

Forest Claims, Conflicts and Commodification: The Political Ecology of Tibetan Mushroom-Harvesting Villages in Yunnan Province, China

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Villages scattered along the steep slopes of north-west Yunnan present a serene picture of colourful prayer flags fluttering from rooftops and only the occasional vehicle raising dust from dirt roads. But for the past few years, summers have been a time of intense and often violent conflict. In late July, neighbouring villages prepare to fight once again over access to forests which produce wild matsutake mushrooms, a high-value Japanese luxury food that has been harvested and exported from the region for the past 12 years. The quiet summer nightlife in the nearby county seat has been transformed to a bustling mushroom market busiest between midnight and dawn. Why has this market come into existence, and what have been its effects on access to and control over forest resources?

The multiplicity of property forms in reform-era China has been studied with respect to industry and agricultural land, but little attention has been paid to local variation and negotiation over property rights in forests. This is surprising given serious concerns over China's environmental problems and the complex ways in which multiple forms of tenure, property and political economy shape landscapes and ecosystems.¹ The social relations which constitute and maintain access and control over resources invariably mediate between the intentions of policy-makers and on-the-ground outcomes. Thus, detailed studies of the "real world variability" in the ways in which forest access is negotiated and affects local communities can better inform the broad generalizations which are often made about the fate of China's natural resources.

I examine this real world variability by discussing the ways in which commodification of a wild forest product has changed forest management, property and access conventions in Diqing Tibetan Autonomous Prefecture, Yunnan.² The unique biological properties of the (non-cultivable) matsutake mushroom, its unusual demand structure as a

1. Louise Fortmann and John Bruce, "Introduction," in Louise Fortmann and John Bruce (eds.), *Whose Trees? Proprietary Dimensions of Forestry, Rural Studies Series of the Rural Sociological Study* (Boulder: Westview Press, 1988), p. 4.

2. The data used in this paper were gathered during field research in the summer of 1997 (and a follow-up visit in August 1998) in Zhongdian and Deqin counties of Diqing TAP. Primary research methods used were observation, semi-structured and unstructured interviews with matsutake harvesters, buyers and sellers in the two county seats and their surrounding villages. In addition, I interviewed representatives from several export companies, and government and academic forestry institutions in Kunming.

Japanese luxury food, and the setting in a peripheral area far from China's dynamic east coast all lead to a complex set of social relations in which the matsutake market is embedded. The opportunity to engage in this market has significantly increased local income and led to the emergence of conflicts over rights of access to forests in which the lucrative mushrooms are found. I will focus particularly on the use of village compacts (*xiangguiminyue*) as a means through which villagers stake, contest and try to resolve conflicting claims to forestland. In doing so, I will demonstrate the importance of looking beyond legally recognized property rights to the development of and contestation over local rules and access conventions. Not only do these access conventions have environmental consequences, but they also interact with and may even lead to changes in larger policy and legal institutions. Finally, in bringing attention to this neglected corner of Yunnan, I hope to provoke reflection on the implications of these empirical findings for common assumptions about natural resource markets, management and property rights in rural China.

Diqing Tibetan Autonomous Prefecture

China's western half – resource-rich, sparsely populated and inhabited mostly by ethnic minorities – has been left out of the east's phenomenal township and village enterprise (TVE) boom and, until recently, excluded from scrutiny by researchers. Tucked between Tibet Autonomous Region (TAR) and Ganzi Tibetan Autonomous Prefecture in Sichuan, Diqing fits descriptions of China's rural hinterland “which seem to be almost a different ‘time’ and well as ‘place’”³ from the wealthy coastal provinces.⁴ Per capita GDP in Diqing is only one-third of the national average,⁵ and the prefectural government is able to generate only 40 per cent of its required income while higher levels of government subsidize the remaining 60 per cent.⁶

Forests account for about one third of the area of Diqing, which is situated in the upper watersheds of the Mekong and Chang [Yangtze]

3. Ann Anagnost, *National Past-times: Narratives, Representation, and Power in Modern China* (Durham: Duke University Press, 1997), p. 4.

4. Tibetans comprise 40% of Zhongdian county's population of 130,000 and 80% of Deqin county's population of 60,000. These statistics are from Steven Marshall and Susette Cooke, *Tibet Outside the TAR: Control, Exploitation and Assimilation, Development with Chinese Characteristics* (Washington, D.C: Alliance for Research in Tibet, available through International Campaign for Tibet, CD-ROM); and from Wang Hengjie, *Diqing zangzu shehui shi (Social History of Diqing Tibetans)* (Beijing: China Tibetan Studies Publishers, 1995), p. 8.

