

The territorial politics of land use planning in Laos

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ABSTRACT

This paper examines land use planning processes in Laos, particularly how they are shaped and reshaped by key actors' interests and strategies across scales and how they are closely interlinked with state logics of territorialization. It critiques dominant perspectives that view land use planning as a tool for bridging policy and institutional divides to generate holistic land governance. Instead, it presents land use planning as a function of power and a contested arena of power struggle, driven primarily by the development targets of sectoral ministries and the interests of powerful local actors. We show how bureaucratic competition and sectoral fragmentation prevail directly within Laos's National Land Master Plan formulation process. The paper shows how the logics of land governance in Laos are comprised of a disjuncture between national and local land use planning processes and, a disconnect between formal land use planning and actual land use across scales.

1. Introduction

Since its establishment in 1975, the Lao People's Democratic Republic (hereafter Lao PDR or Laos) has sought to re-order relationships between the state, people, land, and natural environment in ways that facilitate state aims of achieving political stability, economic development, and environmental conservation. A central way in which it has sought to do so is through territorial strategies that re-define what activities are allowed and prohibited within particular spaces. Such territorial strategies have primarily focused on resettlement, land use planning (at local and national scales), and land commodification.

Immediately after liberation in 1975, the Government of Laos (GoL) pursued the resettlement of upland communities from remote mountains to lowland areas close to roads, a policy which was officially formulated as the Village Relocation and Consolidation strategy¹ in 1989 (Baird and Shoemaker, 2005, 2007; Evrard and Goudineau, 2004). The official intention of the policy was to bring villagers closer to public infrastructure and services, such as roads, markets, schools, and hospitals and also transition their livelihoods away from upland, swidden cultivation toward lowland, paddy rice production. However, researchers have also demonstrated that an underlying goal of resettlement was to increase state control over rebellious and mobile upland communities, many of whom were associated with the American-backed Royalists during the Second Indochina War, by making them

more visible and culturally integrated into the national development project (Baird and Shoemaker, 2005, 2007; Evrard and Goudineau, 2004).

In the early 1990s, the GoL initiated formal land use planning in rural villages with the development of the Land Use Planning and Land Allocation (LUPLA) program. Supported by international donors, the program aimed to facilitate rural economic development and environmental conservation by delineating village boundaries, separating agriculture and forest zones, and strengthening rural land tenure. The program was also intended to be a mechanism for implementing the government's goal of stabilizing and eventually eliminating swidden cultivation – which was believed to be a major cause of deforestation, environmental degradation, and impoverishment – by limiting the area available for swidden rotational cycles (Lestrelin, 2010; Rigg, 2005). Responding to critiques of LUPLA as a top-down planning exercise that overlooked farmers' interests in using rural lands, the program was reformulated in 2009 as *Participatory* Land Use Planning and Land Allocation (PLUPLA). In 2011, The Agro-Biodiversity Initiative (TABI), a joint project between the GoL and the Swiss Agency for Development and Cooperation (SDC) further modified land use planning exercises with the development of the Participatory Forest and Agriculture Land Use Planning, Allocation and Management (pFALUPAM) approach, which emphasized the role of agro-biodiversity in land use planning processes. While there is a common conceptual lineage among LUPLA,

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¹ The strategy urged the displacement and merging of villages with less than 50 households while encouraging the development of state services (e.g. schools, health centers) in the new sites.

PLUPLA, and pFALUPAM, each program has had unique foci and objectives, in part because they were implemented by different government departments.²

In parallel with land use planning exercises and following Laos's transition towards a market economy since 1986, the government has promoted various forms of land commodification, especially land titling and the granting of state land concessions. Land titling projects that began in the late 1990s, with donor support, aimed to generate the development of land markets, allowing landowners to make money from the sale of their lands or to borrow money by using their land as collateral (Hall et al., 2011). The early 2000s saw the rise of economic land concessions, granted for mining, hydropower, agriculture and tree plantation, infrastructure, and manufacturing projects. These various economic approaches to land were represented by the umbrella policy phrase of "Turning Land into Capital" that was coined at the 8th Party Congress in 2006 (Kenney-Lazar et al., 2018a; Dwyer, 2007). New territories of commodified land, especially in the form of concessions, were created through widespread land dispossession, whereby companies acquired farmers' land and communal forest as part of their land concession agreement (Kenney-Lazar et al., 2018b; Suhardiman et al., 2015a; Schumann et al., 2006).

Significant movements of people due to resettlement, uncoordinated approaches to land use planning, and the poorly planned location of land concessions that overlap with other land uses has created a chaotic scene of land use across the country and the need for holistic, coordinated land use planning, as raised by international donors and national policy actors alike. Thus, since 2007, the GoL developed a National Master Plan on Land Allocation (NMPLA), which was approved by the National Assembly as of April 2018. According to the 2017 Resolution of the Party's Central Committee on the Enhancement of Land Management and Development in New Period (hereafter, the 2017 Party Resolution on Land), the aim of the NMPLA is to allocate a certain amount of land for specific uses (e.g. agricultural development, forest protection) based on soil quality and topographic location and a balance of goals of economic development, environmental conservation, national security, and people's access to their rightful property. This will be done through a) the allocation of percentages of the country's land to different types of land use and b) the mapping of those land uses across the national territory. Thus, the government has aimed to use the NMPLA as a technical exercise to achieve government land use targets. However, as will be shown below, internal power struggles have animated how those targets are initially defined.

These successive forms of resettlement, land use planning, and land commodification, as well as recent attempts to harmonize them within a national planning framework, can be viewed as various iterations of state territorialization, in which the state, as a political organization, seeks to exert control over people and resources by creating and enforcing rules concerning what activities are allowed or restricted within defined spatial boundaries (Vandergeest and Peluso, 1995). State territorialization is most evident in the ways in which the government has sought to solidify state control over marginal territories, particularly upland areas. The government moves people around, re-arranges the spatial boundaries of their surrounding environments, and leases out lands to private investors in ways that make land uses more legible to the state, restricts undesired agricultural practices, and creates new forms of state land that can be commodified. Yet, despite the

²LUPLA was implemented by Department of Forestry (DoF) under the Ministry of Agriculture and Forestry (MAF), with the main objective to increase forest cover. The National Agriculture and Forestry Extension Services led the implementation of LUPLA with some involvement from DoF and the former National Land Management Authority, now incorporated into the Ministry of Natural Resources and Environment (MoNRE). pFALUPAM is currently led by Department of Agriculture and Land Management (DALaM) under MAF with strong emphasis on promoting agro-biodiversity in forest and agricultural land management.

government's attempts of rationalization and centralization, land use planning and state territorialization strategies have remained a chaotic enterprise, whereby the competing goals and interests of various actors in unequal relationships of power have often made state territorialization a convoluted and problematic project.

