

Thailand Land Tenure Data and Southeast Asia

ORAPAN Nabangchang-Srisawalak, Thailand

Key words: Land Tenure Systems, Land Tenure Data.

SUMMARY

Efficient land administration requires reliable and sufficiently accurate land tenure data. Such reliable tenure database is also essential if the State is going to effectively intervene on behalf of the socially and economically disadvantaged group. Using Thailand as an example, the paper aims to illustrate that land tenure data may contribute to a better functioning land market and can be instrumental to improved delivery of pro-poor land policies.

While important, Developing countries need to consider the cost-effective approaches in developing and updating land tenure databases. Investment in data collection needs to carefully consider the use-values of data and information compiled. This requires clarity over the users of land tenure data as well as the purpose of usage. Not only will this throw light on the types of information to be collected which will increase our understanding the land tenure system, but also raise issues of the capacity of those who will be responsible for collection, compilation and use. This is an aspect often overlooked in the context of Developing Countries where there area strong tendencies for land-related agencies to place emphasis on sophisticated technologies which may result in under-investment in the building the human capacities to handle those systems.

Thailand Land Tenure Data and Southeast Asia

ORAPAN Nabangchang-Srisawalak, Thailand

1. INTRODUCTION

Efficient land administration requires reliable and sufficiently accurate land tenure data. Such reliable tenure database is also essential if the State is going to effectively intervene on behalf of the socially and economically disadvantaged group. Using Thailand as an example, the paper aims to illustrate that land tenure data may contribute to a better functioning land market and can be instrumental to improved delivery of pro-poor land policies.

The paper is organized into 3 sections. The following section 2 provides a brief account of Thailand's land policies within the changing social, political and economic context as well as environmental conditions. The Section also covers an analysis of the major characteristics of land tenure systems. Details in Section 3 is a discussion of the values of land tenure data for policy making. The final Section 4 concludes with some recommendations on where efforts in building and improving land tenure data should be focused as well as measures that should be undertaken to involve local communities and local authorities both in view of their potential contribution to increasing understanding of land tenure systems and dynamics of change.

2. EVOLVING LAND TENURE SYSTEMS

2.1 Interaction between Physical, Technological, Economic and Institutional Factors

Land tenure systems need to respond to changing economic, environmental and political. (Grover, Torhonon and Palmer, 2006). Four sets of conditions combined influences decisions over land use. The physical attributes, the available technology to make productive use of the land, economic considerations which determines feasibility of bringing parcel of land under production taking into consideration the costs and benefits, and finally the institutional which defines the rules over access, rights and entitlements of the economic agent. All these factors combined create land tenure systems which changes over time in response to the changes in quantity and quality of the 'physical' stock of land, the demand and supply situation of the time which can influence incentives for technological progress, the economics of land utilization and the institutional framework.

Thailand can be used as an illustration of a country where the interaction between these factors shape and re-shape land tenure systems. Thailand is a country in Southeast Asia with a population of 63.7 million. Up until the 1997, the double digit growth rate has earned her the recognition as being among the Asian Miracles. With an Gross National Income (GNI) per capita of 2,190 US\$/year, Thailand is classified as belonging to the Lower Middle Income Group. On the basis of income generated by the various economic sectors, Thailand is no longer an agricultural economy as such. That is, with 90% of Gross Domestic Product (GD)

generated by the manufacturing and the services sectors respectively. 1/ The smaller share of less than 10% revenue generated by the agricultural sector maybe interpreted as structural move to the more productive non-agricultural based economies, with 42% of the population employed in the agricultural sector. 2/ The declining GDP share also reflects low productivity both of labour and land factors of the sector; hence cause for alarm than a positive indicator.

Thailand has gone through stages when physical stock was abundance, when both incentives in export markets and many of public investment projects create both incentives and assisted in forest conversion for agricultural uses to stages where diminishing stock and political and social unrests brought about changes in institutional framework, rules over access, occupancy and control over land resources. Developments can be defined into 4 broader phases as follow:

Phase 1 is characterized by abundance in stock of forest resources and where conversion for economic uses was mainly in responding to market incentives.