5. Marshall and Cooke, *Tibet Outside the TAR*, p. 246. However, according to the 1995 State Statistical Bureau report, Diqing TAP per capita GDP in 1994 was 1,490 RMB as compared with the national average of 3,755 RMB. Another report gave annual rural net per capita income as 605 RMB in one part of the report and 321 RMB in another; a third source cited annual per capita income in Zhongdian in 1994 as 727 RMB. However, the Party secretary of Zhongdian county informed me in 1998 that the figure was actually 836 RMB. He also stated that matsutake income is “of course” not included in their calculations even though it is “the most important income source for villagers.”

6. James Ogilvie, “Forestry in Diqing prefecture, northwest Yunnan province, China,” *Commonwealth Forestry Review*, Vol. 75, No. 4 (1996), p. 293.

rivers. During the Sixth and Seventh Five-Year Plans, approximately 55 per cent of Zhongdian county revenue (and a higher proportion for Deqin county) was generated by timber.⁷ In recent years, however, timber revenue has declined because much high-value timber has already been logged, and most recently because of a logging ban. Thus, income from matsutakes and other non-timber forest products (NTFPs) has come to play a more important role in government revenue.

The Matsutake Trade

Matsutakes (*Tricholoma matsutake*) have been a prized edible mushroom in Japan since ancient times, but the past few decades have seen a dramatic increase in both price and demand.⁸ This has driven the Japanese to search for new locations, which now include China, Korea, Canada, the United States, Mexico and Morocco.⁹ In the early 1980s, Japanese companies began working with several import-export companies in Yunnan to locate areas with suitable ecological habitats and search local villages for matsutakes. Trade in preserved matsutakes began around 1984, but transportation difficulties limited the large-scale export of fresh matsutakes until 1986. The intervening decade has seen a veritable explosion in the trade with hundreds of tons of matsutakes transported from remote mountains of Diqing to Japan each year.

Local income has increased significantly from the opportunity to harvest and sell matsutakes (*songrong*). It is estimated that 60 per cent or more of the population of Zhongdian county is involved in the business in some way.¹⁰ Harvesters are paid 200–400 RMB/kg for top grade matsutakes, and in a few of the most productive villages near Zhongdian, it is not uncommon for families to make 50,000–60,000 RMB (roughly 10,000 RMB per capita) during the season, which runs between July and October. More typical earnings are closer to 2,000–3,000 RMB per capita.

Prior to Japanese market penetration, matsutakes were not highly valued in Diqing and were only collected occasionally and almost exclusively for family consumption. Thus matsutakes in the area have only recently undergone the process of commodification. The particular conjuncture of events that made this possible included not only the Japanese search for suitable overseas harvesting grounds but also the beginning of the reform and opening up era in China, which gave villagers the freedom to engage in private commercial activities such as harvesting.

7. Qi Zala, *Zhongguo zangqu xianyu jingji tansuo* (*An Exploration of County Economy in Tibetan Regions of China*) (Kunming: Yunnan Nationalities Publishing House, 1997), p. 4.

8. Scott Redhead, "The pine mushroom industry in Canada and the United States and where it's going," in Mary E. Palm and Ignacio Chapela (eds.), *Mycology in Sustainable Development: Expanding Concepts, Vanishing Borders* (Boone, NC: Parkway Publishers Inc., 1997), pp. 17–18.

9. David Pilz and Randy Molina, "American matsutake mushroom harvesting in the United States: social aspects and opportunities for sustainable development," in Palm and Chapela, *Mycology in Sustainable Development*, p. 68.

10. Author interview. 60% was the lowest figure I was given.

Fresh matsutakes are highly perishable and must be shipped from remote forests to the Japanese market as quickly as possible – in as few as 40–50 hours in the Chinese case. There is a complex commodity chain between the harvester and the consumer through which a single mushroom may change hands six or seven times before reaching Japan. This commodity chain begins with the village harvesters, for whom the seasonal matsutake collection and sale is the most important source of cash income.¹¹ For the rest of the year, most villagers farm, although many also earn income from animal husbandry, the growing tourist industry and the sale of other wild products. Women and children collect matsutakes more than men do, but it is by no means an exclusively female task.

