

CHAPTER III

VILLAGE SOCIETY AND ECONOMY IN THE STUDY AREA

This chapter demonstrates the composition of village society in relation to people's livelihoods. Even though production remains subsistence-oriented, the village is not isolated but engaged in interactions with surrounding communities, with markets and with the state. Agro-ecosystems and inland fisheries are intertwined within people livelihoods. The characteristics and importance of agro-ecosystems, the complexity of inland fisheries in the area are significant as they provide the existing factors that people respond to in their activities and livelihoods. The nature of village authorities and relations between the villages are also significant to understand. In addition, specific aspects of the relationship between villages and the state, especially district authorities, are very crucial to be acknowledged. These various factors are embedded in people lives, which have inevitably affected the transformation of village society and changes in property relations. All of the above features of village society and economy are illustrated through a case study of Nong Bua, which provides detail to show its complexity and the involvement by the other communities before the regime has been changed.

3.1 Resources, Livelihoods and Property Relations

The case study is in the village of Kaengpho in the Mekong basin, southern Laos. Kaengpho is in Sanasomboun District, Champassak Province (Figure 3.1). It is located on the left bank of Sedone above Saelabam Dam.¹ The district has borders

¹ Saelabam Dam is the country's first hydropower dam completed in 1963 producing 5 Mw to serve the use in the District and some part of the city of Pakse.

with Khong Sedone District, Salawan Province in the north, Bachieng Chaloesuk District in the east, Pakse District and also the capital city of Champassak in the south. In the east, across the Mekong, it borders Phonethong District, with Ubon Ratchathani Province, Thailand in the northeast. Sedone is a river originating from Khong Sedone District, flowing down from north to south of the district and feeding into the Mekong at the city of Pakse². Route no. 13 is the main north-south highway for country transportation parallel to Sedone River on the right bank. The area consists of a plain along the river and gradually becomes hilly, with forest along the edge of the district. Phu Xiangthong National Biodiversity Conservation Area, initiated in 1995, is located along the Mekong River in the west sharing an administrative boundary between Sanasomboun and Kong Sedone Districts in Salawan Province.

In general, this area is a floodplain. However, Sanasomboun District groups 86 villages in the district into 4 categories based on their locations. They are villages located on or very close to the Mekong River, comprised of 23 communities; the Sedone River, consisting of 23 communities; the plains region is comprised of 33 communities; and the hills has 7 communities. The hills in the district are not high, with the exception of Phu Xiangthong. The settlement in this area is dense along the Sedone River and Route no. 13 with scattered establishments along the edge of the District on the east and west.

² People in the south call river as *se*. Pakse means mouth (*pak*) of the Sedone River.

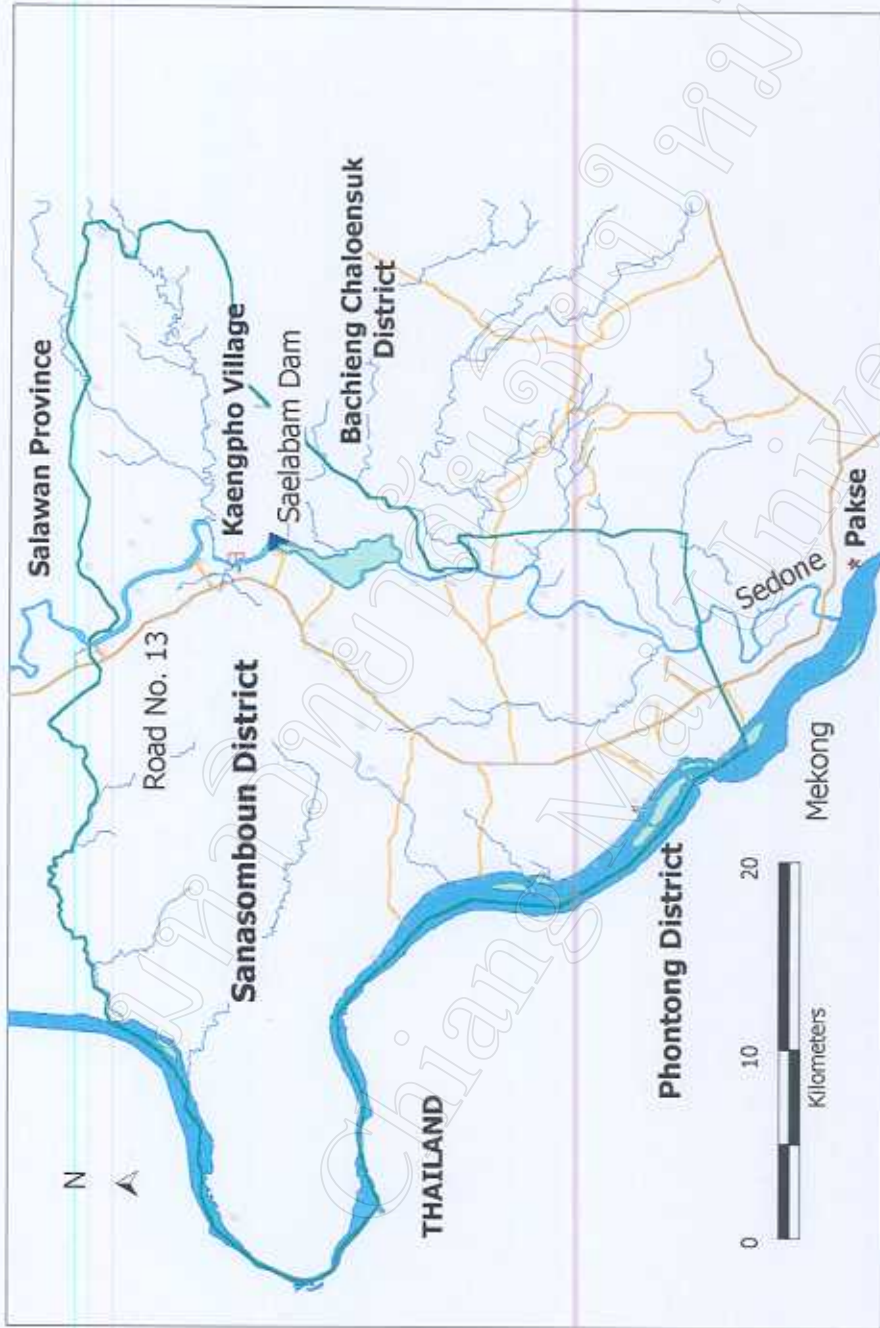


Figure 3.1 Location of Kaengpho Village in Sanasomboun District

The Mekong and Sedone are main rivers of the district. The hydrology of the Mekong River and its tributaries are highly seasonal. The water flow during the peak of the wet seasonal months is 15 times that of the dry season monthly flow (IFDMP 1999c). The Mekong and Sedone Rivers have many attached tributaries, some of which are dried up during the summer from February to May with many streams running all year round. A large part of the floodplain in the area is influenced by flooding patterns. In addition, many natural depressions create semi-permanent water bodies or natural swamps along the back of Sedone. These are called backswamps. This ecosystem determines fishing activities that are very important part of people who based their livelihoods to subsistence production.

3.1.1 Inland fisheries and property relations of fishing resources

In landlocked countries like Laos, inland fisheries provide a vital component of people's livelihoods. The inland fisheries of southern Laos are very significant compared to other parts of the country, which have less access to main rivers.

Inland fisheries are based on a diverse range of aqua-ecosystems that are the result of the specific weather and environment in the area. Each type of aqua-ecosystem serves the whole system of inland fisheries. The study on fishing activities in Sanasomboun District was conducted by Indigenous Fisheries Development and Management Project (IFDMP) in 1997. Forty-six streams are recorded in the district, of which four streams have water all year. There are 101 natural backswamps, of which 15 backswamps never dried out.

Most small water bodies are inhabited by many resident fish species that we can see clearly in streams, backswamps, and rice fields. While the main permanent riverine systems function as refuge for many species in the dry season. This is not only confined to the small ecosystem but also links to the bigger system. Seasonal streams, rice fields, flooded plains, swamps, ponds, and rivers are all part of a greater network of water bodies in the system. Flooding serves to link to many

different types of aquatic habitat, and water bodies through seasonal variations. This allows many species to complete their life cycles by providing migratory routes to temporarily inundated areas for feeding and reproduction (Warren TR1).

The study of IFDMP (1999b) confirms that fishing is at the top rank of their secondary activity. People in the area depend on fisheries both for consumption and cash from the surplus sold locally. It also demonstrates clearly that people migrate to fish outside their villages targeting different places based on the life cycle of fish species, though this varies seasonally and by village type. Activities start from early rainy season when people begin their farming, fishers fish in nearby water bodies such as streams, flood areas, rice fields, and backswamps. This is because people want to take care of their fields. In addition, at this time fish migrate from big rivers and backswamps to small water bodies to spawn. Also, during this time, the water in the Sedone River is high and quite strong which can damage gill nets easily. Therefore, people prefer to fish in small water bodies nearby their village during the rainy season.

When the rain ends and the water gradually decreases, a time when rice fields and most of streams and backswamps in the area are dried up from February to May, fish migrate back to the big rivers and some backswamps that have remaining water. Fishers fish more in the Sedone River and some big backswamps. Backswamps in particular are regarded as convenient fishing sources for local people, especially those who do not have boats and fishing gear to use in the big rivers. Moreover, in the shallow water, fish are confined to a small area so they are easy to catch. Some backswamps are crowded with fishers from many communities. However, catching fish in the backswamp depends on the traditional practices of each backswamp.

Comparing all the water bodies in Sanasomboun district, the Mekong River is the most important destination for those fishing away from their home village, followed by the Sedone River. Smaller streams and backswamps are mainly fished

more locally. Figure 3.1 below demonstrates the migration of fishers to fish in different types of water bodies in other villages. In the dry season when streams are dried up, they will catch frogs and travel further for available water bodies and which are often in other villages' boundaries. This action is not seen as trespassing but a mutual practice. Most of the fishers who fish across the borders are from nearby communities and fish mainly for consumption and little for sale locally.

