favouring dominant actors and produced "new modes of elite capture" (p. 46). Finally, Rutt et al.' (2018) found that the central logic of EU-FLEGT was market-driven as opposed to notions of tenure security for rural communities.

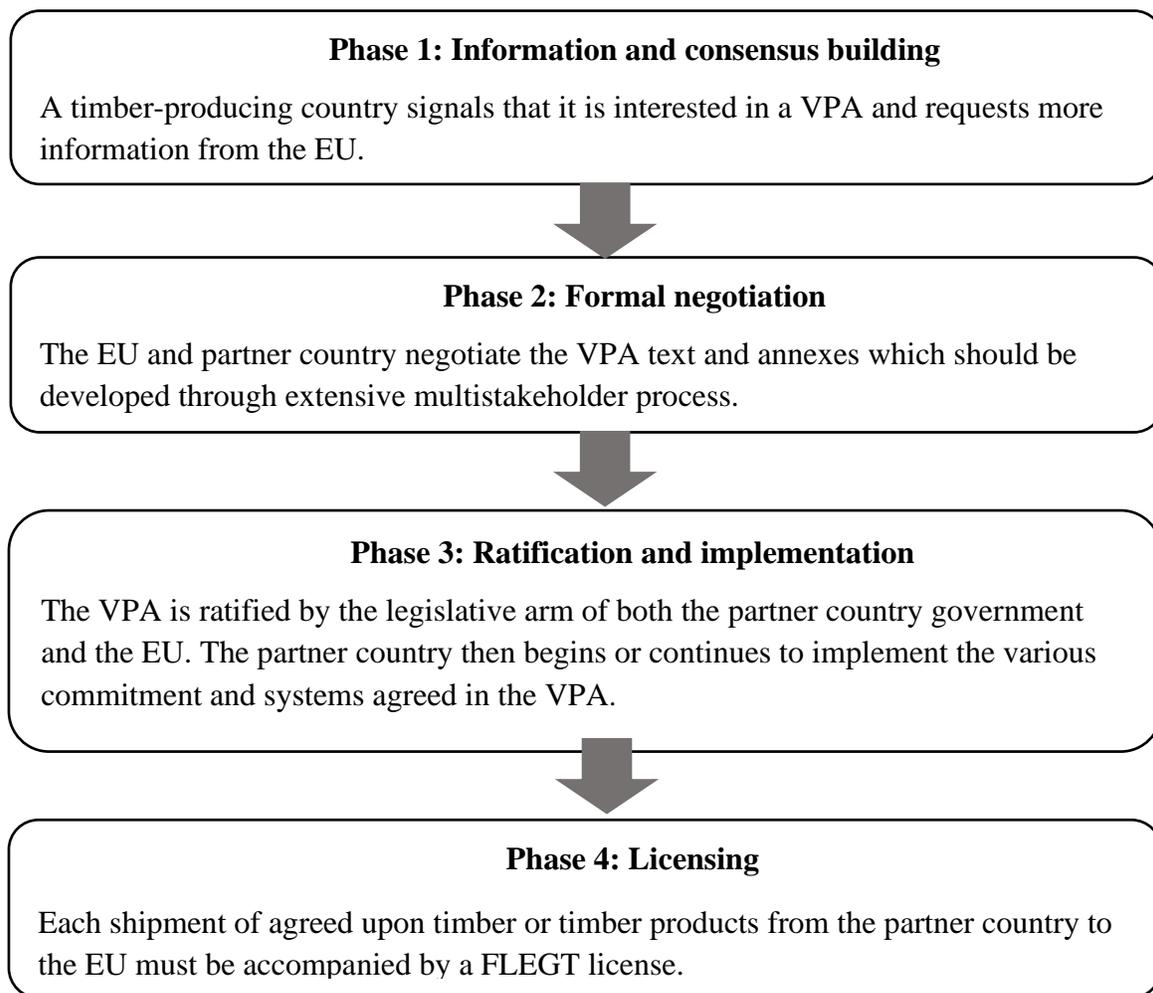


Figure 1: Phases of the EU-FLEGT VPA development (EFI, 2020a)

EU-FLEGT takes their definition of illegal logging from the forest policy literature – "when timber is harvested, transported, bought or sold in violation of national [or sub-national] laws" (Brack, 2003, p. 196). I argue that such a conception and definition of illegal logging is problematic for several reasons, six of which I now outline. First, it does not take legal pluralism into account and relies on often centralized state juridical-political frameworks (Myers et al., 2020). Second, it is ahistorical and fails to recognize that the former colonial powers conceived forest governance laws and structures predominantly for resource extraction to benefit elites while dispossessing the rural poor. Those legal orders have been largely retained in independent Nation-States (Larson & Ribot, 2007).

Third, it creates an artificial boundary between legal logging and illegal logging. The latter is laden with assumptions of 'moral reprehensibility', which can elevate the former to a position beyond reproach (Myers et al., 2020). Both may lead to environmental degradation or be considered sustainable, and both may serve to provide income for or dispossess rural communities (McElwee, 2004). McElwee (2004) found that 'illegal' logging provided an income for the rural people who defined their actions not through state laws but rather through the lens of "social justice, poverty alleviation, and local control" (p. 98).

Fourth, dominant actors may wield illegal logging as rhetoric or through policy interventions which can further dispossess the rural poor and extend state access and control over forest resources (To, 2015). Taking a historical view of forest governance in Vietnam through a territorialization lens, To (2015) argues that the government used the 2014 logging ban to control local people's forest resource access in upland areas. Similarly, in Thailand, Laungaramsri (1999, 2003) shows how government discourses link shifting cultivation to

deforestation by marginalized upland Ethnic Minority communities. Subsequently, the government enacted laws that criminalized Ethnic Minority communities' presence and resource use in upland areas.

Fifth, such a definition and theoretical underpinnings lead to assumptions of 'weak states' (Palmer, 2001). However, scholarly research demonstrates that illegal logging and corruption are facilitated by strong state institutions with robust political-social networks (Robbins, 2000; To et al., 2014), indicating that procedural or operational actions to strengthen state institutions may fail to address illegalities. Especially if such initiatives ignore the critical power dynamics that bind together and sustain both the formal and informal networks sustaining forest loss from local to transnational levels. To et al.'s (2014) research into the social networks involved in the logging and smuggling of high-value timber species in Vietnam find that smuggling is undertaken by a complex network of private and state actors from the local to a national level, indicating a high degree of organization.

Sixth, through a focus on national legal frameworks, sovereignty, one of EU-FLEGT's main principles (TEREA et al., 2016), is placed at the fore. The EU-FLEGT Action Plan Council Conclusions (2003/C 268/01) "acknowledges the fact that forest law enforcement, governance and trade need to be addressed within the framework of sustainable development, sustainable forest management and poverty reduction, as well as social equity and national sovereignty". However, a 2014 independent evaluation of EU-FLEGT recognized that while respect for national sovereignty is critical to ensure "national ownership" of the VPA, "it also creates potential deficiencies, especially with regards to human rights and protection of indigenous communities" (TEREA et al., 2016, p. 160).

Through examining illegal logging across scale (national, local, and national multistakeholder policy negotiations) in Thailand (see Section 1.4 for a justification for case study selection and field study context), this dissertation's overall aim is to contribute to the scholarly critique of the normative policy-based definition of illegal logging and related assumptions. I first introduce the conceptual approach of this research – political ecology as an epistemological project – through which I provide a political ecology-based definition of illegal logging, discuss the state as the focal point for analysis and introduce the dissertation's objectives (Section 1.2). Second, I outline the dissertation's conceptual framework based on the state as an effect of capital and territorial relations and anti-politics effects (Section 1.3). Third, I introduce the dissertation's field study context (Section 1.4). Fourth, I introduce the dissertation's methodological approach (Section 1.5). I finalize this introductory Chapter by outlining the dissertation's structure and providing chapter summaries (Section 1.6).

1.2 Conceptual approach: Political ecology as an epistemological project - redefining illegal logging and centring the state as a focal point for analysis

As Bridge et al. (2015) writes in the Editors' Introduction to the *Handbook of Political Ecology*, "political ecology was (and is) an epistemological project, which set out to shatter comfortable and simplistic 'truths' about the relationship between society and its natural environment" (p. 5). Post-positivist understandings of nature – often rooted in Marxist political economy and Foucauldian poststructuralist theories of power and knowledge – disrupt the structuralist and dichotomous understandings of nature and society to argue that 'nature' and 'natural resources' are constructed through nature-societal relations (Bridge et al., 2015). Therefore the ongoing (re)production of nature-societal relations are understood to be

imbued with relations of power inclusive of hegemonic forces, knowledges, and resistance (Peet & Michael, 2004).

Grounded in political ecology, Peluso and Vandergeest (2001) argue that forests are not merely constructs to be understood through the ecological and forest sciences. Instead, forests, or as Peluso & Vandergeest (2001) coined 'political forests', are "political land-use zones" that "produce and are products of particular political-ecological relations – congealed and convergent in material, ideological, discursive and institutional relations as well as claims by states or other governing bodies" (Vandergeest & Peluso, 2015, p. 162).

Directly drawing from Vandergeest & Peluso's (2015, p. 162) definition of political forests and this dissertation's empirical findings in Chapters 2-4, this dissertation aims to provide an "explicit alternative" (Robbins, 2004, p. 5) to the apolitical policy definition of illegal logging – as timber harvested, transported, bought or sold in violation of national or sub-national laws (Brack, 2003; EFI, 2019b). This dissertation defines '*illegal*' logging as a discursive construction concerned with the appropriation, and continual reproduction, of boundaries and rules over land and resources, congealed and (re)produced through material, discursive, and ideological practices and processes imbued with power relations inclusive of state, capital and territorial relations, sovereign power, processes of marginalization and resistance. In this, I aim to expand on the scholarly literature that urges an emphasis away from law and the term 'illegal logging' toward more nuanced understandings and an interrogation of the dynamics that drive deforestation, forest degradation, and the logging of high-value timber species, and their implications for rural communities and broader inequalities (McElwee, 2004; To, 2015; To et al., 2014).

A continued state-centred international and national policy focus on addressing 'illegal logging' through existing forest governance structures may fail to address deforestation, inequalities over land and resource rights, and the marginalization of Indigenous Peoples in Thailand. In response to EU-FLEGT's focus on sovereignty and the state, this dissertation purposely places national sovereignty at the centre of its analysis (however, noting that such a position has its limitations which I address in Chapter 5, Section 5.3). This is not to diminish debates regarding the ongoing imperialist efforts of international organizations and countries in the Global North to remake the Global South in their image. Instead, it is to recognize that continued conformity to sovereignty as the highest form of rule, sanctioned through a state's juridical-political order, replicates the violence of coloniality, albeit at a smaller scale (Anderson, 2006; Billig, 1995). A state determines which people constitute the inside, the norms, of its order, and who is considered 'other' and set outside (Agamben, 1998). Within the forest landscape, these processes have led to the production of Indigenous People as 'others' whose rights to territory and resources are not recognized within state laws (Peluso, 2009; Peluso & Vandergeest, 2011; Vandergeest, 2003).

Further, as I argue in Chapter 3, sovereign legal means place resource extraction and modes of forest territoriality – which have resulted in violent acts of resource exploitation, the displacement and marginalization of Indigenous Peoples, and continued restrictions over livelihoods and forms of life – as normative when viewed through state territorial and governance logics. Such violence is implicated in what Arendt (1963) refers to as the "banality of evil" when writing about the Eichmann trial after the Holocaust. Seemingly non-thinking individuals carried out genocidal policies legitimized through state structures and

nationalist ideologies. Banality lies in non-thinking individuals carrying out policies of extraordinary violence in an accepted and systematic manner without moral revulsion or resistance. Arendt (1963) argues that such banality is by no means ordinary; rather, it is shocking, brutal, and immoral. These concepts will be explored further, conceptually and empirically, in Chapters 2, 3 and 4.

In examining political ecologies of the state, "researchers have cautioned against taking the 'state' as an ontological given" (Harris 2017, p, 90). The political ecology literature has researched the state and state power in a multitude of ways (Loftus, 2020; Meehan & Molden, 2015; Neumann, 2009). Notably: the state as an effect of territorialization processes concerned with access and control over land and resources and the creation of state subjects (Nightingale & Ojha, 2013; Vandergeest & Peluso, 1995); through a socionatural perspective whereby experiences of the state and state power emerge through differentiated experiences of environmental infrastructure projects (Harris, 2012); and the state as assemblages of human and non-human objects which embody political-ecological practices whereby objects in the assemblage can coexist with, entrench, or limit state power (Meehan, 2014).

In general, this literature, following Mitchell (2002), conceptualizes the state not as a *thing* but as an *effect* of power relations (Allouche, 2019; Loftus, 2020; Meehan & Molden, 2015; Mitchell, 2002). This dissertation examines a state's material and discursive forms – state institutions, military/police/border guards/national park guards, laws, and policies – as effects of power relations enacted territorially (Elden, 2010) and imbued with capital relations (Jessop, 2008; Poulantzas, 2000). Further, I analyze the historical continuations and changes across time of a state's material and discursive forms and ideologies regarding forest

exploitation and land and resource rights in Thailand. In doing so, I show how national forest governance structures continue to perpetuate violence at the local level and how such structures are maintained or challenged through Thai EU-FLEGT VPA processes.

1.2.1 Objectives

Based on this dissertation's political ecology grounding and the provided definition of illegal logging, the overarching research objective is to:

Contribute to understandings of the state's role, and international initiatives working through state structures to reform forest governance (namely EU-FLEGT), in perpetuating, challenging, or obscuring structured inequalities in forest governance regarding land and resource rights and related violent dispossession of Indigenous Peoples (Chapters 2-5).

The research objectives of this dissertation's three empirical chapters are:

1. Examine the political-economic construction of forest exploitation at the national level and related produced (in)equalities by interrogating the boundary between legal and illegal logging and examining both as components of capital accumulation facilitated through state institutions and natural resource governance – Chapter 2.
2. Examine the role of sovereign power in (re)producing and rendering banal 'illegal logging' and related violent dispossession concerning Indigenous Peoples enclosed within state forests – Chapter 3.

3. Examine the mobilization of illegal logging as a discourse through EU-FLEGT VPA multistakeholder negotiations in Thailand and the ways in which national forest governance structures pertaining to (in)equity in access to land and timber rights, as examined at the national (1) and local (2) levels, are further confirmed or challenged – Chapter 4.

This dissertation attests to a "normative political commitment to social justice and structural political change" (Bridge et al., 2015, p. 8). As Bridge et al. (2015, p. 8) summarize:

Political ecology is an explicitly normative intellectual project, which has from its beginning highlighted the struggles, interests, and plight of marginalized populations: peasants, indigenous peoples, ethnic and religious minorities, women, the poor. In this sense, and in contrast to many other approaches, social and environmental analysis (e.g., cultural ecology, land-use/land cover change analyses, etc.), political ecology is explicitly normative in its approach. Political ecologists thus seek not just to explain social and environmental processes, but to construct an alternative understanding of them, with an orientation toward social justice and radical politics.

Bridge et al. (2015) go on to say that "to adopt the epistemology of political ecology then, is to choose from among a range of possibilities for understanding nature-society relations" (p. 9). As in the political ecology scholarship, the dissertation draws upon multiple theories based within the broader fields of political geography and political ecology that i) speak from a political standpoint that is committed to social justice and structural political change, and ii) provide an examination of the dynamics and interconnections between processes of marginalization and the project of state forest governance.

As part of a normative commitment to social justice and structural political change, I refer to Ethnic Minority communities in the upland regions of northern Thailand – Karen, Hmong, Lisu, Akha, Lahu, Mien, Kamu, Htin, and Lua peoples – as Indigenous Peoples. Indigeneity has the "potential to help address the serious and frequent injustices inflicted against indigenous peoples over history" (Baird, 2016, p.504). However, I acknowledge that there are debates in the literature over the use of Indigenous Peoples or Ethnic Minorities; See Baird (2016).

The scholarly literature on Thailand mainly refers to communities living in the northern upland regions of Thailand as Ethnic Minorities. The Hmong migrated from China to northern Thailand around a century ago due to oppression, so reasonably, people may not consider the Hmong indigenous within the boundaries of Thai state territory. However, Baird (2015) argues that according to some, through a history of oppression and migration, the Hmong can be considered indigenous to Southeast Asia. Further, while identifying as Indigenous can have emancipatory impacts, it can also bring about "radical othering" and violence (Baird, 2016, p. 504).

I use the term Indigenous Peoples in acknowledgement that many 'Ethnic Minority' communities in Thailand refer to themselves as Indigenous Peoples. Further, Thai legislation does not recognize that Thailand has Indigenous Peoples but recognizes ethnic groups. Therefore, even though the Thai government endorsed the legally non-binding United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), it does not recognize the need for UNDRIP in Thailand. Article 4 of UNDRIP states that Indigenous Peoples may exercise "their right to self-determination, have the right to autonomy or self-government in

matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions". As the Thai government does not acknowledge the applicability of UNDRIP within its national territory, it denies the minority communities recourse to the safeguards under UNDRIP and rights to self-govern.

1.3 Conceptual framework

Each empirical Chapter (2-4) draws from different theoretical frameworks that aid in examining this dissertation's chapter-specific and overall objectives. This section summarizes the main points of the chapters' theoretical frameworks, state-capital relations (Chapter 2), state territorial relations and violence (Chapter 3), and anti-politics effects (Chapter 4). Segments of this conceptual framework are repeated where necessary in Chapters 2-4.

1.3.1 State-capital relations: Logging rents and corruption

When a state's development relies heavily on capturing resource rents, this can lead to a fusing of state power with processes of natural resource exploitation (Milne, 2015). Rent can be understood as the financial proceeds derived from a social relation where assets (land, resources, or other assets) are transferred between the owner and those wishing to utilize the asset (Andreucci et al., 2017). A state's material and discursive forms legitimize, administer, and enforce ownership over land and resources, which can generate rents (Huber, 2019). The state also "plays a leading role in appropriating and distributing rents among competing classes and class factions" (Perreault, 2020, p. 232). Powerholders may utilize state institutions, policies, and laws, to capture resource rents, or actors may utilize illicit revenue

to gain power. Both processes, in turn, may aid in crystallizing power relations amongst different economic classes and political factions based within political institutions, resulting in political corruption and natural resource exploitation (Cock, 2017; Global Witness, 2007; Le Billon, 2002; Milne, 2015; Remy, 2017; Sundström, 2016). Remy (2017) describes how timber traders in Madagascar utilized their illicit wealth gained from the resurgent rosewood trade to become elected government members. Rents can be appropriative, not productive, and therefore rent-seeking can contribute toward social and economic inequalities (Andreucci et al., 2017).

Mainstream views on corruption are primarily anchored in modernization theories and often attribute corruption to 'weak states' inability to prevent rent-seeking behaviour and bribery (Rose-Ackerman, 1996). However, through a Marxian political-economic approach, corruption can be viewed as an ordinary constitutive component of the capital relation intrinsic to its very logic (Doshi & Ranganathan, 2019; Harvey, 2003). In this sense, Williams and Le Billon (2017, p. 4), discussing corruption in natural resource management, recognize corruption merely "as a 'function' within social, political and economic transactions." Robbins (2000, 431) highlights that natural resource corruption "is capital accumulation by other means" and an "illegal extension of capital's control of nature through the state".

Building on Marxian examinations of corruption, Chapter 2 interrogates the boundary between 'legal' and 'illegal' logging by examining the intertwined roles of capital and state institutions in driving timber exploitation in Thailand. In doing so, Chapter 2 confirms Harvey's theorizing of capital accumulation and Robbins' tracing of the networks of state

institutions and capitalists intertwined with forest exploitation. As such, I argue that a state's material and discursive forms serve to mask forest exploitation propagated through state structures.

1.3.2 Territorialization and violent dispossession

The state and political forests can be examined as an effect of territorial relations (re)produced materially, discursively and ideologically (Vandergeest & Peluso, 2015). Territory is a political-legal category created through material and discursive technologies, including the law, policies, mapping, surveying, calculations of the material world, and the demarcation of borders (Elden, 2010). Since the early twentieth century in South and Southeast Asia, forestry departments have mapped and demarcated 'forests' for economic, conservation and strategic purposes such as defending and protecting a state's territory (Peluso & Vandergeest, 2011; Vandergeest & Peluso, 1995). State politico-legal institutions legitimize and authorize territorial claims through politico-legal mechanisms – laws, policies, censuses, collection of taxes – and the mapping and demarcation of boundaries (Sikor & Lund, 2009).

Violence through direct, coercive or disciplinary means plays a central role in (re)producing a state's authority and territorial claims locally (Nightingale & Ojha, 2013; Peluso & Vandergeest, 2011; Sikor & Lund, 2009). Within political forests, forest governance or development projects implemented by state or non-state actors may employ coercive or disciplinary means, although not necessarily advertently, to ensure the compliance of enclosed communities with laws and regulations, which in turn can further entrench state

authority and territorial claims (Nightingale & Ojha, 2013; Sikor & Lund, 2009). For example, Nightingale & Ojha's (2013, p. 43-45) article on Nepal's Terai Forests shows how state-prescribed community forestry initiatives further entrenched state authority within rural communities. However, such violence may also spur rural communities' resistance in defending their land and resources (Grant & Le Billon, 2019).

Forest territory is also (re)produced ideologically. Vandergeest and Peluso (2015) recognize that Western Imperialist notions of 'civilization' (Said, 2003) – operated through colonialism, state-making processes, wars/insurgencies/counterinsurgencies and development and conservation initiatives – imbued territorial efforts to (re)produce and govern political land-use zones as 'forests'. In Southeast Asia, discourses constructing upland Indigenous Peoples as the 'savage other' permeated such 'civilizing missions' (Burrows, 1986)² to shape and constrain livelihoods within the forest landscape (Peluso, 2009; Peluso & Vandergeest, 2011; Vandergeest, 2003). This described process follows Said's (2003) assessment of imperialism's imagined geographies which he argues produce a 'savage other'. In Thailand, the savage other takes the form of marginalized upland Indigenous Peoples (see Chapter 3, Section 3.4).

The (re)production of forest territory through sovereign legal means, civilizing ideology, and governance practices, directly and indirectly, dispossess rural communities by sustaining

² Civilizing missions were often the ideological justification for colonialism. According to Burrows (1986), "Mission civilisatrice [Civilizing mission] was one of the bywords of French colonial expansion under the Third Republic" (1870-1940) (p. 109). The French Colonial civilizing missions and ideologies were imbued with othering of population is need to civilizing (Conklin, 1997).

power relations between state institutions and people (Blomley, 2019) – which in certain places are racialized (Vandergeest, 2003) – determining resource access (Ribot & Peluso, 2003; Sikor & Lund, 2009) and increasing livelihood vulnerabilities for the people enclosed (Dressler & Guieb III, 2015). Such "dispossession entails a violent process of socio-spatial reconfiguration through which communities' capacities to decide over their livelihoods and forms of life are limited"; termed "violent dispossession" (Devine and Ojeda 2017, p. 609). Violent dispossession is an ongoing relational process produced through, and a product of, multiple forms of violence (Devine and Ojeda 2017).

Through a case study of historical and ongoing territorialization efforts in Thailand's state forests, Chapter 3 contributes to the extant scholarship by offering a reappraisal of the role of sovereign power in the (re)production of violent dispossession in political forests and explicitly delineates the logics underlying its production. Drawing on Agamben (1998; 2005), I argue that the legitimization and enactment of rules and boundaries over forest territory, related civilizing efforts and governance practices are imbued with relations of sovereign power and violence. Sovereign power is the power to create the law and act beyond the law's boundaries (Agamben, 1998, 2005) through coercive and disciplinary means. Chapter 3 finds that the imposition of sovereign power, via coercive and disciplinary means, by a quasi-autonomous non-governmental organization (QUANGO), working in conjunction with local authorities, (re)produced violent dispossession locally via operations of forced labour and drug addiction.

1.3.3 Anti-politics

In his 1994 seminal book, Ferguson labelled internationally driven development projects targeting Global South countries as an *Anti-Politics Machine*. Ferguson (1994) conducted an ethnographic study of an agricultural development project in Lesotho (Lesotho's Thaba-Tseka Development Project) implemented by an international development organization. The project aimed to reduce poverty and overgrazing in Lesotho's rural areas through improved livestock management, better access to cattle markets, and the privatization of communal pastureland. Ferguson found that although the project sought to bring about economic stability for rural communities, it failed to reach its goals.

Utilizing Foucault's (1995, 2008) governmentality framework, Ferguson suggests that this failure was due to the ways in which the development apparatus recontextualizes political decisions regarding the political-economic construction of poverty and resource allocation as technical problems requiring prescribed technical solutions. Such recontextualization obscures the political genealogy of by whom and, through what assumptions, the discourse pertaining to an identified problem are constructed. This relates to Foucault's (1995) concept of governmentality. Foucault utilized detailed genealogical exploration to understand the processes, actors, and institutions through which certain phenomena become a 'problem',

requiring government intervention and the associated constitution and institutionalization of a related field of knowledge to address the 'problem'³.

The development organization problematized Lesotho to 'fit the mould' of a less-developed country. The development organization ignored Lesotho's success as a regional grain exporter and the economic role of Lesotho's workers in providing a reserve of cheap migrant labour for the South African mining industry. Instead, the project problematized Lesotho – a landlocked country encircled by South Africa – as an isolated non-market economy in need of development intervention. The development agency did not acknowledge the economic ties between Lesotho and South Africa and the significant role that the South African mining industry played in the maintenance of the South African Apartheid regime.

Following Lesotho's described apolitical construction, the development organization assumed that the root of poverty and overgrazing in rural areas lay in farmers' livestock management. However, by integrating regional political economics into the frame, Ferguson provides an alternative explanation. Rural household heads primarily worked as miners in South African, not as farmers in Lesotho; much of the fertile farmland in the region lay within South Africa's borders. Due to the sporadic and dangerous nature of the mining and lack of access to bank accounts, households invested their income in cattle as a retirement fund. Therefore,

³ Foucault proposes that relations of power are embodied in discourses and forms of knowledge regarding certain disciplinary institutions (such as psychiatric institutions and schools), as dominant understandings of a field of study / concept / phenomenon, prevail over alternative understandings.

households were reluctant to sell their cattle before retirement, leading to overstocking of cattle on pastureland.

Ferguson suggested that instead of bringing about 'greater economic stability' in rural areas, the project fortified dominant structures and forms of knowledge. The project attempted to extend colonial-capitalist ideals further into rural communities by privatizing collectively held land. Further, the development organization provided local government bureaucracies funding to administer and implement the project. This extended the presence of a repressive government regime into a previously isolated rural area.

Accordingly, anti-political projects that aim to improve governance are not apolitical; rather, in what Li (2007) coined 'rendering technical', technical discourses and prescribed solutions advocated by an implementing body often conceal the political rationales behind modifying governance practices (Li, 2007b). Hence the constructions and outcomes of projects rather than being merely technical are in many cases profoundly political and can result in the extension of state power rather than improved equity for local communities. Other scholars have researched the anti-politics effect through climate change initiatives (Swyngedouw, 2003) and forest governance projects (Li, 2007b). A critical examination of the problematization, norms, political logics, and discourse of projects can reveal the underlying dominant political and economic assumptions and goals (Glynos & Howarth, 2007).

Despite an increasing understanding amongst international development agencies that local people's participation, consultation and free and prior informed consent are necessary (EFI, 2020a), there remains evidence that international initiatives continue to display an anti-

politics effect. Examining EU-FLEGT, Setyowati & McDermott (2017) observed that the technically prescribed framework of EU-FLEGT in Indonesia obscured critical forest challenges of corruption and unclear tenure. Chapter 4 examines the ways in which EU-FLEGT negotiations in Thailand further institutionalize or challenge dominant forest governance structures/practices concerning local peoples' rights to land and timber.

1.3.4 Table of objectives and key points from the conceptual framework

<p>Aim: Contribute to scholarly critics of the normative policy-based definition and assumptions of illegal logging.</p>
<p>Overall objective: Contribute to understandings of the state's role, and international initiatives working through state structures to reform forest governance (namely EU-FLEGT), in perpetuating, challenging, or obscuring structured inequalities in forest governance regarding land and resource rights and related violent dispossession of Indigenous Peoples. (Chapters 2-5)</p>
<p>Specific Chapter objectives:</p> <p>Chapter 2: Examine the political-economic construction of forest exploitation at the national level and related produced (in)equalities by interrogating the boundary between legal and illegal logging and examining both as components of capital accumulation facilitated through state institutions and natural resource governance.</p> <p>Chapter 3: Examine the role of sovereign power in (re)producing and rendering banal 'illegal logging' and related violent dispossession concerning Indigenous Peoples enclosed within state forests</p> <p>Chapter 4: Examine the mobilization of illegal logging as a discourse through EU-FLEGT multistakeholder negotiations in Thailand and the ways in which national forest governance structures pertaining to (in)equity in access to land and timber rights, as examined at the national (1) and local (2) levels, are further confirmed or challenged through EU-FLEGT VPA negotiations.</p>

Summary of key points from the conceptual framework:

Political ecologies of the state

- The state is not a thing but an effect of power relations (Allouche, 2019; Loftus, 2020; Meehan & Molden, 2015; Mitchell, 2002).
- "The material and discursive forms that states take – institutions, territories, armies, laws, policies – represent the crystallization of power relations among social forces" (Perreault, 2020, p. 228).
- "The state is not the reality which stands behind the mask of political practice. It is itself the mask which prevents our seeing political practice as it is" (Abrams, 1988, p. 58).

State-capital relations: Logging rents and corruption

- When a state's development relies on capturing resource rents, this can lead to a fusing of state power with processes of natural resource exploitation (Milne, 2015).
- As well as establishing and enforcing property rights, "the state plays a leading role in appropriating and distributing rents among competing classes and class fractions" (Perreault, 2020, p. 232).
- The exploitation of resources by the state or corporate entities can result in political corruption (Global Witness, 2007; Milne, 2015; Springer, 2013).
- Harvey (2003) frames extra-legal or extra-economic practices and related dispossession as ordinary constitutive components of capitalism.
- Robbins (2000) highlights that natural resource corruption "is capital accumulation by other means" and an "illegal extension of capital's control of nature through the state" (p. 431).

Summary of key points from the conceptual framework continued:

Territorialization and sovereign power

- The state and political forests can be examined as an effect of territorial relations (re)produced materially, discursively, and ideologically (Vandergeest & Peluso, 2015).
- Territory is a political-legal category created through material and discursive technologies, including the law, policies, mapping, surveying, calculations of the material world, and the demarcation of borders (Elden 2010).
- In the early nineteenth century in South and Southeast Asia, for strategic and economic objectives, authorities produced 'forests' territorial objects via laws, mapping, and demarcation to govern/control nature-social relations within the demarcated 'forest' territory (Vandergeest & Peluso, 1995).
- Vandergeest and Peluso (2015) recognize that Western Imperialist notions of 'civilization' (Said, 2003) imbued with territorial efforts to (re)produce and govern political land-use zones as 'forests' in Southeast Asia.
- Said (2003) argues that imperialism's imagined geographies (re)produce a 'savage other'. In Thailand, the savage others take the form of marginalized upland Indigenous Peoples.
- Violence through direct, coercive, or disciplinary means plays a significant role in (re)producing a state's authority and territorial claims locally (Nightingale & Ojha, 2013; Peluso & Vandergeest, 2011; Sikor & Lund, 2009).
- Ongoing localized (re)production of political forests' material, discursive and ideological forms play a pivotal role in sustaining power relations between state institutions and people (Blomley, 2017), determining resource access (Ribot & Peluso, 2003; Sikor & Lund, 2009), increasing livelihood vulnerabilities, and (re)producing violent dispossession.
- In this dissertation, I define violent dispossession following (Devine & Ojeda, 2017) as "a violent process of socio-spatial reconfiguration through which communities' capacities to decide over their livelihoods and forms of life are limited" (p. 609)

Anti-politics

- Internationally driven forest governance programs can act as an anti-politics machine, whereby the government and development organization render politically constructed issues regarding the allocation of resources as a technical problem requiring prescribed technical solutions (Ferguson, 1994; Li, 2007; Swyngedouw, 2003)
- EU-FLEGT in Indonesia appeared to display an anti-politics effect (Maryudi et al., 2020; Setyowati & McDermott, 2017)

1.4 Field study context

In this section, I first present the justification for selecting Thailand as a focus country for the research. Second, I provide a summary of forest governance in Thailand. The history of forest governance in Thailand, current forest governance laws and structures and information on the EU-FLEGT initiative will be expanded in detail in Chapters 2-4.

The research focuses on the political ecology of illegal logging and the EU-FLEGT initiative in Thailand. As outlined earlier in this introduction, countries included in the EU-FLEGT initiative are in Africa, Central and South America, and Southeast Asia. I focused on Southeast Asia as I had previous experience in the region working with the Southeast Asian NGO, RECOFTC, who could assist me in gaining access to the EU-FLEGT programme and local communities. RECOFTC's work focuses on supporting community forestry in the Asia-Pacific region, focusing on Cambodia, Indonesia, Laos, Myanmar, Nepal, Thailand, and Vietnam. In 2017 I was awarded a Public Scholars Initiative (PSI) grant from the University of British Columbia's Graduate School for my field research. PSI grants are awarded for research that aims to "extend beyond the academy, and beyond traditional disciplinary approaches, to have a tangible impact for the public good through collaborative, action-oriented, and creative forms of scholarship in their dissertation work" (Graduate School at UBC, 2021). As part of the grant, I intended to collaborate with RECOFTC to increase the chances that my research findings could have an impact beyond academia.

At the time of the field research, EU-FLEGT initiatives were ongoing in the Southeast Asian countries of Indonesia, Laos, Myanmar, Thailand, and Vietnam. Scholarly research on EU-FLEGT had previously focused on Indonesia (Setyowati & McDermott, 2017) and Laos

(Mustalahti et al., 2017; Ramcilovic-Suominen et al., 2019). I, therefore, narrowed my focus to Myanmar, Thailand, or Vietnam to avoid redundancy⁴. RECOFTC did not play a leading role in EU-FLEGT in Vietnam, and in Myanmar, the EU-FLEGT initiative was only at its preliminary stages. RECOFTC played a leading role in EU-FLEGT in Thailand, enabling me to observe EU-FLEGT proceedings and interview actors, which are key to ethnographic research.

