

CHAPTER VI

CONCLUSIONS

This study presents a case of legitimised enclosure of a common pool resource. It examines the ways in which the changed property rights regime has been legitimised by reference to the development and common property arrangements inherent therein. The exclusion process has resulted in relatively little conflict as a consequence both of the alternative livelihood options open to those excluded and the legitimisation processes. The study is thus an example of the ironic role of common property regimes in incremental micro-processes of enclosure rather than of confrontational resource appropriation.

By examining the legitimising role of common property, this thesis challenges some concepts of community-based management of common property, sustainability and equity. In addition, legitimising discourses in this case are situated in the wider discursive context of post-socialist development, territorialisation and community benefits. Hence, the study reflects on the development direction of Laos regarding natural resources management in particular.

This chapter reveals significant findings of the study. It is divided into three parts. Section 6.1 discusses the major findings of this study. Section 6.2 debates the findings with concepts and theories, focussing on the institutional school's ideas on community-based management of common property, sustainability, images of community, and importance of incremental process. Section 6.3 shows the significance of the study for theory, sustainability, and policy. Section 6.4 presents some implications for policy and development projects.

6.1 Major Findings of the Study

The study of enclosure in this case presents development policy related to property regime of the post-socialist state of Laos. Laos has employed the market as a mechanism for development since 1986. The government has issued various policies on its land titling program, decentralisation, and promoting production for surplus to promote the market-based economy. These supportive policies share the important principle of changing the unclear property regimes into a clearly defined property right system. Thus, ownership over resources is secure so that local people can enter the market development system. In consequence, it is expected that the secure ownership will motivate people to manage resources productively in a sustainable manner so that wealth accumulation and development are possible. These policies legitimise exclusive property rights, and in so doing they encourage enclosure at the local level.

In the case of Laos, unlike Thailand, as Laos is the socialist state and because of the situational conditions (the government has no capacity to enforce the rules), the government recognises the village community as a social unit to manage the communal resources. Therefore, enclosure in the case of Laos can be a contest between communities for exclusive rights over resources. This differs to the other cases of enclosure in the West, which were rather caused by large-scale exclusion for the exclusive rights of individuals.

At the local level in the case of Nong Bua, drawing on the macro policy, the state approves the exclusive property regime of the backswamp based on the territorial unit of a single community using formal rules and organised institutions. On the one hand, the new entitlement rights of Kaengpho over the backswamp secure an exclusive benefit stream from the resource. This motivates Kaengpho people for collective action to participate in the management of the new regime and gain benefit from the backswamp for community development and other common goods. On the other hand, the formalised institution diminishes the traditional practices based on usufruct rights and social networks that served for subsistence of

the other 16 communities in the area. The first main finding is thus that the local enclosure has resulted in part from the macro-level policy promoting market economy.

The second finding is that the above supportive policies for exclusive rights do not directly or automatically alter the property regime. Rather, indirect shift toward an exclusive property rights system is activated through particular outside interventions, certain development schemes in this case, to legitimise modification of the property regime.

The enclosure in the case of Nong Bua does not lead to confrontation by the excluded communities, because it has involved customary practices, social norms, and approval of the officials in a process of legitimation. Kaengpho people have formalised and accommodated an opportunity opened by a development intervention, fish stocking in this case, by reproducing and interpreting the customs that local people, including excluded communities, respect.

In addition, for local people to accept the changing property relation is not only based on the law, but it also requires customary practices to communicate, formalise and establish the new regime. These customary practices can be both traditional rituals and ritualised development activities. This is because local people do not only frame their lives, values and livelihoods with reference to government policy. They also have social relations among themselves, and customary rules shared with their neighbouring communities. This indicates that there are complex and overlapping levels of authority based on formal law, spiritual belief, presence of higher authority at the local level, and norms of morality between the communities that shape the new property relations.