At the next level are small-scale Tibetan middlemen who rent, borrow or buy trucks to bring matsutakes from nearby villages back to the central market in Zhongdian. Many of these town-based middlemen have family members in villages who collect matsutakes; thus there are strong social ties between the middlemen and the collectors. In Zhongdian, over 150 Tibetan, Naxi and Han businessmen¹² buy and sell the mushrooms on the spot market. The high price volatility of fresh matsutakes makes the trade a risky proposition for small-scale Tibetan middlemen with access to only limited amounts of capital. Prices for the highest quality mushrooms can easily drop by a third in the span of a few hours. Larger-scale businesses in Zhongdian, which include both state-owned companies and private enterprises, regularly communicate by phone with associates in Kunming (and from there, Japan) to stay abreast of these price fluctuations. As the matsutakes lose value with time, businessmen cannot afford to hold on to them until the price recovers and so adopt a variety of contracting strategies to deal with market volatility.

The mushrooms are eventually consolidated in the hands of 20–30 businessmen, who pack them with ice and transport them to cool storage near the Kunming airport, a 13–20 hour drive away. From there they are flown to Shanghai and then to Japan by one of the nine Chinese import-export companies with export permits.

Environmental Effects

The extreme variability in matsutake mushroom productivity associated with its sensitivity to small changes in temperature and precipitation makes it very difficult to distinguish natural climatic influences from the ecological effects of matsutake harvesting. Nevertheless, several aspects of matsutake harvesting are believed to have significant impacts. Of

11. Qi Zala, Zhongdian county Party secretary, “Qingzang gaoyuan kechixu fazhan de shixian yu tantao – yi Diqing zangzu zizhi zhou Zhongdian xian weili de fenxi” (“Practice and investigation of sustainable development on the Qinghai-Tibet Plateau – Using Diqing Tibetan Autonomous Prefecture as an example for analysis”) (unpublished paper, 1998), p. 13.

12. By which I mean both male and female businesspeople; however, there are more men than women.

particular concern is the disturbance to the litter layer by the harvest of very small matsutakes. In response to these concerns, the Zhongdian prefectural government officially prohibited the sale of matsutakes under three centimetres in length. Nevertheless, many village harvesters continue to pick them owing to lack of information, as well as the fear that any unpicked matsutake will simply be collected by someone else. This race to the bottom leads to charges among town-based businessmen and government officials that villagers are “low quality” and cannot be expected to manage their forest resources well. Several businessmen have even suggested that the army should be brought in to patrol village forests. However, those who make such statements generally fail to acknowledge that some villages do in fact have mechanisms which regulate access to the matsutake-producing forests, and that the problem of picking undersized mushrooms is not universal.

Property and Access

The property rights and access conventions governing forest management constrain the types of permitted activities as well as who may engage in those activities. Access is often used as a broader term than property,¹³ in that it can refer to the ability as well as the right to enforce a claim to something. Although property can also be defined broadly,¹⁴ it usually carries with it an implicitly legalistic concept of ownership or tenure. Conceptualizing property as a subset of access may be particularly helpful in the Chinese case, where the proliferation of claims to various forms of ownership or benefits confounds any simple notion of clearly defined property rights. Access is about claims and abilities as well as rights, and about staking claims in order to turn them into legally or socially-sanctioned rights. It includes both de jure regulations and de facto mechanisms such as social identity, social relations, coercion, trickery, material wealth and physical circumstances.¹⁵

Official policies about property rights may be much less detailed than the conventions which regulate access to a particular resource in a particular place. This is true of matsutakes insofar as forest property rights are defined primarily in terms of trees rather than NTFPs. Claims and counter-claims about access to matsutake-producing forests are not only affected by but also shape local understandings of nationally defined property rights. For example, conflicts over access to matsutakes have called into question the meaning of “collective” forests: how much power

13. See for example, Sara Berry, *No Condition is Permanent: The Social Dynamics of Agrarian Change in Sub-Saharan Africa* (Madison: University of Wisconsin Press, 1993); Nancy Lee Peluso, “Fruit trees and family trees in an anthropogenic forest: ethics of access, property zones, and environmental change in Indonesia,” *Comparative Studies in Society and History*, Vol. 38, No. 3 (1996), pp. 49–74; and Jesse Ribot, “Theorizing access: forest profits along Senegal’s charcoal commodity chain,” *Development and Change*, Vol. 29, (1998), pp. 307–341.

14. See for example Carol Rose, *Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership* (Boulder: Westview Press, 1994) and C. B. Macpherson (ed.), *Property: Mainstream and Critical Positions* (Toronto: University of Toronto Press, 1978).

15. Ribot, “Theorizing access,” p. 310.

does the village have to exclude others from its collective land? It is, therefore, useful to describe the broader institutions governing forest tenure before turning specifically to matsutakes.