Institutional framework in the earlier periods of Thailand's land administration reflected the situation of abundance of the physical stock of land. People were encouraged to clear, occupy and bring land under cultivation. Conversion of forest land for agricultural production responded to market signals and potential in the export market. In addition to the relative ease through which forest resources can be converted to productive land assets, conversion of forestland was also a consequence of expansion of physical infrastructures. Expansion of road networks had the combined effect of opening up new areas (by facilitating accessibility) and creating mobility for movement of factors of production, goods and services. Investment in irrigation infrastructures increase productivity of land already brought under cultivation and made marginal land productive.

Phase 2 was a period when institutional arrangements were adjusted in response to changes in the stock supply situation. Unlike in the earlier period, it was no longer so simple to convert the stock of natural resources into productive assets. Concerns over diminishing physical stock was reflected in policy directives in preserving whatever stock of forest resources was left. It was during this First Plan period (1962-1967) that a policy statement was made that an arbitrarily chosen 50% of the country's land area, (amounting to 160.5 million *rai*), should be kept under forest cover; along with the promulgation of a number of laws which aimed at protecting and conserving forest resources. The State subsequently modified its target during the Second Plan (1967-1971) allowing for degazettement of encroached forest areas provided there was no adverse environmental impact. The targets of forest area coverage would be continually revised downwards in the successive plans.

Phase 3 was a period when the institutions have to adapt to political pressures.

In 1974, coinciding with the Third Plan (1972-1976), several violent incidents occurred between farmers and landlord/money lender in the Lower Northern Region. Demands were made by farmers for Government to take greater notice of problems over land for agricultural production which led to the emergence of land reform policies in 1975. Several concessions during this Plan period also gave approval for degazettement of deforested, encroached areas;

as well as some reallocation of national forest reserve. 3/ The scale of continued encroachment, however, led to the reversal of this approach towards the end of the plan period and a general tightening up of penalty measures; until, in 1976, the Royal Forestry Department (RFD) was authorized to arrest encroachers under administrative regulation. 4/

During the Fourth Plan period (1977-1981), further provision were made for reallocation of forest land. Further downward adjustments over the area to keep as forest areas. Between 1961 and 1981, forest coverage reduced by half to only 14.4 million hectares. Within the Fifth Plan period, in 1983, a Cabinet decision referred to the National Forest Act (1950) to the effect that target reservation of area under forest coverage would be reduced to 40% of the total land area, of which 76,800 km² (or 15%) were to be forest conservation areas. 5/ This target would require some reafforestation of land already brought under cultivation.

Phase 4: Change in quantity and quality of stock of physical supply of land

In a situation of increasing land scarcity, a fundamental contradiction arises between the intention to preserve public land for environmental protection and national security, and the need to satisfy increasing demand for agricultural land to serve both growth and equity objectives. Encroachment of forest resources continued despite the imposition of control measures to restrict access to forest resources. While inadequacies of resources to provide adequate coverage of control measures were often cited as the explanation, failures were also due to the fact that command and control were not incentives compatible. Institutional changes which did not take into account the economic context, the stakeholders involved and their costs and benefits over compliance or non-compliance. Increasing frequency of natural hazards combined with public pressure led to the withdrawal of all logging concessions in 1989. Between 1991 and 1999, the rate of deforestation slowed down marginally though total loss was still around 96,000 hectares/year. During this period, there has also been a net loss of 320,000 hectares of agricultural land due to conversion to non-agricultural uses and urbanization processes and increase of around 1 million hectares of '*unclassified*' land. The reduced agricultural land has been partially compensated by the encroachment of forest areas and the conversion of forest coverage for agricultural use, a direction that is not without environmental and related economic consequences. Current natural forest coverage is estimated at around 25% of Thailand's total area.

2.2 Land Tenure Systems

Given the process described in the preceding section, what are the major characteristics of the land tenure system that has evolved? In this section, we discuss some of the aspects of the Thailand's land market which lend to observations that the market is not fully functioning.

2.2.1 Dual Land Markets

What has evolved from the phases of changes in demand, supply and institutional arrangements on land management have given rises to the existence of a '*private*' land market along side '*public*' land market. In this market, private ownership of land resources, the full bundle of rights that accrue to '*private property*' is granted to claimants who have

cleared, occupied and utilized land during the first phase of land history when people were encouraged to bring land under cultivation discussed earlier. In principle, there should not be any markets in '*Public land*' since by definition, public land belongs to the State. In practice, because the State generally respond to prevailing pressures and immediate circumstances, land policies tended to swing between being generous and strict over forest conversion and occupation of land in areas '*by law*' defined as belonging to the State. This has created the existence of an '*Informal*' land market where rules over access, occupancy and control is not so clear-cut.

