

Conflict Management of Land Reformation in Santipattana Community Bangsawan Subdistrict Phrasaeng District Surat Thani Province

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ABSTRACT

The objectives of this research were: 1) to study the content of conflict in the Santipattana Community Bangsawan Subdistrict Phrasaeng District Surat Thani Province. 2) to analyze the process of conflict management of land reformation in the Santipattana Community. 3) to propose guidelines for conflict management of land reformation in the Santipattana Community Bangsawan Subdistrict Phrasaeng District Surat Thani Province. This research employs a qualitative research approach, conducted through in-depth interviews with stakeholders, people involved, and scholars of 20 key informants.

The research results showed that 1) The content of conflict in the Santipattana Community includes emanation of community and background of the conflict, data conflict, using the law to claim rights and prosecute, pressure and confrontation, reaping benefits, and contestant relationships. 2) The process of conflict management of land reformation in the Santipattana Community includes the process of conflict management within the local area and the process of conflict management from the government sector. 3) Guidelines for conflict management of land reformation in the Santipattana community include government policy implementation and government sector involvement, adjusting land law and bill of rights.

Keywords: *Conflict Management; Land Reformation*

INTRODUCTION

Thailand has abundant natural resources, sufficient for the entire population of the country. From the past until the present, most of the population has a background in farming. Exporting is an important agricultural product that can generate huge sums of money back into the country. Soil or land resources have become important because they are the source of wealth. Groups of princes, merchants, and wealthy people all accumulated large amounts of land without restriction, causing most of the land to fall back into the possession of a small number of people while many citizens and farmers are suffering. This is because they do not have their land or there is not enough land for their occupation. The proportion of land ownership reflects the inequality in society, which caused social and economic problems after the 1932 revolution that changed the governance of Siam, the idea of land reform was discussed and tried to be pushed forward for a long time until after the events of October 14, 1973, from the demand for agricultural land by the farmers' Federation of Thailand the transitional government, therefore, enacted the Agricultural Land Reform Act of 1975, which contained the contents of acquiring vacant or government land for the people to farm. The objective is to reduce economic inequality, create social equality and create a fair distribution of

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income, create economic stability, and create political stability to assist farmers, who are most of the country. The Agricultural Land Reform Act of 1975 has emphasized that Thailand is an agricultural country. Most of the population has a career in agriculture, so land is an important factor. and is the foundation of agricultural production. (Agricultural Land Reform Act, 1975)

But now it appears that farmers are in trouble due to having to lose land rights. Therefore, it is very necessary for the government to urgently solve this problem, utilizing land reform to provide fairness to farmers. This is to respond to the state policy of reducing inequality in the status of individuals in the economy and society as outlined in the Constitution. However, land reform has not been able to truly decentralize land ownership, causing many farmers and farmers to lose their arable land and homes in the past decade. This is a result of the government managing land using a juristic person ownership system. The result is the phenomenon of land concentration due to the accumulation of possessions by capitalist traders. and the unfair distribution of state land the result has been one of the most severe poverty crises of the past three decades. The cause of poverty among farmers is a lack of access to land resources and limited access to arable land. which is an important factor in living life Including structural injustices in the areas of land and forest law. This is a result of the implementation of the National Economic and Social Development Plan that has been carried out continuously for many decades, such as the policy of expediting the issuance of land title deeds and land rights documents. tourism promotion Increasing protected forest areas Conservation of public areas Promoting forestry on government land for commercial forestry. Restriction of state property for use by government agencies. In addition, government policy is a centralized policy that leads to conflicts and disputes. In addition, the laws that have been used in recent times Facilitate foreigners to have the right to hire and purchase. In addition, farmers do not participate in policy formulation regarding land ownership and management. Out of a total population of 70 million, only 15 million Thais have their land title deeds. And among these 15 million people, if divided into 5 groups according to wealth, it will be found that the top 20 percent holds the most assets There is a total of more than 79 percent of the total land. At present, more than 80 percent of land title deeds issued by the Land Department are in the possession of only about 4 million people (Prayong Doklamyai [Workpoint Today], 6 Dec. 2019).

