

The Northern Thai Land Tenure System: Local Customs versus National Laws

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Although the Thai government's 1986 Land Titling Project was designed to enhance security of tenure, promote efficient use of farmland, and increase agricultural productivity in Thailand, a study of villages in Chiang Mai province suggests that the project—in conjunction with population growth, rising land prices, and increases in commercial crop production—may have stimulated conflicts among villagers, encouraged rural indebtedness, increased small farmers' risk of losing their lands, and exacerbated economic differences between rich and poor. In order for the Thai government to realize the expected benefits of land titling, it should also prevent the accumulation of large estates by limiting the size of landholdings and should provide security for small farmers by guaranteeing prices for agricultural commodities.

In 1986 the Thai government launched an ambitious land development program to accelerate the issuing of title deeds to agricultural land. The objectives of the Land Titling Project are to enhance the security of agricultural landholding and to promote more efficient use of farmland to increase productivity. But the program may be both positive and negative in impact, because the issuance of land titles touches on all aspects of the people's lives in rural society. Traditional village life is based on communal structures and kinship systems, while land titles stress individual rights, which are tied to legal protection and the market economy. The new system may create conflicts among relatives and among different economic groups, social injustice, and the failure to keep small farms economically viable.

To understand the impact of development, particularly the Land Titling Project, we will look at changes in land inheritance and the security of landholding that underlie relationships within rural communities and between rural communities and the government, with a focus on villages in Chom Thong District, Chiang Mai Province, which I studied in August and November 1988.

Characteristics of Landholding and Agricultural Production System

In northern Thailand villagers divide their landholdings into four types according to use; *thi ban* (household plot), *thi na* (paddy land), *thi suan* (garden, for growing vegetables and fruit and other trees), and *thi rai* (land for field crops). Farmers often switch land from one use to another in response to market conditions and may improve land without reporting it to the authorities. Consequently, official documents do not always reflect the type and true value of the land.

Besides these types of privately held land, there are public lands: cemeteries, watershed areas, land along watercourses, abandoned temple land, community forests, and so forth. As other available land became scarce, these public lands have been encroached on and included among individual landholdings. Farmers are even issued land documents or title deeds, for these holdings, with resulting conflicts and problems.

The four types of private landholdings are found in most northern villages, with variations according to topography and history. In one village in Tambon Sob Tiew on the banks of the Ping River, there is a limited area for household plots and paddy land. Household plots average less than 1 *rai* (0.4 acres), and paddy land averages only 3 *rai* per household. Garden and field-crop land lies at a distance from the village; most of the village land is used for longan orchards.¹ In contrast, one of the villages in Tambon Yang Khram is on a large flat stretch of land at the foot of the hills. There the farmers have larger-than-average landholdings: household plots of more than 1 *rai* and paddy lands of almost 5 *rai* per household. Field-crop land was formerly reserved forestland, but it is now an Agricultural Land Reform Project area. The villagers received land allotments of 5 *rai* per household, and the owners devote some portion of this to gardens. In general, the landholdings of northern villagers are very small compared to those of farmers elsewhere in the country. The largest paddy holding is not over 30 *rai*, except in a few areas with a special history of paddy land expansion.

Field-crop and garden land can still be expanded a little more into the reserved forests toward the foot of the hills, but paddy land cannot be increased. Around some villages the paddy land has even decreased owing to its conversion into residential land, and households whose heads are younger than 30 years old often have no farmland of their own. Many households in the villages that I studied had no paddy land. Of the 172 households in *muban* (village) 13, nearly 50% (85) possessed no paddy land. This proportion is similar in Tambon Thung Satok, San Pa Tong

¹ The longan is a fruit much like the lychee.

District, which is not far away and which was studied recently by Chamaree Phithakwongse (1987:15). In other nearby villages the proportion of villagers who do not own paddy land is also high and has been for a long time. In fact, many rent their paddy land from absentee owners (Bilmes 1974:25–27).