The third main finding is that, while the discourses associated with development support both villagers and the state in legitimising enclosure, different actors base their employment of these discourses different principles, priorities and

value systems. From the new regime, various aspects of development are employed as part of legitimising discourses of the new exclusive regime. The local government, Kaengpho people, and excluded communities have different sets of priorities in making the claims. The local government aims for productivity of management, efficiency, and market surplus. Kaengpho villagers expect to maintain an equitable distribution of benefits within the community and also use the advantage gained by exclusive access to Nong Bua to "catch up" with development in other villages. This demonstrates that people are selective in interpreting and employing the governmental rationale of development to legitimise their claims.

In case of Nong Bua, the local government and Kaengpho people do not base their development discourses on the same principles, even though they share the same material agenda of development: enclosing Nong Bua. While the other communities are not necessarily enthusiastic about loss of access to Nong Bua, they nevertheless share values with Kaengpho people and they require "development" for their own communities, hence new exclusive regime of Nong Bua is legitimised by every party including the excluded group.

In addition, the changing property regime in the case of Nong Bua is a multi-faceted and incremental process. There is no major imposing command from any agency, but rather it happens because of a number of mutually supporting factors. In addition, all the above factors have become locally embedded, including the perception of *kanphattana* (development) that has been promoted by the government for some time. People have little by little absorbed and shared the aim of development until it becomes part of their lives. This incremental process differs to most of the cases studied about enclosure and changing property regimes, which are marked by sudden shifts or impositions. Moreover, the legitimised claims of one case can further legitimise those of the other cases. They contribute to the continuing process of formalising the exclusive property right system, which hence can encourage enclosure of resources in other cases.

Besides government policy and development directions, it is important to consider social relations between communities that allow or limit the shift of property regime. Changing property relations involve changing social relations among resource users. In the case of Nong Bua where there are no strong resource-based social relations between communities, especially little collaborative production-oriented activity, it eases the process of resource modification. As a result, the regime can be changed with less opposition. This is shown in cases of shifting or clarifying the relatively open communal resource used by several communities to an exclusive regime of a particular group. Also, with the strong legitimation process, the opposition of the excluded people may have gradually changed. Besides, the new property relation does not greatly affect other reciprocal activities and broader social relations between communities.

6.2 Theoretical Discussion

There is very limited social-scientific study about resource management in the post-socialist development of Laos. Most discussions of natural resource management in Laos are part of project reports. Some direct the interest to the results of land and forest allocation programs but none focus their study on incremental shifting property relations or local responses to such change.

As for the studies of changing property regimes, they are mostly focused on sudden changes, especially due to the land titling program. This program-based tendency to look at impacts of marked changes therefore overlooks more general situations of gradual, incremental change and the legitimation processes involved therein.

Analyses of enclosures in the case of Laos and in the case of the West are similar in that they base their explanation on market development. However, they differ at the social unit of the group that takes control over the resources. Enclosure in the West (Lazonick 1974) is studied in the context of the large scale historical

movement involving claims for exclusive rights alienated by individuals. There are some studies of enclosure in Thailand, but these also focus on the large scale such as Yos' (1996) study of the process of enclosure by industrialism and Lohmann's (1991) case of enclosure by Eucalyptus plantations.

Meanwhile, in the case of Nong Bua, the dimension of contest is between one community claiming ownership rights over resources that were previously accessed by several other communities. This contrasts with the enclosure of other cases, which occur between individuals and the company that takes over the communal resources of particular groups.

Regarding the policy on decentralisation in the case of Laos, this is, in fact, a term used by the state to promote market-based development, not the devolution of power. Also, it is not ideally based on the State's democratic idea that people should be allowed to managed their own affairs as claimed by the State. Rather, decentralisation in the case of Laos is based in part on a model of mainstream development influenced by market economy orientation and the international monetary organisations. The State initiates this policy based on a combination of imposed policy agendas and on the reality that the State does not have the resources to manage itself. Raising income from natural resources by the community is one of the positive outcomes that the State expects out of the policy on decentralisation in order to reduce dependence of communities on the government.

