



On 'being collective': a patchwork conversation with Somsook Boonyabancha on poverty, collective land tenure and Thailand's Baan Mankong programme

Brenda Pérez-Castro in conversation with
Somsook Boonyabancha

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Abstract

Understanding rent struggles as encompassing a wide array of social relations and processes, RHJ Editors decided to include a conversation in this issue that explores collective ownership and alternative modes of land tenure. We view questions about alternative modes of housing production and ownership as key in rethinking the foundation of landlord and tenant relationships and traditional forms of housing tenure more broadly. In this conversation, Brenda Pérez-Castro, who works at the Asian Coalition for Housing Rights (ACHR) secretariat in Bangkok and the former director of the Community Organizations Development Institute (CODI) in Thailand, Somsook Boonyabancha, discuss how notions of collectivity emerge and operate as a protection from market enclosure. Based on Boonyabancha's vast experience with the Baan Mankong programme and beyond, this conversation reflects on the role of collectiveness in wider social processes, and discusses the challenges of different social actors, including the state, in strengthening collective action that support housing security.

Keywords

collective land, cooperatives, land tenure, poverty, informality, Thailand

Introduction

The Thai Government's Baan Mankong (Secure Housing) programme had its fifteenth anniversary in 2018. Having supported the construction of 103,538 houses in 343 cities and towns across the country, Baan Mankong has become a global reference for community-led

housing solutions, flexible housing finance and the viability of collective land tenure as a way of protecting communities from market enclosure.

The programme is based on the idea that the direct allocation of national government resources to communities, organized into cooperatives, can trigger collaboration and leverage resources from the same communities, local authorities, NGOs and development partners to upgrade informal settlements. Resources include infrastructure subsidies and housing and land loans. Collective land tenure by the community cooperative, either freehold or lease hold, is a condition to join the programme and access its resources.

The Community Organizations Development Institute (CODI) is the government institution in charge of the programme. It is a demand-driven agency that supports the process of community groups formalizing themselves into cooperatives, promotes different types and levels of community organization, and facilitates negotiation with other government agencies.

This patchwork of conversations with Somsook Boonyabancha highlights some of the debates around one of the most singular aspects of the Baan Mankong programme: the collective nature of land tenure and the role of housing cooperatives.

It is a ‘patchwork’ because it draws on email exchanges between Somsook and friends interested in her work, notes made by Thomas Kerr¹ of conversations he had with Somsook while visiting Baan Mankong projects across Thailand, as well as recent conversations over tea and a semi-structured interview at the Asian Coalition for Housing Rights (ACHR) office in Bangkok.

1. Collective land tenure: why and how

Brenda Pérez-Castro: How relevant is the land tenure security aspect to issues of housing and poverty in Thailand? How does the Baan Mankong programme address it?

Somsook Boonyabancha: Accessing land is the most serious problem for slum communities everywhere in the world. The answer has often been land regularization and provision of land titles, but that is not enough. Slums have been created because of poverty, and there are more complex causes and dimensions to poverty than land tenure insecurity alone. If land is seen only as an asset, as capital that can be traded, solving poverty and making real change in our society will be impossible. Land –and what we do with it– is more important than its economic value.

In the Baan Mankong programme, we provide flexible finance to communities, which is used in the negotiations between community organizations and landowners, with support from local development actors, politicians, respected people, local authorities, etc. As a result, communities get land tenure security through a wide range of solutions, such as

¹ Thomas Kerr is an American architect who has worked in Asia since 1989, first in India and from 1996 in Bangkok with ACHR, where he helps coordinate their English-language publications. This ‘conversation’ would have not been possible without Tom’s admirable documentation discipline and his valuable inputs throughout the conceptualization and writing of this article.

purchasing the land they already occupy, land-sharing, long-term leases from public agencies, nearby relocation, etc. All communities agree on different types of tenure arrangements, from joint ownership under community cooperatives, long term leases (30 years), medium term leases (10-15 years), short term leases (three to five years) and simple permission-to-stay (about five to ten per cent of programme projects). We have learned that whether the land tenure solution is ownership or lease is not as important as the type of management arrangement, which has to be collective.

When it comes to land, what is important is not just the security but the collectiveness. Collective land tenure increases security of tenure, but more importantly, it contributes to building other development systems within the community. The question is how to be collective? The collective quality that is formalized in the land tenure can drive other development elements as well: a collective system of finance, collective management, collective welfare and collective physical planning. The allocation of land needs to coincide with other development processes and systems in the community. For instance, through their community-based savings and credit groups, communities must also develop their own collective fund. By pooling their individual savings into collective financial strength, they act like a community bank and can bridge informal finances to the outside system.