The number of households not owning paddy land has increased substantially with the immigration of people who hope to receive land distributed in the land reform area. In muban 4, Tambon Yang Khram, 30 families of the Lua ethnic group immigrated from the hills. In a village with only 110 households (after arrival of the immigrants), this meant a major increase in households with no paddy land. Members of the landless households cultivated field crops and became wage earners in the agricultural sector. The number of landless laborers increased substantially, particularly in the longan harvesting season and in the dry season, when it is time to plant dry-season crops. In fact, landlessness has increased in the progressive agricultural area of Tambon Yang Khram, resulting in high competition to rent paddy land and a subsequent increase in rental rates. The rented fields are small, so the average size of landholdings remains small.

New households that separated from households with adequate paddy land may continue to cultivate land with the original household. Otherwise, the new household may rent land from neighbors under various arrangements. More paddy land is rented in Tambon Yang Khram than in Tambon Sob Tiew, where the land is less concentrated and the paddy fields less fertile.

The paddy land in both Tambon Yang Khram and Tambon Sob Tiew is double-cropped. Rice is grown in the rainy season. In Tambon Yang Khram, the farmers grow a native variety of rice that is photosensitive and can be harvested within three months, giving them more time to grow market crops during the dry season, when tobacco and chilies are commonly planted.

Most of the villagers' income comes from longans, and they tend to encroach nearby upland areas to plant the trees. In addition, villagers who own small plots of land where they grow longans have enough time to earn a good income from outside the agricultural sector, especially from wage labor (Chamaree Phithakwongse 1987).

Conflicts over Land Inheritance

Inheritance is the most important means of land transference in the northern village communities. The inheritance of paddy land in particular is related to belief in ancestral spirits called *phi pu ya* (grandparent spirits) and to marriage, but patterns of inheritance have been changing in recent years.

In the past, land, especially paddy land, was kept by a kinship group who believed in the same grandparent spirits, and it was kept within the descent group through matrilineal inheritance (from mother to daughter). A man entered the descent group of his wife's grandparent spirits when he married and moved from his parent's house to the house of his wife's parents. Sons inherited movable property, such as money and cattle, while the daughters inherited land. Females remained in the house of their birth. Kinship groups with the same grandparent spirits controlled the paddy land of their descent group by controlling the selection of marriage partners for the females of their descent group.

Northern villagers believe that land is descent group property and should be inherited by descent group members. Single members cannot inherit land and must live in their parents' households until death. Many families used to keep land in their own kinship groups if possible, so many descent group members, especially females, remained single. This practice was usually found in groups with large holdings (Anan Ganjanapan 1984).

In any case, land belonged completely to the offspring after the parents passed away. While the parents were alive, they divided their land among their married daughters, if they had large enough holdings, for the daughters to work with their husbands. The couple gave a portion of the produce to the parents, either in a fixed payment called a *kha hua* (head value) or in the form of *kan tham na pha* (divided paddy cultivation), which meant giving half the total produce to the parents. Divided paddy cultivation can be seen as a type of gradual inheritance. Such arrangements between parents and married offspring accounted for much of the sharecropping in the north. At present, a married son also receives a share of the paddy land. As the available paddy land of each descent group becomes reduced over the years, the wife's land alone is often insufficient for the couple to live on. Equal division of inherited land among both male and female children has occurred over at least three generations.

Thus, land is now shared equally among male and female children. At the same time, the portion of the land that remains with the parents is not always inherited by the daughter (usually the youngest) who stays at home to care for them. Each child may help look after the parents, in which case, especially among poor households, the parents' portion is sold to cover the funeral expenses. The opportunity to buy this last piece of land is offered first to the children. If any of them can pay the funeral expenses, he or she inherits the land. Instead of the married children all contributing to the funeral expenses, as was common before, parents must keep a portion of land to cover the cost.

