



Public participation in community forest policy in Thailand: The influence of academics as brokers

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Abstract

This article focuses on the role of environmental movements that have an influence on state policies regarding community forestry in Thailand. It analyses how conflicts between the state and local people over the right to manage forest resources have ceased to be seen as isolated incidents, but as part of a structural shortcoming in Thai law. In so doing the article discusses the appearance of networks of actors who question the effectiveness of state control, and lobby for the establishment of formal frameworks to establish the rights of local people in regard to access to, and control over forest resources. The article analyses how the different actors became involved, and what their influence was in the process of drafting and presenting a peoples' version of a Community Forest Bill in 2000. In doing so, the paper pays special attention to a group in Thai society that has received little attention in the international literature. This group consists of academics and public intellectuals who have played an important role in the participatory process. Results show that con-

flicts over access rights to forest resources at the local level would not have had such a widespread national attention if it were not for this group who supported the idea of local management.

Key words

Public intellectuals, academics, environmental movements, and common property resources.

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In the last two decades there has been a worldwide increase in the number of Non-Governmental Organisations (NGOs), People's Organisations (POs) and other organisations working with, or on behalf of local people with environmental issues in developing countries. These organisations often originate from opposition to state measures that affect the livelihoods of local people. State agencies and affiliated organisations are in these cases portrayed as having conflicting interests in relation to actors within civil society.

In common pool resource management this conflict is reflected in the question as to who is the most appropriate manager of the common pool resources. Advocates of local management have argued that communities that live close to a resource and whose lives depend on the use of it have greater interest in maintaining a sustainable use and management of the resource than state authorities (Ostrom, 1990). However, some scholars have pointed out that communities are rarely homogeneous, with shared norms and spatially confined as implicated by the

research of Ostrom (Leach et al., 1999; Agrawal & Gibson, 1999). Factors like gender bias, internal class structure and ethnicity can all affect access to and control over products derived from the common pool resources. This indicates that the term 'common' is possibly less collective than implied. The question of who should manage the common pool resources becomes especially complicated when the resource in question provides benefits to an area well beyond its physical location. This is the case with forests where 'public' interests like watershed protection and conservation of bio-diversity, go hand in hand with the 'private' use of non-timber forest products (NTFPs), firewood, and timber used for construction material (Wollenberg et al., 2001). Conflicts over the right to manage the forests have given rise to competing claims of authority and legitimacy. In many countries these forests are considered public land and, therefore, fall within the responsibility of the state. During the last decade this responsibility has been contested by local people, POs and NGOs who accuse the state of mismanagement and cor-

ruption. They question the effectiveness of state control and lobby for formal frameworks to establish the rights of local people in regard to access to and control over forest resources.

Social movements, or networks as the affiliated organisations call them in Thailand, have emerged to advocate for local management of forests. The emergence of these environmental movements is often referred to as 'new' social movements (Dwivedi, 2001; Forsyth, 2003; Peet & Watts, 1996). The term 'new social movements' has been used to describe the kind of social activism that emerged in Europe and North America during the 1960s, and which was associated with new 'identity-based' politics such as women's rights, gay rights, and peace campaigns. They were called 'new' because they were seen to differ from 'old' social movements based upon material interests, often represented by different economic classes (Morris & Mueller, 1992 cited in Forsyth, 2003: 106). Contemporary scholars have pointed out that environmental movements in the South differ from their counterparts in the North, in that the former are often related to livelihood struggles over access to and control over natural resources (Bryant & Bailey, 1997; Peet & Watts, 1996; Redclift, 1987). The debate in Thailand as to whether local people are better equipped to manage the forests rather than state agencies, has involved a wide range of actors in all levels of society. NGOs, POs, local villagers, academics and public intellectuals in favour of local management of forests, have allied to make an attempt to change existing forest policies by proposing a Community Forest Bill. Literature on the appearance of environmental movements in developing countries has often focussed on the alliances between the marginalised and NGOs in gaining access rights over natural resources. Few scholars, to my knowledge, have concentrated on the role of academics and public intellectuals in the development of these movements from the local to the national level. Both academics and public intellectuals have played an important role in the participatory process in Thailand.

This article focuses on the role of environmental movements influencing state policies in regard to community forestry in Thailand. The article analyses how the different actors became involved, and what their influence was in the process of drafting and presenting a people's version of a Community Forest Bill in 2000. I will start with the methodological approach used to understand this process, which eventually led to a network of individuals and organisations involved in the creation of

a draft bill. This is followed by a brief summary of the debate concerning community forestry in Thailand. The role that the different actors played will be analysed in the third section. In this article I argue that the effect of opposition on a local level is limited, unless it is backed by supporters with political influence on a national level.