Forest Tenure

China's forestry sector distinguishes between state forests (*guoyou lin*), collective forests (*jiti lin*), and increasingly "private" or household forests.¹⁶ State forests are owned by central, provincial, prefectural or county governments, whereas the community, as represented by counties, townships (*xiang*), administrative villages (*xingzhencun*) or natural villages (*zirancun*), have both usufructary and ownership rights over collective forests.¹⁷ Logging in collectively owned forests is still subject to state quotas and control,¹⁸ and state forestry policy emphasizes villagers' responsibilities to protect and manage forests while often disregarding their rights to forest use and benefits.¹⁹

In the 1960s and 1970s, most forests in Yunnan were managed as state forest farms (*linchang*), productive units under central or provincial control. Control over many of these state forest farm areas near Zhongdian has recently been devolved to the prefecture and county. In some places, counties have subsequently turned them over to villages to manage in return for vaguely defined rights to NTFPs. Because matsutakes are generally collected in the relatively low elevation (under 3,200 metres) pine-oak village collective forests, most conflicts arise there. However, matsutakes also grow in lower parts of some state forests and conflicts can arise where a state forest lies between two or more village collective forests.

Two forestry policies implemented in 1981–83 (*liangshan daohu* and *linye sanding*) were supposed to have allocated and leased collective forests to individual households as freehold hill land (*ziliushan*) and contract hill land (*zerenshan*). Freehold hill land was generally unforested and could be put to any purpose other than clearing, whereas contract hill land was usually forested and was to provide incentives for forest protection.²⁰ However, this policy was not uniformly implemented in

16. Lester Ross, *Environmental Policy in China* (Indianapolis: Indiana University Press, 1988).

17. N. Tapp, "Social aspects of China fir plantations in China," *Commonwealth Forestry Review*, Vol. 75, No. 4., (1996), pp. 302–308. Note Tapp mentions only counties, townships and administrative villages under collective forests, but in Diqing the collective ownership of the *jiti* often belongs to a natural village. Also personal communication with Xu Jianchu, Yunnan Institute of Botany.

18. Lindsay Swope, *Factors Influencing Rates of Deforestation in Lijiang County, Yunnan Province, China* (Masters thesis, University of California Davis, 1995).

19. Nicholas K. Menzies and Nancy Lee Peluso, "Rights of access to upland forest resources in southwest China," *Journal of World Forest Resource Management*, Vol. 6 (1991), pp. 1–20.

20. Zuo Ting, "Institutional constraints of social forestry development in Yunnan China – based on the case study of Yunnan social forestry project," in *Community Forestry at a Crossroads: Reflections and Future Directions in the Development of Community Forestry. Proceedings of an International Seminar held in Bangkok, Thailand, 17–19 July 1997*. (Bangkok: RECOFTC, 1997).

Diqing and some villages still do not have freehold or contract land. Even in villages which have allocated forest to each family as freehold and contract hill land, however, the boundaries between household plots are not in effect for matsutake (and other NTFP) collection; within the village, all residents may harvest from any part of the collective forest. In other words, the commodification of the matsutake has led to a differentiation between tree tenure and NTFP tenure on the same pieces of land.²¹ It has also led to a host of other changes, including changes in access conventions within and between villages, and their accompanying inter-village disputes.

Forest Management and Village Compacts

Prior to Japanese market penetration, there were no restrictions on NTFP harvesting in Diqing's collective forests. Over the past five years, however, a number of villages have developed rules and management systems under the rubric of *xiangguiminyue*, or village compacts. Promoted as a model of self-governance in the post-Mao era, these compacts act as a means of promoting social order in the countryside on issues where national law falls silent. They have no real legal scope and their status vis-à-vis the court system is ambiguous. This has become particularly apparent in Diqing when higher levels of government have disapproved of village rules.

Thus far only villages with very highly productive matsutake forests have developed *xiangguiminyue* regarding matsutakes. These compacts perform two functions: they regulate the timing of matsutake collection *within* the village; and they establish the importance of territorial control over village forest land by preventing those from outside the village from gaining access to the matsutakes.