This trend reflects a major recent change in the family cycle. Children with families often separate from their parents' households sooner than before, because they have a chance to buy their own land or become wage earners. They do not then have to remain dependent on their parents. In some cases, none of the children remains at home to look after elderly parents. Some older couples adopt a nephew or niece to look after them in their old age. According to tradition, this relative would have the right to the couple's remaining portion of land, just like any other child who cared for them until they died. But these days the situation is likely to cause inheritance problems, because adopted offspring are generally not legally registered.

In families without enough land to divide among the married children, the parents give the rights to the undivided land to all their children's families, who then help with paddy cultivation and store the harvested rice together. They share the harvest according to need. The situation is different, however, if the land can be used in the dry season—that is, if it can produce two crops a year. The parents then let their children use the land in the dry season without sharing the produce or any income from the dry-season crops with the parents. When the parents die, the land is shared equally among the children.

Some families have such small holdings of paddy land that partition would leave the children with parcels too small to cover production costs. Consequently, a custom known as *sui* has emerged: buying and selling among brothers and sisters. Under *sui*, a brother or a sister has the preemptive right to buy the undivided inherited land. The buyer can pay the siblings in installments. In addition, the selling price may be a bit lower than if the land were sold to outsiders—certainly, no more than the market price. *Sui* helps keep rice farms large enough for efficient production.

Sometimes, too, in families with large landholdings, the parents distribute a part of the land before they die in order to prevent conflicts over inheritance. In other cases, the parents may be heavily in debt, and so sell their land to their children, who thus obtain immediate rights to the land. The children are sometimes willing to pay more than the market price for the land, which not only helps the parents but also keeps the land in the family.

Husbands and wives inherit separately, and their ownership of their respective portions is recognized by local custom. Traditionally, married couples did not register their marriages with the government. Each partner was thus able to maintain full control over his or her portion of the land. If the marriage is registered, the land is considered matrimonial property, with the husband legally controlling the joint property. If the marriage is not registered, both partners can own and control their property sep-

arately. A woman whose husband has other wives can then make sure that her own children inherit the land. A man's land is treated in a similar way (Potter 1976:130).

Principles of Inheritance

At present there are several unwritten principles of land inheritance, which represent changes or improvisations to the general tradition.

1. The owner of the property has the right to give it to anyone he or she wishes.
2. The children who look after their parents in their old age receive a special share of the land after the parents' deaths.
3. Each child has the right to receive an equal share of the inheritance, which includes any inheritance that the children may receive from others in the parents' descent groups.
4. Husband and wives retain the right to restrict the inheritance of their own property to the children born to them.
5. The property owner normally transfers full property rights to his or her heir(s) only after death, but he or she may give usufruct rights before death.
6. Married sons who have already received property other than land are expected to relinquish claims to the land to their sisters.
7. The property that a married couple obtains while living together is passed on to the children born from that marriage.
8. Some sons and daughters are given the right to buy portions of family land from their parents in installments.

The last three principles were formulated to prevent farms from becoming too small, which can occur when equal shares of small parcels are given to each child. Principles 1 and 2 have been accepted by law, but some of the other principles have not yet been. Most villagers are likely to accept principles 3, 5, and 2, in that order, and to follow the other principles in practice.

Basically, the children accept that they share an inheritance. If a disproportionate share goes to one heir, the others object. In practice, to avoid conflicts over the land, the distribution of the inheritance is determined while the parents are alive and involves consultations with all the offspring. Older relatives and village headmen are sometimes invited to be witnesses. Generally the allocations are made orally. Only a few parents prepare wills. The majority of those who make wills are very rich, holding large pieces of land and having children born from several marriages. Villagers also record intended land distribution by changing the names in the land documents (see also Turton 1975:307–8). In a village in Chiang Rai the villagers also believed that children would be condemned by their parents if they fought over land

and did not follow the agreement. As a consequence, there were few conflicts over land inheritance (Turton 1975).