In Thailand, 1,221 National Reserved Forests (NRF) cover approximately 20% of Thailand's territory. NRFs are demarcated state land, under the jurisdiction of the Royal Forest Department (RFD), to be managed for the protection and reservation of forests, timber, forest products and other natural resources (RTG, 1964). In 2014, the RFD reported that over one million people still reside in state forest land with insecure tenure arrangements (RECOFTC, 2018a). This number is likely to be a gross underestimate as an FAO (2009) report stated that an estimated 20 to 25 million people live in or near NRFs. It can be assumed that most NRFs are severely degraded. By 1983 forest cover had reduced from 58% in 1956 to 28% (Feeny, 1984; Lakanavichian, 2001). The most rapid forest cover decline occurred in the northeast, from 42% in 1961 to 15% in 1985, while in the north, it declined from 69% to 50% over the same period (Hirsch, 1993; Peluso & Vandergeest, 2011).

Thailand's remaining natural forests are primarily located in the sixty Wildlife Sanctuaries and 131 National Parks covering approximately 19% of national territory (Onpheng, 2018).

⁴ Post-field research there have been scholarly papers produced on EU-FLEGT in Vietnam (Myers et al., 2020; Verhaeghe, 2021).

There are a reported one to two million people residing in and around protected areas (FAO, 2009). Primary forest cover was reported at 13% of land area in 2015 (FAO, 2015), and total forest cover was reported to stand at 39% of land area in 2020 (FAO, 2020a).

The RFD manages NRFs; the Department of National Parks, Wildlife and Plant Conservation (DNP) under the Ministry of Natural Resources and Environment (MoNRE) manages Wildlife Sanctuaries, and National Parks; and the Department of Marine and Coastal Resources (DMCR) under the MoNRE manages mangroves. The RFD oversees permits or licences related to timber harvesting, transporting, processing, and trading. The DNP oversees protected areas and protected species harvesting and hunting approvals, including import/export of CITES species. RFD, DNP and DMCR staff are assigned to the NRFs under their jurisdiction (these may be across provincial boundaries). Additional forest areas, mainly private plantations, outside of the NRFs fall under the jurisdiction of RFD or MoNRE staff (NEPCon, 2017).

Forest land in Thailand is further zoned into Watershed Classes. Between 1985-1995 several Cabinet resolutions set out a Watershed Classification System of five watershed classes. Watershed Classes One and Two are the most protected areas. Watershed Class One is upland mountainous areas with a 50% slope. Watershed Class One areas are to be protected and maintained, and livelihood activities within this area are not permitted. Watershed Class Two are upland mountainous areas with a 35-50% slope. Some activities (e.g., logging and mining) are permitted with close supervision. Class Three are in the foothills or upland areas with a moderate slope (25-35%). Logging, mining, and some agricultural activities are

permitted in Class Three. Class Four is in foothill areas, and Class Five is in flat areas where most livelihood activities are permitted in line with the law.

Since 2014, communities living in NRFs and National Parks in all Watershed Classes (1-5) have been able to apply for usufruct rights to state land under the *Kor Tor Chor* (KTC) communal land registration scheme, ratified in 2019. KTC enables communities that can prove they have resided in their village before 2014 to apply for a 30-year lease to state land. However, for most, the KTC application process is complex, and communities remain vulnerable to changes in government policies (Giri, 2021). Further, as I detail in Chapter 3, many Indigenous Peoples, including Karen, Hmong, Lisu, Akha, Lahu, Mien, Kamu, Htin, and Lua peoples (Laungaramsri, 2000a), largely occupy Watersheds One and Two and face restrictions on their land and resource rights. At the time of authoring this dissertation (September 2021), no communities in Watersheds One or Two have a KTC certificate. Private land titling and more autonomy over livelihood practices, such as monoculture cultivation, remain a privilege only afforded to lowland communities.

The local level research that forms the empirical basis for Chapter 3 is situated in the Karen⁵ Pwo community of Ban (*village*) Mali (pseudonym), located in an NRF and a buffer zone of Huai Kha Khaeng (HKK) Wildlife Sanctuary in western Thailand. Ban Mali is within

⁵ Karen is a term used by Thai people to refer to Karen-speaking people including two main groups the Sgaw Karen and Pwo Karen. The Karen-speaking people call themselves by their own names Pggayaw and Phloun respectively which mean ‘human being’. For further information please refer to Hinton (1983), Keyes (1979) and Delang (2004)

Watershed Classes One and Two. The criteria for case selection are outlined in the methodology section of Chapter 3 (Section 3.3.1).

1.5 Methodological approach

1.5.1 Approach

In line with the conceptual framework, political ecology and poststructuralist theories inform the methodological approach (Foucault, 1995; Winkel, 2012). Political ecology research often utilizes qualitative and quantitative methods (primarily ethnographic) and detailed historical analysis to examine nature-society relations at specific places (Bridge et al., 2015) while connecting those places to national and global dynamics (Peet & Michael, 2004).

I used ethnographic methods to gather data from two case study sites to achieve the dissertation's objectives. The first site is a Karen Pwo village in western Thailand, where I lived for four months from 2018 to 2019 – Chapter 3. The second site is the Thai EU-FLEGT VPA negotiations at the national level - Chapter 4. Ethnographic data collection methods for Chapter 3 included interviews, participant observations and household surveys. Chapter 3 also utilizes secondary qualitative data obtained with permission from a local QUANGO. QUANGOs receive partial or full funding and/or directives from the state. Ethnographic data collection methods for Chapter 4 included interviews conducted between January 2019 and March 2019, a review of EU and Thai EU-FLEGT documents issued from November 2013 to April 2021, and observation of the VPA process from July 2018 to March 2019.

These methods included interviews, participant observations (Chapters 3 and 4) and document analysis (Chapter 4). Chapter 3 also utilizes secondary qualitative data obtained with permission from a local QUANGO. Data collection and analysis methods are expanded upon in Chapters 3 (Section 3.3) and 4 (Section 4.3).

Chapter 2 presents a historical examination of the imbrication of state institutions with forest exploitation in Thailand. Chapter 3 provides a review of the historical production of Thailand's political forests through processes of territoriality, civilizing efforts (state-making, forestry sciences, counterinsurgencies, and watershed management) and related marginalization and enclosure of upland Indigenous Peoples through forest governance (Forsyth & Walker, 2012a; Laungaramsri, 2003; Vandergeest, 2003). Chapter 4 provides a genealogy of land and timber rights within NRFs.

1.5.2 Positionality

As I ground the research objectives in poststructuralist theories, it is essential to acknowledge that the objectivity of both the research participants and the researcher is not possible – as discourse is structured through relations of power and knowledge (Foucault, 1995; Weedon, 1987). Additionally, it is essential to acknowledge that a researcher's presence at a field site can impact the information participants choose to share, broader site-specific social relations and knowledge production (Lu & Hodge, 2019; Manohar et al., 2017; Milner, 2007).

Therefore, qualitative research needs to consider how one's positionality can impact the research objectives and participants (Savin-Baden & Major, 2013) during data collection, analysis, interpretation and beyond. Further, it is essential to consider research ethics

(Marshall & Rossman, 2014). This section outlines my positionality, followed by information on the ethical approach.

I identify two aspects of positionality i) acknowledging personal positions that can influence the research and ii) situating myself in relation to the research context and participants (Savin-Baden & Major, 2013).

1.5.2.1 Personal positions

To acknowledge my personal positions in the research context, I detail how my past experiences shaped the research objectives and restate my philosophical standpoint. From 2011-2014 I worked with the Southeast Asian NGO, RECOFTC, in their Cambodia country office. During my time with RECOFTC, I worked as a project assistant on a United Nations (UN) Food and Agriculture Organization (FAO) project aimed at implementing a nationwide carbon credit programme, also known as UN-Reducing Emissions from Deforestation and Forest Degradation -Plus (UN-REDD+). I also worked for RECOFTC on projects to strengthen community forestry (CF) in Cambodia. However, only one community had a CF management plan in place at the time, primarily due to the reluctance of the then Forestry Administration's Director General to approve management plans. This essentially rendered many livelihood activities taking place within CFs as illegal. Further, a consultant hired by RECOFTC to implement a pilot project for small-scale CFs faced barriers from the Forestry Administration's Director General concerning timber harvesting approval.

At the start of my NGO career (2010), I experienced how UN-REDD+ in Cambodia was developed through centralized forest governance structures that primarily benefited national

bureaucrats. While attending UN-REDD+ project meetings and reading through programme documentation, I realized that there were minimal consultations with rural communities at the programme development stage and likely few potential benefits for communities upon completion. My experiences in Cambodia motivated me to pursue a Ph.D. to develop my knowledge of social justice and forest-dependant communities.

I outline the above experience as this shaped my philosophical worldview, research topic and objectives. I acknowledge that such a grounding could result in biased data interpretation. To ensure that I do not overstate injustices, I have triangulated the data through various methods, including checking with informants, expert interviews and reviews of relevant grey literature (NGO reports), news articles, and the scholarly literature (Marshall & Rossman, 2014).

Further, I restate my philosophical grounding. As described in this dissertation's conceptual (Section 1.2) and methodological approach (Section 1.5), my philosophical standpoint – grounded in the field of political ecology – is committed to social justice and structural political change. In this sense, it can be assumed that my research is inclined toward information that speaks to local injustices and the broader societal constructions of localized inequalities (Bridge et al., 2015). However, I aim to ensure that any injustices reported are not overstated and are supported through empirical data, the scholarly literature, NGO reports (specifically, Global Witness or EIA) or news articles.

1.5.2.2 Position within the research context

I am a White female born in Manchester, United Kingdom, where I lived until I was nineteen. I then attended the University of Leeds, UK, where I attained my bachelor's degree. After that, I attended Imperial College London, UK, where I attained my master's degree. My research is based in Thailand, and I speak basic Thai. I also worked with a male Thai translator, born in Thailand's Mae Hong Son province (north), where he lived until 2001. He then moved to Bangkok, where he graduated first with a BSc in Environmental and Resource Chemistry then an MSc in Atmospheric and Earth Science. From 2008-2016 he worked and travelled in Europe and Asia based in Germany for the majority of that time. I mention these identities to draw attention to the intersections of gender and culture that can impact the research context (Berger, 2015; Milner, 2007).

My research assistant and I occupied the position of cultural 'outsiders' to the Karen Pwo community. Due to the marginalization of the Karen and other Indigenous Peoples in Thailand, many village members were initially reluctant to speak with my translator (see Chapter 3, Section 3.4). Some assumed that he came from Bangkok and would 'look down' upon their way of living. For example, on our third evening in the village, the translator and I were invited to the household of a village elder (aged 70) for dinner with her grandson (aged 20). We sat on the floor in the upstairs room of the family home. The elder placed a communal plate of food and a communal drinking bowl for us all to eat and drink from. The elder expressed that she was touched and happy that we were eating with them during the meal. She told us that people from the city would not eat with them because they viewed the

Karen as 'unclean'. Echoing this, her grandson told us that people at his university used to call him 'Karen' in the form of a derogatory slur.

To build a relationship with the Karen Pwo villagers, we spent the first two weeks eating and talking with villagers, joining in with village members' daily activities and attending village events before conducting any formal interviews. I learned about the villagers' lived experiences and histories and listened with humility and empathy. In turn, my translator and I shared our lived experiences and histories. After my translator explained to villagers that he was brought up in a small town in Mae Hong Son province and was the son of two teachers, villagers began to express orally and through actions that they felt more comfortable in his presence.

Being White in this context possibly enabled me to access spaces and stories unavailable to a Thai researcher due to the racism that many villagers felt. Further, the villagers had an ongoing 40-year long research and personal relationship with a White female Danish anthropologist. Those who spoke about the Danish anthropologist did so fondly and expressed that my presence reminded them of her. Through their positive experiences with the Danish researcher, people were more willing to discuss their lived experiences with me and share sensitive information on illegal logging and the impacts of methamphetamine abuse (see Chapter 3).

As I only spent sixteen weeks in the field, and I spoke basic Thai, I altered my initial research questions and objectives so that I could focus on structural inequalities regarding timber rights and access that could be triangulated and verified, as opposed to researching narratives or cultural nuances that my position as an outsider and length of time in the field did not

permit. It is possible that as an outsider, the villagers were able to discuss sensitive topics regarding illegal logging as I had no links to the entities responsible for their subjugation. Despite this, I recognize that the ways in which the villagers viewed me, directly and indirectly, shaped the information shared and the spaces that I was able to observe and access. In my conclusion, Chapter 5, I further discuss the limitations of my positionality and spoken language.

I occupied an 'outsider' position when interviewing EU-FLEGT actors and observing the EU-FLEGT meetings. I interviewed Thai actors involved in EU-FLEGT negotiations and White Europeans and Americans who played an instrumental role in organizations implementing the VPA negotiations. When interviewing all participants, I was viewed as a student researcher and thus perhaps treated with a level of detachment, in the sense that I was not part of EU-FLEGT. Thus, interviewees presumed that I did not understand the importance of the programme. This was advantageous as the interviewees provided me with critical details regarding the programme's operations in Thailand. However, I felt a level of cautiousness in the responses of the European and American participants as they did not want to divulge information that could later be used to critique EU-FLEGT. In the case of the Thai interviewees, most civil society actors felt comfortable criticizing both the government and EU-FLEGT. In contrast, I felt that, perhaps unsurprisingly, RFD and private sectors interviewees provided more evasive answers. However, all provided answers reflecting their positions concerning the interview questions (Appendix B).

1.5.3 Ethics

This dissertation fieldwork obtained the approval of the UBC Behavioural Research Ethics Board⁶. Upon entering the Karen Pwo village, I gained informed consent from the village chief and head monk. I also held a village meeting to explain my research and ask for informed consent before each interview. Although the research discusses illegal logging, drug use, and corruption, the initial intent at the local level was to examine how rights and access to timber impacted participants' livelihoods and subjectivities. For the safety of the Karen Pwo villagers and my translator, information regarding illegal logging, drug use and corruption was not solicited. Further, I have provided a pseudonym for the name of the village. I also gained informed consent for the EU-FLEGT interviews.

1.6 Dissertation structure and chapter overviews

This dissertation includes five chapters; the introduction (Chapter 1), three empirical chapters (Chapters 2-4), and the conclusion (Chapter 5). The empirical chapters examine the dissertation objectives relating to this dissertation's aim to contribute to the scholarly critique of the normative policy-based definition of illegal logging and related assumptions. Chapter 2 examines the politics of forest exploitation and state power in Thailand (1800-2021) and interrogates the boundaries between legal and illegal logging. Chapter 3 examines the role of sovereignty, constituted as the production of forest territory and sovereign power, in the (re)production of Thailand's political forests and related forest degradation and violent

⁶ Certificate number H17-01073

dispossession. Chapter 4 examines hegemony and resistance in the political logics of Thai EU-FLEGT multistakeholder negotiations. Chapter 5 reviews the three empirical chapters' main findings through the dissertation's overall objective. Furthermore, in Chapter 5, I discuss the contributions of this dissertation to scholarship and policy, identify limitations and discuss future research directions.

Chapter 2: The politics of forest exploitation and state power in Thailand: Blurred boundaries between legal and illegal logging

The normative connotations attached to the term 'illegal logging' tend to place it outside the realm of 'normal' political or economic activities. This Chapter attempts to readdress this by exploring juridically legal and illegal logging in Thailand as constitutive components of capital-state relations. This chapter presents a historical examination of the political economy of forest governance in Thailand from the 1800s to May 2021. Through this, I aim to i) blur the dichotomy between the discourses of 'legal' versus 'illegal' logging and reorient both as components of capital accumulation facilitated through natural resource governance, and ii) examine the role of logging revenue in structuring and maintaining state power in Thailand's political institutions, specifically central government institutions and the military. In doing so, I find that throughout the 20th century political factions in Thailand, namely the military, bureaucracy, and business elite, utilized state institutions to access logging revenue, both legal and illegal, amongst other sources of capital. This revenue maintained and played a role in crystallizing power amongst said factions and the broader economic strata of Thai society. The accumulation of logging revenue coincided with increasingly restrictive legal timber rights via forestry laws that impacted local peoples indirectly through the impoverishment

caused by logging operations and the lack of reinvestment. Such a historical exploration of forest logging and corruption in Thailand has thus far been absent from the scholarship.

Chapter 3: Thailand's violent political forests: Dispossession, addiction, and forest loss

This chapter presents a case study of extended territorialization and illegal logging in the Karen Pwo village Ban Mali located in an NRF in the buffer zone of HKK Wildlife Sanctuary. The data collection identified two types of illegal logging: forest encroachment through farmers expanding their maize plots and the illegal logging of high-value timber species within HKK. Through interrogating the dialectics of a mutually reinforcing triad: forest territory/appropriation, civilization/savagery, and governance/violent dispossession, I argue that Thailand's political forests' territorial logics, civilizing efforts, and governance practices (re)produce and render 'banal' originary and ongoing state violence toward Indigenous Peoples. Through descriptions of localized subjugation, the findings illustrate, *inter alia*, how a QUANGO, working in conjunction with local authorities, reinforced sovereign territorial logics, further constraining livelihoods and (re)producing violent dispossession via forced labour and drug addiction. As such, I argue that Thailand's political forests represent the state of exception through which government authorities and their affiliates coerce and discipline subjects to comply with the laws governing forest territory while placing such subjects outside of the law's protection. In this, I explicitly examine the embeddedness of violence in political forests.

Chapter 4: The political logics of EU-FLEGT in Thailand's multistakeholder negotiations

Chapter 4 provides a critical examination of the ways in which Thailand's national forest governance structures pertaining to (in)equity in access to land and timber rights are further confirmed or challenged through VPA negotiation processes. This chapter is based on observations of the Thai EU-FLEGT programme between November 2013 and April 2021, documentation, and interviews with key EU-FLEGT actors involved in VPA negotiations. Through employing Poststructuralist Discourse Theory, I find that VPA negotiations failed to address the uneven outcomes of forest governance, benefiting elites at the expense of the rural poor due to an 'anti-politics' effect. The FLEGT multistakeholder negotiations did not consider the uneven historical relations to land and resource rights nor the intrinsic power dynamics of different actor groups. As such, dominant actors from the government and private sector succeeded in structuring the terrain of the VPA negotiations to determine which civil society demands for reforms to tenure and timber rights they would concede and which they would not.

Chapter 2: Examining illegal logging at the national scale - The politics of forest exploitation and state power in Thailand (1800-2021): Blurred boundaries between legal and illegal logging

Research objective: Examine the political-economic construction of forest exploitation at the national level and related produced (in)equalities, by interrogating the boundary between legal and illegal logging and examining both as components of capital accumulation facilitated through state institutions and natural resource governance.

2.1 Introduction

Through a political ecology analysis of the politics of forest exploitation in Thailand, this chapter attempts to interrogate the boundary between legal and illegal logging and reorient both as components of capital accumulation facilitated through state institutions and natural resource governance. I begin by contrasting the institutional versus the Marxist-based conceptions of corruption. Mainstream views on corruption are primarily anchored in modernization theories which understand corruption as "the abuse of public office for private gain" (World Bank, 1997, p. 8). These conceptions often attribute corruption to 'weak states' inability to prevent rent-seeking behaviour and bribery (Rose-Ackerman, 1996). However, the Marxian political-economic approach to corruption treats it as a constitutive component of the capital relation undertaken by strong institutions.

In this chapter, through a historical account of the politics of forest exploitation in Thailand, I examine the imbrication between financial capital and state institutions in driving the exploitation of Thailand's natural forests. In doing so, I attempt i) to interrogate the

dichotomy between the discourses of 'legal' versus 'illegal' logging and reorient both as components of capital accumulation facilitated through natural resource governance, and ii) examine the role of logging rents in, structuring and maintaining state power in Thailand's political institutions, specifically central government institutions and the military, the crystallization of power relations amongst broader economic strata of Thai society, and broader inequalities. This chapter reviews forest governance chronologically, from the 1800s to May 2021 (Appendix A lists the Thai Prime Ministers from 1932 to 2021, with their dates in office). It concludes with a summary and discussion of the aforementioned aims.

2.2 Theoretical approach

Marxian theorists view the privatization of resources through the dispossession of local people and enclosure of their customary territories, which divorces the local people from their direct means of production and remakes them as labourers within a capitalist system – known as primitive accumulation – as capitalism's 'original sin' (Harvey, 2003; Marx, 1976). Harvey (2003) argues that the capital relation relies on ever-expanding and novel processes of capital accumulation. In this sense, Harvey (2003) frames extra-legal or extra-economic practices and related dispossession as ordinary constitutive components of the capital relation. As Doshi and Ranganathan (2019) summarize, Harvey's writings do not fully theorize extra-legal modalities of capital accumulation, but "corruption may well be understood as a normal means to enable the release and commodification of resources for market exchange" (p. 444). In this regard, Williams and Le Billon (2017), discussing corruption in natural resource management, recognize corruption merely "as a 'function' within social, political and economic transactions" (p. 4). Likewise, through a case study on

natural resource corruption in India, Robbins (2000) highlights that natural resource corruption "is capital accumulation by other means" and an "illegal extension of capital's control of nature through the state" (p. 431). Robbins (2000) concludes that corruption is undertaken not by 'weak states' but by strong institutions.

This understanding of corruption can be extended to examine the practices labelled as legal and illegal logging⁷. This chapter confirms Harvey's theorizing in viewing illegal logging as a constitutive component of accumulation by dispossession and Robbins' tracing of the networks of state institutions and capitalists intertwined with forest exploitation (Robbins, 2000). In doing so, this chapter interrogates the dichotomy between 'legal' versus 'illegal' and examines the intertwined roles of capital and state institutions in driving timber exploitation in Thailand.

Scholars have demonstrated that forest governance and deforestation were integral to Thailand's state-making and territorialization processes (Hirsch, 1988; Peluso & Vandergeest, 2011; Vandergeest, 1996a; Vandergeest & Peluso, 1995). Ostensibly technical processes such as the categorization of land and the mapping and demarcation of reserved forest and protected forests created land-use zones for the stipulation and enforcement of acceptable management processes which (re)made local people as 'state subjects' to be governed through forestry laws and regulations; in other words, a forest was a jurisdiction, not an ecosystem (Vandergeest, 1996a; Vandergeest & Peluso, 1995). Local people residing within demarcated forest land were dispossessed and constructed by state institutions as

⁷ Although illegality and corruption are not necessarily equivalent (Doshi & Ranganathan, 2019)

'landless' (Lohmann, 1993). This chapter expands on these studies by attending to an under-examined aspect of the scholarly literature on Thailand's forest governance. I examine the role of logging rents in structuring and maintaining Thailand's political institutions, specifically central government institutions and the military, the crystallization of state power amongst broader economic strata of Thai society and related inequalities. Before doing so, I first define logging rents then define state power in relation to capital accumulation.

Rent can be understood as a social relation where assets (land, resources, or other assets) are transferred between the owner and those wishing to utilize the asset (Andreucci et al., 2017). States can generate rents via resource extraction, leasing out land, developing the land through state-owned enterprises, or building the infrastructure for which further rents can be extracted (Huber, 2019; Loftus, 2020). Rents are appropriative, not productive, and therefore *obstruct* “the expanded reproduction of capital” (Andreucci et al., 2017, p. 35). States as fiscal entities may become dependent on rents from natural resources extraction, including direct resource extraction and revenue generated through bribery⁸ and kickbacks⁹, fostering broader systems of corruption (Eilenberg, 2009; Milne, 2015). This chapter defines rents, as economic recompense sustained through the creation and protection of asset sources, which is appropriative and can therefore contribute to social and economic inequalities.

⁸ Defined as a public official receiving money or any item of value in exchange for influencing or carrying out a certain action in favour of the person presenting the money or item of value

⁹ A form of bribery in which a public official takes an under-the-table commission on a project in exchange for services. The commission can be in the form of money or items of value from a project such as construction material.

In examining political ecologies of the state, "researchers have cautioned against taking the 'state' as an ontological given" (Harris 2017, p. 90). As Jessop (2008), extending Gramscian theory, this chapter examines the state as a social relation in which the social struggles between and amongst different economic classes become institutionalized, and as Meehan & Molden (2015), "a stage on which struggles over capital accumulation play out" (p. 444). Perreault (2020, p. 228) summarizes that:

In this view, the state both reflects and reproduces the shifting balance of power between social forces. The state is not, however, an empty terrain or neutral arbiter of competing interests, as it is sometimes represented in conservative scholarship. Rather, it actively and selectively – strategically, in the terminology of Jessop (2008) – constitutes particular social orders (Andreucci 2017).

Perreault (2020) continues that "the material and discursive forms that states take – institutions, territories, armies, laws, policies – represent the crystallization of power relations among social forces" (p. 228). Following Jessop (2016), I preface this chapter by elucidating that the state is a polymorphic character and not necessarily predominantly capitalist but can display multiple characteristics with different characteristics displaying dominance at different times and scales. As encapsulated by Jessop (2016, p. 44):

Michael Mann (1986) argued that the state's organization and capacities may be primarily capitalist, military, theocratic, or democratic according to the balance of forces, especially as these affect the state ensemble and its exercise of power. Its dominant crystallization is open to challenge and will vary conjuncturally.

2.3 Results: Corruption and forest exploitation from 1800 to 2021

2.3.1 Integrating forest capital with state power (1800-1899)

This section traces the origins of forest governance in Thailand back to the development of the teak trade during the 19th century in the Lanna kingdoms. With their centre in Chiang Mai, the Lanna kingdoms were vassals and lay north of the Kingdom of Siam until their gradual annexation to Siam beginning in 1874 until 1899 (Figure 2). The five lords (Chao) that ruled the Lanna kingdoms pledged their allegiance and paid tributes to the King of Siam (Bowie, 2006; Thongchai, 1994). The ruling lords maintained control over agricultural land and forests under their jurisdiction, utilizing teak timber to build temples, palaces, and other buildings and export outside the Kingdom for profit (Mekvichai, 1988). Forests were also leased to local noblemen to exploit directly or indirectly (Mekvichai, 1988). The Lanna lords permitted local people to harvest smaller trees for personal use or local sales. However, the lords prohibited local people from exporting teak outside their locality (Mekvichai, 1988).

In 1835, British demand for teak for shipbuilding and furniture brought British Burmese and Shan traders into Lanna (Mekvichai, 1988). As legal owners, the ruling lords leased teak forests to Burmese, Shan, and Karen traders who bid on concessions in the form of money and gifts such as jewels and other valuables (Mekvichai, 1988). The lords permitted leaseholders to harvest any tree from their area upon payment of stumpage fees for every tree felled. Royalties from the stumpage fees were shared amongst the local lords and lesser noblemen with rights over particular forests and the salaries and expenses of the officials collecting the fees (Mekvichai, 1988). Logs were transported for export to the Burmese Port of Moulmein, and from 1851 when Siam's government permitted the export of logs from

Lanna to Bangkok, which became another central export hub (Mekvichai, 1988). Traders brought their workforce of Burmese and Shan as skilled labourers and hired Karen and Khmu ethnic groups as skilled and unskilled labour (Mekvichai, 1988). However, the teak industry had negligible positive impacts on the remaining local population as most were bound by corvee obligations (unpaid labour on behalf of patrons and the King) and slavery (both prisoners of war from Burma, China, and Laos and local debt-slaves) (Bowie, 2006; Mekvichai, 1988).

As traders came in from Burmese and Shan states, the prime spots for teak logging, the most accessible areas with the largest teak, quickly diminished (Ramsay, 1971). Competition for remaining prime areas became intense, creating conflict amongst leaseholders, particularly in cases of dual leasing. First, a new trader could offer a higher bid to the ruling lords than an original concession leaseholder. The original leaseholder may then ignore the new leaseholder's claim to the forest land. Second, some lords offered the same concession to several concessionaires to increase the number of bids offered (Mekvichai, 1988). Burmese leaseholders in Lanna complained to the British consul in Siam about the dual leasing issues. As a result, by the 1870s Burmese traders had brought forty-two lawsuits against the Lanna lords (Mekvichai, 1988). Burmese traders also complained to their consul about the robbery of goods, including logs and elephants, in Lanna (Mekvichai, 1988). The British seized upon dual leasing and robbery issues to exercise increased power within Lanna and increase their foothold over the teak trade. The British consul demanded that the Siamese establish police stations in Lanna along the border with Burma and permit the stationing of a British Vice-Consulate in Chiang Mai (Mekvichai, 1988).



Figure 2: Map of Southeast Asia in the 19th century(Schwartzberg 1994)

To thwart further colonial intrusion into its northern territories, both from the British to the west and the French to the east, at the beginning of the 1870s, Siamese King Chulalongkorn began to consolidate Siam's control over Lanna (Dixon, 1998). Chulalongkorn sent a commissioner (his half-brother) to Lanna in 1874, who introduced governance reforms in line with Siam's modernization plans (Baker & Phongpaichit, 2014). Chulalongkorn held ambitions to consolidate Siam's territory and reform its political order from a system based on patron-client relations to a centrally governed nation state administered through various Ministries and bureaucratic processes (Riggs, 1966). Mekvichai (1988) documents that "by 1884, Bangkok [the King of Siam] took nearly half the revenues collected from teak logging" in Lanna (p. 211). The other half supported local administration efforts in Lanna (Mekvichai, 1988).

By 1884 British companies began to establish themselves in Lanna and soon came to dominate the teak trade, which lasted until World War II. Competition for teak concessions, now amongst companies rather than individuals, exacerbated dual leasing issues, and the cost of obtaining leases quickly soared (Ramsay, 1971). In efforts to control the teak trade, in 1895, Siam's administration employed British forester Herbert Slade who established the RFD in 1896 (Ramsay, 1971). By the end of 1897, the Siamese government had taken complete control over stump fee collection (Mekvichai, 1988). By 1899, alongside the Lanna Kingdom's complete annexation to Siam, the RFD claimed jurisdiction over all 'unoccupied' (land not under permanent cultivation) and unclaimed land within Siam's boundaries (Vandergeest, 1996a). In 1899 and 1901, local people in Lanna revolted against a new monetary taxation system Siam imposed on land and produce (instead of tax in-kind) and

opposed the large outflow of revenue to Bangkok and British teak extraction (Rajchagool, 1994).

Meanwhile, in Bangkok during the 1890s, Chulalongkorn began to drive forward changes to Siamese governance structures that would impact the consolidation of forest capital with state power in the years to come. To create a ‘modern state’, Chulalongkorn began to appoint members of the nobility to state Ministries and departments (Baker & Phongpaichit, 2014). In 1893, Chulalongkorn appointed his half-brother, Damrong Rajanuphap, as Director of the new Ministry of Interior (MoI). Damrong integrated the old nobility from provincial areas throughout Siam into the MoI (Baker & Phongpaichit, 2014). Similarly, Chulalongkorn appointed family members to lead the Ministries of Agriculture, Defence, and Finance, with subordinate positions going to those with noble links (Baker & Phongpaichit, 2014).

To allow the old noble elite’s children to secure high-level positions in the new Siamese society, the Royal administration established Civil Service, Law, and Military schools (Baker & Phongpaichit, 2014). Initially, only those from the nobility could attend these schools. However, due to lack of interest combined with the administrative need to fill bureaucratic posts, ‘commoners’ who could afford to pay the exorbitant fees began to attend (Baker & Phongpaichit, 2014). While commoners attained bureaucratic and military positions, initially, they were often “leapfrogged by those of higher birth and with better connections” (Baker and Phongpaichit, 2014, p. 75). These schools later became avenues for the middle-classes to access high-level government, bureaucracy, and military positions (Baker & Phongpaichit, 2014).

In summary, as acknowledged by Vandergeest and Peluso (1995), teak played a crucial role in consolidating Siam's power over the Lanna region. During the 1830s, teak logging primarily benefited the Lanna elite and Shan and Burmese traders. As the British increased their interest over Lanna's teak, they seized upon the issues of dual leasing, or illegalities, to seize power in the region. In response to the British and French threats of intrusion, Siam began to annex the Lanna region. This enmeshed forest governance in Lanna with Siam's modernization efforts. Royalties from logging were diverted toward Siam's King and the administration of Lanna. Siam's modernization efforts converted the old nobility into Ministers, bureaucrats, and military officers and created avenues for middle-classes to access high-level state positions via civil, law and military schools. The ties of forest governance and revenue to state structures would come to define the political economy of forest exploitation over the next century.

2.3.2 British dominance (1900-1932)

British companies captured the largest share of logging rents until the 1960s, with a portion going toward Thai royalties. The years 1900 to 1932 were marked by British dominance in the timber trade and the further rise of the bureaucratic elite. By the end of the 19th century, concessionaires needed a larger amount of capital for fees, royalties, and teak extraction operations, which squeezed out smaller Burmese and Shan traders (Ramsay, 1971). By 1902, British and Burmese-British (primarily working on behalf of the British) companies controlled 76% of all concessions (41 concession areas in northern Siam, forty in the south). Noblemen from the Lanna region, who had traditional ties to forest land, held 19% (20

concessions), and Chinese traders held 6% (6 concessions) (Mekvichai, 1988). However, Chinese merchants dominated the sawmill sector (Dixon, 1998).

The European teak export market began to subside in the 1920s due to a decline in teak quality, higher freight charges for Siamese than for Burmese timber, and the global recession during the late 1920s and early 1930s (Dixon, 1998). In 1919 20% of teak exports were bound for Europe and the USA, 60% to India and Sri Lanka (then *Ceylon*), with the rest exported to Japan and China. By 1938 Britain's favoured position over trade ended, and by the mid-1930s, half of the teak exports went to East Asian countries (Dixon, 1998).

Up to the 1930s, royalties from teak averaged 2.5% of total national annual revenue (Mekvichai, 1988). However, there was little reinvestment of teak revenue into the RFD or the local villages surrounding teak concessions (Mekvichai, 1988). In the early 1900s until the 1940s, railway construction was the state's primary expenditure (Dixon, 1998). The railways helped Siam consolidate further territorial control and contributed to economic development, primarily through the rice trade (Dixon, 1998), while contributing to deforestation of lowland areas (Delang, 2005). However, the economic benefits of development had yet to reach most provincial areas (Dixon, 1998).

Teak concessions continued to contribute minimally to the local economy. In 1897 the Forest Preservation Act and Teak Preservation Act prohibited the logging of teak trees without first receiving the appropriate permissions from the RFD (Vandergeest, 1996a). These Acts essentially ended local rights to harvest teak trees. Of course, it most likely proved difficult for the RFD to enforce regulations due to the low numbers of forest officers, and RFD's primary remit being revenue collection as opposed to the strict enforcement of regulations

(Mekvichai, 1988; Vandergeest, 1996a). Labourers for the British companies continued to come from Burmese and Shan states and Karen and Khmu ethnic communities. In 1914 Siam abolished corvee obligations; however, most local villages did not wish to tie themselves as wage-labourers to the teak firms (Mekvichai, 1988).