The paper illustrates and discusses how land use planning has been formulated by the state as a technical approach to solve what is actually a political problem pertaining to land use allocation across scales.³ The framing of land use planning as a technical, neutral, and apolitical exercise, impenetrable by power relationships and power struggles, demonstrates the state's tendency to depoliticize decision-making processes in land governance. This strategy ignores the political importance of land use allocation and makes it challenging to generate genuine public participation in the process. Here, land use planning inevitably becomes part of the state's territorialization strategy to exert its political power and influence, while excluding the views and perceptions of affected communities and the wider society.⁴

In this paper, we recognize how land use planning operates as a function of power and as a site of struggle among various government ministries, international, civil society, and community actors. The territorializing imperative of land use planning, which creates fixed boundaries of land use that facilitate the land-based interests of certain actors while limiting those of others, means that it is a highly contentious practice subject to intense scrutiny, debate, and conflict. Thus, the ability of land use planning to achieve progressive goals, such as limiting the incursion of industrial development into high value conservation areas, preventing unnecessary expropriation of farmers' lands, or securing land tenure for marginalized, upland farmers, is dependent on the power dynamics of those involved or affected by land use planning processes. Taking Laos as a case study, the paper illustrates how land use planning processes and implementation are shaped by power struggles between: 1) government ministries at national level; and 2) different groups within the local community at village level.

The arguments of the paper are made as follows. In Section 2, we examine more closely how land use planning is closely related to state territorialization, but also how this can be a politically contested enterprise, before explaining our research methodology in Section 3. Following that, in Section 4, we examine the NMPLA and how its elaboration has been challenged by the contradiction between its technical, abstract approach to planning and the divided political interests that drive its actual development. In Section 5, we show how political struggles over land among unequally positioned groups plays out at the local level in the case pFALUPAM implementation. Finally, we conclude the paper in Section 6 by reflecting on how the contradictions between the state approaches and political realities of land use planning in Laos affect just access to land by the rural poor.

2. Land use planning and the politics of state territorialization

Scholars have discussed the hegemonic tendencies that are inherent to policy-making, whereby elite state actors and international agencies establish a dominant position in relation to local communities and the wider society including the role of national policy elites and international agencies in creating, sustaining and supporting the defined, dominant policy narratives (Crewe and Harrison, 1998; Roe, 1994; Stone, 1989; Edelman, 1988; Hilgartner and Bosk, 1988). As Edelman (1988: 12) has written, "Problems come into existence, not simply because they are there or because they are important for well-being. They constitute people as subjects with particular kinds of aspirations, self-concepts, and fears, and they create beliefs about the relative importance of events and objects. Most importantly, they are critical in

³Blaikie (1985) similarly argued that soil erosion is not a politically neutral issue that can be addressed by technical means alone.

⁴See Lestrelin et al (2012) on the politics of land use planning in Laos.

determining who exercise authority and who accept it”.

Problem analysis in policy science has focused on four major themes: 1) the logical sequence in problem definition (what produced the problem? Where did it come from?) (Dye, 1984); 2) the characteristics of policy actors that define the problem (Gusfield, 1981); 3) the use of language and symbols in shaping a problem's portrayal (Apthorpe, 1986; Edelman, 1988; Rein and Schon, 1993); and 4) how problem definition is linked to the way policy makers perceive available solutions (Wildavsky, 1979). In the context of state territorialization approaches, problem analysis tends to be: 1) state-centric, or solely dominated by how the central state views certain circumstances in relation to its development goals and objectives; and 2) preoccupied by the desire to achieve the defined development targets, problem analysis tends to be strongly prescriptive.

In the context of land governance in Laos, the central state's dominant power in policy-making is most apparent from the way policy problems are presented, negotiated, and defined from within the government circle, in a top-down manner, relying almost entirely on formal policies and legal procedures, without incorporating local community's views and perceptions. This is evident in the way the government defined the problem of political instability as a key driver behind the need to move people from the uplands to more accessible areas, regardless of how such a move would affect upland community's farming strategies (Baird and Shoemaker, 2005). Similarly, LUPLA was formulated based on the state's central positioning of swidden cultivation as the key problem in the country's natural resource management, while ignoring upland communities' reliance on it and the fact that it plays a crucial role in the country's overall food production (Lestrelin et al., 2012). In addition, while the move towards a market economy positions land as an economic good and capital, this is derived primarily from how the state views land tax collection as an important source of government revenue, thus neglecting other socio-economic values of land as an integral part of local community's livelihood options and strategies (Kenney-Lazar et al., 2018b; Suhardiman et al., 2015a).

Scholars have shown how territorial politics shape institutional structures (Keating, 2018; Bolleyer, 2018) and public policies (Agnew and Mantegna, 2018) across developing and developed countries globally (Detterbeck and Hepburn, 2018). In the context of land governance, this is most apparent from how states “divide their territories into complex and overlapping political and economic zones, rearrange people and resources within these units, and create regulations delineating how and by whom these areas can be used” (Vanderveest and Peluso, 1995: 387). Here, state territorialization is not just about excluding or including people within particular geographic boundaries, but concerns controlling people and resources, with state institutions playing a key role in justifying and legitimizing such control and enforcing it through its centrally defined policies and programs. Consequently, state territorialization shapes state-society relations through the (re)configurations of power (Buch-Hansen, 2003). Lestrelin et al. (2012) look at land use planning processes in relation to the state's territorialization attempts in land governance and contend that “Since the emergence of the sustainable development paradigm in the late 1980s, land use planning has become a key arena for political debates over society-environment interactions and, in practice, an important means for territorialization projects” (2012: 1). In Laos, territorial politics are embodied in the state's political objective to extend its control over land, especially upland areas, and its strategies to pursue this objective through, albeit uncoordinated and disconnected, land use planning processes across scales.

The paper contributes to current debates on land use planning and hegemonic tendency in policy-making in two ways. First, it shows how land use planning serves as a new territorial frontier for bureaucratic competition. Scholars have brought to light bureaucratic competition between the different government agencies as one of the key challenges behind the current overlapping, inconsistent policies in natural resource governance in the developing world (Clement et al., 2017;

Suhardiman et al., 2015b). In response to this, international donors and organizations have promoted the idea of land use planning and presented it as a technical tool towards integrated and holistic planning (Lestrelin et al., 2012). Our case study shows, however, that bureaucratic competition and sectoral fragmentation prevail within the very context of land use planning. This is most evident in the way ongoing policy discussions are driven by zero-sum approaches, centered on how sectoral ministries negotiated their bureaucratic power through the incorporation of land area that will fall under their responsibility into the plan.

Second, it shows how land use planning processes are rooted in existing power structures and relationship, and the political dynamics that surround it, as revealed in negotiation processes centered on sector ministries' development targets at the national level and actual land allocation at the local level. To date, however, it has rarely been treated as such in Laos. Instead, land use planning has been pursued as an abstract, bureaucratic exercise that overlooks its driving power relations and localized politics of land use. The paper reveals not only multiple goals and objectives shaping land use planning processes across scales, but also ongoing power struggles, which can play out in vastly different ways.⁵ In Laos, such power struggles manifested in the current disjuncture between national and local level land use planning processes, as evidenced in the central state's formal position to eradicate swidden cultivation, on the one hand, and the latter's recognition as de-facto land use under pFALUPAM, on the other hand.

Power struggles in land use planning processes also contributed to the disconnect between policy and practice, at both national and local levels. For example, the NMPLA is presented by the Lao government as a technique of optimizing appropriate land uses across the country for the purposes of facilitating national economic development, poverty reduction, and environmental conservation, among other land uses important for the state. However, the development of the master plan is actually driven more by the interests of differing sectoral ministries. At the local level, land use planning in theory provides greater tenure security to poor, upland farmers that rely on swidden cultivation and forest access for their livelihoods. However, the plan is thwarted by the unequal power relations among elite and marginalized groups in the village and thus its potential for protecting upland tenure security for the poor remains limited.