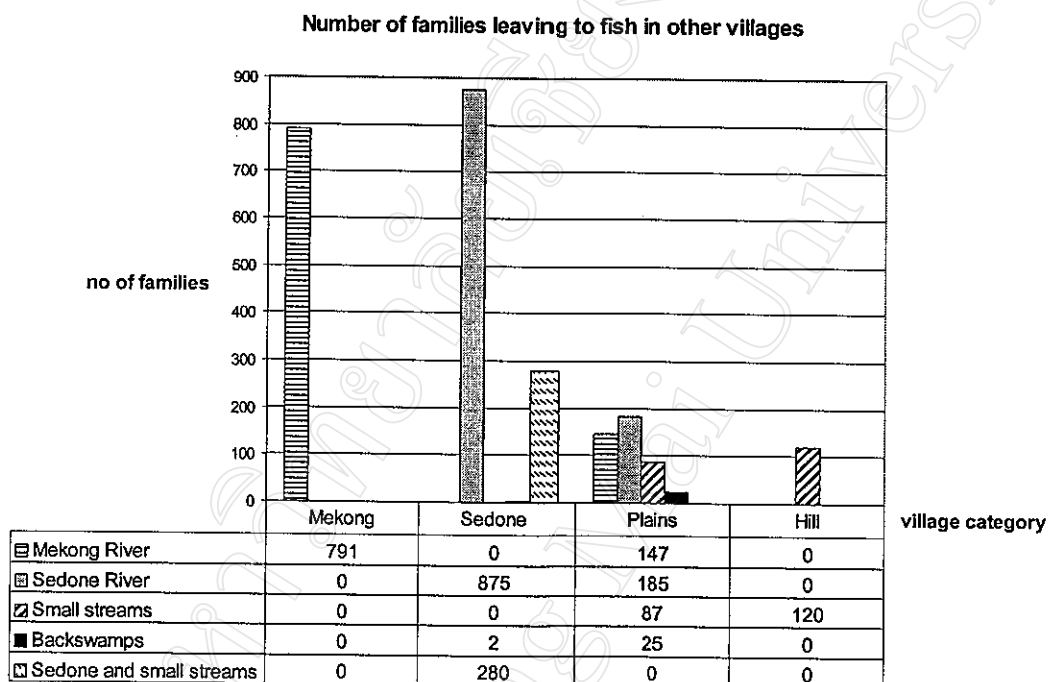


Figure 3.2 Number of families in each village category go to fish at other areas

This figure shows that fishing activities are not confined to people's own villages but are interdependent on available fishing resources in the area. It should be noted that the Mekong and Sedone are open rivers, therefore, it is quite common that people from different villages go to fish outside their borders. Whereas, streams and backswamps are closer for people in those communities than the big rivers. It is clear from this figure that fishers from the plain areas go to fish at diverse types of water bodies more than communities from other locations. This may be because of

the limited water resources in their areas so they tend to fish in different available water bodies located in other villages.

Although there are many water bodies in the area, the problem of fish decline is often reported. Figure 3.3 from the study of IFDMP illustrates the main reasons for fish decline of Sanasomboun District, which also represents the study area.

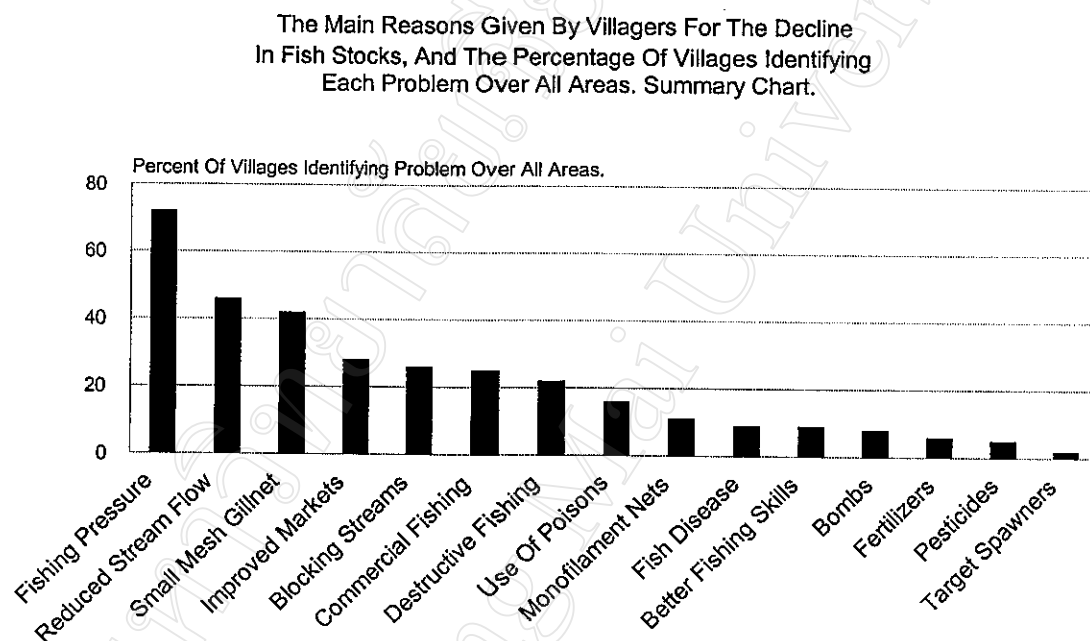


Figure 3.3 Reasons given by villagers for decline in fish stocks.

People state clearly that they cannot catch as much fish as before. The most single important cause of fish decline reported in recent years is fishing pressure. The fishing pressure increasing because of the expansion of the rural population. This reason has created consequent problems stemming from improved gear efficiency such as monofilament nets, small mesh gillnets, or other destructive fishing methods along with greater numbers of people fishing. This seems to be inevitable even though people fish for subsistence and semi-commercial purposes.

The increase in fish trading and access to markets are also significant contributions for the decline. Reduced stream flows have been reported from the communities in the plain area and the hills, it may be caused by removal of forest cover at the source of the streams. This also limits the available living space of the fish life cycle and also nutrient flow cycles that result in a decline of the fish stock. These reasons demonstrate the situation in the study area where water bodies are not abundant like in previous decades. These problems contribute to the government's policy regarding fisheries management and also adjustment of local people in managing water bodies located in their territories. So, the specific property relations of fisheries resources in the area is necessary to be clarified in order to understand the changes in fisheries management that tend to occur more in the context of market economy influences.

Property relations of fisheries resources vary based on the types of aqua-ecosystem, traditional practices, social relations among related communities, and enforcement policy or rules in the area. Moreover, each type of water body can be regarded as private property, common property, and open access at different times and in different contexts. Therefore, the terminology used to express theory of fisheries tenure is limited in its capacity to identify the breadth of complexity in fisheries resource management. In other words, the language of property tenure is not expansive enough to cover the scope of specific property relations, which require terms and expressions distinct to the issues of fisheries and other specific regimes. These terms still do not yet exist specifically to discuss fisheries tenure. However, the existing, general terms still help the audiences to sketch the pictures better at some points.

In the case of Laos, there is no specific legal tenure for fisheries. Fisheries are identified as natural resources that are regarded as property of the Lao people as a whole, where the Government acts on behalf of the people to provide a framework for management (Kirk 1996). There are some overlapping tasks and responsibilities between the Department of Forestry (DoF), Department of Livestock and Fisheries

(DLF) (Claridge 1996), and also the Living Aquatic Resource Research Centre (LARReC). The DoF has a section called Protected Areas and Watershed Management Centre that works on conservation components including fisheries. Meanwhile, the DLF was officially assigned to take charge of fisheries in 1996, working more on fisheries management than previously, adding to the routine aquaculture and extension. In 1999, there was a restructuring in the Ministry of Agriculture and Forestry. All research was moved to the National Agriculture and Forestry Institute (NAFRI), with LARReC taking responsibility for research about wild fisheries, including management aspects. In terms of management, they have limited qualified staff and collaboration between departments and offices is inadequate. In addition, the authorities, especially in management positions, do not reach the local level. Therefore, regimes of fishing resources and ground level management capacity are very much based on the local context.

The *de facto* tenure is up to each specific locality. Different aqua-ecosystems have different regimes and management ranges from relatively open access to private property. The regimes are not static and linear but are complex and change according to sizes, seasons, traditional belief in some areas, and social relations between related groups.

The size of water bodies is one of the factors that determines the types of regime. Large water bodies tend to have no border and often function as open access. In terms of management, the Mekong and Sedone involve various numbers of people from different villages, districts, provinces, and even countries. So, it is difficult to arrange agreements among many related parties when not all of them know each other. Following this, it is impossible for stewardship and social sanctions to effectively work. In addition, when communities are confined in different administrative units, it adds into the cost of management arrangements. Besides, if the benefit that individuals or communities can obtain from better management or conservation of the resource is less than the inputs, including management, people tend to ignore better practices, even when they may lead to

long term benefits (Toufique 1997). The common statement heard from people is that: "If we conserve the resource, how we can be sure that the others will do the same" or "if we do not catch fish now (such as during fish spawning), or cut trees (valuable ones), others will do it anyway". Moreover, unlike trees, fish are fugitive, so it is hard to manage fishery in an open river. This may be both an excuse and the reason for resource exploitation, but it shows the difficulties in managing the open access resources. Therefore, the Mekong and Sedone are considered as open access. There is an exception of a fish conservation zone in the Khong District³ that the community identifies as an area in the Mekong located within a village boundary to be conserved (Baird 1999). There was a trial in Sanasomboun District in the mid 1990s, but local people did not agree with the idea. They claimed restrictions of fishing ground in a good area meant limiting people's livelihood. As for small water bodies, the smaller the resources are, the regimes are more clarified and closed accordingly.

Apart from the size of the water bodies, there is also a factor of season and water level that determine the property regimes. As for small streams, backswamps and rice fields, the property relations are overlapped between open access, closed common property, and private property based on seasons, water levels, local practices, customs, and social relations. In the rainy season when water increases to high level or flooding occurs, the regime for these water bodies becomes open access for people from other communities. At this time everyone has equal access opportunity. In case of rice fields, even though the field is regarded as private property of the owner, others can fish or catch frogs as long as they do not damage the rice. When the rain stops and water decreases, restrictions again become active and enforced.

³ Khong District is located at the southern most bordered to Cambodia. Khong District has richest fisheries in the country as it receives fish migrations in dry and wet seasons from Tonle Sap, Cambodia.

In the case of streams, in October when the water is low, people set *tawn*, a fence trap crossing the banks attached with *sai*, a cylindrical fish trap. Fish confined in the area in front of one person's *tawn* to the other one's *tawn* is regarded as the first person's property. However, others can fish using simple gear like hooks, scoop nets but not cast nets and gill nets. Then, in March and April when the streams are dried out with some deep areas remaining that fish are concentrated in, only the owners of the area can legitimately fish there. This is the private property of kin groups not individuals. The tenure of private property appears by certain accepted practices in certain areas and at certain times in the common resources like streams. This shows overlapping fisheries tenure depending on the context of aqua-ecosystems and fisheries resource management of local people in the area.