Of the two land markets, the functioning of the private land market should (in principle) require less public intervention since transactions can be more or less left to the operations of market mechanisms. The main concern of the State was to accelerate the process of titling and developing the essential services to facilitate such process. Formal titling and land registration has always been recognized as instrumental to an effective land administration system providing legal recognition of rights of property which is the foundation of the concept of individual private property rights. The titling programme of private land has always been one of the priorities of land administration in each of the successive National Plans. The supportive reasons for the granting of ownership rights follow from the contention that lack of security is inhibitive to long term capital investment; and lack of continuity in ownership prevents incremental gains in fertility and the preservation of soil structure. A widely believed paradigm is that ownership also provides access to institutional sources of credit.^{6/} Moreover, from Government's stand-point, a comprehensive titling programme leading to registration could eventually provide basic information for land use planning and for a more systematic approach to assessment and collection of landed property taxes.^{7/} In 1978, only 12% of the agricultural land had been registered. Recognizing that if Thailand were to rely on internal resources alone, the pace of registration would take too long to complete. Decision was therefore made to obtain loans from the World Bank to speed up the process of land titling. Presently, private land covers an area of 128 million rai or approximately 20.48 million hectares and around 40% of the total area of the country. While speed had its merits, it is now acknowledged that there have been trade-offs with social and economic consequences. Not only has the accelerated pace of work led to modifications of the regulatory framework in such ways that the original intentions of the law have been overlooked, but mistakes have been incurred where ground surveys for issuing land titles have taken place within the boundary of the forest areas. This is undoubtedly one of the roots of conflicts among concerned parties creating the uncertainty over conditions and status of the holders of the land documents.

Public land, according to the definition given by the Land Code, refers to all remaining land not claimed by private ownership.^{8/} Public land refers to land specified under the Civil Code defined as public assets which are used for the benefit of the general public or reserved for communal uses. A number of public agencies are responsible for management of public land peaking at one time at 21 agencies, some of which were directly responsible for land distribution and allocation. Their mandates are specified by various pieces of legislation for control, utilization and allocation of land.^{9/}

Allocating land in practice is to grant formal recognition of occupancy of those who have cleared land that (by law is public land) for cultivation. The so-called beneficiaries, by straight interpretation of the law, are encroachers. One of the main justifications for overlooking the act of violation is because these are generally poor people who need land. One other reason is that ownership of the State can be disputed by claims of the people that they have occupied and brought land under cultivation long before the State made its claim officially known. Whatever the reasons may be, the expectation was that in formally recognizing the right to occupy, the State was providing security of tenure and even though rights granted to beneficiaries fall short of private property, it should provide incentives for long term investments. The welfare gain for society was the reduced pressure of the remaining forests.

Legal entitlements of beneficiaries vary under different laws which gives authority to the various implementing agencies. There may be discrepancies for example, in binding conditions that prohibits the sale and transfer of land. Moreover, while the dominant ideology had always been in favour of granting security of tenure, there have been shortcomings in terms of accompanying measures to ensure ability of beneficiaries to generate income from land assets. The results had been the continued decline in forest coverage through repeating cycles of forest land encroachment, granting usufruct rights, informal land sales, new encroachment of forest land, granting additional usufruct rights, more land sales, so on and so forth. Over the years, the steady decline in forest coverage, the increasing numbers of landless and nearlandless have raised questions over the validity of the past land policies. With recent announcements of the current government to convert assets (including land) into capital, the issue of land security and individual property rights to land has once again resurfaced as the key debates of the day. The main issue of contention is over whether issuing individual property rights is a precondition for losing the rights and thus having the opposite effect of aggravating the existing problems of distribution of landownership.

2.2.2 Small-scale Holders, Low Intensity of Land Use and Low Productivity

Not unrelated to the dualistic nature of the land market discussed, is the issue of efficiency in land use. It has been argued that the perceived abundance of land has influenced an extensive rather than an intensive cropping pattern; a situation in which increased output can be achieved through bringing more land for cultivation, thus postponing the necessity of rationalizing land use to ensure greater land productivity. In the past, the increase in output from agriculture has been due mainly to expansion of area under cultivation with marginal contributions from technological improvement. In general, efficiency of land use as assessed by volume of output per unit of land has been low by comparison to the world's average yield. This is also true rice, which is one of Thailand's major cash crops. Another indicator of improved performance is to compare changes in revenue per land unit. Findings were that revenue generated per land unit has been more or less constant. National average return per rai in 1999 was 2,500 *Baht/rai*.^{10/} Regional comparison highlights an interesting perspective over the marked differences in performance across Regions.