We argue that the current disjuncture between national and local land use planning processes, and the disconnect between formal land use plan and actual land use across scales persists, because it serves the interests of both the government and the powerful groups in local communities. While the first has the interest to show how it has successfully implemented the defined policy measure to achieve its respective sectoral development targets, albeit only on paper, the latter's interest is to continue with actual land use based on the defined local institutional arrangements and existing power relationships. This is most apparent in the case of upland zoning, where local communities continued with their upland rice cultivation in their scattered fields, while ignoring the government's land zoning regulation, mainly because such regulation did not coincide with the powerful groups' interest to continue to reserve their access to land. In the next section we elaborate our research methodology.

3. Research methodology

We conducted an in-depth case study research from May 2017 to April 2018, looking at land use planning processes at national and local levels. We designed and developed the methods in the case study research following the approaches of Burawoy (1991) and Yin (1994). While looking at power dynamics shaping these processes, we focus on

⁵ See also Broegaard et al., 2017 on how such struggles manifested in contradictory land use plans.

two elements: 1) how government ministries shape the formulation process of the NMPLA, in relation to their sectoral development objectives; and 2) how different groups within a village shape the localized dynamics of spatial control within the overall context of local land use planning processes under the pFALUPAM program.

In order to analyze the power dynamics shaping the development of the NMPLA, and how various government ministries and departments shape these in relation with their respective roles and responsibilities, we conducted a series of in-depth semi-structured interviews with 19 government officials from different ministries, two members of the National Assembly, and six representatives of civil society organizations, international non-governmental organizations, and international donors. Information gathered from these interviews include how different government ministries view the NMPLA in relation to: 1) their sectoral development roles and responsibilities and earlier land policies and programs; and 2) how these views define NMPLA's actual significance for the country's land governance in general, and with regard to land use planning processes in particular. We complemented these interviews with a policy review and institutional analysis, looking at key rationales behind the different land-related policies and programs (with focus on LUPLA, PLUPLA, pFALUPAM), how these rationales are derived from the central state's political interests, and how they are supported by the existing institutional set up in land governance.

To understand how different groups within local community shape and reshape local land use planning processes and outcomes, we conducted a series of focus group discussions with village elders and groups of farmers in two neighboring villages: Houaykong and Namai, in Nambak district, Luang Prabang province. Both villages are part of the nine villages under the Nayang development village cluster (or *Koumban Nayang*), the latter being one of TABI target areas to implement pFALUPAM in Luang Prabang province. For the focus group discussions, the participants were selected using secondary data from TABI reports and a TABI database on household socioeconomic and agro-biodiversity characteristics (TABI, 2015). Additionally, we referred to the draft manuals for pFALUPAM as our starting point to understand the overall design and application of land use planning processes (MAF, 2017). We referred to various reports produced by the Provincial Agriculture and Forest Office (PAFO) of Luang Prabang on the implementation and monitoring of pFALUPAM in Nayang development village cluster to better understand the overall process of land use planning in the two selected villages (PAFO, 2017). We selected Houaykong and Namai villages because PAFO Luang Prabang reported that as of September 2017 the villagers and village authorities had not implemented the land use plan that was supposed to be implemented at the beginning of the year.

In both Houaykong and Namai villages, respectively, 24 and 22 farmers participated in the focus group discussions. In Houaykong village, both original and recent Khmu settlers participated in the discussions. In Namai village both original Tai Lue settlers and recent Khmu settlers participated in the discussions. Throughout these discussions, we focused on understanding the local power dynamics shaping land use planning processes in both villages within the framework of pFALUPAM implementation. Information gathered during the focus group discussions included the introduction of land use plan under pFALUPAM, consultation processes surrounding the developed land zoning, how this corresponds (or not) with local institutional arrangements pertaining to customary land tenure, and its implications for the non-implementation of the developed land use plan. Based on the information gathered through the focus group discussions, we conducted a series of key informant interviews with 12 farmers and 6 village authorities from each of the two villages. As we identified these 12 farmers from information gathered in the focus group discussion, this allowed us to further unpack how farmers viewed the developed land use plan, decisive factors behind its current non-implementation, the challenges farmers face to follow the plan, and how these are linked to power relationships between the different groups within local community in each village. While the number of farmers we interviewed in each village was not large enough to be

representative for the village, their views and perceptions on land use planning processes provided valuable insights in unpacking local institutional arrangements pertaining to actual land use allocation, and how the latter does not always match with the defined plan.

In the following sections, the paper illustrates the disconnect in land use planning processes across scales, focusing on how both the government's policy reform at the national level is driven by bureaucratic competition between the different government ministries and how local land use planning processes tend to overlook actual land use and local institutional arrangements. We first highlight key decisive factors shaping the current government's centralized approach in land governance and how this continues to direct ongoing policy reform processes. We then move on to our case study, showing how the state's centralized land use planning approach is hampered by power struggles between the different groups within the local community.

4. Sectoral development targets shaping the national master plan on land allocation

4.1. The formulation of NMPLA and its rationale

The NMPLA that the government has been developing since 2007 is aimed at centrally coordinating the plural processes of land use planning that have been occurring across the country at multiple scales in order to ensure that land use activities take place in their most suitable location. Suitability is defined according to goals of generating economic growth and reducing poverty, maximizing government revenue from commercial land uses, limiting impacts of land development projects on Lao people, reducing environmental impacts, especially deforestation, and protecting national security. Yet, the NMPLA will likely struggle to achieve these goals due to competing political interests, particularly whether land should be prioritized as an economic good, a space for agricultural production, a space of forest cover, or a space for prioritizing national security. These competing interests reflect the different sectors involved in the process of formulating the NMPLA. Importantly, debates surrounding the development of the NMPLA as well as the new Land Law currently under review have not prioritized land for the uses that are most critically important for the rural poor, such as land for swidden cultivation and communal forest. Furthermore, land classification has been based more on political interests of involved ministries rather than social and biophysical attributes that make it most suitable for particular uses.

Land reform is at the forefront of governance changes in Laos, especially since the appointment of a new Prime Minister in 2016, Mr Thongloun Sisoulith, who has been mandated by the party to restore the faith of Lao people in the government and party by tackling key issues that plague the country's development, land being one of them. The development of the NMPLA is ever pressing in this context, along with a flurry of other land reforms. A National Land Policy (NLP) that would guide the development of all land-related laws and regulations was pursued since 2012. It was eventually abandoned due to conflicts among the line ministries, the party, and the National Assembly concerning several key issues, particularly those related to land expropriation and customary land. In 2017, it was replaced by the 2017 Party Resolution on Land, which now acts as the guiding political document on legislative reform, including for the recently drafted amendment of the Land Law, of the approval of which was deferred for further revision by the National Assembly in December 2018 (Vientiane Times, 2018).