From collective savings and funds, communities have also developed their own collective welfare and housing insurance systems, using part of their savings or part of the interest earned on loans, to support community members when they experience difficulties. And when communities plan their new housing in Baan Mankong projects, they develop a variety of collective structures and subgroups to design the housing and manage the construction in smaller and more manageable social sub-groups. The community sub-groups that are set up during the implementation of the housing projects continue after the construction is over, and address other development issues in the community. All these mechanisms bring the whole slum community into a solid development process, based on shared systems that allow people to assist each other, ensure continued learning, build horizontal strength, protection and more power of negotiation when facing more organized systems in society.

Brenda: What form does this collectivity take? How does this process of self-organization happen?

Somsook: Eviction can be a powerful motivation for communities to come together. When faced with the prospect of losing the informal land they have occupied for so long, a sense of collectivity instantly emerges. But once a community is able to negotiate to legally obtain land, and to move past the crisis towards a solution, the question comes: how will the community's newly secured land be organized? What kind of arrangement will work for everyone? Secure land is an important step out of poverty, but if the people's system in that informal slum doesn't change, if they don't build a strong organization, it is likely that their economic conditions won't improve and development of other aspects of their lives will not follow. Secure land and housing are a vital first step, but the people living in that community will still be poor, still be weak.

This is a basic thing anybody who works in a slum community would have to learn. Organization is important. We can organize for rights –and there are so many groups in the world who are good at organizing people for asserting rights. But once you get to the housing question, you need to know how to transform that community organization into a concrete form of housing development. It is a different task. People’s initiative can stall if you don’t transform that principle of organization into a housing development process. At that point you will understand that the key thing to facilitate or strengthen people’s organization is the question of land and the development that follows.

Brenda: Is collective land tenure then just a good excuse around which people organize themselves?

Somsook: Collective land is the main source of being collective. It is a foundation, a must, the beginning. Collective land tenure is the key to unlock many other forms of collectivity. If it is collective land, then the life and the processes above that collective land will more easily be collective.

With cooperative land tenure, the relationship between people changes dramatically. Once the struggle for secure shelter is over and the community members have their houses and their equal share of the collective land, every month they will have to repay their share of the loan for that collective land. In this new relationship, if one member doesn’t repay, it affects everybody, and everyone’s housing is equally in jeopardy. This is no theoretical sharing, but a real one, based in a common asset, and a common responsibility to repay the loan.

Brenda: How does that system of collective ownership work? What rights does an individual household have in a typical Baan Mankong project?

Somsook: In Thailand we use the legal framework of the cooperative. We don’t yet have a law or legal mechanism which recognizes a type of tenure such as a ‘*community title*’ (we are working with the rural movement on that now). But there is a law we used to make collective land ownership possible: the cooperative law. Around 1986, when we started the first land-sharing projects, before Baan Mankong, we couldn’t find a form of legal entity that would work for the project, so we negotiated with the Cooperative Department, to set up a housing cooperative – the first one! At first, they rejected the idea, saying that housing coops are only for those who can afford it, the middle class. ‘Affordability is the key’, they said. But the middle class doesn’t need a cooperative. They have so many choices in the market! After a long negotiation, they accepted, and we still operate all the Baan Mankong housing projects under that cooperative law.

The general rules and regulations for setting up a cooperative come from well-intended old socialist concepts of breaking down the differences between people and everyone having an equal say. But when these concepts are applied by a bureaucratic government, in a highly hierarchical culture like Thailand, what happens? Power tends to move into the hands of a few, and bureaucracy will make communities follow steps to the letter: one, two, three and four! We need to change that.

Once the cooperative is set up under those regulations, the land is registered as being owned by the cooperative. From that moment on, cooperatives can adopt different rules. The land belongs to the organization, a collective owner of this small thing. The cooperative divides the land into small plots where the members live. CODI never imposes any particular rules and lets community groups decide by themselves.

Brenda: What happens if a cooperative member wants to leave the community?

Somsook: If people want to leave a community, they can sell their house and plot back to the cooperative. Different cooperatives will make different procedures for setting prices and buying and reselling. There is buying and selling in Baan Mankong projects, but at a small scale and more in response to unexpected necessities. The members cannot sell their rights to outsiders directly. The coop becomes an intermediary, a cushion, so the market cannot freely enter that housing area.