By way of example, the government claims the LFAP as a means for decentralisation of resource management to the local level. Some scholars (Vandergeest 2000, Agrawal 2001) argue to the contrary. They see that this policy is rather a way to reduce the financial burden of the government. It is also a way to find responsible agencies in resources management and resource degradation. Vandergeest (2000) analyses that the "decentralization" in the case of Laos in particular is rather a centralisation or formalisation. This is because localities still have to manage resources under the state's authority and national policy framework.

Both are true, in the case of Nong Bua. On the one hand, the creation of Nong Bua management committee is the strategy of the state to control resource management at the local level (Agrawal 2001). The state then, as Scott (1998) analyses, can systematise or formalise the local institutions and simplify social organisation that will be more predictable for the state to govern. Therefore, it is centralisation through an apparent process of decentralisation. On the other hand, in the case of Nong Bua, it is not a forced action from the District but rather the local community that is willing to participate in simplification of this new property institution. As in this simplified regime, Kaengpho Village shares the agenda with the government as it gains authority from these policies to entitle exclusive rights over Nong Bua.

A key argument of this study is that local people do not accommodate all the policy even though there are supportive policies for them to claim exclusive rights over the resource. Rather, they select and articulate certain aspects of each policy that benefit the community's agendas.

The shifting property regime to an exclusive property right system in the case of Nong Bua presents the state agenda aiming for the community to generate income from local resources and use the surplus for community development. These policies provide legitimation and authority that communities can claim to shift the property regime to exclusive management. Enclosure is in line with these official policies.

In general, studies of resource management tend to pay attention to how the property regime is shifted, but on there is less consideration of how people articulate or employ discourses to legitimise systems of rights. In addition, there is a dichotomous approach to inclusion versus exclusion within property regimes in the common property literature. In the case of common property regime, there is both inclusion and exclusion in the same resource. It is inclusive for the members who

manage the resource while it is exclusive for the non-members. The exclusive side of common property may be not visible if the regime has been practiced and respected by related groups for some time. On the other hand, when there is a shift of common property regime through the adding of rules of access, the exclusion may be more sharply felt or recognised.

The shifting common property regime in the case of Nong Bua shows the complexity of common property. There are differences of common property that are initiated by the government and by the local communities. The common property that is initiated by the local communities mostly aim to conserve the resource and use it for subsistence basis. The Lao State established ownership for property in which an administrative village is a social unit for managing the common property.

Complexity in resource management may pre-occupy some scholars, but people are not concerned only with the aspect of resource management; they see the resource uses, relationships with neighbouring communities, state and market at the same time. In some situations, people may in fact need or welcome simplification and clarification, especially when it involves resource management and benefit distribution.

This study also challenges the dichotomous images of the two political and economic regimes of socialism and capitalism, in which socialism is seen to base management on inclusion while the exclusion is the mechanism of capitalism. In fact, exclusion is not new for local resource tenure in Laos. The most common form of exclusion is rice fields owned by households. Also, a relatively exclusive form of common property is the management of *tawn* (fenced fishing trap) managed by kin groups. Therefore, both exclusion and inclusion are combined in practice. The promotion of market economy definitely speeds up the exclusion in resources management. However, villagers are happier with market-based economy at the moment than with the real socialist collectivisation period. This is because they had

unpleasant experiences of collectively working hard but seeing their shares distributed without reference to the labour contributed by each.

The case of Nong Bua demonstrates clearly that property regimes are complex. Common property in particular has diversity in forms, meanings, and implications. A property regime is a product of relations between parties and benefit streams from the resources. Therefore, it is dynamic and changes according to the changed context at the time. Some scholars of the institutional economic school (Bromley and Cernea 1989, Ostrom and Schlager 1996) tend to categorise and confine property regimes into certain frames. This creates simplification of property relations analysis and tends to assume a static social context.