A special task force was established to develop the NMPLA, led by the Prime Minister and implemented by the Department of Lands (DoL).⁶ In the practical sense, the aim of the NMPLA is to allocate the country's land into different types of use, such as forest, agriculture,

⁶ The DoL was recently established in 2017 by merging the Department of Land Administration with the Department of Land Use Planning and Development.

economic development and industrial zones, cultural zones, and national security zones, among others. This is mainly to ensure that processes of economic development, such as the granting of land concessions, are confined to appropriate areas and are not developed at the expense of the country's agricultural and forest lands.

4.2. The NLMPA as a strategy of state territorialization

Despite the lofty goals of the NMPLA as a technical means to address the country's land governance challenges, as outlined in the 2017 Party Resolution on Land, the NMPLA in practice has largely been driven by sectoral ministries' bureaucratic interests to ensure the incorporation of their respective development targets into the plan. The NMPLA reflects the Lao government's centralized, socialist planning, similar to the country's national socio-economic development plan produced every five years, and thus is carried out in a top-down manner. It is more concerned with checking off boxes of state goals rather than fundamentally changing the way in which land use is planned throughout the country. Thus, the NMPLA can be seen as a strategy of state territorialization in that it seeks to incorporate the country's land use planning strategies and approaches under a unified and centralized umbrella.

However, the NMPLA's ability to even enhance state territorialization is complicated by institutional fragmentation among different sectoral ministries that conflict over different goals that match their institutional targets and sectoral base of power. While the Ministry of Natural Resources and Environment (MoNRE), where the DoL resides, is intended to be the coordinating, cross-sectoral ministry for all land-related matters in the country, such as land use planning and land registration, it does not always fulfill this role. Only recently established in 2012, MoNRE was the result of the merger of several environmentally-related government agencies, such as the former National Land Management Authority (NLMA) that was established in 2007. Thus, although MoNRE has the mandate to play a coordinating role, the reality is that other ministries still assert strong influence and control over the lands related to their sector. For example, the Ministry of Agriculture and Forestry (MAF) seeks to maintain its control over agriculture and forestry lands while the Ministry of National Defense (MND) seeks to control borderlands that are viewed as critically important for national security. Furthermore, in seeking to establish its place at the governance table, MoNRE has attempted to assert its control over land as a separate sector altogether.

As a result of these centralizing dynamics of land use planning combined with institutional fragmentation, the NLMPA process has largely become a process of negotiating different targets for different types of land within an overarching ratio of land uses throughout the country. Here, land classification is reduced to categorizing various types of land use (e.g. forest land, agricultural land) in pursuit of respective government ministries' and departments' political agendas and development targets. One of the most powerful targets for land use planning is that of increasing forest cover to 70% of the country's land area, pursued by the Department of Forestry (DoF) with high level support from the upper echelons of the Lao government and international donors such as the Food and Agriculture Organization (FAO). At the same time, the Department of Agricultural Land Management (DALaM) within MAF has been charged with ensuring that the NMPLA includes 4.5 million hectares of agricultural land, approximately 19% of the country's area. If these two goals are reached then there would only be a remaining 11% of the country's land area available for infrastructure, urban areas, manufacturing, mining, hydropower, cultural areas, and national defense zones. An official from the National Institute of Economic Research (NIER) expressed that, "As existing development projects have already taken so much land, the question remains as to whether the allocated 11% of the country's land is sufficient to cover all the upcoming large-scale infrastructure development (e.g. railway and highway construction, hydropower and mining). If not, this would certainly create tensions with people's livelihoods and

the government's current target to achieve 70% forest cover." (interview with an official from NIER, October 2017).

While the incorporation of these development targets seems imperative, the rationales behind the target definition, how they are defined in the first place, based on what assumptions, towards what needs, and how the government aims to achieve it remain opaque. As an official from MoNRE remarked, "Perhaps, the issue is not whether or not the defined targets are realistic in the first place, but as to whether it can sustain, increase and reproduce the government ministries' bureaucratic importance through central positioning of sectoral development strategies as an integral part of the country's national socio-economic development strategies" (interview with official from MoNRE, October 2017). These development targets are closely linked to sectoral ministries' access to development budget and bureaucratic importance, it also resembles some degree of bureaucratic competition in the planning processes.

The NMPLA formulation processes⁷ are reduced to mathematical exercises to fit the defined percentage of land categories (e.g. agricultural land, forest, investment zone) into the existing land area, to enable each sectoral ministry to tick the box for its development targets, regardless of whether or not these targets are accurately presented in the first place, and whether achieving it would benefit both the country and its people. As a DoL/MoNRE official expressed, "Initially, DALaM/MAF proposed to include 9 million ha of agriculture land to be incorporated in the master plan. During the discussion, however, it became clear that such incorporation could only be done if DoF agrees to reduce its target of having 70% forest cover. In the end, DALaM agreed to put 4.5 million ha of agriculture land instead, recognizing that it is quite impossible for DoF to reduce its target for forest cover" (interview with DoL/MoNRE official, August 2017).⁸

While sectoral ministries' development targets have become key factors driving land use planning processes at the national level, the definition of these targets is not always without flaws. A DoL/MoNRE official explained that "While DALaM and DoF respectively defines 4.5 million ha of agricultural and 70% forest cover as their development target, in practice, the distinction between forest and agriculture land is not always clear" (interview with DoL/MoNRE official, August 2017). Overlapping boundaries between forest and agriculture land has its roots in the way the government delineates farmers' swidden agriculture land and forest land, relying mainly on its objective to eradicate shifting cultivation and thus categorizing the first as area for forest rehabilitation, despite the fact that swidden cultivators in upland areas often lack any other access to land for their farming activities. Moreover, the government defined and later cemented the boundaries of three forest categories (e.g. production, conservation, protection forest)⁹ following LUPLA application, overlooking the existing village boundaries, resulting in some villages being incorporated into the government's established protected forest. As expressed by a DoF official, "Initially, we thought that we would have to evacuate these villagers somewhere else, to relocate them outside the protected forest area. Yet, the government thought that it is better to let them live inside the protected forest, assuming that they will also manage the forest. In practice, they expanded their farmland and encroached forest land more and more" (interview with DoF official, August 2017). It is clear that while the state's land use planning could impose existing land use

⁷ At present the processes do not necessarily include mapping of the different land use allocation.

⁸ While this illustration can be interpreted as DoF being more powerful than DALaM, it is also important to note that unlike the envisioned 9 million ha of agriculture land, the target of having 70% forest cover is closely linked to Government of Laos' commitment to international actors and organizations, the latter playing a key role in supporting the country's forest management.

⁹ The three forest categories are 'political' categories as such because they concerned with determining how forest should be used rather than how it is used.

and significantly reduce farmers' customary land use rights, the way land use planning has been applied in Laos also reveals its role as a terrain of contestation.¹⁰

Consequently, formal land use allocation does not always match with actual land uses. As shared by DoF official: "In practice, all sorts of farming activities and infrastructure (e.g. roads, reservoir) are present in the protected forest area as well. People are currently living and doing their farm in the protected forest because LUPLA was implemented before the definition of 3 forest categories was applied" (interview with DoF official, August 2017). We argue that these overlapping land use boundaries show not only the shaping of overlapping imagined bureaucratic territory, but also the central positioning of land use planning and allocation as a function of power, shaped and reshaped by ongoing power struggles between sectoral ministries, local communities and the latter's ability to resist and fight back state-driven land use allocation and planning processes (see also Kenney-Lazar et al., 2018b on how local communities resisted state land use allocation by referring back to the state's development objectives and programs as means to legally justify their resistance).

