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**Publicness and Taken-for-granted
Knowledge:**

**A Case Study of Communal Land
Formation in Rural Thailand**

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Abstract

The lack of public-mindedness can cause problems in the social order of people's daily lives, such as the tragedy of the commons and the problem of free riders. Some scholars such as Habermas assert that communicative rationality is the solution, expecting that individuals will communicate with each other to reach a consensus without being bounded by aspects of social background. Other scholars advocate the revitalization of traditional community culture. These arguments, however, are not based on reality. By using the case of communal land formation in rural Thailand, the author shows that collective action is neither a revival of tradition nor a result of communication free from social constraints. Rather, cooperation emerges because the people rationally respond to their present needs and have built, through daily social interactions, taken-for-granted knowledge about how they should behave for cooperation.

Keywords: local organization, rural development, Thailand, public sphere, community forest, communal land

JEL classification: O18, Q15, Q23, Z13

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**Publicness and Taken-for-granted Knowledge:
A Case Study of Communal Land Formation in Rural Thailand***

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Introduction

The lack of public-mindedness may cause problems of social order in our daily lives. Both the tragedy of commons and the free rider problem happen when we cannot control the selfish, but often economically rational, behavior of individuals in the public space. The state, even though it is authorized to execute its tools of enforcement, cannot eradicate the problems.

Some scholars assert that new social mechanisms such as communicative rationality and the communication community will provide a solution. They assume that individuals communicate with each other without being bounded by any social affiliation (position, status, ethnicity, etc) in order to reach a common consent. Public space is open to everyone and is a place for such free communication. Other scholars see an ideal system in the traditional community.

However, it is unlikely that any serious communication occurs between individuals who do not know each other. Rather, an individual starts talking to the people by whom s/he is sure to be listened to. Common consent cannot be enforced on those who can easily escape from the public space. It is doubtful that the traditional community, which is controlled by the selfish behavior of its members, existed in the past and can even be revitalized in the present society. Rather, modernization has brought new necessities and possibilities for starting a communicative process for cooperation.

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I will discuss these issues by using the case of communal land formation in rural Thailand. Until the market economy penetrated into rural society, villagers could easily find unoccupied land and claim it as their private property. In this environment, their economy did not depend on communal land holding. It was when most public land was turned into private domain that people started forming communal lands. Some lands were for ensuring water supply and some were for conserving forest resources. The villagers made regulations about the use of public land. Sometimes, they used the communal land for enhancing the economic productivity of villagers. In this way, the communal land is not the remains of an ancient community, but a new creation formed by the communicative process of villagers.

I will discuss how a certain social system in the village facilitated the communicative process for collective action. The villagers take for granted what the common problem is that has to be solved, who the actors are who will solve the problem, and what method and procedures are to be applied for the purpose. Such local level organizational activities allow ordinary rural people to participate in the wider public sphere, even at the national level.

Publicness, Community, and Tradition

Publicness

Jürgen Habermas (1994) characterizes the public sphere as follows. Firstly, it is a communicative process of consensus building rather than norms which people should follow. In this process, people are guaranteed free expression of their opinions. Those who participate in the process should be free from their social status and liberal enough to judge the opinions of others only from the perspective whether they are rational or not. Secondly, the process should be open to every citizen. The new public sphere of citizens includes those who were formerly excluded from the political discourse. Participants in the public sphere must be heterogeneous enough that small-society communication, such as in a traditional community, does not work anymore. Thirdly, the main participants in the public sphere are non-governmental and non-profit associations. Citizens unite as associations according to their own and free will.

For Habermas, public problems should be solved through discussion, not predetermined norms. The participants of the discussion should be individuals who can speak without being preoccupied by their social affiliation. The public sphere of Hannah Arendt (1958) has similar features. Arendt defines the public sphere as the space in which people's behaviors and opinions receive responses. In the public sphere, people are recognized according to what they say, not according to their attributes.

Community

The concept of community has been transformed in social science discourse. Delanty (2003, p.195) says that this concept has moved from a territorially located and small-scale unit based on traditional values to an expression of communicative forces. Atomization has made the question of belonging more acute, while the facility and technology of communication have become highly developed. The communication community and the postmodern community are now the dominant concepts in community discourse.