Timing of matsutake collection within the village is regulated first by the setting of a date when the forest is officially open for matsutake picking. Then, at any time during the season when the village head or village committee decides that the proportion of small matsutakes coming out of the forest is too high, they close the forest to pickers for a few days. The rationale for this type of regulation is usually explained by villagers in economic terms: allowing the matsutakes to grow undisturbed for just four to five more days can make the difference between harvesting mushrooms worth less than 10 RMB each and those worth ten times that price. Harvesting large rather than very small matsutakes also causes less damage to the forest floor and thus keeps the harvest more sustainable in the long run. Furthermore, one administrative village passed a regulation in 1997 which prohibited families from building new (wooden)

21. This type of tenure proliferation has been documented in other studies of the effects of commodity booms in other parts of the world. For example, in Upland Java (see Krisnawati Suryanata, "Fruit trees under contract: tenure and land use change in upland Java, Indonesia," *World Development*, Vol. 22, No. 10, pp. 1567–1578) commercialization and integration with the market economy led to a changed set of access conventions to apple trees, increased control by tree lessees over the landscape, and gradual dispossession of some farmers from their lands.

houses sooner than 15 years apart, and prohibited the cutting of oak trees for fuel in prime matsutake-collection areas. Thus, it appears that some form of forest conservation or ethic may be emerging alongside matsutake management.

Apart from timing restrictions, however, village collective forests are generally open to any household within the village able to spare labour time for collection (although there are caveats, discussed below). Family size, luck and skill at finding matsutakes are the major determinants of economic differentiation. Unlike farming or fishing, matsutake harvesting requires little input other than a basket and sufficient labour time. This ease of entry may contribute to the proliferation of conflicts, although the conflicts occur predominantly between rather than within villages.

Many of the villages which regulate harvesting within the village also charge entrance fees for outsiders. This changes the access regime from de facto open access to common property, such that belonging to a village determines membership in the forest user group. Often, outsiders are only allowed to pick in designated (less productive) parts of the forest. In one such village, all non-residents were lined up and counted each morning by the zealous village head to ensure that no extra people sneaked in. This village head also visited each household in the evenings after the forest was closed to ensure that no one was violating the no-picking rules. He was one of the few people who enforced the three-centimetre rule announced by the prefecture. When the forest was closed to picking, the villagers were required to patrol the village forest boundaries. Despite these stringent rules, more than 100 non-residents found it worth their while to pay the fee and pick matsutakes in that village in 1997.

Another effect of the transition from open access through the *xiang-guiminyue* has been the development of rules about who “counts” as a villager. For instance, in one natural village former villagers who reside and work in the nearby town are allowed to return to the village to harvest, but must pay a fee. Resident villagers who earn government salaries and do not farm are not restricted in the forest area from which they harvest (as outsiders are), but must also pay a (smaller) fee. Like communities in other countries which distinguish “strangers” as a separate category of residents with restricted rights to community resources,²² these communities have developed rules which differentiate access based on both social (employment) and spatial (residence) identity.

Conflicts over Forest Access and Boundaries

The development of rules to restrict access to matsutakes spatially, socially and temporally has precipitated a large number of inter-village disputes. These conflicts encompass two types of struggles: struggles over the actual physical location of inter-village boundaries; and struggles over the idea of access rights and entitlements. Although I conceptualize these

22. Yoruba communities described in Fortmann and Bruce, *Whose Trees?* p. 109.

as two different processes, there are often elements of both in any single conflict.

Conflicts over access rights reflect a struggle over the (non)meaning of inter-village boundaries vis-à-vis rights to harvest matsutakes. For example, two neighbouring administrative villages which I will call Xicun and Yongcun often have disputes over matsutakes. Villagers from Yongcun claim that they should be allowed to pick matsutakes in Xicun, which has more matsutakes. Xicun, however, restricts access to the forest to its own residents. In retaliation, villagers of Yongcun destroyed the bridge that connected Xicun to the main road out of the valley. As a result, matsutake buyers could not reach Xicun, preventing villagers from benefiting from the trade.

This type of dispute between paired villages – in which one forest is much more productive than the second, but where the second village can threaten the first in some other way – is quite common. In such cases, the actual physical location of boundaries between villages or even provinces is not contested; disputes occur over whether these boundaries are meaningful in the context of the matsutake trade. This type of dispute was played out quite dramatically in 1996 when the head of one natural village killed another village head over whether or not people from a different *xiang* should be allowed entrance into their shared forests to collect matsutakes.