Vandergeest (1997) argues with the trinity of property regimes on state, common, and private property. In fact, there is no clear-cut division of types of property, which have overlapping attributes. Vandergeest demonstrates that in fact property regime, especially common property, is complex and proposes to understand the property as practice. This is to see property relations in terms of dynamism and in the process of negotiation controlled by changed context such as economic policy, politics, gender, developmentalism and other relationships.

The institutional school (Ostrom 1990, Baland and Platteau 1996) sees that the smaller the number of users, the better the chances of success because there is less cost such as on organising and monitoring. This differs to the case of communal timber production in Taohua, Yunnan, China where several villages succeed in collective action (Su 2001). In this case, forestry resources are in a large boundary, which requires a number of labourers and the benefit gained is worthwhile for all villages. Therefore, the collaboration of several villages is practical. This is opposite to the case of backswamps in Laos, where the conditions of size and location of the resources, and also the reasonable benefit gained from the resources are small. Therefore, the resource is better managed by one community. This shows that there are various conditions that allow or obstruct the resources to

be managed in certain regimes and arrangements, which are specific to the cases. Also, the success people's participation is subject to certain conditions.

The institutional economic school (e.g. Ostrom 1992, Bromley 1991, Acheson 1989, Berkes 1989, Ireson 1995) is a leading group that supports the management of natural resource by local communities. Its main statements are the clarified institutions in resource management, the inclusive attributes of common property, and potential of community-based management approach in managing the communal resource sustainably. The ideas of this school have recently become very influential for international financial organisations such as the World Bank, and partly through such organisations, also for governments such as in Laos. In addition, this analysis is expanded to the implementation of co-management whereby the state assists and approves local communities to establish institutions to manage natural resources within those communities.

This study challenges certain key points of the institutional economic school. First, the school overemphasises the image of community-based management of common property as inclusion and equity. In reality, common property is both inclusive and exclusive. It is inclusive in the sense of allowing access to a resource by a group of individuals, families, kin groups or other social groupings. It is exclusive in the sense of defining access rights and in so doing, requiring a greater or lesser degree of priority access to some groups over the others. This kind of case can be found when there is shift in property regimes, especially when the communal resource is formalised or when it is involved with commerce. Therefore, the common property in this angle can function as enclosure.

Second, this school suggests clear property institution with clarified users, owners and boundaries, within which the community-based management of common property and the co-management are included. The state seems to appreciate with the clear institutions like this. In some countries such as in Thailand, the State does not legalise community rights in management of common

property. This differs to the case of Laos. This does not mean the Lao State does believe everything in terms of community potential. Scott analyses that by formalising the property institution, it allows the state to simplify all complex rules at the local level and to control the direction of the institutions (1998). The community-based management of common property sometimes can be used as a discourse to legitimise project intervention. This is similar to the case of gender issues that many projects use as a discourse to please the donors and to legitimise interventions rather than respond to locally articulated priorities.

The clear institution of common property as so defined supports the land-titling program. The land-titling program is a territorialisation process in which the state controls the action of people attached to certain geographical spaces (Vandergeest 1996). It is a mechanism used and claimed by the state and the international organisations to formalise property regimes in the name of decentralising power to localities in managing their resources. This then gives incentives for the communities to manage resources including common property sustainably. This is right in case of urban areas where property regimes are already clarified. However, in many cases including Laos, institutionalisation of property regimes in the state's and the international organisations' views has implication of *rabiab* (rules). This gives authority of exclusion for some communities and gives legitimate rights for the state to intervene. In addition, the resource management community in in the state's perception is a bounded administrative village. Therefore, formalised institutions in some cases lead to the construction of bounded concepts and actions, which has both empowering and dis-empowering implications.

Vandergeest (2001) also notes critically that community-based management and common property in this status becomes channels for the state and outside capitals to legitimate exploitation of cheap resources in the local level. This is possible not only for private property but also for common property. This may be compared to the case of initiated water rights in Thailand that value should be added

into all resources so that management will operate well under the market economy system.