The state bureaucracy increased almost seven-fold during this period, from 12,000 salaried officers in 1890 to 80,000 in 1916 (Baker & Phongpaichit, 2014). Those with connections to the old royal and noble families formed the core of the bureaucracy and military. Individuals were recruited and promoted based on nobility or personal patronage. Unsurprisingly, junior staff attached themselves to central ministerial figures, ascending “by a mixture of talent, personal services, and politicking” (Baker & Phongpaichit, 2014, p. 96).

Some also found a route upwards via business connections and schooling. Two of note – the reasons why will become evident in the next section – were Pridi Banomyong and Plaek Phibunsongkhram (Phibun [also known as Pibul]). Pridi came from a Thai-Chinese family of market traders who established connections to the local nobility. Pridi entered a prestigious Thai Law School then gained a scholarship to study Law in France (Baker and Phongpaichit, 2014). Phibun’s family owned an orchard and, via “a family connection gained admission to the Infantry Cadet School. From there, he progressed to the Military Staff College where he graduated top of his class and won a scholarship to the French Military Academy” (Baker and Phongpaichit, 2014, p. 98).

In Bangkok, middle-class traders, low-level bureaucrats, teachers, lawyers, and other managers grew separately from the bureaucratic elite. These various groups in Bangkok began to reject the ideals of absolutism, arguing that it "fostered corruption and inefficiency"

and "promoted foreign interests above national interests" (Baker and Phongpaichit, 2014, p. 109-110). Baker and Phongpaichit (2014, p. 109) explain that newspapers in that period often displayed cartoons "of nobles and bureaucrats stuffing their pockets with money or running off with bags". Amid the atmosphere of distrust of the Siamese elite, Thitibordin (2016) recounts that unsubstantiated rumours spread "amongst all segments of society in Bangkok" that government officers were accepting bribes from British forestry companies (p. 84). It is possible that the rumours were rooted in truth or started due to the sheer dominance of the British in the teak trade. Siamese traders had tried to capitalize on the teak trade and establish concessions, but most failed as few had the start-up capital needed (Mekvichai, 1988).

2.3.3 Revolution and war (1932-1945)

This section begins with the revolution to end the absolute monarchy and ends with World War II. During this time, the British dominance over forest concessions continued. However, Thai plans to nationalize the forest sector began to take root, as did the rise of political factionalism, dominating Thai politics and contributing to large-scale forest exploitation until the 1990s.

In efforts to end absolutism¹⁰ in February 1927, seven Siamese men studying in Paris, including Pridi Banomyong and Plaek Phibunsongkhram (Phibun), met to plot a revolution. The men declared themselves the People's Party, and by 1932 the Party had grown to around 100 members, with just over half in the Siamese military (Baker & Phongpaichit 2014). In

¹⁰ 'Absolutism' refers to a sovereign not being bound or restricted by a state's constitution and laws

June 1932, the Party staged a nearly bloodless coup (one person was shot but not killed), overthrowing the absolute monarchy. In 1935 King Prajadhipok, while in Europe, abdicated (Baker & Phongpaichit, 2014). Under the new constitution, a self-appointed Cabinet was responsible to a half elected, half appointed National Assembly. However, the new political order was to be far from democratic. In fear of the return of royalists, no other political parties were permitted to establish. From 1932 to 1934, the government closed down newspapers, bar those supporting the People's Party (Baker & Phongpaichit, 2014).

The People's Party was divided into two factions, one civilian-led by Pridi and the other military-led by Phibun. (Baker & Phongpaichit, 2014). The military faction soon came to dominate. From 1933 to 1937, the military received 26% of the national budget, doubling their membership. Phibun ruled mainly by decree as Prime Minister from 1938 to 1944. During that time, Phibun disrupted the bureaucratic elite based on the old Siamese noble order and "appointed himself head of the army and minister of defence, interior, and (later) foreign affairs", packed the Cabinet with military men and increased military funding to 33% of the national budget (Baker & Phongpaichit, 2014, p. 124).

During this period until WWII, the timber sector primarily operated as it had done since the 1900s. The RFD still lacked the power and resources to enforce regulations. However, the labour force working in forest concessions began to change. Local villagers near teak concessions joined the industry as unskilled labourers as the number of Khamu labourers from Laos decreased (Mekvichai, 1988). Some worked their way to skilled positions, eventually saving enough money to start sub-contracting companies logging for larger

companies (Mekvichai, 1988). Nevertheless, there remained little economic development or reinvestment of timber revenue in the villages surrounding concessions (Mekvichai, 1988).

Phibun's government began to pursue a policy of "economic nationalism" to promote development (Dixon, 1998, p. 59). The government established, with varying success, several wholly or partly state-owned enterprises including "rail, power and water supplies, the establishment of abattoirs...the manufacture of, amongst other items, cigarettes, paper, textiles, soap, glass, silk and gunny sacks... distilling and the processing of cassava, rubber, and sugar" (Dixon, 1998, p. 63). The government also sought more significant participation in the rice, rubber, tin, and teak sectors and attempted to wrestle these sectors away from the Europeans and Chinese (Dixon, 1998). During this period, little nationwide economic development occurred, and individuals or political factions often manipulated funds from state enterprises for personal gain (Dixon, 1998; Scott, 1976).

Amongst the policies toward economic nationalism, the government planned not to renew expiring foreign-held forest concession leases, which would result in the forest sector becoming a government monopoly (Landon, 1941). However, World War II temporarily stopped any hopes for timber nationalization (Mekvichai, 1988). In 1941, when Thailand allied with Japan, British companies abandoned their forest concessions. The government attempted to take over the forest sector from the British. However, the war mostly halted exports as bombings severely damaged ports and railways (Dixon, 1998). After the war, British companies required the Thai government to return the British-owned forest concessions (Mekvichai, 1988). However, the war effectively ended Britain's economic dominance in Thailand, including their dominance in the timber sector (Dixon, 1998).

2.3.4 The seeds of military autocracy and the nationalization of the forest sector (1945-1957)

The post-war period represented a time of significant political instability. Seven Prime Ministers from civilian and military parties governed Thailand from August 1944 to April 1948 (Baker & Phongpaichit, 2014). However, by April 1948, Phibun had reinstated himself as Prime Minister and remained in power until September 1957. Phibun's government continued to operate under the façade of democracy, with a Cabinet and National Assembly packed with military personnel and civilians from the various state bureaucracies (Dixon, 1998).

Phibun continued with his policies of economic nationalism, and by the mid-1950s, there were "well over 100" wholly and partially state-owned enterprises (Dixon, 1998, p. 72). In 1947, in line with policies of economic nationalization, the government established the Forest Industry Organization (FIO) under the RFD, a for-profit semi-government enterprise. The government also established a Provincial Forestry Company (PFC), which aimed to provide ordinary citizens access to the timber sector. In 1952 the government announced that all foreign forest leases due to expire were not to be renewed, and by 1960 the FIO and PFC gained a monopoly over forest concessions (Pye, 2005a). The FIO held a 46% share of the PFC (Pye, 2005a). PFC leases largely came under the control of local capitalists with prior involvement in the timber sector or other industries (Mekvichai, 1988; Phongpaichit & Phiriyarangsarn, 1996).

Whichever political faction held government power also controlled the lucrative state monopolies established by Phibun's Government. During the 1950s, power began to shift

from Phibun's Government toward other military factions and the police. At the beginning of the 1950s, Phibun began to court the USA's patronage by espousing anti-communist rhetoric. In July 1953, the US National Security Council announced Thailand as an "anti-communist bastion" and provided funding to develop the military and police (Baker and Phongpaichit, 2014, p. 145). As the military and police grew in size and power, so did the military's Commander-in-Chief, Sarit Thanarat, and the Police General, Phao Sriyanond. These two men began to vie for control over the state monopolies (Baker & Phongpaichit, 2014).

Helped along by denunciations of government corruption, Sarit eventually prevailed and governed Thailand by autocratic rule from 1958-1963. Phibun's Party (Seri Manangkhasila) won the February 1957 elections amongst allegations of vote tampering, creating widespread public discontentment (Chaloemtiarana, 2007). After which, Sarit began to capitalize on the discontentment and positioned himself as a "saviour" of the "corrupt" political system (Chaloemtiarana, 2007). Sarit publicly declared that the elections had been dirty on all sides and, in doing so, was able to distance himself from Phibun's Party, in which he was deputy leader (Chaloemtiarana, 2007).

A "lumber swindle" that came to light in August 1957, shortly after the elections, gave Sarit further ammunition to declare the government corrupt (Chaloemtiarana, 2007, p. 75). A press release announced that the World Bank had awarded the government a US\$66 million loan to build a large-scale dam in Tak province. Phin Choonhavan, Minister of Agriculture, and ally of Phibun (rival faction to Sarit), endorsed an application to log timber in the dam construction site's soon-to-be flooded area on behalf of the government. The timber was worth an estimated US\$32 million (Thai฿ one thousand million) (Chaloemtiarana, 2007).

Phin planned to further capitalize on the timber processing sector by merging all private wood-product companies under a "Forestry Company of Thailand" (Chaloemtiarana, 2007, p. 76). However, he was forced to resign after the RFD Director General (DG) refused to sign off on the project, stating that it would lead to a government monopoly of the forest sector. The dismissed RFD DG and his subordinates appealed to Sarit for help. Sarit used the opportunity to further distance himself from Phibun's Government by accusing them of corruption (Chaloemtiarana, 2007).

Seen in the broader context, Sarit's and the RFD's concern over the lumber swindle may have merely constituted political calculations rather than genuine interests in conserving resources or creating a more egalitarian timber sector. In 1956 the government moved the FIO from the RFD to the Ministry of Agriculture headed by Phin (Mekvichai, 1988). One could speculate that the RFD may have been disgruntled over this loss of power as their major for-profit enterprise had been transferred out of their jurisdiction. Further, as discussed in the following section, the RFD and military formed a strategic alliance under Sarit's government, enabling state and military capital to dominate the forest sector (Pye, 2005a). Moreover, Sarit increased his personal wealth and land ownership through policies of natural resource exploitation (Phongpaichit and Phiriyarangsarn, 1996).

2.3.5 Military dictatorship and provincial strongmen (1957-1973)

2.3.5.1 Autocracy

On September 17th, 1957, Sarit and his loyal military faction staged a coup and sent Phibun into exile. On October 20th, 1958, Sarit came to power after two interim Prime Ministers. Once in power, Sarit banned all political parties and political gatherings of more than five people. Sarit also carried out mass arrests of newspaper editors and “suspected communist sympathizers” (Chaloemtiarana, 2007, p. 96). Sarit died in office in 1963, and his deputy Prime Minister Thanom Kittikhachon continued the military dictatorship until 1973.

In line with his own and US interests, Sarit began to move away from Phibun's legacy of economic nationalism toward liberalizing Thailand's economy by opening it up to domestic and foreign private capital. Dixon (1998) notes that from Sarit's rule, lasting for the most part until the 1980s, an alliance formed among the military, bureaucracy, and business interests. National resource exploitation was central to the economic development plans of the 1960s, and Sarit and Thanom's governments oversaw widescale deforestation (Baker & Phongpaichit, 2014). From 1956 to 1974, forest cover reduced from approximately 58% to 43% of the total land area (Feeny, 1984; Lakanavichian, 2001).

Economic plans focused on infrastructure development through large-scale logging initiatives converting forests for dams, roads, mines, and even US airbases (Baker & Phongpaichit, 2014). Sarit and Thanom's governments provided government subsidies for mines and agribusinesses and changed the upper limit on land ownership (Baker & Phongpaichit, 2014; Phongpaichit & Phiriyarangsarn, 1996). These policies are believed to

have aided Sarit and Thanom and their allies to amass remarkable wealth (Phongpaichit & Phiriyarangsana, 1996). They distributed the land opened by development amongst themselves, and when Sarit died, his estate included over 20,000 rai (3,200 hectares [ha]) of land (Phongpaichit & Phiriyarangsana, 1996). Sarit diverted US\$140 Million (Thai฿2,784 million) of public funds to private use, mainly from the public lottery. Thanom and two of his closest military allies together amassed US\$20 million (Thai฿600 million) unlawfully. The dictatorship enabled corruption to stay hidden, and it was exposed only after Sarit's death and Thanom's tenure (Phongpaichit & Phiriyarangsana, 1996). During this time, the bureaucracy was also reputed to be corrupt, siphoning off public funds and receiving kickbacks from infrastructure projects (Phongpaichit & Phiriyarangsana, 1996). However, the economic plans created substantial economic development, even though highly uneven, with minor impacts on provincial areas (Dixon, 1998). Sarit's government also improved local access to public goods in some rural provinces, including education, health services, water supplies, and supported electricity development (Baker & Phongpaichit, 2014).

The government monopoly over the forest sector, the threat of which had provided a catalyst for Sarit's ascension to power, came to fruition during Sarit's tenure. State and military capital came to dominate the forest sector (Pye, 2005a). Foreign leases had ended in 1960. By the 1970s, the state-owned FIO held 86% of teak concessions, with various military-related veteran organizations owning the other 14% (Pye, 2005a). The PFC owned 70% of other non-teak forest concessions (Pye, 2005a). Pye (2005a) explains that a “tripod

structure”¹¹ emerged between 1) state-capital (FIO and PFC) dominating timber harvesting, with some involvement in wood processing, 2) military capital, "i.e., private companies set up by influential cliques within the ruling state bureaucracy, involved in timber distribution and to a smaller extent in timber harvesting", and 3) "private companies involved in distribution and wood processing" (p. 325). Local entrepreneurs, mainly influential provincial figures or strongmen, connected to bureaucratic local and national networks, also participated in logging and wood processing for the PFC (Baker & Phongpaichit, 2014).

Due to the vested interests of all actors in profits, this coalition pursued a strategy of surplus accumulation through expanding harvesting to include more tree species over larger areas (Pye 2005a, 325). In collusion with RFD officers, logging concessionaires throughout the country often abused their licences by logging timber beyond the boundaries demarcated as forest concessions (Ganjanapan, 2000). From 1960-1989 it is estimated that between 50% - 75% of the harvested timber was illegal (Hurst, 1990). Notably, the actors carrying out illegal logging were often the same actors carrying out legal logging (Ganjanapan, 2000; Mekvichai, 1988).

The 1964 National Reserved Forest Act enabled the RFD to declare land as reserved forests and, therefore, eligible for logging concessions, with minimal public consultations (Vandergeest, 1996a). By 1974 32% of Thai territory was declared as NRFs, enclosing millions of local people (Hirsch, 1990; Lohmann, 1993). Once logged, farmers cultivated and

¹¹ A term coined by Suehiro Akira (1996) to characterise capital formation in Thailand from 1855-1985 and borrowed by Oliver Pye (2005a).

settled along the cleared territory, hacking away at more forest (Vandergeest, 1996a). Further, by the mid-1960s, the military, in alliance with the RFD and logging companies, began to encourage forest conversion via building road networks and establishing concessions to deny 'labelled communist' political opponents territory in northeastern Thailand along the Lao border (Peluso & Vandergeest, 2011; Pye, 2005a). Thus, national security or territorialization tactics contributed significantly to deforestation (Hirsch, 1988). Peluso and Vandergeest (2011) recount that the most rapid forest cover decline occurred in the northeast, from 42% in 1961 to 15% in 1985 compared to the north, from 69% to 50% away from the centre of the state's counter-insurgency forest conversion tactics. The Communist Party of Thailand (CPT) also earned income from logging concessions leased to Thai companies within their territory (Battersby, 1998).

During this period, local people's rights to timber were severely restricted. In 1961, Sarit's Government amended the 1941 Forest Act, ending local people's legal rights to harvest timber for domestic use within forest land and increasing penalties for law violations (Vandergeest, 1996a). Vandergeest (1996) notes that past governments had also tried to amend the forest laws, abolishing provisions for local people, but parliament turned these down. Under the Police Department, the Forest Police was also founded in the 1960s, increasing the RFD's ability to implement and enforce laws (Chalermrath, 1972).

Nevertheless, the RFD's primary remit remained revenue collection until the 1990s, and the RFD essentially turned a blind eye to local people's subsistence use of timber and forest products (Vandergeest, 1996a).

2.3.5.2 Provincial strongmen

As Baker and Phongpaichit (2014) discern, the military autocracy "reproduced 'strongmen' at other levels of society" (p. 170). From the 1950s, local strongmen, or influential figures, known as *jao pho*, rose in prominence within provincial areas. The *jao pho* gained their initial wealth by claiming land cleared by logging for agriculture and then expanding into larger agri-businesses. Working with timber companies and other merchants, *jao pho* encouraged farmers to settle in logged forests or log additional forest (Baker and Phongpaichit, 2014). After sites had been logged, the merchants or *jao pho* provided seeds and credit to the farmers, at a 5% monthly interest rate, to establish "maize, sugar cane, cassava, rubber and eucalyptus" (Lohmann, 1993, p. 183). Seeds and credit were provided on an ongoing basis. New settlements of logged areas created new rural patron-client relations, enriching the patrons and growing their client base (Lohmann, 1993).

The *jao pho* would often move to more profitable businesses such as logging or mining. Through their newfound wealth, the *jao pho* built connections with the police, military, and local officials using their influence to gain "lucrative concessions and contracts from the government" (Phongpaichit & Phiriyarangsana, 1996, p. 6). The *jao pho* also used their wealth to increase their client base by sponsoring local infrastructure development, welfare services, and donating to temples (Phongpaichit, 1999). As discussed in Section 2.3.6, some *jao pho* rose to prominent local and national government positions (Phongpaichit & Phiriyarangsana, 1996). Sarit and Thanom tolerated the intrusion of the provincial strongmen and kept their ambition in check through building alliances with those willing; those unwilling found less success (Phongpaichit & Phiriyarangsana, 1996).

Several jao pho (but not all) engaged with illicit businesses such as smuggling, trade in arms and narcotics, gambling, and extortion. As was the case with most concessionaires, Jao pho could be simultaneously involved in legal and illegal logging (Phongpaichit & Phiriyarangsarn, 1996). Mekvichai (1988) describes a case in northeast Thailand where teak merchants directly hired gangs controlled by local strongmen. With the assistance of government officials, the gangs carried out illegal logging operations, using tractors and chainsaws to clear large areas of forest. If the loggers sold timber in Bangkok, they bribed many operators along the supply chain, such as railway workers and police. Jao pho illegal logging schemes allegedly reached from local bureaucrats right up to the Prime Minister's Office (Lim, 2011).

2.3.6 The growth of money politics and increased logging rates (1973-1988)

As outlined in the previous sections, state companies and military capital working through forest governance structures firmly rooted logging revenue within state institutions and contributed to the fabric of state actors' political and economic power. Illegal logging was conducted with impunity by the same actors conducting legal logging operations. At the same time, local people's rights to harvest timber were made illegal and more strictly enforced. While military factions primarily dominated political power from the 1940s, during the 1970s, businesspeople from Bangkok and provincial regions began to rise in power. The political system during the 1970s and 1980s consisted of more diffuse factional rivalries, inclusive of the military, bureaucracy, and business elite, spurring the growth of 'money politics' and contributing to increased logging rates.

In contrast with the previous years of military dictatorship, 1973 to 1980 represented a period of significant political instability. After a student-led revolt against Thanom's government, from October 1973, four successive civilian Prime Ministers remained in power until a coup on October 6th, 1976, returned the military to power. In October 1976, a joint military-civilian government was formed, with a civilian lawyer, Thanin Kraivichien as Prime Minister, and a military-dominated Council. The government banned all political parties and suppressed student organizations and collective farmers' associations. However, due to growing discontent amongst the general populace, the military overthrew Thanin in 1977 and instituted the army Commander-in-Chief, General Kriangsak Chomanan, as Prime Minister. General Prem Tinsulanonda replaced Kriangsak in 1980 and remained in power until April 1988 (Baker & Phongpaichit, 2014).

Kriangsak and Prem based their governments on a combination of civilian and military members. The government restored elections and legalized political parties in 1979, with the National Assembly consisting of an elected parliament controlled by an appointed Senate dominated by military personnel. Under this arrangement, ultimate power continued to lie with the military. Military personnel retained control over the key Ministries of Defence, Interior, Finance, and Foreign Affairs, while other Ministries were assigned to elected MPs. This arrangement was dubbed a "semi-democracy" or "Premocracy" (Baker & Phongpaichit, 2014, p. 239).

However, with the return of elections, the military's political power began to diminish. The National Assembly became dominated by businessmen, and the proportion of "businessmen rose from one-third in 1979 to two-thirds in 1988" (Baker & Phongpaichit, 2014, p. 243). By

the 1980s, the Thai military and political parties had taken on characteristics similar to trading firms with interests in construction, textiles, chemicals, sugar, banking, and forest products, amongst others (Buszynski, 1989). As such, "the parliament became a clearinghouse for business deals, especially construction contracts" (Baker & Phongpaichit, 2014, p. 245). As governmental power equated to lucrative business, candidates invested heavily to become elected members of parliament (Baker & Phongpaichit 2014, p. 245-246). Once elected, candidates tried to recoup election expenditure and financially maintain their patronage networks by using their political position and networks to gain access to business profits and illicit revenues such as kickbacks from government projects or diversion of public funds (Baker & Phongpaichit, 2014). This system was dubbed 'money politics' (Baker and Phongpaichit, 2014).

Political parties were loosely organized under the system of money politics, as the elite feared assets would be seized from organized parties in the event of a coup (Ockey, 1994). Thus, networks reaching from Bangkok to the provincial villages became critical to political arrangements (Callahan & McCargo, 1996). The military and the Bangkok-based business elite looked to the *jao pho* to consolidate their networks and deliver votes in provincial areas (Callahan & McCargo, 1996; Hellmann, 2017). Through their vast network built-up from local patron-client relations, the *jao pho* were in a position to deliver large blocks of votes for various political factions (Hellmann, 2017). Many of the "successful parliamentary candidates" were "either influential provincial figures themselves or their relatives or close associates" (Callahan & McCargo, 1996, p. 379).

The jao pho's involvement in the illegal and illicit activities enmeshed with money politics and led to closer or new links between politicians and the illegal economy, including providing people with lucrative logging deals or protection for illegal logging (Phongpaichit & Phiriyarangsarn, 1996). Various political factions vied to access legal and illicit revenue to fortify their network (Hellmann, 2017). During the late 1980s, accusations of corruption began to inundate the political landscape as the military vied for access to legal and illicit revenue sources against the intrusion of the new business elite into Thailand's political system (Phongpaichit & Baker, 2002). A new urban middle-class, unattached to the political networks, reacted against money politics as they demanded their fair share in the economy (Phongpaichit & Baker, 2002).

Logging largely continued unchecked. Due to the close relationship between political networks and logging revenue, there remained few incentives to rein in the actions of logging companies. "Between 1969 and 1979, 516 timber concessions were granted covering nearly half the country's land area" (Lohmann, 1993, p. 182). In 1979 the government reduced the number of logging concessions by half in response to concerns that concessionaires frequently logged beyond their boundaries. However, over one-third of these concession areas were already severely degraded (Laungaramsri & Malapetch, 1992). Yet, in 1984 influential figures persuaded the government to relax restrictions and award new concessions (Laungaramsri & Malapetch, 1992). By 1988 an estimated 300 forest concessions remained valid (Lohmann, 1993). Villages near logging concessions in the north of Thailand received little reinvestment and remained some of the most impoverished areas in the country (Mekvichai, 1988).

High rates of illegal logging persisted as concessionaires continued to log beyond allocated boundaries (Ganjanapan, 2000; Hurst, 1990). Laungaramsri and Malapetch (1992) detail that "in one concession alone in Sameong District of Chiang Mai Province in northern Thailand, the rate of tree-felling almost tripled in only one year, increasing from 789 logs extracted in 1986 to 2,316 logs in 1987" (p. 32). Further, logging by influential figures continued freely. In one example, a member of the Sarasin family, under the protection of the national police chief and a deputy Prime Minister, logged a protected forest in Kanchanaburi province to build a resort (Lohmann, 1993). Members of the Sarasin family held high-level bureaucratic positions and established successful businesses, including Pote Sarasin, who served as Prime Minister from September to December 1957. Forest cover reduced from 43% of total land area in 1973 to 28% in 1983 (Lakanavichian, 2006). Other significant contributors to deforestation included continued counter-insurgency efforts, infrastructure development, and political-economic factors pushing rural farmers further into forest frontiers (Hirsch, 1988; Lohmann, 1993).

2.3.7 Continued factionalism, the military's downfall, and a logging ban (1988-1997)

This period is marked by continued factionalism between business-oriented politicians and bureaucrats, the loss of influence of the military, and the introduction of a logging ban. A catastrophic event took place in November 1988, resulting in a logging ban in natural forests throughout Thailand. Between 20 and 23 November, more than a metre of rain fell in Nakornsithammarat Province, triggering massive landslides that killed hundreds. The public began to blame the landslide on unsustainable logging (Usher, 2009). Forty villagers from six provinces joined by the Student Federation of Thailand in the following weeks marched into

Bangkok. The villagers and Student Federation met with then Prime Minister Chatichai Choonhavan and demanded an end to commercial logging. Five days later, Chatichai announced a logging ban in twelve provinces; by January 1989, the ban was extended throughout the country (Usher, 2009). However, by the 1980s, the domestic supply of timber had already severely declined (Delang, 2005). Further, despite the introduction of the logging ban, it proved difficult to shake the ties between logging rents and political actors, business elites and *jao pho*, with logging operations continuing in Thailand and intensifying in neighbouring countries.

The logging ban severely impacted the FIO, but they continued to carry out logging operations in natural forests and were responsible for processing confiscated logs (Lakanavichian, 2001), opening up the FIO to corruption allegations (Barney, 2005). The PFC largely reoriented toward manufacturing furniture and woodcrafts (Lakanavichian, 2001). Other wood-based enterprises survived primarily on timber imports and, to a lesser extent, domestic plantation timber and confiscated timber (Lakanavichian, 2001). Through deals with neighbouring countries, Thailand's domestic timber deficit was reduced, as imports met 88% of domestic wood consumption by 1990, compared to approximately 32% in 1988 (Delang, 2005).

In the year of the logging ban, 1989, the RFD reported that forest conversion had reduced by about 84% throughout the country (Laungaramsri & Malapetch, 1992). Despite this, logging continued throughout the 1990s (Laungaramsri & Malapetch, 1992). Forest cover reduced from 28% of total land area in 1989 to 25% in 1998. I argue that this was due to a lack of political incentives to end logging and a central government and bureaucracy that benefited

from natural resource exploitation, linked with a business elite invested in logging and able to operate with impunity.

Money politics continued into the first years of the 1990s. Chatichai Choonhavan – son of former military leader and Minister of Agriculture Phin Choonhavan, who used his position to build his family's business interests – assumed the role of Prime Minister in April 1988, after both press and political parties campaigned for General Prem's retirement. Chatichai's appointment signalled a further shift of the "foundations of power" away from the military toward the business elite (Baker and Phongpaichit, 2014, p. 246). Chatichai's Chart Thai Party had interests in textiles, chemicals, sugar, banking, and forest products, and the Party successfully grouped factions of provincial businesspeople (Baker & Phongpaichit, 2014; Buszynski, 1989). Chatichai reduced the military's privileges and power and transferred military-held positions in bureaucracies to elected MPs (Baker & Phongpaichit, 2014).

In response to Chatichai's attempts to curb military power, a military faction, ostensibly espousing an end to money politics, led a coup against Chatichai in February 1991 (Pye, 2005b). However, money politics continued under the new military government. Due to a lack of political change and ongoing public discontent, pro-democracy demonstrations erupted in Bangkok in May 1992. Hundreds were injured, and an estimated 40-60 persons were killed in clashes with the military (Baker & Phongpaichit, 2014). The military's brutal reaction to the May uprising damaged their reputation beyond repair, leading to their abstention from politics for the remainder of the 1990s (Baker & Phongpaichit, 2014).

During the 1990s, large business figures also dropped out of politics as the relative stability

of the economy and political system enabled them to focus primarily on their business ventures (Baker & Phongpaichit, 2014).

In September 1992, Chuan Leekpai, a civilian lawyer, became Prime Minister until July 1995. Leekpai represented the Democrat Party and the interests of the businesspeople and the urban middle-class, mainly within Bangkok and the south (Baker & Phongpaichit, 2014). However, Leekpai's government failed to reform the government or bureaucracy (Baker & Phongpaichit, 2014). Top bureaucrats in the various Ministries and departments continued to siphon off public funds and demand kickbacks from construction projects (Phongpaichit & Phiriyarangsarn, 1996). Under Leekpai's premiership (July 1995–November 1996), business politicians and bureaucrats covertly agreed to share profits available through legitimate and illicit revenue sources, continuing the money politics of the previous decade (Baker & Phongpaichit, 2014). These engagements trickled down from Bangkok to the local level. The rival factions reached a compromise by undergoing a roughly annual Cabinet reshuffle that allowed rotation of ministerial posts and hence sequential access to legal and illicit revenue. This system continued under successive governments and Prime Ministers for the remainder of the 1990s (Baker & Phongpaichit, 2014).

Due to the lack of fundamental political reforms, politicians and businesspeople continued to use their influence and connections to log forests and acquire forest land for development despite the 1989 logging ban. Government officials, including provincial council members, district chiefs, forestry officers, and police officers, were implicated and complicit in illegal logging operations (Laungaramsri & Malapetch, 1992). However, the government and RFD predominantly blamed, and occasionally prosecuted local villagers employed by influential

figures to log timber. The logging operators evaded prosecution through political connections or displaying permits claiming that Thai logged timber was imported from neighbouring countries (Laungaramsri & Malapetch, 1992).

A notorious case, dubbed the Salween Logging Scandal, exposed the entrenched links that had developed between business politicians, logging operators, *jao pho*, and government officers since the 1960s. Trees were illegally logged in Salween Wildlife Sanctuary in Mae Hong Son province in Thailand during the period of Banharn Silpa-archa's (November 1996–November 1997) and Chavalit Yongchaiyudh's (November 1996–November 1997) premierships (following Chuan Leekpai premiership). Thai logs from Salween were floated up the river into Myanmar to be 'imported' into Thailand or transported with forged paperwork claiming the logs were from Myanmar (Global Witness, 2003). Funding for the logging operations came from Thai investors (Bangkok Post, 1998a), and a Thai logging company carried out the logging (Global Witness, 2003). Chavalit's government made this operation possible by opening five border passes in Mae Hong Son province between Myanmar and Thailand (Bangkok Post, 1998a). Investigations implicated Chavalit, several senior officials, and *jao pho* in the scandal (Bangkok Post, 1998b; Global Witness, 2003).

Karen refugees based within Salween Wildlife Sanctuary took a disproportionate amount of the blame while the *jao pho*, government officials, and politicians remained relatively untouched (Global Witness, 2003). A source quoted in the Bangkok Post (1998a) thought that the logging scandal only came out because rival political factions wanted to control the logging operation in Salween. Chavalit tried to pin the blame for the logging scandal on ex-Prime Minister Banharn Silpa-archa (Bangkok Post, 1998b). Chavalit came out of the

scandal somewhat unscathed despite his known connection to jao pho and his logging interests in Thailand and abroad (Phongpaichit & Phiriyarangsarn, 1996). Chavalit earned the nickname of Mr. Timber due to his connections to the timber sector (Fahn, 2003).

The military also continued its involvement in logging after the ban. A few years before the 1989 logging ban, the Cabinet gave the military the privilege to use “protected forest land for security purposes” without requiring permits from the RFD (Grainger, 2004, p. 370). In 1993, the government withdrew this privilege after discovering the military had been building roads into forested areas along border regions (Grainger, 2004). By then, discredited after the violent suppression of the May 1992 uprising, the military had begun to step away from the government and the Thai forest sector (Pye, 2005b).

Plantation companies also used intimidation tactics to displace local farmers from the land they coveted for plantations. In 1990 Kitti Damnernchanvanit, the Director of the Suan Kitti company, a high-ranking senator, was charged with illegal logging (Barney, 2005).

Employees from Suan Kitti company were arrested and charged with “forest encroachment and illegal logging in 10,000 rai” (1,600ha) of National Reserved Forest land in eastern Thailand (Barney, 2005, p. 2). A second “charge was filed against Suan Kitti for encroachment and illegal logging in a 30,000 rai” (4,800ha) area (Barney, 2005, p. 2). Such incidents were often followed by local protests from a grassroots movement of farmers and led to the formation of the grassroots organization, the Assembly of the Poor, in 1995 (Pye, 2005a). Eventually, Leekpai's government established more stringent requirements for fast-growing tree plantations (Barney, 2005).

2.3.8 Logging in neighbouring countries in the aftermath of the logging ban (1988-1997)

Before the logging ban, Prime Minister Chatichai actively encouraged the expansion of trade with Thailand's neighbours, stating that he intended to "transform Indochina from a 'battlefield into a marketplace' and turn Thailand into a regional commercial hub" (Battersby, 1998, p. 479). Buszynski (1989) suggests that the logging ban may have favoured Chatichai's aims to expand his business interests to neighbouring countries. Due to the decline in domestic timber supply, it was in business and political factions' interests alike that forest concessions be established in neighbouring countries (Battersby, 1998).

Logging by Thai companies in Cambodia, Laos, and Myanmar had occurred illegally over the previous decades before the logging ban (Kislenko, 2002). Thai political factions and businesses were set to benefit significantly from legal and illicit trade within Cambodia, Laos, and Myanmar. Logging companies and politicians, most prominently Prime Ministers Chatichai and Chavalit Yongchaiyudt, spread forest exploitation practices from Thailand into neighbouring countries and used the assets acquired to fortify their political and business networks home and abroad. Kislenko (2002) suggests that "in some respects, Chatichai's initiative sought to put a legitimate face on a variety of shady business ventures in Laos, Cambodia, and Burma" [Myanmar] (p. 548).

2.3.8.1 Myanmar

In December 1988, before the logging ban, Chatichai sent the then defence minister Chavalit to Yangon. Chavalit pressed the Myanmar military government, the State Law and Order Restoration Council (SLORC), to award logging concessions to Thai companies. SLORC

obliged, awarding forty-seven logging concessions to thirty-five Thai companies (Global Witness, 2003). SLORC primarily granted logging concessions to Thai companies to influence Thai foreign policy favourably toward the military regime, which faced opposition from within Myanmar and the international community (Global Witness, 2003). The companies awarded logging concessions were most likely linked to influential political Thai figures (Phongpaichit & Phiriyarangsana, 1996).

