

# Legal Pluralism and the Regulatory Framework of Religious Property in Thailand: A Comparative Analysis of Buddhist Monastic Land and Islamic Waqf

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## Abstract

**Purpose:** This article aims to critically examine the legal status and management of Waqf property within the context of Thailand's pluralistic legal system, with particular attention to its scholarly significance and to ongoing debates concerning its interpretation and application compared to the robust state protections of Buddhist monastic land.

**Analytical Approach:** The discussion is grounded in a critical review of relevant scholarly literature and conceptual analysis, drawing upon established theoretical perspectives to frame the argument and situate the discussion within broader academic discourse by structurally contrasting the statutory immunities provided by the Sangha Act 1962 against the regulatory gaps within the Administration of Islamic Organizations Act 1997 and the Civil and Commercial Code.

**Main Arguments:** The article highlights key conceptual issues related to religious property ownership, focusing in particular on specific tensions, ambiguities, and contested interpretations that characterize contemporary scholarly debates in this area. Notably, it points to the legal vulnerability of Waqf being treated as ordinary private property, exposing it to secular liabilities such as adverse possession and judicial execution, which fundamentally conflicts with Islamic theological principles.

**Contributions:** The discussion contributes to ongoing academic debates by clarifying conceptual boundaries and offering analytical insights derived from the Buddhist property framework that may inform future scholarly inquiry as well as institutional and policy-oriented considerations. These insights propose a new legal architecture, including institutional bifurcation, purpose bound asset recognition, and the establishment of a National Waqf Authority.

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## Introduction

The Constitution of the Kingdom of Thailand guarantees religious freedom, both in religious beliefs and practice. At the same time, the Constitution establishes a state policy to patronize and protect Buddhism and other religions (Constitution of the Kingdom of Thailand B.E. 2560, 2017). These constitutional standing underscores the fact that Buddhism has long been the religion of the majority of the population and systematically integrates major religious organizations into government administration. Structurally, this reflects that Thailand is not a secular state strictly separating religious and secular affairs, but rather adopts a conciliatory patronage policy where the state continues to protect religious diversity while maintaining the status of the majority religion as a key national institution (Chantararat, 2019; Pariyutsarakan, 2022)

While Islam is not the national majority religion, Muslims constitute the majority population in southern Thailand. The nation's approach to religious diversity is illustrated through the creation of "state legal pluralism," which mandates the application of Islamic family and inheritance law, instead of the Civil and Commercial Code, to Muslims under the Act on the Application of Islamic Law in Pattani, Narathiwat, Yala, and Satun Provinces 1946, and the management of Islamic religious organizations under the Administration of Islamic Organizations Act 1997 (Chantararat, 2019).

However, in terms of religious law concerning Muslim way of life, beyond laws relating to personal status and inherited property, there is also a core principle of Islamic faith involving religious property law, namely "Waqf". The institution of Waqf represents a unique Islamic charitable mechanism that is fundamentally distinct from Western and Thai property concepts. It is governed by four interlocking core tenets rooted in "Divine Ownership": upon a valid declaration, the corpus ownership transfers permanently from the founder (Waqif) to God, while its usufruct is directed exclusively toward designated beneficiaries (Ikhyannuddin et al., 2022; Naknawa, 2018) This sacred proprietorship directly yields the critical legal characteristics of perpetuity and irrevocability, permanently divesting the asset from the founder's private estate (Boonchom & Assalihee, 2023).

Regarding laws concerning religious property, Thailand's Sangha Act has long been enacted and deeply ingrained in Thai society. It provides protection for Buddhist religious property, including land, and other religious assets, on par with public property (Pariyutsarakan, 2022). Waqf, conversely, remains within legal vacuum. Yet, Waqf continues to occur among Thai Muslim communities through practices such as donating land to mosques or religious schools, constructing buildings or charitable funds and dedicating them for religious use perpetuity (Naknawa, 2018; Noipom & Hassama, 2017). Due to the lack of specific law for Waqf in Thailand, when disputes arise, Waqf property is interpreted as ordinary private property

under the Civil and Commercial Code. This status inevitably conflicts with Islamic beliefs (Boonchom & Assalihee, 2023).