While it is useful to use criteria of long-enduring resource management as a hypothesis, it is dangerous to use this as a checklist to modify the common property regimes. This is because there are other kinds of common property in which people have relied on unclearly delineated property rights. In addition, to clarify an institution reduces complexity of local practices and it can cause marginalisation of some users.

These do not imply that the state or the development projects always implement the program with mean intentions. The result of the clear institution can give both positive and negative impacts to different groups. In addition, with the market-oriented development milieu, the institutional approach is perhaps practical. It is, however, important not to employ concepts and tools with rigid views.

Third, most scholars of the institutional economic school pay less attention to the situation of changing property regime that involves commerce (Zerner 2000). Common property does not only serve for the conservation, but it is also compatible with market-based development. Attaching economic value to resources intensifies competition and haste to claim resource exclusively, ultimately leading to enclosure. Mutual relationships are replaced by new institutions. This is similar to the case of changing property relations from open access to exclusive common property caused by market forces in the Amazon (McGrath et al. 1993). Certain communities are able to gain benefit from the expenses of others in this process. This is the current situation of changing property regimes that are often found in a country like Laos that is in the transition of market-oriented development.

Besides, in the study of community-based management, the institutional economic school only pays attention to confined communities at the horizontal level. It lacks the study of the groups that are affected by the changing property relations.

There is also a popular program promoting the vertical linkage between the state and communities under the co-management framework (Pomeroy 1995; Pomeroy and Berkes 1997; Sunderlin and Gorospe 1997). There are also two sides to this coin, especially in cases where several communities are involved. In many cases, there are complex infrapolitics (Scott 1990) that they are hardly visible, and it is also a challenge to manage equal participation. Moreover, communities and the state may have different objectives on the same agenda of co-management. With intervention from the state and development projects, some communities automatically but indirectly have authority to gain benefit over the others. This raises concern over formalised institutions as it can produce groups that gain and lose from the process, and other unintended consequences.

Fourth is an ideal expectation of the institutional economic school on the community-based approach and the potential to bring collective action and sustainable development. The structural-functionalism school such as Ireson (1995), Berkes, Feeny, McCay and Acheson (1989), Bromley and Cernea (1989), tend to link the traditional community with good collaboration in resources management (Li 1996). Agrawal and Gibson see that the notion of community as homogeneous is often used as a discourse in resource management (1999). Enter and Anderson (1999) point out that communities may just unify in a specific activity only. This can be half true depending on the specific situation. In case of Nong Bua, when people can enclose the resource, it becomes a means of improving solidarity among people in the village for other collective activities. Moreover, the support from the local government strengthens the authority of the village committee in mobilising collective action and in negotiating the claim against other communities. In addition, the collective action in the resource management is more tentatively dependent on an incentive from the market (Shigetomi 1992) than the traditional voluntarism or custom. This can lead to exclusion similar to the case of private property regimes. Li (1996) complements that the recognition of village solidarity may illustrate the idealised image of community and be blind to other parts. Therefore, without specific context, this is rather a selective focus.

In addition, there is no study of the community in collaboration with the state in activating territorialisation and enclosure. Most studies employ these concepts with state's intervention, large-scale cases and individual benefits. Territorialisation is often studied either in the nation-wide contexts of state agendas through the land-titling program (Anan 1984, Vandergeest 1996), or as responses by communities vis-à-vis the state such as in case of counter mapping of forest in Indonesia (Peluso 1995), with less reference to autonomous community agendas. Meanwhile, enclosure is explained also in a large-scale case as changing institutions for the benefit of private interests (Fairlie 1993, Yos 1996). In reality, communities are also influential in determining their own agendas. In case of territorialisation, communities can share agendas with the state in formalising and territorialising the property regimes. As for enclosure, people can also enclose the resources and claim them in the name of community. There are political, historical, and socio-cultural context and infrapolitics in the locality that are influential means to shape the situations and community actions (Mosse 1997). Therefore, it is necessary to maintain awareness of active community roles in collaboration with the state and involvement in shaping property relations.