SLORC awarded concessions in areas controlled by insurgents in Mon, Karen, Karenni, and Shan states bordering Thailand (Global Witness, 2003). The Thai companies took advantage of the near lawlessness in the border region to log as much timber as possible (Global Witness 2003). The SLORC and Thai regimes faced internal uprisings at that time; SLORC concessions to Thai companies were granted for the same reasons as during the communist insurgency in Thailand. Logging concessions provided income for the SLORC regime, bringing in over US\$112 million a year, while the logging roads enabled SLORC troops to be deployed quickly in once difficult-to-reach areas (Global Witness, 2003).

In 1993 SLORC cancelled Thai logging concessions, citing large-scale environmental destruction (Global Witness 2003). However, Global Witness (2003) suggests that by then, it was clear to the SLORC regime that the insurgent groups in Myanmar "were capturing substantial income from the timber trade" (p. 62). Further, by 1993 the regime could now afford to cancel the concessions as finances had improved, and civil unrest had been quelled (Global Witness, 2003). SLORC allowed five Thai companies to remain, under the condition that they would no longer export logs but would process timber within Myanmar's borders

before export (Anon, 1993). The five companies that remained most likely had enough "political pull" to negotiate deals (Anon, 1993, p. 2).

2.3.8.2 Cambodia

In 1979 the Khmer Rouge, instigators of the deadly civil war and genocide in the 1970s, were forced to retreat to the Thai-Cambodian border. By the late 1980s, the armed Khmer Rouge factions invited Thai companies to operate logging concessions within their territories "in exchange for arms and the protection of refugees" (Le Billon, 2002, p. 565). These deals increased in importance after the 1989 logging ban in Thailand. Le Billon (2000) summarizes that "these dealings further extended and consolidated relations between the Khmer Rouge movement (KR) and Thai military, businessmen and politicians through important financial interest" (p. 789).

To put pressure on the Khmer Rouge to end fighting, the Cambodian administration declared log export bans on five occasions between 1992 and 1996. However, the bans were swiftly lifted (Le Billon, 2002). By the early 1990s, Cambodian political factions already had vested interests in continuing logging in Khmer Rouge territory. Cambodia's new ruling elite forged new commercial alliances by "authorizing exports from Khmer Rouge-controlled" territory to Thailand and granting logging concessions to Southeast Asian corporations, mainly from Thailand and Malaysia (Le Billon, 2002, p. 568).

Logging in Cambodia provided Thai political and military factions, most prominently Chavalit's network, with legitimate and illegal logging revenue (Le Billon & Springer, 2007). The Thai government continued to leverage its regional power to facilitate lucrative logging

deals within Cambodia. BLP, a Thai company with close links to Chavalit, held logging concessions from 1991 until 1999 (Global Witness, 1999; Le Billon, 2002). In 1996 Thailand's Prime Minister Banharn Silpa-archa sanctioned "the export of 1.1 million m³ of 'old felled' logs" from Khmer Rouge territory (Global Witness, 2001, p. 10). A Cambodian business owner with close ties to the Cambodian Prime Minister Hun Sen brokered the deal between the Cambodian Embassy in Bangkok and at least five Thai logging companies, all possibly linked to Chavalit. However, the deal fell through due to the closure of the Thai-Cambodia border (Global Witness, 2001).

2.3.8.3 Laos

One month after the 1989 logging ban, the FIO began negotiating logging rights in Laos. Logging permits were reviewed at Laos' provincial government level. This lack of national oversight led to the abuse of logging concession licences and tax evasion by foreign companies (Sadoff, 1992). In 1991 the newly appointed Laos Prime Minister implemented tightened controls and protective measures to slow forest exploitation by domestic and foreign companies (Sadoff, 1992). Logging companies that exploited the forests before the new measures, including many Thai companies, were closed (Sadoff, 1992). However, it was alleged that logging continued by Laotian front companies supported by Thai financing (Tefft, 1990). During the 1990s, Thailand became an important market for Laos timber (Thongleua & Castrén, 1999). From 1997-1998 Laos reported only half the timber volume exported to Thailand that the Thai authorities reported being imported from Laos, indicating a high level of illegality (Currey et al., 2001).

2.3.9 Logging at the edges (1997-2021)

With forest cover severely diminished in Thailand, logging in the 21st century continues at the forest and political margins. From the 1980s through to 1997, Thailand experienced significant economic growth, yet a high level of economic inequality persisted, especially in rural and provincial areas, away from Bangkok and other major cities (Dixon, 1998). In 1997 an economic crisis hit Asia and coincided with a reduction in the deforestation rate, probably due to the lack of remaining natural forests. Consequently, political ties between the state and forest exploitation were pushed to the fringes. After the logging ban, the RFD demarcated much of Thailand's remaining natural forests as NRFs, Wildlife Sanctuaries, or National Parks (Lakanavichian, 2001). According to the FAO (2015) resource assessment, primary forest cover remained at 42 million rai (6.7 million ha) from 2005-2015 or 13% of Thailand's total area (data unavailable for 2020) (FAO, 2015). However, Global Forest Watch (2021) reported a loss of 780,000 rai (125,000ha) of primary forest from 2002 to 2020.

In the 2000s, central government power slipped further away from the military toward big business until a military-led coup in 2014 returned the military to power. In 1998 a member of the Bangkok business elite, Thaksin Shinawatra, founded the new Thai Rak Thai Party (Thai's love Thais), recruiting Thailand's largest conglomerate and commercial banks. Thaksin's Party dominated the January 2001 elections and absorbed two other major parties, leaving the Democrats the only significant party. Thaksin initiated reforms to the bureaucracy not seen since the early 1990s. The support for Thaksin and his politics unnerved the old bureaucrats and military who relied on their positions as a means of legal and illicit revenue and political power (Baker & Phongpaichit, 2014). Thaksin also set about

privatizing the remaining state enterprises¹². The years 2005 to 2014 were marked by a political standoff between Thaksin's faction and their supporting constituencies, mainly in the north, northeast, and outskirts of Bangkok, and the Democrats aligned with the old political institution of the military, monarchy, and bureaucracy and their constituencies mainly in the south and central Bangkok. However, Thaksin's faction largely dominated during this period (Baker & Phongpaichit, 2014).

Under Thaksin, the RFD Director Plodprasob Suraswadi (1998-2002) took a tougher stance against illegal logging in Thailand and smuggling logs from Myanmar (Global Witness, 2003). Domestic illegal logging operations decreased dramatically in size under Taskin's administration compared to the previous decade. The RFD and MoNRE reported only 2,000 m³ of confiscated timber in 2004; this figure may not entirely portray the extent of illegal logging at the time (Woods et al., 2011). However, the illegal logging of the natural forests continued during Thaksin's rule and continued to date (2021) through the selective logging of high-value timber species for export to Vietnam and China, mainly teak, rosewood, and eaglewood (*Phialophora parasitica*) (EIA, 2014).

Investigations by NGOs of legal logging and trade from 2011-2021 indicate that the links established since the 1960s between mafia-style gangs, businesspeople, and high-to-low government officers persisted at the forest edges. In an Environmental Investigation Agency (EIA) report (2014), a Thai businessman "boasted of connections to ruling elites" (p. 5) and

¹² However, in 2008 after Thai courts had convicted various members of Thaksin's faction for tax evasion, fraud, bribery and abuse of power, Democrat Abhisit Vejjajiva assumed the role of Prime minister, and reinstated some state businesses.

government contacts in sourcing rosewood from Thailand, Laos, and Cambodia for export to Vietnam and China. From 2014-2018 newspaper reports connected the illegal logging of rosewood and eaglewood in Thailand to mafia-style cartels (Laohong, 2014) and gangs (Settharangsi, 2015) working across international illegal timber trading networks (Patathayo, 2018). In an interview I conducted, an RFD officer stated that "some corruption and dark organizations remain, especially with political links. Illegal logging is at a high political level, that we cannot touch, because they are in the military, but nobody can say for sure" (Interviewee RFD 1, February 2019)¹³. Several reports also link local government officers to illegal logging and trade (Online Reporters, 2016; Post Reporters, 2021; The Nation, 2017).

Further, at the sub-regional level (Cambodia, Laos, Myanmar, Thailand, and Vietnam), there is a network of cross-border actors (government officers, police, military, criminal enterprises, and private businesses) involved in the illegal logging of rosewood and other high-value timber species for the Chinese market (EIA, 2014; To et al., 2014) (Figure 3). To highlight one case, in 2019, the EIA published a report linking the Thai company, Thai Sawat, to large-scale legal and illegal logging of teak in Myanmar (EIA, 2019). Thai Sawat is one of the five companies SLORC permitted to continue logging in Myanmar after 1993. EIA alleged that Thai Sawat had a web of connections and provided money to Myanmar's ruling military elite, including Myanmar's leader, from the early 1990s to 2014 (EIA, 2019). Unsurprisingly, Thai Sawat and Myanmar's Ministry of Natural Resources and Environmental Conservation denied the allegations (Eleven Media Group, 2019). Much of

¹³ I conducted this interview as part of the research informing Chapter 4.

the teak was destined for China (EIA, 2019). The illegal logging trade between Myanmar's Kachin State and China's Yunnan Province in 2015 was valued at US\$600 million per year (Wadley, 2015).

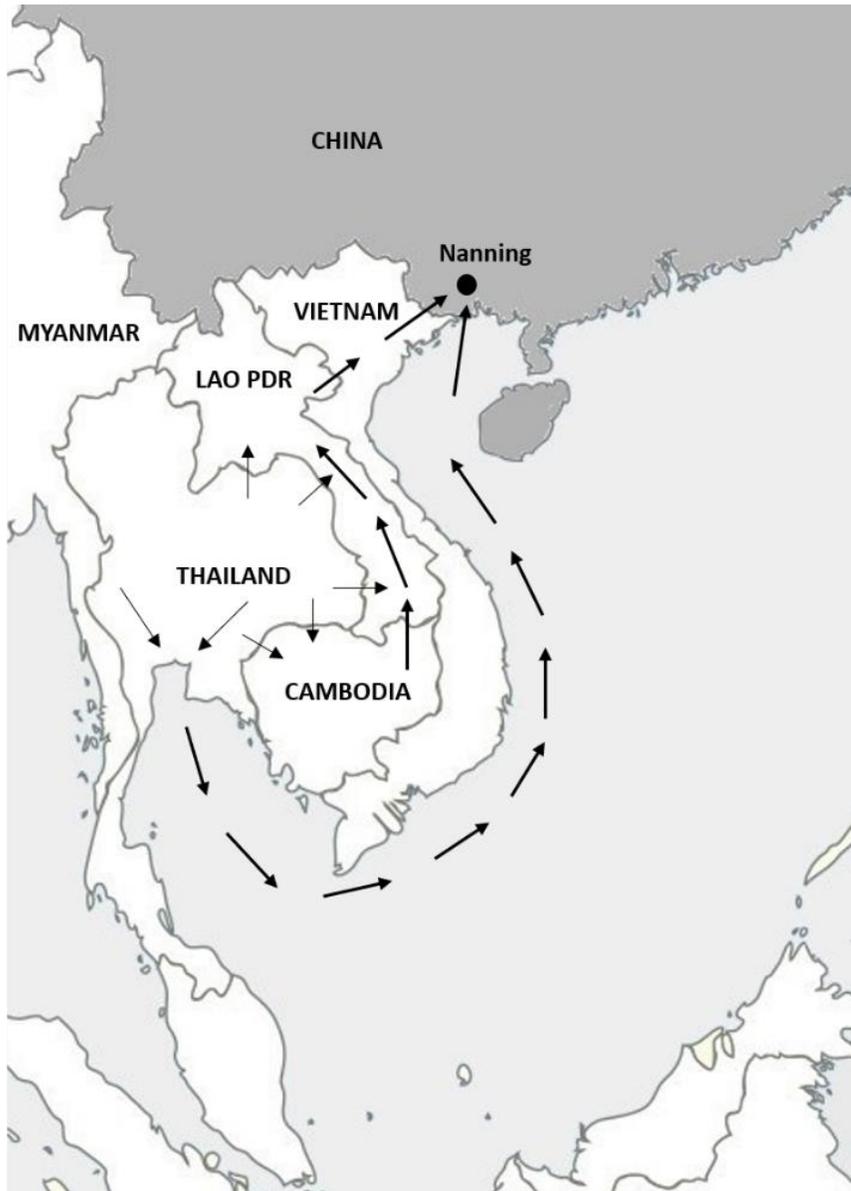


Figure 3: Smuggling routes of illegally logged rosewood from Thailand (adapted from DNP, 2018).

The Thai government has taken small cosmetic steps to tackle the illegal logging of rosewood. Law enforcement efforts have been established to tackle illegal logging in National Parks bordering Cambodia. Nevertheless, and perversely, law enforcement efforts primarily focus on the villagers carrying out the illegal logging. At the same time, the public officials and wealthy and influential figures who are the ultimate enablers and beneficiaries go unprosecuted (NEPCon, 2017). Furthermore, in September 2019, the body of a Karen activist from Phetchaburi province who went missing in 2014 was found. The Karen activist had been campaigning against the forced eviction and burning of homes in Kaeng Krachan National Park at the time of his disappearance (Laohong, 2019).

2.4 Summary: Forest capital and state power

I conclude by summarizing the relationship between forest exploitation and state power. Following other writers on the political economy of Thailand, this chapter traces the dominant actors in government institutions from the old noble elite to the military and civil bureaucracy, followed by the Bangkok and provincial business elites (Baker & Phongpaichit, 2014; Callahan & McCargo, 1996; Dixon, 1998). Before the 1960s, the British mainly captured logging rents, with a portion returned to the Thai state in the form of royalties. However, the political and economic landscape created during the 1890s to 1960s enabled logging rents to become imbricated with state institutions. The late 1890s saw the continuation of the power of the royal and noble classes in the guise of the government, bureaucracy, and military. Over the following decades (1890-1930), merchant families of the lower classes used their personal connections and financial ability to pay the fees of the civil and military schools as gateways to state power.

Military factionalism dominated state institutions after the 1932 revolution until the 1980s, diminishing the old noble order. Military factions used their position within the state apparatus to establish state businesses mainly for personal gain, and Thailand saw little economic progress until the 1960s. In the 1960s and 1970s, military factions allied with the bureaucracy and business interests profited from natural resource exploitation, including land grabs, infrastructure development, mining, and forestry. Indeed, state/military capital and private companies became heavily involved in the forest sector in alliance with the ruling members of the bureaucracy.

Provincial strongmen and merchants also profited from logging on the backs of landless farmers who cultivated degraded forest land, enriching their pockets and client base. With the return of national elections in 1979, businesspeople and strongmen from the national and provincial levels came to dominate the government. They used the National Assembly as an arena from which to negotiate business deals. The military and business factions sought to capture profits from legal and illegal sources, including logging rents, to maintain their patronage networks and recoup election expenditure. During the 1960s to 1989, the law remained the primary object discerning legal from illegal logging as the state-owned companies (FIO and PFC) and provincial strongmen logging legally also conducted illegal logging by logging beyond the boundaries of their concessions.

Money politics continued into the 1990s. However, after the universal condemnation that followed the brutal suppression of the 1992 popular uprising, the military and big business drifted away from government power, leaving business politicians in government until the Bangkok business elite returned to central government power from 2001-2014. The military

would once again rise to power in 2014. Although the government had declared a logging ban in 1989 – true to Harvey’s logic that the capital relation relies on ever-expanding accumulation – prominent Thai politicians and businesses, reliant on logging rents as part of their income portfolio, continued logging within Thailand and expanded their logging operations into neighbouring countries. The NGOs, Global Witness and EIA uncovered logging scandals in the 1990s and 2000s revealed the entrenched and enduring links developed since the 1960s between government actors, logging operators, and jao pho (Global Witness, 2001, 2003). Over the past decade (2010-2021), newspaper and NGO reports have linked timber operators, bureaucrats, military elite, and mafia-type gangs to illegal logging in Thailand and Myanmar. Such reports allude to the permanence or inability to root out forest exploitation from the state apparatus.

2.5 Conclusion

The above summary and this chapter delineate that logging constitutes/d a normalized component of Thailand’s state-capital relation, whether juridically legal or illegal. As other scholars have concluded, politics in Thailand played out through rent-seeking behaviour, involving the apex of the government's legislative and executive arms (Callahan and McCargo, 1996; Phongpaichit & Phiriyarangsarn, 1996; Lim & Stern, 2002). Among a wide range of profiting mechanisms from legitimate and illicit sources, logging rents became part of the spoils of office, taken for granted in the social and economic relations amongst different political factions. I conclude that throughout the 20th-century, accumulation by dispossession via logging rents maintained and played a role in driving the dynamics amongst political factions. The military, bureaucracy, and business elite used state

institutions as mechanisms for crystallizing power and accumulating capital amongst the broader economic strata of Thai society¹⁴. State institutions became “a stage on which struggles over capital accumulation” and related dispossession played out (Meehan & Molden, 2015, p. 444). The accumulation of forest capital resulted in the direct dispossession of local people from their rights to land and timber and indirectly through the impoverishment caused by logging operations and the lack of reinvestment.

Through this reasoning, I propose, as have other scholars (McElwee, 2004; To et al., 2014), that illegal logging not be taken at “face value” (McElwee, 2004, p. 100) or constitute the basis of national policy or international initiatives. Instead, timber value chains' temporal and scalar dimensions should be considered alongside their impacts on environmental degradation and their social and economic roles in structuring and perpetuating inequalities. As this chapter shows, political institutions such as the military, central government, bureaucracies, and forestry laws facilitated large-scale deforestation and were central in both legal and illegal timber supply chains. Logging revenue and forest exploitation enabled provincial actors to build and maintain political and economic power. As with Prime Minister Chavalit Yongchaiyudh, his political status enabled him to broker logging deals both in Thailand and neighbouring countries.

Fundamentally, whether juridically legal or not, logging should be viewed as an ordinary, indeed normative, component of the capital relation imbricated within powerful state

¹⁴ Although we do not conclude that state institutions were primarily nor intentionally driven by capitalism

structures and facilitated through natural resource misgovernance. Before the 1989 logging ban, due to both the indenture of the political factions with logging revenue and the lack of RFD's political power and capacity to implement forestry law. Law governing timber harvesting primarily existed on paper alone. Although after 1989, the courts prosecuted companies for forest encroachment, law enforcement efforts primarily focused on the villagers carrying out logging. However, as powerful political and economic actors successfully utilized political institutions to gain logging revenue, the laws further dispossessed local people from legal rights to harvest timber.

Further still, although rural poverty in Thailand has decreased in the last few decades, there is little evidence that governments reinvested logging revenue was into rural communities. Therefore, logging in Thailand was appropriative and not productive, contributing to inequalities. While commercial logging of Thailand's natural forests has ceased, mass enclosure remains the legacy of the forestry era in Thailand, with an estimated 20 – 25 million people living in or near NRFs (FAO, 2009); although such areas are severely degraded. As I examine in Chapters 3 and 4, these communities are still governed under forestry laws and face barriers to establishing forest plantations and engaging in the forest sector.

Chapter 3: Examining illegal logging at the local scale - Thailand's violent political forests: Dispossession, addiction, and forest loss

Research objective: Examine the role of sovereign power in (re)producing and rendering banal 'illegal logging' and related violent dispossession concerning Indigenous Peoples enclosed within state forests.

3.1 Introduction

Peluso and Vandergeest (2001) coined the term 'political forests' to emphasize that 'forests' are classified as "political land-use zones" - and not necessarily biophysically - which "produce and are products of particular political-ecological relations – congealed and convergent in material, ideological, discursive and institutional relations as well as claims by states or other governing bodies" (Vandergeest and Peluso 2015, p. 162). Beginning in the early nineteenth century, colonial and state authorities in South and Southeast Asia appropriated territory to be managed as state forests reserves (Vandergeest and Peluso 1995). Such territoriality is not only about the control of 'resources', but also, as Sack (1986) suggested, "an attempt by an individual or group to affect, influence or control people, phenomena, and relationships by delimiting and asserting control over a geographic area" (p. 19). Within political forests, state bureaucracies aimed to assert authority over territory by enforcing laws, enacting policies, and instigating practices such as forest management (Vandergeest & Peluso, 1995). This, in turn, worked to legitimize the state project as subjects internalize particular truth claims concerning normatively constructed ideologies, discourses, and practices (Nightingale and Ojha 2013).

Violence has played a central role in the (re)production of forest territory (Sikor & Lund, 2009). Such violence is rooted in "the appropriation of nature that is necessarily historical... and social" (Peluso and Watts 2001, p. 27) and can be attributed to the "undoing and reconstituting of spatialized society-nature" relations (Vandergeest and Peluso 2015, p. 168). The literature on political forests examines violence through processes of local community dispossession and exclusion from forested spaces (Peluso, 2008; Peluso and Vandergeest, 2011) and processes of community incorporation within and dispossession through enclosure within forest territory (Kelly, 2011; Nightingale & Ojha, 2013; Sikor & Lund, 2009). Violence may be direct such as the destruction of crops and evictions, or structural and symbolic through the imposition of constraints over rural and Indigenous communities' land and resource access (Dressler & Guieb III, 2015; Nightingale & Ojha, 2013). Symbolic violence renders the operations of violence 'invisible' via 'conduct of conduct' (i.e., governmentality), whereby state actors, through disciplinary means, attempt to shape state subjects into governing their conduct via the internalization of hegemonic norms and practices (Foucault 1988). Nightingale and Ojha's (2013) article on Nepal's Terai Forests argues that local communities working through state-prescribed community forestry internalized development norms that further entrenched state authority.

Violence can also be understood as a relational process of "socio-spatial reconfiguration" produced through, and a product of, multiple forms of violence "through which communities' capacities to decide over their livelihoods and forms of life are limited", termed "violent dispossession" (Devine and Ojeda 2017, p. 609). As maintaining and governing territory are ongoing processes that require the continual (re)production of boundaries and rules (Sack,

1986), its ongoing enforcement and reconstitution can engender violence. In the Philippines, Dressler and Guieb III (2015) demonstrate that efforts to extend and reconstitute territory reinforced enclosures' historical constructions of people and nature to further constrain peoples' livelihoods and enact violence.

Vandergeest and Peluso (2015) recognize Western Imperialist notions of 'civilization' (Said, 2003), operated through colonialism and state-making processes, and legitimized a state's territorial claims. In Southeast Asia, discourses constructing upland Indigenous Peoples as the 'savage other' permeated civilizing and territorial efforts to produce and govern political land-use zones as 'forests' constraining the livelihoods of Indigenous Peoples enclosed within a state's forest territory (Peluso, 2009; Peluso and Vandergeest, 2011; Vandergeest 2003); i.e., engendering violent dispossession. I argue that these described processes concern Said's (2003) assessment of imperialism's imagined geographies that produce a 'savage other'. Civilizing efforts are ongoing in the making of political forests through moments of wars/insurgencies/counterinsurgencies and a more diverse range of state and non-state actors and management objectives such as "conservation, biodiversity protection, endangered species protection, watershed management, eco-tourism and carbon sequestration" (Vandergeest and Peluso 2015, p. 171).

Through a case study of historical and ongoing territorialization efforts in Thailand's state forests, this chapter contributes to the extant scholarship by offering a reappraisal of the role of sovereign power in the (re)production of violent dispossession in political forests and explicitly delineates the logics underlying its production. Drawing on Agamben (1998; 2005) and Springer (2013), I argue that the legitimization and enactment of rules and boundaries

over forest territory, related civilizing efforts and governance practices, are imbued with relations of sovereign power and violence.

Agamben (1998, 2005) theorizes that sovereign power is the power to create the law and act beyond the law's boundaries, precisely as there is no other higher form of rule. Sovereign power also encompasses the political power to govern all aspects of human life. Foucault (2008) refers to this as 'biopolitics'. Foucault (2008) frames biopolitics as a form of governance whereby modern states exert power through regulating the population and individual bodies, rather than only territory.

Adjusting Foucault's conception of biopower, Agamben (1998, 2005) posits that sovereign power is inherently biopolitical, as sovereignty constitutes itself through the threshold between those given political rights under the sovereign and those banned by the sovereign and set outside the political order as 'bare life'. Bare life is life as sheer biological fact as opposed to life with political rights. To Agamben, sovereign power is inherently biopolitical. Agamben (1998) states, "It can even be said that the production of a biopolitical body is the original activity of sovereign power" (p. 11). Through the introduction of technologies of power to govern the conduct of populations, the modern state manoeuvres bare life from the periphery to the centre of its political calculations bringing "to light the secret tie uniting [sovereign] power and bare life" (p. 11).

As I describe in Section 3.4.1, during state-making processes in Siam in the late 19th century, Siamese elites normalized Thai peoples as internal to the Siamese order and constructed Indigenous Peoples in upland areas of northern Thailand as 'others' outside of the Siamese

state. Through a dialectical approach that examines and attempts to deconstruct the tension between supposed opposites until both are indistinguishable, Agamben (1998) theorizes that as the sovereign asserts the norms of its juridico-political order, it synchronously determines, and is validated by, the 'exceptions' or 'outside' of its order. The sovereign has the power to determine which populations constitute the norms of its order and which are set outside. A sovereign's norms and their exceptions are, therefore, "twisted into a complex topology of power" that enables and validates the sovereign order (Springer 2013, p. 610); the outside and inside are inextricably linked (Agamben, 1998). With this reasoning, Indigenous Peoples in upland areas of northern Thailand were "radically set apart and deeply embedded" (Blomley, 2003, p. 124) within the forming Siamese state.

Agamben (1998) proposes the figure of the 'homo sacer' (sacred man) to capture the embodiment of bare life produced through a ban imposed by the sovereign order. The homo sacer are people who "may be killed and yet not sacrificed" as the sovereign has banned the homo sacer from its order, and therefore their lives, and thus so too their deaths do not count (Agamben 1998, p. 28). Agamben (1998) outlines that the bare life of the homo sacer is sovereignty's exception, or dialectic other. Both the sovereign and the homo sacer exist beyond the law and, simultaneously, are internal to the political order. The sovereign is outside as they can extend their powers beyond the law yet exist internally and depend on the political order and its citizens. At the other end, the sovereign place the homo sacer outside the juridico-political order. Nevertheless, the juridico-political order has taken the homo sacer into account by declaring them outside, and therefore they are inextricably linked to sovereignty.

The dialectical positing of an inside and outside extends to civilization's ideological missions (most notably present in colonialism and state-making processes) and the law (Springer, 2013). As demonstrated initially by Said (2003), civilization's exception is the production of a 'savage other' (Springer 2013; Gregory 2004). Relatedly, Agamben (1998) and Schmitt (2005) recognize violence as the law's exception. The law maintains "itself in relation to an exteriority" where a threshold can be traced between those protected under the law and those produced as 'others' through, or set 'outside', a state's juridico-political order (Agamben 1998, p. 19). In defining civility and law in relation to an exteriority, the inside and outside are inextricably drawn into the very construction of the imaginative geographies of civilization, tracing a threshold between the two (Springer, 2013).

The state of exception exists in the space where the homo sacer and sovereign coincide, where bare life becomes the rule. In this space, the sovereign acts beyond the State's rules to "encompass exceptions to these rules," i.e. violence, the savage other and bare life (Springer 2013, p. 610). Sovereign power is thus the monopoly of violence, both through and beyond the law (Schmitt, 2005). Through the state of exception, the homo sacer is not

simply set outside the law and made indifferent to it but rather abandoned by it, that is, exposed and threatened on the threshold in which life and law, outside and inside, become indistinguishable. It is literally not possible to say whether the one who has been banned is outside or inside the juridical order (Agamben 1998, p. 21).

In this space, homo sacer can be killed with impunity by the State, as if the latter had not committed a crime (Agamben 1998). Agamben (1998) recognizes the state of exception

through the imposition of martial law when a state suspends its constitution to issue orders and enact violence without due process. Agamben (1998) also recognizes the state of exception in territories such as concentration and refugee camps. Extending this notion through a dialectical argument, Agamben (1998) describes the 'camp' as a "political space at the point at which politics becomes biopolitics, and homo sacer is virtually confused with the citizen". The camp is a space of indistinguishability between the inside and outside, between the citizen and homo sacer, sovereignty and bare life, law and violence, and civilization and savagery (Springer, 2013, p. 621). The state of exception – a space where the state extends its power to encompass its exceptions – is thus an ever-present possibility within all modern states (Agamben, 1998).

Springer (2013) argues that although in places of extraordinary violence such as concentration camps, the monopoly of violence held by the state is made apparent, "all states are engaged in the power over life and death (bio/necropolitics); they only differ in terms of the degree to which this fact of sovereign power is made overt" (p. 621). By using the death penalty as an example, Springer (2013) explains that, even though the death penalty is codified in law, it is no less violent than violence undertaken by a state under martial law. Springer (2013) argues that processes of symbolic violence, apparent in the codification of violence in law and normatively constructed ideological civilizing missions', obscure the ever-present violence of sovereignty and the state of exception. Through this, Springer acknowledges that "what at first glance appears as exceptional violence in fact comes to form the rule; it becomes exemplary", linked to Arendt's (1963) conception of the "banality of evil".

To examine the operation of sovereign power and violence within political forests, I begin by modifying Springer's (2013) *trilateral of logics* framework, which examines sovereign power through "the dialectics of a triadic system," namely capitalism, law and civilization alongside their respective exceptions, primitive accumulation, violence and savagery (p. 608). I propose that sovereign power within Thailand's political forests is enacted through the logics of the dialectics of a mutually reinforcing triad, namely, forest territory, civilization, and governance practices, conjoined with their respective 'exceptions', namely, appropriation (primitive accumulation), savagery, and violent dispossession (Section 3.2). Then, introduce the chapter's methodology (Section 3.3). Next, I review the history of the production of Thailand's forest territory alongside the state's civilizing efforts and the related marginalization of upland Indigenous Peoples (Section 3.4). Then, through the case study of a Karen¹⁵ Pwo village, Ban Mali (pseudonym) - located in a National Reserved Forest and a buffer zone of HKK Wildlife Sanctuary in western Thailand -, I illustrate how Thailand's political forests' historical territorial and civilizing efforts manifest today through an extended network of state and non-state actors and practices to further reconstitute local society-nature relations (Peluso and Lund 2011) (Section 3.5).

This chapter demonstrates that as the originary and ongoing moments of territoriality intersect with primitive accumulation and its linked production of capital, they (re)produce expanding forms of violent dispossession and the state of exception. Through enclosure

¹⁵ Karen is a term given by Thai people to refer to Karen speaking people including two main groups – the Sgaw Karen and Pwo Karen. The Karen speaking people call themselves by their own names, P Gagayaw and Phloun respectively which means 'human being'. For further information please refer to Hinton (1983), Keyes (1979) and Delang (2004).

within state forest land, the Karen villagers' livelihoods were subjugated and constrained by state territoriality (Dressler & Guieb III, 2015). Consequently, the Karen villagers have become simultaneously incorporated within, and dispossessed through, forest exploitation schemes, including informal maize cultivation for the powerful conglomerate Charoen Pokphand (CP), resulting in forest encroachment (in Thai *Bok Ruk Pha*), and illegal timber smuggling (in Thai *Mhai Thuen* or *Tham Mhai Thuren*); the latter imbricated with methamphetamine addiction. Ultimately, through the modified trilateral of logics, this chapter argues that Thailand's political forests represent the state of exception whereby state and quasi-state institutions enact sovereign power, engendering violent dispossession. Therefore, this chapter concludes originary and ongoing sovereign territorial violence is structured through Thailand's political forests and rendered banal through juridical-institutional power and civilizing efforts

3.2 Theoretical approach: The Trilateral of Logics in Thailand's political forests

Building on Springer's (2013) trilateral of logics framework, through "a poststructuralist-meets-anarchist" (p. 610) approach, through this chapter, I seek to examine the operation of sovereign power and violence within Thailand's political forests. A poststructuralist-meets-anarchist stance, according to Springer (2013), is "a critique not only of the discourses and institutionalization of authority but also of the institutionalization and authority of particular discourses" (p. 612). I propose that under the state's juridico-institutional structures, or "the matter of the state", Thailand's political forests are constituted from forest territory, its civilizing efforts and governance practices. In this, I argue that the (re)production of forest territory is "never singular but always exists [temporally and spatially] in the mutually

reinforcing triad that also includes the logics of" civilization and governance (Springer 2013, p. 609). Through a dialectic approach, I propose that each component is immutably bound to their respective exceptions (Agamben, 1998), appropriation (primitive accumulation), savagery, and violent dispossession. Ultimately, I argue that through the (re)production of forest territory, alongside its 'civilizing efforts and governance practices,' "the state of exception is called into being" bringing to light the relations between the enactment of sovereign power through the (re)production of Thailand's political forests and bare life (Springer 2013, p. 609).

I argue that the normatively constituted hegemonic logics of forest territory, civilization and governance, render 'invisible' or 'banal' (Arendt, 1963) the "originary and ongoing violence" of forest territorialization (Springer 2013, p. 609). As Springer (2013) states, "the implication is that the trilateral is really a sextet; only at any given moment, three parts of the system—the exceptions—... are 'invisible' insofar as they are obscured through 'commonsense' understandings" (p. 610). Drawing on Springer (2013), I propose that appropriation (primitive accumulation), 'savagery' and violent dispossession constitute the "dark matter of the state", rendered banal and invisible through sovereign power which instills the hegemony of forest territoriality, its civilizing logic and governance practices (p. 610). The dark matter of the state references dark matter in physics, as it accounts "for the vast majority" of a sovereign order (Springer 2013, p. 610).