In light of the existing legislative gap concerning Waqf and the comprehensive statutory recognition of Buddhist religious property, this study aims to explore the legal standing and management of religious property. Specifically, the scope of this article contrasts the extensive state patronage afforded to Buddhist estates with the lack of comparable legal safeguards for Waqf property within the Thai legal system. In terms of the analytical approach, the discussion is grounded in a critical review of relevant scholarly literature and conceptual analysis. By structurally contrasting the statutory immunities provided by the Sangha Act 1962 against the regulatory gaps within the Civil and Commercial Code, this article analyzes the available information to address the absence of Waqf legislation in Thailand. The ultimate goal is to present the impacts of this legal void, leading to policy recommendations for a new legal architecture concerning Waqf.

## **Conceptual Context**

The underlying concept of this article is based on the legal pluralism of the state, focusing on the legal disparities in the protection of religious property in Thailand. Specifically, the Sangha Act has been enacted to protect Buddhist religious property, while a legal vacuum exists with Waqf property under Islamic principles.

The main point of debate is the nature of waqf and divine ownership. In Islamic jurisprudence, waqf is not merely a charitable donation or a gift in the legal sense, but rather a permanent transfer of ownership, continuing to benefit the public or a specifically designated beneficiary (Boonchom & Assalihee, 2023; Hayatullah et al., 2021).

Existing academic literature reveals inconsistencies between religious principles and legal interpretations under the Thai Civil and Commercial Code regarding property. Since Thai law does not recognize the concept of God's ownership as in religious beliefs, waqf property is treated like ordinary private property, potentially vulnerable to usury or alteration from its original religious intent (Boonchom & Assalihee, 2023; Noipom & Hassama, 2017). Conversely, the 1962 Sangha Act protects the transfer of property, stating that it can only be done through the enactment of a new law and is not subject to enforcement proceedings, nor is it protected from seizure of ownership through prescription (Sangha Act B.E. 2505, 1962). Scholars have noted that Buddhist property and land receive special protection, similar to public domain property, even though, in reality, such Buddhist religious property is not public property shared by citizens within the meaning of public domain (Pariyutsarakan, 2022; Suthamgosol, 2018; Taosakul, 2014).

By synthesizing these divergent legal realities, this article formulates a comparative conceptual framework. This analysis examines the relationship between the legal protection of Buddhist property and the legal vulnerabilities of waqf, proposing a legal model. Drawing upon a Buddhist framework, this article introduces "institutional segregation" and "purpose-bound property" as conceptual tools to address the tensions of legal diversity and bridge the gap between religious sanctity and state law.

### **Categorization and Acquisition Mechanisms of Monastic Land**

The current legal structure regarding religious property is governed by the Sangha Act of 1962, granting temples in Thailand the status of juristic persons. This allows temples, as legal rights holders, to own property, enter into formal contracts, and litigate in court through their legal representatives, namely the abbot (Sangha Act B.E. 2505, 1962). In Article 40 of the Act, the law categorizes "religious property" into two main groups.

1. Central religious property refers to property that does not belong to any particular temple, such as the land of abandoned or dissolved temples, or land donated to Buddhism as a whole. The law empowers the "National Office of Buddhism" to hold ownership and manage this such assets (National Office of Buddhism, 2024).

2. Temple religious property belongs to a specific temple and includes both real and movable property. The law empowers the "abbot," as the representative of the legal entity, to manage and utilize this property. Article 33 of the Sangha Act provides a further, crucial layer of detail by sub-classifying the immovable property belonging to a temple into three distinct types.

(1) Wat Land, representing the principal area under the temple's ownership and physical occupancy, including buildings used for religious ceremonies such as the ordination hall, vihara, and the monastic area or residence of the monks;

(2) Thorani Song Land, which remains under the full ownership of the temple but is not necessarily used as the principal area for monastic activities; Commonly, it is used to generate benefits or income for the restoration and maintenance of the temple and

(3) Kalpana Land is property in which the ownership of the land remains with the donor but the income or benefits generated from that land are permanently dedicated to a particular temple (Sangha Act B.E. 2505, 1962).

While the acquisition of Thorani Song land, located outside the temple's boundaries and not necessarily adjacent to the temple, may occur in various ways, primarily through dedication. Under Thai civil law, while the transfer of real estate generally requires a written and registration, the donation of Thorani Song land has legal effect even in the absence of such formalities (Office of the Council of State, 2015; Pariyutsarakan, 2022).

Similar to the inter vivos dedication, when a person makes a will bequeathing land to a temple, upon the death of the testator, the land immediately becomes Thorani Song land according to inheritance law. The Council of State has established that ownership fully transfers to the temple upon the testator's death, without the need for registration (Office of the Council of State, 2001).