In some cooperatives, they allow the sale of land rights, for members who can't pay or want to leave the community for any reason, but the sale will be open for a short period (like one week or one month only). Whoever buys that land will have to become a member of the cooperative, so at some level, the cooperatives have the right to choose who can buy in and to let potential buyers queue up and wait until it is the right time to allow a limited sale and transfer to happen. In this case the cooperatives determine the sale price—not the market!—and charge some margin for the cooperatives, as a kind of selling-out tax.

2. Housing cooperatives as a protection from market enclosure

Brenda: Other slum upgrading measures—like land regularization, or public investment in infrastructure and basic services in informal settlements—have had the effect of attracting the market, increasing land values and putting poor communities at risk of enclosure. How exactly does collective land tenure prevent these risks?

Somsook: The market is always interested in land that is secure. Wherever land is secured, it becomes an object of the market. The market will find a way to sneak in. This is how slum upgrading can be a tool of the market to expel poor families, clear land, and transform it into a marketable commodity, which is only worth so many dollars per square metre, to be bought, sold and profited from. If an upgrading project and a community's land management system is done without sufficient understanding to prevent this from happening, it becomes an instrument of commodification. Talking about land has this kind of depth!

We can't just blindly regularize all slum land, so a poor family can convert it into capital for development, which is probably right in economic theory, but it is also a powerful way to bring the market into all these poor slums without much protection. All this land, that has been so carefully planned and improved and covered with good housing for a poor community, will sooner or later find its way into the open market. Individual land tenures weaken community systems in the face of a very tough market system. There will

be wide scale buying off and replacement by the market, plot by plot, all over the place. Speculators will be lining up to buy off people's plots and begin assembling larger, saleable pieces of land for bigger buyers. Individual tenure is an invitation for the market to come into the community, it is land freed for the market. And communities will have a hard time resisting these offers, as they increase, since the power and money the market has at its disposal is always going to be much greater than what a poor family with many other needs can resist.

You may think there is no problem with this, since these poor families have the freedom to decide themselves whether to stay in the community or sell out and use their *unlocked capital* to raise themselves up out of poverty simply by getting money. But then you really have to ask yourself: what is all this work really about? What are the real objectives? Why do people go through those eviction struggles? Are we working for the sake of the people, or the market? The communities have been able to stay because the land is insecure, and the market is not highly interested in insecure land. Communities may fight for their right to stay on that land, but if the outcome of their struggle is individual land titles, the whole situation becomes another type of eviction. Eviction, with a smiling face. People are happy getting the money in their pockets, selling off the land, moving out and maybe ending up living in another slum, or starting a new one.

That is the so-called freedom of the market: to stay or to sell out. If your goal with an upgrading project is to not just deliver physical improvements or put some money in people's pockets, but to create a process to sustainably improve people's lives and strengthen their economic and social position in society, there has to be a mechanism for that. In Baan Mankong projects, the mechanism is a binding system of assistance which links the poor inside their communities, and within cities, since by themselves, individual poor families are powerless and can never solve their housing and poverty problems alone. If we go with individual land leases and individual plot ownership, each family is on its own, there is no collective force in the group. Poor people as individuals are weak, even when they have upgraded housing and living conditions. Individual titling for the poor may not only leave poverty unsolved, but it will strengthen the very market that has excluded them in the first place.

With that kind of experience and knowledge, we know that when we develop a housing project, we have to build a system among the people at the same time. And the key to ensuring that a community will continue in a strong way is a collective land arrangement.

Brenda: How have these market pressures acted on Baan Mankong projects?

Somsook: In a way, the collective tenure freezes the selling of land. But there are several Baan Mankong projects that have been asked to sell out, in their entirety. In one of the canal-side projects finished just a few months ago, for instance, the cooperative was offered one million฿ (approx. 31,000 USD) per house, when the people's investment had been only 300,000฿ (approx. 9,500 USD). The value of that housing had tripled in just two months!

We also have several projects where people developed their housing in the heart of the city, and were very proud to have made the projects possible. In one of the early land-sharing projects, after some years, the surrounding area became highly developed and developers wanted to purchase the whole community for 200 million฿ (approx. 6 million USD). For more than ten years now, the community leader has been fighting against being bought out. She asked me whether the people in the community should sell or not, and I told her, ‘if the people in the community want to sell, they can sell. And with that big profit, you can buy another project, in a more peaceful area. You can repay all the remaining loan and make a nice new project with a lot of common space, a nice garden, a bigger property’. That is now under consideration. We have similar projects where the market wants to buy off the whole project. But it is not easy for the buyer. Dealing with people is not an easy thing to do, believe me! They were illegal before, they lived in very dilapidated conditions, and now the whole thing has changed into a nice environment that they built with their own hands, with their own effort. It is not easy to get them out. There is a lot of psychological attachment. It is the first legal, secure land tenure in their lives. It is a big, big thing for them. They don’t let go of that so easily.