There are ranges of factors which determine the efficiency of land use. Among these are physical conditions, security of tenure, system of land taxation and relatedly incentives or disincentives for land speculation, distortion of financial markets which is related to the tenure status of farmers and accessibility to the credit market. The efficiency of land utilization is also related to the legal framework which defines the differences between the land documents in terms of conditions of transfer either through sales or through the rental markets and the rules of land transfer from non-users to users (or vice versa). A study conducted by the Land Institute Foundation confirms the theoretical underpinnings of the association between tenurial security and the higher level of utilization where land parcels with title deeds are more intensively utilized, that is, from 66% upwards.^{11/} Over comparative efficiency between large and small-scale, while results of empirical studies have argued for justifications for redistributive land reform on grounds of greater efficiency of smaller-scale, the situation in Thailand is inconclusive. No clear pattern can be established that large holdings are inefficient or that land concentration necessarily leads to underutilization. Rather, it is the types of economic activities that determine the size of landholding, which will ensure optimal scale of operation and returns from land. What this implies is that while redistributive land reform can perhaps be argued on *equity* grounds, redistributive reforms cannot be entirely proposed on *efficiency* criteria. The underlying reasons for the low intensity of land use can be attributed to landholding for speculative purposes, poor management decisions of the landowners themselves which could well result from inadequate or distorted access to the factor markets including modern production technology. What these findings suggest therefore is that there are rooms for increasing level of output with better land management practices, just as there are scopes for poverty alleviation through fostering better linkages between larger and smaller scale production units within areas already converted for agricultural production.

2.2.3 Land Distribution and Poverty and Environmental Concerns

Concentration of land-ownership represents one facet of the land market, which determines both efficiency and equity considerations in land resources utilization. This line of argument has been predominantly based on statistical inference that there is a higher percentage of the poor among the landless and the small holders. In a recent study on economic loss and land concentration, data on distribution of the size of landholdings confirm the existence of land concentration with 87% of the total numbers of holdings found to be smaller than 5 rai; and holdings that are larger than 100 rai account for 5% of the total.^{12/}

The rationalization so far, had been that if landlessness and near-landlessness were indeed the root of the problem of poverty, the logical conclusion would be to redistribute and allocate land. But experiences suggest that provision of land *per se* is not an assurance against poverty; and that measures to address equity objectives need not ensure and may even contradict efficiency objectives, thus risk generating external social costs.

There are also the trade-off between land allocation policy for the poor and Environmental Concerns. From the economic perspective, the eco-systems in these conservation areas have '*use*' and '*non-use*' values. From an environmental perspective, they perform ecological

functions, the value of which may not be easily grasped while the ecosystem remains intact. Complications arise when the Stat has to place emphasis on social economic circumstances of the small farmers particularly in ecologically sensitive areas where environmental and economic-cum-social objectives tend to diverge.

3. LAND TENURE DATA

3.1 Values for Policy Making

Given the stages of development and the resulting land tenure system described, how has data on land tenure and land information contributed, or not contributed, to the processes of change? The information presented above suggests that the existence of reliable land information and understanding of land tenure system would have contributed to policies being more focused. Particularly with respect to the use of public land possibly, reliable land tenure information could help avoid some of the land conflicts and corresponding private and social costs in resolving them. Without such information, the scope of the problem could not be defined either in terms of the spatial dimension, or the size of the population that will be affected by the policies. Having said that, it must be said that apart from investments in registration of private land and related services, investments have been made in building land information and database on land issues in various dimensions. Land information exists, but not in the forms that would be instrumental to policy making.