As for backswamps, they differ from other kinds of aqua-ecosystems in their physical and traditional attributes. The seasonal backswamps vary in area from one hectare or less to several hundred hectares. The sizes of backswamps in Sanasomboun District are from 0.5 hectare to 28 hectares. Backswamps function as a habitat for resident fish species such as snakehead fish and are a spawning ground for many migratory fish species. In addition, backswamps provide an important source of animal protein for people in the dry season, especially for people who do not have large scale fishing gear, which is quite expensive. In many villages backswamps provide the main source of food for the New Year festival of each household in mid April.

Some of the backswamps also involve traditional practices and spiritual beliefs that create complexity in the management. People say that most of the big backswamps found in the south of Laos, including Sanasomboun District, are sacred and that spirits live there. This leads to significant conditions for backswamp regimes and management at the local level.

More specifically to the fisheries tenure of backswamps, they vary from one to another even though they located in the nearby areas. The table below summarises the combination of rules in whom, when, and how to access the backswamp, practised in some backswamps adjacent to the study area.

Table 3.1 Combination of rules practice of different backswamps in study area

Ranges of Rules	Ranges of Tenure		Closed common property		Open common property	
			←		→	
<i>Phaa Paa</i> : fishing at specific times	Yes	Yes	Yes	Yes	No	No
Limited ordinary users from other villages	Yes	Yes	No	No	No	No
Limited relatives from other villages	Yes	No	No	No	No	No
Limited fishing techniques	Yes	Yes	Yes	Yes	Yes	Yes
Spiritual beliefs	Yes	Yes	Yes	Yes	Yes	Yes
Examples: Backswamps Village names	Kud Solo: Solonoi	Nong Bungkha Khamyaad	Nong Khiilii: Khiilii	Nong Bua: Kaengpho		

From the table, it shows that Kud Solo, Solonoi Village has the strictest rules in its management, in other words, the backswamp is closed only for its people at all times, also the fishing techniques and times are limited. At the other end, this differs from the management of Nong Bua, Kaengpho Village that its tenure is quite open. People from other communities can fish there at any time of the year but must adhere to the prohibition of certain gear. These differences depend on traditional practices at the local level. The table distinguishes backswamp fisheries tenure from other types of aqua-ecosystems. This demonstrates a range of the management arrangements of each backswamp that seem to be specific.

The survey of IFDMP shows that every community respects the guardian spirits of the backswamps. The acting rules are drawn from the spiritual beliefs that people have respected and practised as customs for generations and for which there are no written rules. There are some taboos in accessing each backswamp such as

restrictions of some fishing techniques as shown in the above table. An example of a taboo is the prohibition of pumping water out of the backswamp. Moreover, most of the backswamps are limited in the period of access. It is often found that the backswamps are closed after the rain ends or when they disconnect with the rivers until the dry season but before Lao New Year. They are open again for fishing day, or *phaa paa*⁴, when many people start to fish at the same time. Some communities prohibit the outsider while some open only for their relatives from other communities and some open for all. Fish caught belong to individual fishers. Some communities will postpone the day of opening if someone is missing either because of sickness or death. After the *phaa paa*, almost every backswamp allows anyone to fish freely until it closes again in the next season.

Phaa paa is a kind of fishing pattern that combines seasonal closure of the backswamp. This allows fish to grow in the backswamp during the closure. In addition, the *phaa paa* is set before the Lao New Year, so that people have some fish to prepare for the *boun* in the village. It is also a social event when people get together. Relatives who moved out of the village will also come back and join the fishing.

Some backswamps have overlapping tenure in the same area. For example, Nong Bungkhaa in the village of Khamyaad has about 250 *thum* or small bunds filled with tree branches surround the edges of the backswamp. The *thum* are made by individual households and work as a trap to attract fish for habitat and also provide a refuge during the *phaa paa*. These small bunds are the household's property while the area in the middle of the backswamp is communal. This is one

⁴ *Phaa paa* mean stir the fish. They may use *phaa nong* or stir the pond interchangeably. In the dry season when water in the backswamp recedes and hot, if there are many people go into the backswamp, it like stirring the water so that it becomes muddy and with less oxygen. People said that we stir the pond till fish get dizzy. Then fish tend to appear to the surface and people can catch easily.

example showing the complexity of backswamp management. These management systems seem to be quite appropriate for specific local aqua-ecosystems and also people's livelihood in the long term.

Regarding the enforcement of rules, even though written rules are rare in the study area, the customary practice and belief in guardian spirits of the backswamps are quite effective in enforcement among local people, even today. In this case, local people play an active role, perhaps not in designing the rules, but in enforcing them. People are afraid of infringement, in other words, upsetting the spirits. There are cases reported of people getting sick and dying in connection with violating the spirits. So, this form of enforcement is very efficient.

In comparison, government rules seem to be often ineffective. For example, every year the District Agriculture and Forestry Office (DAFO) announces the prohibition of blocking the streams when fish migrate to spawn during the early rainy season. Everyone knows about this rule but only some follow. The District officers notice this but they do not have capacity for stewardship and enforcement. There is a case in which district staff also block the streams. The reason offered is: "The officials are the same as ordinary people, they like eating fish eggs too". This kind of lax enforcement by those in authority makes people take rules and policies less seriously. Some people explain why they obey the customary practices but infringe on government rules by saying: "*Hao het yang phoen bo hen, bo pen yang. Tae sing thii hao bo hen si het hao*". (If the officials do not see us breaking rules, it is fine. But if we break the custom, spirits know and may harm us.) This shows a situation of resources management and relations between district officials and villagers in the local context of Laos.

In brief, it illustrates the complexity of the aqua-ecosystems of inland fisheries that involve ecological characteristics and social attributes. Different water bodies have different management. Fishers travel to fish at available water bodies in available resources mean there are fish and it is permitted due to traditional

practices. The extent of seasonal reciprocal movement suggests that any attempt to impose management through exclusionary measures based on rigid village boundaries is likely to have implications for access to the range of fishery environments currently employed (IFDMP 1999b).

3.1.2 Agro-ecosystems, and people's livelihoods in the case study area

The livelihoods of the people in the study area are quite diverse and depend very much on local natural resources. The table below shows the annual activities of the studied communities located in different geographical areas. The table also illustrates the division of labour according to sex. People use the lunar calendar. Farming activities start around late May and end in April according to the international calendar.

From this table, activities of people throughout the year illustrate the availability of livelihood and resources and how accessibility to specific areas varies according to season. Shifting cultivation of rice and other crops is practised by communities located in the hills where there are limited plain areas and water resources for irrigation. Wet rice farming is practised most in the plain area and along the Sedone River.

People are busy with farming starting from May when the rain begins till July for rice planting. During this time people tend to bring their chickens and stay in the small huts at their rice fields. This is to take care of watering the field and also looking after animals that may encroach and destroy their rice. People will live off of fish and bamboo shoots that come with the first rain. The other busy period for them is during the harvest in October, November and maybe until December, if farmers plant the long-term rice variety. However, the rain in this area is not that abundant so most households select short term or medium term rice varieties and will complete cropping for the season by mid December.

Table 3.2 Seasonal calendar of people's activities and division of labour.

ACTIVITIES	MONTH											
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Shifting cultivation:												
Clearing swidden field									mf			
Burning and fencing field											m	m
Seeding: rice, various plants	fm											
Weeding		fm	fm	fm								
Collecting vegetable					f	f	f	f	f	f		
Harvesting, taking rice to barn						<u>fm</u>	<u>fm</u>					
Collecting cotton							f	f				
Wet rice farming / Italic letters are for second crop												
Seeding for paddy	fm						<i>fm</i>					
Transplanting		fm	fm					<i>fm</i>				
Taking care of water		mf	mf	mf					<i>mf</i>	<i>mf</i>	<i>mf</i>	
Harvesting, taking rice to barn						<u>fm</u>	<u>fm</u>	<u>fm</u>				<u>fm</u>
Taking care of livestock		mc	mc	mc	mc	mc	mc	mc				
Other activities												
Prepare, planting cucumber							fm	fm				
Collecting cucumber to sell								f	f	f	f	
Labour: collecting coffee								f	f	f		
Labour: working outside	fm	fm		fm	fm		fm	fm	fm	fm	fm	fm
Labour: sawing wood					m	m	m	m	m	m	m	
Collecting NTFP	f	f	f	f				f	f	f	f	f
Collecting fire wood						f	f	f	f	f	f	f
Roofing, maintaining house									m	m	m	
Weaving								f	f	f	f	f
Trading/Bartering					f			f	f	f	f	f
Collecting dung	fm					fm	fm	fm	fm	fm	fm	fm
Fishing	*	*	*	*	*	*	*	*	*	*	*	*
Collective action activities												
<i>Liang Chao Puu</i> (Worship spirits before farming)	*											
<i>Phaa paa</i> : (Collective fish harvesting in backswamps)										*	*	*
<i>Boun Ban</i> (a kind of festival to gain community funds)										*	*	*
<i>Boun Pii Mai</i> (Lao NY)												*

Remarks 1) m = male, f = female, c = children; 2) The letters indicate who takes the leading role in that activity; 3) Underline indicates equal participation.

Source From interviews with knowledgeable elders and people who practice these activities in 5 villages, January 2001.

The second rice cropping season starts again in late November to early December for seeding and transplanting, then harvesting is complete in April. The rice yield of ordinary crop averages at 2.5 to 3.5 tones per hectare, and the yield for a secondary crop averages at four tones. However, since the year 2000, a number of households farming a second rice crop decreased rapidly, in particular, villages without access to electricity. This is because of the rising cost of fuel for pump engines since mid 1999. Families that do not own the paddy land may rent fields from others or help their relatives or neighbours with farming in exchange for some of the harvested rice. Kaengpho people produce rice at a subsistence level. About 20-30 percent of households in a community can produce a surplus but it is still quite small.

Apart from the main rice farming, people engage in a variety of activities to supplement their livelihood such as animal raising, collecting non-timber forest products, selling labour as supplementary occupations, and fishing. They are mostly for consumption and some for cash. People sell domestic animals, such as pigs and chickens. Cattle are the last choice except when they need lots of money or family members are sick. Gardening is another common occupation, people occupy the area along the rivers bank of Sedone and some backswamps to plant cucumber and other kinds of vegetables. Some families obtain their main living from planting cucumbers, as they do not have a rice field. Some families have coffee fields in Pakxong⁵ District so they will go to harvest the coffee during December to February. Some young people also become labourers during the coffee cropping season.

⁵ Pakxong is a district located on the northeast of Champassak Province next to Bachieng Chaloensuk District. Pakxong is called the Boleven Plateau that is well known for coffee plantation. People from lowland bought some coffee fields several years ago. People will go to collect the coffee in during December to February. Many young people who their families do not own the field also go to work as labours during this period as well.