The eight principles often conflict with one another in practice. Paul Cohen (1981:175) describes a conflict in San Pa Tong District that arose from differing opinions about principle 6. When one man married, he accepted his inheritance in cash and cattle instead of land and moved to another district. In doing so, he gave up his claim to land to his younger sister, who remained at home. Problems arose when his children did not accept the agreement and sued for what they claimed was their land. The affair ended in murder.

Disputes and impasses over inherited land arise from two types of conflicts:

1. Conflicts between traditional practices and principles, where only the principles most useful to the conflicting parties are selected
2. Conflicts between legal principles and traditional principles or practices

Disputes over inherited land have increased among relatives since the government asked villagers to turn their land documents into title deeds. Previously villagers had little interest in formally transferring land rights to the correct owners. Disputes arise, however, when the villagers want to use their land documents as collateral or for other business, for the law does not accept many of the traditional arrangements. The conflict between traditional principles and the legal principles has become in some cases an obstacle to the issuance of land titles. When the names of deceased people remain on land documents for several generations, there are likely to be many descendants, all considered to be legal heirs. Each heir must sign the document to give legal ownership to those who obtained the land by traditional principles. Some heirs see doing so as a burden, or they feel that it is not to their advantage, so they refuse to sign their names. Consequently, the issuance of titles to household land, implemented in several of the study villages, was delayed, and title deeds could not be issued to persons who received rights to the land under customary practices.

Security and Conflicts in Landholdings

Type of land tenancy is related to land use. The extent to which the type of landholding creates efficiency in production depends on secure tenure of the land. Various societies have tried to develop laws and regulations to support the forms of security in landholding that are appropriate to the level of societal development. If economic conditions change faster than the supporting system of land tenure, efficiency of land use is directly

affected, as are relationships among different groups or classes, which in turn affect the development of the society as a whole.

Older villagers explain that they used to believe that landholdings were secure under the system of traditional practices, which emphasized the usufruct rights of kinship groups, rather than individual owners. On the basis of common acceptance by the community, the community would assure the rights of the kinship group as long as the group continued to cultivate the land and pass it on to kinship group members for continued cultivation. Such rights reverted to the community whenever the kinship group abandoned the land. Other community members would then be given the right to use the land for cultivation.

Setting clear boundaries to landholdings was among the measures to assure secure holdings. The kinship group using the land simply indicated that the land was being cultivated. After cutting down the forest, the group had to grow crops to rightfully occupy the land. Dikes had to be made for paddy land; they were built and required annually. If the boundary dike from the previous year was not damaged, the family in the neighboring field might not join in repairing it, because the main principle in assisting others was the mutual benefit gained from the work.

For the most part, the villagers did not use boundary poles, because they did not believe there was any cheating about the boundaries. Until recently, a few big wooden boundary poles were used in the few areas where people felt that markers were needed. In the past, the villagers simply relied on accusations to prevent cheating by, for example, moving the paddy dikes a bit each year. Such changes had not created problems of land security, because most villagers still engaged in subsistence farming rather than commercial production and relied on consensus among themselves to resolve disputes. They exchanged labor in paddy cultivation and tried to avoid conflicts that would threaten their livelihood.

Land demarcation often depended on natural features as well, such as streams, rivers, and irrigation ditches. Although these features often changed, land security was not seriously affected. There was always more land to be cleared. What was most important was that the community guaranteed use of the land. The boundaries were flexible, based on mutual agreement, which was founded on practical principles in harmony with the natural changes of the land.

Nor were there fences to mark the boundaries of household plots, because the area around the house was a common living area for groups of relatives in several houses. Tree planting and vegetable growing in home gardens were done jointly by households in the group. As much land as each happened to use was considered the home plot of that household. Later, some villagers began to use trees to indicate boundaries. Fencing off house-

hold plots is recent, begun when the area for house construction became limited.

The increase in commercial crop production that started about 30 years ago has led to an increase in land boundary disputes. Now wooden poles are used to mark boundaries, but there are still disputes—even murder in one case in which a relative moved a boundary pole.

