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## Forest Colonialism in Thailand

### **A 19th-Century Concession System**

In 1874, during the age of European colonialism, the Siamese monarchy based in Bangkok annexed Chiang Mai in what is now Northern Thailand as its own colony. Under the Chiang Mai Treaty, a Siamese forest concession model was imposed in 1883 that allowed European companies direct access to the region's large teak tracts, with much of the profit to be divided with the monarchy in Bangkok.

Between 1889 and 1896, UK's Bombay Burmah Company, British Borneo Company, Siam Forest Company Ltd. and Louis T. Leonowens Ltd., and Denmark's East Asiatic Co., commenced logging in earnest. (1) British firms controlled 80 per cent of the established so-called 'logging lands'. (2) They also played a role in the establishment of the Royal Forest Department in 1896, which came to have total power over the nation's forestry activities. A British national was head of the Department for the following 28 years, and British logging activities extended over seven decades.

### **Forest Colonies**

Under the country's first forest law of 1913, the Forest Preservation Act, forests were defined very much in terms of colonial occupation. Any land without royally-granted title deeds permitting cultivation or house construction was considered under the control of the Forest Department. Accordingly, the Department was able to amass large areas of land for logging concessions on which farmers without land documentation were already living, relying for part of their subsistence on forests.

The 1938 Forest Protection and Preservation Act maintained the same spirit, defining forests as 'waste' or unoccupied land in the public domain. Similarly, the 1941 Forest Act regarded forests as land that had "not yet been acquired by anyone under the Land Law". These laws effectively made half the country's territory into a forest colony of the central state, annexing community lands, forests, fields and village territories alike.

### **125 Years of Forestry**

Thai forestry activities and forestry science grow out of the history of teak logging in the country's North from 1840 onward. In Northern centres of the government such as Chiang Mai, Lampoon and Lampang, nobles had originally granted permission to various Chinese, Burmese and Thai Yai (ethnic nationality across Southeast Asia) businesses to extract teak for a fee. Then, in 1855, the central Siamese state signed the trade agreement known as the Bowring Treaty with Britain. This enabled the British, as well as ethnic nationalities under British rule including the Burmese, Thai Yai and Mon, to expand teak logging in the region. Thus the British Borneo Company was already on the scene in 1864 as a timber purchaser, even before the formal annexation of Chiang Mai as a Siamese colony ten years later.

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It was only in 1954-55 that the vast logging concessions granted to foreigners expired and were turned over to Thailand's Forest Industry Organization and provincial logging firms. By that time, the country's mature native teak stands were largely exhausted, and concessionaires were turning to other commercial species. The following decades saw the country's deforestation rates rise to become among the highest in the world, driven largely by the expansion of commercial agriculture but also by logging under the concession system as well as dam construction, both of which often opened up new areas for cultivation. Logging had a wide impact on forests that had been preserved and maintained by local communities for their own use, spurring resistance in the North and elsewhere in the country and motivating a growing Thai environmental movement. Logging was finally banned in 1989.

## **Authoritarian Conservation**

As the logging era waned in the 1980s, the focus of the forestry establishment shifted toward commercial industrial tree plantations and forest conservation. But the pattern of internal colonialism remained, accompanied by growing local resistance to state hegemony over lands, including forests, used by millions of villagers.

Although the Thai government enacted two conservation laws in the early 1960s, the Wildlife Preservation and Protection Act and the National Park Act, it was only after logging was banned, 93 years after the Forest Department was established, that official conservation thinking really took off. Conservation areas expanded bit by bit, encroaching especially on minority communities residing in highland areas, first taking over former logging concessions, then expanding further in line with the recommendation of UN-FAO's 'experts' that Thailand should have no less than 40 per cent tree cover. As a result, ordinary villagers have been deprived of access to needed resources, government units have been set up close to communities to limit their use of forests, and many people have been evicted from their land. Violent conflicts between rural villagers and the state have increased.

The latest amendments to Thai forest law – following the military coup of 2014 that resulted in retired army general Prayut Chan-O-Cha becoming Prime Minister – include the fourth National Reserved Forests Act of 2016, the National Parks Act of 2019, and the Wildlife Preservation and Protection Act of 2019. Violations carry increased penalties of one to 20 years (3) in prison and fines of between US 600 and 60,000 dollars. Recent years have also seen legal cases brought against villagers for damage to 'natural resources' and for contributing to global warming. Residents on state forest land have been unjustly sued for damages with huge fines that they have no means of paying.

The new laws have greatly increased the power of officials to make arrests and seize property in National Park areas. To be able to stay on their land without threats of prison or fines, community members must obtain residence permits with a time limit of 20 years (4) as well as special permission to use the forests. Indeed, in many ways, National Reserve Forests and National Parks now resemble territories under martial law. There are strong echoes of the 1914 Martial Law Act promulgated during the First World War, which gave military officials power overriding that of civilian authorities, allowing them to search persons, vehicles or buildings at will; issue prohibitions; seize goods; build strongholds; expel the populace; and destroy or modify terrain or burn down houses to deny the enemy any advantage in battle.

Since the complex colonization processes of forested lands in the country, racist and oppressive views over forests and its inhabitants were imposed. This colonial mind-set has continued to influence national decision and policy-making, seriously harming forest communities, who are largely falsely considered as intruders or damaging the forests. This in turn is manifested with extreme

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violence and discrimination towards these communities and their traditional livelihoods and cultural practices.

Despite the difficult and forceful circumstances, forest communities continue to challenge and struggle against this oppressive context. In early 2021, indigenous Karen People from Bang Kloï returned to their ancestral home in the Kaeng Krachan forests, after years of dispossession due to the creation of the Kaeng Krachan National Park. Thirty people were arrested for “encroaching the national park”. (5) They are forbidden from returning or trespassing on the Park without permission. If they still disobey, they will be withdrawn on bail and sent to prison immediately.

It is clear that the Karen People fighting to have their territory back is not only about the land, but it is also about recovering their identity, culture, dignity and lives from a history of colonization and occupation.

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(1) Master Thesis, "Development of teak logging in Thailand 1896-1960", Salarirat Dolarom, Silpakorn University, Thailand, 1985

(2) Idem (1)

(3) Section 30 under the National Reserved Forests Act B.E. 2019 and Section 41 under the National Parks Act B.E. 2019. See National Parks Act 2019, [English version here.](#)

(4) Section 64 under the National Reserved Forests Act B.E. 2019

(5) [Thailand's imposition of National Parks: The Indigenous Karen People's struggle for their forests and survival](#), WRM Bulletin 254, March 2021; and [ALERT! Karen indigenous communities face danger after returning to their ancestral territory in Thailand.](#)