Similarly, the fact that road and/or reservoirs could still be located in protected forest implies not only the sidelining of forest management vis-à-vis the central positioning of infrastructure development, it also shows how land use planning at the national level has neither been able to provide an overview of land allocation nor to implement and enforce the proposed land allocation. Nonetheless, the government continues to define and re-define boundaries of different types of land use in the form of formal, planned land use allocation in such a way that disconnects such plans from actual land use and realities on the ground. We argue that the government does this because it serves their motives and strategy to present land use planning processes as a merely technical and apolitical exercise, while depoliticizing decision-making processes in the country's land governance. Here, land use planning becomes part of the state's territorialization strategy, when the state ensures the incorporation of sectoral ministries' bureaucratic interests into the overall planning process, and at the same time denies local community's and the wider society's views and voices. It is also a way for government ministries to legitimize their existence through their engagement in plan formulation, regardless of whether or not the plan is implemented, or even implementable in the first place.

5. Power struggles in local land use planning processes

While the previous section has shown how the state's domination in national land use planning processes manifested in internal power struggles between different sectoral ministries, this section illustrates how state-driven land use planning processes at the village level are hampered by power struggles between different groups at community level. Most importantly, it shows how the state's territorialization strategy becomes less effective with regard to control of actual land use.

5.1. Land use planning in Houaykong and Namai village

Houaykong and Namai village are located in Nambak district, Luang Prabang province, approximately 120 km north of Luang Prabang city and 500 km from Vientiane capital. They are two out of nine neighboring villages that belong to the Nayang development village cluster (*koumban*) set up by the government in 2003. As Nayang development

¹⁰ While the issue of overlapping agriculture and forest land could in principle be sorted out from the perspective of different government agency's defined development targets, this is not so straightforward with regard to land titling. The idea is that with the new land law the government will push for rapid land titling to cover 100% coverage in 2025. In practice, however, they are still discussing as to whether people living in the protected forest can also be given land titles. This highlights that while the land-titling program could in principle increase some farmers' land tenure security, it can also reduce others' especially those whose lands are located in national protected forest.

village cluster is part of the *Sam Sang* (Three-builds)¹¹ village policy defined by the Central Party Committee, both Houaykong and Namai village development are set to follow the national government's objectives and socio-economic development strategies. Among many development issues that need to be addressed, land use planning is identified as one of the priorities.

Land use planning processes in both villages were taking place as part of The Agro Biodiversity Initiative (TABI), a joint program of MAF and SDC. As part of the program, local land use planning is an entry point for the government to ensure sustainable agricultural development and forest protection. For this, TABI has been implementing pFALUPAM at the village and cluster village levels in Luang Prabang, Xiengkhouang and Houaphan provinces since the program started in 2011. The objective of pFALUPAM is to ensure sustainable and equitable use of agriculture and forest land by and for local land users (TABI, 2018) through the development of forest and agricultural land zonation and management plans at village level (MAF, 2017). Centering on participatory development and community-based approaches, TABI is developing pFALUPAM together with villagers.

In order to develop the plan together with the villagers, TABI defined 8 steps comprised of specific tasks (MAF, 2017). TABI and Provincial and District Agriculture and Forest Office (PAFO and DAFO) staff are meant to conduct three visits to the same village prior to the development and implementation of the land use plan. During the first visit, they would establish the Village Committee to be responsible for pFALUPAM, develop the village GeoMap through a participatory approach, delineate the village boundaries based on consultation with the host and surrounding villagers, and collect information on non-timber forest products (NTFPs), forest condition, and wildlife, among other topics. During the second village mission, project and government staff would continue demographic data collection, including households' income, livestock, land use and occupation. In general, 4–5 days are required to complete the first and the second village mission. After that, TABI staff would return to the office to compile all collected information and draft the community agriculture land use and forest cover (CLUFC) map. Once the map is ready, they would organize a meeting in the district to consult the draft map with local authorities, Village Committee and villagers. Based on this discussion, they would develop the plan for Forest Land Use Management Zonation (FLUMZ) as well as rules and regulations surrounding the different land use in these zones for each village together with the villagers during the third village mission. Once agreement is reached on the FLUMZ, another meeting is organized at district level for approval by all parties involved. Following the approval, another meeting is organized at village level to explain the final FLUMZ to all villagers. Table 1 gives an overview of these steps and tasks.

Collaborating with Luang Prabang provincial and Nambak district governments as the implementing agencies, TABI designed land use planning processes in *koumban* Nayang as a means to reduce deforestation while also making shifting cultivation more acceptable to the government through for example longer rotation duration. Unlike earlier land use planning processes under LUPLA, pFALUPAM recognizes shifting cultivation as a legitimate land use and incorporates it into the plan, while renaming it as upland, rotational agriculture. This is most apparent from the way TABI introduced a rotation schedule for upland agriculture, while increasing the duration when agricultural land will lay fallow and ensuring forest area protection. In Houaykong village TABI classified the total land areas of 2732 ha into: 1) agriculture; 2) forest; 3) residential; 4) cultural; and 5) rubber plantation area. Besides, it divided the upland agriculture area into seven different zones, while

¹¹ The three builds directive features in the Resolution of the 9th Party Congress and aims to build up provinces as strategy-making units, district as comprehensively strengthened units, and villages as development units. At present, there are 108 *Sam Sang* villages spread out in 51 districts and 17 provinces.

Table 1
pFALUPAM Steps and Task to be implemented at the village level.
Source: Ministry of Agriculture and Forestry (MAF, 2017).

Step	Tasks	Times
Step 1 (Village Mission 1)	<ul style="list-style-type: none"> ● Establish the Village Committee to be responsible for pFALUPAM; ● Develop the Village GeoMap, by a participatory approach; ● Consultation with the host and surrounding villagers, then survey and delineation of the Village Boundary; ● drafting the Village Boundary agreement, between the host and surrounding villages. ● Collection of preliminary information on the general situation in the village from the village administrative committee (Village Profile, forms 1 and 2). ● Collection of information, via PRA focus group sessions, on NTFPs, Wood, Wildlife, Aquatic life, problem census, and condition and potential for future village development. 	3-4 days
Step 2(Village Mission 2)	<ul style="list-style-type: none"> ● Collection of information and data at household level on population, livestock, income and land use or occupation; ● Assessment of, and developing maps on the current land use and forest cover in the villages (CLUFC mapping); ● Field surveys to check on current land use and forest. ● Field survey and collection of soil samples (optional) 	4-5 days
Step 3	Back in the office, the staff compile all information and data, and analyze it, and make maps of CLUFC, and draft a first report (desk work)	1 month
Step 4:	Organization of a meeting in the District, to include village representatives, to report on the results from joint working with villagers in village missions 1 and 2, and to agree on a strategy to conduct Village Mission 3 - the forest and land use planning and zonation (below).	1 day
Step 5 (Village Mission 3)	Develop the Plan for Village's Forest Land and Agriculture Management Zonation (FLUMZ) and rules and regulations together with villagers.	3-4 days
Step 6	Back in the office, compile all data, plans and maps into a "Village FLUMZ Plan" document – and submit for approval.	
Step 7	Organize a meeting at District level for approval.	
Step 7	Organize meetings in the village to explain the FLUMZ plan (again) to all villages.	
Step 8 (Village Mission 4)	Monitoring and assessment of the FLUMZ Implementation, and revise the FLUMZ if necessary and appropriate	

Table 2
Rotation schedule for upland agriculture in Houaykong and Namai villages.
Source: The Agro Biodiversity Initiative (TABI, 2018).