As a proponent of the communication community, Habermas asserts that cooperation in a society can be achieved through communication between individuals. Alan Touraine criticizes the unified and homogenous community and proposes a communicative community among heterogeneous people. The New Social Movements theory argues that individualism can be a basis for collective action. The communication community is formed along the sphere of issues and topics rather than through the locality or social relationships among individuals. It is open to everyone who may be interested in the issue.

The postmodern community exists only in the image of people. People feel community because of their experience of “togetherness”, but such an experience is not based on unity or actual collective action. Since the community exists in people’s emotions, it is not closed by territory, belongings, or even actual experience.

Thus, the community is now regarded as an open sphere which consists of interaction among heterogeneous people. The community in this sense is quite similar to the public sphere defined by Habermas and Arendt.

Tradition

The modern conceptualization of community puts a positive value on community by defining it differently from the traditional one. There is another school of thought, however, which criticizes modernization and sees a positive value in the traditional community.

In early 1980s Thailand, some activists in non-governmental organizations (NGOs) involved in rural development started to assert “community culture” as the key concept in participatory development. Community culture is the indigenous way of thinking shared by local people. By respecting and mobilizing it, the NGOs believed that development activities ensured the initiative and participation of the local people.

It is easy to understand that this indigenous culture may be translated as the traditional one. Chatthip Natsupa, an economic historian, brought forward this concept of rural development practice to explain the history of Thai rural society. Relying on a number of interviews with village elders, Chatthip (1984) describes the nature of rural Thai society before it was penetrated by the market and the state. He asserts that community culture is characterized by “kind-heartedness, brother/sisterhood, generosity, mutual-help, not taking advantage of others, unambitiousness, non-violence, self-reliance, honesty” (Chatthip, 1991, p.132). This culture, Chatthip continues, remains within peasant society, especially in

Northeast Thailand. Chatthip sees the origin of community culture to be in traditional rural society.

In such a traditional society, the problems of the public sphere, such as the free rider problem and the tragedy of the commons, did not seem to occur. This has led proponents of "community culture" to seek to revitalize traditional village culture.

Between the two utopian models

We have examined two models of society which may solve problems related to publicness. The first model says that communication among individuals makes such a society happen in so far as individuals speak out without being bound by their own social affiliations or being restricted by outside forces. The second model says that the norm can be found in the traditional community and that the revitalization of tradition will bring about the ideal society. This paper takes neither position. Rather, it asserts that the reality is between these two utopian models.

The Tragedy of Commons in Thai Rural Society

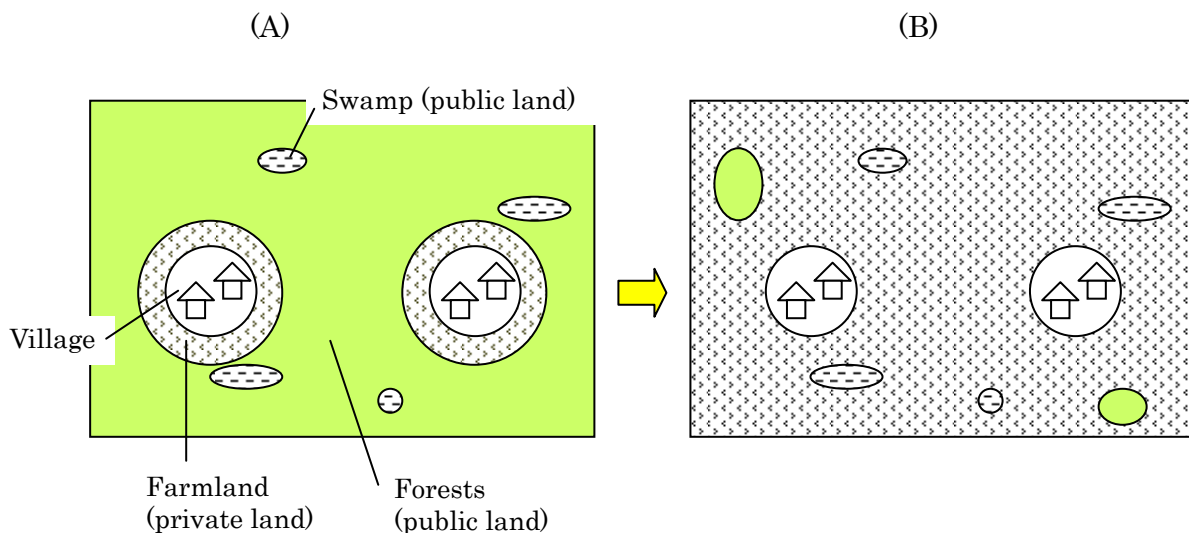
Thailand used to have plenty of unoccupied land. One historian estimated that the amount of cultivated land around 1850 was only 2 percent of present Thai territory (Ingram, 1971). It can be assumed that the rest was mostly left as forest, swamps and grassland. These unoccupied lands were places for the villagers to feed and water their cattle, and collect edibles and the other materials for daily needs. Such an environment can be illustrated as shown in Figure 1 (A), the typical situation in Northeast Thailand where unoccupied land remained until the 1950s.