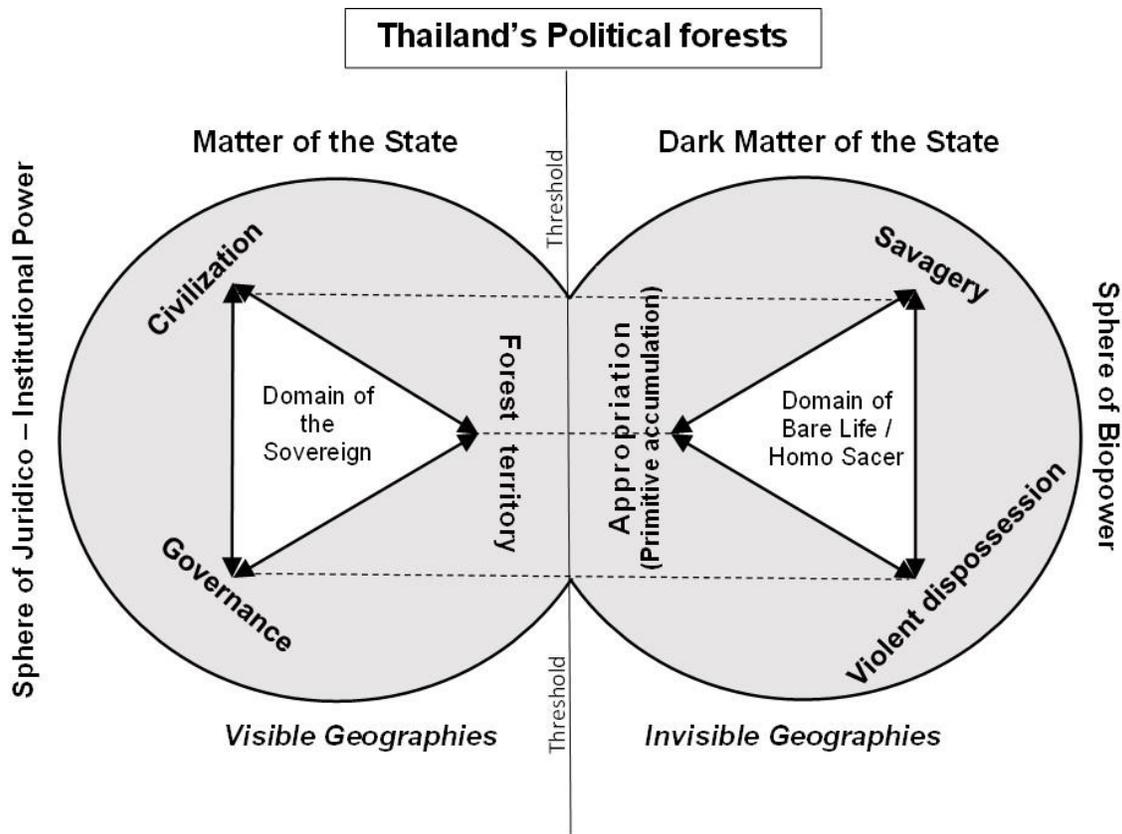


Figure 4: The Trilateral of Logics of Thailand's political forests (modified from Springer 2013)

Springer (2013) presents the trilateral of logics through the originary and ongoing violence of capitalism, embodied in property. Property can be understood as the spatial organization of political-economic arrangements relating to land-labour-capital relations (Elden, 2010). In other terms, property is "one crucial site in which territory is made and put to work" (Blomley 2017, 235). I, therefore, propose *forest territory* as the first point in the triadic system for Thailand's political forests. Territory is a political-legal category created through material and discursive technologies, including the law, policies, mapping, surveying, calculations of the material world, and the demarcation of borders (Elden 2010). Political

forests are recognized and (re)produced through political-economic territorial relations (Sikor & Lund, 2009) and political-strategic relations, as in the defence and production of state territory (Peluso & Vandergeest, 2011).

I argue that land and resource *appropriation*, disregarding the customary rights of local peoples, is forest territory's dialectic exception (Peluso & Watts, 2001). Further, I argue that the ongoing local (re)production of territory temporally and spatially intersects with the originary and ongoing forms of primitive accumulation/accumulation by dispossession (Kelly, 2011). Marx (1976) defines primitive accumulation as the historical process that turns land into private property and, in doing so, divorces local workers "from the ownership of the conditions of his own labour", turns the subsistence and production practices of immediate producers into capital and the immediate producers into wage-labourers (p. 874-875). Primitive accumulation "appears as 'primitive ' because it forms the pre-history of capital, and of the mode of production corresponding to capital" (ibid.).

Many scholars have argued that primitive accumulation is an enduring feature of capitalism, intrinsic to its very logic, and expressed through varying and ever-expanding forms of dispossession (Glassman, 2006; Grandia, 2007; Harvey, 2003; Kelly, 2011). Harvey (2004, p. 74) lists a wide range of processes of accumulation by dispossession:

the commodification and privatization of land and the forceful expulsion of peasant populations; conversion of various forms of property rights – common, collective, state, etc. – into exclusive private property rights; suppression of rights to the commons; commodification of labor power and the suppression of alternative,

indigenous, forms of production and consumption; colonial, neo-colonial and imperial processes of appropriation of assets, including natural resources; monetization of exchange and taxation, particularly of land; slave trade; and usury, the national debt and ultimately the credit system.

Neither Marx nor Engels explicitly noted the inherent violence of the accumulation process. However, Harvey (2003) placed emphasis on accumulation by dispossession to better portray the violence inherent to capitalism.

The triad's second point, mirroring Springer's (2013) trilateral of logics, is *civilization*. This draws from Vandergeest and Peluso's (2015) recognition of the endurance of Western Imperialist notions of civilization's ideological missions inextricably imbricated to the (re)production of forest territory. Civilization's exception is *savagery*, ascribed to the marginalized rural poor and Indigenous Peoples through the civilizing missions of forest territoriality (Peluso, 2009; Peluso and Vandergeest, 2011; Vandergeest 2003).

The third point is *governance*. Following Agamben (1998) and Blomley (2003), Springer (2013) argues that the law binds together sovereignty/bare life, property(territory)/primitive accumulation(appropriation) and civilization/savagery to violence. Blomley (2003) recognizes law as a tool that legitimizes accumulation by dispossession in the codification of those protected under and set apart outside the law. However, the political forests scholarship determines that juridically determined rights do not stand alone, but resource access and relations of power and authority are necessarily determined and co-produced through governance processes and practices locally (Ribot & Peluso, 2003; Sikor & Lund, 2009).

Therefore, governance is proposed as the third point in Thailand's political forests triadic relations, enacted by state and non-state bodies and enabled through a state's juridico-institutional structures, inclusive of legal frameworks. I argue that *violent dispossession* is the exception of governance practices. I show how the imposition of forest governance practices, enabled through juridico-institutional power through coercive and disciplinary means within forest territory, invariably constrains people's livelihoods and produces violent dispossession.

By reappraising the (re)production of sovereign power through forest territory, its civilizing efforts, and governance practices alongside their respective exceptions, this chapter emphasizes the role of sovereign power in producing violent spaces (the state of exception) and the enduring nature of violence in Thailand's political forests. However, following Springer (2013), I stress it is not the intention of this chapter to present the trilateral of logics as a permanent edifice of Thailand's political forests. Instead, I find merit in emphasizing the material, discursive and ideological structures that (re)produce political forests through hegemonic logics and the 'banal' violence of forest territoriality under a sovereign order.

3.3 Methodology

3.3.1 Data collection

This chapter is based on ethnographic methods conducted within a Karen Pwo village Ban Mali – located in the buffer zone of HKK in western Thailand – where I stayed for four months from 2018 to 2019. The village was selected based on the following criteria:

- i) The village is located within NRF, Wildlife Sanctuary or National Park, and in Watershed Classes One or Two
- ii) Ability to access to village and RFD officers as determined through a prior relationship with partner NGO RECOFTC
- iii) The preference of the village chief and villagers to participate in the research.

In Ban Mali in 2017-2018, there were 107 households and a population of 402; 211 males and 191 females (ages 0-15: 120 people, 16-15: 80 people, 26-60: 178 people, and 60+: 24 people). Approximately 96% of the population were Karen Pwo. Agriculture within Ban Mali was the primary income source for most households.

Working with a Thai translator, we conducted thirty-four semi-structured in-depth interviews in Thai with Ban Mali villagers (fourteen men and thirteen women between the ages of 25-65, from low to higher classes, as recognized in the village). Interviewees were selected through opportunistic or snowball sampling (Miles & Huberman, 1994). The number of participants chosen for the sample size was based on theories of saturation of data (Dey, 1999; Saumure & Given, 1999); saturation is reached if the same patterns are seen to be

repeated and that if any more information is collected, this will likely result in the same findings. In addition, through purposeful sampling (Marshall & Rossman, 2014), we interviewed the village chief, the community chief (there were four villages in the community, including Ban Mali), two local RFD officers, one Department of Agriculture officer, and the locally-based project lead of a QUANGO. All interviews covered the village's history, local governance, resource rights and resource use within the village and the adjacent Wildlife Sanctuary, and livelihoods and timber use. In addition, numerous informal conversations contributed to the assessments on the local circumstances I make throughout this chapter. Further, 30 hours of participant observations took place within village households, two village meetings, and daily livelihood activities, to help me understand lived experiences and the impacts of their livelihood activities, interactions with the QUANGO and RFD and impacts of living within state forest.

This chapter also utilizes secondary livelihood data from 69 out of 107 households in Ban Mali, gathered by a local QUANGO from July 2017 to June 2018. The data included the household income, separated into livelihood activities, debt, and expenditure. This secondary livelihood data was further verified by conducting a household survey with thirty-five households, including questions on crops and farming methods, collection of forest products from within HKK, timber use, and participation in village meetings (Appendix B). I conducted systematic sampling, sampling approximately every third house on the street (United Nations, 2005).

3.3.2 Data analysis

While in the field, I carried out open coding to derive central themes from the data and assess data saturation (Dey, 1999; Saumure & Given, 1999). The themes included timber rights, illegal logging, land rights, forest encroachment, the self-sufficiency policy of King Rama IX, maize cultivation, and debt. To verify findings, the translator and I conducted further interviews with six key village members and two academics, and an international NGO based in Bangkok working on land rights issues and deforestation.

I analyzed the data using a grounded theory approach (Morse et al., 2016). I uploaded the interview and field notes into NVivo and coded through a combination of induction and deduction. This approach entailed data immersion. I undertook open coding to derive varying themes and concepts (Patton, 2002). I then clustered the themes around certain intersections (*axial coding*) to discern significant causal relations to explain identified phenomena and concepts (Borgatti, 2014). When phenomena and concepts were identified, I took "thematic memos" to track different concepts (Marshall & Rossman, 2014, p. 223). I researched emerging theories through the scholarly literature, modifying the theory through the data and examining the data for alternative explanations (Marshall & Rossman, 2014).

3.4 Historical context: The production of forest territory through civilizing ideology

As described by Vandergeest and Peluso (1995), Thailand's forest territorialization can be divided into three moments: the negative declaration of forest land as unoccupied (1899-1938); the demarcation of forest reserves (1964-1985); and functional classification of forests into watershed categories (since 1985). I align these moments to their civilizing efforts – state-making, forestry sciences, counterinsurgencies, and watershed management (Vandergeest & Peluso, 2015), which consigned upland Indigenous Peoples to the sovereign's 'savage other', normalizing their enclosure within forest territory (Forsyth & Walker, 2012a; Laungaramsri, 2003; Vandergeest, 2003).

3.4.1 Creation of State Forests from 'unoccupied' land

The production of forests as political and territorial entities began in the late nineteenth century when King Chulalongkorn 'modernized' Siam's (Thailand in 1939) political order from a system based around small principalities ruled by local lords to a bordered, centrally governed nation state administered through various Ministries and bureaucratic processes (Riggs, 1966). The establishment of the RFD in 1886 became central to Siam's modernization (Vandergeest & Peluso, 1995). In 1899, in line with colonial forestry practices and Siam's territorial ambitions, the government declared all "unoccupied land within the national boundaries" as forest land; at the time, representing around 75% of Thailand's land area (Vandergeest and Peluso, 1995, p. 408). Although Siam was not colonized, British colonial forest governance practices shaped the RFD and forest governance (Vandergeest &

Peluso, 1995). Forest territoriality continued to play an ancillary role in state-making processes throughout the twentieth century.

Imperialist ideologies of civilization were harnessed to the spatial project of producing Siam as a geopolitical body and so too Siam's political forests. Thongchai (2000) describes how the Siamese elite drew upon European ideals of civility and constructed the notion of 'Thainess' against two 'others', the *chaobannok* and *chaopa*. To the elite, the *chaobannok* were 'loyal' but 'backward' villagers, whether Thai or Mon, Lao, Khmer or other minorities who contributed to Siam by 'tilling the lands' (Thongchai, 2000). The *chaobannok* were typically lowland settlers (Forsyth & Walker, 2012b).

The *chao pa* meaning "jungle people or people of the wilderness", included "Karen, Lua or Lawa, Khamu, Lahu, Hmong and the Mrabri" communities (Thongchai, 2000, p. 535). The Indigenous Peoples primarily inhabited the *pa* (forest) and the *khao* (mountains), which the elite considered wild and dangerous spaces (Laungaramsri, 2000a; Thongchai, 2000).

Further, the Siamese elite consigned the mobile lifestyle of Indigenous Peoples to beyond the reach of civility (Thongchai, 2000). The elite did not consider the *chaopa* as a homogenous bloc. Rather, the Karen peoples, who had a historical relationship of protecting the northern (then the Lanna Kingdom) and western border regions, were considered superior within the *chaopa* (Laungaramsri, 2000a).

The elite deemed *chaobannok* as state subjects and the *chaopa* as uncivilized people at the state's periphery and beyond the concern of state matters (Hirsch, 1994). During Siam's early modernization efforts, the MoI, working with provincial and district chiefs, began registering

and administering people into villages within national territory (Vandergeest & Peluso 1995). Mobile communities and cultivators, particularly upland Indigenous Peoples, were ignored and unregistered in the production of villages and the 'modern' Siamese state (Vandergeest & Peluso 1995). They inhabited 'unoccupied forests'. Large proportions of Indigenous Peoples remained unregistered as citizens until the 2000s (Leblond, 2010), and statelessness persists, particularly in older generations unable to provide birth certificates (Flaim et al., 2020).

Declaring forest land as 'unoccupied' served as the point of origin for violence by segregating forest inhabitants as the 'other' through which forest/sovereign territory is (re)produced. Lefebvre (1991, pp. 280-281) recognizes sovereignty as violence through the production of territory linked to accumulation by dispossession and subjectivation via hegemonic state-driven governance practices:

Sovereignty implies 'space', and what is more, it implies a space against which violence, whether latent or overt, is directed – a space established and constituted by violence..... every state is born of violence, and that state power endures only by virtue of violence directed toward a space...At the same time it aggressed all of nature, imposing laws upon it and carving it up administratively according to criteria quite alien to the initial characteristics of either the land or its inhabitants....But the violence of the state must not be viewed in isolation: it cannot be separated either from the accumulation of capital or from the rational and political principle of unification, which subordinates and totalizes the various aspects of social practice – legislation, culture, knowledge, education – within a determinate space; namely, the space of the ruling class's hegemony over its people.

The originary of Thailand's political forests was necessarily violent through the discriminatory codification of mobile Indigenous Peoples as 'others', concurrently "radically set apart and deeply embedded" (Blomley, 2003, p. 124) within the Siamese state's juridical-political system.

3.4.2 Forest territorialization

The demarcation of forest territory began after the 1932 coup that replaced the absolute monarchy with a government consisting of military and bureaucratic officers. In 1938 the government enacted the Forest Protection and Reservation Act (Vandergeest, 1996a) which enabled the RFD to map and demarcate two categories of forests: protected and reserved (Vandergeest, 1996a). The law prohibited local people from holding rights to or settling land (Chalermrath, 1972). However, the RFD lacked the political power to enforce regulations and primarily focused on facilitating forest concessions and collecting taxes (Vandergeest 1996). By 1964, the RFD had demarcated around 6% of the total land area as reserved forest and around 7% as protected (Vandergeest, 1996).

In the 1950s, with support from the FAO, the government began to develop forest governance in line with plans to nationalize Thailand's logging concessions (Mekvichai, 1988). British companies held the majority of logging concessions up until 1960 (Mekvichai, 1988). FAO reports from 1952-1954 recommended that the RFD develop forestry through sustainable forest management principles alongside the exclusion of local people from forest resources (Vandergeest & Peluso 2006b). In line with the FAO's recommendations and state ambitions, in 1964, the government introduced the National Reserved Forest Act, replacing

the 1938 Forest Protection and Reservation Act. This included the regulation that no person is permitted to hold or cultivate land in reserved forests without obtaining RFD's permission. The RFD leased NRFs primarily to for-profit semi-government enterprises, FIO and PFC (Pye, 2005a). Therefore, forestry laws served as a mere code for state appropriation of resources, i.e., primitive accumulation.

Further, without evidence, FAO 1952-1954 reports asserted that shifting cultivation practised by upland Indigenous Peoples adversely impacted the watershed of Thailand's main river, the Chao Phraya (Vandergeest & Peluso 2006b). Although numerous 'lowland Thai' farmers also relied on shifting cultivation in upland areas, they were not demonized (Forsyth & Walker, 2012b). FAO recommended that Indigenous Peoples "be introduced to permanent cultivation of temperate and semi-tropical crops" (Vandergeest & Peluso, 2006b, p. 378). Although "overall little was actually done to contain the activities of upland people during the 1950s" (Vandergeest & Peluso, 2006b, p. 378), the articulation by the FAO of shifting cultivation with watershed management would later fuse with discourses constructing upland Indigenous Peoples as the 'savage other' and provide justification for violent dispossession (Vandergeest & Peluso, 2006b).

In the late 1950s, on the back of USA Cold War rhetoric, the Thai dictator Sarit Thanarat (1958-1963) promoted a nationalist ideology and enhanced border security initiatives (Baker & Phongpaichit, 2014). This discourse categorized upland Indigenous Peoples in northern Thailand as ungovernable "non-Thai minorities," and assimilation became the foremost strategy for their 'management' (Laungaramsri, 2000a, p. 66). Government departments such

as the Border Patrol Police began to problematize upland Indigenous Peoples' "way of life" as a sensitive security issue (Laungaramsri, 2000a, p. 66).

In 1959 the government established the Hill Tribe Welfare Unit (HTWU) to oversee upland Indigenous Peoples' matters. The HTWU grouped nine Indigenous Peoples as *chao khao* ("hill" or "mountain people") – the Karen, Hmong, Lisu, Akha, Lahu, Mien, Kamu, Htin, and Lua (Laungaramsri, 2000a, p. 65). Although, some of the *chao khao*, including Lua and Karen peoples, were not necessarily upland occupants, while other ethnic groups living in mountainous areas were excluded (Laungaramsri, 2000a). Shifting cultivation, migratory behaviour, 'communist influences', and opium-growing were marked as primary threats posed by 'hill-tribes' (Kammerer, 1988; McKinnon & Vienne, 1989; Tapp, 1990). The government tarred political dissents, migrants, or people living on the peripheries of Thai state control, mainly in the northeast, as communist or communist sympathizers (Baker & Phongpaichit, 2014; Hirsch, 1994). As recent migrants to Thailand and opium growers, authorities regarded the Hmong peoples as a significant threat to national security and ascribed them as communist sympathizers. At the same time, state authorities viewed Karen peoples as peaceful, docile, and passive, and rarely associated them with communism (for expanded scholarship on this topic, please refer to Walker and Farrelly 2008; Forsyth and Walker 2014; 2012a; Leblond 2010; Laungaramsri 2000b; 2000a).

3.4.3 Functional territorialization

Beginning in the 1970s, the discourses constructing upland Indigenous Peoples as the 'savage other' continued alongside national security strategies and forest territorialization. In efforts to produce logging revenue and secure territory by 1985, 42% of Thai territory was declared NRFs (Vandergeest, 1996a). The government also established Wildlife Sanctuaries and National Parks throughout the 1970s and 1980s, limiting Indigenous Peoples' access to forest resources and securing territory in border regions (Leblond, 2010; Peluso & Vandergeest, 2011). By 1985 9% of national territory had been demarcated in the National Parks system (Vandergeest, 1996a).

However, by the mid-1980s, most NRF land was degraded or deforested – forest cover reduced from 53% in 1961 to 29% by 1985¹⁶ (Lakanavichian, 2006). Further, approximately 8 to 15 million people resided within state forest land, mainly through the rapid demarcation of NRFs that enclosed pre-existing settlements and numerous households moving into NRFs to establish agricultural plots on forests cleared by logging companies (Hirsch, 1990; Lohmann, 1993; Vandergeest, 1996a). To curb forest loss and strengthen their territorial jurisdiction, the RFD began to draw on concepts of watershed management (Vandergeest & Peluso, 1995). In 1985 a Cabinet resolution set out the National Watershed Classification System throughout the northern regions, and by 1989 that system was extended throughout

¹⁶ The most rapid forest cover decline occurred in the northeast, from 42% in 1961 to 15% in 1985, and in the north, from 69% to 50% (Peluso & Vandergeest, 2011).

Thailand. The declaration categorized all major watersheds into five classes by topography, slope, and elevation (Laungaramsri, 2000b).

The scientific principles of watershed management aligned with the othering of upland Indigenous Peoples and essentially criminalized their livelihood practices (Laungaramsri, 2000b). People living in upland areas, Watershed Classes One and Two, face the most severe restrictions under the system as no agriculture activities are legally permitted. However, in Watershed Class Two, commercial activities such as logging and mining are permitted with close state supervision (Laungaramsri, 2000b). As Vandergeest (2003) argues, the Watershed Classification System marginalized upland Indigenous Peoples by assigning them responsibility to manage and protect state forest land while not recognizing their land rights and livelihood practices.

In 2014, following a military-led coup, in efforts to 'reclaim' state forest land, the Internal Security Operations Command¹⁷, along with the RFD, forced small-scale farmers to end their agricultural activities Watersheds One and Two physically destroying forest plantations and agricultural plots (Protection International, 2014). In June 2014, under the military body, the National Council for Peace and Order announced Order 64 /2557 -to stop deforestation and suppress the encroachment and the destruction of forest resources. The Council announced Order 66/2557 shortly after, which stated that Order 64 would not adversely impact the landless or the poor but instead focus on capitalists and large-scale encroachers (Pawakapan,

¹⁷ The Internal Security Operations command is a political, intelligence and psychological arm of the military that deals with internal and foreign national security threats

2015). However, despite Order 66, Pawakapan (2015) "Only small-scale peasants were targeted, while big companies and major encroachers were left unscathed". From May-December 2014, the military and RFD confiscated 343,750 rai (55,000 ha) of land in sixty-eight provinces, arresting 501 people (NPF Thailand, 2014). Lisu, Lahu, and Karen Indigenous Peoples in Watersheds One and Two were among the first communities to be arrested and issued eviction notices(Pawakapan, 2015). In October 2014, 39 Pakayaw Karen villagers were arrested on charges related to illegal logging and forest encroachment and were sentenced to imprisonment and fines (Areerat, 2014). Furthermore, in September 2019, the body of a Karen activist from Phetchaburi province who went missing in 2014 was found. The Karen activist had been campaigning against the forced eviction and burning of homes in Kaeng Krachan National Park at the time of his disappearance (Laohong, 2019).

3.4.3.1 *Kor Tor Chor*, communal land registration scheme

As outlined in the dissertation's introduction Chapter 1, there are (2021) 1,221 NRF areas covering approximately 20% of Thailand's territory (largely degraded), and 60 Wildlife and 131 National Parks cover approximately 19% of Thailand's territory (Onpheng, 2018). In 2014, the RFD reported that over one million people still reside in state forest land (RECOFTC, 2018a). This number may be a significant underestimate; an FAO (2009) report stated that an estimated 20 to 25 million people live in or near NRFs. To provide usufruct rights to communities living within NRFs and National Parks, in 2014, the government established the KTC communal land registration scheme, ratified in 2019. KTC enables communities that can prove residence before 2014 to apply for a 30-year lease to state land.

In interviews with communities who hold KTC certificates in Watershed Classes Three to Five, Wittayapak & Baird (2018) concluded that communities felt optimistic about the KTC scheme. However, the KTC application process is too complex for most, and communities remain temporary leaseholders of state land, vulnerable to potential changes to government policies (Giri, 2021). Farming decisions need to be decided upon collectively, contradicting previous individual management practices and, thereby, adding complexity (Giri, 2021). Further, there have been cases where households in the same village are not automatically included within KTC boundaries and thus were excluded from the communal title (Sapkota et al., 2019; Wittayapak & Baird, 2018).

Further, communities in Watersheds One and Two (upland areas) who wish to apply for a KTC certificate still face severe usufruct restrictions. Commercial monoculture farming and shifting cultivation are not permitted and will be replaced with agroforestry systems. This is incongruent with the current agricultural practices of many upland Indigenous Peoples (Giri, 2021; Thai PBS, 2019). At the time of writing (August 2021), no communities in Watersheds One or Two have a KTC certificate. Private land titling or more autonomy over livelihood practices, such as monoculture cultivation, remains a privilege only afforded to lowland communities.

In addition, in 2019, the government passed the Community Forestry Act, enabling a community within NRF land to apply to establish an area as a CF consistent with the conservation and rehabilitation of natural resources and biodiversity. Domestic use of forest products, including timber, is permitted in line with conservation efforts and CF management plans. For many communities campaigning for legally recognized land and resource rights

since the 1980s, both the KTC policy and CF Act fall short of their demands concerning greater tenure security through longer-term leases and greater autonomy over governance (Chandran, 2019)¹⁸.

3.5 Results: Territorialization and violent dispossession

As forest territory and resource access are necessarily (re)produced through local relations of power and authority (Ribot & Peluso, 2003; Sikor & Lund, 2009) and governance/management practices (Vandergeest & Peluso, 2015), I now illustrate the production of the trilateral of logics in Thailand's political forests at the local level. Through a case study of a Karen Pwo community enclosed within Thailand's NRF and Watersheds Classes One and Two, I illustrate territoriality, alongside its civilizing efforts, as an ongoing process enacted at the local level through coercive and disciplinary means which engender the marginalization of upland Indigenous Peoples and violent dispossession. First, I detail how the production of forest territory and the displacement of the Karen community intersected with primitive accumulation/accumulation by dispossession to increase livelihood vulnerabilities through increased dependence on maize production. Following this, I explain how a moment of extended territorialization further constrained local people's livelihoods facilitating violent dispossession through illegal logging and methamphetamine addiction.

¹⁸ Information gathered through attendance in a two-day workshop on KTC policy attended by 80 representatives of civil society, community forestry networks and Indigenous Peoples/Ethnic Minorities.

3.5.1 Displacement, enclosure, and primitive accumulation

In 1974 the government established HKK Wildlife Sanctuary covering 278,000ha in Uthai Thani and Tak provinces, enclosing the Karen Pwo (henceforth Karen) community of this case study. The Karen community of *Ban (village) Mali* had lived in western Thailand's mixed semi-evergreen and deciduous forests since the eighteenth century. The community possibly migrated to western Thailand from the border zone between pre-modern Siam and Burma, where they had settled since the thirteenth century (Laungaramsri, 2000a).

From interviews with village elders, a local RFD officer, and work by Sato (2000) and Laungaramsri (2000a), I understand some Karen from the west of Thailand joined the CPT in the 1960s and 1970s, and there was a CPT insurgent stronghold in Tak province. In 1978 to limit Indigenous Peoples' access to forested areas, the military government resettled the Karen of Ban Mali in a deforested NRF area (once a logging company's log holding area) in HKK's buffer zone. Over 200 households were eventually relocated from within HKK to its buffer zone (Leblond, 2010). Displacement of the Karen community led to an intensification of maize cultivation for the agricultural conglomerate CP.

Before their displacement, Ban Mali farmers practised shifting upland rice cultivation on a five-to-fifteen-year rotation and produced other crops such as bananas, cotton, chillies, taro, yam, and hunted animals. The Karen exchanged agricultural produce at the local market for knives, guns, salt, and cloth (Sato, 2000). Some community members also worked for logging companies for monetary payments. The loggers hunted elephants, tigers, boar, deer, and wild cattle, hiring local Karen men as their guides.

During the initial years of Ban Mali's establishment, various government projects and agencies aimed to assimilate the Karen into Thai society and thereby quell potential political dissent. A school, reservoir for irrigation, and a hospital were constructed (Leblond, 2010). Further, to dissuade the community from shifting cultivation in line with RFD and HTWU policies and from utilizing forest resources within HKK, local authorities assigned each family 25 rai [4 ha] of land to cultivate.

A road built by the logging company linked Ban Mali to the central district and enabled middlemen and local merchants to reach the newly established village in search of new rural patrons (Lohmann, 1993). The merchants and middlemen provided seeds and credit to villagers to cultivate maize commercially for the agribusiness CP that processed the maize into chicken feed (Lohmann 1993). In 2019 CP remained the primary buyer of maize. Therefore, several interrelated acts of accumulation by dispossession were evident in Ban Mali: the appropriation of resources in the establishment of the NRF area, the suppression of alternative forms of production, the commodification of labour power, and usury (Harvey 2004).

The Karen community became increasingly dependent on commercial maize cultivation (Sato, 2000). In the early 1980s, villagers cultivated rice paddies manually and intercropped maize with other vegetables. However, as tilling decreased soil fertility and increased weeds, farmers acquired credit from intermediaries to purchase fertilizer and herbicides. Servicing their debts reduced profits, leading to a decrease in intercropping and increased maize plots. Eventually, continuous maize cultivation rendered the land too hard to plow manually. By the late 1990s, several villagers had invested in tractors, which they rented to other villagers.

The cost of tractor rentals further reduced the profits available and increased debts to intermediaries. Hence, to gain more income, villagers increased the amount of land dedicated to maize cultivation or converted forested land to increase their maize plot; in short, a vicious cycle.

Various government projects in Ban Mali over the years aimed to aid households in diversifying their income. In the late 1980s, a highland development project introduced strawberries, coffee, and fruit trees such as jackfruit, mango, rambutan, and durian. However, the project failed to help villagers find a market for their produce, so in the end, fruit trees were either uprooted to make way for maize or retained for personal use. In another project, the Department of Agriculture worked with households to establish banana plantations. However, one informant labelled the intermediaries who transported bananas to the district market 'the banana mafia': they drove down the price of bananas to on average US\$50 per rai (0.16 ha). In contrast, the average price paid to farmers for maize was US\$113 per rai.

By 2018, 77% [1450 rai/232 ha] of agricultural land in Ban Mali were under maize production, cultivated by an estimated 90% of households. In 2017-2018 maize accounted for an average of 62% of the total annual household income; total annual average household income stood at Thai฿118,033 [US\$3,530]; other sources of total household income are shown in Table 1.

The majority of households surveyed had fruit trees on their property and collected mushrooms, herbs and fished within HKK. Although the collection of forest products is considered illegal, RFD officers and villagers stated that government officers tended to turn a

blind eye if the products were clearly for domestic use. Local RFD officers also permitted the collection and sale of mushrooms gathered in HKK. Few villagers admitted to hunting animals within HKK. If apprehended, hunters' weapons and produce would be confiscated. Whenever villagers discussed with us, it would be in a cautious manner. As I discuss in the next section, from 2014, government officers began to police activities in HKK more intently.

Table 1: Ban Mali livelihood products and income 2017-2018 (Source: local QUANGO dataset for Ban Mali)

Product	Total annual village income from product	Percentage of the total village income	Total number of households engaged in livelihood activity (of sixty-nine surveyed)	Average annual income per household engaged in livelihood activity
Maize	Thai฿ 4,925,256 [US\$147,295]	60.5%	66	Thai฿74,625 [US\$2,231]
Rice	Thai฿ 2,177,430 [US\$27,670]	26.7%	65	Thai฿33,499 [US\$1,002]
Government subsidies	Thai฿442,500 [US\$13,233]	5.4%	54	Thai฿8,194 [US\$245]
Cassava	Thai฿233,040 [US\$6,969]	2.9%	5	Thai฿46,608 [US\$1,394]

Product	Total annual village income from product	Percentage of the total village income	Total number of households engaged in livelihood activity (of sixty-nine surveyed)	Average annual income per household engaged in livelihood activity
Handicrafts	Thai฿177,310 [US\$5,303]	2.1%	15	Thai฿11,821 [US\$354]
Bananas	Thai฿70,880 [US\$2,120]	0.9%	7	Thai฿10,126 [US\$302]
Tourism (excluding handicrafts)	Thai฿47,600 [US\$1,424]	0.6%	4	Thai฿11,900 [US\$356]
Seasonal products	Thai฿33,600 [US\$1,005]	0.4%	13	Thai฿2,400 [US\$72]
Rubber	Thai฿29,000 [US\$866]	0.4%	2	Thai฿14,500 [US\$433]
Pumpkins	Thai฿7,650 [US\$228]	0.1%	5	Thai฿1,530 [US\$45]

Displacement of the Karen community from HKK into land governed under the NRF Act and Watershed Classes One and Two exacerbated the community's livelihood vulnerabilities. As

commercial agricultural activity within Ban Mali is essentially illegal, the villagers held no legal contracts with CP (Hall, 2011). Further, villagers in Watershed Classes One and Two and without private or usufruct rights, as is the case in Ban Mali, can not access insurance policies and government support available to those in lowland areas with land certificates (e.g., Nor Sor certificates or Sor Por Kor) during times of low maize prices or due to a natural disaster (such as a landslide) or extreme weather (Teerasuwannajak & Pongkijvorasin, 2015). Due to the breadth of CP's economic activities and political reach across Thailand, their implication in maize cultivation in Watershed's One and Two, for the most part, continues unchallenged by authorities. In contrast, all the financial and legal risks of maize production are solely placed on the villagers whose livelihoods are rendered vulnerable due to lack of tenure, contractual arrangements, and ineligibility for insurance and government farming subsidies. A local RFD officer summarized this dilemma.

"People grow maize to sell to companies such as CP for animal feed. The maize seeds' sacks are stamped with a warning that you cannot grow maize in the forest area. But CP needs maize products for their production. The reason for the warning on the sack is said to be in case of a disaster due to maize cultivation. So, when that happens, there will be no security or insurance of the product on public land. For maize, it is impossible for farmers to get compensation from the government or government support in maize farming".

As Li (2011) laid out in her article on landgrabs and labour, this situation is nearly ideal for CP as the land is free, labour is cheap, and the company assumes no risks over the produce.

The Karen community's livelihoods were rendered vulnerable through their enclosure with NRF land and Watersheds One and Two and wider market relations. Consequentially, expanding the area of their maize plots via forest encroachment became one of the only avenues for villagers to increase their income if their families grew or to pay for services such as transportation (including cars and tractors), mobile phones, education, and medical fees. On average, the larger the maize plot, the larger the household income; see Table 2 for details.

Table 2: Income of maize per plot size 2017-2018 (Source QUANGO Dataset from Ban Mali)

Size of maize plot*	Average annual income from maize*
10-20rai [1.6-3.2ha]	Thai฿69,700 [US\$2,133]
21-30rai [3.3-4.8ha]	Thai฿77,200[US\$2,362]
31-40rai [4.9-6.4ha]	Thai฿87,318 [US\$2, 672]
41-50rai [6.5-8.0ha]	Thai฿186,750 [US\$5,714]

* The average maize field was 22rai [3.5ha], and the average annual income from maize was Thai฿ 74,625 [US\$2,231].