Another point relating to the community and the change of property relations is that it is not always necessary to be a dramatic change such as land titling or through actions of the authorities such as the state. The change can come from many little things that incrementally occur and eventually lead to the new property relations with non-confrontational consequences. Community can be a social unit that initiates the new property relations. The legitimation of changing institutions also does not have to come from law but also from shared values, situational appropriation, and with local strategies of making claims. This may be analogous to the case of Scott in his shift of interest from event-centred rebellion in *Moral Economy of the Peasant* (1976) to the more common, everyday forms of peasant resistance in *Weapons of the Weak* (1985). Changing property relations in this way

seems to happen commonly but researchers tend to pay more attention to programmatic, one-off changes and their impacts.

In brief, the approach of the institutional economic school is quite systematic and useful for the development planners but it is also rigid as it does not give enough importance to the complexity and dynamism of social interactions at the local. Such complexity and dynamism in fact contribute a lot to the success or failure and implications of the community-based management of common property. Therefore, with complex variables, it may be necessary to wait and see whether each specific community-based management of common property would lead to sustainable and equitable development.

6.3 Significance of the Study

The theoretical significance of this study is to demonstrate that no simple pre-determined concept can explain the complex and dynamic situation of change in property regimes. Moreover, there is a range of contexts that are often conceptualized dichotomously, such as state versus local, private property versus state property, modernity versus custom, and moral economy versus market economy, but which in reality co-exist in a single situation. In addition, popular concepts such as community-based natural resource management approach, co-management, and common property also can produce negative impacts for some groups. The institutional approach may be rigid, but it is rather practical in the market-oriented development milieu. Therefore, researchers should be aware of the superficiality and limitations of key concepts, of complex and specific contexts, and use appropriate concepts with a critical eye.

Second, the study has significance in terms of sustainability and equity. It is clear that, while the state and local people may share some agendas, but they rationalise on different bases. In addition, development-related claims are often based on specific discourses to create legitimacy for certain purposes. Therefore, it

is important to pay attention to the questions of whose agendas and whose purposes are being pursued with respect to impacts of the claims on sustainability and equity.

In addition, the state and local people have different perceptions and understanding on development. The officials tend to focus the development agenda to the economic development. As for local people, while they agree to the state on economic development, they do not follow the state development direction as they also concern on customary practices. The interventions that affect the shifting of property regime allow interactions of local people with various actors and aspects of policy, authority, values and morality. In consequence, it creates new understanding of property relations. Therefore, it is significant to pay attention to these detailed factors as they determine and shape the perception of local people toward the development and the shifting of property regimes at the local.

Third is the significance for policy and project implication. While this case study is based around the single case of an enclosure of a community backswamp, it can be hypothesised that this is in fact a microcosm of similar incremental microprocesses of enclosure in Laos and in other post-socialist developing countries. The shift of property relations in this way in fact can be found commonly but most scholars may easily overlook this shift, as it does not create open confrontation. Therefore, more attention should be paid to the microprocesses and the infrapolitics of changes in property relations.

Similarly, development projects, especially those whose interventions influence the shift in property regimes, should take into consideration the local agendas. Development also produces both intended and unintended consequences for different groups. The meanings of development, sustainability and equity may differ between local actors, government, and also scholars. These implications are part of the process of shifting property relations that should be taken into consideration in development programs related to resource control.

In addition, it is important for the outside organizations - government and development projects, ranging from the nation-wide land-titling program to community-based management schemes, involving more than one community, to take into account that their good intentions may produce unintended consequences for certain groups. Even though this might be hard to predict, it should be reviewed and improved along the way as part of the policy or project implementation. Physical boundaries should not delimit areas of concern, but rather wider related impacts should be considered. So, there should not be static and unchanged formula but rather a focus more on the process of the actions. In this way, resource management in particular will be better suited to the context of each specific case.