However, after around 1960, market opportunities for cash crops reached even the remote villages and stimulated farmers privately to occupy forest land. In the 1960s and 1970s, forest land was rapidly turned into cultivated upland. The proportion of forest versus cultivated land was reversed within two to three decades (from A to B in Figure 1). When the land for public use decreased, people started to face the problem of the scarcity of natural resources, such as wood, food, and water.

This problem could not have been prevented because of Thailand's land system. Before modernization, all Thai territory belonged to the King, and people were allowed to claim unoccupied land for cultivation. The modern legal system concerning land was based on this traditional system. In the late 19th century, the Thai government started to reserve some areas of state land for public purposes (Shigetomi, 1996). In 1960, it declared many forest areas also to be reserved. However, the private occupation of state land continued to be

permitted outside of the restricted areas until the late 1980s. Even in restricted areas, it was not easy for the government to protect land from private occupation due to the lack of institutions and resources.

Figure 1: Changing Environment around villages in Northeast Thailand



Source) Prepared by the author.

Among the local people, there was not any communal restriction on land possession either. In the environment illustrated in Figure 1 (A), communal land control did not seem necessary or possible. Actually, the only thing the villagers had to do before occupying the land was to ask the permission of the spirits living in the forests.

Chatthip (1985) asserts that the ancient Thai village controlled the land of its members. He gives two facts as the ground for his argument. One is based on the studies of Lingat and the other scholars of Tai ethnic groups outside the present Thai territory, who are assumed to maintain the traditional land system (ibid, pp.2-3). Lingat (1983) gives a number of examples of land ownership exchange among villagers. Chatthip claims this to be evidence of communal land control. However, Lingat sees this to be the system whereby the rulers claimed ownership and control of the land. There was no mention that the land was controlled by the village community. Chatthip has mistranslated Lingat's discussion.

Moreover, Lingat writes that there was no way for rural people to expand their land other than by asking for the mercy of the rulers. This means that there was no room for, or possibility of, land occupation. It was completely different from the environment which Thai rural people enjoyed in the past. Even if there was any communal land control in the areas that Lingat mentioned, it is not directly applicable to the situation in Thailand.

The second fact that Chatthip (1985, p.31) gives is the way villagers occupied new land in

Northeast Thailand. He describes how farmers in the Northeast would call their relatives and friends to take up unoccupied land suitable for cultivation that they found when on a journey. He asserts this is evidence that people could claim land only through the village community. However, cooperation for reclamation does not necessarily mean the land was communally owned and controlled. It is unlikely the first settlers claimed an amount of land large enough to share with later settlers. These later settlers might claim land, as the first group did, in unoccupied forest. In this situation, there would be no communal holding among the different groups of settlers even though they might form a village.

Thus, communal land holding in the traditional Thai community is quite doubtful. Pranut Sapyasan (1982), whose work on the history of the rural Northeast was an important input for Chatthip's work, concluded that there was no evidence of communal land holding in the interviews with village elders.

I do not intend to say that there was no communal land in Thai villages. Actually, there was some land under the communal control of local people. This included land where the guardian spirit of the community was worshiped. In the Northeast, people built the shrine of the guardian spirit on the outskirts of their settlement and conserved a plot around the shrine as a sacred space. Long-existing communal land also included the burial ground, similarly located on the outskirts of the settlement. In the North, especially in mountainous areas, local people might regard a part of the forest to be reserved as a water source. These "traditional" communal lands, however, occupied only small part of the land to which villagers had access.