Research area and methodology

Empirical data for this article was obtained during three months research in Thailand in 2002. The objective of the research was to analyse the different actors involved in the process of formulating and presenting a Community Forest draft Bill to parliament, from the local to the national level. I concentrated on the leading figures in the North of Thailand and Bangkok. Northern Thailand was chosen because a relatively high percentage (48%) of the total area is classified by the Royal Forest Department (RFD) as a conservation zone when compared to other areas in Thailand (Rasmussen et al., 2000). In the research area, Nan province, this percentage is almost 80 percent (Ewers, 2002). It can therefore be expected that conflicts over the right to manage forest resources will be more prominent in the North. Forest conservation is considered important in this region as the major rivers that contribute to the Chao Phraya River in the central plain, originate in the hills of the North.

Key informants and organisations were selected according to their involvement in the community forestry debate from the early 1990s. A wide variety of informants, both in regards to perspective and type of organisation, were interviewed. Three different sources of information were used to choose possible key informants or organisations. The first source of information originated from articles in English and Thai newspapers reporting on community forestry during 1994-2002. Organisations and spokespeople who appeared in approximately 200 articles were crosschecked with organisations appearing in the literature written on community forestry in Thailand. Finally, the coordinator of the NGO Coordinating Committee on Development (NGO-COD), which is the coordinating body of the majority of NGOs in Thailand, provided additional names of people and organisations that had been important in the debate. At the end of each interview, informants were asked to recommend other interviewees to establish an idea of who their networks were. These persons were interviewed when they were mentioned by at least two independent sources. A total of 26 qualitative

interviews were conducted with informants roughly belonging to four groups in Thai society; Universities and research institutes, Non Governmental Organisations, People's Organisations, and state officials.

Interviews consisted of three parts so that it was possible to obtain an insight about the various key informants' and organisations' knowledge and authority on community forestry. In the first part of the interview the history of the organisation's involvement in community forestry was discussed. In the second part, questions were asked about the organisation's role in the drafting process of the Community Forest Bill. The last part dealt with the organisation's relationship to other organisations. Finally, key informants were asked to create an organisational map to obtain an idea of the relevance and importance of the different organisations (including their own) in the formulation and presentation of the Community Forest Bill.

Community forestry in Thailand

Conflicts over the right to use forest and land date back to 1964 when the National Reserved Forest Act (RFD 1961; 1964) was enacted. In that year, the target of permanent forest cover was set at 50 percent, with the result that almost half of the country was declared a national forest reserve. Forest reserve areas were, however, rarely clearly defined and often overlapped with agricultural land (Hirsch, 1990; Rigg, 1993; Pratuang, 1997). This meant that, according to the state, farmers who were cultivating in those areas were illegal settlers. In 1998 it was estimated that the 16.5 million ha. of forest reserve and other public lands were occupied by approximately 3 million people (Ministry of Agriculture and Cooperatives, 1998).

The National Forest Policy of 1985 reduced the target of permanent forest cover to 40 percent, of which 15 percent was designated as conservation forest and 25 percent productive forest. After flooding in the south, which was believed to be exacerbated by deforestation, a logging ban was issued in 1989 and the ratio of conservation versus productive forest changed to 25/15 (Hirsch, 1993; England, 1997). Despite these measures, forest cover decreased from 53 to 26 percent of the total land area from the early 1960s until the mid 1990s, a decrease of more than 4,000 square kilometres per year (Rasmussen et al., 2000). In 1992, the RFD, the governmental agency responsible for forest management, made a further subdivision of the forest reserves, designating specific areas for agricultural, economic and conservation purposes.

In addition to the right to own land with all the benefits this involved, these policies also affected access to and control over forest products by local people. Forestry related conflicts are therefore constituted as being twofold, and often overlapping. First, farmers who are cultivating areas within the forest reserves are considered by the state as illegal settlers. Secondly, the use by these farmers of the resources of the surrounding forests is now prohibited. The management of community forests falls within this second category. Considering the above, one can understand that the debate about community forestry in Thailand is as much a land issue, as it has to do with the right of forest management by local people. Hence, community forestry has to be seen in a context of conflicts over access to resources, which include both forest and land.

This conflict is reflected in discussions about community forestry in Thailand, which has made it difficult to formulate a policy that is acceptable to all those involved. In the past 10 years several attempts have been made to pass legislation that would regulate access to and control over forest resources. Various draft Community Forest Bills have been presented, of which the last one was approved by the parliament in 2001, but rejected by the senate in March 2002. The main point of disagreement between the different groups is whether local people can be allowed to live and use the forest in protected areas. Protected areas include national parks, wildlife sanctuaries and watershed forests. Watershed forests form part of the conservation zones in the National Forest Reserve Classification. Advocates for and opponents of local management of forest resources can be divided into a pro-community group who has an anthropocentric approach to natural resource management, and a conservation-oriented group who has an eco-centric approach. The debate whether or not to allow people into protected areas is complicated as it is part of a larger discussion on the causes of deforestation in Thailand during the past four decades.