Zone	Year	Upland areas (ha)	
		Houaykong	Namai
1	2017	188	414
2	2018	182	565
3	2019	161	504
4	2020	184	442
5	2021	249	
6	2022	187	
7	2023	213	
Total area:		1,364	1,925

introducing a seven-year rotation (see Table 2). Similarly, in Namai village TABI divided the upland agricultural area into four zones, thus introducing a four-year rotation as new rules in farmers' shifting cultivation practices. These are much longer durations of rotation compared to the average rotation duration of 3–4 years as indicated in the government's "three-plot policy" (Chan et al., 2018; Chazee, 1994). See also Hett et al (2011) on intensification of swidden agriculture (reduced rotation duration) between 2007 and 2009.

The defined land use plan divides upland areas into different 'cultivation' zones, supposed to be used by different groups of farmers in sequence over time, and in line with the defined rules and regulations. Unlike in the past where villagers could cultivate upland rice and other crops in their upland fields, scattered throughout the area, the land use plan aims to limit these areas into certain zones, while also regulating the rotational schedule of each zone (see Fig. 1 and 2).

Technically, the pFALUPAM processes ensure that villagers are involved in the overall discussion and shaping of the plan. In practice, however, it is problematic to say that the plan was a result of completely consensual agreement among the different groups within the local communities. The following sub-section will further discuss to which extent land use planning process was participatory and how it may reflect local power dynamics.

5.2. Local institutional arrangements and internal power struggles

TABI completed the land use planning processes in both villages in

2015 and scheduled the implementation of the plan for early 2017. In practice, however, the land use plan remains unimplemented, primarily because some groups in the local communities felt that the plan did not correspond to their needs. For example, while farmers use upland areas mainly for agricultural purposes (e.g. upland rice cultivation, teak and other crops), the introduction of the zoning systems in the defined land use plan limits the area as to where farmers can practice upland agriculture in any single year and throughout the years. Similarly, while farmers prefer to practice upland agriculture in the field nearby their residential area, the rotation schedule also includes far-away fields, meaning that farmers must spend more time and effort to reach the fields to follow the plan (interviews with villagers in Houaykong and Namai, November 2017).

According to both farmers and project management staff, we gathered that the plan was not implemented because it did not capture local communities' consensual agreement as to how they want to use the land. The plan resembles some groups' perceptions of how to gain access to land, while ignoring the fact as to how such access could affect other group's access to their land. In Houaykong village, the plan was not implemented because it goes against the prevailing power of earlier settler group, the Khmu original settlers. These are households who have lived in the village for generations and have always used the upland areas for their livelihood activities (e.g. upland rice, Job's tears, rubber, teak plantation, among others). Unlike other groups in the village, who are more recent Khmu settlers (or came to the area after 1986), the original Khmu settler group has access to multiple land areas. Thus, they have introduced an institutional means to ensure their rights to use the lands over time (even when they do not actually use the land), by marking these unused lands as 'reserved' land, which can only be used by particular farmers from the group, or by other farmers outside the group through informal rental agreements. The group views the defined land use plan as unrealistic because it limits their rights to only certain zones of their 'reserved' land (rather than the entire upland area). Unlike in the past when they could cultivate their upland rice anywhere within their reserved lands, the land use plan makes this impossible as they have to respect the zones made in the plan.

Unlike the original Khmu settlers, recent Khmu settlers only started to come to Houaykong village after 1986 as a result of the government's resettlement policy (Evrard and Goudineau, 2004). Farmers belonging to this more recent group of Khmu settlers lacked access to agricultural land for their livelihood when they arrived and had to rent, borrow, or

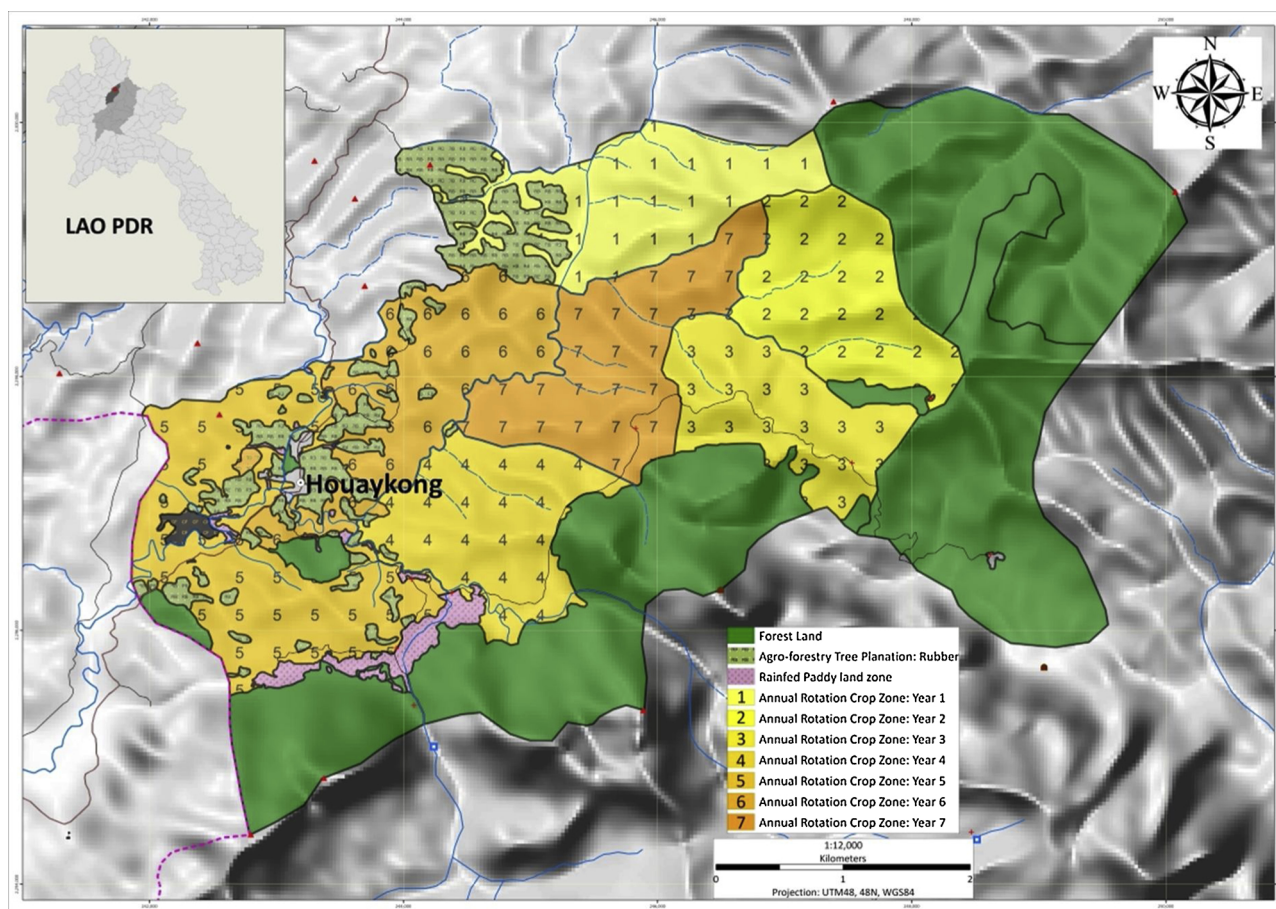


Fig. 1. Land use plan in Houaykong village.
Source: The Agro Biodiversity Initiative (TABI, 2018).

purchase both upland and lowland agriculture land from the original settlers, a practice that they have continued until now. Thus, the defined land use plan obliges the original Khmu settlers to share their reserved land with the recent Khmu settlers, which entails losing income from informal land rental agreements.