No land documents were ever issued in Chom Thong District until the Land Act was officially proclaimed in 1954. It specified that if landowners did not report their holdings to land officers within 180 days, the government would assume that no one occupied the land. People who reported their holdings received a temporary document, generally known as the S.K. 1. After the Land Act of 1954 was amended in 1967, the villagers could no longer use the S.K. 1s officially, for they no longer gave any rights to the landholders. The majority of villagers who held S.K. 1s changed them into the new certificates of land use, the N.S. 3s, when the land was transferred or when it was bought or sold, and the transaction was recorded according to the law. Otherwise, villagers thought converting the land document was a waste of their time and money. But when land prices started to go up, the villagers who owned large tracts of paddy land generally converted their land documents into N.S. 3s.

In 1978 the government began to issue land documents called N.S. 3Ks, with the land boundaries determined from aerial photographs. These documents were more accurate than the earlier N.S. 3s. In 1986 the land officer in Chom Thong District began to conduct surveys to issue title deeds for household land in the study area. Some villagers asked the officer to conduct surveys to issue titles for other types of land, such as paddy fields or gardens. Since then, almost all the household land documents have been changed into title deeds, except where relatives could not agree on the distribution of inherited land.

In the land registration book of Chom Thong District, paddy lands, other field-crop lands, and gardens are still more likely to be registered with S.K. 1 documents than with any other type of land document, with the exception of paddy land in Tambon Sob Tiew, where more plots are registered with N.S. 3s. Most villagers are satisfied with S.K. 1s and are not interested in converting them into N.S. 3s or N.S. 3Ks. They are, it seems, confident of the security of their land tenure based on traditional principles. The villagers believe that they will lose some control over their land, particularly in distributing their inheritance and in buying and selling the land, if they convert their land documents. They prefer, however, to change their land documents from S.K. 1s to N.S. 3s if their inheritance practices coincide with the law. With so many conflicts between traditional inheritance practices and the law, many villagers prefer to keep their land

with S.K. 1 certificates and then give the land as an inheritance without transferring ownership rights to the names of the heirs. This preference fits with traditional practices.

In Tambon Sob Tiew the proportion of N.S. 3 documents for paddy fields increased to 73%, reflecting the increased legal land transfers with outsiders, which include buying and selling land and using land documents to guarantee loans. It also indicates that more land is bought and sold and that the villagers have turned more toward market crop production, which requires increased credit. At the same time, there seems to be little problem with the distribution of inheritances and few conflicts between tradition and law.

A change in the basis of land security from traditional principles to legal ones not only changes the basic control of the land—from control by the kinship group and the community to control by the law and thus the state—but also changes the principles of landholding from those of usufruct to those of proprietary rights. This change is clearest with the issuance of N.S. 3Ks and title deeds. The S.K. 1s and the N.S. 3s are considered to assure the right to use land. They still give villagers an adequate opportunity to use traditional principles of possession and security with support from local leaders. If they already have these types of documents, they feel moderately secure in their land tenure and have less interest in obtaining other N.S. 3Ks or title deeds. They do understand the differences between the documents, especially in using them as collateral for credit, but are not eager to request the conversion of their land documents to title deeds. Because some villagers think the government is most strongly behind the title deeds, which, indeed, are more useful to the people, they are likely to convert their documents to title deeds if the government provides the necessary facilities and services near their homes.

Although the villagers in the study area generally feel uncertain about converting their documents, the conditions of landholding have changed so much that at times the traditional principles can no longer resolve problems, especially in cases of cheating on land boundaries, which occurs now even among relatives. Land prices have increased dramatically with the production of cash crops as a second crop in the paddy fields, and limited opportunities for expanding cultivation into new land have driven up land prices. Many villagers therefore see the benefits of title deeds in helping to maintain land security and prevent land disputes. The baseline study conducted by the Center for Applied Economic Research, Kasetsart University (1988), shows this to be among the main reasons that people in the northern region want title deeds. The findings were different in the northeast, where villagers felt that title deeds were a better guarantee for credit. Northern villagers saw less benefit in the title deeds for

credit than for security. In addition, villagers in the north believed that title deeds would help raise land prices.