It has been nearly 50 years since the operation of the Agricultural Land Reform Office. But the problems of poverty and landlessness show no signs of disappearing. and is likely to increase. This is because most people and farmers do not have their land or there is not enough land for their livelihood. As poverty intensifies and demand for residential land increases. Many farmers and those experiencing such problems have banded together to manage and solve the problem on their own, respectively by pushing a movement call for land reform and the fair distribution of land for a better quality of living. Santi Phatthana Community Bang Sawan Subdistrict, Phra Saeng District, Surat Thani Province. It is another community where people and agriculture have long-needed housing and land for farming. This is because some farmers do not have their land or there is not enough land for their livelihood. Therefore, there was a gathering of farmers and people who faced the problem of not having land to farm. Its goal is to push forward and demand land reform and a fair distribution of land for opportunities to own land and housing rights. The ownership of land in this area is partly owned by local politicians. merchants and capitalists, small farmers do not have sufficient ability to purchase land. Due to the high price of land together with the values of the villagers in loving and cherishing the land inheritance of their ancestors Therefore making the land has a higher value. The rest is royal property. forest area and concession land owned by capitalists who received ownership from the Forestry Department for 30 years and the concession lease expired in January 2013. Villagers of the Santi Phatthana community Therefore, there has been a movement and push for land reform to require ownership and use of the said area. Leading to disputes and conflicts between groups of farmers and capitalists. both confrontations and legal battles This has created discord between the two sides ever since. The movement and push for land reform by farmer groups continues. including submitting claims to the Agricultural Land Reform Office Surat Thani Provincial Office Ministry of Agriculture and Cooperatives until it was successful on December 9, 2020, Ministry of Agriculture and Cooperatives, Treasury Department, Office of Agricultural Land Reform together with Surat Thani Province Proceed with allocating land to people who do not have land to farm according to government policy. Granting land lease contracts for agriculture and allocating some land for farming and housing to farmers in the Santipatthana community. (Agricultural Land Reform Office, [online] December 9, 2020)

Even though land has been allocated for farming according to government policy. However, it is not enough to meet the needs of farmers. Farmer groups continue to push for land ownership and housing. The farmer groups that were given the land once again faced disputes and conflicts. This is because the capitalists who owned the original concession still came to seek benefits in the said land. Each side wants to use the land and sees that the other party is encroaching on their interests. This has caused confrontations and legal battles between the two sides ever since. The conflict is likely to become more and more intense. The aftermath of conflict affects the welfare and peace of people in the community. The researcher therefore realized the importance of conflict management. It is necessary to study the conflict management of land reform. It focuses on studying the context of community conflict. Analysis of the conflict management process of land reform and presents guidelines for managing conflicts in agricultural land reform. To find a way to end conflict and create just and lasting peace for the community.

RESEARCH OBJECTIVES

1. To study the context of conflict in the Santipathana community.
2. To analyze the conflict management process of the Santi Patthana community.
3. To propose guidelines for conflict management to the Santipathana community.

RESEARCH METHODOLOGY

The study was conducted by qualitative research method. Data collection was conducted by unstructured in-depth interviews with open-ended questions to accommodate the diversity of key informants and be able to adapt questions to suit the situation to provide complete answers to the issues that have been established. There were 20 key informants and then organized a focus group, including participatory observation by participating in various activities that occur to observe and record information in various events using various equipment that can help in collecting data such as voice recorders, notebooks, cameras, etc.

Research steps 1) Analyze and study principles, concepts, theories, and research related to the local context, conflicts related to land, and conflict management regarding land; 2) Create and develop tools to study conflict management in the Santipathana community land reform; 3) Collect data; 4) Analyze data by using document data analysis and inductive data analysis to conduct content analysis and bring the content analysis results to summarize by using concepts and theories to explain the study results to answer the objectives of research, summarize the results obtained from the analysis into the results of the study; 5) Summarize the research results, discuss the results, and provide research recommendations.