In addition, hundreds of young people of Kaengpho and also from other communities, especially those located along the Mekong have migrated to work in Thailand for periods of up to a decade. They are working in many parts of Thailand. Many of them go for a few years and come back. These workers will visit the village only during the big festivals such as New Year in April or when there is an urgent call from their families. They regularly send money to their families to build a house, buy animals and for other expenses. Compared to communities along the Sedone, Kaengpho is in the top rank of communities in which people migrate to work in Thailand. This indicates that people in this area have engaged in the outside market economy for some time.

There is no set market nearby. The closest is about 30 kilometres away, but people prefer to go to Pakse to the small market. Some people go to Pakse every two months but some may go only once or twice a year. Communities located on the plain with better transportation access to the market have a somewhat easier life than communities in remote areas. So, some act as mobile traders to sell and barter necessary goods unavailable in the outer areas in the dry season or before special events such as the festivals.

There are some collective activities that each community arranges each year. Every year at the start of the farming season, the village worships the guardian spirits called Chao Puu. The villages that have backswamps may arrange the *phaa paa* or communal fishing. Normally, it will be arranged before the *boun baan* so that people have fish to welcome all relatives and visitors. Not every village arranges a *boun baan* each year. This depends on available funds that a community has. At the present, most of villages manage *boun baan* as one of the important sources of community fund. Then *boun pii mai* is a festival to celebrate the end of the farming season and also to welcome the New Year. These collective activities are arranged separately in each community.

However, there is no organised collective activity between communities. People participate in activities or festivals in other communities but it is based on individual interests and kinship linkages. In addition, people go across the boundaries to gain access to the resources. But in this area, there is no shared management resource among communities. It is more common for kin groups to collaborate in management.

Fishing is one of the most common livelihood activities after rice farming. From the table, people fish for all year round in different water bodies that are available in the area across village boundaries. In the study area, water bodies can be categorised into four types: the Sedone River, streams, backswamps, and rice fields. Each water body serves villagers at different times according to the seasons throughout the year. People can access fisheries by using fishing gear and skills suitable for each water body at each season. Men, women, and children use different gear according to conditions. The table below shows the seasonal availability of fishing sources and fishing gear use in different water bodies affected by the water levels.

This table shows clearly the complexity of the seasonal aqua-ecosystem of the water bodies and labour division of people in the study area. It also illustrates that each water body serves the fishers at specific periods of the year. This can be seen from different fishing gear that is used at different times and in different water bodies. They do not target only fish but also shrimp and other wetland faunas such as frogs and snails. Men have a leading role in the Sedone and associated streams while in small water bodies like rice fields and backswamps, women and children share a main part of the fishing responsibilities. Fishing gear also identifies the user. Male fishers use big fishing gear such as cast nets, gill nets, and some gear to fish at night. Meanwhile, female fishers usually use small gear like scoop nets. They are not expected to catch frogs or collect other food at night. Children will dominate

Table 3.3 Seasonal water level and fishing activities of each water body ⁶

Water Level	high											
	low											
Fishing gear/ Water bodies	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Sedone	*	*	*	*	*	*	*	*	*	*	*	*
Cast nets	m					m	m	mm	mm	mm	m	m
Set gill nets	m					m	m	m	m	m	m	m
Long-line hooks								m	m	m	m	m
Sawn: small fish	fm	fm	fm							mf	fm	fm
Streams												
<i>Tawn & Sai</i>						mm	mm	m				
Hooks								m	m	m		
Set gill nets								m	m			
Cast nets		m	m	m	m	m	m	m				
<i>Jip</i>				m								
Scoop nets: shrimp									fc	fc		
<i>Wang</i>	mf											mf
Rice fields	*	*	*	**	**							
<i>Tawn</i> : small fish				mf	mf							
Cast nets	m	m										
Flashlight: frogs	mc	mc	mc	mc	mc	mc						
Stick: frogs							fmc	fmc	fmc	fmc	fmc	fmc
Backswamps	**								*	**	***	***
Cast nets, gill nets bare hands: fish	m								m	m	mm	mm
Scoop nets: shrimp	fc								fc	fc	ffc	ffc
Collecting snails	c	c	c	cc	c	c	c	c	c	c	c	c
<i>Phaa paa</i>										*	*	*
Rice Farming	*	***	*	*	*	***	**	*	*	*	*	*

Remark 1) Shading indicates concentration of fishing and also farming; 2) m = male, f = female, c = children, mm or ff = intensive participation; 3) Number of * shows intensity of activities; 4) Leading letter shows the leading role in that activity, and underline means equal participation. Source From the interview with fishers in 5 villages.

⁶ The water level is adjusted from "Timing of the Use of Fishing Gear in the Mekong" (University of Michigan, 1976) cited in Claridge 1996.

small activities like collecting snails and shrimp in the backswamps. Children are very active during their study breaks from school in January and August⁷. Unlike some other areas of the country where taboos prohibit women from using certain gear, in this case, it is physical and cultural conditions that divide labour between male, female, and children.

People prioritise fishing on each water body differently according to the season and their main farming activities. In the dry season, when streams and rice fields are dried up, backswamps become valuable resources. As water recedes, fish are concentrated in small areas and are easily caught. Therefore, people will go to backswamps more than other water bodies. It should be noted that during the peak of rice farming from May to November, fishing activities decline automatically as people concentrate on the farm.

Moreover, fish are abundant during the rainy season, especially in May and June when fish start to migrate. Therefore, people can catch fish from the small streams and flood plains during this time, except in July when the fish hatch. People say, “there are lots of fish in the 8th month (July) but baby fish are not delicious and we are busy with transplanting so no one bothers to fish and we just eat *paa daek* (fermented fish, the main seasoning sauce of Lao food) and our preserved bamboo shoots”. People who live in the plain or hill areas eat less fish than people who dwell near rivers and have wet rice fields. This means not every village has rich fishing resources or all kinds of water bodies in their boundary. This demonstrates the relationship between people’s livelihood and the environmental context of fisheries in the study area.

⁷ In Laos August is selected as study break so children can assist their parents in rice transplanting.

Among the four types of water bodies in the area, some villages have every type, so people can rotate to fish for all year round. While some others have only rice fields and streams which serve only in the wet season. People from the hill villages may walk to the lowland communities to catch fish. Some travel by bicycles or walk from far distances to fish in certain rich backswamps.

In the backswamps, people use scoop nets to catch shrimp and use cast nets to fish snakehead and catfish. Many fishers are skilled in using just their bare hands when backswamps are shallow enough. These skilful fishers mostly come from villages located on the plain. They have little fishing gear, no boat and are not usually skilful fishing in big rivers. So, even though the Sedone is available for all year round, they do not fish there.

Most fish caught are for consumption and only little sell fresh locally. Lots of small fish caught from small water bodies during the wet season will be used to make *paa daek*. People set *tawn*, filtering fish traps, at the end of their rice fields where water goes out at the end of the rainy season. People live near the Sedone River and who have enough rice fields normally have enough *paa daek* for the households each year. While people from the hills where there are limited water bodies will buy or barter *paa daek* with many kinds of plants from their fields and forest. In addition, some people may buy fish from villages nearby the river and sell to other villages located far from the water bodies. Shrimp is another popular product that is in great demand and found in backswamps that have water all year round.

In brief, fishing activities are very important for people's livelihood and they closely linked with other activities. People catch fish across the borders and they fish in various types of water body according to seasonally changes and available resources. Therefore, changing property relations of fisheries in one community may affect people from the other communities or affect other activities in people's livelihoods.

3.2 Social Life of the Community

The characteristics of Lao community are regarded as agrarian society remains in the region (Jerndal and Rigg 1999). The following discussion of the social life of the study community is concerned with the background of the area and people, social relations among people in the community and with its neighbours showing both solidarity and common disputes. In addition, the village committee is shown to be an important mechanism in village structure in arranging various activities and mediating conflict among parties. However, it must be borne in mind that community is not separate from the outside especially where economic and political interventions are concerned. These will be discussed in the next section.

Most people in the district are Lao Loum⁸. There are 6 Lao Theung⁹ communities (Kataang group) in Sanasomboun District with no Lao Soung community. Communities have been well established for several centuries. There were migrations in the past as the population expanded and to find land for rice fields nearby such as across the river. There was only one sudden move in the area during the country liberation in mid 1960s to mid 1970s when groups of Pathet Lao or the current government guerrilla were fighting with the Right Wing along the edge of the district. People had to leave their villages and came down to the plain

⁸ Lao people are divided into 3 main groups based on location of agricultural practices, the Lao Loum (the lowland ethnic Lao), the Lao Theung (the midland Lao) is a Mon – Khmer group, and the Lao Soung (the highland Lao) such as Hmong Yao groups. This is an innovation of communism (Evans 1999) not to differentiate people into real ethnic groups, which are recorded of 48 or 68 groups in different books. This is also to make belief of solidarity in the country. There are many Lao Theung communities in the south especially along the border to Cambodia and Vietnam. As for Lao Soung, most of communities are in the north and some in the central of Vientiane, the capital city of Laos. Recently, the government has resettled the Hmong refugees that came back from Thailand in Khammoune Province, south of Vientiane.

⁹ In fact, the 6 Lao Theung communities are mixed with some Lao Loum families in the village. They are categorised when there is more than half of village.

area along the Sedone River. Kaengpho had to accommodate hundreds of families from villages in Sanasomboun and the nearby districts in its territory where the village of Saelabam has settled now (Figure 3.6). After the situation came to peace, most of these families returned to their communities except many families from the village of Lao, a next community on the east. This was because there were more arable land here. Later they have named the new community as Saelabam followed the Labam Rapids in the Sedone where they established.

People live at the local subsistence level. There is no big economic and social status gap among households and communities. There are some households which live quite comfortably and permanent houses or have more domestic animals but they all more or less live their lives depending on the same activities. Kaengpho has 111 households with 662 people. The wealth stratification of households in Kaengpho does not vary much. The village categorised itself into 3 groups based on economic and self-reliance conditions. They are 10 percent for the better off families, 60 percent for the average families, and 30 percent for the worse off families. As for the worse-off families, they are grouped by levels of rice shortage in a single year. These families gather their supplement food from forest and from aquatic animals such as fish, frogs, and snails. They also gain income from selling catching or collecting these foods, and some from planting plant and vegetable such as beans and cucumber along the Sedone and Nong Bua in the dry season. Then they can exchange for or buy rice in the village. There is no rice mill in the village. People have to mill their rice in Saelabam, located 10 minutes by small truck or 20 minutes by foot.