Similarly, in Namai village, the plan remains unimplemented because it does not represent the interest of the earlier group of Tai Lue settlers. Apart from the issue of access to reserved land, Tai Lue original settlers do not support the plan's implementation because it will reduce their additional household income (cash and in kind) from existing land rental arrangements with recent Khmu settlers who arrived after 1986 due to government resettlement. As it stands now, the plan incorporates some reserved land of Tai Lue original settlers, which was marked as 'new' land that recent Khmu settlers can access without renting it from the former. As stated by a Tai Lue original settler, "Over time, we have managed to rent our reserved land to others as an additional means to increase household income. However, the proposed land use plan will erase this rental arrangement when it allows Khmu recent settlers to access the land without paying any rent (in cash and in kind)" (interview with a farmer from Tai Lue original settlers, November 2017). Or as a recent Khmu settler put it, "Our understanding is that the defined land use plan will give us equal rights to use the land. In practice, however, Tai Lue original settlers disagree with the plan and insisted that Khmu recent settlers have to continue paying land rental to them. Otherwise, they would not allow us to clear and cultivate their land, even when this is stated in the defined plan" (interview with a farmer from Khmu recent settlers, November 2017).

In general, farmers in both villages referred to the following land rental mechanisms. First, the land rent payment could be done either in

cash or kind (e.g. rice sacks). Normally the tenants would pay approximately LAK 200,000–300,000 (equivalent to USD 24–36) per plot per year or give 30–50 sacks of rice regardless of land size. Second, in case the tenants are too poor to pay the rent with cash or in kind, the land rent payment would be done in return for labor work (e.g. clearing additional upland areas). Third, in case both tenants and land owners have very close relationship, the tenants would only need to ask permission to clear the land and cultivate it without having to pay anything in return. Bearing in mind the existing power asymmetry and patronage relationship, it is very unlikely that Khmu recent settlers would push for the plan implementation, despite the benefits they might get from it. Obviously, while they favor the plan, they lack the power to advocate it.

When TABI staff proposed the boundaries for the land zoning in both villages, Khmu recent settlers in both Houaykong and Namai villages did not oppose to the plan, as it would re-allocate land to them without the prior rental agreements. While the plan would disadvantage original Khmu and Tai Lue settlers in respectively Houaykong and Namai village, they did not openly oppose the plan either. This is because both original settlers know that they could not openly oppose the plan as doing so would indirectly violate the government's Village Relocation and Consolidation strategy. According to the strategy, host villagers are supposed to share their agricultural land in the upland area with the recent settlers. Thus, opposing the plan based on the grounds of wanting to keep the informal rental arrangement intact would not give them any bargaining power to negotiate, not only because the arrangement lacks any legal support, but also because the informal rental arrangement could be used as direct evidence that host villagers had violated the government's instruction with regard to

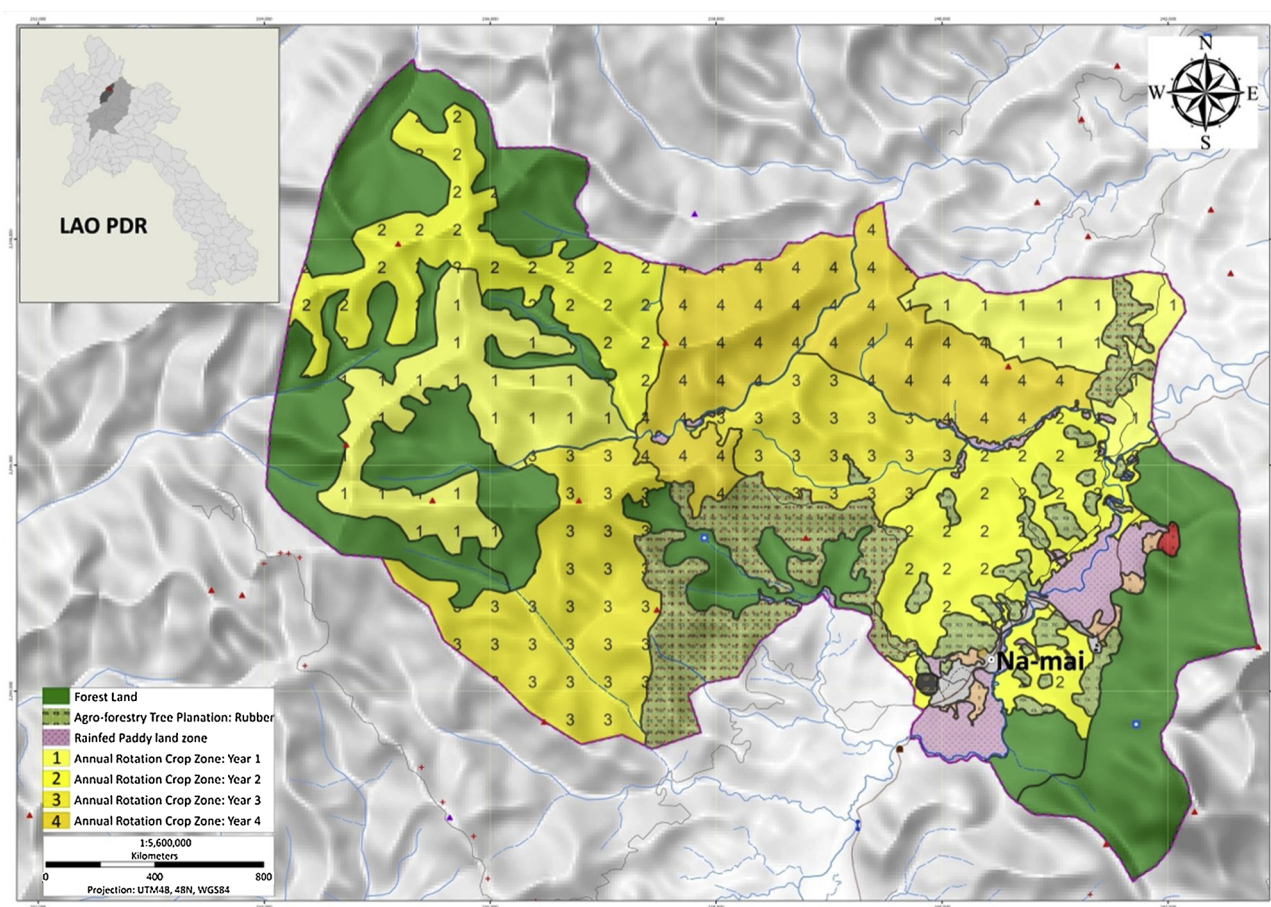


Fig. 2. Land use plan in Namai village.
Source: The Agro Biodiversity Initiative (TABI, 2018).

the implementation of the resettlement strategy. Hence, this explains why the original settlers revealed neither their objection nor the informal rental arrangement during the consultation processes. Additionally, the way villagers perceive TABI staff as government staff might explain their silent opposition, when they disagree with the plan, but decided not to raise it because of the above reasons (interview with villagers in Houykong and Namai villages, November 2017).