SUMMARY OF RESEARCH RESULTS

1. Results of the study of the context of conflict in the Santipathana community.

1.1 The community and the history of the conflict

The community of small farmers in Bang Sawan Subdistrict arose from the gathering of poor people, small farmers who do not have land to farm and insufficient arable land to survive to move to push for land reform in areas where the concession contract of the United Palm Oil Industry Public Company Limited has expired, and the allocation of arable land to their groups. By citing the Cabinet resolution dated August 26, 2003, which stipulated that if the area expired, it would stop granting renewal permission. To consider allocating to the poor people, there is no arable land to use. To enter the process of solving poverty problems according to government policy. A group of villagers and farmers has proposed to the government to allow their group to exercise rights in the land plot and moved to put pressure on the plot of land for government agencies to come and manage the matter. This move caused a dispute with United Palm Oil Industry Public Company Limited over its interest in the said land since 2007.

1.2 Context of land reform conflict

Conflict context of Santiphathana community land reform Bang Sawan Subdistrict, Phra Saeng District, Surat Thani Province can be summarized into 4 characteristics: 1) inconsistent information documents, a document of rights, certificate of utilization (NS.3) of United Palm Oil Industry Public Company Limited, which is used to claim ownership rights. Conflicting and not consistent with information from the arguments of the farmer groups that can be verified as overlapping and forging rights documents. 2) Using the law to claim rights and prosecute both the agricultural villagers' group and the United Palm Oil Industry Public Company Limited filed legal cases against each other over the ownership rights of the said land and United Palm Oil Industry Public Company Limited used the law and court orders to exert pressure. Coercing and pushing groups of villagers and farmers out of their plots. 3) Pushing and confrontation using the law to claim possession rights to enter and confront conflict areas by using military personnel and machinery to disrupt and push them to leave the area. and obstructing and blocking traffic routes 4) Harvesting of Asin fruits competition for Taksin (palm) fruits in the area. A group of agricultural villagers who lived there harvested the fruits of the land and closed off the harvesting causing the company to be unable to harvest the fruits. It causes the company to lose income.

1.3 Conflicting parties and the relationship between conflicting parties

The conflicting parties and the relationship between the conflicting parties of the Santiphathana community land reform, Bang Sawan Subdistrict, Phra Saeng District, Surat Thani Province can be summarized into 7 pairs of relationships: 1) It is a direct conflict between the United Palm Oil Industry Public Company Limited with a group of villagers and farmers regarding claiming the right to occupy land legal proceedings and pressure pushing them to leave the area. 2) It is an indirect conflict between United Palm Oil Industry Public Company Limited and a group of independent organizations regarding a group of independent organizations, including Premove, the Southern Farmers' Confederation (SEC), which assists groups of villagers and farmers. They viewed that independent organizations were helping and were behind the occupation of the area. 3) It was an indirect conflict between United Palm Oil Industry Public Company Limited and a group of local politicians about a group of local politicians helping a group of villagers and farmers, that the reason for this was that a group of local politicians assisted. This is because groups of villagers and farmers can vote for local politicians. 4) It is an indirect conflict between groups of villagers' farmers and the police department regarding the police agency's assistance to the United Palm Oil Industry Public Company Limited in requesting a joint effort to exert pressure and push villagers' groups and farmers to leave the disputed area. 5) It is an indirect conflict between groups of villagers and farmers and the Wiang Sa Land Office, Phra Saeng Intersection about the Wiang Sa Land Office and Phra Saeng Intersection assist United Palm Oil Industry Public Company Limited in presenting evidence of rights document (Nor. Sor.3) and confirm in court that United Palm Oil Industry Public Company Limited is legally in possession of the land. 6) It is an indirect conflict between a Group of villagers, farmers, and the Royal Forest Department regarding the Forest Department not proceeding with land allocation. This is because the Forestry Department has the legal right to allocate land but does not act. 7) It is a direct conflict between groups of villagers and farmers and the Agricultural Land Reform Office regarding land management within the community in the form of community title deeds, this is because it is not included in the land management regulations of the Agricultural Land Reform Office.

