



Land for housing the poor – by the poor: experiences from the Baan Mankong nationwide slum upgrading programme in Thailand

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ABSTRACT This paper describes the nationwide “slum” upgrading (Baan Mankong) programme in Thailand, which supports community organizations to find their own solutions to getting land for housing. Between 2003 and 2008, the programme supported 512 upgrading initiatives involving 1,010 communities. Community organizations form their own savings groups and draw on soft loans, and find solutions that work best for them in terms of location, price and tenure, and negotiate with the landowners. Infrastructure subsidies can be drawn on to support the upgrading, and housing may be built or just improved. Collective land ownership strengthens the community processes that help households make the challenging transition from informal to formal, provides protection against market forces that often lead poorer households to sell, and encourages on-going community responses and less hierarchic community organization. Larger citywide networks of community groups work with local governments and other civil society groups to help find land solutions for all those living in informal settlements.

KEYWORDS Baan Mankong / community organization / housing / land / slum upgrading / Thailand

I. INTRODUCTION

a. A new practical approach towards land for housing the poor

The conventional belief among most Asian governments and international development institutions is that there is simply not enough urban land for housing the poor. At the same time, slums and squatter settlements in Asian cities keep increasing in size and number. The fact that all these millions of poor people continue to find pockets of land to squat on means that land for housing the poor is in fact available in our cities – but the land they find doesn’t belong to them, it isn’t legal and it isn’t secure. So the problem is not the availability of urban land for housing but, rather, how the management of urban land is failing to deliver this most basic component of decent housing to the city’s poorer citizens, thus bringing about the anarchy, illegality and social consequences of slums, which everyone deplors. Slums are a direct result of land mismanagement and of a city’s failure to address the basic housing needs of the poor.

The question of land is nothing new. In the early stages, the strategies of building public housing on public land, or of expropriating private land for social housing, had some success. But after these kinds of projects

slowed down and land problems increased, the basic thinking still followed the assumption that land for housing the poor should be provided by the government – through the use of public land or through legal means by expropriating private land, or purchasing land for resettlement far away, or regularizing the land occupied by existing slums.

In most Asian countries, land has increasingly become a commodity to be bought and sold to the highest bidder – especially urban land. It's no surprise that this commercialization of land and control over both public and private land by the ruling elite has dampened the enthusiasm for most governments to set aside urban land – either public or private – for housing the poor. As a result, the strategy of government providing land for social housing is more or less defunct across Asia. So if the old assumption that governments should provide land isn't working very well, how **can** we get urban land to those who need it most? What kind of new strategies can be developed to get much-needed land for poor people's housing in sufficient quantities and with sufficient speed to meet the scale of housing needs that Asian cities are facing today?

One possibility is that poor people themselves – on a very large scale – can become key actors in the process of acquiring land for their housing. Because poor people are on the “demand side” of the housing equation, they encompass the large scale of the problem, and they are the ones with the most urgent motivation to resolve these land problems and with the most powerful drive to find decent housing for their families. That drive for change and that enormous energy has not been factored into housing policies or programmes in the past; the poor have been regarded only as passive “beneficiaries” or “recipients”. The question is how we can support that huge people's force, and what tools we can provide poor communities with so that their combined energy can be channelled into resolving our cities' serious land and housing needs – according to their own requirements and conditions and on a very large scale.

This paper describes the attempts being made by the Baan Mankong nationwide slum upgrading programme in Thailand to demonstrate and scale up slum upgrading activities, in which community people themselves secure the land and develop various kinds of housing on it. The paper looks in particular at three important aspects of how land is dealt with in the upgrading programme, based on this demand-driven and community-driven approach.

First, how to get land. The strategy adopted in the Baan Mankong programme turns over the task of identifying and acquiring land for housing to communities and their citywide networks. The accessible and flexible finance that the programme offers enables poor people in communities around the country to search for, negotiate for and acquire public or private land under a variety of purchase and leasehold arrangements, often in collaboration with their local authorities. Because communities themselves are exploring different kinds of land options in their cities – in their own ways and according to their own requirements and conditions – the upgrading programme is yielding a variety of unconventional secure land options for the poor.

Second, how to keep the land. In many slum regularization schemes, public housing projects and even in past people's housing projects, as soon as land has been secured and the housing project is finished, poor people start selling up and moving out. Communities end up fragmenting because land prices in the project increase tremendously and

poor communities – even newly secured ones – are selling and accepting offers from market buyers. In the Baan Mankong programme, the strategy of collective land tenure has been adopted to ensure that poor people keep the land, secure their housing and sustain themselves as a community.

Third, how to build a new strong community and social support system on that land. Unfortunately, the poor do not stop being poor the instant they get secure land and housing. The Baan Mankong programme is also searching for ways whereby the relationships that land creates and the conditions whereby land is found and held help build new social systems in poor communities, to link people together and to spark off a variety of collective development activities for addressing other needs and other aspects of their lives in a more integrated way. So the housing project is not an end in itself but, rather, the beginning of more community development, in which a group of poor people can live together and can continue to address the real issues of their poverty as a matter of course.

b. Land is a fundamental aspect of holistic upgrading to alleviate the root causes of poverty

In Thailand, as in so many other countries, community upgrading has traditionally been dominated by different ministries, local authorities and government departments, one looking only at the land issue, one looking only at finance, another looking only at basic infrastructure and still others looking only at social development, women's welfare or income generation activities. This is the conventional sectoral approach we see in so much of mainstream development today, which chops up all of the highly interconnected aspects of a poor community and deals with each of them separately; and this sectoral approach has failed to address problems of poverty in any significant way.

Slums may be created by poverty but the causes of poverty are much more complex than simply the problem of land insecurity. It is important to look at the issue of land as one part of the spectrum of complex and interconnected development issues that poor people face and that poverty reduction must encompass. It should not be taken as a separate development issue, in isolation, as tends to happen in policy and in academia.