Regarding clan groups in Kaengpho, there are 3 main groups. The largest group is the group of Phorthao Baan, a respected elder in the village. This group has dwelled for the village longest period. This group comprises about 50 percent of whole village. The second group is the group of Maethao Waen. She and her relatives have moved from another location where Saelabam is located at the present. This group has about 30 percent of the village. The smallest group is about

20 percent of the families in the village. They came from the village of Naa Nai, a community opposite to Kaengpho across the Sedone, and a few other families. This group migrated to here to look for farming land some decades ago. However, these groups are not isolated in relation with others. They intermarry between all groups. Consequently, they all become relatives of each group through this. Some people marry with people from other villages. This is a way that people in rural Laos expand the relationship with others¹⁰.

All the three groups in the village located their houses together. A few decades ago, people have moved from along the bank of the Sedone to the higher area inside the village. This was due to flood and eroded bank of the Sedone. People prefer to divide groups in the village by locations of residences. They say that there are two groups in the village, "*ban thaa*" or the group near the Sedone, and "*ban thung*" or the group on the higher place near Nong Bua. In consequence, each group tends to fish in the water bodies that are most convenient for them. Group of families located near the Sedone bank, say that they go to fish in the Sedone more. Whereas, the group located near the backswamp fish in Nong Bua more often than in the Sedone. This is with the exception of catching shrimp that most of people go to Nong Bua.

Kaengpho is not isolated. The kinship in the village and relationship with neighbouring communities is quite strong. People in the village know each other quite well. Also, many Kaengpho people seem to recognise most people in nearby communities, who they are and who their parents are. This represents the close relationship of Lao rural society. Ireson (1996) explains that Lao village society has

¹⁰ Some people say that if they are in the same village, they are relatives anyway. If two people meet at abroad and both come from the same province, they feel that they are close friends or relatives as well. Moreover, in the case that they are refugees in abroad, Hmong and Lao ethnic become relatives.

not changed much from the past to the present. It is true that Lao households are self-reliance and at the same time they have obligations to their neighbours both in the village and in other communities. However, the village is also related to the state and market, which is quite influential to the changes of village society and property relations at the moment.

Kaengpho has a good relationship with many groups and also has some complaints or problems with some groups as well. When there are some disputes between individuals or communities, it is often seen that people select to gossip and complain to the third party more than direct the problem to that person. This is common in any society. Some problems are such as one's domestic animals damage other's crop, or people from one village encroach to take some resources of others. The village committee, especially village elders take responsibility for mediation. Some small conflicts are solved through their *siao*¹¹ and relatives in the villages that have cross marriage. Some disputes are gradually healed during the frequently occurring social events such as *bouns*¹², weddings and funerals that villagers participate in. If it is a problem between communities that people cannot solve, they may ask related persons from outside, which is often the district officials to intervene and make a final judgement informally. Conflicting cases of individuals between villages are rarely made public. A Kaengpho village elder said that, "Going to the court is a waste of time, money and especially it is embarrassing to both sides. The others would say that our village (village committee and elders) does not have capacity to solve the problem". Therefore, most problems are solved internally or

¹¹ *Siao* is called the two that became more than mere friends. There is a ceremony of drinking sacred water and vow of being 'blood sisters or brothers' (Seri and Hewison 1990). However, nowadays this term is rather not sacred as before and people use this more than it needs.

¹² *boun* is referred to merit making, ceremonies, and festivals.

with informal help from the district officials. This is a demonstration of the social life of Lao local people, local officials and how they think about problem solving.

The local people are rather careful about how to live their lives among other communities. Kaengpho elders say: "We (our village) cannot live alone, they ask us for some assistance today, we should help as we may ask the others for help in the future as well". Or the sentences said by one elder of Kaengpho that: "We should not show ourselves as richer or better, others may interpret that we are looking down on them and they feel dislike". Moreover, we are still live nearby and have to meet each other. It is uncomfortable feeling to meet if the problem is serious, they may act maliciously toward us". In addition, people would rather try to avoid confrontation and conflict with others especially between communities. This represents a part of social life that is based on a reciprocal economy and moral thought of local people in the area.

This is also a case in working environment especially in the government section. We may see many problems have not been finalised and slow but relationship of individuals is still maintained. Therefore, peace and solidarity in the community that often expressed by many scholars of community-based natural resource management exists in this meaning. This may not include the whole life of local people but partly that people can manage to live peacefully together. Homogeneity does not exist in most rural communities. Rather, these mechanisms cover up heterogeneity in social life which outsiders may not notice. Therefore, researcher should be aware of community's image as traditional and ideal.

Even though Kaengpho has a good relationship with the other communities, this exists only at the individual level or regarding everyday life issues. There is no strong institutional connection, especially on property relations among communities, framing how people collaborate in managing some resources together. This can be compared to local irrigation management as in the case of northern Thailand where various communities use and manage the same river for their production. Therefore,

the relations between communities in Kaengpho area are not solid in terms of institutional linkages. This fact may influence the outcome of changing property relation.

3.3 Village-state Relations

To understand the Lao village society, it is important to know the mechanism of the village and the village's relation to the state. This is because village is not isolated but is influenced by various factors from outside, which the state is a powerful agency that brings direct impact to the local level through policies and laws. It is hard to completely separate community from the state and the market. The village has committee that represents both the state and the community at different contexts. The state being discussed here is the district level, the smallest official unit of government administration. More specifically, the case of Nong Bua is related directly to the DAFO, Sanasomboun District. The office's works and staff's opinion will be emphasised. The interactions between DAFO and villages in the study area are also raised to capture the relationships of both parties. The information below is based on the interview with village committees in study villages especially Kaengpho and DAFO officials.

The structure of Lao village administration is based on the socialist regime. The composition of the committee and its procedure of planning and decision making will be discussed. Village committees consist of four components. First, the representatives the national Party; one village head and two vice heads. This group is the head, brain, and authority of the village. Second, village mass organisation composed of *naew home*¹³, woman union, youth organisation, village

¹³ *Naew home* is a term from socialist ideology. These village respected elders are allocated to work as a council of elder responsible to give consultation to village heads in many village tasks, and taking part in decision making in any event that may brings change

soldiers, village police, and tax collector. This group works under the supervision of the first group in mobilising various activities in the village. *Naew home* also gives advice to the first group in making decision in the village. Third, the village technical group consists of doctor, forest volunteer, and veterinarian. Lastly is the head of household unit. These units are divided according to the physical grouping. The purpose is to publicise the news from village head to each household and to mobilise the community labour. The village will then be supervised closely by the leader of *kum*¹⁴. See the structure of village committee below (Figure 3.3).

The village committee is renewed every two years. Three village heads in the committee are elected from among the villagers. District officials will come to recruit candidates with villagers at the first round. Then villagers vote for their leaders. Normally, there are four to six candidates, the one who gets the most vote will be a village head, the ones who get the second and the third will automatically become the two vice heads respectively. The head and the two vice heads then will select other villagers to fill the remaining positions in the committee, based on who they think is eager to work for the community. After that the whole committee has to be approved by the district.

to the village. This position is similar to the administration government structure at all level.

¹⁴ Heads of *kum* are senior district officials who dwell in the area. They are assigned to work extra in this position. *Kum* replaces *tasaeng* or subdistrict in mid 1990s. This is to reduce one level of administration. Each *kum* takes responsibility of 5-10 villages. Its tasks are to broadcast information from various district offices, to encourage, implement, and monitor development activities, mostly about increasing production in the responsible villages. Heads of *kum* will visit the villages about once for one or two month and more often when there is activity operates in the village. Heads of *kum* also will report problem or request from the villages to related office or higher authority if they cannot solve.

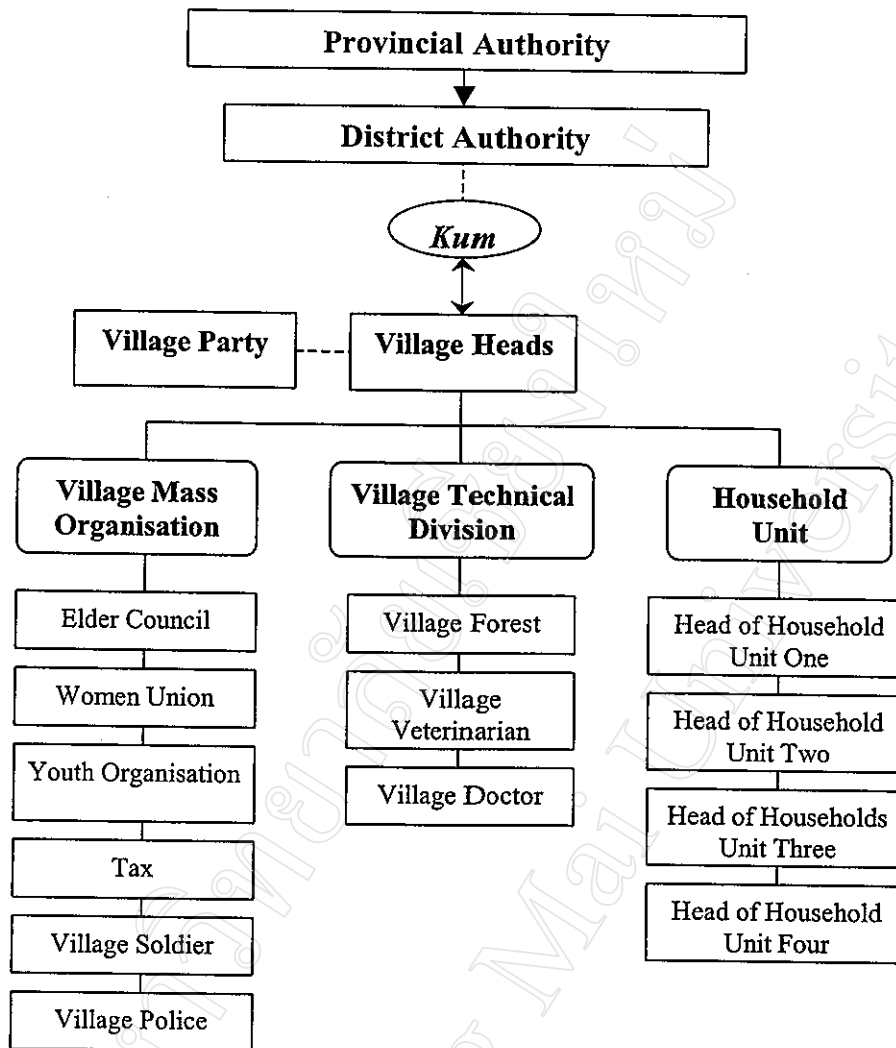


Figure 3.4 The structure of village committee

The Lao village committee was set up by the higher authorities during the time of the French colony. It was set up to administer the government power and collect taxes. However, the community has a group of elders who people respect and these elders are natural leaders and this has not changed much in the history of Laos (Ireson 1995, 1996). These leaders have moral characters and most of them are heads of families, some are persons who led people during the settlement, and some are healers. This is similar to Thai communities in the northeast in the past (Seri and Hewison 1990). Many of them lead community ceremonies, and significantly mediate the disputes among people. At the present, the natural

respected leaders are officially integrated into the new administrative system of village committee as *naew home* in socialist regime. *Naew home* assists in sustaining the unity and solidarity of the community. Village committees are not only legal authorities but also part of kinship system, which gives them informal authorities. However, the village committee at the present is required to work with the government more. Therefore, their qualification has been modified in response to this.