3.5.2 Extended territorialization

In 2013 a QUANGO began to work in Ban Mali alongside the local RFD, Department of Agriculture, and District Administration (DA). The QUANGO aimed to establish a pilot project to conserve and restore Watershed Classes One and Two by reducing forest encroachment from maize cultivation through forest restoration and poverty reduction. The project took place in three phases, mapping, buffer zone restoration, and livelihood development. I argue that the aims of forest restoration and poverty reduction stood as mere code for territoriality - i.e., civilization by way of conservation and development (Vandergeest & Peluso, 2015) – that engendered sovereign violence through coercive and disciplinary means (Foucault 1995), resulting in increased livelihood vulnerabilities.

The first phase began in 2013-2014. The QUANGO, working with a Thai GIS and remote sensing organization and the RFD, mapped Ban Mali's village boundaries, then the village's internal boundaries, and features such as homes, individual agricultural plots, schools, temples, and roads. The QUANGO then worked with villagers to verify the boundaries of each agricultural plot; 71% of households participated in the project. Communities can use mapping to reclaim territory from state agencies (Peluso, 1995), thereby reconstituting socio-spatial nature relations (Roth 2007). In the case of Ban Mali, however, the QUANGO and RFD utilized mapping as a tool for surveillance to coerce villagers into complying with conservation aims. In a village meeting, the QUANGO and RFD cautioned the villagers that farmers would first receive a warning if forest encroachment occurred. Then if further encroachment were detected, legal action would be taken. From 2014 government officers began to perform spot checks of Ban Mali every two months, monitoring for encroachment.

During the time of the field research (2018-19), no arrests had been made. According to data collected by the QUANGO and interviews, after the project, forest encroachment remained minimal, at a total average of 30 rai [4.8 ha] per year throughout Ban Mali, over approximately forty plots¹⁹.

The second phase of the project, buffer zone restoration, aimed to reforest and curtail villagers' entry into HKK. The project aimed to create a living fence of bamboo, bananas, and betel nut trees (*Areca catechu*) along 110 km of the buffer zone between HKK and the sub-district. By 2019 only 3.6 km had been planted; the steep terrain proved difficult for said plants to establish. Two CF plots, 1260 rai [202 ha] in total, were also planned within the buffer zone. However, they were not yet established at the time of the field research. In yet another surveillance and disciplinary measure, the QUANGO and RFD cautioned the villagers that if further forest encroachment were found, they would not be afforded the privilege of establishing CFs. In addition, over half of the villagers interviewed said that after 2014, government officers monitored entry into HKK more closely. Villagers generally perceived forest product collection as riskier, likely greater for poorer households who lacked connections or financial means to negotiate entry with local government officers or risk confiscation of forest products, especially timber for building homes.

The third phase, livelihood improvements, began in 2017. The QUANGO working with a Tourism Management Working Group and the DA, established ornamental flower plots in

¹⁹ The data are from satellite data and estimates obtained from the QUANGO data; only 7 plots where satellite data showed encroachment were verified by the QUANGO at the ground level.

Ban Mali. The DA then promoted Ban Mali as the location of a seven-day 'new year's flower festival' to tourists and assisted in establishing a market for people to sell food and handicrafts during the festival. According to the QUANGO, the flower festival brought in 3,500 tourists per day for seven days in 2017-2018. In a reductive sense, Ban Mali became a place for the privileged to enjoy, while households in Ban Mali, enclosed within forest territory, had not yet been afforded the privilege of private or communal land titling and lacked autonomy over their livelihood practices.

Tourism brought in a total of Thai ฿99,300 [US\$3,022] during 2017-2018. However, not everyone benefited from tourism (see Table 2). The principal beneficiaries were women across different income levels able to make and sell handicrafts, people who already ran village shops and food stalls, four households in Ban Mali who held larger plots of land upon which they established guesthouses, and the few who were able to spot and profit from market opportunities. In an example of the latter, one woman told us she made up to Thai ฿10,000 [US\$305] selling papaya salad (som tam) to tourists.

Although not without benefit, the QUANGO projects – in mapping, buffer zone restoration, CF establishment, and tourism – can be viewed as a form of territorialization through surveillance and disciplinary means (Fletcher, 2017; Vandergeest & Peluso, 2015).

Vandergeest and Peluso (2015) characterized this as the fourth moment of political forests: non-state actors reinforce forest territory and bring 'civilization' in the form of conservation projects via neoliberal logics. In Ban Mali, state and quasi-state actors' territorial practices, market mechanisms, and civilizing ideology attempted to coerce and discipline the villagers

into reducing forest encroachment and limiting their entry into HKK. At the same time, the QUANGO ignored the violent displacement of villagers from within HKK (appropriation and primitive accumulation) and enclosure within state forests, whereby lack of tenure and restrictive rights exacerbated livelihood vulnerabilities (Li, 2007b). Also ignored was the debt peonage of maize farmers trapped in the supply chains of a multinational conglomerate.

3.5.3 Illegal timber smuggling, methamphetamine, and violent dispossession

Extended territorialization intersected with capitalist relations to constrain villagers' livelihoods and increase livelihood vulnerabilities. Illegal logging, imbricated with methamphetamine addiction, presented villagers with one of the only sources of income outside of maize cultivation. After 2014 when the expansion of agricultural plots came under increased surveillance, working for timber smuggling gangs in HKK became one of the few avenues people had to gain additional income. Although a precarious undertaking, the informants maintained that illegal logging occurred under the protection of government officers. Several villagers claimed logs were transported weekly, by day or night, and that official government vehicles were occasionally used. Since the 1990s (Global Witness, 2003), illegal logging in Thailand has been linked to high and low-ranking government officers (EIA, 2014; Online Reporters, 2016; The Nation, 2019).

The RFD occasionally arrested villagers for illegal logging. However, the people arrested were rarely those working on behalf of the gangs. Instead, they had logged trees within HKK to build or renovate their homes. As described by one villager, they understood this to be yet another disciplinary measure:

"From time to time, officers will come to the area, and they act like they are going to arrest people and act like it is a big deal. But they are putting on a show. They end up just arresting people who cut trees for their houses [not for the illegal logging gangs]. There is no follow-up and no investigation into who the real boss is."

By 2018, I estimated that 40%-60% of men in Ban Mali, aged between 16-40, were involved in illegal logging. Groups of three to five men would enter HKK and primarily harvest pradu (*Pterocarpus indicus*) or makha (*Azelia xylocarpa*), equivalent species to rosewood (*Dalbergia* spp.), to supply Vietnamese and Chinese markets (DNP, 2018; EIA, 2014). Logging usually took place over a few days, with villagers using motorbikes or even tractors to transport logs from the site. To ensure loggers could work for extended periods, the gangs supplied loggers with methamphetamine (henceforth meth), a potent and addictive narcotic with stimulant effects, to combat exhaustion. Similar findings have been reported in the southeast of Thailand (EIA 2014) and Mexico (Honey-Rosés, 2009). The informants reported that illegal loggers could earn around Thai฿10,000 (US\$ 305) per tree harvested. However, if loggers became addicted, most of their earnings went into meth, which I argue essentially rendered them forced labourers for the illegal logging gangs; yet another form of accumulation by dispossession (Harvey, 2004). As described by two female villagers whose families were impacted by meth addiction:

"People with power and connections from the timber smuggling business came to Ban Mali from another province. When they came, they trapped people into drugs. Drugs were introduced, and like a circle, people try [meth], become addicted, and cut trees illegally."

"People who cut trees hope they can rely on that [for income]. They hope to be debt-free, but in fact, they always consume the money for amphetamines. The eventual income they get is only Thai฿20-30 [US\$0.60-0.96], so problems do not get resolved; it just makes the situation worse. They enter, cut the tree because they are drug-addicted, and rent their own land, so they have nothing."

Several villagers remarked that the majority who worked for the illegal logging gangs did so to support a meth addiction. One woman recounted that her 16-year-old son had not returned home for months and remained in HKK harvesting trees and taking meth. The RFD officer confirmed that some young male adults were trapped in HKK by addiction. Meth is locally called *yaa baa*, meaning the crazy drug, due to its side effects, including anxiety, confusion, paranoid delusions, exaggerated mood changes, and violence (Logan, 2002). Five villagers reported that addiction created greater social unrest, with increased incidences of theft and violence.

Herrick (2012) and Lawhon (2013) demonstrate that addiction and its negative social impacts are produced and shaped by broader upstream processes. I argue that illegal logging and addiction are imbricated in the broader forces of territoriality, the underside of its civilizing efforts and governance practices, and therefore the imposition of sovereign power. Through territorial state logics and civilizing efforts dating back to the RFD's establishment, the Karen community of Ban Mali became simultaneously displaced from HKK and enclosed within NRF land and Watershed Classes One and Two. This led to intensified market relations and increased maize dependency. In the moment of extended territorialization, local administrations and a QUANGO enacted sovereign power through coercive and disciplinary

means to engender compliance with laws. The QUANGO mapped Ban Mali and promoted tourism as an acceptable livelihood practice while surveilling forest encroachment and villagers' entry into HKK for forest products. In doing so, however, communities' livelihoods were further constrained, leading to an increase in illegal logging and meth addiction.

3.6 Conclusion: The state of exception and bare life

As I have laid out through the trilateral of logics in Thailand's political forests, in Ban Mali, the state of exception becomes apparent. The (re)production of forest territory became a space for the Thai government and the RFD to gain legitimacy via territorial practices such as demarcation and mapping – the visible matter of the state. However, the (re)production of forest/sovereign territory resulted in land and resource appropriation and varying forms of accumulation by dispossession. Further ideological relations imbued with the production of forest territory reproduced upland Indigenous Peoples as the sovereign's 'savage other', enclosing them within state forests with restrictive legal rights – i.e., the dark matter of the state.

As apparent in the case study of Ban Mali, the (re)production and maintenance of territory, alongside its civilizing efforts and governance practices, is an ongoing process. Civilizing ideologies and governance practices instigated by the QUANGO and local authorities in a moment of extended territoriality reproduced the state of exception. Extended territorial practices aimed to coerce and discipline the Karen community to comply with forest laws. The increased state surveillance, lack of tenure, and autonomy over livelihood practices exacerbated livelihood vulnerabilities culminating in forced labour via illegal logging and

meth addiction. Sovereign power in Ban Mali was enacted through the law through the enforcement of NRF boundaries and beyond the law by local government actors both allegedly partaking in and turning a blind eye to illegal logging and growing levels of meth addiction. The Karen villagers thus, in part, represented the embodiment of bare life simultaneously bound by law and abandoned by it to violence.

Thailand's political forests – particularly in Watersheds One and Two, where autonomy over livelihoods is restricted – remain a space for sovereign violence as their continual legitimization as state-held land resulted in the reconstitution of society-nature relations, limiting the capacity for upland Indigenous Peoples to determine their livelihoods and the simultaneous imposition of and abandonment through the law. Thus, the hegemonic logics of forest territoriality legitimized through laws and civilizing projects obscure the violence embedded in the (re)production of state-governed forest territory. I conclude with a recommendation: although not a panacea to ensuring poverty reduction and equity, it becomes evident that both symbolic and de jure spaces must be created for peoples enclosed within political forests to exercise rights and end the subjugation and violent dispossession enabled by the state.

Chapter 4: Examining illegal logging discourse through policymaking - The political logics of EU-FLEGT in Thailand's multistakeholder negotiations: Hegemony and resistance

Research Objective: Examine the mobilization of illegal logging as a discourse through EU-FLEGT multistakeholder negotiations in Thailand and the ways in which national forest governance structures pertaining to (in)equity in access to land and timber rights, as examined at the national (1) and local (2) levels, are further confirmed or challenged through EU-FLEGT VPA negotiations

4.1 Introduction

In 2003 the European Union Forest Law Enforcement, Governance and Trade (EU- FLEGT) initiative joined other intergovernmental and bilateral initiatives aimed to reduce deforestation and forest degradation (Rayner et al., 2010). EU-FLEGT aims to do so by supporting timber-producing countries in combating illegal logging and related trade through strengthening forest governance and supporting related forest sector reforms (European Commission, 2003; European Council, 2003). Voluntary Partnership Agreements (VPA) are a central instrument in delivering EU-FLEGT aims. The VPA is a binding bilateral trade agreement between timber-exporting countries and the EU stating that all agreed upon timber and timber products from the exporter must be verified through a timber legality assurance system. VPAs generally contain a legal text accompanied by several annexes, including a *legality definition* consolidating a partner country's laws, legal documents, and authorization processes and, where necessary, the implementation of legal reform; details of timber *supply*

chain controls; details of a *timber legality assurance system* tracing timber and timber products from import/harvest to export; and details of a *FLEGT licensing scheme* (EU-FLEGT Facility, 2009).

Despite recent reforms, forest governance structures, which were designed primarily during the colonial era, continue to benefit government bureaucracies and dominant private sector actors while the rural poor are disadvantaged by "an uneven playing field" of economic and social impediments (Larson and Ribot 2007, p. 189; Gritten et al. 2015). There are clear statements within key EU-FLEGT documentation declaring support for strengthening resource-dependent peoples' rights through the VPA. The European Council's conclusions on the FLEGT Action Plan (2003/C 268/01) urge EU Member States to work with partner countries to "instigate forest sector governance reforms, more specifically to: — strengthen land tenure and access rights especially for marginalized, rural communities and indigenous peoples" (Article 9). That intention is repeated in the VPA Unpacked (EFI, 2019) document produced by the EU-FLEGT Facility, which states that a key principle of the VPA is to "promote good governance through improving transparency, accountability and law enforcement and to strengthen the rights of people who depend on forests" (p. 6).

The EU advocates for broad stakeholder participation within partner countries' VPA processes to safeguard and strengthen resource-dependent peoples' rights and ensure accountability and transparency (van Heeswijk & Turnhout, 2013). Stakeholder groups may include government actors, private sector actors, smallholders, civil society organizations, and Indigenous communities. Some scholars have argued that multistakeholder participation is EU-FLEGT's strength, leading to improved forest governance and increased accountability

within partner countries (Beeko & Arts, 2010; Dooley & Ozinga, 2011; Overdevest & Zeitlin, 2014, 2018). Cerutti et al. (2021) found that VPA processes in Cameroon, Ghana, and Indonesia helped improve participation and transparency in forest policymaking. Beeko & Arts (2010) claim that Ghana's VPA negotiation process reshaped national forest discourse and power relations, favouring civil society and local communities.

However, other scholars have argued that despite broad stakeholder participation, EU-FLEGT remains a technically-driven, top-down process shaped by logics that reinforce state control over, and the elite capture of, resources at the cost of the land and resource rights of resource-dependent people, including Indigenous Peoples (Maryudi et al., 2020; Myers et al., 2018; Setyowati & McDermott, 2017; van Heeswijk & Turnhout, 2013; Wodschow et al., 2016). Critically, through an analysis of the VPA in Indonesia, Setyowati & McDermott (2017) determined that the VPA further narrowed the scope of who and what counted as legal, potentially impacting local people's access to timber. Further, by investigating the power constellations of wood furniture actors in Indonesia, Maryudi & Myers (2018) argued that the timber legality assurance system implemented under the VPA may perversely reinforce existing inequitable power relations favouring dominant actors and produce "new modes of elite capture" (p. 46).

Contributing to the literature on the political ecology of resource access and EU-FLEGT, this chapter provides a critical examination of i) the ways in which Thailand's national forest governance structures pertaining to (in)equity in access to land and timber rights are further confirmed or challenged through VPA negotiation processes; and ii) the political logics through which VPA negotiations may render political struggles pertaining to land and timber

rights 'technical' or 'nonpolitical'; these theoretical concepts are discussed in the following section. This chapter responds to a call by Derous and Verhaeghe (2019) to further examine the dynamics of power within VPA processes.

The first analytical dimension I examine is political logics. Since a VPA is constructed through negotiations amongst diverse actor groups, it can be assumed that these processes will exhibit political dynamics. Poststructuralist discourse theorists (Glynos & Howarth, 2007; Laclau & Mouffe, 1985) have argued that political dynamics are driven through two logics: equivalence and difference. The former seeks to find equivalence amongst diverse actor groups' demands to forward a regime's specific political-economic goals. For the latter, powerholders seek to differentially incorporate or co-opt actors' demands so as not to compromise dominant practices or regimes (Howarth 2009). Political logics can be analyzed in policymaking processes to highlight how dominant structures/practices are further institutionalized or challenged (Glynos & Howarth, 2007).

The second analytical dimension I discuss is 'rendering technical' or the 'anti-political', which examine the processes through which technically constituted programs delivered by experts render political struggles and issues displaying complex political-economic dynamics 'neutral' or 'apolitical' (See Ferguson 1994, Li 2007 and Swyngedouw 2003). Accordingly, anti-political programs aimed at improving governance are not apolitical; rather, technical discourses and prescribed solutions advocated by an implementing body often conceal the political dynamics to modify governance practices (Li, 2007b). This chapter discusses how the Thai VPA-technically prescribed processes interacted with the political logics during VPA negotiations.

Following the introduction, Section 4.2 presents the theoretical approach. Section 4.3 presents the methodology. Section 4.4 presents an outline of the inequitable construction of land and timber rights in Thailand, including a summary of timber rights held by different actor groups at the start of VPA negotiations. In Section 4.5 through Poststructuralist Discourse Theory (PDT), I critically analyze the political logics through which Thailand's dominant structures pertaining to land and timber rights are rendered technical, institutionalized, or resisted during the VPA negotiations. Section 4.6 reflects on political logics and their interactions with the anti-political.

4.2 Theoretical approach: Political logics and hegemony in coalition building

PDT can be employed to examine the processes through which specific policies/practices/regimes become hegemonic and the ways in which hegemony is resisted (Glynos & Howarth, 2007). Drawing on Gramsci (1971), Howarth (2009) highlights "two faces of hegemony": first, hegemony as a "type of political practice that captures the making and breaking of political coalitions" and second, as a "form of rule", for example, a dominant regime (p. 317). Howarth (2009) continues that "hegemony as a form of rule presupposes" various practices of coalition building, including "transformism, negotiation, compromise and bargaining" (p. 317). Further, powerholders employ various practices that make and break coalitions to safeguard and reproduce a regime or practice (Howarth 2009). This chapter engages with PDT to analyze the building of political coalitions and how hegemonic forest governance structures are further institutionalized and resisted through VPA negotiation processes. I start by introducing the ontological assumptions of a poststructuralist

theory of discourse. Then I introduce the concepts of the *logic of equivalence* and *logic of difference* pertinent to the analysis.

Poststructuralist discourse theorists Ernesto Laclau and Chantal Mouffe (Laclau, 2005; Laclau & Mouffe, 1985) draw on Derrida's and Saussure's writings to articulate their assumptions of a theory of discourse. A primary assumption of PDT is that *elements* or *signs* (subjects, words, actions, objects) within discourse are only "rendered intelligible within the context of a particular practice" (Howarth, 2009, p. 311). For example, in the English language, in the practice of cutting down a tree, elements such as a logger, the chainsaw and timber, only acquire meaning through the practice and their interrelations. Through this conception, PDT postulates that each element is dependent on and derives meaning only from its differences to other elements within a particular social context. Again, in the English language, 'mother' relates to and derives meaning only from its differences to terms such as 'father', 'daughter', 'son', and so on. This "relational and differential character of discursive structures can be extended to hold for all signifying or meaningful structures and practices" (Howarth, 2009, p. 312).

Following the above logic, as discourse is socially constructed through relations of difference, discourse inherently lacks structure. In other terms, one or more element of difference would not constitute a structured whole; instead, it would constitute an addition to a string of differential elements. Laclau (2005) proposes that it is only through social/hegemonic struggles that privilege certain elements and exclude others that the social gains structure. Jørgensen and Phillips (2002) use "the body" in Western medicine as an example of a privileged element, also termed *nodal point*, where "many other meanings are

crystallized" (p. 26). Signs such as "symptoms, tissue and scalpel acquire their meaning by being related to the body in particular ways" (Jørgensen & Phillips, 2002, p. 26). The same notions can be extended to forest governance; governance is a nodal point at which concepts such as 'transparency', 'participation', and so on acquire relational meaning. Further, elements excluded from discursive structures are not neutral, but ones acted upon through hegemonic struggles. Excluded elements are often delineated by identifying an 'institutionalized other', for example, the state or a large corporation, or an 'imagined threat', for example, as drawn upon by populist politicians, immigrants, or Indigenous Peoples (Laclau, 2005).

Laclau & Mouffe (1985) extend the poststructuralist theory of discourse to coalition building and assert that actor groups, or individuals with disparate demands, may unite around a privileged element, often a figurehead or a common goal or threat. Thus, a *logic of equivalence* prevails over the differences amongst the actor groups. It is only through privileging the logic of equivalence that the disparate demands of various actor groups are united through a positive property. For instance, the common goal of holding a coalition of actor groups together could be addressing climate change, illegal logging, or a common threat such as a corrupt government or a dominant corporation. To utilize EU-FLEGT as an example, Myers et al. (2020) show that powerholders privileged legality as a nodal point for which EU-FLEGT is arrayed against the 'moral' threat of illegal logging. This chapter demonstrates that during the Thai VPA negotiations, actor groups united under the common goal of promoting legal timber and improving access to timber resources for economic growth.

Further, dominant actors may employ the *logic of difference* to maintain the chain of equivalence (the coalescence of actor groups' demands around a policy/regime). Through the logic of difference, dominant actors may employ various negotiation practices with actor groups, including deflection, negation, co-optation, and divide and rule tactics, so as not to compromise an underlying political-economic hegemonic practice or regime (Glynos & Howarth, 2008; Howarth, 2009). As Howarth (2009) summarizes,

The logic of difference involves the loosening-up or disarticulation of equivalential chains of demands and identities via various practices of challenge, institutionalization, deflection, or negation. This logic is marked either by the differential incorporation or even co-optation of claims and demands, where their cutting edge may be blunted, and/or it is accompanied by the pluralizing or opening up of a regime or practice to new demands and claims, where those in a social field acknowledge and accommodate difference (p. 321).

The more actors' demands are incorporated into policy, the more likely said actors can identify with the government/regime/practice (Howarth, 2009). However, if demands are not met, the equivalence chain may collapse, and actors may form or maintain an opposing coalition (Glynos and Howarth 2007). As a tactic to disarm further "challenges to the *status quo*", dominant actors may choose to devise policies that seemingly submit to some (if not all) of the demands of the opposition actor groups while employing political rhetoric to conceal less useful or ineffective aspects of the policy or adverse or unaffected "longer-term implications" (Howarth, 2009, p. 321). In short, ceding to demands can help maintain dominance, break up/placate challenges to dominant structures while also creating space for

opposing groups' demands to be incorporated into policy. This chapter shows how government actors used deflection, negation, and divide and rule tactics to protect Thailand's dominant forest governance structure while partially ceding to some demands of civil society.

4.2.1 Merging PDT with the work of anti-politics

Notions of hegemony in PDT are closely associated with Foucault's work on governmentality, whereby government actors, through the covert threat of disciplinary means, attempt to shape governed subjects into regulating their own 'conduct' which in turn reproduces, and results in a subject's internalization of, dominant norms and practices (Foucault 1988). Such hegemonic governance is not sustained by processes "in which rule extends itself unproblematically across a territory, but a matter of fragile relays, contested locales and fissiparous affiliations" (Rose, 1999, p. 51). Rather, messiness and fractures are inherent to governance, as various actors challenge the legitimacy and authority of governing agencies, dominant norms, and practices (Li, 2007a).

Li (2007a) recognized the importance of asking questions concerning 'how' government rule extends itself and is contested and how heterogeneous governance assemblages of people, objects, discourses, and ideologies are constituted, held together, and challenged. Li (2007a) identified six crucial practices in examining questions of natural resource governance assemblages. I examine three – *forging alignments*, *anti-politics*, and *rendering technical* – through the PDT concepts of *the political logics of equivalence and difference*, *rhetorical redescription*, and *structuring the terrain of argumentation* (Glynos & Howarth, 2007; Howarth, 2009). Integrating Li's concepts of forging alignments, anti-politics, and rendering

technical with PDT enables us to further examine governance operations by asking how, and the contestations through which, dominant norms, structures, and practices of forest governance are challenged/alterd/further instituted through policymaking processes.

Forging alignments can be described as "the work of linking together the objectives of the various parties to an assemblage, both those who aspire to govern conduct and those whose conduct is to be conducted" (Li, 2007a, p. 265). I further examine the work of forging alignments during the Thai EU-FLEGT VPA multistakeholder negotiation process through the political logics of equivalence and difference as derived from PDT. Examining the political logics of forging alignments can further aid in eliciting the operations through which political issues are reposed "as matters of technique; closing down debate about how and what to govern and the distributive effects of particular arrangements by reference to expertise", otherwise known as the work of 'anti-politics' (Li, 2007a, p. 265). I show how during the VPA negotiations, the act of rhetorical redescription described through PDT facilitated the work of the anti-political by circumscribing the debate around what the VPA would address. Howarth (2009) argues that the practice of "rhetorical redescription (e.g., Rorty 1989, Skinner 2002)" is important in "the construction of new discourses that can win over subjects to a particular project or coalition while disorganizing and marginalizing opposing coalitions" (p. 319). The practice of rhetorical redescription is defined as:

replacing a given evaluative description with a rival term that serves to picture the action no less plausibly, but serves at the same time to place it in a contrasting moral light. You seek to persuade your audience to accept your new description and thereby to adopt a new attitude toward the action concerned. (Skinner, 2002, p. 183)

Through the act of rhetorical redescription, the "conceptual change is the outcome of debates over how to characterize or name something", which either forges or disrupts a coalition (Howarth, 2009, p. 319). Howarth (2009) uses the UK aviation industry as an example of rhetorical redescription, stating that they "sought to redescribe the continued expansion of the aviation industry not as a threat to the environment, but as a vehicle for *sustainable aviation* and the pursuit of *sustainable growth*". I illustrate how the EU-FLEGT goal to 'reduce illegal logging' during Thai VPA processes was redescribed as a goal to reform 'timber legality processes' and 'promote legal timber'.

Closely linked to practices of rhetorical redescription in PDT are practices that *structure the terrain of argumentation* where some "issues and arguments are organized into politics while others are organized out" (Howarth, 2009, p. 319). Continuing with the theme of aviation Howarth (2009, p. 319) states that "if opponents of aviation expansion were to accept that the current struggles about airport expansion were about the achievement of 'sustainable aviation', they would immediately rule out more radical demands and claims". Similarly, I illustrate that as Thai EU-FLEGT narrowed its focus to promoting legal timber, more 'radical' demands such as land reform were structured out of VPA negotiations. I link the concept *structuring the terrain of argumentation* to practices of 'rendering technical', which itself is associated with anti-politics effects. Practices of rendering technical describe how the intended domain of governance is constructed and its limits and boundaries defined (Li, 2007b).

4.3 Methodology

4.3.1 Thai EU-FLEGT structure

The Thai EU-FLEGT VPA negotiation process began in late 2013. This chapter covers Thai VPA negotiation processes from November 2013 to April 2021. Thai VPA negotiations are scheduled to be completed in 2022/2023 (the date could be extended). In Thailand, the Thai EU-FLEGT Secretariat Office (TEFSO) established several sub-working groups to develop drafts of each VPA annex. Field research and desk studies, funded by the FAO and EU-FLEGT Facility, further supported the annexes' development. The annexes are further discussed and reviewed in Ad-Hoc Working Group and Joint Expert meetings before being officially negotiated between the Thai government and the EU. As of April 2021, there had been three official rounds of VPA negotiations between the EU and the Thai government. Representatives of the government, the private sector, and CSO-FN are invited to participate in all working groups and related meetings. The Thai EU-FLEGT VPA negotiation process began in late 2013. The Thai VPA negotiations are scheduled to be completed in 2022/2023 (the date could be extended). This chapter covers the Thai VPA negotiation processes from November 2013 to April 2021.

Actor groups directly involved in the VPA negotiations include i) Government departments, including the MoNRE, the RFD, the Ministries of Commerce, Industry, Finance, and Foreign Affairs, and the Natural Resources and Environmental Crime Suppression Division; ii) The private sector – prominent organizations include the Thai Timber Association, Thai Sawmill Association and the Forest Industry Organization; iii) The Thai Civil Society Organizations FLEGT Network (CSO-FN), coordinated by the non-governmental organization RECOFTC-

The Center for People and Forests. The CSO-FN comprises sixty-five members, including community and smallholder organizations of rubber and timber producers. Six core members of the CSO-FN attend EU-FLEGT national- and working groups' meetings (these were the core members of the CSO-FN interviewed during data collection, see Section 4.3.2).

4.3.2 Data collection

This chapter is based on ethnographic data collection methods, including interviews conducted between January 2019 and March 2019 (Appendix C for interview questions), a review of EU and Thai EU-FLEGT documents issued from November 2013 to April 2021 (Appendix D for a list of documentation analyzed), and observation the VPA process from July 2018 to March 2019. I gained access to meetings and interviewees through collaboration with RECOFTC Thailand Country Program.

I conducted eighteen semi-structured interviews (Table 3). I identified interviewees using purposive and convenience sampling (Marshall & Rossman, 2014) amongst core government, private sector and CSO-FN actors involved in the EU-FLEGT VPA's Ad-hoc working group and sub-working groups on the supply chain controls and legality definition annex. Six private sector actors were identified and interviewed. Six CSO-FN actors were identified, but only five could be interviewed. Although approximately twenty people were involved in the Ad-hoc working group from various government departments, working with RECOFTC, we identified four potential actors to be interviewed based on their knowledge of EU-FLEGT processes and illegal logging; of those, two were interviewed from the Royal Forestry Department as the other two were unavailable. I interviewed a key individual from the EU-FLEGT coordinating body TEFSO and the primary representatives from the

international organizations coordinating EU-FLEGT efforts in Thailand - one key individual from the European Forest Institute (EFI) and two from the FAO. Additionally, I interviewed a FLEGT consultant working on timber supply chain controls.

Table 3: Summary of actors interviewed in Thai EU-FLEGT VPA negotiations (2019)

Actor group	Number interviewed (language)
Private Sector	6 - 2 interviews conducted in Thai, 3 in English
CSO-FN	5 - 4 interviews conducted in Thai, 2 in English
RFD	2 - interviews conducted in Thai
TEFSO	1 - interviews conducted in Thai
EFI	1 - interviews conducted in English
FAO	2 - interviews conducted in English
FLEGT consultant	1 - interviews conducted in English
Total interviewed	18

As I only speak basic Thai, I worked with a Thai research assistant to conduct the interviews in Thai with four CSO-FN actors, two private sector actors, the two RFD officers and the TEFSO actor. The remainder of the interviews I conducted were in English. Sixteen interviews were conducted in person, and two interviews with two CSO-FN actors were conducted over the telephone. All interviews were audio-recorded and transcribed. My research assistant and I transcribed the Thai interviewees together to ensure accuracy in the transcription and interpretation. The documentation analyzed was predominantly acquired from the TEFSO website. The TEFSO website holds information on VPA meeting minutes and progress; the majority of the documents are in English.

4.3.3 Data analysis

I analyzed the interview notes and EU-FLEGT documents through a combination of an inductive and deductive approach (Marshall & Rossman, 2014). The deductive approach to coding was guided by PDT, exploring points of equivalence and difference amongst and between the actor groups and exploring key themes regarding illegal logging, timber rights and land rights. The inductive approach required open coding to identify themes and alternative theories not identified through the deductive approach. The combination of an inductive and deductive approach enabled reflexivity of the data to check for alternative theories. Upon analysis and interpretation of the data, further PDT concepts of ‘rhetorical redescription’ and ‘structuring the terrain’ were further identified, as discussed in the results. The chapter’s findings were shared with key individuals at RECOFTC working on EU-FLEGT to ensure the accuracy of the information presented and gather feedback regarding the results.

4.4 Historical context: The construction of land and timber rights in Thailand within state forest land, 1890-2013

This section sets the historical context in which international and national interventions have shaped forest governance pertaining to local people's land and timber rights in Thailand. Additionally, this section summarizes land and timber harvesting rights at the beginning of the EU-FLEGT initiative in November 2013.

4.4.1 Forest governance and timber rights

The erosion of local land and customary rights began with the introduction of forest governance structures and laws by the British at the end of the nineteenth century. In 1895, the Siamese government hired a British forester, Herbert Slade, who developed forest policy in line with the British Indian and Burmese models (Usher, 2009). In India and Burma, forest reservations were initially directed at preserving valuable timber forests against destructive and wasteful felling by contractors. Slade established the RFD in 1896, and in 1899, the RFD claimed jurisdiction over 75% of unoccupied and unclaimed state land (Vandergeest, 1996a).

The government passed the Teak Trees Preservation Act and the Forest Preservation Act in 1897, prohibiting teak logging without the appropriate permissions from the RFD (Mekvichai, 1988). Before the 1890s, local lords permitted villagers to harvest trees for subsistence purposes or sale but were forbidden to harvest larger teak trees reserved for local lords to build temples, palaces, and sell (Mekvichai, 1988). Local people were so used to harvesting teak that when in the early 1900s RFD officers went around to villagers explaining the new teak restrictions, officers were met with looks of astonishment from the villagers (Witt, 1904). However, given that RFD officers numbered twenty-four nationally, it is unlikely that the new restrictions were widely enforced (Vandergeest & Peluso, 1995).

The next stage of forest governance interventions occurred after the 1938 coup, which turned Thailand from an absolute monarchy into a constitutional monarchy under a military-led government. The FAO played a significant role in supporting Thai forest governance development during this period (Vandergeest & Peluso, 2006). In 1938 the government enacted the Forest Protection and Reservation Act which created two categories, protected

and reserved forests (Vandergeest, 1996a). In protected forests, forest conversion and crop cultivation were prohibited; however, local people could still legally extract timber and forest products, except named forest products restricted by law. The intention of reserved forests was to conserve timber stocks, and the extraction of any forest products was only permitted upon obtaining a permit from the RFD. By 1964 approximately 13% of Thailand's national territory had been declared as protected (6.6%) and reserved forests (6.2%). In 1941 the government enacted the Forest Act that defined forests as any land not under the Land Code, thereby encompassing land outside of protected and reserved forests (Vandergeest, 1996a). The Forest Act prohibited people from harvesting timber declared as restricted, at the time teak and yang (*Dipterocarpus alatus*), and all other timber greater than four cubic metres in volume, without the correct permits from the RFD (RTG, 1941). Further, people were required to apply for a licence from an RFD officer to log or burn restricted timber and collect forest products (RTG, 1941). However, laws were mainly enforced only in areas surrounding forest concessions (Mekvichai, 1988).