The acquisition of Thorani Song land may occur through inheritance of Buddhist monks. According to Section 1623 of the Civil and Commercial Code, assets, including land, acquired by a monk during his monastic life, upon his death without disposing of them or a will, immediately become monastic property of the temple where he resided (Civil and Commercial Code, 1925; Pariyutsarakan, 2022). This constitutes the use of state power to reclaim wealth for the Buddhist religion.

Furthermore, Thorani Song land can also be acquired through commercial transactions. A temple, as a legal entity, can purchase additional land from private individuals to expand its temple land holdings through economic and civil law mechanisms. As well as acquisition based on general civil law, such as acquisition by adverse possession, or by the principle of accession.

Beyond various modes of acquisition, the most powerful characteristic of the monastic land management system is the strong set of privileges and legal protections enshrined in the Sangha Act, which elevates the status of religious land to that of public-domain property. Even in the legal status of Buddhist religious property in the Thai legal system, the legal perspective indicates that monastic property is not public property or state property under the Civil and Commercial Code, as such assets are not held for the benefit of the general public but are collective property generated from the faith of a specific religious group (Suthamgosol, 2018; Taosakul, 2014). However, given the social context where Buddhism is the dominant religion of the nation, the state enacted the Sangha Act to provide absolute protection to religious property. It prohibits the transfer of ownership except by enactment of a law, prohibits the raising of the statute of limitations as a defense, and exempts the land from enforcement proceedings (Sangha Act B.E. 2505, 1962).

The Sangha Act has established mechanisms for protecting Buddhist religious property, supported by precedents from the Court of Justice, which interpret the law's intent to safeguard monastic land. In landmark cases, the courts have firmly ruled that, regardless of how long an individual has occupied monastic land, they cannot acquire ownership or possession rights (Supreme Court of Thailand, 1954). Moreover, tenants leasing temple land cannot change their intention to claim adverse possession to acquire the land as their own (Supreme Court of Thailand, 1961). In addition, the courts interpret the scope of religious sites to include land surrounding cemeteries and used for burial according to religious principles, considering it monastic land (Supreme Court of Thailand, 1995). Even where land titles were

issued improperly by competent officials, the court can also order the revocation of such a title deed (Supreme Court of Thailand, 1988, 2002).

The sanctity of Monastic land also extends to the revocation of illegal transfer transactions. The Supreme Court has established a precedent that property acquired by a monk while in the monastic order immediately becomes the property of the temple upon his death, according to Section 1623 of the Civil and Commercial Code, and thus becomes Monastic land (Civil and Commercial Code, 1925; Supreme Court of Thailand, 1999). The executor's registration of a transfer or sale of such property violates the Sangha Act; therefore, the transaction is void, even the transferee cannot claim good faith (Supreme Court of Thailand, 1999; Taosakul, 2014). Furthermore, the court prioritizes the intention to dedicate the land for religion over the formality of a testamentary under the civil and commercial code. As the ruling stated, even though the document donating the land to the temple specified a will, if the will was not formally made and therefore void, nevertheless the court in this case considered the irregular will as a document expressing the intention to dedicate the land. Since the temple has already begun utilizing the land, it has become the full status of monastic land (Supreme Court of Thailand, 2010; Taosakul, 2014). The Supreme Court also affirmed the principle under Section 35 of the Sangha Act, ruling that temple property is not subject to enforcement proceedings, even if a settlement agreement is reached in court, the monastic land remains protected from seizure and auction under the judgment (Supreme Court of Thailand, 1997).

The Thai judiciary strictly enforces the prohibition of transferring monastic land without legislative enactment, even in disputes involving state agencies. For instance, the Supreme Court ruled that a temple permission for a government agency to build a public school on ecclesiastical land did not constitute a donation or relinquishment of rights. Consequently, the issuance of a state property title deed for that land was deemed illegal and revoked (Supreme Court of Thailand, 2002). While private individuals cannot claim adverse possession over ecclesiastical land, the courts allow temples, as juristic persons, to acquire land through adverse possession, nevertheless the possession began prior to their official establishment as a temple (Supreme Court of Thailand, 1980). Ultimately, these stringent legal measures and judicial precedents establish a robust safeguard for Buddhist properties, shielding them from the vulnerabilities of market mechanisms and ordinary private property laws under the Civil and Commercial Code.