Ireson (1995) states that the Lao village is governed by consensus. The village heads do not have absolute power but more to raise issues and initiatives, bring these topics to the village meetings, facilitate, and summarise the conclusion from the meetings. Most issues and initiatives first come from the discussion of village committee then the decision will be made in the village meeting. However, in my experience of working with several villages in rural Laos for the past decade, the village committee is influential in directing the decisions. This is because not every villager in the community is fully active and participates in the village's activities. Many of them do not bother to take part in sharing ideas but rather follow the majority. They also tend to be quiet in the public but they are more active in informal sphere. I often hear people discuss and gossip about the failure of some collective activities. Ordinary villagers may not have an opinion at the public meeting, especially when that topic or decision does not have direct impact to his or her family. Moreover, there is a sense of division of duty and task between village committee and village members. Therefore, we should be careful with the term "consensus".

The progress of the village depends very much on the solidarity, strong institution and efficiency of the village committee. The more the village committee can mobilise collective activities, the more they can develop their community and the more trust and support will be forthcoming from the local government. Support here means introducing development project from other organisations. This does not mean that the local government, especially the district, will not pay attention to

the communities that are not united. The head of DAFO explains that when there are limited resources, the villages that are prompt in resources and institution are prioritised to participate in the projects. So, leadership and solidarity are crucial to gaining benefit and also to be accepted and supported by others. A member of the village committee in one village said: "The government is watching at us (villages/people) and they know who (village) they should support".

Furthermore, villagers will also investigate the committee carefully. People generally follow the commands of the village committee. However, when the committee does some careless mistakes, villagers begin to distrust them and stop following committee initiatives or requests for collaboration. Therefore, the village committee has to remain conscious about this otherwise co-operation will not be possible. Solidarity and collective action depend very much on the leaders. However, not every village has good leaders and followers.

Just recently, three village heads got some financial support from the government. It amounts to only 8,000 kip a month. They do not call this money 'salary' as it is too little and villagers may consider it wages. They call it "*ngeun sukyyuu*" or supportive fund, for which the government supports what village heads are doing or donating for the common good. This kind of socialist ideology has been encouraged and repeated consistently. At present, the expected village heads are persons who are from intermediary or better-off families, as they can donate their time to the community more. Village heads sometimes have to work outside such as attend meetings, training, contacting district or provincial offices. Their families then lack of one member of the labour force on that day, which may have been spent going to fish, doing some fencing, or raising cattle. Moreover, they have to spend money from their pockets many times in their work for the common good. Complaints from their wives are often heard. I have been working in Laos and meet many village heads from different provinces and of different ethnicities and I have never heard anyone say they want to be in this position. I asked two village heads of Kaengpho about how they felt about their position. They said they are proud that

people trust them to do this task. So, they do it for their people, and for the prestige. However, this is not the same as in other communities. In Some communities where people are scattered in various groups, village heads can be only middlemen who balance interests between groups and village representatives to work with the government.

Regarding the relations between village and state, there are several points that need to be considered for example, characteristics of individuals both the district and the villages, roles of each party, and Lao socialist ideologies. Evans writes about “socialist man (beings)” as claimed to be the expectation for how people and the community should be (1995). This ideology is still influential on the relationship between the state and local villagers. These issues provide a background for understanding issues presented in the next chapter on enclosure of Nong Bua.

DAFO is a leading office in implementing the government’s agenda relates to people’s livelihoods and resource management. DAFO works closely with *kum* and communities. DAFO and other offices are limited in their budget and ability to initiate activities at village level. Therefore, local government has to propagate ideas and assign tasks to the village. Examples might be urging people to expand *naa saeng*, secondary rice crop, asking for contributions, and participating in various activities. The district also the village community often stress “*phak lat*” (government and Party) as a reference for taking actions and the reason for implementing policies or mobilising some activities. This shows a socialist ideology of following and trusting in the central government and the party as agencies to bring development for the country and for the people.

People on the other side seem to understand the difficulties of government officials, especially at the district level as most district staff are like normal villagers who are farmers and reside in the communities. They know each other personally. Therefore, villagers feel sympathetic with the local government. One Naa Nai

villager says: "Our government is like a teenager (has only been developing for 25 years since the liberation in 1975) while the others (countries) are already adults. The current situation is much better than before (during the monarchy and colonial periods)". This signifies that people will not question the state, at least in public.

There is a case of Naa Nai that illustrates this situation well. In early 2001, the village was assigned to host the village soldiers meeting for about 50 people from 20 villages for duration of a week. Naa Nai villagers had to prepare place, food and accommodation for all the guests. I asked two women, who were fetching water for cooking dinner, what they thought about donating their labour for this activity. They said: "The district asks, we have to help as *phak lat* has no money so the district cannot do it anyway". Then I asked how the district requests this contribution. They replied the district explains that: "Officials are like our children so we have to support them. *Phak lat* helps us with many things. If villages do not support, no one would do anything, then the country does not progress". I asked the district officials later about this and they explained: "It is true that the district does not have much money. But we also do not want villagers to calculate about the money so much. Otherwise, it is going to be a standard for next time and for others. Then we (district and the government in general) cannot work any more". There are many tasks that villages are asked to contribute to such as donating money or rice to veterans, pension officers, or helping people who got flooded in China. Maintaining roads or guarding bridges¹⁵ are tasks that become duty. The authorities claim the socialist ideology of collective action for common good and collective benefit.

¹⁵ When the Road No. 13 in the section of Sanasomboun District was completed in 1999, the district has asked for contribution from every community along the road and the other side of the Sedone to take turn to keep guard at each bridge. The guarding is strict especially during festivals and important events such as on the National Day and New Year.

The officials of the DAFO, Sanasomboun District realise the role and capacity of both officials and villagers. Some junior staff said: "We do not have much to support them (villages) and we still eat their chickens". Official staff have very little money so they have to depend on the village for meals when they work in the village. This is also according to Lao custom. People do not mind serving food to guests. The example implies that instead of the state supporting the people, the people have to support the state (officials). This shows relationship between local authorities and communities in the case of Laos. The village committee is also very powerful in the community. The district has to pass the committee before implementing any task. Many officials use the analogy to describe the village committee as the "Little Government". This illustrates the unique characteristics of the Lao authorities and reflects the relationship between both parties.

A Lao village has negotiating power with the local government in some situations. One task stated in the Land and Forestland Allocation Program is when a village wants to cut wood in a production forest, it has to propose to DAFO so that tax is collected. Districts will get most of the amount while the village will get a small amount in the form of *khaa buulana* (maintenance costs). However, some villages cut wood without reporting. The district knows about this but they cannot do anything. One official reports that some villages claim to use this money for maintaining the temple or school and justifies it as "*het boun nam kan*" or a making merit together. A village head of Naa asks the district directly to keep the money from cutting wood for the community fund. He explains that the village does not have another source of income except the forest that they have protected. The officials then cannot force them to follow every rule. These negotiations are quite common and happen in various patterns. Also, it indicates that natural resources are used to generate income is accepted by the local government and communities.

In comparison with the Thai situation regarding the relationship of the state and village, there are differences in village autonomy and village leadership. In the case of Thai villages, the state has penetrated the villages through various rural

development programs with lots of support for decades. In consequence, it creates many small working groups and lessens communal activities. The Thai village leaders now are often not the natural leaders anymore but, rather, influential persons in the area. They use the position to gain access to the benefits that come with the state's development projects. The unequal power relationships in the village are wider and more complex (Hirsch 1989). This is in contrast to the situation in Laos. The Lao village is quite independent. This does not mean Lao villages are isolated from state policy, however. The villages still practice the introduced policies. But with limited capacity of the government in keeping control, communities can implement or ignore the state's command at some level.

In brief, the socialist regime and the socio-economy of Laos form the nature of Lao villages and their relationship with the local government. There are interpretations, justifications and negotiations between officials and villagers at various levels. The Lao State is still poor but it is recognised by the communities. This enables reciprocal relationships between the local government and communities and also the continuation of the socialist ideologies at certain level.

3.4 Nong Bua: Complexity of Characteristics and Access

In all 101 backswamps of Sanasomboun district, there are 4 backswamps that have water in them all year round and Nong Bua (see Appendix B) is the biggest one. It is one of few backswamps in Sanasomboun District that has unique aqua-ecosystem characteristics, history, and traditional practices. The name of the backswamp "*Bua*" means lotus, as in the past the lotus would come and go in the backswamp. There are also full names, two of which are Nong Bua Luang and Nong Bua Yai. The name Nong Bua Yai means big backswamp. The name Nong Bua Luang is also used and means big or public, which has become a contested claim. In this thesis, I will use Nong Bua, as the villagers do. There is another smaller backswamp named Nong Bua Noi (*noi* means small) located to the east on the border of Saelabam.

The backswamp is about 28 hectares in area and approximately 1,000 meters in length at the longest and 500 meters in width at the widest point. Nong Bua lies within the Kaengpho village area located 300 meters from the residential area. It is surrounded by small forest and rice fields. There are 18 small channels and one outlet where *tawns* (filtering fish traps) are connected between rice fields and the backswamp (Figure 3.2) during the end of the rainy season in September to October when the water decreases and fish leave the rice fields for the backswamp. The backswamp has water for the whole year. It receives water from a stream in the north of Nong Bua and water flows from around the area during the rainy season. In the years of high rainfall, the Sedone River floods also reach the backswamp. In July to September, Nong Bua becomes part of the flood plain as the water rises up over the bank. In October the water level is standing then by November, it starts to recede and goes to a small stream feeding the Sedone in the south. Nong Bua is very famous for its availability of freshwater shrimp and snakehead fish during the dry season, the time that the other water bodies are dried out.