Most importantly, original Khmu and Tai Lue settlers did not oppose the plan openly during the consultation processes because they were afraid that doing so might result in the provincial and district government approving more areas for rubber land concession in their respective villages, which tends to happen when government land use plan formulation processes is halted due to disagreement among the villagers. This concern is rooted in the fact that in 2005, provincial and district government approved land concession for Chinese rubber company in their respective villages, resulting in farmers losing some part of their farmland. Here, the original settlers' silent opposition strategically positioned government land use planning processes as a viable means to protect the village from further land grabbing, despite the fact that the plan would benefit and disadvantage the different groups within the village. This strategy might explain why original Khmu settlers in Houaykong village did not insist on having the same zone spread out throughout the upland areas and include areas close to and far from the village like in the case of Namai village (see Figs. 1 and 2). Knowing that they had the power to inhibit the implementation of the plan, original Khmu settlers did not put much effort to contribute to the overall consultation and negotiation processes.

Apart from the issue of power struggles and how more powerful actors applied different strategies to secure their access to land, farmers

in general are concerned that the defined plan might result in insufficient land for all participating households within a particular zone. As the plan rearranges the overall composition between forest and agricultural land, this reduces the amount of agricultural land within particular zones, while compensating such losses with increases of agricultural land in other zones. However, farmers who lose land in one zone may not be willing to move to a new area of swidden agriculture in another zone as it is often located far away from their village. Hence, in this context, some households may have to consider changing their livelihood strategies, for instance by abandoning upland farming and moving to off-farm activities. We gathered that this concern is rooted in the way consultation processes were focused more on delineating current agriculture land use and forest land, and less on how the proposed zoning would impact farmer's agricultural production from upland farming. As said by a farmer from Houaykong village: "During the consultation process we discussed a lot about how to delineate agriculture and forest land, but we never discuss as to whether the defined land zonation management would impact rural households' food security, as we still rely very much on upland areas for that" (interview with farmer from Houaykong village, November 2017). Despite these concerns, however, there was no extension support to adjust the plan accordingly.

While TABI has been successful at developing a land use planning that recognizes shifting cultivation as an integral part of upland farming system, and thus legitimate use of land, the case studies show inherent weaknesses in the overall land use planning processes in general. First, as land use planning processes involves multiple interests and complex institutional arrangements, the question remains as to whether such plan could accommodate the different, competing interests while

capturing the different tenure arrangements, especially bearing in mind existing power asymmetry and power relationships within the local community. Second, while incorporating local community's common understanding and agreement is pertinent for the plan's actual significance, the question remains as to whether this can be done within the current framework of land use planning processes, as the latter was mainly targeting external goals such as an increase in forest cover, and less on localized issues (e.g. more equal land distribution between original and recent settlers). Third, while the plan could in principle be designed to incorporate the above-mentioned points, the plan's actual implementation would still depend very much on staff's capacity and motivation. Obviously, while pFALUPAM was created to address some of the issues mentioned above (e.g. recognition of actual land use and tenure arrangement), the way land use planning processes are currently framed as part of the government's development program, through step-by-step approach, while targeting specific outcomes and relying on limited resources (e.g. both in terms of funding availability and staff's capacity) does not always allow it to follow up and deal with such institutional complexity, especially when farmers do not want to reveal it for different reasons.

6. Conclusion

The paper illustrates and discusses how land use planning has been developed by the central-level state as a technical approach to solve a political problem. This problem can be basically summarized as the absence of clear identification of which areas are to be devoted to different uses in line with different development objectives. It highlights the current disjuncture in land use planning processes across scales and the disconnect between formal land use plan and actual land use. By presenting land use planning merely as a technical, neutral, apolitical tool, the central state does not only reduce land planning processes into a bureaucratic, administrative exercise involving mainly government ministries, it also invalidates the need to include local community and the wider society as part of the overall decision-making processes. Here, depoliticizing decision-making processes in land governance becomes an integral part of the state's territorialization strategy to ensure state's power and decision remain uncontested, albeit this works only within the limited decision-making space of formal state institutions and prescribed government policies and programs.

Referring to land use planning processes at the national and local level in Laos, this paper examines how various actors and institutions shape and reshape such plans in relation to their interests, strategies, and access to resources. These strategies include the central positioning of sectoral development targets as a key reference in the planning processes at national level, and the presentation of 'reserved' lands as a means, albeit hidden, to counter argue the locally-defined land zones. These reserved lands include national protected areas as well as areas identified for special economic zones (SEZ). Viewing land use planning as an arena of power struggles, this paper shows how these strategies are embedded in the existing power structure and power relationships centered on different government ministries' decision-making authority at the national level, and local institutional arrangements between the original and recent settlers pertaining to informal land rental agreements.

Our local case studies bring to light local communities' ability to reshape the overall rationale behind land use planning processes, from a government program to manage agricultural and forest land¹² to a quasi-legal means to protect farmers' farmland from further land grabbing threats. This is most apparent from how they have strategically kept informal institutional arrangements pertaining to land access out of the discussions. It shows how farmers and local communities

could resist state territorialization strategies, thus denoting the latter a less straightforward and systematic process for expanding central state power.

Our case studies also show that direct participation in land use planning processes does not in itself guarantee the plan's actual significance, as the latter is rooted in how relevant groups within the local communities can benefit from the defined plan. Put differently, it is difficult to fulfill the rationales behind the plan through its implementation if powerful groups within the local communities lack any incentive to do so in the first place. This highlights the characteristics of land use planning as a double-edged sword. Land use planning has earlier been positioned as both a tool to bridge policy and institutional divides and as a means to promote more deliberative and transparent decision-making processes. Our case studies show, however, how it can also be used to serve the interest of the more powerful groups in society, to sustain unequal access to land, while consolidating the existing power asymmetry, albeit informally.

From a policy perspective, the current disjuncture in national and local land use planning processes, and the disconnect between formal land use plan with actual land use indicate that the current approach to land use planning is rendered invalid to address the country's land governance challenges. In order to be meaningful, land use planning processes need to be brought out from its current a-political framing. At the national level, this highlights the need to include civil society groups and wider society as an integral part of the decision-making processes. It urges sectoral government ministries to adjust their perceptions of bureaucratic leverage beyond the current set up of development targets, but also how such targets would actually benefit local communities and the wider society. At the local level, this highlights the need to link land use planning processes with the overall notion of social justice (Sen, 2009).

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Appendix A. Supplementary data

Supplementary material related to this article can be found, in the online version, at doi:<https://doi.org/10.1016/j.landusepol.2019.02.017>.

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