### **Buddhist religious Asset Management Structure**

The management of Buddhist religious assets is governed by a legal mechanism that integrates Buddhist doctrine and discipline. The Sangha Act of 1962 designed a two-tier management structure (Sangha Act B.E. 2505, 1962). In terms of “central religious property,” the state has completely centralized the management of these assets into the bureaucratic system, designating the “National Office of

Buddhism” as a public legal entity holding the central religious property (National Office of Buddhism, 2024; Sangha Act B.E. 2505, 1962). This structure is also governed by a national budgetary mechanism, which requires the National Office of Buddhism to prepare an annual budget for central religious assets, subject to approval from the Supreme Sangha Council.

At the second-tier level, the state decentralizes administrative power to temples managing “temple religious property,” which is the exclusive property of a particular temple. The law decentralizes this administrative power to the local level, granting temples legal personality and designating the abbot as the sole representative (Sangha Act B.E. 2505, 1962). However, in practice, abbots are limited by monastic rules to manage material assets for economic purposes (Junsontima, 2014). Therefore, the law has created innovations to bridge the gap between sacred spaces and the commercial world. The Ministerial Regulation on the Care and Management of Temple Property 2021 allows abbots to appoint a “temple administrator” and “Waiyavatchara” to manage the temple's accounts and expenditures (Ministerial regulation on the care and management of temple ecclesiastical property B.E. 2564, 2021).

### **Preliminary Observations for Linkage to the Waqf System**

The Thai legal framework grants Buddhist monastic estates robust protection akin to public property to ensure their preservation for religious purposes. However, this stringent protection paradoxically results in management stagnation and economic inefficiency. Centralized administration by abbots often lacks professional secular expertise and financial transparency, while the strict requirement of an Act of Parliament for property transfers severely limits asset flexibility and economic growth (Junsontima, 2014). Because physical and financial resources are essential for sustaining any religious mission, the managerial pitfalls observed in the Buddhist system serve as a crucial cautionary tale. Consequently, the following sections will apply these lessons to develop an effective and balanced legal framework for Islamic Waqf in Thailand.

### **The Legal Vacuum of Waqf in the Thai Legal System**

Waqf is commonly understood to be a charitable donation or a religion endowment. However, in Islamic jurisprudence, Waqf is not merely a gift of affection, but rather the act of securing a specific asset with the intention of generating perpetual and uninterrupted benefit for a purpose or target group specified by the donor (Boonchom & Assalihee, 2023; Srisaard, 2016). This mechanism believed to continuously generate spiritual merit for the donor even after their death (Noipom & Hassama, 2017; Srisaard, 2016). In religious belief, once property is transformed into Waqf, it becomes sacred property because ownership permanently returns to God (Hayatullah et al., 2021). Consequently, the donor or custodian can no longer assert any personal rights related to the property. It becomes irrevocable, non-

transferred, or its purpose immutable under any circumstances, unless replaced with a superior property to preserve the original intent (Hayatullah et al., 2021; Srisaard, 2016).

Although Thailand is not a country with a predominantly Muslim population, it has nearly five million Muslims residents, with a particularly high concentration in the southern part, where Muslims constitute the majority population in the four southern-most provinces. Since Waqf is considered a religious practice that benefits the Muslim community, it has been a long-standing practice alongside the existence of Islam in Thailand (Naknawa, 2018). From a social perspective, empirical evidence shows that Waqf property benefits society beyond mosques, such as hospitals and educational institutions (Boonchom & Assalihee, 2023; Ikhyannuddin et al., 2022). This stems from the fact that the essence of Waqf is to use property for the public good, rather than for any individual's benefit, in addition to generating merit according to the donor's beliefs (Hayatullah et al., 2021; Ikhyannuddin et al., 2022).

Nevertheless, under the state's legal system, despite having laws concerning Buddhist religious property that have been deeply ingrained in Thai society for a long time. The introduction of the Sangha Act 1962 was driven by a state policy to patronize and protect Buddhist properties as a vital national institution by granting them absolute statutory immunities. On the other hand, there is no specific law governing Waqf. Consequently, when Waqf is challenged by legal interpretations that should accommodate religious beliefs, Thai legal professionals and courts lack the specific legal framework to provide solutions aligning with Islamic principles (Noipom & Hassama, 2017). Any disputes arising from Waqf are inevitably governed by the Civil and Commercial Code and other general private law provisions (Boonchom & Assalihee, 2023). This, in turn, results in an inevitable clash between two distinct bodies of law—state law and religious law—characterizing the phenomenon of legal pluralism (Chantararat, 2019).