To tackle all aspects of poverty in a more integrated way is to bring the whole slum community into a development process together, as a group. A community works like a vital protective layer and source of horizontal support for individual poor families who may have no strength on their own. It is important that land security brings poor people into a system of working together. Land ownership systems can transform relationships within slum communities, from being just a collection of many individual poor families to being a more collective mutual support development unit. The allocation of land is a vital part of the upgrading and must be done in a way that supports and contributes to other development systems in the community. The upgrading has changed the status of land from being "dead capital" to being alive as a real communal asset, which can be used as collateral for housing or land loans for all members of the housing cooperatives.

In these ways, the collective management of land goes along with the community's longer-term development and can help meet poor people's real needs. A community's savings and credit group, for example, which provides the financial mechanism for poor people to buy land and repay land loans together, can also be an important source of community funds for income generation and emergencies and can act as a bridge between formal outside resources and the informal finances of poor community members. The community welfare funds are another mechanism whereby communities can look after their vulnerable members. Similarly, the process of planning a new community in smaller social clusters, which is an important part of collective land planning, creates smaller constituencies and mutual support systems within communities.

It is also important to look at the community as a complex survival system for poor people, of which many parts are interdependent. A good community is a community where poor people can live their lives with security, dignity and free from the threat of eviction, and with strong social support structures to help develop their lives in different ways. If these survival systems of poor people are to be viable and strong, then it is important that external interventions, such as an upgrading programme with careful land arrangement, can strengthen people and better equip their communities to address all these separate elements as a matter of course.

II. HOW THE BAAN MANKONG PROGRAMME WORKS

a. A national programme supported by government

In January 2003, the Thai government launched the Baan Mankong programme as part of its efforts to address the housing problems of the country's poorest urban citizens. The programme channels government funds, in the form of infrastructure subsidies and soft housing and land loans, direct to poor communities, which plan and carry out improvements to their housing, environment, basic services and tenure security and manage the budget themselves. Instead of delivering housing units to individual poor families, the Baan Mankong programme ("secure housing" in Thai) puts Thailand's slum communities and their community networks at the centre of a process of developing long-term, comprehensive solutions to problems of land and housing in Thai cities. When the upgrading programme was launched, it set a target of achieving 200 Thai "cities without slums" and upgrading the land and housing of 300,000 poor families in five years.⁽¹⁾

As part of this unconventional programme, which is being implemented by the Community Organizations Development Institute (CODI) (a public organization under the Ministry of Social Development and Human Security), poor communities work in close collaboration with their local governments, professionals, universities and NGOs to survey all the communities in their cities and then plan an upgrading process that attempts to improve them. Once these citywide plans are finalized and the upgrading projects are selected, CODI channels the infrastructure subsidies and housing loans direct to the communities.

This housing programme is the result of a learning process that has been developing over the past 30 years (and particularly in the past

1. For more details, see Boonyabantha, Somsook (2005), "Baan Mankong: going to scale with 'slum' and squatter upgrading in Thailand", *Environment and Urbanization* Vol 17, No 1, April, pages 21–46; also Boonyabantha, Somsook (1999), "The Urban Community Environmental Activities Project, Thailand", *Environment and Urbanization* Vol 11, No 1, April, pages 101–115.

10 years). It started with the building of community savings activities around the country, then the formation and strengthening of large-scale networks of poor communities, the provision of housing loans to urban poor communities and using people's managerial skills to deal with housing problems at a citywide scale.

b. Providing flexible finance for land and housing development direct to communities

The Baan Mankong programme provides subsidies that allow communities to upgrade their infrastructure and living environments according to the priorities they set, using budgets they manage and technical assistance they select themselves. The size of each community's subsidy is calculated by multiplying the number of households by per-family infrastructure subsidies (US\$ 780–1,100 per family) for different kinds of upgrading. CODI channels the subsidies direct to communities. After five years, virtually all urban poor communities across the country know exactly how much subsidy they can access if they are able to negotiate for secure land and plan for their new housing projects. These subsidies all come from the Thai government, to which CODI makes proposals (through the Ministry for Social Development and Human Security) for each year's upgrading budget.

Soft loans are made available from CODI's revolving fund (that has working capital of about US\$ 87 million) to communities, in order to purchase the land they already occupy or to buy new land, and to improve their existing houses or build new ones after upgrading or relocating. The programme subsidizes the interest rates of these loans, so loans can go to the community cooperatives at 2 per cent annual interest rate (the non-subsidized CODI housing loan rate is currently 4 per cent). The ceiling for both land and housing loans is 300,000 Baht (US\$ 8,571) per family, and housing loans alone usually go no higher than 150,000–200,000 Baht (US\$ 4,285–5,715) per family. All loans are made to the community cooperatives, not to individuals, and the maximum repayment term is 15 years. The cooperatives then on-lend to individual members, usually adding a 2–3 per cent margin on the interest to create a slush fund to cover cases of unsteady loan repayments and to fund other community activities, expenses and some welfare purposes.

In Baan Mankong's development model, community organizations need to be able to develop financial management capacities as a group. To be eligible to join the upgrading programme, a community has to set up a savings and credit group and all the poor families in the community have to be members. In order to develop their land and housing projects, communities are also required to register themselves as community cooperatives, in order to establish a collective legal entity that can take housing loans, receive other development subsidies and buy or lease land collectively. The savings groups and the community cooperatives are two key mechanisms that help communities deal with all aspects of the project – as well as many other development issues – as a group. This group-based development model also ensures that communities are the owners of their housing projects, and provides enough flexibility to ensure that all urban poor households can be members.

c. Land tenure security is one of the most important aspects of the upgrading programme

The development of land tenure security is one of the most important aspects of the upgrading process in Thailand. More than 90 per cent of the communities involved in the programme end up with dramatically improved land tenure security, most moving from absolute informality and illegality to the long-term security of land ownership or land lease. Land tenure security is one of the most important pre-conditions to changing the status of urban poor families from being illegal and marginalized to being full, legitimate and secure citizens, and it also ensures against the loss of the investments that have to go into upgrading and developing a secure community.