Grover, R., M.P. Torhonen and D. Palmer, makes distinction between land tenure data for policy makers and land tenure data that is used operationally, pointing out that the values of data collected for operational purposes for policy making is likely to be limited in the absence of additional analysis and comparison to other data sets. 13/

To tilt this argument slightly, operational land tenure data can be valuable to policy makers both *before* and *after* setting policy directives. Policy directives of land are oftentimes made in the absence of reliable land tenure data. In land-based Developing Countries, land policies have the tendency to be shaped by political situations, oftentimes motivated by political gains. With land being a scarce production factor, any policy that offers to give land is likely to be sensational and popular. The time lag between policy announcement and the implementation of the policy which is where reliable land tenure data can be instrumental is generally quite large. It is often the case that by the time it becomes clear that given the demand and the supply for land does not permit a nation-wide land allocation policy, politicians have already pocketed the popular support. As mentioned earlier, land reform policies have been in response to political unrest in 1975, decisions to grant occupancy rights was motivated by unquantified observations that there was growing numbers of landless and near-landless. There are also two recent policies which have been sensational and earned politicians the grassroots support have been the Assets Capitalization Policy, which is essentially a promise to create channels to formal (low interest rate) sources of credit for those occupants of public land. The other is the announcement that land will be provided for those who are landless, or have insufficient land. Two very popular policies which, similar to

past efforts, would require a comprehensive land information back-up, which does not exist in a ready applicable form.

The limitations of the value of land information for operational use must be traced to the original intentions on why information was collected. Agencies responsible for the collection of land tenure data have their specific areas of interest corresponding to their working mandates and information collected are generally not in forms that can be easily picked up by policy makers, hence the under-utilization of its potential benefits. Southeast Asian countries share similarities in having multiple players and the multiple levels of the land market which have all contributed to the enlargement of the bureaucracies, the proliferation of agencies at the national and operational levels. There are agencies with planning functions for specific economic sectors, sector interests; those dealing with land allocation, those dealing with the physical side, the production, environmental impacts of land use, those focusing on mapping, statistical data collection, those involved in providing services such as registration, record keeping, collection of land tax, those dealing with the management and control of land use.^{14/} For Thailand, the number of agencies that collect and compile land information is just as diverse and complex as the dimensions of land resources; so diverse that it is difficult to keep track of what type of land records are being kept and by which agency. This is possible explanation when land policies are initiated, decision makers prefer to by-pass what has been collected to launch an entire new process of data collection.

4. CONCLUSION AND POLICY RECOMMENDATIONS

Many national level land policies have been launched in the absence of clear and reliable information of the scale and the scope of the problems. Land policies can be fragmented into measures that deal with the production side focussing of crop, techniques and productivity. Simultaneously but independently, there are land allocation policies that deal solely with the demand side.

Logistically, demand and supply measures should be pursued as a single not a separate policy. In capital scarce economies, land is the most important production asset which can be utilized to provide subsistence needs and the surpluses for income generation; thus a common policy prescription to allocate land to the poor. While clear associations exist between land and poverty incidences, large information gaps exist. Past and current efforts in Thailand in championing the idea of giving land to the landless have confronted logistical problems on verifying the demand and the supply side. On the demand side, operational constraints can start from matters as basic as how to define and prioritize the poor and land tenure information is required to support this. Parallel to that would be the information on the stock of land supplies. There are also the modes of land acquisition and delivery to consider. Consideration over what should be the optimal farm size is also a part of realistic estimation of demand and supply potential.

So given the status described and recognizing the potential contribution of land tenure data and land information, how should Developing Countries proceed? The following are suggestions of what should be considered.

1. Focus on filling in information gap on ‘public land’ as this is where markets are not functioning, where poverty is concentrated, where there are critical trade-offs between equity and environment and where appropriate land policies would ensure sustainability of resources which ensures maintenance of long-term resources-based livelihood. As discussed earlier, land data situation for the ‘*private land*’ is well already developed with already large sums of investment in both hardwares and human and operational capacities. Registration systems, record keeping and operational services can be said to be adequate to support a functioning land market. The focus of resources for developing a reliable land tenure database should be on public land. Spatially, this is where the poor are concentrated, this is where there are more frequent incidences of land conflicts (between people and State, communities and communities and, State and Communities), this is also areas where land allocation for equity reasons risks incurring environmental trade-offs. Land tenure data for ‘*public land*’, however, is not only a matter of registration and building operational systems for record keeping and updating. There are a number of unknowns as there are inadequate understanding on tenure systems and relations of social and economic agents. Efforts in constructing data and information on land tenure systems cannot overlook the importance of understanding those relations. This should be as important considered as what is conventionally undertaken in cross-examination of claims, agreement and verification over boundaries, endorsement of claims.