The complexities of these disputes are well illustrated through the case of two neighbouring villages which I call Renhe and Linju. Renhe's collective forest produces matsutakes in great abundance whereas Linju's produces very few. Villagers from Linju wish to collect matsutakes, free of charge, from Renhe, but Renhe's village compact stipulates that they must pay a 300–400 RMB entrance fee. Beginning in 1993, Linju villagers have cut off Renhe's water supply during each matsutake season to protest against the fee, arguing that the mutual interdependence of the two villages should entitle them to gather in Linju's forests for nothing. When I visited in 1997, they claimed that villagers from Renhe had long been coming to Linju to pick morels, gather fodder and graze animals. They appealed to ideals of fairness and reciprocity to claim a right to Renhe's matsutake resources. The village head of Renhe, by contrast, claimed that villagers from Linju had been coming to Renhe's land to gather oak leaves and wood for many years, and that they had already benefited tremendously from Renhe's resources.

In 1996, villagers from Linju broke the water pipes, cutting off Renhe's water supply for more than 45 days and forcing the villagers to buy and transport water from the county seat. Eventually, the county government stepped in to fix the pipes. The village head of Linju acknowledged that the *water* belonged to Renhe, but argued that the *land* over which Renhe's water flowed was Linju's property. He threatened that if they were not given rights to free matsutake collection, they would not only break the water pipe again but also hide the pieces in the forest so that it could not be repaired.

Because of the many kinship, economic and resource ties between the

two villages, the township government decided that Renhe should be prohibited from charging Linju villagers the high entrance fee. In effect, the township government decided that the village compact set by Renhe overstepped the boundaries of its limited jurisdiction. However, the villagers of Renhe refused to abide by the rule and instead took the township government to the county court, arguing that their collective property rights over the forest implied the right to deny access to outsiders, and that the township regulation was unfair.

This court case was further complicated by a boundary dispute between the two villages. During the 1983 *liangshan daohu* implementation period, property rights to a small piece of land on the boundary were reallocated, with ownership rights given to Linju. According to Renhe, use rights were to be shared between the two sides; Linju claimed that they were to rest solely with Linju. The county court upheld the 1983 borders in favour of Linju, but it over-ruled the township government's regulation which prohibited Renhe from collecting a matsutake fee from Linju.

However, this verdict did very little to change the situation. Linju continued to cut off Renhe's water supply, and villagers from both sides have continued to battle over the matsutake territory while the county government periodically sends in Public Security Bureau officials to stop the fighting. In 1997, the township and the county announced ceilings of 20 RMB and 50 RMB respectively for matsutake-collection fees villagers could charge other nearby villages with whom they had close and serious relationships (*lihai guanxi*). However, Renhe continued to charge villagers from Linju the higher entrance fee and conflicts continued. In 1998 the same court reversed its decision, deciding that Renhe could not charge fees from Linju, although it still could from other villages. Again, the villagers did not buy into the decision and were planning to continue charging fees. The dispute remained effectively unresolved.

This case illustrates the ways in which conflict over the meanings of collective ownership and rights of access is intertwined with conflict over the physical location of boundaries. Each village claimed that its traditional forest area was significantly larger than the other's was, and that the work teams of 1962 and 1983 made their forest land progressively smaller while that of the neighbouring village was enlarged. One villager from Renhe claimed that in 1962 some land that traditionally belonged to Renhe was drawn into the borders of Linju. Everyone knew that this was not historically correct, but no one objected because of the collective wish to be a model communist village.

Recent scholarship which interprets property and access in terms of story-telling and narrative suggests that such claims should be taken seriously.²³ Different versions of historical land claims serve to establish

23. See Louise Fortmann, "Bonanza! The unasked questions: domestic land tenure through international lenses," *Society & Natural Resources*, Vol. 9 (1996), pp. 537–547; Rose, *Property & Persuasion*, pp. 1–7, 39–43; and Tania Murray Li, "Images of community:

claims on property and power because “everybody – the state, the elites, and the local residents – [is] constructing, reconstructing, and selectively using history and custom in struggles over property.”²⁴ History is produced through “a social process which invites participation and in which historical narratives tend to proliferate through time, rather than converge toward a single, dominant version.”²⁵ The fact that conflicts over forests in Diqing are for the most part ongoing and unresolved suggests that we pay particular attention to the ways in which claims on each site are articulated and (re)constructed.

It is not surprising that different claimants will tell different versions of the same event or even different stories altogether.²⁶ What is interesting, however, is to examine which particular kinds of justifications are mobilized in which specific contexts, as well as the mechanisms which turn stories and claims into active renegotiations over access and property. Along these lines, a preliminary observation is that villages with highly productive matsutake-forests are more likely to redefine “collective” forests in terms of exclusion of outsiders than villages with less productive forests, which articulate their claims through arguments of mutual interdependence, that is, on the basis of entitlement and reciprocity.