The problematic situation of legal pluralism, where state laws remain silent regarding communal beliefs, is acutely illustrated in the case of Waqf. Under the provisions of the Civil and Commercial Code, ownership can only be classified as either private or state-owned (Civil and Commercial Code, 1925). This directly conflicts with the basic tenets of Islam, which stipulate that the nature of Waqf belongs to "Divine Ownership" (Hayatullah et al., 2021; Srisaard, 2016). Since the concept of Divine Ownership does not exist within Thai property law, the only practical course of action is to register the land under another legal entity, such as a mosque or a foundation (Naknawa, 2018; Srisaard, 2016). Therefore, the land no longer holds its immutable status as Waqf but becomes "organization assets" that can be transferred or sold to settle legal disputes. As a result, unlike Buddhist monastic land protected by the Sangha Act, Waqf is legally defined and treated as ordinary private property, completely disregarding its sacred status under Islamic law. This vulnerable status differs significantly from Buddhist property in several critical aspects, including the legal validity of property transformation, protection from third-party encroachment and

adverse possession, tax exemptions, and, most importantly, the absolute irrevocability of ownership once the land has been dedicated.

Another aspect highlighted herein is the transformation of private land into Waqf. According to Thai private law, donations between private individuals are considered contractual gifts under Section 521 of the Civil and Commercial Code (Civil and Commercial Code, 1925). The validity of such a contract is achieved only when the property is actually delivered. If the gift is immovable property with ownership rights, it must be in writing and registered with the competent authority; otherwise, the gift is considered void (Civil and Commercial Code, 1925). Supreme Court rulings emphasize that an unregistered gift, even with a written agreement, cannot be enforced in court to compel registration. Notably, in cases of land with mere possession rights (e.g., Nor Sor 3), the recipient may acquire such land even if the gift agreement is invalid. Nonetheless, this acquisition occurs through the operation of law, whereby the recipient *de facto* possesses the land (Civil and Commercial Code, 1925).

On the contrary, the legal consequence is the opposite if a private individual dedicates land for public benefit, which requires no written agreement or registration to be legally valid. Even a verbal or implied declaration renders the land public property, protected under the Civil and Commercial Code from adverse possession or legal execution (Civil and Commercial Code, 1925). Similarly, the dedication of land as Buddhist religious property is granted the same legal status as public-benefit land, requiring no formal written registration.

This systemic vulnerability is illustrated in Supreme Court Judgment No. 239/2514, where an unregistered land dedication to the Al-Hidayah Mosque was ruled invalid under Section 525 of the Civil and Commercial Code. The Court affirmed that while a mosque may acquire land via adverse possession under Section 1382, the mandatory ten-year prescriptive period can only be calculated from the date the mosque officially obtained juristic personality under state registration. Consequently, because the lawsuit was initiated less than ten years after registration, the mosque's claim failed, demonstrating how secular legal formalisms can completely override long-standing religious trusts (Supreme Court of Thailand, 1971).

As for Waqf, in most cases, if the donor merely expresses their intention verbally or in writing without registration, the land remains the individual's private property, although the donor considers the land no longer theirs. Upon the donor's death, the property passes to their heirs by operation of law (Boonchom & Assalihee, 2023; Srisaard, 2016). In the event of a dispute arising over the ownership, the rights of the heirs are likely to be superior. Alternatively, in instances where a donor or their heir, notwithstanding devotion, is sued by a third party for any other reason, the land, which the religious community considers sacred, is still subject to legal execution. This contrasts sharply with the judicial

outcome in the aforementioned case concerning Buddhist monastic land, where the court firmly affirmed that even without a written document, a donation to a temple for monastic use is legally valid. Even if the heir or executor later transfers ownership, the court can order the annulment of that transfer (Office of the Council of State, 2015; Supreme Court of Thailand, 1999).

The legal vulnerability noted above is not unique. It is further exacerbated when Waqf lands lack official title deeds, remain registered in the names of deceased donors, or are managed independently by mosque committees without being listed in any government database (Boonchom & Assalihee, 2023; Noipom & Hassama, 2017; Srisaard, 2016). Since the land is legally considered private property, it does not possess the full statutory protection against prescriptive acquisition. This renders Waqf land prone to encroachment. Should the mosque committee fail to file a claim against an occupier within the specified timeframe as per the Civil and Commercial Code, the legal right to the religious endowment is irrevocably lost (Civil and Commercial Code, 1925). This situation is in stark contrast to Buddhist religious property, whose rights do not diminish or perish as a result of the passage of time.