Government officials and conservationists often point out that farmers are the culprits of deforestation due to their practice of shifting cultivation and the expansion of agricultural fields for cash crop production. Conservationists are, furthermore, concerned that, by allowing local people into protected forest areas, this will increase the risk of more destructive practices like logging and mining. The pro-community group, however, proclaim that deforestation is mainly caused by concessions handed out to businessmen and influential people for logging and other activities that are a threat to the forests. They argue that local people are better equipped to preserve the forest than

the state. Though the anthropocentric and eco-centric approach can be theoretically viewed as a continuum, the debate in Thailand has caused a polarisation into the two extremes of the spectrum. Both groups refer to the best, respectively worst, case scenarios to validate their viewpoint. Furthermore, these cases are used to shape the political debate on community forestry, and leave little space for compromise.

Actors' involvement in community forestry

Public intellectuals and academics

The Royal Forest Department issued the first official draft legislation for a Community Forest Bill in 1992. This draft was criticised by academics, pro-community NGOs and POs, as merely encouraging people to plant trees instead of handing over local control over already existing forest (Johnson & Forsyth, 2002; Makarabhirom, 2000). In response, a group of around 30 people - composed of academics, pro-community NGOs, and POs - presented an 'alternative' draft bill in 1993 (Makarabhirom, 2000).

This group had been involved in a three year study conducted by the Local Development Institute (LDI). The LDI had been founded in 1991 in Bangkok as the operational arm of the Local Development Foundation (LDF), an organisation with a high level of autonomy sponsored by the Canadian International Development Agency (CIDA). In 1981, CIDA established a long-term program of development assistance to Thailand, distributing funds for community development and poverty alleviation to the local level. From 1984, funds were channelled through the Local Development Assistance Program (LDAP) which had the objective of strengthening Thai development organisations by funding local projects, providing training in project management and implementation, and building national and regional networks of NGOs. This resulted in the establishment of the NGO Coordinating Committee on Development (NGO-COD) and its regional centres in the Northeast, North, Lower North and Central, and South (Surintaraseree, 2001: 2). The LDF/LDI became the successor of the LDAP but with a wider mandate. In addition to the objectives of the LDAP, the aims of the LDF/LDI were to strengthen the capacity of village communities by providing assistance funds in the form of loans and grants, and to guide policy making at the national level through policy-oriented research.

The aspiration of the LDI was to create a bridge between government, NGOs, POs and village communities

in order to enhance development and reform. The political climate in the late 1980s supported this process. After the collapse of the Communist Party of Thailand, the Thai government became more willing to collaborate with NGOs. The Project Review Committee of the LDAP estimated that NGOs could start influencing policy through advocacy and research (Surintaraseree, 2001: 12). From its initiation, the LDF/LDI was, therefore, cooperating with a wide range of actors within Thai society. Representatives of government agencies such as the Department of Technical and Economic Cooperation (DTEC), the National Education Commission (NEC), and the National Economic and Social Development Board (NESDB), as well as CIDA and LDF were part of the Project Steering Committee. The LDI president was an ex-officio member. Members of the Regional Project Review Committees varied, but were mainly composed of representatives of the four regional NGO-CODs, academia, government agencies, village communities, as well as the business sector. Projects were carried out by local NGOs and POs. Monitoring was usually conducted by teams who were headed by a professor or researcher from an academic institution in the region. Team members came from academic institutions, NGOs and POs (Surintaraseree, 2001: 15).

The initiator of the study by the LDI was Professor Saneh Chamarik, originally a political scientist from Thammasat University, and at that time president of the LDI. The study was set up as an action research with the objective of identifying existing indigenous knowledge of forest management, and the impact that national forest policy and other forestry laws had on the management of forest resources. The study was conducted at the local level in the North and Northeast of Thailand, and included different pro-community NGOs, academics from the Social Research Institute at Chiang Mai University in the North, and Khon Kaen University and the Rajabhat Institute in the Northeast. On a national level the research was concerned with issues such as legal rights of communities and biodiversity. The study took three years and was participatory in its set-up, with workshops held every month, every six months and annually to discuss the findings with villagers, academics and NGOs. Representatives of the RFD, the Land Development Department (LDD), and other agencies working with forest related issues, were regularly invited to talk about the outcomes of the study. The study in the North of Thailand revealed that forest management by local villagers was more complex than the traditional view of ethnic minorities destroying the forest. In most cases, villagers had their own systems to

manage the forest, and protect it from encroachment.

This confirmed some of the findings of an earlier study of the history of settlers in national forest reserves, carried out by the Thailand Development Research Institute (TDRI) in 1990. The TDRI was established in 1984 in Bangkok as a non-profit, non-governmental foundation with the objective of conducting policy research and disseminating results to the public and private sectors. One of the research areas of TDRI combines technical and policy research that supports the formulation of policies related to the environment. CIDA and the United States Agency for International Development (USAID) provided international funding in the research institute's earliest period (Hirsch, 1997). Dr. Jermsak Pinthong, at that time a professor of economics at Thammasat University, and in 2002 the chairman of the senate Committee on Public Participation, was in charge. The nation-wide study took two years and incorporated academics from the North, Northeast, South and Central Thailand. Results of the study in the North of Thailand showed that villages had formed local organisations to take care of and manage community forests covering areas from 5 to more than 1000 rai (1 rai = 0.16 ha) (Ganjanapan, 2000).