Courts and Conflict Resolution

The ongoing case of Renhe versus Linju is also significant and surprising in that the competing claims have turned into active renegotiations not only in the forms of threats, counterthreats and violent action, but also in negotiations in the legal sphere, in a country whose legal system is weak and characterized by a general paucity of village participation. Renhe village used a *xiangguiminyue* to challenge the township government, a very different purpose from that for which village compacts were originally created. This may be interpreted as part of a more general trend towards “rights based resistance” in which villagers use laws and policies to defend their “legitimate rights and interests.”²⁷ This type of resistance links legal responsibilities with political and legal claims as well as the regime’s own legitimating myths (for example, the idea of a “collective” forest).²⁸ While this is quite speculative, the use of the courtroom as a battleground may foreshadow a new attitude towards the court as a legal institution. It may also be related to the newness and

footnote continued

discourse and strategy in property relations,” *Development and Change*, Vol. 27 (1996), pp. 501–527.

24. Sara Berry (1993) quoted in Fortmann, “Bonanza!” p. 540.

25. Sara Berry, “Tomatoes, land and hearsay: property and history in Asante in the time of structural adjustment,” *World Development*, Vol. 25, No. 8 (1997), pp. 1225–1241.

26. Louise Fortmann, “Talking claims: discursive strategies in contesting property,” *World Development*, Vol. 23, No. 6 (1995), pp. 1053–63.

27. Li Lianjiang and Kevin O’Brien, “Villagers and popular resistance in contemporary China,” *Modern China*, Vol. 22, No. 1 (1996), pp. 28–61.

28. *Ibid.* p. 41.

high-value nature of the matsutake market. At the very least, this case falls in line with Li and O'Brien's observations that "policy-based resisters typically claim 'rights' that pertain to immediate economic interests ... [rather than] more general civil and political rights to association ..."²⁹

On the other hand, despite the appeal to the courts, very few of the inter-village disputes have been effectively resolved. After the court reached its decision, Renhe and Linju continued to have summertime matsutake/water wars. Villagers from both sides accuse the other of using nepotism to influence the court decision, suggesting an alternative view of the legal system as just another social arena which can be influenced by kinship, rather than as an autonomous or neutral field outside local society. Furthermore, as in the rest of China, Diqing's courts lack institutionally-based power and hence can do very little to enforce their judgements.³⁰ If the courts have been unsuccessful, so too have the police. Local Public Security Bureau officials sent to mediate disputes say that they can exhort and plead with local people to stop fighting, but that ultimately they can do nothing; next year when the matsutakes come again, so too will the conflicts.

Why has there not been an effective resolution to these disputes? In many cases, the boundaries under dispute were simply never mapped by the government after 1957. Where they were drawn, work teams were supposed to base them primarily on "traditional" boundaries. These were relatively uncontested during the collective era, but with the emergence of the matsutake market, this is no longer the case. In the Renhe case, for example, the current dispute is not only over whether "collective ownership" means the right to exclude neighbouring villages, but also over different interpretations of a boundary drawn by a 1983 work team. Such boundary conflicts now become "a war of competing social memories (and memory, as is well known, is exceedingly elastic),"³¹ a war which takes place on historical terrain. The official reliance on tradition means that local government cannot legitimately dictate where the "real" boundaries are. Finally, absence of pre-existing physical markers of borders, or government institutions which keep documents or maps considered legitimate by the local people help make competing social memories all the more different.

In some other ethnically Tibetan areas in China, serious conflicts over pastures or grazing rights have been effectively resolved only after the intervention of high-stature religious figures, rather than by government offices. Perhaps this will be the only viable solution to Diqing's matsutake wars. Alternatively, it may have been the absence of a visible and highly respected religious figure nearby which provided the impetus for Renhe to seek the court as an alternative. Such complexities highlight

29. *Ibid.* pp. 54–55.

30. Donald C. Clarke, "The execution of civil judgements in China," *The China Quarterly*, No. 141 (1995), pp. 65–81.

31. Katherine Verdery, *What was Socialism and What Comes Next?* (Princeton: Princeton University Press, 1996).

difficulties in purely legalistic approaches to property which ignore the importance of culture and history.

Even where written records do exist, institutional ineffectiveness often prevents them from being used to settle disputes. In one instance, a boundary between two villages had been drawn in 1983 as part of the *linye sanding* policy implementation process. When there was a dispute between these two villages over matsutake-producing forest, however, the forest officers at the township level were uncertain where (and if) the previous records were kept, since the original forest officer had long since retired. A forestry official in Kunming confirmed that only the older generation of officials who had participated in boundary-drawing work teams would be privy to that knowledge, which is not shared with local people, and which is kept by individuals rather than being institutionalized. Such institutional weaknesses reinforce the active renegotiations of access.