From the 1890s to the 1960s, British companies held most forest concessions. In 1952 the government announced an end to all expiring foreign-held leases, coincident with the nationalization of the forest sector. All forest concession leases expired by 1960, and most were transferred to the state-owned FIO or state-owned Provincial Forestry Companies (Pye, 2005a). After this, the government further impeded local people's rights to harvest timber. The FAO played a significant role in supporting Thai forest governance development during this period (Vandergeest & Peluso, 2006). In 1961, following FAO's guidance, the government amended the Forest Act, prohibiting local people from harvesting timber on

forest land, essentially ending local people's legal rights to timber for domestic use (Vandergeest, 1996a). The government enacted the NRF Act in 1964 (replacing the 1938 Forest Protection and Reservation Act), enabling the RFD to declare any land as a reserved forest area with minimal consultations with local land occupants (Vandergeest, 1996a). Within NRF areas, no person has the right to hold or possess land, do logging or collect forest products without a licence from the RFD (Vandergeest, 1996a).

Whole or partially state-owned companies, including the state-owned FIO, held nearly 97% of forestry concessions by 1979, and forest concessions covered 39% of Thailand's total land area (Pye, 2005a). There was much abuse within the concession system; once logged, the concession areas were converted to timber plantations, agribusiness, or left as degraded forestland (Delang, 2005). Through logging, infrastructure development, and conversion for agriculture, forest cover was reduced from 53% in 1961 to 27% in 1989 (Lakanavichian, 2006). In January 1989, in response to citizen protests after a devastating landslide killed hundreds in the south, the government introduced a logging ban, ending the forest concession system in Thailand (Usher, 2009).

For over a hundred years, local people have had minimal formal opportunities to benefit from or partake in the forest sector (Mekvichai, 1988). Small-scale legal and illegal operations such as furniture making and wood-carving brought in some revenue for local villagers (Mekvichai, 1988). Occasionally local people were hired as wage labour for the logging companies, a few eventually making their way up to higher positions in the FIO. Mekvichai (1988) argues that although government revenue from concessions was significant, there was little reinvestment into local communities. Local villagers situated in the areas in or around

logging concessions often faced worse conditions than before due to the consequent environmental degradation. The logging firms also damaged roads and bridges passing through villages (Mekvichai, 1988).

4.4.2 Land rights within State Forest land at the beginning of EU-FLEGT negotiations, November 2013

By the end of the concession era in 1989, the RFD had declared 42% of Thai territory as NRFs. An estimated 8 to 15 million people were enclosed within State forest land (NRFs and protected areas such as National Parks and Wildlife Sanctuaries) (Hirsch 1990; Lohmann 1993). To provide 'landless' farmers residing within NRF with usufruct rights, the RFD established the Sor Tor Kor (STK) initiative in 1981 (legitimized under Section 16²⁰ of the 1964 NRF Act). STK certificates gave farmers cultivation rights to a maximum of fifteen rai (2.4ha) of NRF land per household on a five-year renewable basis, under the condition that land not be left uncultivated for two continuous years, and in some cases, sections of land were to be reforested (Vandergeest, 1996a). STK certificates were non-transferable except within a family. During STK's implementation, from 1982 to 1987, the RFD handed out STK certificates to 700,000 households covering "approximately 2% of Thailand's total land area" (Lakanavichian 2006, p. 13). In 1993 some STK land and certificates were transferred to the Agricultural Land Reform Office (ALRO) (13% of NRF had been transferred to ALRO by

²⁰ Section 16 of the 1964 NRF Act states that the RFD Director General may permit a person to utilize or live in a degraded areas of the NRF for not less than five but no more than thirty years. Land is to be limited to no more than 30rai (3.2ha) per family. The land is not to be utilized by someone who is not family. Land can be revoked if not utilized for more than two consecutive years. The RFD DG grant permission for a forest plantation if requested not exceeding 30 rai per family.

1995). In ALRO land households could apply Sor Por Kor usufruct certificates. Sor Por Kor certificates grant cultivation rights for 50 rai (8ha) of land (100rai/16ha if raising livestock) and are non-transferable except within a family and are still active today.

Due to the restrictions on cultivation practices, communities practising rotational agriculture, a traditional practice of some Indigenous Peoples, were ineligible for the STK/ Sor Por Kor scheme (Vandergeest, 1996a). The introduction of the Watershed Classification System in 1985, which separated all major watershed catchments into five classes based on topography, elevation, and slope (Laungaramsri, 2000b), placed further restrictions on Indigenous Peoples. Under the most stringent restrictions of the five Watershed Classes, Watershed Classes One and Two in upland areas coincided with the traditional territories of many Indigenous Peoples (Laungaramsri, 2000b). However, the state provides communities with varying degrees of support to implement reforestation or agricultural development projects through the local RFD, Department of Agriculture, and provincial and sub-district administrations (Durst, 2020).

4.4.3 A summary of timber rights at the beginning of EU-FLEGT negotiations, November 2013

In 2013 local people within NRFs in lowland areas (Watershed classifications Three to Five), who could provide evidence that their village had been established before 2014, could technically establish a timber plot under Section 16 of the 1964 NRF Act. Section 16 states that the RFD DG can grant permission for a forest plot if requested, not exceeding 35 rai (5.6ha) per household, with a land ownership certificate (individual or communal). Only local people with STK certificates could establish a timber plot; however, due to

complexities in timber harvesting rights and permitting procedures on NRF land, few, if any, harvested timber. Local people within NRFs in upland areas (Watershed classifications One and Two) or people who had settled anywhere in the NRF after 2014 (as per order National Council for Peace and Order No. 64/2557 and 66/2557) were prohibited from timber harvesting.

Government departments, state-owned enterprises (such as the FIO), and private logging enterprises were permitted to establish plantations and harvest unrestricted and restricted timber species within NRFs (171 species are listed on the Royal Decree on Restricted Timber Species 1987) and on other government-held public lands with the relevant land certificates and permissions (NEPCon, 2017). Plantations can be established under the Forest Plantation Act 1992.

Local people on other forms of public land, such as agricultural land (Sor Por Kor), must follow RFD's permitting processes to harvest restricted species but could harvest unrestricted timber species without a permit. Local people with a land certificate such as Sor Por Kor could also establish plantations. Private landholders could harvest any timber without applying for permission from the RFD, except teak, yang, and rosewood, which were under nationwide restrictions (according to Article 7 of the Forest Act) and could establish a forest plantation (NEPCon, 2017). Table 4 shows a summary of timber rights before EU-FLEGT in 2014.

Many actors perceived the tenure system and associated legal processes as overly complicated, which dissuaded greater participation in the forest sector (RECOFTC, 2018a); approximately 0.3% of the population is employed within the forest sector (FAO, 2020b).

The main domestically grown species are rubber, primarily grown by smallholders in the south (rubber is deemed an agricultural crop), teak and other hardwood species, primarily grown by semi-state-owned companies in the north, and eucalyptus, primarily grown by large companies and local farmers in the northeast, east, and west (Barney, 2005). Timber processing companies mainly import timber from abroad²¹.

Table 4: Timber rights before Thai EU-FLEGT VPA negotiations

Land type	Timber harvesting legal requirements for naturally grown or planted trees not under registered plantations*	Commercial plantation establishment legal requirements
National Reserved Forests - <i>Government departments and state-owned organizations</i>	RFD permits required to harvest restricted and non-restricted species.	Permits required Under the National Forest Reserves Act 1964, the Forest Plantation Act 1992. Permits are required to harvest all species under the Forest Act 1941.
National Reserved Forests - <i>Local people in Watershed Classes 3-5 before 2014</i>	RFD permits required to harvest restricted and non-restricted species. However, a certificate of land ownership (individual or communal) is required, and there is no clear guidance on harvesting.	Technically, possible to establish a timber plot if registered (not a plantation under the Plantation Act) under Section 16 of the National Forest Reserves Act 1964 – with a certificate of land ownership (individual or communal) – however, not widely practised due to lack of land certificates and complex permit processes. Permits are required to harvest all species under the Forest Act 1941.

²¹ From 2016- 2018, Myanmar and Malaysia, countries with widespread risks of illegality in their forest sector (NEPCon, 2020), were amongst the top five exporters of lumber and sawn wood to Thailand (Lawson, 2014)

Land type	Timber harvesting legal requirements for naturally grown or planted trees not under registered plantations*	Commercial plantation establishment legal requirements
National Reserved Forests - Local people in Watershed Classes 1 and 2	Logging not permitted under the Watershed Classification System and orders NCPO No. 64/2557 and 66/2557.	Can not establish a timber plot or plantation for commercial use.
Public land (except NRFs and protected areas) - Sor Por Kor **	No legal requirements to harvest unrestricted species. RFD permits required to harvest restricted species.	Permits are required under the National Forest Reserves Act 1964, the Forest Plantation Act 1992. Permits required to harvest restricted species under the Forest Act 1941.
Private landholders	No legal requirements for unrestricted species There are no legal requirements to harvest restricted species except for teak, yang, and rosewood, requiring RFD permits.	Optional under the National Forest Reserves Act 1964, the Forest Plantation Act 1992. Permits are required to harvest teak, yang, and rosewood under the Forest Act 1941.

* Forest Act 1941, NRF Act 1964, Watershed Classification System, The Royal Decree on Restricted Timber Species B.E. 2530 (1987) and the Royal Decree on Restricted Forest Products B.E. 2530 (1987), NCPO No. 64/2557 and 66/2557

** There are other forms of public land certificates outside of NRFs. However, Sor Por Kor is the primary type of certification. Durst (2020, 16) estimated that approximately "no less than seventeen different land ownership, use and possession instruments are potentially available to facilitate timber production, including on small-scale agricultural landholdings".

4.5 Results: Political logics of Thai EU-FLEGT VPA negotiations

In this section, I address the political logics of forging alignments— the logics of equivalence and difference – in Thailand's VPA negotiations from November 2013 until April 2021 to ascertain the ways in which the dominant governance structures pertaining to local peoples'

land and timber rights are challenged or further institutionalized and the ways in which dominant actors managed said challenges.

4.5.1 The logic of equivalence through rhetorical redescription: From illegal logging to the promotion of legal timber production and trade

The logic of equivalence focuses on how disparate actor groups unite under a common goal to advance political demands. This section illustrates how through rhetorical redescription, illegal logging was recast as a 'matter of technique' (i.e., rendered nonpolitical) to be addressed via forest sector reforms and promoting the trade in legal timber. I argue that this rhetorical turn facilitated the strategic alignment of disparate actor groups under the 'positive goal' of the growth of the domestic timber sector as opposed to the politically contentious term 'illegal logging'.

There are two main types of illegalities in Thailand's forest sector. First, the selective harvesting of high-value timber species in Thailand's remaining natural forests, commonly known as illegal timber smuggling (in Thai *Mhai Thuen* or *Tham Mhai Thuren*). Gangs colluding with government officers smuggle high-value timber out of Thailand, often through different supply chains than legally logged timber, to the Chinese and Vietnamese markets (DNP 2018; EIA 2014). News articles often report police, forestry officers, and other government officials' involvement in illegal timber smuggling (Laohong, 2014; Online Reporters, 2016; Post Reporters, 2021; The Nation, 2017, 2019). The term 'illegal timber smuggling' is also employed by government officers when referring to resource-dependent people who utilize timber from natural forests 'illegally' for subsistence purposes. There is a history of the RFD and government scapegoating local people for illegal timber smuggling

activities or forest conversion carried out on behalf of more powerful individuals or corporations (Delang, 2002; Laungaramsri & Malapetch, 1992; NEPCon, 2017).

The second type is logging in contravention of correct procedures and permitting processes established through laws and regulations (*Mhai thee phid god mhai*). This is viewed as a softer type of illegality than illegal timber smuggling. This type of illegality is associated with private sector actors or smallholders operating outside of natural forest areas, unable to follow Thailand's complex forest laws and permitting processes. Due to those perceived complexities, including land tenure processes (before recent reforms under EU-FLEGT), actors assumed that much of the timber harvesting within plantations or smallholder plots could be considered illegal by default (NEPCon, 2017; RECOFTC, 2018a). Domestically, legal complexity favoured private landholders, who are not subject to most forestry laws. Complexity also facilitated bribery as wealthy individuals paid government officers under the table to issue land documents, register plantations, and approve harvesting, while the permits of those who could not afford to pay are held up (NEPCon, 2017; RECOFTC, 2018a).

At the beginning of the Thai EU-FLEGT VPA negotiations, the Permanent Secretary of the MoNRE stated that (TEFSO, 2013):

The FLEGT VPA with the EU will increase Thailand's image in preserving natural resources in accordance with the international level, especially through the cooperation with the EU in promoting the trade in legal timber and timber products, eliminating illegal logging, and enabling all stakeholders to participate in this important process. (September 2013)

However, during Thai EU-FLEGT processes, the VPA's technical arrangements and rhetoric stemming from the EU-FLEGT technical experts condensed and redescribed the Thai government's stated initial goals of "preserving natural resources" and "eliminating illegal logging" (*Mhai Thuen*) as matters of technique (Li, 2007) to be addressed primarily via promoting the growth of the domestic timber sector and addressing illegalities arising from complexities in law (*Mhai Thee phid god mhai*). A representative from the EU-FLEGT Facility (EFI FLEGT Facility representative 1, February 2019) communicated to us that since Thailand banned the logging of natural forests in 1989 and regulations and enforcement structures regarding the harvesting of naturally growing high-value timber species in Thailand were relatively robust, "from a legal viewpoint, there was not much else that needed to be legally defined" in terms of the illegal logging of high-value timber species in natural forests. They continued that as this was the case, the role of the Thai VPA was to focus on clarifying timber legality for smallholders and promoting timber production. Following such logic, as opposed to addressing illegal timber smuggling directly, Thai VPA negotiations primarily focused on determining and verifying timber legality through a timber legality assurance system and imposing supply chain controls to reduce the amount of illegal timber in the legal supply chain.

However, such an opinion runs counter to a NEPCon 2017 *Timber Legality Risk Assessment*, which stated that:

Despite a nationwide logging ban and protected area networks, Thailand's remaining forests are increasingly threatened by pervasive illegal logging, and the major driver of this crime is the rosewood trade (EIA)... Although the Thai authorities are determined

to combat illegal logging and encroachment with increased funding from the government (EIA), the laws are not consistently enforced. Most of the arrests made have been of poor villagers, with a few low-level local public officials, while the rich or powerful are not prosecuted. It is no secret that influential individuals in Thailand own properties located in protected areas, or are in possession of protected flora and fauna (NationTV, VoiceTV). (p. 63).

The redescription of 'illegality' through the lens of 'legality' and 'the promotion of legal timber' pervaded VPA rhetoric, as highlighted in the quotations below from representatives of the EU-FLEGT Facility, FAO, government, and the private sector.

"Compared to most neighbouring countries, law enforcement (regarding illegal logging in Thailand) is strong. If you have a very strong enforcement agency, it is not so much your mandate (to address illegal logging of natural forests within the VPA). What is your mandate is the clarification and the production of a more conducive legal framework for smallholder participation (in the forest sector). This is a shift that Thailand now has taken. From a pure enforcement approach, they come to an approach to incentivize timber production, and through this, promote farmers to plant trees." (EFI FLEGT Facility representative 1, interview February 2019)

"... it is not like we are the FAO, and therefore we are involved in cracking down on illegal gangs, that is Interpol, but we are two sides of the same coin. We support countries to develop their systems to demonstrate legality for improved access. So,

we are promoting legal timber rather than stopping the illegal trade". (FAO representative 2, interview March 2019)

"The Kingdom of Thailand is committed to realizing the SDGs (Sustainable Development Goals) as it pertains to achieving better conservation and restoration of forest resources, as well as encouraging individuals to grow economically viable trees and maximize the sustainable use of forest land...Our negotiations with the EU have enhanced forest law enforcement and forest governance, strengthened sustainable and legal forest management in Thailand." (Deputy Permanent Secretary of the MoNRE, speech for third VPA negotiation, September 2020).

"It is good to understand the drivers of illegal logging. Firstly, people in rural areas do not have the resources or money to build houses, so it is easy to get timber from the forest. Second, some not-so-good people log illegally for money. On the other hand, there's a huge demand for timber, but the private sector mainly utilizes imported wood at a high financial cost. So, to prevent illegal logging, one must produce more legal timber domestically." (Private sector representative 2, February 2019).

I argue that all stakeholder groups may have readily accepted the depoliticization and rhetorical redescription of illegal logging as it served to open a narrative space for disparate actor groups to assert their political demands for reform under the common goal of "promoting the production and trade in legal timber" as opposed to the politically contentious term 'illegal logging'; i.e., the logic of equivalence. All six private sector actors interviewed perceived the law as overly stringent, creating illegalities by default as regulations were too

complex and created impediments to business and profits. The private sector's demands focused on opening further economic opportunities in Thailand and internationally (Table 5) (RECOFTC, 2018b; TEFSO, 2015a). Their demands closely aligned with government demands, which included increased trade opportunities, increased forest cover, and improved forest sector standards (Table 5) (RECOFTC, 2018b; TEFSO, 2015a).

Table 5: Summary of Thai EU-FLEGT actor groups' key demands for reform.

Government	Private Sector	CSO-FN
<ul style="list-style-type: none"> - Introduce timber auditing standards. - Increase forest cover in line with a 40% target under Thailand's National Forest Policy. - Increase trade opportunities with the EU and the competitiveness of timber products in international markets. - Improve Thai laws. - Align Thailand to international principles. 	<ul style="list-style-type: none"> - Facilitate international timber trade. - Increase future commercial opportunities. - Increase income from the same plot of land. - International legality recognition. - Added value. <p>More legally verified plantations.</p>	<ul style="list-style-type: none"> - Revert timber rights to smallholders and communities, create incentives and avenues for people to participate and generate income from forest resources. - Guarantee land tenure rights and rights for timber harvesting in all land categories equitably. - Develop a channel for communities and smallholders who have unclear and insecure tenure to harvest timber on their land legally. - Abolish or revise the laws and regulations that obstruct timber harvesting, inclusive of reforms that enabled the harvesting of planted (not naturally occurring) eaglewood (<i>Phialophora parasitica</i>) rosewood, teak, and yang (Article 7 of the 1941 Forest Act).

Source: (RECOFTC, 2018b; TEFSO, 2015a)

Further, the rhetoric recasting illegal logging through the lens of promoting legal timber provided a discursive opening for the CSO-FN to reframe the unjust accusations of illegal timber smuggling levelled at local peoples by the RFD and declare the law (the 1941 Forest Law and 1964 NRF Act) as an unjust obstruction to local peoples' rights to legal timber.

Three members of the CSO-FN highlight this discursive opening provided:

"In Thailand, before I participated in EU-FLEGT, I thought of illegal logging as the image of timber smuggling in the forest area by the government or local people.

When I participated in FLEGT, the way I understand it has changed. It is about the process of getting timber lawfully. When we (CSO-FN) participate, this issue is very important in driving the VPA process. It is about reforming access to timber and rights and most importantly putting more value on Indigenous Peoples in society, giving them the chance to participate in natural resource management which belongs to everyone in the world." (CSO-FN representative 1, March 2019)

"The main point is not that people are smuggling trees, but it is the injustice as the government has deprived them. That is the obstacle for timber trading because people have been deprived of their rights to timber by government officers. I discussed this issue with the EU since the very beginning...I think EU-FLEGT will bring justice to timber rights for people, not control deforestation." (CSO-FN representative 3, March 2019)

"It seems like the declaration of the law arrived after people had been living there (in the state forest land) and labelled people as illegal, as if they illegally settled in the forest. In fact, they lived in the area before. That is the consequence that makes them

part of the deforestation narrative, labelling them as timber smugglers. When local people can plant trees, they will be able to participate in FLEGT processes. It is something that local people have been asking for. In this, FLEGT will be useful for local people and groups of outsiders who are not rich and encourage them to participate in the timber management process." (CSO-FN representative 4, March 2019)

These quotes illustrate how CSOs, during multistakeholder negotiations, can strategically mobilize moments of rhetorical redescription and acts of depoliticization to challenge past narratives and, through doing so, assert their own political demands. Positing the law as an obstruction to timber rights enabled the six core members of the CSO-FN to challenge past narratives of local peoples' involvement in timber smuggling and demand reforms to tenure arrangements and timber rights for communities within NRFs (Table 5). The CSO-FN's demands are closely related to Thailand's Community Forest Movement, which has been advocating for rights for communities enclosed within state forest land since the 1980s including, land, resource, labour, citizenship, and human rights (Pye, 2005a; Wittayapak & Baird, 2018). The core CSO-FN members found partial alignment with the private sector actors when challenging the government to reform 'outdated' forestry laws. In doing so, the coalition successfully drove reforms that abolished the nationwide restrictions on harvesting, teak, yang, and rosewood (Forest Law 1941; Article 7).

In summary, the aligned thread of rhetorical redescription amongst the actor groups, as presented in this section's quotes, suggests that differing actor groups may strategically adhere to depoliticized rhetoric and technical processes under a common 'positive' project

goal (i.e., the logic of equivalence) if they perceive that doing so will advance their political demands. These findings are in alignment with previous studies that highlighted how a strategic coalition of "bootleggers" (the private sector) and "Baptists" (NGOs) might develop in support of legality verification if it serves their self-interest (Cashore & Stone, 2012; Sotirov et al., 2017).

4.5.2 The logic of difference: tenure and timber rights

Deconstructing the negation, adoption, or co-option of actors' demands during policy processes can illuminate challenges or adherence to hegemonic norms and structures of forest governance taking place through VPA negotiations - i.e., the logic of difference. Here, we focus on the demands of the CSO-FN concerning land and timber harvesting rights. Although arguably central to timber legality processes, government, and private sector actors succeeded at an early stage of the VPA negotiations in 'structuring the terrain of argumentation' and constructing the boundaries of negotiations – practices of rendering technical – to exclude discussions regarding local people's tenure. According to a CSO-FN representative, government actors were "unable to see the bigger picture of land rights within the VPA process" (CSO-FN representative 2, March 2019). More precisely, government and private sector actors were able to set the VPA agenda.

4.5.2.1 Tenure

In 2014, a sub-working group began to work on the legality definition VPA annex. The core CSO-FN members utilized the legality definition sub-working group as a platform to push for tenure rights on NRF land (TEFSO, 2014a, 2014b). However, in a 2015 legality definition meeting, a private sector actor dismissed discussions of land tenure reforms in the VPA sub-working group. They argued that a different platform should be established to reach an agreement between CSO-FN and the government on land tenure reforms (I discuss in the following paragraph how such a policy had already been established) (TEFSO, 2015b). Shortly after, the FLEGT Ad-Hoc Working Group on legality definition put aside discussions on tenure reforms on public land within VPA negotiation processes. From the perspective of a private sector actor, as quoted below, although somewhat overstated, the CSO-FN's resoluteness to discuss land rights would have impeded the development of the legality definition annex and the VPA.

"CSO-FN wants the government to give them free land, so they use this as a hostage during the beginning of negotiations. The CSO-FN said that we will always say no to the VPA if you do not give us free land. So how can this be a negotiation? It is a hostage. The CSO-FN does not listen, and they do not care, even about legality assurance. What they care about is if the government will give them the right to land ownership or not." (Private sector representative 1, February 2019)

Such a narrowing of the terrain of negotiations is in line with Howarth's (2009) findings that if actor groups were to accept that the current project goal is to 'promote the growth in the

domestic timber sector' as opposed to 'eliminating illegal logging', more 'radical demands' would immediately be ruled out.

The government had already begun instituting land reforms in parallel but separate from EU-FLEGT processes under the KTC communal land registration scheme. Communities within National Reserved Forests Watershed Classifications Three to Five who had settled in the NRF before 2014 are eligible for a KTC certificate. Communities wishing to apply for KTC in Watersheds One & Two (upland areas) face more severe restrictions. Communities in Watersheds One & Two are expected to reforest and protect 20% of the communal land if they had settled on NRF land before 1998 and 100% if settled between 1998 to 2014, compared to two trees per rai (0.16ha) (settled before 1998) and 50% (settled between 1998 to 2014) in classes Three to Five. Further, Indigenous Peoples practising rotational agriculture could be forced to alter their traditional livelihood practices under KTC (Thai PBS, 2019).

The core CSO-FN members continued to utilize EU-FLEGT platforms to advocate for further tenure reforms and express their concerns regarding the KTC scheme. However, as both key government and private sector actors had succeeded in suppressing discussions on tenure reforms within VPA negotiations from an early stage, there remained few tangible pathways to address land tenure concerns through the negotiations. It can be argued that the government employed a divide and rule tactic to ensure land reform processes were only discussed within platforms over which the government held complete control. This enabled government actors to cede to the Community Forest Movement's demands only to the extent

that they did not undermine dominant forest governance structures and left administrative processes, management practices, and land under government control.

4.5.2.2 Timber harvesting rights

Despite the lack of progress in pursuing tenure reforms, although the CSO-FN felt sidelined, they deemed it beneficial to continue involvement in VPA negotiations to campaign for timber harvesting rights for smallholders within public land, including agricultural land (i.e., Sor Por Kor certificate holders) and NRFs (i.e., KTC certificate holders and those without). According to KTC policy, lowland communities (Watersheds Three to Five) who hold a KTC certificate can establish commercial timber plots (under Section 16 of the NRF Act). However, a pilot study in 2016 found that the current timber legality processes on KTC land were complex and lacked regulatory clarity (RECOFTC, 2018b). If communities settled in the NRF before 1998, there are no clear guidelines on timber harvesting; however, it is permitted through KTC regulations. If communities settled in the NRF after 1998 and before 2014, they are permitted to establish a timber plot as a community-based enterprise or an official group; however exact legal procedures have yet to be established.

For communities in upland areas (Watersheds One and Two), timber harvesting remains illegal, even if community members plant timber trees on degraded or cultivated land. The government (the National Legislative Assembly) also passed the CF Act in 2019. The CF Act states that communities can only manage forested land for forest rehabilitation and subsistence purposes, including harvesting timber, but not for commercial use. The CSO-FN lobbied to reform timber legality processes on KTC and CF land. In a meeting with the EU delegates held prior to the Second VPA negotiation to gather understanding in July 2018, the

CSO-FN brought up "major concerns" regarding the complexities of timber harvesting processes on KTC and CF land, pointing out that the pilot studies showed that it would be almost impossible to conduct harvesting operations.

The CSO-FN also lobbied for the inclusion of KTC certificates in the timber legality framework of the VPA. In January 2018, the legality definition sub-committee agreed to include KTC in the legality definition annex (TEFSO, 2018). However, the draft legality definition annex (August 2020) or draft supply chain controls annex (March 2021) had no explicit references to the KTC certificate. In other words, the VPA Coalition, thus far, has set aside the sub-committee's decision.

At the time of the research, the only concrete legal mechanism for communities with KTC certificates (Watersheds Three to Five before 2014) to plant trees and harvest timber is through obtaining a Por Sor 23 certificate (under Section 16 of the 1964 NRF Act). This process is labyrinthine and centrally administered. A Por Sor 23 certificate enables smallholders to lease NRF land for five years (extendable up to 30 years) for livelihood, agriculture, and livestock purposes. According to the draft legality definition annex (August 2020), Por Sor 23 certificates are issued by the RFD DG. RFD's approval is again required for planting timber plots within Por Sor 23 (plantations under the Commercial Forest Plantation Act are not permitted) (Durst, 2020). Further, a harvesting permit must be issued by either a Provincial Governor (for unrestricted species), the RFD DG (for restricted species category A), or MoNRE in Bangkok (for restricted species category B), followed by payment of royalties to an RFD office (for restricted species) (draft supply chain controls annex March 2021; draft legality definition annex August 2020).

Essentially timber legality processes for local people within NRFs to date (April 2021) remain unchanged throughout EU-FLEGT's interventions and processes. Moreover, the current complexity and centralization of timber legality processes on KTC land may make it extremely difficult for smallholders to establish and profit from timber on KTC land. However, as these are ongoing processes, the draft legality definition and supply chain controls annexes may provide additional clarity for the marginalized smallholders and Indigenous farmers wishing to negotiate rights to plant and eventually harvest trees on NRF land. Further, the CSO-FN will continue negotiating with the government through the VPA negotiation and implementation processes and other domestic platforms for future reforms. Communities that establish a CF will be legality permitted to harvest timber for domestic use, although the guidelines for such processes have yet to be drawn up.

VPA negotiations advanced reforms for smallholders' timber access on other forms of public land (i.e., not NRFs), which hold the potential of opening the timber sector to new actors. Nevertheless, difficulties may remain for smallholders to comply with Thailand's timber legality framework (Buhmann & Nathan, 2013; Hajjar, 2015; Setyowati & McDermott, 2017). In contrast, the private sector has the least regulatory barriers to timber access of all the groups (Gritten et al., 2015). Further, VPA negotiations led to new regulations, which may increase the interactions between the RFD with private landholders and smallholders, possibly creating new pathways for bribery and further illegalities and corruption in the forest sector (Fishman & Obidzinski, 2015; Sundström, 2016). Table 6 summarizes timber harvesting rights for different social actors.

Table 6: Timber harvesting rights and processes as outlined in the Thai VPA legality definition Annex (Draft August 2020) and supply chain controls Annex (Draft March 2021)

Land type	Timber harvesting legal requirements for naturally grown or planted trees	Commercial plantation establishment legal requirements
<p>National Reserved Forests - Government departments and state-owned organizations</p>	<ul style="list-style-type: none"> - Administrative agency or state organization - When rough logs must be logged and taken out of the permitted area and inform a Provincial Governor. A Provincial Governor checks that the area is consistent with the permitted area with a project or a land-use plan. An RFD officer further checks the area. - FIO - Notification on informing FIO to conduct logging with an inventory of selected trees to harvest with Provincial Governor or RFD DG, payment to RFD. 	<p>Applicable under the National Forest Reserves Act 1964, the Forest Plantation Act 1992, the Forest Plantation Act (No. 2) 2015 (permits plantations of fifty-eight timber species) - registered at the provincial level. RFD or Provincial Office of Natural Resources and Environment (PONRE) officer issues a letter acknowledging permissions for timber harvesting from registered plantations (Sor Por 13).</p>
<p>National Reserved Forests - Local people in Watershed Classes 3-5 before 2014</p>	<ul style="list-style-type: none"> - Por Sor 23 permit required. (Potentially need a KTC or STK certificate; however, this has not been specified) - Harvesting permits issued by Provincial Governor (for unrestricted species), the RFD DG (for restricted species category A), or MoNRE in Bangkok (for restricted species category B) -However, there is no clear guidance on harvesting. 	<ul style="list-style-type: none"> - Settled in the NRF before 1998: Possible to establish a plantation, but there is no clear guidance. - Settled in the NRF between 1998-2014 Technically, possible to establish a timber plot if registered as a community-based enterprise or official group (not a plantation under the Plantation Act) under Section 16 National Forest Reserves Act 1964 – However, there is no clear guidance.

Land type	Timber harvesting legal requirements for naturally grown or planted trees	Commercial plantation establishment legal requirements
National Reserved Forests - <i>Local people in Watershed Classes 1 and 2</i>	<ul style="list-style-type: none"> - Logging not permitted under the Watershed Classification System and Forest Act 	Can not establish a plantation
Public land (except NRFs and protected areas)	<ul style="list-style-type: none"> - Sor Por Kor certificate, or alternative land rights certificates - For restricted species: harvesting permits issued by the RFD DG (for restricted species category A) or MoNRE in Bangkok (for restricted species category B) - For unrestricted species voluntary option, however, must obtain one to comply with transportation regulations: <ul style="list-style-type: none"> o Option 1: Local RFD or Local Bureau of Forestry Resources Management (LBFRM) officer can check the land and timber, and upon verification, the Provincial Governor will issue a transportation permit. o Option 2: Submit a request for timber certification to the LBFRM, local forestry centre, or the local forest protection and development unit. RFD officer verifies the request then the RFD DG issues a timber certificate. o Option 3: self-certify timber. 	Applicable under the National Forest Reserves Act 1964, the Forest Plantation Act 1992, the Forest Plantation Act (No. 2) 2015 – register with provincial. RFD or PONRE officer issues a letter acknowledging permissions for timber harvesting from registered plantations (Sor Por 13)

Land type	Timber harvesting legal requirements for naturally grown or planted trees	Commercial plantation establishment legal requirements
Private landholders	<p>For unrestricted species voluntary option, however, obtaining will ensure one compliance with transportation regulations.</p> <ul style="list-style-type: none"> ○ Option 1: Submit a request for timber certification to the LBFRM, local forestry centre, or the local forest protection and development unit. RFD officer verifies the request then the RFD DG issues a timber certificate. ○ Option 2: Self-certify timber. 	<p>Applicable under the National Forest Reserves Act 1964, the Forest Plantation Act 1992, the Forest Plantation Act (No. 2) 2015 – register with provincial. RFD or PONRE officer issues a letter acknowledging permissions for timber harvesting from registered plantations (Sor Por 13).</p>

4.6 Discussion and conclusion: Political logics and anti-politics

The examination of the logic of equivalence in Thai EU-FLEGT VPA negotiations finds only partial alignment with scholars who have argued that EU-FLEGT's multistakeholder processes produced new coalitions and reshaped national forest discourse (Beeko & Arts, 2010; Leipold et al., 2016; Overdevest & Zeitlin, 2014). I show how, through the act of rhetorical redescription, the VPA process depoliticized illegal timber smuggling, closing down the debate over what should be addressed through the Thai EU-FLEGT VPA. This aided in opening space for the disparate actor groups to find moments of equivalence away from a discursive narrative that scapegoated local people for illegal timber smuggling and implicated government bureaucracies. At the same time, the discursive turn away from 'illegal logging' toward 'promoting legal timber' provided the CSO-FN opportunity to engage with government actors and to advocate for local peoples' timber rights, which was unprecedented.

However, by examining both the logics of equivalence and difference, the findings show less alignment with more favourable assessments of EU-FLEGT's multistakeholder processes that argued negotiations changed power relations "in favour of so-called fringe actors" (Beeko & Arts, 2010, p. 221), and "radically altered the negotiating and policy-making landscape" (Bollen & Saskia, 2013, p. 15). The findings illustrate that through the narrowed rhetoric of 'promoting legal timber', government actors, and to some extent private sector actors, successfully utilized the VPA as a political tool to structure the terrain of negotiation, determining which demands of the CSO-FN to cede to and which to negate. This rendered technical and severely impeded the CSO-FN's demands for tenure reforms and timber rights.

Consequently, the CSO-FN were disciplined in the Foucauldian sense within the VPA framework, constrained from challenging Thailand's dominant forest governance structures. Similarly Setyowati & McDermott (2017) illustrated how corruption and forest tenure were largely structured out of Indonesia's timber legality assurance system (SVLK).