1.4 Neutral person in conflict management and agencies that assist in solving problems alleviate conflict.

Neutral person in managing conflict and agencies that assist in solving problems and alleviating the conflict of land reform in the Santipathana community Bang Sawan Subdistrict, Phra Saeng District, Surat Thani Province. It can be summarized as follows: 1) Neutral persons in conflict management include government officials and civil servants under the Department of Provincial Administration, Ministry of Interior in areas ranging from Sub-District level, District level, and Provincial level, being a neutral person in managing conflicts. 2) Agencies that assist in solving problems, conflict relief involves many government agencies that come to take care of and aid, such as the Ministry of Interior, Department of Provincial Administration, Ministry of Justice, Department of Rights and Liberties Protection, Department of Special Investigation, Ministry of Agriculture and Cooperatives Agricultural Land Reform Office

2. Results of the analysis of the conflict management process of the Santi Patthana community land reform.

2.1 Local conflict management process

The local conflict management process is an effort by local leaders and stakeholders to manage and resolve conflicts within the community by relying on people with administrative power to play a political role. It is respected by the people in the area and both parties viewed it as being neutral. Using mediation by a mediator between both parties. However, the conflict cannot be resolved in such cases. Leading to conflict management processes from government agencies.

2.2 Conflict management process from government agencies

It was caused by a group of villagers and farmers writing a complaint to the relevant government agencies to request that government agencies come in to take care of, help, and manage conflicts concretely by appointing a committee to manage land problems. Working together with the Ministry of Interior, Department of Provincial Administration, Ministry of Justice Department of Rights and Liberties Protection, Department of Special Investigation, Ministry of Agriculture and Cooperatives Agricultural Land Reform Office has come to take care of and assist in investigating the facts. Information obtained from the inspection is used as evidence in the judicial process. Conflict management processes from government agencies are important in ultimately resolving conflicts by relying on the government's role in meeting the basic human needs of community groups in conflict management.

3. Guidelines for managing conflicts in Santi Pattana community land reform

3.1 Government policy implementation

The government must implement policies to address poverty that are clear and can see concrete results. To solve the problem of social and economic inequality the government must give serious importance to conflict resolution due to conflicts over various resources, especially the land. There is currently a phenomenon of conflict occurring in many areas of Thailand both solving problems in terms of land distribution policy, and land ownership because solving conflicts that arise is solving problems at the end of the cause and gives importance to solving problems at the root cause, which is the implementation of overlapping government policies. The government should constantly check information on contract approvals and be the one to notify the private contracting parties whether they are granting contract extensions or not. The government should be prepared to deal with conflicts along with a model for resolving conflicts in many forms, there should be a format for managing conflicts by changing from conflict to management of mutual benefits, letting the conflicting parties receive mutual benefits. Let each party participate in the allocation of benefits and participate in the maintenance of benefits to bring income from benefits to develop in the community.

3.2 Legal aspects

The land law should be amended to ensure fairness. This is because the laws in force are the source of conflict and inequality between social classes. Restrict and decentralize land ownership to reduce social and economic inequality. This is because the land laws currently in force benefit the capitalist class in accumulating and owning land. Land holdings should not be allowed to accumulate beyond necessity. Land ownership rights should be limited and land ownership distributed and amending laws to reduce legal gaps because of legal gaps that make enforcement unstable including the need to have strong law enforcement.

3.3 Rights, fairness, and demands

The government must allocate resources equally and fairly to the population. There should be criteria for limiting land ownership rights to reduce land accumulation and distribute land ownership rights to the people thoroughly and adequately people should have the right to use state resources and participate in the use and allocation of

government resources. The government must be the one that allocates resources to the people fairly and allocated according to the needs of the people. There should be screening and verification of people receiving benefits in the community when conflict occurs, the government must be responsible for solving the conflict. Aid and close supervision and act as a mediator including providing equal assistance and care.

3.4 Government agencies

Government agencies must come in to help closely monitor land conflict issues. There should be a government agency with authority and responsibility for conflict resolution directly and with a systematic and concrete structure. or a committee that specifically handles land conflicts to facilitate and manage problem-solving effectively. This is because local government agencies do not have sufficient authority to directly resolve conflicts. Including designing government process mechanisms that push problem resolution to a higher level for speed in resolving conflicts and solving complex problems in the operations of government agencies. Solving conflicts of interest problems.