The land tenure solutions that communities work out can take many forms, according to what people want and are able to negotiate, and include purchasing the land they already occupy, buying other land nearby, negotiating to buy or lease a portion of the land they already occupy through a land-sharing agreement, or getting a long-term lease to existing or nearby land from a variety of public landowning agencies. The tenure arrangements these communities are able to negotiate might include joint land ownership under their community cooperatives, or cooperative lease contracts that are either long term (30 years), medium term (10–15 years) or short term (3–5 years). Only 5–10 per cent of the Baan Mankong upgrading projects so far have been developed under less secure occupancy rights on public land. The housing that communities decide to develop on their newly secured land can also take many forms, including in-situ upgrading, re-blocking, complete reconstruction, building flats or apartments in the same place or reconstruction on new land.

d. The programme is implemented by communities in collaboration with urban partners

The upgrading process in Thailand follows a very decentralized model, in which each upgrading project is planned and implemented by the community. But these upgrading projects are all implemented in close collaboration with the local authorities and are supported by a variety of other urban development partners. They are also well linked through community network-managed systems of learning and mutual support at city, regional and national levels.

At the city and regional levels, these networks provide vital horizontal mechanisms for communities to help, support and learn from each other. Community networks can also intervene when there are internal problems, can balance the internal management systems in each community, and open up each community's upgrading project for others in the city to see and learn from. In each city, a joint local committee is established, which includes representatives from the local authority, local NGOs and development agencies, the local community network and local communities. All these different stakeholders on the committee sit together and help examine and develop all the projects.

This technique of networking between different sectors in the city opens up the upgrading process, so that projects are not undertaken in isolation but belong to the whole city. When all the upgrading projects in

the city are implemented in this open way, with everyone knowing about them and with so many stakeholders involved, it becomes an important checks and balances mechanism.

Each city starts by conducting a citywide survey of poor communities and inviting as many communities and urban development partners as possible to work together. Some cities have organized city development committees with the mayors or senior councillors serving as chairpersons, while other cities have organized a looser style of groups working together. Either way, the idea is to open up the slum upgrading work so that as many key development agencies and local actors as possible are involved. But the communities themselves are always the key actors, and the budget for upgrading is only transferred from CODI direct to the communities with the agreement of city development committees.

BOX 1
Baan Mankong cumulative performance figures,
January 2003–March 2008

- Total number of projects/communities approved: 512 projects involving 1,010 communities (many projects involve several communities)
- Total number of cities/districts involved in the process: 226 cities in 76 provinces
- Total number of families affected: 53,976
- Total budget approved: 3.44 billion Baht (US\$ 98.39 million)
- Grant for infrastructure upgrading: 1.61 billion Baht (US\$ 46.13 million)
- Loans for housing and land: 1.83 billion Baht (US\$ 52.26 million)

Type of upgrading	Number of communities	Number of families	Percentage of total
On site upgrading and reconstruction	443	34,516	63.95
Nearby relocation (within 2 kms)	237	7,393	13.70
Relocation (beyond 2 kms)	329	11,997	22.23
Shelter housing for the homeless, the elderly and the poorest	1	70	0.13
Total	1,010	53,976	100

Status of land tenure security after Baan Mankong	Number of communities	Number of families	Percentage of total
Permission to use land	102	5,104	9.46
Short-term lease (less than 5 years)	59	4,413	8.18
Long-term lease	226	20,980	38.87
Cooperative land ownership (with title)	623	23,479	43.50
Total	1,010	53,976	100

NOTE: Updated figures are available for June 2009 as follows: Total number of cities involved in the process/cities where projects approved: 260/243; total number of projects/communities approved: 738/1,312; total number of families benefited: 79,884; total budget for infrastructure/total loans approved (million Bhat): 2,420/2,793.

SOURCE: Baan Mankong Programme, CODI Monthly Report, March 2008.

Once a city's joint committee has agreed to an upgrading project, the proposal is passed to committees at the regional and national levels for consideration and approval. These regional and national committees are also mixed, comprising community leaders, government officers, local government representatives, academics and CODI staff members.

III. LAND ACQUISITION BY PEOPLE

a. Conventional approaches to land for housing the poor

In most conventional approaches, the task of acquiring and providing land for housing the poor is considered to be something that only governments should do, through legislation and acts and proclamations: the government should expropriate private or publicly owned land in cities for social housing; the government should include land for low-income housing in their urban development plans; the government should regularize land already occupied by informal slums; the government should make regulations that require private sector developers to set aside certain portions of their developments for social housing, etc. Many of the prevailing land acquisition methodologies and socialist-minded activists and development institutions share this assumption that governments should provide land for the poor. All of these things that governments should do to provide land are extremely important, and should be done and would be very good for the poor – if they ever actually happened.

But the reality is that governments across Asia have not been able to provide sufficient land for housing the urban poor through legal or legislative mechanisms. In the overwhelmingly market-driven systems that characterize most Asian cities today, it is no easy thing for governments to acquire decent, well-located land in appropriate locations for poor people's housing, or even to use public land for social housing purposes. The market pressures to develop that land in more profitable ways are great, and the decision-making powers about how land is used continue to be concentrated at the top of the economic and governance ladder – and they seem to share the views of the private sector regarding commercial development. Even the best housing programmes and the most well-meaning politicians and bureaucrats will have a very hard time competing with the land developers and the forceful economic development mindset that imbues all the layers of urban development today.

So there is a great need for a new way of doing things, a new kind of land expropriation by people.

b. Land acquisition by communities on a large scale, with support from urban partners

The flexible finance offered by the Baan Mankong programme is giving people the power to search and negotiate for alternative land themselves. Under the programme, it is the responsibility of each community to negotiate for secure land themselves, by buying or renting the land they already occupy, or elsewhere. Furthermore, the involvement of all key urban development actors, with strong support from municipalities, means new urban alliances and new sets of supporters that help poor communities, in their search for land, to negotiate with both public and private landowners.