Some aqua-ecological aspects of Nong Bua have changed in a great deal in the last 30-40 years. In the past, there were several crocodiles and birds living in Nong Bua but since many people came to fish here, they all disappeared. The amount of fish and some species in the backswamp also decreased greatly. Additionally, Nong Bua has become gradually shallower because of drought and sedimentation each year. People report that many fish have died and some species have disappeared. During the 1998 dry season, the water level in Nong Bua was as low as it had ever been and people could get a cart across at some parts of the backswamp. These conditions speed up a general decline.

Besides, since the 1980s to the present, lots of *phak tob* (one type of aquatic weeds that expands very fast), thorny plants, and reeds have appeared and expanded quite fast almost covering the backswamp. Leeches also increase in the dense weeds in the backswamp. These have been a big problem for the fishers. The thorny

plants were brought in the 1960s by a Kaengpho villager who owned *tawn* at the outlet of Nong Bua. His aim was to create difficulties for the other fishers and to trap fish when the water decreased at the end of the wet season. These caused problems to other fishers who catch fish but no one could reverse the situation.

People in the area believe that there are two female guardian spirits are watching over the backswamp. One is name *Maethao Kammai* (widow) and the other name *Nang Whan* (sweet). Kaengpho people found some poles and broken pot in the backswamp. They connected this with the tale of "*Phadaeng and Nang-Aai*", the story about female guardian widow spirits of the natural ponds. The tale is about a town whose princess commanded a soldier to kill a white squirrel who in fact was a *naga* prince. When this squirrel was killed, its body got bigger and bigger. Most people in the town shared meat of the squirrel except a widow. When the *naga* prince's father found out, he got angry and turned the town into a big lake. Everyone in the town drowned, except the widow, who was commanded to look after the area. Therefore, people associate the widow in the tale with *Maetha Kammai* of Nong Bua. This tale has several slightly different versions but they are all related to female guardian spirits of the backswamps in Laos and also in north east of Thailand. There is no tale about *Nang Whan* but she prefers sweet as a worship so she is received this name.

People have strictly respected the spirits of Nong Bua, as there are many real cases from the past up until recently. The rules are about prohibition of using some fishing gear¹⁶ and forbidden farming and dwelling near the backswamp to the west

¹⁶ The prohibited fishing activities are scooping or draining water from the backswamp, even just small part from the bund located in the backswamp; blocking off areas for fishing; two-person bait nets, *mung* (fine mesh nets), or *khaa* (basket traps), *jan* (drop-door traps), *soum* (conical basket traps). It is also forbidden to fell or cut trees' roots close to the edge of the backswamp. The main fishing gear employed include hook and line, floating hook, cast nets, gill nets, one-person bait nets and handled scoop nets.

of the residential area. This could cause sickness or the death of animals and people. In the 1960s, about hundred buffaloes of Kaengpho died in a short time without an identified reason. The deaths stopped when a leader worshiped the Nong Bua guardian spirits. In the 1970s, a young monk in Kaengpho collected lotus seeds from Nong Bua to eat. Suddenly his lips turned into an abnormal shape. When he finally offered a phallus, his lips turned back to normal. In the 1980s there was one person of Naa Nai who died of strange symptoms saying someone wanted to kill him and he was sorry for breaking the rules. There was also a case of one Kaengpho villager who said he might expand his rice field to the banks of Nong Bua. All of the sudden, the sky got dark and covered with clouds and storm. After he offered something in worship, things got back to normal. In 1999, a pregnant woman got sick for a few months and medical treatment could not cure her until she worshiped to the Nong Bua spirits.

There is only one *kwuan khao jam* (shaman) who performs ceremonies of worship and who is an elder of Kaengpho. Kaengpho people worship these spirits combines with *Chao Pui* (the village's spirit) each year before annual farming season starts in May. *Kwuan kha jam* also has a duty to communicate with the spirits when there is a problem of infringement by people from Kaengpho or other communities. In the past, Kaengpho people even concerned more of the others would break the taboos that might caused harm to Kaengpho people. This reflects the recognition of Kaengpho as the owner of Nong Bua.

Those who infringe on these rules have to appease the widowed spirit with a piece of cloth, a bottle of whiskey, some dessert for *Nang Whan*, a black pig, a white pig, and a *khouai yai* (phallus or large timber carved in the a shape of penis) for *Maethao Kammai*. This is a full set of worship. At the present, people ask the spirit to accept chicken instead of pig, as pig is expensive. In 2000, when I conducted fieldwork, I also observed one *khouai* near a spirit house. This reflects that the belief in guardian spirits of the backswamp is still very active today.

However, people do not totally think that any strange case would be caused by spirits. When someone gets sick for example, people try to treat the patient by medicine or herbs first. If there is no improvement, then they will make an offering to Nong Bua's guardian spirits as the last attempt to overcome the situation. In most cases when people make an offering, a recovery is made. Kaengpho Village once sent letters to neighbouring villages requesting them not to offend the taboo of the backswamp, as they were afraid that Kaengpho people would be affected.



Figure 3.5 Fishing traps surrounded the backswamp

Nong Bua serves for surrounding communities that are located at the upper portion of the Saelabam Dam (Figure 3.1). The reason is that in the downstream communities, there are more fish available in the Sedone River. People from the hill and plain areas have difficulty in catching fish in the Sedone as the dam blocks fish migration, so they fish in Nong Bua as their source of livelihood in the dry season.



Figure 3.6 Seventeen villages that accessed to Nong Bua before the enclosure

Remark Underline is 5 study villages

The two tables below show pattern of fishing in Nong Bua before the regime has been changed. Table 3.4 ranks communities accessed to Nong Bua from the most to those with the least access. Table 3.5 presents fishing access with traditional practices throughout the year distinguished between Kaengpho and other communities. The period of time starts from May as the beginning of the rains, farming and when the water level in Nong Bua starts to increase. Before the enclosure, there were 17 communities, including Kaengpho accessed to Nong Bua. The intensity of access varied depending on seasons, distance, resource availability in those communities, and the economic status of the fishers.

The tables demonstrate that fishers residing in communities closer to Nong Bua came to fish more often than distant communities. Kaengpho village has accessed and gained the most benefit for all year round from Nong Bua as it is located within the village boundary. As for Kaengpho, Nong Bua is one of the main water bodies available to its people. In the wet season, people can make enough *paa daek* (fermented fish) for a year. Most of the Kaengpho fishers who fish in Nong Bua reside nearby the backswamp while people who reside near the Sedone fish in the Sedone more often.

Fishers from most of other communities who came to fish in Nong Bua in the past were from the plain and hill areas. These communities located in distance from the adjacent neighbours to 9 kilometres away from the backswamp. They came by feet, boats, and bicycles. This took them from half an hour to one and a half-hour of time for travelling from their home villages. Fishers from nearby villages came more often than the distant communities. Most of fishers from other communities were poor. People that are well off tended to buy fish from fishers instead of coming to fish in Nong Bua.

Table 3.4 Ranked usage pattern of 17 communities fishing in Nong Bua during the dry season before enclosure

Rank	Village Names	Distance (km)/ location/ road-river	Travel time (min)	No. of people fishing	Period and characteristics of participation
1	Kaengpho	0.3	7-10	80% of village male 70%	All year round
2	Nongphai	4 plain, Rd. No.13	60	60 p: male 80%; 20 men always come; using cast net, bare hands	came in group, 3-4 times a week and stay the whole day, many catch for sale/ exchange for rice, New Year
3	Saelabam	2 Sedone, road to other distr.	30	60 p: female 70%	came in group, 2-3 times a week, mostly target shrimps for consumption, New Year
4	Naa Nai	1.5 Sedone, Rd. No.13	30	50 p: female 60%	came in small group, target shrimps for consumption, New Year
5	Naa	4 hill	50	30 p: female 70%	Once a week, came in big group with more women, New Year
6	Kaengmaiha Thoeng	3.5 hill	40	30 p: female 70%	Once a week, came in big group with more women, New Year
7	Lao	3.5 hill	40	30 p female 60%	Once or twice a month, target shrimps, New year
8	Huaphuu	5 hill	60	less than 10 p mostly males	Once or twice a month, target fish, New year
9	Kaengmaiha Loum	4 hill	60	less than 10 p mostly males	Once or twice a month, target fish, New year
10	Nonesawan	5 plain, Rd. No.13	40 bike	less than 10 p only males	Once or twice a month, target fish, New year
11	Huasae	3 Sedone	40	10 p female > male	Once or twice a month, target shrimps, New year
12	Phonethad	6 plain, Rd. No.13	50 bike	5-6 males	Once or twice a month, target fish, New year
13	Nongduu	3 plain, Rd. No.13	40	less than 10 p male > female	Once or twice a month, target fish, New year
14	Khiilli	4 Sedone	40 boat	10 p male = female	Once or twice a month, New year
15	Khamyaad	3.5 Sedone	40	3 hrs only males	only households stay close to Nong Bua, New Year
16	Khambon	8 hill	90	5-6 males only	Once or twice a month
17	Namthaeng	9 hill	60 bike	5-6 males only	Once or twice a month

Source Field data in January 2001. This data was collected mainly from interviews in Kaengpho and cross checked with the other four studied villages.

Table 3.5 Nong Bua: fishing access with traditional practices

FISHING GEAR	MONTH											
	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Cast nets	m	m							m	mm	mm	mm
Bare hands	m								m	mm	mm	mm
Sawn: Shrimp	fc									ffc	ffc	ffc
Floating hooks	m							m	m	m	m	m
Collecting snails												
Day time	cm	mc	cm	mc	mc	mc	mc	mc	cm	cm	cm	cm
Night time	cm	mc	cm	mc	mc	mc	mc	mc	cm	cm	cm	cm
Collecting snails:	cm	mc	cm	mc	mc	mc	mc	mc	cm	cm	cm	cm
Set gill nets	m	mm	mm	mm	mm	m	m	m	m	m	m	m
Fishing on NY												fm
Benefit to indiv. of Kaengpho	**	***	*	*****	*****	*****	***	*	*	**	**	**
Rice farming	*	***	*	*	*	***	**	*				

Remark 1) Shading indicates periods other villages concentrated their fishing in Nong Bua, which may start from late January to early May; 2) m = male, f = female, c = children, mm or ff = intensive participation; 3) Number of * means intensity of activities; 4) Leading letter shows the leading role in that activity, and underline means equal participation.

Source From the interview with Kaengpho male and female fishers in December 2000.

Nong Bua opened all year round but fishers from other communities came only in dry season approximately from February to April due to the lack of fishing resources in their villages. During the dry season, most streams and backswamps are dried out and food is scarce, so numbers of fisher came to Nong Bua. In contrast to the wet season, food is abundant so fishers do not need to come to Nong Bua. It was estimated by local fishers that people could catch about 100 kilograms of shrimp each month from February to April. February in particular is a breeding time for snakehead fish and people can catch lots of fish. Fish caught were mostly for households' consumption and little for sale locally.