Formation of Communal Land

When people found their environment had become as we can see in Figure 1 (B), they started to control public land for communal purposes. The following case shows what happened to public land in a village in the Northeast during the last century.

Si Phon Thong Village (SP village) in Phon Sai District of Roi Et Province was settled around 1900 (at that time, it was called Phon Thong Village)¹. It is located in the lowlands near a river and there used to be many small swamps in the vast area of forest in the early period of settlement. The first settlers were two families who occupied more than 400 *rai* (64 ha) of forest land. This shows that there used to be a great deal of unoccupied land around there. However, since their descendants and other immigrants also occupied the rest of the land, unoccupied land, including swamps, had already disappeared from around the village by the early 1950s.

When the forest land was cleared for paddy fields, villagers began to feel a scarcity of

watering places for cattle and for people's daily use near the village. Therefore, they decided to conserve two swamps, the first in around 1930 and the second in around 1960. At that time, these swamps had been already claimed by some households.

This did not however mean that the swamps came to be under exclusive use of Phon Thong villagers. They were open to the public as long as the natural conditions of the swamps were not degraded. When villagers gathered to catch fish on a day in the dry season, people from other villages were also welcomed. There were no activities involving the collective maintenance of the swamp.

When SP village was founded by the administrative division of Phon Thong village in 1980, there was an agreement that one of the swamps would be allocated to SP village. From 1988 on, the villagers used this swamp for a communal fish-raising project. The village leaders released fingerlings in the swamp, and let every household bring a cart-load of animal droppings to the swamp twice a year to feed the fish. Once a year, the villagers caught the fish, sold them to local people, and used the profit to subsidize the purchase of rice husks by villagers for organic manure making. This activity greatly enhanced paddy productivity.

After the collective fish-raising project was implemented, the swamp was under the exclusive control of the village. Nobody can fish in this swamp without the permission of the village. In fact, when the theft of fish came to light, the villagers decided, after discussion, to fine the offender. The intensive use of communal land requires the village to set rules which are enforced among all local people.

This case clearly illustrates the emergence of communal land and the development of its management system. At first, most of the public land was simply a reserve for private occupation. When uncultivated land began to disappear, local people felt the scarcity of land for common use. Since the lack of water resources had the potential to become a serious problem, people demarcated some swamps as communal land. Although the people regarded such swamps to be communal holding, they were open to the public to use as a resource. It was much later that the villagers used the swamp more intensively. Now they control communally how the resource is used and managed.

The same process of development can be observed in the case of forests. The people in nearby Hun Samun Hun Sanien Forest in Nan Province, Northern Thailand, started communal conservation efforts of the forest in 1987 when the government granted a logging concession in the catchment area of the local irrigation channel². Local leaders discovered that over-logging was occurring and started talking about how to protect the forest. According to a local leader, people paid little attention to forest conservation before this logging concession, and until the mid-1980s, there had been no encroachment in the forest since communist insurgents had been stationed there. Before the communists came, the forest was so thick that the people never had to worry about the problem of resources.

¹ For detailed information about this village, see Shigetomi (1996).

² Author's field survey, May 2004.

After 1987, local leaders started patrolling the forest once a month. Local people also gathered in front of the provincial office to complain about the problem of illegal logging. In 1991, they formed an association to protect the forest. A similar development in another forest has been reported in detail by Attachak Sattayanurak (2004). He understands the change to be one from open-access property regime to community property regime.

The above discussion from case studies is supported by a survey covering the whole of Northern Thailand. By using the list of community forest put together by Chalatchai, Anan, and Santhita (1993), I analyzed the cases according to the reason they came about. This reveals that 60% of community forests in the North have been formed because of conflicts about forest utilization and/or a water deficit (Table 1). These problems arose as a result of forest land and resources having become scarce. On the other hand, cases of community forests being formed by traditional beliefs and customs are not so common. The survey indicates that most community forest has been formed to cope with economic development and conflicting needs regarding natural resources.