As a result, a great deal of land searching is going on around the city, and communities are in an active process of land lease and purchase negotiations with all kinds of public and private landowners simultaneously. Even in cities where local authorities have long insisted there is no land for the poor, communities are managing to find pieces of secure land either to buy cheaply or to lease.

All this wheeling and dealing to get secure land could be called a new kind of urban land reform for poor people's housing. But it is a type of land reform that is highly decentralized, informal and highly unconventional, and the people who are themselves in greatest need of secure land are implementing it. What is extraordinary is that even in a context where the laws are clearly stacked against the poor, and where the country's legal system and land politics continue to work in favour of the haves over the have-nots, these land negotiations are still happening on a very large scale – and they are succeeding.

Poor people, who are living on somebody else's land without any formal rights to that land, can be very powerful actors in the process of expropriating land for themselves. Among the whole spectrum of actors involved in housing, the poor themselves are the ones with the most drive, the most urgent need for change and the most direct stake in finding solutions to their poverty and insecurity. With their citywide networks of fellow communities and friends in various sectors, which function as important political allies, communities can obtain a lot of information about good tracts of land that are available in the city.

Instead of taking on a struggle against inequities in the legal system, or pushing for this act or that legislation, the tools the Baan Mankong programme offers poor communities allow people to sidestep those more conventional battles in which the poor would probably be the losers. Instead, they can undertake land reform in immediate, practical ways, by putting themselves in the driver's seat, using their knowledge of their cities and CODI's flexible finance. In this version of land reform, people work it out and they believe they can do it because they see all their peers doing it.

The key point is that the poor have the power to search for land themselves, to explore the various options, to negotiate and choose that which works best for them. They may choose a piece of private land because it is the cheapest they can find, or they may choose a very small piece of land and decide to develop a much denser housing project there because it is so centrally located. Others may opt for leasing a piece of government land because the nominal rent they would have to pay would be much cheaper than buying private land. All these options are open to the poor, and the poor are the ones who have the power to decide.

Because the people using this system of land acquisition are very poor, they have to approach it very delicately and carefully. Because they are poor and their way of life is often fragile and their incomes are low and uncertain, all these factors have to be brought into consideration when deciding what land option works best for them and for their limited capacities to repay. In some ways, this land acquisition process is like a university for the poor, in which many communities are learning what kinds of land options are available and what options work best for the economic and social realities of their lives. Not all communities are the same, and not all cities have the same land options, so there is a great deal of variety in the kinds of secure land arrangements communities are

able to work out in their city. Once a community understands what its land options are, there is a lot of discussion and prioritizing and learning – within the community and between communities within the city network – before they choose.

When communities take the initiative in negotiating for secure land, it pushes them once and for all out of the passive victim mode and makes the urban poor active actors, giving them more of the upper hand. Suddenly they are exploring options; they are the ones doing the searching, the selecting, the negotiating and the deal making. Instead of waiting around passively for the eviction to take place, or for somebody to give them permission or advise them on what to do, or for relocation to who knows what godforsaken land to be announced, poor communities

BOX 2

Finding secure land using an “army of ants”

When you have flexible and accessible finance, and when people are confident this finance is available and open to them to deal with their insecure land and housing needs, there is scope for many different ways to meet those needs. If people can negotiate to buy or lease the land they already occupy – that is one solution. If they can't, then they can find land elsewhere that is available and suitable and cheap and not too far from their existing settlements. There are so many different kinds of land in cities: temple land, municipal government land, central government land and many types of private land.

Because people don't have a lot of money, and because the Baan Mankong programme sets rather low ceilings on how much communities can borrow for land and housing, people need to be very, very creative. But once they come together as a community and as networks of communities within cities, the possibilities for finding alternative land increase and the resourcefulness and energy start pouring out.

Some staff at CODI have described this process as being something akin to a very large army of ants being let loose across the country. These hundreds and thousands of ants are very busy scanning their local territory, searching for available land and coming up with some very interesting pieces of vacant private and public land that have been “hiding” in the cracks of some 250 towns and cities – land that government agencies or NGOs or researchers might never have found or thought of as possible options.

This army of ants, with its colonies in all the different cities and provinces, is very well connected. There is a good grapevine of ideas and knowledge about land that is constantly being shared and transferred, and this means possibilities increase exponentially. Some communities may feel more secure if they can get cooperative title to a piece of land and so may negotiate with private landowners to buy various kinds of land. There are many categories of private land rights in Thailand, running the spectrum from full freehold land title (which is the most secure) to user rights (which, after a certain number of years of occupation, can be converted to full title). The more secure the title, the more expensive it is, so many poor communities are opting to buy cheap land with a lesser form of rights, which can be upgraded to full title later.

However, many communities are also negotiating some very interesting land solutions on public land, under a variety of public landowning agencies. In many of the smaller towns and cities, communities prefer to negotiate lease contracts on public land, where they can negotiate very cheap rates that are even lower than the cost of cheap private land.

around Thailand are exploring their own territory and drawing up their own lists of land options. In these ways, communities are changing the game, so that it is on their own terms. They search for land that is possible and that works for them, they choose the land and they negotiate the terms, and then they develop their housing and community plans – all because they know they have flexible financial resources at their disposal and their togetherness as a community.

c. How do communities get land in the Baan Mankong programme?

With support from their savings groups. The first step in acquiring land for housing begins even before a community starts its search. People first have to start saving because, through saving, a community develops its own internal financial systems and capacities. Savings makes community members pool their own resources first, so they have their own fund and the financial management capacity to manage together the funds or loans for the land acquisition and housing project. A poor community's savings activities give its members the confidence to start moving ahead to the question of how to get land, knowing that there is external finance available to back them up when they do find land.