Both studies can be considered important, as forest management by local people had not been a research topic in Thailand prior to this. In particular the outcome of the study by the LDI has, since then, provided the academic foundation for university involvement in the community forest debate. The 'alternative' Community Forest Bill presented in 1993 was a first attempt to incorporate the results of the study into a legal framework. Additionally, academics and NGOs involved in the study started to publicise their findings in the Thai and English newspapers.

The two people in charge of the studies, Professor Saneh Chamarik, in 2002 chairman of the National Human Rights Commission of Thailand, and Dr. Jermsak Pinthong, were well acquainted with each others' work as the former had been an advisor on the research of the latter. According to a study by Sriyaranya (2000) in Bangkok, both Professor Saneh Chamarik and Dr. Jermsak Pinthong form part of a group of people who are regarded as leading public intellectuals. In this study, leading Thai intellectuals are people who influence Thai society by way of expressing very significant ideas (Sriyaranya, 2000: 1). Highly influential intellectuals, as indicated in the study by the main intellectual circles themselves, are characterised by a high degree of acceptance of their conceptual ideas. Public intellectuals are known for commenting on a wide range of social issues. They often

discuss political, social and economic change from an ethical and ideological perspective (Hirsch, 1993; McCargo, 2000; Sriyaranya, 2000). Ideologically, it is possible to categorise Professor Chamarik and Dr. Pinthong as 'communitarians'. These are people who aim to reduce state power by advocating the right of village communities to govern themselves and manage their own resources (McCargo, 2000; Reynolds, 2001). Professor Nithi Eawsriwong and Professor Bowornsak Uwanno, two other leading intellectuals according to Sriyaranya's study, were also involved in the studies. Sriyaranya (2000) ranks public intellectuals according to their importance in influencing and mobilising public opinions and attitudes, as perceived by the Thai intellectuals themselves. Professor Chamarik and Professor Eawsriwong appear on the top 10 of this list. Professor Uwanno and Dr. Pinthong are placed within the 35 most influential intellectuals out of a total of 98 (Sriyaranya, 2000: 11). Professor Eawsriwong, a historian at Chiang Mai University, is widely known for advocating the communitarian approach, and regularly writes articles in favour of local management of forest resources. That a professor of Chiang Mai University was called a leading public intellectual in a study that focussed on Bangkok is moreover significant for the attention his articles receive from the intellectual public. Professor Bowornsak, originally a lawyer from Chulalongkorn University, was in 2002 the director of the King Prajadhipok's Institute, a research institute under supervision of the parliament. He was part of the national research team in the study of the LDI, investigating the legal history of community rights.

Not all four have been actively involved in the discussion concerning community forestry, but they have been important in shaping the national debate in Thailand on public participation and community rights. Moreover, due to their high positions and respected status in Thai society, they were also able to influence the incorporation of these ideas in the political reform. For example, Professor Chamarik worked for a short time as the committee member responsible for drafting the sixth National Economic and Social Development Plan (NESDP), introducing the concept of 'poor rural area'. This shifted the direction of the sixth plan and provoked a national debate on the approach to take to improve the living conditions of the rural poor (Sriyaranya, 2000: 19). The community rights' approach continued to be incorporated in the seventh, eighth, and ninth NESDPs (Government of Thailand, 1997; 2002), where emphasis has been placed on the participation of NGOs, the private sector, communities and

the general public in the process of national development. In 1994, the president of the parliament created the Democracy Development Committee, chaired by Dr. Prawase Wasi, president of the LDF, and one of the top 10 leading public intellectuals according to Sriyaranya (2000). The committee's report recommended a process to draft a new constitution that would include public consultation and other forms of involvement. The LDI, together with various networks, organised campaigns to record public opinion and encourage people to act as watchdogs to monitor the political system (Surintaraseree, 2001: 28). Professor Bowornsak became part of the Constitutional Drafting Assembly that drafted the 1997 Constitution, which is known for its emphasis on enhancing the ability of people to exercise their rights, participate in public decision-making, and to hold elected politicians and public officials accountable (Constitution of the Kingdom of Thailand B.E. 2540, 1997; King, 2002).