DISCUSS THE RESULTS

From the research study on conflict management of Santiphathana community land reform Bang Sawan Subdistrict, Phra Saeng District, Surat Thani Province The results can be discussed as follows.

The origin of conflict Santi Phatthana Community Bang Sawan Sub-district, Phra Saeng District, Surat Thani Province

Surat Thani is a phenomenon of gathering villagers and farmers to demand rights to access land, which is an important resource for livelihood and life security. Rights to be enjoyed in the use of resources and management of resources fairly and political participation to reduce social inequality. The movement of the farmer group resulted in conflict with United Palm Oil Industry Public Company Limited, which had to maintain its interest in the resources it possessed without accepting the group's demands and demands for access to the resources, villagers, and farmers. This is consistent with the research results of Wittaya Aporn (2007) on community title deed guidelines and creating security in the lives of farmers in the southern region. It was found that the Santitham community (formerly Santi Phatthana) is in Phra Saeng District, Surat Thani Province. It was originally a part of Ban Mak. Most members of the Santitham community are Mak villagers. The Ban Mak community has been settled for a long time. In 1972, an oil palm plantation company began moving into the area of Krabi province that borders the community. Later, other capital groups came to buy land as well. But this entire area has been taken over by capitalists, especially companies that have illegally exploited it by planting palm trees since around 1976 and have also taken some areas to issue certificates of exploitation (Nor Sor 3) illegally in B.E. 2003 after there was a committee to inspect areas at both the district and provincial levels. The results of the inspection found that the lease for the area had expired. But it is still illegally owned and exploited by capitalists. Therefore, some poor villagers came to the area to demand an inspection.

The conflict context of Santiphathana community land reform consists of 1) inconsistent information documents, documents of rights, and certificate of utilization (NS.3) of United Palm Oil Industry Public Company Limited, which is used to claim ownership rights. Conflicting and not consistent with information from the arguments of villagers and farmers that can be verified as overlapping and forging rights documents. Consistent with the research results of Thanakorn Chamrat (2019) on the management of conflicts in land use of the Ban Champa community, Phu Kam Yao District, Phayao Province, it was found that the causes of conflicts in land use according to important documents for the King. In the Ban Champa community, information is inconsistent. This is because the boundaries of the land as specified in the royal documents of the two villages do not match. The cause was an inaccurate survey, obtaining or possessing incorrect or distorted information is the basis of conflict. Because it will allow analysis, interpretation, and judgment of what is right and what is wrong, what is real and what is fake. The data itself has fundamental contradictions. Those who use and adhere to it may cause even more conflict. 2) The use of the law in claiming ownership rights and pursuing legal cases by agricultural villagers and the United Palm Oil Industry Public Company Limited.) Each filed legal cases against the other regarding the ownership rights of the said land, and United Palm Oil Industry Public Company Limited used the law and court orders to exert pressure in claiming the

right of rightful possession and forcing groups of villagers and farmers to leave their plots of land, a group of villagers and farmers cited the Cabinet resolution on August 26, 2003, which stopped the renewal of permission for the area having expired. To consider allocating to the poor people there is no arable land to use and rights that should be enjoyed in the resources of the state for the possession of said land. Consistent with the research results of Sakrit Isariyanon and Chayaporn Chaturapornprasis (2021) studied Land ownership in the Trat Bay area, Trat Province: Conflict problems and solutions options. It was found that the problems and conflicts related to overlapping land ownership rights are problems of overlapping areas of people and encroachment with state land, the problem of overlapping areas of the people and the land of the capitalists, the problem of illegal land ownership, the problem of no land for people to farm, the problem of land slipping out of hand, and the problem of areas where administrative boundaries overlap with people's land. 3) Entry push and confrontation using the law to claim possession rights to enter and confront conflict areas by using military personnel and machinery to disrupt and push them to leave the area. and obstructing and blocking the flow of traffic In line with the research work of Norachet Khunthongphet (2019), he studied the management of industrial quarry operators towards resolving conflicts with communities: a comparative case study Khao Khuha Stone Quarry, Ratthaphum District, Songkhla Province and Khao Run Stone Quarry, Khuan Khanun District, Phatthalung Province. It was found that conflict management methods were used by using intimidation methods against opposition activists. 4) Harvesting and competing for Taksin (palm) fruits in the area. A group of agricultural villagers who lived there harvested the fruits of the land and closed off the harvesting. causing the company to be unable to harvest the fruits of the land It causes the company to lose income. This is consistent with the research results of Pinita Kaewjithkongthong (2021) who studied the matter. Conflict management of the Bang Yai-Kanchanaburi intercity special highway project found that conflicts of interest It is an important conflict in the project implementation. The result of the conflict is that operations are carried out without real participation of the people. From the provisions of the Constitution, the state must provide opportunities for the people to participate in every matter and every step that affects the people.