With support from their community organizations. The community organization within each community, and the larger citywide community network in a city help people to link together, work together and bridge their development plans with other actors in their cities or districts. In these ways, the force of the poor is not limited to one or two communities but encompasses several communities that are linked together, and these linkages push them well beyond the small capacity of one person or one family or even one community. With a wide-reaching and well-connected community network in a city, member communities are no longer isolated and struggling on their own, and this becomes a very important element when it comes to searching for possible land and jointly negotiating for it.

With support from their urban partners and allies. It is important for urban poor communities to build good alliances and partnerships with other development partners in their cities, such as local government agencies, development institutions, universities, local NGOs and architects. These alliances can become crucial in helping to negotiate for desirable land once it has been identified or selected. Communities need to build stronger negotiating strength and capacities with their city allies.

Citywide survey and planning for available land for all slums in the city. It is important that the planning for acquiring land be implemented simultaneously for as many slum communities in the city as possible. Negotiations implemented in concert will generate a movement whereby all actors involved learn how to do it. Some slum communities can move together, or parts of some slums can remain while other parts move, and all available land can be used to accommodate all the various possibilities.

With support from accessible, flexible finance. The availability of finance becomes an extremely important trump card in the negotiations for land, whether these negotiations are conducted with a public

landowning agency or a private landowner. The finance works like a guarantee for sceptical agencies and landowners that the project can really happen, and allows communities to bargain more realistically.

d. The quality of land keeps getting better and land options keep expanding

As the Baan Mankong programme continues, we are seeing people's land negotiations improving and becoming more effective, their land choices getting better and more appropriate. Ten or 15 years ago, in the early stages of CODI's predecessor's (the Urban Community Development Office) provision of land and housing loans to communities, communities almost always chose to buy big tracts of undeveloped land outside of Bangkok, far from jobs, schools, transport networks, etc. In the minds of most communities and government agencies, this was the only form "resettlement" could take, and many resettlement theories are still based on this approach. When the Baan Mankong process began in 2004, many cities experienced the same problem. But because negotiations for land suddenly multiplied on a large scale, the learning and experiences also multiplied and were shared through a constant process of exchange visits, seminars, meetings and "ground breakings".⁽²⁾ Gradually, information on the quality of the land that communities were choosing and the creativity with which they were finding better land and negotiating better began to spread and be learned. Nowadays, most of the projects are much improved: good land, good location, good price, good land use planning and better community participation process.

2. "Ground breaking" is when the first pile is inserted into the ground to start the house construction. It is often celebrated with Buddhist monk prayers and traditional rituals, to bring good luck to the new houses and community.

e. Cooperation from public land departments

Using public land for housing the poor. When poor communities negotiate with public land agencies and are able to build some initial housing projects or upgrade some existing communities, it is an important breakthrough to convince these public agencies of new possibilities. In the third and fourth years of the Baan Mankong programme, we were seeing increasing numbers of examples of good cooperation with government landowning departments, after gradually proving to these agencies that commercial exploitation is not the only reasonable use for public land assets, but that decent new housing for the poor, which allows them to develop themselves and improve their lives, is a reasonable and also socially equitable way to use public land resources. Through the upgrading programme, public land upon which informal settlements are built has been transformed into "developed land", which generates a modest rental income. Many of these public landowning agencies are realizing that by giving long-term leases to poor communities, they can help provide housing for people who can transform their vulnerable and dilapidated living conditions into proper decent settlements. Below are a few details about cooperation on land belonging to some of the key public land agencies.

The Treasury Department. The majority of public land in Thailand is under the control of the Finance Ministry Treasury Department, so this is an extremely important public landowning agency for urban poor communities. Cooperation with the Treasury Department on

Baan Mankong has been very good. In the early years of the upgrading programme, CODI signed a Memorandum of Understanding (MOU) with the department to cut land rental rates in half and give longer-term lease contracts to many communities on department land. Then in 2006, the process spread to include all of the Treasury Department's provincial public land offices, which are now routinely granting 30-year renewable leases to poor community cooperatives that are upgrading or building new communities on their land, at fairly uniform, nominal rates. In the early stages, only communities squatting on Treasury Department land were involved, but it has become increasingly possible to negotiate for vacant land to be allocated for urban poor housing. Now, many of the provincial land offices are even presenting the community networks and CODI with good offers of unused parcels of public land under their control for developing relocation projects, in cases where other communities or scattered renters and squatters cannot upgrade on-site. Also, in many old communities on Treasury Department land, where some people have individual land leases and others don't, the communities are linking together through the Baan Mankong programme, forming cooperatives and renegotiating new, long-term leases as a community cooperative, and then upgrading or re-blocking their settlements in situ.

On the occasion of World Habitat Day Event in 2007, the UN Economic and Social Commission for Asia and the Pacific (ESCAP) bestowed a special plaque on the Treasury Department in recognition of its very positive contribution to housing the poor in Thailand.

The Crown Property Bureau. The Crown Property Bureau (CPB) is another very big landlord of slum communities, particularly in Bangkok. CODI has signed another MOU with CPB to provide long-term collective lease contracts to 30 informal communities in Bangkok, in which the bureau asked CODI to help organize on-site upgrading projects with 15-year leases. The Baan Mankong budget for five of these communities has already been approved and work is starting. Three of these projects will be land-sharing projects.

The State Railways of Thailand. The State Railways of Thailand (SRT) have always been one of the most difficult public landlords. In 2006, CODI signed an MOU with SRT to allow 14 squatter communities on railway land to upgrade on site, with long-term (15–30 year) cooperative leases to the land. Now CODI has signed a new MOU with SRT, making the same arrangement for another 100 squatter communities on SRT land around the country. Because so far the SRT has felt uncomfortable leasing land direct to these communities, as with other public landowning agencies, they have asked CODI to act as an intermediary. So the land for all these projects is being leased to CODI, which then sub-leases to the community cooperatives.