According to the study by Sriyaranya (2000), almost 50 percent of the public intellectuals in Bangkok are professors and lecturers at universities. Since the late 1980s, academics have increasingly been a part of the public debate, particularly after the 1988-1990 economic boom when the printed media gained independence from governmental control (Pongsudhirak, 1997). The role of the press changed from being subservient to the state, to being a watchdog, working for the public interest. This was especially noticeable during the political crisis in May 1992, when the press played an important role in driving the Suchinda government from office (Pongsudhirak, 1997; McCargo, 2000). During the economic boom and after the financial crisis in 1997, public debate reflected the need for economic and political reforms. Sriyaranya (2000) argues that, contrary to a western tradition of disseminating new thoughts and concepts in international journals, Thai intellectuals use daily newspapers, weekly magazines, radio and television to spread their ideas. Besides offering high fees, publicising in such media also has the advantage of reaching and influencing a large number of people. Almost 40 percent of the public intellectuals who regularly wrote articles for daily newspapers and magazines considered these media the most effective platform for communicating public ideas, while only 3.5 percent mentioned writing for academic journals (Sriyaranya, 2000: 2). It is therefore not surprising that academics used these media to publish their findings, in particular the results of the study initiated by Professor Chamarik. In the North of Thailand, this group consists

mainly of a small number of academics within the Faculty of Social Sciences and Humanities at Chiang Mai University (CMU). They regularly write background articles, and are asked to comment on current events in relation to community forestry in Thai and English newspapers.

Public intellectuals and academics who were involved in the study of the LDI attracted national attention to the problems related to forest management by using a strategy that was active on two fronts. First, at the policy level, public intellectuals were able to incorporate their ideas on public participation and community rights in the 1997 Constitution of Thailand, and the NESDP 5 year plans. A more open political climate in Thailand in the late 1980s that favoured cooperation with NGOs, combined with the involvement of state agencies in the LDI, created the circumstances in which this was possible. Secondly, academics involved in the study used the increased attention on public issues in the press, to publish frequently in daily newspapers and weekly magazines. Besides writing in newspapers, they also were actively involved in seminars and presented their work at international conferences.

When eventually, in 1996, the Banharn government requested the NESDB, a policymaking body composed of both government and public figures, to organise and draft a new version of the Community Forest Bill (Johnson & Forsyth, 2002), Professor Prawase Wasi chaired the meeting. All the involved parties were invited including academics, villagers, POs, NGOs, the RFD and representatives of the government. In the new version of the bill, a compromise was reached allowing local people management rights over community forests in protected areas instead of ownership rights. Ownership would remain with the state. While public intellectuals and academics supported the community forestry debate mainly at the national level, pro-community NGOs and POs worked predominantly on a local level.

Pro-community NGOs and POs

Although several conflicts over land and forest rights have been recorded since the forest reserve classification in the 1960s (Hirsch, 1993; Ganjanapan, 2000), community forestry had not been a real issue until a court case in Chiang Mai province attracted national attention in 1989. Villagers of Huay Kaew protested against the concession that a local entrepreneur had received from the RFD to exploit an area situated in a forest reserve. The area in question was leased to the wife of a local member of parliament (MP) for the purpose of making an orchard, but coincided with a forested area used by villagers to collect NTFPs

and firewood. When her employees attempted to cut down the trees and prepare the area for cultivation, villagers blockaded the area. During the conflict a local leader was shot dead. The case attracted national attention when the wife of the MP took the matter to court and charged a number of villagers, including a student from Chiang Mai University (CMU), with trespassing. The villagers obtained support of the CMU's Student Union, NGOs and CMU academics. Their efforts resulted in the annulment of the lease agreement and the right of the villagers to manage their own community forest. However, it took several years before this agreement was implemented, even after the RFD agreed that the villagers could manage the forest area (The Nation, 23 July 1997).

The Huay Kaew case in 1989 roughly marked the beginning of pro-community NGOs and POs involvement in community forestry. The Huay Kaew case was not unique and similar cases could be found across north eastern and northern Thailand. What made this case special was that it was the first time that a conflict was taken to court to establish the rights of the different stakeholders. One of the leading NGOs in this case was the Project of Ecological Recovery (PER). PER had become widely known on an earlier occasion during their campaign against the Nam Choan dam. They co-ordinated the protests of various grassroots and middle class groups, provided media coverage, and kept an ongoing dialogue with members of the government. Their campaign was so successful that in 1988 the Thai government decided to postpone the project indefinitely (Rush, 1991 cited in Bryant & Bailey, 1997: 147). PER thus became an important actor in the defence of the Huay Kaew case. Based in Bangkok, they had the information and the contacts to assist the villagers effectively in their protest. Community forestry became an issue of interest to other pro-community NGOs and POs working with rural development. As one informant said: "... about 20 years ago we thought that the villagers were destroying the forest, that they did not have any knowledge about managing natural resources. We gave them training and information but it didn't work. The turning point came when villagers opposed the logging concessions. From that moment we started to study why they opposed the concessions".