Essentially, I argue that VPA processes played a role in rendering illegal logging and tenure rights a technical issue while providing the façade of a level playing field for negotiations where all actors' demands 'have the possibility of being attained'. Comparably Maryudi et al. (2020) show the VPA's supposedly level playing field to be a façade as stakeholder engagement in Indonesian and Ghanaian negotiations favoured certain NGOs and larger operators over small and medium operators. Unless drastic reforms for timber rights occur in Thailand, local people enclosed within state forest land will continue to face barriers to participating in the forest sector (Larson and Ribot, 2007; Gritten et al., 2015). There are possibilities for the CSO-FN to lobby for further reform to tenure and timber rights and access during the ongoing negotiations and implementation of the VPA and other policy platforms. At the same time, there is the risk that the government will not be open to discussing further reforms once the VPA negotiation process is finalized.

Fundamentally, the findings demonstrate that the Thai VPA negotiations largely simulated the uneven and inequitable historical construction of forest governance which favoured government and private sector actors, and sustained regulatory impediments to redressing local people's land and timber rights (Laungaramsri, 2000b; Peluso & Vandergeest, 2001; Vandergeest, 1996b). Thai VPA negotiations prioritized timber legality verification systems reforms, which may have limited impacts on illegal logging in natural forests (EU, 2020),

above resource-dependent peoples' rights to land and resources. This confirms Myers et al. (2020) and Rutt et al.'s (2018) findings that the central logic of EU-FLEGT is market-driven.

Finally, I confirm Rutt et al.'s (2018, p. 271) conclusion that an alternative and novel approach to forest governance is required, and which has not yet been delivered by trade- and market-centred international or bilateral initiatives such as EU-FLEGT. Such approaches need to centre on addressing the embedded inequalities inherited from the colonial era. A true levelling of the playing field is required that would open a space for communities to self-govern their customary territory, protected by robust land tenure arrangements. The European Union is well placed to use its platform and clout in the service of human rights and tenure reform in Thailand.

Chapter 5: Conclusions

This dissertation has argued that illegal logging should not be defined as a *thing* – as it is framed in the forest policy literature and international governance arena – but rather as a discursive construction concerned with the appropriation of, and continual reproduction of boundaries and rules over, land and resources, congealed and (re)produced through material, discursive, and ideological practices and processes imbued with power relations inclusive of state-capital and territorial relations, sovereign power, processes of marginalization and resistance. Central to the analysis of illegal logging, drawing on Agamben (1998) and PDT, this dissertation showed that state institutions set the accepted norms and exceptions of forest governance. During the 20th century, wealth from forest resource extraction was increasingly concentrated in the hands of political networks situated within state bureaucracies. Forest laws and civilizing ideologies legitimized forest exploitation and state territoriality and, in doing so, dispossessed rural communities of their rights to harvest timber restricted Indigenous Peoples' livelihoods through coercive and disciplinary means.

Territoriality's originary violence continues to reproduce through the ongoing legitimization of Thailand's State forests. NRFs in Thailand have become a zone of exception where the inside and outside, state norms and their exceptions, are indistinguishable. NRFs are ruled both by the logics of state territoriality, civilization and the law, and their exceptions, appropriation, savagery, and violent dispossession. I, therefore, argue that political-legal institutions act as a veil for the operations of the dark side of the state: forest exploitation perpetuated by powerful actors from the bureaucracies, military, and private sector (such as *jao pho* and CP); the production of inequalities in land and timber rights through forest

governance; and the spatialized marginalization and enclosure of Indigenous Peoples through forest territorialization and related violent dispossession. Further, I argue that the focus on 'illegal logging' through the EU-FLEGT programme in Thailand enabled dominant state and private sector actors to determine the boundaries (norms and expectations) of the VPA agreement, which further obscured and rendered banal the dark side of the state. In sum, I argue that the maintenance and (re)production of Thailand's forest territory and related civilizing efforts obscure and render banal the enactment of sovereign power by state actors and affiliates and the resultant violent dispossession of Indigenous Peoples.

In this concluding chapter, I first delineate the research contributions and summarize key findings from Chapters 2-4 (Section 5.1), followed by relevant policy insights and recommendations (Section 5.2). I then acknowledge any limitations (Section 5.3) and outline future research directions (Section 5.4).

5.1 Research contributions and key findings

The findings of Chapters 2-4 contributed to the scholarship that asks us not to take illegal logging at "face value" (McElwee, 2004; To, 2015; To et al., 2014). As I outline below, this dissertation expands on the scholarly literature that urges an emphasis away from law and the term 'illegal logging', and toward more nuanced understandings and an interrogation of the dynamics that drive deforestation, forest degradation, and broader inequalities (McElwee, 2004; To, 2015; To et al., 2014).

5.1.1 Chapter 2: Examining illegal logging at the national scale

I identified a lacuna in the scholarship of forest governance in Thailand concerning the links between illegal logging and political 'corruption'. The forest policy definition of illegal logging employed by EU-FLEGT is anchored in modernization theories of 'new states' governed through state bureaucracies and a centralized judicial system. This chapter interrogated the dichotomy between 'legal logging' and 'illegal logging' by drawing on Marxian-based corruption conceptions, examining both as constitutive components of capital relations/accumulation by dispossession. Corruption is understood as "a normal means to enable the release and commodification of resources for market exchange" (Doshi and Ranganathan, 2019, p. 444).

First, a chronological tracing of the political economy of forest governance at the national scale from the 1800s to 2021 confirmed theorizations that a state's material and discursive forms – central government, bureaucracies, military, laws and policies – "represent the crystallization of power relations among" social and economic forces (Perreault, 2020, p. 228). In Thailand, individuals gained access to state institutions through their existing links to nobility, military, civil or law schools, patronage networks, or business wealth. Political faction leaders utilized their positions to access legal and illicit rents, further confirming their patronage networks. State institutions became "a stage on which struggles over capital accumulation" played out (Meehan & Molden, 2015, p. 444). Logging in Thailand throughout the 20th century was predominantly appropriative, enriching the powerful while creating and maintaining the rural poor through a lack of reinvestment in provincial areas, a

lack of substantive usufruct land rights for communities enclosed within state forest land, and dispossession of local peoples' timber harvesting rights.

Second, this chapter confirms similar articles on forest exploitation in Cambodia (Cock, 2017; Le Billon, 2002), Madagascar (Remy, 2017), India (Robbins, 2000), and Vietnam (McElwee, 2004) that argue forest exploitation or 'illegal logging' is undertaken by robust actor networks associated with state institutions. For example, the chapter confirms Le Billon's (2002) findings in Cambodia that logging can provide a revenue source for political patronage networks and, in doing so, contribute toward the "institutionalization of capitalism" (p. 581). Further, it confirms Remy's (2017) findings that individuals can gain political influence and a pathway to central government via illicit logging revenue and networks.

Third, conceptualizing illegal logging as an ordinary constitutive component of the capital relation (Doshi & Ranganathan, 2019; Harvey, 2003) confirms and extends Robbins (2000) theorizing that illegal logging "is capital accumulation by other means" and an "illegal extension of capital's control of nature through the state" (p. 431). Robbin's (2000) theorizing is extended by interrogating the dichotomy between 'legal' and 'illegal' logging. The chapter showed that timber harvesting laws primarily existed on paper alone and, when enforced, mainly targeted local people rather than powerholders. Therefore, I argued that whether juridically legal or not, logging should be viewed as an ordinary, indeed normative, component of the capital relation imbricated within robust state structures and facilitated through natural resource misgovernance.

5.1.2 Chapter 3: Examining illegal logging at the local scale

This chapter showed how deforestation and forest degradation practices are structured through localized subjugation and violent dispossession. First, the findings confirmed research determining that the reproduction of forest enclosures can reinforce and reconstitute historical constructions of social-nature relations relating to constrained livelihoods and engendering violence (Dressler & Guieb III, 2015; Peluso & Lund, 2011). I explicitly demonstrated that as the originary and ongoing moments of territoriality intersect with primitive accumulation and its linked production of capital, they (re)produce expanding forms of violent dispossession.

The displacement of the Karen Pwo community of Ban Mali and their subsequent enclosure within an NRF in 1974, under which they lacked substantive usufruct rights, resulted in livelihood constraints and vulnerabilities. Initially, the Karen villagers were simultaneously incorporated and dispossessed through maize cultivation for CP and usury, which resulted in ongoing forest encroachment. True to Sack's (1986) determination that the maintenance and governance of territory is an ongoing process that requires the continual (re)production of boundaries and rules (Sack, 1986), in 2014-2019, a Thai QUANGO, working alongside local bureaucracies, implemented a project that engendered the (re)production and reinforcement of forest territory and its civilizing efforts through coercive and disciplinary means. The moment of extended territorialization reinforced and reconstituted the originary violence and historical material, discursive and ideological means of resource appropriation, which further constrained the livelihoods of villagers no longer able to extend their maize plots or to partake in the emerging tourist economy. Consequently, logging for illegal timber smuggling

gangs remained one of the few options for those villagers to gain additional income. Illegal timber smuggling engendered not only the violence of forest degradation, but also increased the risks of meth addiction as the smuggler bosses supplied meth, rendering an estimated majority of loggers effectively forced labourers, logging to support a meth addiction.

Second, this chapter contributed to discussions on the role of sovereignty, constituted as the enactment of sovereign power via territorial processes and civilizing efforts, in the (re)production of violence in political forests through ongoing territorialization practices that are necessarily historical. This chapter argued that the territorial enactment of sovereign power, via state and quasi-state actors, (re)produced the Karen villagers as the embodiment of bare life simultaneously bound by law and abandoned by it. This chapter attempted to extend the political forests scholarship by explicitly delineating the role of sovereign power in the (re)production of violence in political forests. Drawing on Springer's (2013) *trilateral of logics* framework – through a poststructuralist-meets-anarchist stance and a dialectic approach – I proposed a mutually reinforcing trilateral of logics for political forests, forest territory, civilization, and governance – immutably bound to their respective exceptions – appropriation (primitive accumulation), savagery and violent dispossession.

First, I reviewed the history of the production of Thailand's forest territory conjoined to the marginalization of upland Indigenous Peoples through civilizing efforts. The review delineated the marginalization and enclosure of upland Indigenous Peoples through state and forest territorialization processes. Then through the case study of extended territorialization in Ban Mali, justified through the civilizing logic of conservation projects via neoliberal logic, I showed how the reproduction of forest/sovereign territory resulted in the

reproduction of the originary violence of resource appropriation, imbricated with primitive accumulation, engendering violent dispossession via increased state surveillance, forced labour and drug addiction. The implications of the trilateral of logics show that a state's material, discursive and ideological forms, enacted territorially, facilitate the performance of sovereign power via coercive and disciplinary means resulting in the subjugation of marginalized peoples and the (re)production of bare life. Therefore, I concluded that the originary and ongoing sovereign territorial violence is structured through Thailand's political forests and rendered banal through the normative constitution of juridical-institutional power and its civilizing efforts.

5.1.3 Chapter 4: Examining illegal logging discourse through policymaking

This chapter contributed to the literature on the political ecology of resource access (Larson and Ribot, 2007; Gritten et al., 2015) and EU-FLEGT. While some scholars argue that EU-FLEGT led to more accountability within forest governance processes in partner countries (Beeko & Arts, 2010; Dooley & Ozinga, 2011; Overdevest & Zeitlin, 2014, 2018), others argue that EU-FLEGT perversely reinforced existing inequitable power relations favouring dominant actors (Myers et al., 2018; Setyowati & McDermott, 2017; van Heeswijk & Turnhout, 2013; Wodschow et al., 2016). Through employing a PDT analysis, this chapter provided a critical examination of i) the ways in which Thailand's national forest governance structures pertaining to (in)equity in access to land and timber rights are further confirmed or challenged through VPA negotiation processes; and ii) the political logics through which VPA negotiations may render political struggles pertaining to land and timber rights 'technical' or 'nonpolitical'. This chapter responded to a call by Derous and Verhaeghe (2019)

to further examine the dynamics of power within VPA processes. Merging PDT analysis with the work of the anti-political provided further nuance and articulation to the ways in which hegemonic discourses and practices are further institutionalized or challenged via multistakeholder policy negotiations.

First, this chapter found how, through the act of rhetorical redescription, the VPA process depoliticized, or rendered technical, the issue of illegal timber smuggling. This opened space for actors to find moments of equivalence, enabling the CSO-FN to redescribe past narratives that branded local people as illegal loggers and join with the private sector to call upon the government to reform forest governance. In confirmation of scholarship from Beeko & Arts (2010), Dooley & Ozinga (2011) and Overdevest & Zeitlin (2014, 2018), this chapter showed that Thai EU-FLEGT provided an opportunity, which was unprecedented, for the civil society actors to engage with government actors and advocate for local peoples' timber rights.

However, Thai VPA processes rendered illegal logging and timber rights a technical issue which provided the façade of an even playing field for negotiations. Consequently, through divide and rule tactics, government actors and private sector actors dominated the negotiations and successfully structured the terrain of negotiation, determining which demands of the CSO-FN to cede to and which to negate. As a result, the CSO-FN demands for tenure and timber rights were severely blunted. In confirmation of scholarship from Myers et al. (2018), Setyowati & McDermott (2017), van Heeswijk & Turnhout (2013) and Wodschow et al. (2016), I showed that fundamentally, the Thai VPA negotiations largely simulated the uneven historical construction of forest governance which favoured

government and private sector actors and sustained regulatory impediments to local people's land and timber rights and access

5.2 Policy insights and recommendations

Eighteen years after the launch of EU-FLEGT, the European Union has accumulated a range of experiences with VPA processes in fifteen countries. The Thailand case confirms the value and efficacy of the multistakeholder negotiation process, which opened a space for civil society actors to challenge the narratives that branded local people as illegal loggers. The VPA negotiations also provided a platform for civil society to discuss local people's customary timber rights with government actors, which was unprecedented. EU-FLEGT has also provided funding to increase the capacity of specific civil society organizations. Therefore, it is recommended that EU-FLEGT and future international forest governance initiatives continue to support the convening of multistakeholder dialogue amongst civil society, government, and private sector actors.

Powerful national actors continued to dominate Thai EU-FLEGT VPA negotiations, which severely blunted civil society's influence, demands and impacts. Thai CSOs should be supported in their advocacy for their tenure and timber rights through VPA negotiations and implementation. The EU and FAO should provide more funding and technical assistance opportunities to develop a regulatory framework for timber harvesting for communities with KTC certificates. Further, the EU should support as best as possible the broad-based movements for democracy that reject the continuing military rule in Thailand and use their privileged position to advocate for civil society positions more strongly.

In the short run, the EU could insist on transparency and accuracy in recording the decision-making process at every level. This appeared to be a priority at the beginning of Thai VPA negotiations. However, currently (2021), all minutes of meetings have recently been removed from the TEFSO website. The VPA Coalition (TEFSO) should be required to provide detailed records of the process and rationale for setting aside decisions of sub-working groups. Further, safeguards must be put in place for future internationally driven initiatives to incorporate civil society demands into programmes. This may take the form of a minimum non-negotiable equitable/human rights requirement to strengthen rural communities' tenure and resource rights. I also suggest that all initiatives undertake a safeguard analysis before and during implementation to determine potential points at which rural communities' rights may be further restricted, or their demands for land and resource rights are unaddressed.

Further, this dissertation's findings suggest that the slight modification of existing forest governance focused on questions of legality through market-based approaches is not likely to significantly reduce deforestation and forest degradation (including the logging of high-value timber species in natural forests). Failure to provide tenure security and resource rights for rural communities (including Indigenous Peoples) may lead to further dispossession, and inequity as government actors and larger private sector organizations continue to dominate through uneven regulations and ongoing social relations, which can result in deforestation/forest degradation.

There is growing pressure to phase out EU-FLEGT processes and focus more on legislation for forest risk commodities. Therefore, I suggest that efforts to tackle deforestation/forest degradation should ensure root political and economic causes are directly addressed through

an equity and community-centred approach – as opposed to a market-centred approach that focuses on supply and demand. Such an approach should put tenure security for rural communities and increased resource rights at the heart of their initiative while also creating opportunities for self-governance. This would place civil society as key affected stakeholders on par with governments and the private sector. In the Thai EU-FLEGT process, civil society actors were too readily sidelined by the government as discussions on tenure rights or a further focus on timber harvesting regulations on community land were determined to be too cumbersome to be addressed in that forum.

5.2.1 Summary of policy recommendations

EU-FLEGT VPA Thailand

- Civil Society should continue to advocate for their tenure and timber rights through VPA negotiations and implementation.
- EU and FAO should provide more funding and technical assistance opportunities to the RFD and Civil Society Organizations to develop a regulatory framework for timber harvesting for communities with KTC certificates.
- The EU should support as best as possible the broad-based movements for democracy that reject the continuing military rule in Thailand and use their privileged position to advocate for civil society positions more strongly.
- The EU should insist on transparency and accuracy in recording decisions at every level.

- The VPA Coalition should be required to provide detailed records of the process and rationale for setting aside decisions of sub-working groups.

Future forest governance initiatives

- Continue forums for multistakeholder dialogue amongst civil society, government, and private sector actors.
- Safeguards must be implemented to ensure civil society demands are incorporated into programmes. This may take the form of a minimum non-negotiable equitable/human rights requirement to strengthen rural communities' tenure and resource rights.
- Organizations leading forest governance initiatives should provide opportunities for independent consultants to conduct a safeguard analysis both before and during implementation to determine potential points whereby the rights of rural communities may be further restricted or demands for land and resource rights are unaddressed. Results from any analysis should be readily disseminated to all affected and concerned stakeholders for comments and their recommendations on how best to improve the initiatives. Such recommendations after consultation should be incorporated into the initiative's activities.
- Efforts to tackle deforestation/forest degradation should ensure that root political and economic causes are directly addressed through an equity and community-centred approach. Such an approach should put tenure security for rural communities and increased resource rights at the heart while also creating opportunities for self-

governance. This would place civil society as key affected stakeholders on par with governments and the private sector.

5.3 Limitations

I have identified four limitations to the chosen methodological approach, and address limitations that follow from my focus on the state level. The first relates to positionality. As noted in Section 1.5.2, through a poststructuralist lens, objectivity of both the research participants and the researcher is not possible – given that discourse is structured through relations of power and knowledge (Foucault, 1995; Weedon, 1987). Therefore, I bring prior knowledge and bias to the data analysis and interpretation. These have been noted in Section 1.5.2, including bias toward state actors, resource-dependent peoples, and internationally driven forest governance initiatives. To enhance the validity of my findings and interpretations, for Chapter 3, I presented a summary of my data interpretation to six individuals in Ban Mali. I then cross-checked the interpretation with two members of an international NGO working in resource management and my partner NGO, RECOFTC. Their input contributed to my emerging interpretation of the data and subsequent theorization of the findings. Further, I triangulated varying sources from the published record, including grey literature and news articles, to support the data and arguments. For Chapter 4, I shared the chapter with three people at RECOFTC involved in the Thai EU-FLEGT initiative to ensure the accuracy of the information provided and gain further input into interpreting the findings.

Second, concerning Chapter 4, my partnership with RECOFTC might have shaped the participants' responses. There is a possibility that some participants skewed their answer for a RECOFTC perspective which focuses on forest people's rights. To further enhance the

validity of my findings and interpretation, I relied not only on the interviews but also on participant observations of the EU-FLEGT initiative from Bangkok and the documents outlined in Appendix D.

Third, as I only have a basic grasp of Thai, I collaborated with a Thai translator to conduct the field research. It should be acknowledged that translation efforts are bound to retain a level of the translator's interpretations and some misinformation. I employed several strategies to minimize this potential. Before the fieldwork, I ensured that the translator clearly understood the research topic and thematic areas. During the fieldwork, we worked closely every day and held daily meetings to reflect on the day and any interviews held or observations that took place. We worked together to ensure the accuracy of translations and in understanding the interpretation of specific keywords.

Fourth, I intended to travel to Thailand in April 2019 to share the dissertation's preliminary findings with the CSO-FN so that they might use the information toward lobbying for change through the EU-FLEGT initiative and beyond. Further, I intended to utilize any feedback in further data interpretation. Due to the COVID-19 pandemic, this was no longer possible. However, I managed to share preliminary findings with RECOFTC, hoping they could use novel findings to advocate for forest people's land and resource rights. Beyond this, the dissertation's findings have yet to be disseminated to affected actors. This limitation can hopefully be rectified in my work beyond the Ph.D.

There are limitations in taking the state as a focal point of analysis. This dissertation does not cover regional and international trade and supply chains and their impacts on maize cultivation, forest encroachment and the harvesting of luxury timber species. This limits

nuances and potential analysis of the impacts of international organizations and international trade on national and local political and economic dynamics. However, a conceptual focus on the state revealed sovereignty's role in perpetuating inequalities and violent dispossession, which are under-represented in the political ecology scholarship. Adding an international layer could further articulate how ongoing imperialist ideologies and trade systems operate through national sovereignty. As such, further analysis of international structures is a future research direction.

5.4 Future research directions

I identify four future research directions that arise from this dissertation's ethnographic findings and analyses.

First, the research undertaken in Chapter 3 could further explore the dynamics of gender and sovereign power, specifically how different genders encounter and experience varying forms of sovereign violence. This follows from recognizing that most methamphetamine users and illegal loggers were male. Further, this leads to questions drawn from feminist approaches as to how different genders embody and experience sovereign power/violence enacted through the territorial efforts to maintain political forests. Further ethnographic research could explore such questions.

Second, there is a lacuna in the literature regarding narcotics use resulting from the territorialization of political forests. The links between alcohol use and power relations are discussed in the wider political ecology literature (Herrick, 2012; Lawhon, 2013), and the political forests literature identifies that drug traffickers drive deforestation (Devine et al.,

2020). Although Chapter 3 identifies that narcotics use can be attributed to sovereign violence, further ethnographic research will add nuance and understanding to the phenomenon of addiction within political forests and how it is imbricated within power relations and acts of resistance. Ethical considerations regarding researching such an issue will have to consider the ability to acquire informed consent from individuals suffering from addiction. Spending an extended period in the field to build relations with narcotic users and ensuring that research findings are utilized to their benefit would go some way to limiting harm. Further, one would require talking to health professionals in the locality and any social services to provide people with additional help if requested.

Third, the trilateral of logics framework presented in Chapter 3 leaves little space for discussions on resistance or dominance-resistance power relations, as the focus is on sovereign power and the production of bare life. I maintain that such a theorization in political forests is merited, as it recognizes that political forests and their ongoing territorialization efforts in Thailand continue to impose sovereign violence. However, future research might expand this framework to draw together understandings and typologies of resistance identified in the political ecology and literature. Research – either through systematic literature reviews or further ethnographic research – examining the ways in which communities in NRFs challenge, ignore, subvert, or transgress sovereign power could look to provide nuance to the imposition of sovereign power/bare life through Thailand's forest landscape. This research could also examine how resistance is discussed in the broader literature concerning Agamben's thesis on sovereign power/bare life.

Fourth, the Thai EU-FLEGT research focused on the VPA negotiations. After the VPA has been signed and ratified between the EU and the Thai government, there will be a VPA implementation period. Future research could examine how inequalities are further entrenched, challenged, or resisted through forest governance reforms implemented following the VPA negotiations.

5.5 Conclusion

In summary, this dissertation has shown that the EU-FLEGT VPA in Thailand thus far has failed to address structural inequalities in Thailand's forest governance and is not likely to curb deforestation or forest degradation. The continued failure of internationally driven initiatives to address the root causes of forest degradation enables the continuation and strengthening of violent dispossession of Indigenous Peoples. Governments and internationally driven initiatives must put rural communities and Indigenous Peoples first if they mean to reduce deforestation and forest degradation. Addressing the embedded inequalities inherited from the colonial era should be at the heart of such people-centred approaches by providing symbolic and de jure spaces for communities to self-govern their customary territory, protected by robust land tenure arrangements, and substantial opportunities for poverty alleviation.

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Appendices

Appendix A: List of Prime Ministers with date in office and affiliation

(Baker & Phongpaichit, 2014) - Text in bold indicates Prime Ministers mentioned in the article).

Prime Minister	Date in office	Affiliation
Phraya Manopakon Nithithada	June 1932– June 1933	Civilian - Law background
Phraya Phahon Phonphayuhasena	June 1933– December 1938	Military - Son of army general from the aristocratic class
Phibun Songkhram	December 1938– July 1944	Military – His family owned an orchard near Bangkok
Khuang Aphaiwong	August 1944– August 1945	Civilian - Son of the Siamese governor of Khmer royal lineage
Thawee Boonyaket	August 1945– September 1945	Civilian - Member of bureaucracy
Seni Pramoj	September 1945– January 1946	Civilian - Lawyer and great-grandson of King Rama II,

Prime Minister	Date in office	Affiliation
Khuang Aphaiwong	January 1946– March 1946	(See above)
Pridi Banomyong	March 1946– August 1946	Civilian - Law background and son of Thai-Chinese market traders who established connections to the local nobility.
Thamrong Nawasawat	August 1946– November 1947	Military
Khuang Aphaiwong	November 1947– April 1948	Civilian (See above)
Phibun Songkhram	April 1948– September 1957	Military (See above)
Pote Sarasin	September 1957– December 1957	Civilian – Law background from a family of merchants and landowners and one of the most prominent bureaucratic families in the post-war era” (Baker and Phongpaichit 2014, 153)
Thanom Kittikhachon	January 1958– October 1958	Military – son of official
Sarit Thanarat	October 1958– December 1963	Military - son of a district officer

Prime Minister	Date in office	Affiliation
Thanom Kittikhachon	December 1963– October 1973	Military (see above)
Sanya Thammasak	October 1973– January 1975	Civilian - a Judge and privy councillor, son of a high-ranking Buddhist scholar
Seni Pramoj	February 1975– March 1975	Civilian (see above)
Kukrit Pramoj	March 1975– April 1976	Civilian – Joined the Bank of Thailand - Great-grandson of King Rama II
Seni Pramoj	April 1976– October 1976	Civilian (see above)
Thanin Kraivichien	October 1976– October 1977	Civilian -Anti-communist judge and son in a wealthy business family
Kriangsak Chomanand	November 1977– February 1980	Military - Son in a wealthy business family
Prem Tinsulanond	March 1980– April 1988	Military - Son of an official

Prime Minister	Date in office	Affiliation
Chatichai Choonhavan	April 1988– February 1991	Civilian/Business interests – Business interests in textiles and finance. Military and political family background, wide
Anand Panyarachun	February 1991– April 1992	Civilian – Career diplomat, the descendant of noble Mon family
Suchinda Kraprayun	April 1992– May 1992	Military
Anand Panyarachun	June 1992– September 1992	Civilian (see above)
Chuan Leekpai	September 1992– July 1995	Civilian- Lawyer and son of Chinese teacher and market trader
Banharn Silpa-archa	July 1995– November 1996	Civilian / Business interests – Founded a construction company and son of moderately successful traders
Chavalit Yongchaiyudh	November 1996– November 1997	Military – Had wide-ranging business interests, including logging
Chuan Leekpai	November 1997– February 2001	Civilian (see above)

Prime Minister	Date in office	Affiliation
Thaksin Shinawatra	February 2001–September 2006	Civilian / Business interests – Of the renowned Shinawatra Thai business family
Surayud Chulanont	October 2006–January 2008	Military – Son of an army officer
Samak Sundaravej	January 2008–September 2008	Career politician/bureaucrat
Somchai Wongsawat	September 2008–December 2008	Civilian / Business interests – Served in Civil Service and judicial service and Thaksin’s brother-in-law
Abhisit Vejjajiva	December 2008– July 2011	Civilian– Law background and family linked to military politicians. Educated in elite establishments in the UK such as Eton College and studied philosophy, politics, and economics in Oxford.
Yingluck Shinawatra	July 2011 – May 2014	Civilian / Business interests – Businesses executive and member of the renowned Shinawatra Thai business family; sister of Thaksin
Prayut Chan-o-cha	May 2014 – to date (May 2021)	Military – Allegedly holds assets worth US\$1.4 million (Thai฿ 102 million) (The Nation, 2014)

Appendix B: Household survey

House Number Code Ref#

Part 1: Background information

1. Number of People in Household _____

2. Provide age and gender of each:

_____ Head of household:

Male / Female: Age _____

3. Marital status of head of household

Married, Divorced, Single Widow/widower

4. Main livelihood of people in household, list, and rank in income (1 top, etc.):

Agriculture,

Restaurant,

Shop,

Teacher,

Working in another Village / Town / Province, i.e., Remittance sent home

5. Children in School: Provide age and gender of each:

6. Ethnicity • Poe Karen, Thai, Isan

• Other _____

7. Is your family from Huai Kha Kheng Wildlife Sanctuary? • Mother side: Y / N

• Father side: Y / N

• No / Where from _____

8. Year family settled in Ban Tai? • Mother side: _____ Father side:

—

Part 2: Agriculture

1. Rai of Land: _____

Own, Rent, Share, Just Use

2. Year land was converted land from forest to monoculture _____

3. Crop • Corn (Number of Rai) _____ Rice _____ Banana _____ Papaya _____

• Pineapple _____ Pumpkin _____ Chilli _____ Coffee _____ Strawberries _____

• Other _____ Rai _____

4. Trees • Para (Number of trees) _____ Commercial / Personal

• Teak _____ Commercial / Personal

• Yang _____ Commercial / Personal

• Coconut _____ Commercial / Personal

• Tamarind _____ Commercial / Personal

• Mango _____ Commercial / Personal

- Mangosteen _____ Commercial / Personal
- Logan _____ Commercial / Personal
- Avocado _____ Commercial / Personal
- Orange _____ Commercial / Personal
- Pomelo _____ Commercial / Personal

Part A) Circle trees and if possible, insert number

Part B) Circle if for commercial or personal use or both

- Durian _____ Commercial / Personal
- Bamboo _____ Commercial / Personal
- Other _____ Commercial / Personal

5. Forest / Natural tree species on your land • Y / N

- Rai _____

6. Other agriculture features • Steps and canal system on slope

- Pond with fish
- Pond to hold water for agriculture
- Hole system to stop landslides
- Other _____
- Other _____

7. Farm equipment • Tractor, Harvester

- Other _____
- Other _____

8. Do you go into Huai Kha Kheng Wildlife Sanctuary to collect forest products? •
Mushrooms, Herbs, Plants

- Others _____
- No

Part 3: Timber use

1. Material of house • Timber, Concrete, Metal, Bamboo

- Other _____

• Other _____

2. How often do you have to replace the timber in your house? • number of years _____

3. When was the last time? • years ago _____

4. Where do you get your timber? • Salvage, Huai Kha Kheng Wildlife Sanctuary, Market, From own land

5. Other Timber uses

6. Aspirations for future timber use

Part 4: Governance

1. Do you participate in any meetings about the trees and forest in the area with the RFD or village leaders? • Huai Kha Kheng Wildlife Sanctuary

2. Please explain further (in what capacity [member, voted on decision, leader] / when did you last attend / how often in the year do you attend) •

Appendix C: Semi-structured interview questions for Thai EU-FLEGT

1. Can you explain your role in Thai EU-FLEGT?
2. Before beginning Thai EU-FLEGT, how did you understand the issues of illegal logging in Thailand, what are illegal logging activities?
3. How did illegal logging impact your organization?
4. Through Thai EU-FLEGT, how do you now understand the issues of illegal logging in Thailand
5. Do you think that Thai EU-FLEGT will aid in reducing illegal logging?
6. After implementing EU-FLEGT, will there still be the problem of illegal timber in Thailand?

Appendix D: List of analyzed policy documents from Thai EU-FLEGT

1	TEFSO website
2	Thai EU-FLEGT press release – November 2013 https://www.euflegt.efi.int/documents/10180/28029/Joint+press+release+between+Thailand+and+the+EU+on+the+official+launch+of+VPA+negotiations/2c7cbb59-e6c9-4e5b-9907-3a44128eb4ea
3	Thai EU-FLEGT press release – June 2017 https://www.euflegt.efi.int/documents/10180/407590/Thailand-EU-Press+release-July2017.pdf/c334b6aa-c89a-957d-0279-7723fa525d8c
4	Legality Definition meeting minutes – June 2013 http://tefso.org/download/Minutes-Meeting-EN/ENG-LD-114-on-23Jun14-minute-meeting.pdf
5	Legality Definition meeting minutes – July 2014 http://tefso.org/download/Minutes-Meeting-EN/ENG-LD-2_14-on-18Jul14-minute-meeting.pdf
6	Legality Definition meeting minutes – August 2014 http://tefso.org/download/Minutes-Meeting-EN/ENG-LD3-Meeting-Minutes-R2T1-4-Aug-2014-_2.pdf
7	Legality Definition meeting minutes – September 2014 http://tefso.org/download/Minutes-Meeting-EN/ENG-LD4-Meeting-Minutes-R2T2-16-Sep14_2.pdf
8	Legality Definition meeting minutes – January 2015 http://tefso.org/download/Minutes-Meeting-EN/ENG-LD5-Big-group-Meeting-Minutes-15-Jan-15_2.pdf
9	Legality Definition and VPA Workshop minutes and summary – 2015
10	Legality Definition meeting minutes – December 2016

	http://tefso.org/en/2016/01/28/flegt-vpa-ad-hoc-working-group-meeting-12559-ld-consultation-process/
11	CSO Rights to timber workshop https://thaipublica.org/2016/05/right-to-wood-flegt/
12	The Second Joint Expert Meeting (JEM-2) – 27-28 June 2017
13	Minutes of Technical Meeting No. 2/2017 On 17th October 2017 http://tefso.org/download/Minutes-Meeting-EN/EN-TC-Meeting-No.2_2017-PW_PW111017.pdf
14	Newsletter – June 2017 https://ec.europa.eu/environment/forests/pdf/efi/Thailand-EU-Press-release-July2017.pdf
15	Minute of the 2/2017 AHWG meeting on legality definition Field Testing on July 19 th , 2017
16	25th January 2018 Ad-hoc working group meeting minutes
17	TEFSO newsletter – January -March 2019 http://tefso.org/en/2019/03/05/eng-tefso-e-newsletter-no-17-jan-mar19/
18	TEFSO newsletter April – June 2019 http://tefso.org/en/2019/07/01/eng-tefso-e-newsletter-no-18-apr-jun19/
19	TEFSO newsletter October – December 2019 http://tefso.org/en/2019/12/24/eng-tefso-e-newsletter-no-20-oct-dec19/
20	TEFSO newsletter January – March 2020 http://tefso.org/en/2020/03/18/en-tefso-e-newsletter-no-21-jan-mar2020/
21	TEFSO newsletter August – November 2020 http://tefso.org/en/2020/12/09/12896/
22	Draft Legality Definition annex (August 2020)
23	Draft supply chain controls annex (March 2021)