Even though the villagers understand the use of title deeds, several problems were found in the issuance of titles to the villagers. By and large, the villagers think that they will incur high expenses, which would not cover the expected benefits. The title deed does not confer new use rights. This problem may be solved by providing title conversion services near communities, but other problems cannot be so easily resolved. These are problems concerning disputes between tradition and the law, as well as disputes over the difference in benefits to the government and to the villagers.

The first type of dispute mostly relates to inheritance; that is, the villagers are not likely to transfer land rights through inheritance if the distribution of land according to tradition is contrary to that stipulated by law. The legal heirs are not interested in participating in any formalities of land documentation if they do not receive any of the benefits, so the officials are not able to issue the title deeds. Similar cases are likely to arise when land is bought and when there has been an oral agreement but no immediate transfer of land documents, especially when the original owner has died. Sometimes land has not been distributed among the heirs because the disputants on one side followed traditional principles and those on the other followed the law.

The second type of dispute that has made villagers uninterested in converting their land documents to title deeds concerns the land surveys that are necessary before titles are issued. Problems arose when the villagers claimed more land than the government officers recognized or when the government did not recognize the ownership of certain types of land, such as reserved forestland, some types of public land, and land along the rivers or irrigation canals. Conversion would lead to villagers owning less land.

By and large, the villagers are uncertain about the survey methods and principles used. The villagers allow land boundaries to wind and bend naturally, while the officials require straight lines. Differences in the calculation of land area result. In one case the villagers did not accept a survey because the government calculated a greater land area than they themselves had. They did not accept the N.S. 3K because they would have had to pay more taxes, higher wages for paddy land preparation, greater irrigation fees, and so forth. Occasionally, too, in making straight-line surveys, the officials include types of land that the villagers do not want, such as land with an abandoned temple or a stupa, which might be regarded as sacred land.

The villagers in the study areas generally have positive attitudes toward the Land Titling Project because they realize the immediate benefits, including increased security of land tenure,

prevention of disputes, facilitation of credit, and increased land prices. In practice, they hesitate to convert their land documents to title deeds, partially because of conflicts with traditional land-tenure principles and because they themselves would not benefit, but more important is the impact of accelerated land entitlement. The impact was evident in the villages studied, because the government had already issued most of the title deeds for household lots.

First, disputes among relatives have increased; there were so many fights over land that some villagers said they did not want titles if such problems might occur in their families.

Second, with the issuance of land title deeds to economically disadvantaged persons, it became apparent that without other careful means to guarantee land tenure, a title that increases land tenure security in one group in society may have just the opposite effect in other groups. When the government provided security of tenure to landowners by issuing titles guaranteed by law, the existing tenure system based on tradition and supported by the kinship group and the community changed substantially. The change from usufruct rights to individual rights took the security of tenure away from family and community and placed it under the law and in the broader political-economic system, both of which are outside the community and over which the villagers have very little control. The change severely harmed the security of land tenure for the economically and politically disadvantaged groups, especially the small paddy farmers. When the news was spread in the study area that there would be a land-titling program for the villagers, business people from outside the community expressed interest in buying land. Land prices rose, and villagers sold some of their land. Buying and selling land used to occur only within the community, because the sale of land would mean the loss of livelihood for the poor farmers.

Landholding rights that rest in the individual tend to make holdings more sensitive to market forces; when rights were under the control of family and community, the emphasis was on using the land for household production or for housing. When individual rights became prominent, the value of the land increased, and the land became a commodity in itself—a guarantee for credit or an object to buy or sell. The title deed, then, has immediate uses; it can cause an increase in land prices or guarantee a large agricultural loan from a formal institution. In the long run, it may not provide security of tenure as intended.