The Northern Development Workers Association (NDWA), a network of northern NGOs and POs, began looking for similar cases to Huay Kaew. The NDWA was established in the early 1980s as one of the NGOs that advocated "alternative development". They emphasised not only economic development, but also social, political and

cultural aspects of development to counter what they saw as the negative impact of the government's policies and practices on the poor. This type of organisation can be traced back to the late 1960s when students and intellectuals went to remote areas to experience the life of the rural poor and campaign for their development (Quinn, 1997). The objective of this type of NGO was to strengthen farmers' organisations so that they could take charge of their own development. As such, the work of the NDWA aimed at improving the economy of farmers by launching various self-help schemes like money-saving schemes, cooperatives, alternative income projects, and finding new agricultural markets. In the mid 1990s the NDWA changed its name to the Northern Farmers Network (NFN) when it was officially registered as a non-governmental organisation. The NFN is an umbrella organisation affiliating a number of like-minded NGOs who use the NFN to share experiences and discuss work difficulties. Most of these NGOs are members of the NGO Coordinating Committee on Development (NGO-COD), established during the Local Development Assistance Program (LDAP) financed by CIDA. The NFN campaign for the control over local resources and social justice for member communities, many of which are from ethnic minority groups (hill tribes). The NFN coordinates with their NGO members, academics, media and other networks when organising seminars, campaigns, demonstrations, and petitions. Each of the affiliated NGOs and POs in this system function as a network on the local level. This umbrella of networks has a loose organisational structure without a central office, but with a secretariat that takes care of basic administration like disseminating information and arranging seminars. Chris Baker (2000) argues that this type of supra-local organisation emerged in the early 1990s when increased attention on rural protests in the press, combined with a growing NGO movement in the late 1980s, gradually built linkages between local protest groups and local movements.

Prior to this, most of the organisations affiliated to the NFN had not been involved in community forestry. They had been working with rural development issues from the mid-1980s when Thailand experienced a high economical growth, based mainly on the expansion of agricultural land used for the production of cash crops. The objective of these pro-community NGOs was to provide an alternative for farmers who were left out of the capitalist export-oriented economy as pursued by Thailand. When the affiliated organisations became part of the research of the LDI, they found that there were many cases where vil-

lagers had opposed logging concessions. The role of the organisations changed from trainer, to facilitator and advisor in the process of opposing forest policies. The number of cases similar to Huay Kaew that became known to the NGOs and POs increased from an initial 30, to more than 700 in the North of Thailand (Parakorn, personal communication).

The 'alternative' Community Forest Bill, presented in 1993, was based on the results of the study undertaken by the LDI. From 1994 until 1997 there were several demonstrations involving issues related to conflicts over land and forest. The main problems involved the overlap of national park boundaries with villagers' agricultural land, resettlements, concessions given to entrepreneurs in forest reserves, and the lack of a Community Forest Bill. In 1995, the NFN organised a march of 20,000 farmers through Chiang Mai and Lamphun, which forced the Minister of Agriculture to the negotiating table (The Nation, 9 May 1997). However, the 'compromise' version of 1996, as agreed upon by all the affected parties, came to nothing when the Banharn government fell. From February to May 1997, there was a 99-day siege in Bangkok by the Assembly of the Poor (AoP), a national umbrella organisation. Demands included the approval of the Community Forest Bill (Baker, 2000). Three public hearings were then held after which the Chavalit Cabinet altered the 1996 'compromise' version of the Community Forest Bill. Neither pro-community groups nor conservationists had been given the opportunity to see the final draft (The Nation, 17 September 1997). Also this government came to an end before the Community Forest draft Bill was finally approved. Finally, after years of conflict, the Constitution of 1997 provided a way out by making it possible for people to propose their own Community Forest Bill if they had the written support of 50,000 people (Constitution of the Kingdom of Thailand, 1997). In 2000, the AoP drafted a final peoples' version of a Community Forest Bill. 52,698 signatures in favour of the bill were collected by the AoP, NFN, academics, and the in 1999 established Northern Community Forest Network (NCFN) (Makarabhirom, 2000).

Conservationist NGOs and POs

The 'compromise' draft agreed upon in 1996 was strongly opposed by conservationist groups who objected to community forests in protected areas. As mentioned before, this group of conservation-oriented organisations consider the widespread farming practice of shifting cultivation, and the expansion of agricultural fields for cash crop

production as one of the main causes of deforestation. They are furthermore concerned that by allowing local people into protected areas, there will be an increased risk of more destructive practices like logging and mining. They argue that major watersheds, wildlife sanctuaries and national parks have national and international significance, which supersede the claims of the people living within the boundaries of those areas. Most of the people living in protected areas are hill tribes who settled there before these areas became protected. Their way of life and shifting cultivation practices are increasingly questioned. This has influenced the debate as to whether hill tribes should be given the same rights as Thai citizens. Though conservation-oriented organisations have not been actively involved in the drafting process of the Community Forest Bill, they have been influential in the debate as to whether or not village communities should be allowed to manage forest resources in protected areas.