Table 1: Main Reasons for Forming Community Forest in Northern Thailand

Reasons*	Cases	%
Total number of surveyed cases	153	100.0
Conflicts on resource utilization, and/or problems brought by deforestation**	93	60.8
Traditional beliefs and customs	24	15.7
Catchment area	9	5.9
NGO suggestion	8	5.2
Government suggestion	7	4.6

* Each figure except the total may include other reasons.

** Including phenomena such as unreliable weather, natural disasters and water shortages.

Source: Chalatchai Ramithanon, Anan Ganjanapan, and Santhita Ganjanapan (1993, pp. 207-222).

Some behavior by local people too is restricted in the community forest. The people decide the rules and sometimes impose a fine on offenders. Table 2 shows the rules of twelve community forests which I surveyed in 2000. Only one community allows living trees to be cut down. Although villagers are allowed to collect wood from fallen trees, some communities restrict the volume of wood that can be collected by each household. Acquiring animals and plants is also controlled in some cases. The offenders are fined in most communities.

To sum up, much of the communal land in rural Thailand at present has been newly formed,

and is not traditional. Economic development has changed land resource allocation and motivated local people to demarcate some land for communal benefit. The communal land and the institutions of communal management have been formed through discussion and consensus-building by local people.

Table 2: The rules of some community forests in Northeast Thailand

Example: ○; allowed, ×; not allowed, △; conditionally allowed

No.of locality (see below)	Rules				
	Cutting standing trees	Using fallen trees	Collecting animals	Collecting plants	Fine for the offenders
1	×	○	△	△	to be fined
2	×	○	n.a.	n.a.	to be fined
3	×	△	△	△	to be fined
4	×	○	○	n.a.	to be fined
5	×	△	n.a.	n.a.	n.a.
6	×	△	△	n.a.	to be fined
7	×	△	×	n.a.	n.a.
8	×	○	○	○	n.a.
9	×	△	×	○	to be fined
10	×	△	○	○	n.a.
11	×	×	×	○	to be fined
12	△	△	×	n.a.	to be fined

Source) The author's field survey in April 2000.

Note) The name of each locality which is conserving the community forest.

[Khon Kaen Province]

1. Ban Huai Khaen (Tambon Ban Han, Amphoe Non Sila)
2. Ban Khao Noi (Tambon Khao Noi, Amphoe Phu Wiang)
3. Ban Nong Bua Daeng (Tambon Tha Lat, Amphoe Chum Phuang)
4. Ban Nong Pleng (Tambon Takua Pa, Amphoe Nong Song Hong)
5. Tambon Waen Noi (Amphoe Waen Noi)
6. Ban Phrabat (Tambon Wa Thong, Amphoe Phu Wiang)

[Maha Sarakham Province]

7. Ban Sua Tao (Tambon Sua Tao, Amphoe Chiang Yun)

[Nakhon Ratchasima Province]

8. Ban Khok Pha-ngam (Tambon Tha Lat, Amphoe Chum Phuang)
9. Ban Khok Sa-at (Tambon Hin Dat, Amphoe Huai Thalaeng)
10. Ban Sachorakae (Tambon Sachorakae, Amphoe Dan Khun Thot)
11. Ban Takro Tai (Tambon Hin Dat, Amphoe Huai Thalaeng)
12. Ban Tha Wang Sai (Tambon Wang Mi, Amphoe Wang Nam Khiao)

Communicative Process in Village Community

What should be discussed is how people communicate with each other and form a consensus regarding communal land formation and management. The list of Chalatchai, Anan, and

Santhita (1993) provides us with further interesting information about who supervises the community forests. According to my count, more than 60% of the bodies managing community forests are village committees, the representatives of administrative villages (Table 3).

Table 3: Main Supervisors of Community Forest in Northern Thailand

Main supervisors*	Cases	%
Total number of surveyed cases	153	100.0
Village committee	93	60.8
Sub-district committee	16	10.5
Special committee for the community forest	12	7.8
Irrigation group	13	8.5

Source: See Table 1

* Each figure except the total may include other supervisors.