Conflicting parties and the relationship between the seven conflicting parties in the case of conflict over land reform in the Santi Pattana community. It is a conflict between organizations that must use resources together, leading to disputes over the possession of resources and the protection of interests. arising from the same resource by using the legal process of competition and confrontation. In many ways, this creates negative relationships both with the conflict parties themselves and with the organizations that assist them. or cause their organization to lose benefits Indirectly causing conflict as a result.

Neutral person in managing conflict and agencies that assist in solving problems Alleviating conflicts in the Santi Patthana Community Land Reform 1) Neutral persons in conflict management include government officials and civil servants under the Department of Provincial Administration. Ministry of Interior in areas ranging from Sub-District level, District level, and Provincial level, being a person who is neutral in managing conflicts. Consistent with the research results of Sittichok Langkulanont and colleagues (2020) studied restorative conflict management under the concept of community justice: a case study of the community justice network Phanom Sarakham District Chachoengsao Province found that the factors affecting the success of restorative conflict management were personnel: there were personnel who were trusted in being neutral. Understand the community environment and experience in conflict management operations including teamwork in the form of working groups. 2) Agencies that assist in solving problems. Conflict relief involves many government agencies that come to take care of and aid, such as the Ministry of Interior, Department of Provincial Administration, Ministry of Justice, Department of Rights and Liberties Protection, Department of Special Investigation Ministry of Agriculture and Cooperatives Agricultural Land Reform Office, police officer Agencies that assist in solving problems give importance to assisting groups of villagers and farmers. This created frustration for United Palm Oil Industry Public Company Limited regarding the neutrality of government agencies and viewed that the company was treated by government agencies impartially and unfairly. This is consistent with research by Richard Achia Mbih (2020) on the politics of conflict between herders and alternative conflict management in northwestern Cameroon. Bias in dealing with conflicts between conflicting parties by government officials and elites.

The conflict management process of the Santi Patthana Community Land Reform consists of 1) The local conflict management process is the effort of local leaders and those involved in solving conflict problems within the community by relying on people with administrative power to play a political role. It is respected by the people in

the area and both parties viewed it as being neutral. Using mediation by a mediator (Mediation) between both parties. However, the conflict cannot be resolved in such cases. Consistent with the research results of Sittichok Langkulanont and colleagues (2020) studied Restorative conflict management under the concept of community justice: a case study of the community justice network Phanom Sarakham District Chachoengsao Province found that factors affecting the success of restorative conflict management. The operation is characterized by relying on the prestige of the mediator. and is not consistent with the research of Sait Abdullah and colleagues (Sait Abdullah, 2021) on the role of informal land dispute resolution in conflict management: a case study of land disputes between governments. Bandung City and the local people of Tamansari Village, Bandung Vetan Subdistrict, Bandung City, found that in resolving disputes regarding land conflicts through informal solutions by relying on the charisma of those who act as mediators such as the Mayor of Bandung Subdistrict Resulting in a dramatic reduction in conflict.

2) Conflict management processes from government agencies. Government agencies have come to help and manage conflicts concretely by examining the facts. Information obtained from the inspection is used as evidence in the judicial process. Conflict management processes from government agencies are important in ultimately resolving conflicts by relying on the government's role in meeting the basic human needs of community groups. in conflict management.

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