Buddhist temples. Control over the enormous land assets of Thailand's thousands of Buddhist temples has recently been partially centralized. When communities on temple-owned land negotiate directly with their temples, they can get leases of no more than three years. If they want longer leases, they have to negotiate with the central government's National Buddhist Department. The Wat Potee Wararam community in Udon Thani was the first community to successfully negotiate with this agency to get a 30-year cooperative lease. Now that there is a precedent, it has been easier for other communities to negotiate similar land leases.

The Waterways Banks Department. Many of Thailand's thousands of canal and riverside communities have squatted on the narrow strips of leftover land between the canals (controlled by the Irrigation Department) and the internal land (controlled by various public and private landowners). The central government's Waterways Banks Department, which controls these swampy margins, has in the past been a notoriously difficult agency to deal with, and the answer to requests for secure tenure has always been no. But now, in an increasing number of possibly precedent-setting cases, it has been possible for these settlements to negotiate long-term leases.

IV. COLLECTIVE LAND IN BAAN MANKONG

a. The collective land requirement in Baan Mankong upgrading projects

All communities taking part in the Baan Mankong programme have to set up a community cooperative, which becomes the legal entity that is required to buy or lease any land collectively and to receive CODI loans (which can go only to cooperatives, not to individuals). The rule is that the land tenure must remain collective during the 15-year period when communities are repaying their land and/or housing loans. After that, each community is free to decide for itself what to do with the land. Most communities that lease public land will continue with the collective lease through their community cooperatives, but once the land is paid for, communities may also decide to divide it up into individually owned plots, with the community cooperative managing only the common areas.

By the time communities have completed their housing project and repaid their loans, they will have lived together for a long time; they will have set up many committees to manage different aspects of the project and they will have organized many activities together. Fifteen years of living together and managing all these joint communal activities is probably long enough for people to build a firm culture of doing things together as a community. So when the question of whether to continue the cooperative system or to individualize the land ownership comes up, the members of a mature cooperative will make the decision.

When the programme first started, the collective land requirement was not that easy for people to get their minds around because the prevailing – indeed the only commonly known – system for obtaining secure land tenure in Thailand is through individual land title or individual leasehold, with land mostly being privately owned and sold and used as individual assets or collateral to get loans. But once the upgrading programme had started and the concept of collective land became clearer to people through a growing number of actual projects, the strategy was quickly absorbed and embraced by communities around the country; the process went very well and there were no problems. Communities preparing for their own housing projects and city networks became adept at going through the rituals of registering their community savings groups as cooperatives and negotiating their land arrangements through the legal mechanism of their cooperatives.

Once the prevailing concepts of individual ownership and land as a market commodity are challenged by the concept of land as a collectively

owned asset for collective long-term security, and once the proper and simple steps of implementation are carried out, collective land becomes very easy and more natural for communities to practice.

The cooperative management of land and housing can, in fact, allow flexibility in adjusting and setting communal rules and regulations for community management, which can be adapted to changing circumstances.

b. Why is collective land so important?

Individual tenure usually means that the better off eventually replace the poor. Past experience in Thailand has shown that when people have battled together to resist eviction, have been able to obtain security of tenure individually and have developed a good housing project on a piece of land, many communities have been unsuccessful in managing their community together, and members have sold off houses and returned to the slums. As such, any good housing project invariably ends up being unable to retain its poor occupants, who are gradually replaced by better-off people who can afford to buy in. Once land security has been granted to each individual, and the poor people have been bought off and pushed out, some also start making new squatter settlements.

Indeed, providing land tenure security and good planning and housing construction in an informal settlement is the way of linking urban poor housing to the market. Individual ownership works like a green light for powerful market forces to enter a settlement and buy out poor families individually. So the land that had been so carefully planned and improved and built on with housing for poor community people will eventually find its way into the market – sometimes immediately. Speculators will be lining up to buy people's plots and will begin assembling large and more saleable pieces of land for bigger buyers. Individual poor families with land tenure will find it difficult to resist these powerful market forces alone, since other conditions in their lives may still be uncertain and the option to sell will arise when a crisis occurs.

Most public housing projects and land regularization programmes in most countries follow a similar pattern. In this way, land tenure security, upgrading and regularization can actually become tools to assist the market to remove poor families and transform their land and houses into marketable commodities. In light of this, the granting of individual land tenure becomes a different, softer form of eviction, and all the public subsidies that were supposed to go to the urban poor are thereby redirected to the wrong target groups. Collective land tenure works as a binding force and a vital mechanism to hold together individual poor families in a community, as a group, acting as a protective buffer against market forces. Even though a strong community with collective land tenure can't completely keep these market forces out, it can dramatically reduce their speed and power.

Collective land tenure helps protect people during the vulnerable transition period from being informal squatters to being formal land and housing owners. With any new housing project, poor communities making the transition from informality and insecurity to formality and legitimacy are like small, fragile boats that will suddenly be facing all kinds of problems and high seas and storms. If their crew does not work together, they will easily be broken into splinters.

In all upgraded communities, there are almost always problems of internal management in the early stages after the project is finished. Many of these problems are predictable: many groups, many different ideas, members may quarrel, funds may be mismanaged, joint activities may stagnate, internal politics may cause certain groups to use non-repayment of their loans as a tactic to undermine leaders they are unhappy with. External problems may also arise that involve a community's interaction with others, with government agencies that may not cooperate properly, or rich buyers who may try to buy the land and houses from the cooperatives and cause conflicts in the communities between those who want to sell and those who want to stay.

When a community of poor people moves from being squatters to owning their own land, that's a very big change in their lives, and it represents a very dramatic swing from informality and illegality to full citizenship with legitimacy and formal status. The process is also very costly. Having secure land and decent housing on that land is almost never cheap, and building a housing project is never easy for the poor, in any circumstances. Once a Baan Mankong upgrading project is completed, community members will all face the sudden reality of a long period of having to repay their loans, which may add up to more money than they're earning.