6.4 Implications for Policy and Development Projects

The first set of implications concerns the encouragement of exclusive property regime. Under the context of promoting exclusive property rights systems to accumulate wealth, communities that have good resources and strong local institutions tend to adjust to development well. This is good at the single community level but it is not ideal for the network between communities. Moreover, this can unintentionally marginalise some groups of people, who are often already worst off. In most cases where the evidence of impact and confrontation is insignificant, the cases are less visible.

In addition, in the context of market development, the meaning of "development" has been transformed from general improvement in the situation to a linear increase in production for surplus. Therefore, with limited resources for development at the local level, the perception of collective action for the common good shifts toward community-level self-interest rather than concern for the wider group, especially when it comes to changing property relation and sharing benefit. This underlies the common property as enclosure idea as each community looks after its own interest not necessarily through private-property based enclosure.

Moreover, it is likely that people manage resources because they aim to gain economic benefit from them, and sustainability is thought of less and less in terms of being just for the sake of conservation. As a result, people need new established institutions that authorise them to manage resources exclusively by individuals as private property and by communal groups as collective entities. Therefore, development in this way likely increases value-based resource management and competition between groups. At the same time, it lessens networking and participation between communities on resource management in particular.

This is a dilemma for institutionalisation of resource management and development in the context like Laos that has limited resources and budget to facilitate even development for every community. In one approach, the Lao government should keep encouraging the present policy in promoting exclusive property rights system that may simplify customary practices with high competition and self interest but be able to strengthen local institution of some potential communities and to accumulate wealth from the surplus for community development. In an alternative approach, the Lao government should keep complex customary practices and participation among related groups and expects even development as a result in the long term. Therefore there are challenges for the government to prevent conflict of competition in resource use, uneven development, and to reduce development that takes advantage of one place at the expense of other places in this process of development.

The second set of implications concerns interventions by community-based natural resource management programs or employing co-management approaches, which have brought in enclosure as a result. Such projects aim to encourage communities to organise strong institutions by support through small subsidies so that they can manage their communal resources sustainably. However, while the SWIM project succeeded in achieving these aims and Kaengpho has gained economic benefit, the project similarly undermines access to the resource by other

communities. It remains an open question whether it would impact on sustainability of the alternative resource use that the excluded villages employ.

The interventions from the project and the district in resource management often create several borders around property relations, as shown in the case of Nong Bua. For administrative purposes, outside organisations or government agencies have to clarify the physical borders of the resources, activities, people's involvement, and institutions in managing the resources. This is a formalising process of property regimes, which results in simplification of the property relations and enclosure of Nong Bua. This then can limit the basic right of usufruct in traditional resource management. Therefore, while the approach involves participation of people in the community, it turns some periodical users to become permanent non-users of the new institution.

In addition, the formalisation of institutions has strengthened vertical linkages between Kaengpho and the local government within a co-management framework while it has affected horizontal linkages in resource management between communities in the previous regime of Nong Bua. This challenges the ideal approach of community-based natural resource management and the common property regime that would lead to sustainable development. In the case of Nong Bua, it seems unrealistic to expect collaboration by every community into the management as the cost of management may be greater than the benefit gained from the resource. Participation of every community into the new regime of Nong Bua that focuses on income generation might thus instead lead to conflict between the communities. Hence, participation and community-based management among all users are not always practical in every case and nor can they necessarily be expected to bring more equitable resource management.

However, the exclusive property rights system does not activate right after the above supportive policies are implemented. It needs a period of transition and key conditions that allow the changes to happen, such as interventions from outside

projects in the case of Nong Bua. One reason is that people are active agents in the process, so they select and articulate certain aspects of each policy that benefit the community's agendas. Another reason, in particular in the case of shifting property regimes, is that local villagers also attach customary practices within resource management that govern property relations at the local level. The traditional institutions may involve one to several communities according to each social network, within which people cannot overextend their rights over those of others. Therefore, the community requires state authority to manage this problematic concern and establish the new institution. The above reasons indicate that changing property regimes to an exclusive institution is also not really a policy imposition but rather a shared agenda of the state and Kaengpho, while the intervention of development activities is a catalyst in this process.