A well-known case in the newspapers concerns a conflict with the Hmong hill tribe in Chomthong district, Chiang Mai province. Lowland villagers accuse the upland Hmong of causing water shortages as a result of large-scale deforestation and intensive farming practices. The Hmong live at high altitudes around 1000 m.a.s.l. where cultivable land is relatively scarce. They have traditionally cultivated opium as a cash crop. When opium was outlawed in Thailand, the Hmong gradually adopted alternative cash crops like fruit trees, flowers and cabbage. Besides blaming the Hmong for deforestation, the lowland villagers also accuse the Hmong of using large amounts of water and pesticides to grow their crops. One of the organisations most active in the area is the Dhammanaat Foundation. The Dhammanaat Foundation was established in 1987 by Phra Pongsak Techadhammo, a Buddhist monk. He started working with the villagers of Chomthong in 1983 to protect the forest in the watershed area that is the headwater to a number of streams that supply the villagers with irrigation water for their paddy rice fields. Villagers made firebreaks, fences, and planted trees in cooperation with the Dhammanaat Foundation and the RFD. Dr. Suchira Payulpithak, a lecturer at Phajap University in Chiang Mai and active within the Foundation, argues that the problems with the Hmong are caused by a combination of factors involving the change in land use from opium to other cash crops, the subsequent expansion of territory to meet the monetary needs of a market economy, increased population pressure and improved infrastructure. Dr. Suchira Payulpithak is a strong opponent of hill tribe settlements in protected areas, and she is frequently cited in the Thai and English news-

papers, arguing for the resettlement of the Hmong in the Chomthong area. The focus on the Hmong as being destructive may, however, also have another background. According to Delang (2002), the Hmong have a bad reputation and low status in Thai society. This is partly due to the involvement of some Hmong in the armed struggle against the Thai military junta in the 1970s, resulting in an offensive campaign in the Thai press, but also because of their widespread opium production. Even though the growing of opium has decreased dramatically, the Hmong are still regularly regarded in the Thai press as drug dealers (Delang, 2002: 493).

The Seub Nakhasathien Foundation has a more moderate view on ethnic minorities living within protected areas. The Foundation was established in 1990 in Bangkok in memory of Seub Nakhasathien, a wildlife biologist of the RFD, who committed suicide in 1990. As the chief of Huay Kha Khaeng Wildlife Sanctuary in Western Thailand, Seub Nakhasathien opposed the logging concessions granted to a plywood company in some areas of the sanctuary. Before he died, Seub Nakhasathien set up a reserve fund to protect Huay Kha Khaeng and Thung Yai Naresuan Wildlife Sanctuaries and made both sanctuaries a World Heritage site. The two sanctuaries form part of the Western Forest Complex (WFC), situated at the border with Myanmar in Western Thailand. The Seub Nakhasathien Foundation focuses on raising public awareness, campaigning, and training rangers. Its aim is to protect and conserve the forests and nature. Projects range from environmental education, environmental protection, wildlife research, and campaigning for rangers' welfare. Projects are conducted in collaboration with the village communities that live within and in the vicinity of the sanctuaries. The Foundation works through building networks of conservation organisations on a local and national level. As such, they cooperate with RFD officers, conservation NGOs, and community networks that are involved in the conservation of natural resources (Seub Nakhasathien Foundation, 1999). Ms. Rataya Chantien, chairwoman of the Foundation, is not in favour of community forests in protected areas but she is also aware that there are village communities in the area that were living there before the area was declared protected. In the WFC, the indigenous people are the Karen hill tribe. The Foundation's main concern with this tribe is the expansion of agricultural land due to population pressure, and the increased use of natural resources if they become incorporated into the market economy. Another group of settlers is composed of migrant workers from the Northeast who

stayed after the construction of some hydroelectric dams in the area. Apart from the problems concerned with the expansion of agricultural land, this group is, according to Ms. Rataya Chantien, also involved in logging activities. Though the Foundation does not approve of community forests in protected areas, it does acknowledge the rights of people already settled within the borders of the sanctuaries. Ms. Rataya Chantien states, however, that it is difficult to control whether all the villagers are willing to protect the area. According to Ms. Chantien, it takes only a few people to destroy the forest.

As may be clear from the above, conservation-oriented organisations are cautious of village communities' capability to manage the forest. When it comes to community forest management, they consider that there is a need for outside intervention, in particular to be in control of the process and to monitor the impact of community forest management. The peoples' version of the Community Forest Bill as presented by the AoP in 2000 incorporated some of the concerns of conservationists. Consequently, when compared to the 1993 'alternative' version, the peoples' version now focuses only on forest areas and does not include shifting cultivation areas as being a part of forest management. Furthermore, the peoples' version makes a clear delineation between forest and village areas and incorporates the condition that villagers have to prove that they have been managing the forest for more than five years. Finally, the new version establishes a clear decision-making procedure whereby final decisions are made by a national-level committee (Makarabhirom, 2000).