Furthermore, this repayment burden comes at a time when their lives are not yet really settled and their incomes may still be low and unsteady. Most poor community members remain vulnerable during this transition period and they need the support of their communities and their cooperatives to see them through. If the land is individually owned, and the market forces are there ready to pounce, many families will sell easily, as soon as somebody in the family falls ill or somebody loses their job and can't make the month's repayment. Collective tenure is a way of ensuring the protection of the group during this transition period, while community members are stabilizing their unsettled social and economic situation and paying off this very heavy investment they have made.

Collective land is an important mechanism to ensure the community gets stronger together as a group. In the process of designing the Baan Mankong, lessons from earlier urban poor housing projects were painstakingly reviewed for ways to use the element of land (and conditions about how land is dealt with) more proactively, to bring people together and keep them together, and to solve poverty by allowing many other kinds of development by people to continue long after land tenure security is reached and long after the project is finished. That is why collective land arrangement has been introduced.

By staying together, and owning or leasing land cooperatively, many other relationships between community members develop naturally, and many other benefits of that collectivity take shape in all activities that relate to people's real human needs. Once land where people live together is collective, it is more natural that whatever happens above the surface of that land will become more socially collective.

When poor communities get tenure security, it is like crossing a big line that had been drawn across their lives, which separated their former lives as poor people who needed each other in so many ways in order to survive from their new secure lives as members of the lower-middle class, who have individual freedoms and may be more apt to feel that they can now go inside their secured houses and lock the door – no need to

bother any more with the others. Secure land can create a heady sense that as the rightful owners of one small piece of their nation or of the earth, and as landowners, people can now do whatever they like. People's behaviour changes when they become owners of their own land, and their relationships with their communities change.

In Baan Mankong, the attempt to build a new kind of urban community allows its members their privacy and independence but also provides them with an important collective support structure and a culture of interaction and friendliness and togetherness, which can help protect its more vulnerable members. In most Asian cities, the forces of individualism and consumerism are fast displacing older communal groupings and are leaving people stranded on their own, in isolation. We see this everywhere we look: people on their own in apartments or houses, behind high walls, watching TV and tapping on their computers, not knowing their neighbours and not even having much relationship with their local government. In this new urban reality, there are no communities, no links, no anything. Our cities are becoming large and unwieldy agglomerations of isolated individuals, who have no communal process to bridge their isolation or link them to doing things together within their small constituencies.

Collective land does not compromise people's individual freedoms but can work as a means to enrich those personal freedoms. The true market believers will always argue that collective land tenure restricts people's freedom to develop individually, prevents them from capitalizing on their individual land assets to get bank loans, inhibits them from selling when it is in their best interests to do so, and encumbers them with too many rules and restrictions and compulsory meetings that come with being part of a legal cooperative.

There are responsibilities that come with being a member of a land-owning cooperative of course, but land that is collectively owned need not restrict people's freedoms. If someone needs to sell and move out, it is possible – the only agreement is that they have to sell their land and housing through the cooperative. And although they will get back their original investment, they might not make quite as much profit as if they had sold the land on the open market.

But living inside a cooperative community means that in the place where people live (and sometimes work), they have a larger society to associate with; when people come home, they have friends and acquaintances to greet them, and as members they can propose and become involved in activities involving children's playgroups or tuition classes, improvements to the community environment and common spaces. Or they can get involved in more social aspects of the community, planning festivals or developing the welfare programme. Different people have different expertise, different personalities and different areas of interest, and so even within a small community, there is room for people to become involved in ways they are comfortable with.

In a community, the scale is small enough that people can actually all know each other and keep track of each other – which is not the same thing as knowing each other theoretically! In a community, the relationships are real: it is a real society, part of a real city where people participate in urban life as members of a larger whole. And when there is a system of living where people are not alone, in which they have friends and social relationships, in which they have support systems and places

to bring their strengths and creativity into real use with others in simple, day-to-day rituals and practices – that is, in fact, a very great freedom. It is not any theoretical right or freedom as defined in a book. So in many ways, the collective system for living together provides much greater safety and space for individual freedoms – especially among a city's most vulnerable groups.

It is always easier and more natural for poor people to deal with the collective land approach than for better-off groups. Another key reason for making land collective is to stop land being thought of as a valuable commodity to be sold to the highest bidder. In the absence of a proper local administrative system, these kinds of collective community systems can help mediate the huge gap that will continue to exist between the poor and wider society. In these ways, collectively owned land doesn't have to be a controlling mechanism but can be a bridging, strengthening, supporting and negotiating mechanism.

Collective land brings greater equity into poor communities.

Cooperative land tenure arrangements create new horizontal relationships between people in a community. When land is cooperatively owned or leased, every member of that community really **is** equal. Why? Because all of them have their houses on that collective community land, all of them own an equal share of it, and every month everybody has to repay their share of the loan. In this new relationship, if one member does something bad and doesn't repay, it affects everybody, and everyone's housing is equally in jeopardy. This is no theoretical sharing but real sharing, based on the hard fact of a common asset and a common responsibility to decide on many communal things together on this collective land.

Since everyone is equal in cooperative land, the behavior of a community's cooperative management system has to reflect that equality. The problem with the system of most existing community committees (or cooperative committees) is that they still tend to operate in the old top-down, hierarchical style. So it is very important that the management systems in communities with collectively owned land need to change their style of operation to match this new equality in land ownership. There is a need to invent new systems of horizontal management, in which all members of the project feel equally that they are part of this new community's management and can be involved in most of its development activities, even once the hustle and bustle of the housing project has long gone. It is not easy to find models for this new kind of horizontal management system in our societies, which are still overwhelmingly vertical, hierarchical and centralized. So collective land management can become an important reform mechanism for building a more democratic management at the very fundamental grassroots level.

Collective land allows tight housing developments on minimal land to provide residents with more living space through common amenities and shared spaces.