Fishers from Nongphai fish in Nong Bua second in frequency after Kaengpho. While the others might come to Nong Bua only once or twice a week, the village of Nongphai was at the top ranking fishers who catch fish in Nong Bua during the dry season. It meant that fishers of Nongphai were skilful than Kaengpho

villagers at fishing in the backswamp. Men and some women are very skilful in the use of cast nets and their bare hands. Nongphai and also some other communities are not attached to the river, so fishers travel around to catch fish in several backswamps, which their skills have built in these techniques. There were about 20 Nongphai fishers came to Nong Bua every second day to catch fish for sale in their village. This meant they were quite poor, whose some exchanged fish for rice to eat daily. This shows that in the past Nong Bua contributed a lot to the poor.

Male fishers targeted fish while women targeted shrimps. Fishers usually came in groups from 2 to 20 people especially female fishers. This was not only for fishing but also for fun. Female fishers especially from Saelabam and Naa Nai villages came to fish in Nong Bua more than male fishers. This was possible as they lived in adjacent communities. While female fishers from distant communities rarely came to Nong Bua due to travelling problem.

The tables show that there is not a lot of dependence on Nong Bua by the other communities. All together fishers from other communities only enter Nong Bua for few months according to the location and resource availability at the season. The social event that Nong Bua used to host for other communities in the area has not existed for at least a decade, as I had been told before the research started. People told me that in the "past" Nong Bua served about 1,200 to 1,500 people during Lao New Year (April). People explained to me in detail that on that day, numbers of people from nearby area and also from nearby districts would come to Nong Bua for a big *boun*. Some communities such as Nongphai, Naa, and Khamyaad invited monks from their villages to join the event. Government officials from the province and district also came. People would come in the morning with their cooking utensils, baskets of rice, and bottles of whisky. They fished and cooked on the bank of Nong Bua. Food would be served to monks before people would start their meals. People from different communities would share their food, fish from Nong Bua, and whisky. In my view, this was an important social interaction for individuals and communities.

During the research I discovered that my impression was wrong. This does not mean that people told me a lie, but I analysed their information too early. In fact, the thousands of people who used to fish here in the “past” are those accounted for in the 1960s to 1970s. The number of fishers in Nong Bua had already been reduced to less than 50 percent before the regime changed in 1997. There are reasons why fishing activities in Nong Bua have declined.

Firstly, thirty to forty years ago, this area was remote from the city in terms of all facilities. Road No. 13 was constructed during the French colonial period. There were only one or two vehicles passing by once a week and people walked or took boats from below the Labam Rapids, Saelabam Dam, to Pakse three or four times a year. People then had plenty of time for few activities. They explained that people spent time for collecting food from the forest and various water bodies which were abundant at the time. They enjoyed many *bouns* or festivals and they would take time to relax. For example, coming to Nong Bua during the New Year for one of the *bouns*. However, as time passed, especially after the country’s liberation, people became engaged with their farming more than before. People were encouraged by the new government to produce as much as they could from farming, livestock raising, and other activities. Big *boun* and entertainment were reduced. Today people are competing for their livelihood and engaging with the market more and more. They have planted more vegetables, have done lots of trading, and many people have gone to work outside. Their lives are clearly busier than before.

Secondly, since the backswamp is getting shallower and there are lots of weeds and leeches, some men, but in particular women, are afraid of leeches, so they have quit fishing at Nong Bua. In addition, some Kaengpho villagers said that lately fish in Nong Bua are not as delicious as before so they would rather go to Sedone. They think it perhaps because the backswamp is too dense and people raise many ducks there so the fish now have a bad smell.

Thirdly, many people who used to come to Nong Bua before are now in the older generation, and some have already passed away. These elders no longer come to fish and the new generation is concentrating on other things. During the dry season, when fish in Nong Bua are concentrated in small areas, many young people choose to go to Pakxong, a district nearby to collect coffee, some spin cotton as there has been a high demand in the last few years, and others are working outside the village. Therefore, people from other communities who prefer to fish in Nong Bua lately have been middle-aged people. There are some young people who used to come with groups of friends to catch shrimp. However, this group did not come here in consistently.

Therefore, according to this evidence, it is clear that Nong Bua is not depended upon by thousands of people as in the past. This contributes to some understanding of the degree of people's dissatisfaction after the exclusion. Also, researchers should be careful with their first impressions and also be aware of how such impressions influence their research framework and expectations before actually doing the fieldwork.

In brief, this section demonstrates the foundation of Nong Bua's ecological and social characteristics, and the dependence of surrounding communities before the enclosure. It also reflects the dynamic property regime of Nong Bua that varies through the seasons before the regime changed after fish stocking. This will become significance in later discussions as it helps to provide a picture of the changing situation and the claims toward the new regime in Nong Bua.

3.5 Five Study Communities

The enclosure of Nong Bua involves seventeen communities all together, including Kaengpho Village. Five communities have been studied to understand the context of people's livelihoods and effect from the enclosure more clearly. They are among the top ranking communities that used to come to fish in Nong Bua. They are: Kaengpho Village, as the excluding community, and Nongphai Saelabam,

Naa, as the excluded communities (Table 3.6). The other villages were not recruited for the study because only small numbers of people were affected by this change. The four excluded villages represent various characteristics of economic conditions, water resources availability, and distance to Nong Bua. The table below shows some details about the geographical and economic aspects of these five study villages.

Table 3.6 Geographical and economic aspects of the five study villages

Villages	Kaengpho	Saelabam	Naa Nai	Naa	Nongphai
Geographical characteristics	Plain on the left side of Sedone, no electricity	Plain on the left side of Sedone, attached to Dam site, many fishing grounds	Plain on the right side of Sedone and on Rd No.13	Small plain area with low hill, has good forest, not attached to river or road, no electricity	Plain on Road No.13, overlap w/ Phu Xiangthong NBCA, not attached to Sedone
Vill. area (ha)	438	518	332	1016	106
No. household No. people ^a	111 693 (6.2)	201 1041 (5.2)	102 648 (6.3)	77 453 (5.9)	119 616 (5.2)
Rice field (ha) ^b 2nd crop (ha) ^c	222 (2) 100 (6)	146 (0.73) 80 (30)	296 (2.9) 5 (3.5)	181 (2.4) 30 (6)	88 (0.74) 0
Avg. No. hhs: rice shortage	15	30	18	0	45
Sources of fishing in village (rank in order)	Sedone, Nong Bua, rice fields, 2 streams	Sedone, 3 streams, rice fields, 7 backswamps (Nong Bua)	Sedone, rice fields, 3 streams (Nong Bua)	3 streams, rice fields, 9 backswamps (Nong Bua)	2 streams, rice fields, (Nong Bua)
Main subsidiary occupations (rank in order)	Labour, fishing, trading, veg, collecting coffee	Fishing, trading, collecting coffee	Fishing, collecting coffee, spinning cotton, trading	Cotton, swidden plants, wood sawing, collecting NTFP	Collecting dung & fishing, catching wetland faunas, NTFP, labour, trading

Remark In the parenthesis: a = means of number of people in a family; b = means of rice field for one family; c = number of secondary rice crops per hectare farmed in the year 2001

Source Field notes from interviews with 5 village committees in January 2001.

This table shows that three communities- Kaengpho, Saelabam, and Naa Nai villages have quite good conditions for fishing. They are located nearby the Sedone. Saelabam and Naa villages have backswamps in their villages. People rotate to fish during January and February each year. These backswamps are not big and are

dried up in March. All these backswamps are closed backswamps that are subject to seasonal closure and are exclusive for their own villages. As for Nongphai, located on the plain, it has very limited water bodies. Therefore, before the enclosure, Nong Bua was still important for the other communities in the area, especially when the water bodies in their villages were dried out.

Except Nongphai, the communities have large plain areas for rice paddies. Even though Naa is located far from the river, the village has good soil and a large fallow area for dry rice farming and other plants. They sell rice and cotton thread each year as their main cash income. Among these, Saelabam is the richest in infrastructure, options for occupation, resources, especially fisheries. In addition, Saelabam is located near the dam site and the rapids. As a result, there are more fish than in other upstream communities. Moreover, as fishers from Saelabam dwell adjacent to Nong Bua, they could come to fish in Nong Bua easily. There are chances that fish from Nong Bua would migrate to Nong Bua Noi and rice fields of Saelabam during the flood. Besides, there are several facilities such as electricity, primary and secondary schools, drug stores, and a road connected to Bachieng Chalonsuk District, on the east. These characteristics open more chances for people to improve their livelihoods.

On the contrary, among these five communities, Nongphai is in the worst condition regarding fishing and livelihood. It is not attached to the main river, has limited area for farming, and has no irrigation system for secondary cropping. Moreover, their main activities of sawing wood and selling non-timber forest product are strictly prohibited from the Phu Xiangthong National Biodiversity Conservation Area. The wealth status within Nongphai is quite unequal. About 20 families are apparently better off than others. There are about 50 families facing rice shortage problems each year. Different subsidiary occupations become the main sources of living for the poor such as engaging in daily labour, collecting dung, and fishing, with fishing the priority. People have to fish at other villages, especially during the dry season when streams are dried out. Nong Bua ranks third

in fishing resources. As for economic conditions, poor fishers of Nongphai are affected the most from the changing tenure of Nong Bua. Other villages seem to be quite sufficient in their own villages.

In brief, this shows that not every village depends on Nong Bua at the same level. Each village has its own sources of livelihoods depending upon the conditions within the village boundaries. Thus, the degree of impact faced by each community when the property regime of Nong Bua changed varies from one to another.

3.6 Summary

This chapter provides a detailed background of the study area that is crucial to understanding of the enclosure case of Nong Bua. Lao community is still very much based upon an agrarian society. Subsistence agriculture is a primary source of livelihood while fishery is a significant secondary livelihood resource, especially for the communities dwelling in the floodplain area. Inland fisheries, Nong Bua in particular, are complex in the context of environment and the patterns of resource management. As *de jure*, fisheries, as well as other resources belong to the national community. However, as *de facto*, fishery tenure is practised according to the specific locality. Social relations within the community, between communities, and between communities and the state are also embedded in property relations.

Communities are not perfectly united nor isolated. Instead, they mix and exchange activities as well as social life with others and with outside interventions such as the state and market. The context of communities has developed and adapted in response to the changes from outside situations, especially from the rapid economic development occurring at the moment. This also affects the internal context and social relations in and between communities. However, in the reciprocal society of Lao local communities, people still have to maintain social relations between related parties. Therefore, internal mechanisms and social values at the local level are important and should be paid attention to.