3. Collectiveness at the basis of better societies

Brenda: Collective land tenure is therefore a mechanism to bring and keep communities together. But the rules associated with these types of arrangements can also be seen as restrictive of personal freedoms, in a world that is becoming more and more individualistic...

Somsook: I know that this way of development doesn’t match the current market system. You could even say that it goes against it. We also found it a bit difficult and struggled at the beginning. But once the collective land concept caught on, and some projects were built, it has been easier. Communities now see collective land ownership as a way of building a new form of security by themselves. They know that with the Baan Mankong programme they are to be communal owners. If someone is not happy about this basic rule, they have the option of the National Housing Authority (state-led social housing projects) or the private sector’s solutions. This point of the Baan Mankong programme is clear to all communities now. Everyone wants to be free, of course. But collective land tenure doesn’t stop people from being free to do what they want with their houses. If they want to sell and move away, nobody is stopping them! That is one of the functions of the cooperative, to facilitate any buying or selling of units among the members. Cooperative land doesn’t chain people to a place if they want to go elsewhere.

However, the balance between collective protection and private freedoms, that is something that has to be thought through. Communities give people more freedom and support than burdens and restrictions. Communities become an intermediate, practical and beneficial development support mechanism for vulnerable poor families, in a society where all the formal systems still function badly. Governments are too centralized, there

is too much corruption, the private sector is too strong, there are huge gaps between the rich and poor, the urban and rural, etc.

Another problematic idea is that people want their own land as their personal asset. This assumption of land as being a private asset is so common that nobody questions it. As most of us are planners of some kind, we need to have a vision of how our society could look like in the future. What happens to social development and culture in a market-driven system? Today, people come to cities and move into private housing projects or condominiums, and live inside their locked units, with no relationship to each other. Where are those horizontal spaces and opportunities for people to interact now? People in Asia used to have so many ways to interact with each other, but today market forces and the western culture of individualism have seriously worn out this social fabric. It is like that in most cities now – *except in slums*.

Keeping the community cooperatives lively is a much more crucial part of the process, and that is much more difficult than land, housing or infrastructure! It is difficult because these kinds of collective community management and collective support systems go against the individualistic trends in our world. We are going against the powerful tide of individualistic capitalism. We should not let ourselves be carried away by aspirations of economic growth and efficiency, because we lose the real essence of why we actually want development in the first place.

Brenda: How much does this cultural tension between collective and individual values affect the urban poor's acceptance of collective land tenure?

Somsook: There are several reasons why it is easier for poor communities to adapt to collective ways of living. In the past, rural areas would have some sort of common lands which couldn't be sold. Forms of collective land were not imposed, but most communities lived together in villages with some kind of community forest or shared areas for farming together. When the market became the main management system, it interfered with that way of thinking and changed that kind of wealth. From then on, everything could be bought and sold, even public land which is supposed to be for 'the public good'. The introduction of an individual land titling system, and the shift to treating land as a commodity, have brought about serious problems for those simple traditional collective uses.

I think that when it comes to collective land, the poorer people are, the more easily they take to that collectivity; by the same token, the richer people are, the more they will resist it. Collective land tenure helps us in seeing land as a crucial asset for living and holding a community of people together. The power of owning land collectively is that everything on that land, and all the related social systems, can be organized and managed by people together. In the absence of functioning local administrative systems, community-owned land can help bridge the huge gap between the poor and their larger society. More than a controlling mechanism, I see collective land as a tool to strengthen the poor and expand their freedoms as a group.

There is a psychological and cultural side to this also. Once a group of poor people have land tenure security, that land signifies a change of class for them. They have moved from the lower to the middle class. Land draws a line between sharing something precarious and owning something solid. It is a social and cultural line that separates their former collective lives, as poor people who needed each other to survive, and their new lives as members of the middle class. They can now go inside their houses and lock the door. But when poor communities get individual land titles, they may suddenly have the status of individualistic middle-class people, but they're still poor, still vulnerable in many other ways. Tenure security can become the line between the stick-togetherness of poverty, and the stay-aloneness of the middle class. Collective land tenure helps to keep that collectiveness alive.

4. The role of the state: strengthening the collective spirit

Brenda: What is the role of CODI, the government agency in charge of this programme, in all these processes of community organization and 'building collectiveness'?