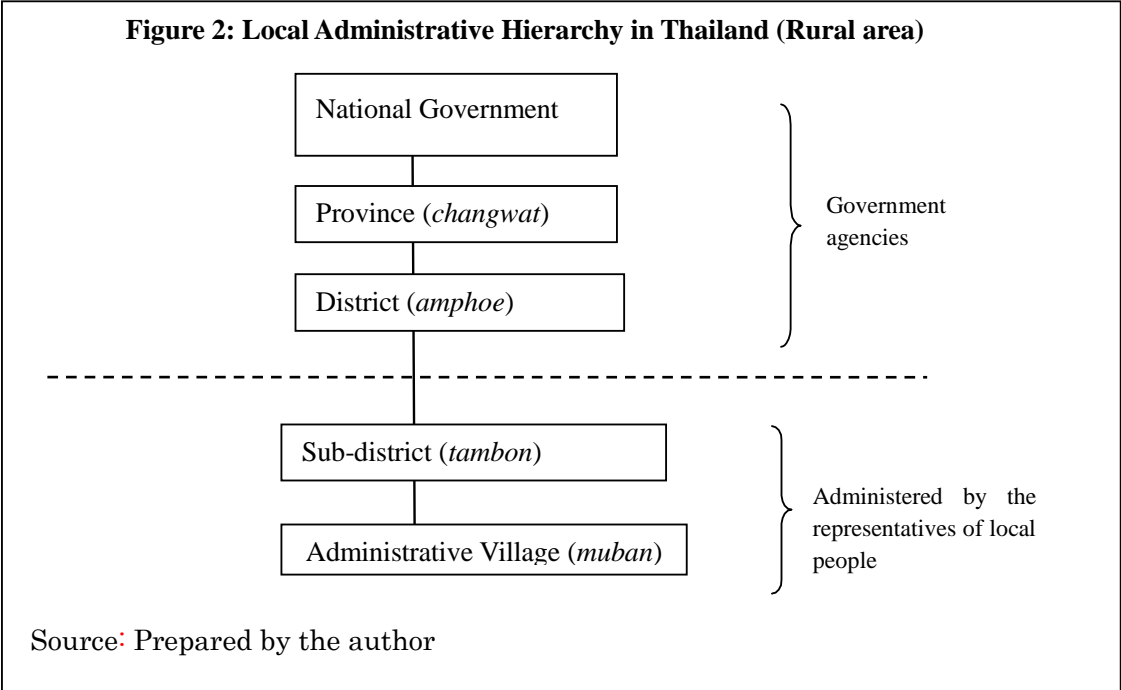
In Table 3, “village” means the smallest unit of local administration, called *muban* in Thai. This table shows that the *muban* is where local people reach a consensus about community forests in the North. The situation is same in the Northeast. Of the twelve community forests in Table 2, eleven were formed by village-level collective consent. It may be expected then that even smaller pieces of communal land, such as swamps and ponds, are under *muban* control. What kind of system does a *muban* have to form this kind of communal consent?

Figure 2 shows the approximate structure of local administration in Thailand. Administrative levels down to the district are part of the central government administration, while sub-districts (*tambon*) and administrative villages (*muban*) come under the administration of local people. The average size of an administrative village was 144 households or 746 persons in 1990, while a sub-district had about 1,300 households or 6,700 residents (NSO, 1991, 1992). People can be assumed to be acquaintances at the village level, but not at the sub-district.

The administrative village exhibits three major characteristics. The first is that priority is given to the demarcation of administrative villages according to the indigenous residential pattern of the local people. Since introducing this local administrative unit early in the 20th century, the government has made the settlements formed spontaneously by the people into administrative villages wherever possible (Tej, 1977). Especially in the North and Northeast where homes tend to be built in clusters, settlements have often been automatically made into administrative villages. The second major characteristic is that village headmen have long been elected by the villagers, thus they reflect relationships among the villagers. Without a certain degree of influence among villagers, few have been able to become headmen. Thirdly, the administrative village has the institution of self-governance. It has

formal leaders (a village headman and executive members) and a monthly village meeting in which villagers talk about communal affairs as well as administrative issues brought by the government. Administrative villages in Thailand have thus been formed mainly from considerations of unity and social relationships among residents, and are equipped with the institution of governance.

What kind of social system was there in the indigenously formed clusters of households? As we seen in Figure 1(A), villages in the Northeast were surrounded by forests. People believed that there were numerous spirits, some of which were hazardous to human beings, in the forest. When a group of people settled down to form a hamlet, they built a shrine to worship the spirit they considered to be their guardian. As we have already seen, the plot including the shrine became traditional communal land.