### **From the Structure of Buddhist Religious Property to the Legal Architecture of Waqf in Thailand**

The management of religious property in Thailand reflects a clear structural pluralism. The Sangha Act 1962 laid a solid foundation for Buddhist religious property, while Islamic waqf property still faces a legal vacuum. Extracting lessons from the Sangha system to create a comprehensive waqf law through the following dimensions:

1. **Exclusive Security and Economic Flexibility: Limitations of Stagnation.** Thai law strengthens the protection of Buddhist religious property as a national pillar by providing absolute protection through prohibitions on adverse possession and enforcement of judgments. This lesson is crucial for waqf to maintain its religious aspirations of permanence. However, the legal philosophies of the two religions differ. Buddhism clearly separates the monastic life from the secular world, and the law emphasizes property preservation, often leading to economic stagnation. The property is not developed and is leased at prices below market mechanisms. In contrast, Islam does not have a clergy system separate from society. Waqf is therefore an economic and social institution that must continuously generate returns for public benefit. Thus, the Waqf law to be established must be stable but not static, allowing for an *Istibdal* mechanism, or the transformation of property, when there is a justifiable economic reason, such as selling degraded Waqf land to use the capital to purchase new real estate that yields a higher return. The new property would immediately have its legal sanctity transferred to it, so that Waqf can function as dynamic social capital.

2. Organizational Structure, Administration, and Registered Ownership. If we analyze the two-tiered structure of the monastic order, the organizational structure of Waqf should use an institutional separation model as follows:

Local Level: For land where mosques and religious sites are located, comparable to temple land in Buddhist religious property provisions, the mosque, as a legal entity under the Islamic Religious Organization Administration Act 1997, should hold ownership and manage it directly, due to its ties to the local community.

National Level or Productive Waqf: other purposes Waqf, comparable to monastic land, aimed at generating income, it should not be left to local mosques to manage alone. The law should establish a National Waqf Authority with the status of a legal entity registered in the land registry to comply with the Land Code 1954. However, religiously, this organization would function as a Nazir, or waqf manager, on behalf of the community. This structure will attract nationally renowned experts to manage commercial assets in the most transparent and efficient way possible.

3. Establishing legal stability consistent with the Thai rule of law. To make waqf stable and consistent with the Thai legal system, it is necessary to remove waqf assets from the private property trap under the Civil and Commercial Code. Currently, verbal waqf or registration in the name of an individual often leads to waqf land being interpreted as inheritance and passed on to heirs. Thai waqf law therefore needs to be created as a category of purpose-bound assets, explicitly stipulating that assets registered as waqf are protected from seizure for enforcement of judgments and that the statute of limitations cannot be invoked to contest ownership. Such a provision will allow the Thai public law system to fully protect religious intent.

## Conclusion

The comparative analysis between the legal frameworks governing Buddhist monastic land and Islamic Waqf property in Thailand reveals a significant legal asymmetry within the country's pluralistic legal landscape. The monastic land regime, codified in the Sangha Act 1962 and fortified by robust statutory immunities, functions as a fully integrated state protected system. In diametrical opposition, the legal framework for Waqf remains inchoate and legally ambiguous. This statutory silence forces vital community assets into the incompatible categories of ordinary private property under the Civil and Commercial Code. To rectify this disparity and honor the principles of legal pluralism, this article proposes a structural harmonization, by drawing analytical insights from the Buddhist property framework, such as institutional bifurcation, the recognition of purpose bound assets, and the establishment of a National

Waqf Authority. These structural reforms would separate local ritual Waqf management from national commercial administration, ensuring both religious sanctity and economic flexibility.

Bridging this regulatory gap is not merely a matter of administrative efficiency; it is a fundamental requirement for the rule of law and religious equity in a multicultural society. By elevating the legal status of Waqf to be on par with national religious properties, Thailand can provide a more inclusive and resilient framework that protects the sacred trusts of all its citizens. This conceptual realignment not only reaffirms the significance of equitable religious property management but also paves the way for long term social harmony, dynamic social capital, and sustainable communal growth.

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**Conflict of Interest:**

The authors declare no conflict of interest.