State officials

The RFD presented the first official draft of community forest legislation in 1992. This draft was inspired by the initial concept of community forestry as introduced by the United Nations Food and Agricultural Organisation (FAO) in the late 1970s. The FAO defined community forests in the early 1980s as "... any situation which intimately involves local people in a forestry activity. It embraces a spectrum of situations ranging from woodlots in areas which are short of wood and other forest products for local needs, through the growing of trees at the farm level to provide cash crops and the processing of forest products at the household, artisan or small industry level to generate income, to the activities of forest dwelling communities" (Arnold, 1991). RFD projects related to community forests in the 1980s were mainly implementing community woodlots and forest villages in accordance with the overall view of forests as productive forests

rather than natural forests. The RFD first adopted a conservationist approach to forest management when it became apparent that forested areas were rapidly declining (Rasmussen et al., 2000). In 1989, a logging ban was issued after flooding in the South of Thailand caused hundreds of casualties (Hirsch, 1993). In that same year the court ruled that villagers of Huay Kaew had the right to manage their community forest.

The then director-general of the RFD was willing to start a pilot project based on the right of the villagers to manage their community forest. However, implementation was hindered due to the existing laws, which recognised only RFD officers as the rightful managers of the forest. The RFD became divided between those in favour of local people managing the forest, and those who opposed. Opponents within the RFD are mainly staff working in the national parks and wildlife sanctuary departments. Those in favour are often working at the local level in community forestry promotion. They receive regular training from the Regional Community Forestry Training Centre for Asia and the Pacific (RECOFTC), and have increasingly taken a more participatory approach to community forestry. The role of the RFD in the drafting process of the Community Forest Bill was limited. After they presented the first draft legislation in 1992, they were mainly involved in the negotiations that led to the 'compromise' version of 1996.

Three successive governments have since then dealt with the Community Forest draft Bill. In 1997, under pressure from the 99 day siege of the AoP in Bangkok, PM Chavalit agreed on three resolutions which allowed long term settlers to remain in protected areas provided that they had lived there prior to the declaration (Baker, 2000). Three public hearings were called, after which the 'compromise' version of the draft bill was altered, and in principle approved by the Cabinet. There were three main changes compared to the version of 1996. First, to allow community forests in protected areas but with strict pre-conditions and regulations for their utilisation, secondly, to support commercial activities in community forests, and thirdly that final decisions would rest with the RFD (Makarabhirom, 2000). Especially the director-general of the RFD at the time was a strong opponent of human settlements in protected areas. He was regularly quoted in the English and Thai newspapers for opposing the view that villagers in protected areas could manage the forest, and for advocating commercial plantations in community forests.

In 2000, a peoples' version of the Community Forest

Bill was presented together with more than 50,000 supporting signatures. In response, the House of Representatives appointed a committee to consider the peoples' version as well as various other drafts that had been developed over the years. The committee consisted of 27 members, with representatives of each political party, along with five members chosen by the government. These five people were representatives of PER, the NCFN, the Seub Nakhasathien Foundation, the RFD, and a technical adviser from RECOFTC (Makarabhirom, 2000). The final draft bill was approved by parliament in 2001, but rejected by the senate in 2002. The Community Forest Bill still awaits approval at the moment of this writing in April 2005.

Conclusions

Drafting a Community Forest Bill has been a long process, with many people involved. The peoples' version of the bill has been the result of a joint venture by villagers, pro-community NGOs and POs, academics and public intellectuals who were active at different levels in Thai society.

The three-year study conducted by the LDI in 1991 proved to be crucial in the community forest debate. The results of this study not only provided the foundation for academic involvement, but also countered the, until then, common discourse that local settlers destroyed the forest. Public intellectuals and academics who were involved in the LDI study attracted national attention to the problems related to forest management by using a strategy active on two fronts. First, on the policy making level, public intellectuals were able to incorporate their ideas on public participation and community rights in the 1997 Constitution of Thailand and the last three National Economic and Social Development Plans. A more open political climate in Thailand in the late 1980s that favoured cooperation with NGOs, combined with the involvement of state agencies in the LDI, created the circumstances in which this was possible. Secondly, academics involved in the study used the increased attention of the press on public issues, to frequently publish articles in daily newspapers and weekly magazines. Public intellectuals and academics were especially active during the drafting of the 'alternative' and 'compromise' versions of the bill in 1993 and 1996. At a later stage their role was more supportive to the actions undertaken by the Northern Farmers Network and the Assembly of the Poor.

The Huay Kaew case in 1989 marked the beginning of

an increased interest of pro-community NGOs and POs in forest related conflicts. The magnitude and prevalence of the problem, however, became first apparent during the LDI study of 1991. The network structure of organisation facilitated the further dissemination of information to other villages. Both the Northern Farmers Network and the Assembly of the Poor used their rights as citizens set out in the 1997 Constitution. More than 50,000 signatures were collected to support the peoples' version of the bill.

However, the study conducted by the LDI could not have had such an impact if the political climate in Thailand during that time had not been supportive of local participation in the decision-making process. Three successive governments have made an attempt to reach an agreement between pro-community and conservation-oriented organisations in relation to the Community Forest Bill. Leading public intellectuals in favour of public participation and community rights were at the forefront in incorporating these concepts in the political reform. Both the last three National Economic and Social Development Plans, and especially the 1997 Constitution have been written in accordance to these ideas.

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