2. Efforts should be vested in consolidating existing databases. This is easier said than done. Substantial amount of work will be required to harmonize unit of analysis, definitions, scales, creating cross-reference points so that different map data bases and statistical databases to increase the dimensions in which the existing data can be analysed. It was mentioned in the opening paragraph of this paper that while investments in building and regularly updating land tenure data and land information system, developing countries need to consider the cost-effective approaches in developing and updating land tenure data. There are strong tendencies to invest in the hard-wares of data collection with land-related agencies in the race to procure sophisticated technologies, hence the short-comings of under-investment in the building the human capacities. Investment in data collection needs to carefully consider the use-values of data and information compiled. This requires clarity over the users of land tenure data as well as the purpose of usage. Not only will this throw light on the types of information to be collected which will increase our understanding the land tenure system, but also draw attention to the importance of capacity-building of those who will be responsible for collection, compilation and use.

3. Attention should be directed to developing channels for involvement of potential partners, building their capacities and developing the basic tools. Based on reviews of the variability of land tenure data in selected countries in Asia, Eastern Europe, Africa and Latin America, Grover, Torhonen and Palmer, have drawn attention to the potential contributions of local communities and local and regional authorities both in terms of information on land

tenure data as well as in providing better understanding of dynamics of changes in the land tenure system

On local communities, while land management is an area where local communities can be meaningfully involved, the role of local communities as a potential partner in land management is a concept that has not really surfaced as being an important issue in Thailand before the 1980s. The historical accounts provided earlier suggest that management of land resources has been primarily dominated by the public sector. Land policies seldom recognize the existence of informal and customary rights. And because these rights usually have no written proof and no official records or acceptable evidence, local communities generally cannot provide technical proof of claims. With increasing incidences of land use conflicts particularly in the frontier areas.

Even in the present days, some two decades later, beyond the principle that local communities should be involved, the practical channels through which local communities can be involved remains unclear. Participation of local communities has therefore been limited to the level of '*being informed*'. Nevertheless, within the broader umbrella of decentralization and with the Constitution reinforcing the rights of local communities to look after natural resources, the principle of involvement can no longer be disputed. The challenge remains how; how to unlock the information, how to process information and how systematically feed such information for the benefit of policy making. Given familiarity with the area dimension of land tenure, the stakeholders and relationships, local communities can contribute to solving of widespread problems of overlapping boundaries and conflicting claims. Local communities also have information on the dynamics of change both of the socio-economic dimensions of land use and of the dynamics of the physical aspect of change. Hence, they are also in positions to share local-based knowledge of information that may enhance understanding over the dynamics of change to support understanding of changing trends detected by the more academic, technical and statistical analysis. Take land allocation policy, local communities can provide valuable information to verify demand and supply of land in their localities in a more timely, cost-effective and practical manner. Unfortunately, the tendency to treat local communities as passive recipients has oftentimes meant that this stock of knowledge has been by-passed.

Finally on local authorities is the second tier or hierarchy of data collection. As part of decentralization, local authorities are being entrusted with a range of new responsibilities. Among these, one important function related to land management is the collection of land and building tax and local development tax. To assume this function, local authorities will need to have a land tenure database, with information of land parcels, land use, location and prices. In addition, local authorities will also assume land-related environmental responsibilities which involves regulating, monitoring and control of externalities and maintenance of the quality of the environment. Many (particularly, the more rural-based) will require longer transitional period in the transfer of responsibilities. The availability of a well-maintained data on land tenure will also assist local authorities in effectively assume these functions.