Somsook: CODI is meant to develop community organizations; it is not a housing development institute. Luckily! We focus on people. For people who are poor, especially in urban areas, housing is a key issue that contributes to development. But if you look at the housing sector across the world, you will see that all they are interested in is the houses; physical housing, materials, design, unit costs, density, affordability. Their focus is not on the people who will live in that housing unit, but the unit itself. They are also not looking at the communities as a whole, or at the social systems of the people who will be coming to live in those housing projects, or the form of community or society that is going to come out of those housing projects.

In any slum community, the most interesting part is the people, if you are able to see them as the *subject* of development, not the *object*. If you are able to recognize that those people are already delivering the world's largest stock of housing for the poor, you will see that this is where the real energy to deal with all the other challenges of poverty and exclusion in our cities is. Communities are full of interaction, rich in ideas and resourcefulness and spirit. Communities have a soul, just as people do individually. When a person is in a good mood and her spirits are high, she can do anything. It is the same with communities. We just need to make sure their collective spirits are high, and that that energy is allowed to flow.

How can we unlock that spirit? How does this group of people bring their energy and potential into active play? An external actor like CODI can only stir up that energy, heighten the spirits, bring out the human capacities in communities, and make new spaces for community people to deal with whatever practical and material issues come up in the course of their community life. That requires a lot of sensitivity, creativity and adaptation.

In practical terms, CODI provides the finance and support for community people to form mechanisms which allow them to work together in different ways and at different scales:

area-based networks, issue-based task-forces, sharing platforms, working sub-groups and horizontal structures which link networks. All these collective mechanisms allow people who are good at something or with common interests to come together as equals, share and help each other. In these ways, community-based organizations don't have to stand alone – all these other collective mechanisms allow power to be distributed and make community organization more diverse and inclusive.

When a housing process starts, we look at how to make housing affordable as a way to build stronger communities. Not the other way around, not building housing that undermines communities for the sake of affordability. For CODI, housing is a key element which allows people to legalize themselves, exercise their citizenship, become stronger, and create new social support systems. I often say that when a community develops its own housing project, it is like making a new country. Once they negotiate a piece of secure land, they have a brand-new country to live in together. They can set their own rules for how they will live together. They can organize the common spaces and the social life of that new community in ways that are totally different from other places in the world. They can even decide to grow trees with yellow flowers all over, if they like. Thinking about housing this way is a lot more exciting than just looking at unit size and affordability.

Brenda: The way CODI and the Baan Mankong programme work is quite unique in the region. How replicable is this way of doing things?

Somsook: CODI has learned from the region and the world too. When CODI first started, we learned a lot from some European coops, particularly in Germany, from the CMP (Community Mortgage Programme) from the Philippines, from Jockin [Arputham, from the National Slum Dwellers Federation, NSDF] and our colleagues in India. We are learning all the time and in a continuous process of building, re-evaluating and adapting CODI and the Baan Mankong.

Having a government institution on board is very important. Many of our friends who are part of the ACHR network are NGOs and community networks, working on a large scale in their countries. The Homeless People's Federation in the Philippines, for example, works in some 20 cities now, and the Women's Savings Cooperatives in Nepal operate in 23 cities in Nepal, with their NGO partner Lumanti. An NGO or a community federation can do a lot, but when they have the backing of a public institution, they can do much more: community-led development can be institutionalized and become the housing delivery system of the government and the channel for many other poverty-related programmes. But the support of a public institution is only one of many factors that can make a community-driven housing process to take root and thrive.

I see it like traditional medicine. The remedy is made of so many different ingredients that put together, help the body heal itself. It is the same with being collective. If communities want to heal themselves, they need a number of ingredients. In Thailand, we mixed many of them to produce the Baan Mankong programme, but the recipe, the ingredients, the quantities will have to be different in other places, according to their context.

However, a few ingredients are essential to this medicine: 1) people and communities are at the centre. There is a system of small working groups, task-forces and citywide and national networks as the base of everything else. As long as we focus on the people, everything else can be adapted; 2) community finance (savings and credit) systems that work hand-in-hand with these collective people's systems at all levels; 3) access to flexible external finance (linked to the community's internal finance, through their savings groups); 4) collective land tenure and a legal system that enables land to be collectively owned or leased without much regulation; 5) working partnerships with local authorities and other local development actors (NGOs, architects, planners, universities); and 6) real understanding of participatory planning and construction. Good architects help the people become the architects and planners of their new communities and their new housing themselves, and make it affordable and decent. All these very different aspects put together are the essential medicine that strengthens the collective spirit.