Title deeds are also used in securing loans for purposes not connected with agricultural production. A title deed can be borrowed by children or other relatives to guarantee bank loans to pay to arrange overseas jobs or buy a car. This use of title deeds can easily lead to forfeiture of the land if the loans cannot be repaid. It certainly does not directly improve the efficiency of ag-

ricultural production (see Center for Applied Economic Research 1988:ch. 8).

Land titles alone are not sufficient to provide security of land tenure under the present economic system, where a large number of poor farmers are faced with low prices for their agricultural products. To support security in land tenure and to encourage farmers to improve productivity, the government must implement additional policy measures. Otherwise, the land-titling process may accelerate the loss of farmers' land and decrease the security of land tenure. Other measures may help to prevent such negative consequences:

1. Zoning, particularly in agricultural areas, to prevent the purchase of land for nonagricultural purposes.
2. Limitations on the size of landholdings to prevent widespread speculation. This could be enforced with progressive tax measures.
3. More policies to support farmers by reducing production costs and increasing the prices of agricultural products. This would keep farmers from going bankrupt and risking their land tenure security.
4. Expansion of land reform activities to include not only the distribution of land to people living in degraded forests but also to emphasize the allocation of land directly to the farmers who are presently tenants, so they can own the land they farm. Tenancy is extensive in fertile valleys throughout the north.

Conclusion

In Chom Thong District, where title deeds for household plots and for some portions of paddy land have already been issued, a majority of the farmers understand the benefits of title deeds, particularly the increased security in land tenure, the greater access to credit, and the increase in land prices. Yet some farmers still cannot ask for titles without losing traditional rights to hold the land or losing traditional benefits, and some do not want to ask for them because they are afraid of negative consequences. Consequently, the government must face delays in the titling process. The problems have several causes:

1. Contradictions between traditional practices and legal principles in relation to inheritance, demarcation of land boundaries, and buying and selling of land
2. Controversies between the government and the farmers over the survey method, land classification, and fees and other expenses
3. Disputes in families and among relatives caused by different opinions and different individual benefits, depending on whether the land is held under the traditional system or under the formal legal system.

These problems could be resolved by learning more about the traditional systems and rights in each locality and by organizing a committee to resolve conflicts—a committee that includes local leaders.

Farmers in the area have small landholdings and high production costs; they receive low prices for their products and face urban expansion and the expansion of business, industry, and rural tourism. The issuance of title deeds will not provide benefits equally to the farmers—neither security of land tenure nor access to credit. The title deeds support the principle of private land ownership, so landholdings will fall under the management of individuals. The impact on village life is multifold.

1. Because of the title deeds, the price of land increases, and small farmers are at greater risk of losing their land. Increased costs and lower prices for crops force farmers into heavy debt, whereupon they have to sell their good land to speculators from outside the community. The farmers move out to buy less fertile land, resulting in lower efficiency and lower agricultural production.
2. When the price of crops is low, the farmers tend to borrow money for nonagricultural activities or lease their land for rental profit. In such a case, agricultural production is not improved.
3. Land title deeds are used by relatives who are not the real landholders. In the case of small farmers who have insufficient land to share among all their children, family members use the title to borrow to invest in the nonagricultural sector. The farmers are then at risk of going into debt; if they cannot repay the loan, they could lose their paddy lands.

It is clear that land titling does not necessarily guarantee security in land tenure, nor does it necessarily promote greater efficiency of agricultural production. To reach the stated objectives of, and obtain the greatest possible benefits from, the Land Titling Project, the government should consider carrying out other measures at the same time:

1. Areas should be zoned according to type of land use.
2. The size of landholdings should be limited.
3. Farmers should be encouraged to increase production through guaranteed prices of agricultural commodities.
4. Land reform programs should be implemented to ensure that farmers own the land they cultivate.
5. Other types of land documents, not just those that certify private ownership, should be given for some types of land, such as public land and community forests, so communities can use and conserve these resources.