ENDNOTES

- 1/ Office of the National Economic and Social Development Board, National Accounts Division.
- 2/ Office of the National Economic and Social Development Board, National Accounts Division.
- 3/ Cabinet resolution of January 1975 specified that deforested (encroached forest) areas within national reserve forests can be allocated to farmers either through land settlement programmes or under provisions of the Agricultural Land Reform Act, 1975. Allowance for utilization of National forest areas will also be permitted so long as this does not lead to deforestation or is in any way in conflict with the intention of preserving forest resources.
- 4/ On April 4, 1975 in response to a request made by the farmers, a Prime Ministerial Order was issued prohibiting the arrest of farmers who have encroached forest areas as well as granting permission to remain. The Order was later overruled by Cabinet resolutions, June 1975 . Rights conferred to beneficiaries under that order were also withdrawn.
- 5/ Cabinet decision December, 1983
- 6/ Department of Lands. Other studies that reached the same conclusions include, Feder G., Onchan T., Chalamwomg Y., and Hongladarom C., *Land Policies and Farm Productivity in Thailand*, (Washington: The John Hopkins University Press), 1988; Hongladarom C., and Feder G., *Land Title, Housing Value and Ownership of Consumer's Durables.* , (Bangkok: Human Resources Institute/The World Bank), October, 1985; Onchan T., and Feder G., *Land Ownership Security and Farm Investment in Thailand*, (Bangkok: Kasetsart University), October, 1985; Chalamwomg Y., and Feder G., *Land Values and Land Ownership Security in Rural Thailand*, (Bangkok: Kasetsart University), November, 1985; Hongladarom C., Feder G. and Na Ranong V., *Choice Decision in Land Right*, (Bangkok: Human Resources Institute/The World Bank), October, 1985.
- 8/ Nabangchang O., The Socio-Economic Impact of Land Reform in Thailand: The Case Study of the Involvement of the Agricultural Land Reform Office, 1975-1989, Doctoral Thesis, Department of Land Economy, University of Cambridge, 1992.
- 9/ Nabangchang, op.cit.
- 10/ Values are in current prices and exchange rate of approximately 40 Baht/US\$. See Nabangchang, O., Land Use and Land Use Zoning in *The State and Strategy for Addressing the Problems of Land for Production and Producers' Cooperatives*, A Research Report commissioned by the National Economic and Social Advisory Council. August 2004.
- 11/ Land Institute Foundation, [The Study of Land Ownership and Utilization: Economic and Legal Instruments to Ensure Maximization of Land Use](#). Research Report submitted to the Thailand Research Fund, March 2001.
- 12/ The working definition adopted in this study is that concentration of land size refers to ownership of single parcels which are larger than 200 rai. Concentration of landownership, on the other hand, is defined as a single landowner with more than one parcels which may be scattered in different provinces add up to more than 200 rai. See Land Institute Foundation Study, The Study of Land Tenure and Land Utilization in Thailand: The Economic and Legal Instruments to Ensure Maximization of Land Use. A Study conducted for the Thailand Research Fund, 2000.
- 13/ See Nabangchang-Srisawalak, O., Land Tenure Data and Policy Making in Southeast Asia, and Thailand Land Tenure Data in *Land Reform, Land Settlements and Cooperatives (2006/1)* Article 3

REFERENCES

- ADBTA 3643-THA, Policy and Program Priorities for Balancing the Roles of Agriculture in Rural and Environmental Development. September 2002
- Grover, R., M.P. Torhonen and D. Palmer, *The Importance of Land Tenure Data in Decision Making*, in *Land Reform , Land Settlements and Cooperatives* (2006/1)
- Nabangchang O., The Socio-Economic Impact of Land Reform in Thailand: The Case Study of the Involvement of the Agricultural Land Reform Office, 1975-1989, Doctoral Thesis, Department of Land Economy, University of Cambridge, 1992.
- Nabangchang, O., Land Use and Land Use Zoning in *The State and Strategy for Addressing the Problems of Land for Production and Producers' Cooperatives*, A Research Report commissioned by the National Economic and Social Advisory Council. August 2004.
- Nabangchang-Srisawalak O., *Land Tenure Data and Policy Making in Southeast Asia*, in *Land Reform , Land Settlements and Cooperatives* (2006/1) Article No. 3
- Nabangchang-Srisawalak O., Thailand *Land Tenure Data in Land Reform , Land Settlements and Cooperatives* (2006/1), Article No. 8
- Royal Forestry Department (RFD), Ministry of Agriculture and Cooperatives. 1993. Thai Forestry Sector Master Plan.

BIOGRAPHICAL NOTES

Academic experience:

BA. Politics and Sociology, University of York, U.K.
M.A. Rural Development, University of East Anglia, U.K.
Ph.D. Land Economics, University of Cambridge, U.K.

Current position: Associate Professor, School of Economics,
Sukhothai Thammatirat Open University

Research Area:

Forest and land policies, resources valuation,

Affiliations:

Coordinator of Land Policy Study Forum, Thailand

CONTACT

Assoc. Professor Orapan Nabangchang-Srisawalak
Sukhothai Thammatirat Open University
Bond Street, Muang Thong Thani, Tambon Bangpud
Nonthaburi
THAILAND
Tel. + 66 2 9654738
Fax + 66 2 9654739
Email:nabangchang_o@yahoo.co.uk, Web site: