

Human, cultural and community property rights: A basis for social justice The Akha and how they are affected in Thailand

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This paper describes the pressures on the Akha ethnic minority in Thailand, proposing that lack of political and community property rights is detrimental to their well-being and the environment, which their culture has adapted to over the centuries. It is an abridged version of a longer paper which may be obtained from the author.

1. The Akha and local land history

Currently in Thailand it is popular on the part of the government and policy makers to state that the Akha are immigrants to Thailand, *persona non grata*, and should appreciate any morsel or scraps thrown down to them. Many Akha still do not have identity cards and cannot travel safely in Thailand free of police harassment, fine and imprisonment. The education system is improving but continues to popularise false stereotypes of the hill tribe peoples as environmentally destructive, drug runners, prostitutes, spreaders of the HIV virus, and uneducated social undesirables.

2. Western driven ideologies which affect the Akha

Many of the changes that are imposed from the outside on the Akha community are based on assumptions which the outside communities make as a result of their relationship with the western cultures which have co-opted them.

On the one hand the British widely traded drugs, opium in particular, in the Asian hemisphere. Yet a few years later, the collective memory gone to amnesia, the west is the standard bearer of drug morality, imposing its will in both war and policy on the Thai people and inhabitants along its borders. Under the pretence of stopping the drug crop of opium, at that time a well-established part of the economy for the hill tribe people, the pressure to burn crops and arrest growers and users increased.

3. Benefits of the Akha model

We can hardly look at community property rights without looking at culture, farming and education of the indigenous people. We must ask why they continue to use a system for hundreds of years, a thousand over? Is it just because they are stupid and don't know to change, as many would claim, or could it be that the system has great value and that it even has secrets and wisdom to offer larger societies caught up in their own impressions?

4. Comparative village examples

Huuh Mah Akha is a village near Haen Taek that was caught before it was moved. This village had been at their current location for more than 78 years and had a level of nutrition reflective of this. Extensive rice terraces were built. There were plenteous fields with no new cutting of trees required. Pigs, water buffalo, cattle, and horses were plentiful. The children enjoyed good sources of fruits and vegetables, the nutrition level in the village was quite satisfactory.

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Pah Nmm Akha was a village across the valley from Huuh Mah Akha also near the Thai border. So close in fact, it would be very hard to say that the village was surely in Thailand and that the citizens were in fact Thai. It would be more logical to presume that these Akha were Burmese citizens. The village had a long and secure history on the ridge top, farming the same location for so many years. Investments had been made in terracing, fruit trees, and water. The small area around the village was cleared of trees but the great forest was below, undisturbed. Lahu and Lisaw lived nearby. But close to nine years ago the Thai army arbitrarily decided to move this village as if no other solution was available for border security. They moved the village several kilometres down the hill. There was no longer room for pigs and cattle to roam, and the pig population declined radically. Chickens also fared off worse and died of fever. There was no adjacent land to farm so the villagers had to still walk back up the mountain to find fields, an hour and a half one way and then back again after a long work day in the fields.

5. Factors of increased land degradation

While there is much discussion of land use, forestry, and water shed protection we must assume that these motives are the cover for a different agenda due to the incredible contradictions of facts which they include.

Currently in the Haen Taek region a significant amount of the area is farmed and lived on by Akha, Lahu and Lisaw hill tribes. Tai Yai make up another ethnic group. But there are few Thais living in the area. While stating concern for the land condition, more roads are built with great damage done due to silting, erosion and land slides, totally burying terraced rice in some cases. Bottom land terraces of black clay are now filling with red mud. The population is increasing as the road is built and more and more Thais relocate into the tiny mountain location, putting up big gaudy houses and shops on every road side.

6. Predators

In this highly marginalized environment with little representation we find the Akha being harassed non stop by foreign missionaries and local missionaries supplied with moneys from the foreign missions. Villages which are marginalized the heaviest are the first to succumb to the pressure. A host of fabrications are erected to show the Akha how they are themselves to blame for all that has occurred to them and that as soon as they become Christian or whatever, their lives will improve.

7. Ongoing problems

The Akha and other hill tribe groups now fight an ongoing effort of many years to assimilate them into Thai society as a non distinct group, and to displace their villages from their native locations in the mountains. While throughout the mountains we see plenteous resorts which consume a huge amount of land with benefit to only a few elite, the Akha are denied land because there is a "land shortage". At the same time many new Thais are moving into the area, taking more and more of the land that was used for farming.

The Akha will continue to face these problems as long as they lack governmental and legal representation and as long as the government maintains policies that work against them. Akha language is not taught in schools built in their communities, and assimilating them as a backward people continues to be the talk.

Increased political and human rights for the Akha is the only basis for a policy of improved community rights of land and culture.

8. Hope for the future

If community land rights, protections for human and cultural rights are put in place and administered in Thailand, then rather than assimilation and failure of the Akha community, we could expect to see

the respect for distinct cultures and the complementing of these cultures to each other. The Akha a mountain people, willing and able to farm the mountains and make them flower, preserving water and soils and forests and animals. Certainly it is a benefit to all to have this variation of culture within a larger country.

As well, in this manner, the extensive knowledge of the forests, soils and plants of the mountain jungle regions will not be lost.

It is the most just consideration to include people as components in the environment, not just so many humans to be displaced for convenience and policy.

This is best for the environment and the people who live in it. When we deny that there is this relationship we can expect to incur costs that are not so easy to pay later on.