One of the basic economic realities of most low-income housing projects is that as many units as possible have to be built on as small a piece of land as possible to make them affordable, and that means very small housing units or land plots. If the planning of such densely packed projects follows the principal of maximizing individually owned space and minimizing the "waste" of shared spaces, as many do, the outcome is usually a grim layout of cramped little box-like houses arranged on a grid, each one surrounded by a high wall and connected by narrow alleyways.

BOX 3

No fences in the communities in the town of Chumpae

“My house and my community in Chumpae are now very beautiful, after we upgraded them. I’m so proud to show these visitors from 20 countries in Asia and Africa how we use our own savings to organize ourselves and to improve our lives and communities. And I’m also proud of this government, which gives its full support and guidance to the Baan Mankong community upgrading programme, which lets people do things our way. Today, we can walk right into Government House here and nobody looks down on us, even though we may not be wearing such beautiful shoes. Acharn Paiboon, the deputy prime minister, came to inaugurate our newly upgraded community in Chumpae, and during the celebration he visited my house – he even used my toilet!

Our local administration in Chumpae has also been very helpful to our citywide upgrading process. We had to work very hard on this, though, and if any other communities need help coordinating their upgrading projects with their local administration, I can help. We never get bored in our community network in Chumpae – we’re busy with work, meeting each other, talking together, making exchange visits and helping communities in other cities prepare their proposals. I am so busy with work around the country, in fact, that I almost never get a chance to sleep in my own house! We have no fences between neighbours in our communities after upgrading. We believe that if you do good deeds, nobody will steal from you – those good deeds and our community will act like a fence to protect you and your house.”

SOURCE: Pa Nong, community leader from the Baan Rom Yen community in the town of Chumpae in Khon Kaen province.

But when poor people who don’t have a lot of money design a project together, each person’s small amount of money works like a share in the common asset of that new community they are designing, in which they are all equal shareholders. If the planning is undertaken collectively and properly, with some delicate design support, the people can actually maximize the commonly used areas that belong to everyone and reduce the individually owned parts to a workable minimum. In reality, this is a way of expanding the limitations of each member’s small, private house or plot: all members have a small private space of their own, but then they also own the whole rest of the community and can use those common spaces as an extension to their living room. In this way, even a very poor person can become rich in land and amenities, even though his house might be very small. In many of the Baan Mankong projects where house plots are small, people are proud to say: “*We don’t have any fences in our community.*”

V. COLLECTIVE COMMUNITY PLANNING TO REFLECT THIS COLLECTIVE LIVING

When we talk about communities finding land, developing their own housing projects and managing the whole process collectively, the issue of physical planning becomes critical.

- **In-situ:** When a community is able to negotiate secure land tenure in the same place and decides to leave things as much as possible as they are and just upgrade or re-block a little bit, then the question of planning is not so important. A few houses might have to be shifted a little to make space for more communal amenities such as a playground, a community centre, wider access lanes or infrastructure lines.
- **Reconstruction or relocation:** However, in cases where communities begin from scratch, with a total reconstruction of an existing community or relocation to new land, there is greater opportunity to think about how people can live together and arrange their houses and public spaces in new ways that support rather than compromise their collectivity.

Planning in social clusters. On new or fully reconstructed land, people are deciding in increasing numbers to forgo the usual grid-like layouts that engineers tend to favour and believe are most efficient, and instead develop much more socially responsive plans, with groups of houses arranged in clusters around small common spaces where trees can be planted and activities can take place. This kind of cluster planning allows close-knit groups of families who would like to stay together to plan their own cluster of houses as a sub-group in the project planning process.

In these ways, the smaller social groupings that exist within poor communities can be maintained and can manifest themselves in the physical form of the new settlement. If these groups can participate in the design process properly, with some sensitive facilitation by a good community architect, their ideas can make for a much livelier plan and design and a more community-supporting and more beautiful settlement in the end.

Planning, like everything else in the land and housing process, is not something that can be done in isolation. If we want to build a community that has this collective quality, then a similarly collective physical planning process has to be adopted. The social planning process is extremely important if the housing project is to reflect this collective social quality as much as possible. The collective management of land is a prerequisite to that kind of planning, and the physical planning should reflect the real soul of this collectivity. In this way, the physical form of the new community – and the careful planning that produces it – can enhance the community's spirit of collectivity.

VI. CONCLUSIONS

It is important to note that although this national experiment being implemented through the Baan Mankong programme is being carried out in Thailand, similar upgrading programmes could be developed elsewhere. What is needed is a new system and institutional set-up that can provide flexible finance direct to a large number and range of urban poor communities, so that all urban poor communities can develop their own land and housing solutions and thus be effective at a citywide scale.

In the world we live in today, where capitalism has such power in almost every aspect of our lives, it is important to understand the power that land capital can bring and its importance in dealing with the causes of poverty and allowing communities to solve their own land tenure

and housing problems. At the same time, it is important to understand the dangers that market-based tools can present to poor communities and to understand how to use the more conventional social wealth and collectivity of communities to deal with market forces that generally marginalize or exclude them.

At present, it is rare for communities living in informal settlements to be able to find and develop the solutions that work best for them, supported by flexible finance. Such communities do not get access to funding or, if they do, it does not support what they want, what is possible and what they can afford; it generally comes with so many rules, regulations and requirements attached to it. Within this more flexible approach, it is also very important to develop a concept of land for building community or housing as something socially special, to keep people and a strong social development structure of people in the society together – not to have upgrading that quickly turns upgraded homes and neighbourhoods into commodity objects in the speculative commercial market.

REFERENCES

- Boonyabancha, Somsook (1999), "The Urban Community Environmental Activities Project, Thailand", *Environment and Urbanization* Vol 11, No 1, April, pages 101–115.
- Boonyabancha, Somsook (2005), "Baan Mankong; going to scale with 'slum' and squatter upgrading in Thailand", *Environment and Urbanization* Vol 17, No 1, April, pages 21–46.