A ceremony to worship the guardian spirits continues to be performed annually. Unhappy events that afflict the entire village, such as sickness or drought, are often attributed to the withdrawal of protection by the guardian spirit due to sacrilegious acts by villagers. To organize collective action to protect the village as a whole, the villagers must accept their common responsibility as residents and define the range of people who should enjoy collective protection. The villagers take it for granted that the village is an indigenous social entity with the same destiny, not just a geographically discernible cluster. A similar belief among villagers can also be observed in the North.

This indigenous entity performs some collective action, usually related to the Buddhist temple. The villagers feel that their village is not a full-fledged community without a Buddhist temple. The temple is not only a place for satisfying people’s faith but is also the

institution which assures the happiness and security of the village as a whole. In order to construct and maintain temple facilities and hold festivals, villagers have to organize themselves at certain intervals to gather resources (materials, money and labor). Temple priests are not allowed to involve themselves in economic activities, and so local people supply the resources for the priests' daily lives. In this way, the temple requires the villagers to mobilize resources. Sometimes, such as in the case of festivals and construction, they have to reach communal consent about how resources will be mobilized and managed. The villagers have done this many times and share their knowledge about how to organize themselves for such public purposes.

In North and Northeast Thailand, the administrative village and the indigenous village tend to share boundaries if the population has not become too big. As a result, villagers may use the institution of the administrative village to organize activities related to the indigenous unit, such as temple activities, while the administrative unit can mobilize a sense of unity at the indigenous level.

It is this social system which has to deal with the problem of scarcity. In order to conserve and manage public resources, everyone who may have access to the resources has to follow the communal rules and moral standards. Rural people in these two regions take it for granted that they should start the communicative process at the *muban* level. This is because a *muban* has the following features. First, local people feel a unity at the *muban* level and take it for granted that the collective action should be organized here. Second, people have repeatedly engaged in collective action as the *muban* and have a taken-for-granted knowledge about how to organize themselves. Third, a *muban* has a formal institution for making common consent. As a result, many communal lands have been formed at the *muban* level and managed by its administration.

Publicness Beyond Community

The public sphere should not be limited to a small society like a village community in which the people have face-to-face relationships. Rather, the problem of poor consideration to public issues may be observed more frequently in wider spheres, where participants do not share taken-for-granted ideas. Here, we will show that organizational activities at the village level may affect communication about public land management, even beyond community level.

Around 1990, some NGOs found that communal forest conservation was occurring in various places in rural Thailand, especially in the North (Kingkon & Chainarong, 2000). They organized seminars on the community forests and formed a network of local people who were collectively struggling to conserve their forest resources. This network, with the assistance of scholars who sympathized with local people's activities, wrote a Community Forest Bill (people's version) in 1993. The NGOs, people's organizations, and scholars pushed the idea of

communal control of forest resources and their movement influenced the bill placed on the parliamentary agenda (NGO-COD, 1998).

Meanwhile, since the late 1970s, Thai villagers have organized themselves in various forms of association, such as savings groups and rice banks. Communal land management is only a part of these organizational activities at the local level. These activities have been publicized since the mid-1980s in various media. Some government agencies also recognized the people's organizational capability by the late 1980s and implemented projects which needed people's self-organizing efforts. Successful cases have made some local leaders well known even at the national level. These leaders are invited to speak on various occasions including meetings arranged by the government. Recently, the government set up an assembly of distinguished local leaders to give advice to the government.

In such a political public sphere, ordinary people have no way of participating as individuals. However, their everyday efforts at the village level have provided concrete evidence for those who assert on behalf of the villagers that communal land management is possible.

Conclusion

Rural Thai people have faced a scarcity of public land resources for the past three to four decades. People have responded to this problem by initiating communal land control. This was possible, not because the traditional community had such a function, but because the people shared common ideas about who should be organized and how this is to be done. With this taken-for-granted knowledge, they started communicating about conservation and the management of public land.

What happened in rural Thailand cannot be explained by either the communication community model or the traditional community model. The ordinary people are not free from social affiliation, but can participate in the public sphere by relying on their taken-for-granted knowledge. On the other hand, the people are not bound to tradition, but have created new norms and institutions for publicness.

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