Finally, although this paper focuses on inter-village conflicts over access to resources, there are inevitably also power differentials and politics within any community or village. Thus, "the community" is not a monolithic entity without internal divisions and conflicts. In this particular case, an informant from Linju claimed that the villagers of Renhe were divided into two major factions: those who wanted to force Linju to pay the access fee (including the village head), and those who did not. The latter were mainly families with large numbers of cattle or yak which needed to be grazed on Linju's land. Because the village head and other more powerful villagers were in the first category, however, the others were afraid to express their opinions openly. Whether or not this particular story of a fractured community is objectively "true," one must assume that such intra-village politics exist and shape outcomes.

State Forests and Property Rights

One final case which illustrates the fluidity of access involves a dispute in a state forest, which lies between the collective forests of two villages I call Fucun and Xiaocun. Officially, this was a state forest for which the two surrounding villages shared fire-prevention responsibilities and rights to NTFP collection. In theory, neither village could charge entrance fees for matsutake collection in this state forest. However, Xiaocun contracted out part of the state forest to an entrepreneur who then required harvesters to pay him access fees, depriving Fucun villagers of their access to a forest in which they had previously been able to pick matsutakes. This provoked many fights between the villages. In 1997, the county government found a temporary solution by expanding the areas of both village's collective forests into the state forest. Control of the rest of the state forest between the villages was returned to the county, which sent in a permanent patrol and collected fees for itself from all harvesters, including those from Fucun and Xiaocun.

The contracting (*chengbao*) of state forests to entrepreneurs is a phenomenon that is happening sporadically in this region. In some cases,

an entrepreneur will require harvesters to sell all of their matsutakes to him, regardless of the price. In other cases, the entrepreneur may simply charge a fee for access to that forest. In either case, the contracting out of a state forest by a village which has responsibilities and use rights – but not ownership rights – illustrates again the “real world variability” in the manifestations of formal property rights.

Conclusions

In this article I have used matsutake harvesting and trade in Diqing to examine the importance of fluid access conventions in the complicated relationship between official property rights and social and environmental outcomes. Changes in China’s national policy opened up the possibility for the commodification of the matsutake mushroom. This in turn led to the development of a complex commodity chain between Tibetan village harvesters and Japanese consumers, as well as the use of village compacts to manage forests in certain villages. Unlike the prefectural policy prohibiting the harvest of matsutakes under a certain length, which is generally ignored, these village-level rules are in fact implemented. However, they are also contested, particularly when they deny access to those who feel they have the right to the resources.

Conflicts over access revolve around two type of claims: claims about the historical physical location of inter-village boundaries, and claims based on entitlements and reciprocity. These claims are contested and not always enforceable, and are better understood as part of a process of access negotiation rather than as property rights. However, they have very real consequences for those defined as being inside or outside the community of resource users. For the most part, disputes have been very difficult to resolve due to the nature of these claims and the ambiguous role of village compacts. Nevertheless, the struggles have important implications not only because they shed light on dispute resolution, income generation and access to natural resources in rural areas, but also because they demonstrate the effects of global markets and the complex social processes through which environmental outcomes emerge.

Addendum

During my follow-up visit to Diqing in August 1998, I found that the financial crisis in Asia, particularly Japan, had had a significant effect on the matsutake market. Prices had dropped by a factor of 5–10 from the previous few years and families which had earned 10,000–20,000 RMB the year before were now earning only 2,000–3,000 RMB.³² In Deqin county in particular, the collapse of the matsutake market, together with a complete ban on logging, significantly hurt the local economy.

Within households, a significant effect has been the reduction of

32. Matsutake prices reported in the paper are based on 1997 and earlier rather than 1998 prices.

income earning potential among women. Matsutake harvesting provided women and children as well as men the opportunity to earn cash income; without it most village households must now rely solely on men to work as day labourers. Also notable was the degree to which dependence on matsutake income made households in remote villages aware of the otherwise distant Asian financial crisis. Because of the lowered prices, fewer people found it worth their while to spend large amounts of time picking matsutakes. Thus, there were fewer inter-village forest conflicts than there had been in the previous years. On the other hand, none of the villages discussed in the paper had rescinded their village compacts stipulating that outsiders must pay entrance fees. Villagers were certain that when prices rose again, the conflicts would surely re-erupt. The new mechanisms of forest management and tenure differentiation remained in place.