

**DELIBERATIVE DEMOCRACY: THE SOCIAL MOVEMENT OF
CIVIL SOCIETY IN LAND CONFLICT MANAGEMENT IN
THAPLAN NATIONAL PARK, WANG NAM KHIAO
DISTRICT, NAKHON RATCHASIMA PROVINCE**

Jularut Padunchewit

**A Dissertation Submitted in Partial
Fulfillment of the Requirements for the Degree of
Doctor of Philosophy (Social Development Administration)
School of Social and Environmental Development
National Institute of Development Administration**

2019

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ABSTRACT

Title of Dissertation	Deliberative Democracy: The Social Movement of Civil Society in Land Conflict Management in Thaplan National Park, Wang Nam Khiao District, Nakhon Ratchasima Province
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This study applied mixed-method approach to investigate deliberative democracy and social movements in the social context of land conflict resolution at Thaplan National Park. The aims of the study propose as followed: 1) to understand changes and challenges of social histories over Thai Samakkhi Subdistrict in Thaplan National Park, 2) to gain insights how citizens, civil society groups, and state deliberate on land and boundary conflict resolution through storytellings and narrative arguments on public forums, and 3) to investigate the relationships on the emotion, the situation, and the role of public deliberation. The archived qualitative inquiry and photovoice of qualitative inquiry help to capture how social histories and related evidences such as aerial photographs are essential in bring about land conflict resolution. For the in-depth interviews of 18 participants through storytellings in Chapter 5 Part I, the thematic narrative analysis revealed 4 main themes: a) taking account of reality on land conflict, b) encountering self-sympathy, c) engaging in public deliberation, and d) fostering compassion by deliberation. In addition, Narrative Arguments on Public Forums in Chapter 5 Part II illustrate how citizens, civil society, and state make validity on the sense of justice and rationality throughout the process of justification on arguments enough to affirm justice as fairness without

the impacts of coercion on motivated agreement in positive driven-consensus to improve communities' sustainability. Multiple regression brings about how the affection and situation appraisal of Thaplan NP significantly (p-value 0.01*) predict the role of public deliberation in four dimensions 1) expressing opinions 2) making decision, 3) justifying the arguments, and 4) learning on public forum. This finding pointed to the significant relationship of the affection and public deliberation. The suggestion on land conflict resolution proposed as follows: 1) The prospect of new boundary demarcation B.E. 2543 should be implemented due to the problem of land boundary of overlapped area. 2) The prospect of ALRO 4-01 document as proving land possession should be implemented. 3) The prospect of proving villagers' right to have their legitimacy to settlement by investigating who have been living before/ after the announcement of national park B.E. 2524. 4) The social evidences of communities' settlement before the announcement of national park B.E. 2524 were illustrated over the study; 5) The complicated administrative on the departments of the RFD, ALRO, Thaplan NP, and SAO need to be revised due to ineffective management. This study has concentrated on narratives to convey meaning as features of human communications on public deliberation; however, the land conflict resolution might be challenged due to limits of specific cases, lack of time and resources. Future research may consider in inclusion of wide range population that helps in bring more fruitful to legitimacy of the prospect future.

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ABBREVIATIONS

Abbreviations

Equivalences

ALRO	Agricultural Land Reform Office
KORAT	A Town Hall Meeting at Nakhon Ratchasrima Province
MNRE	The Ministry of National Resources and Environment
NGOs	Non Governmental Organizations
NP	National Park
NSMs	New Social Movements
PAC	The Park Conference
WNK	A Town Hall Meeting at Wang Nam Khiao District
RFD	The Royal Forestry Department
SAO	Subdistrict Administrative Organization
Sor.Por.Khor 4-01	Land Right for Agricultural Purposes
Por.Bor.Thor 5	The Document to Pay Tax for Local Areas

CHAPTER 1

INTRODUCTION

1.1 Politics of Land and Boundary Conflicts: Deliberative Democracy over Thaplan National Park

Land conflicts presented the negative aspects of people's livelihood in communities that come to question of the right and the legitimacy, including fairness and justice for the effectiveness of administrative management and law enforcement over communities. The resolution of land and boundary conflicts can be achieved through dialogue and reconciliation for the goal of peace, supposedly nonviolent and wisdom as the key to ensuring peacemaking. Sulak Sivaraksa (2012, p. 10) offers the effective way to forging an agreement between two sides that are in conflicts by using reconciliation as a key part of peacemaking in order to creating "a culture of truth, forgiveness, and cooperation". Reconciliation is rooted in deliberative democracy in practice. The objective of deliberation helps to transform attitudes at the societal level toward group reconciliation through deliberative process such as inter-ethnic reconciliation (Dembinska & Montambeault, 2015). For the case of Thaplan National Park, a part of Dong Phrayayen-Khao Yai Forest Complex: a World Heritage Site declared by UNESCO, severe land and boundary conflicts have been taking much times and energies in dealing such conflicts, such as tourism encroachment on Reserved Forest Areas (Cohen, 2014) for last few decades that challenge decision-making processes and public policies beyond conflict resolution. The arguments of land conflict resolution have crucial impacts on livelihood over communities, advocacies, local state officers, park and forest officers to fight for their autonomies over the complexities of the land and boundary conflicts. It is essential in this study to examine social contexts of the land conflict phenomena with the study of deliberative democracy over land conflict resolution.

Deliberative democracy believed to be an effective tool to cope with the land crisis due to providing political spaces for justification the arguments and gaining people's multiperspectives in collaboration for peaceful and sustainable society (Nolon et al., 2013). Why is democracy considered the best form of government? According to Suluk Sivaraksa, the concept of Thai democracy has a long journey in building "the meaning of liberty, equality, and fraternity" for people at every levels of the sociopolitical structure. Besides, the democratic ideal should allow citizens to participate on public forum at all levels of politics in peaceful means when dealing conflict (Suraphot Thaweesak, 2015, p. 138). "Suluk Sivaraksa comments on the section entitled 'the Form of Democracy' in the first declaration of the People's Party, dated 24th June 1932, which states: "It is necessary that the country be governed by a democracy, that is to say, the head of state must be a commoner elected by parliamentary representatives of the people, for a fixed term. You, the people, should expect to be cared for to the best of standards...(Suraphot Thaweesak, 2015, p. 153)".

As mentioned earlier, understanding of the substance of democracy being given under the constitution needs to be examined over justifications of democracy in order to see how the quality of deliberative democratic process is valuable when people are justifying democracy, notably through their storytellings as well as lived experiences on public forums in case of land conflict resolution of Thaplan National Park. People loses their rights and legitimacy over land inevitably have impacts on a sense of belonging, powerlessness, and well-being over society (Nolon et al., 2013). Public forums as public spheres hope to represent how citizens, advocacies, NGOs, local/park/forest state officers are engaging in the democratic process through deliberative mini-publics. Mini-publics represent the practices of civic engagement and state capacity on the democratic institutions so as to playing a more or less formal role in the political decision-making process (Ryan & Smith, 2014, p. 9). The participations over mini-publics in process of public discussion are important to observe the policy decisions, or problem-solving strategies that reveal the quality of deliberation (Fung, 2003). Deliberative democracy is a significant model of democracy that provides the best framework to promote civic virtue and foster a sense of political efficacy (Held, 2006, p. 231). The praxis of citizens, advocacies, and government in justifying arguments helps to develop understanding of decision-making process on public

deliberation related to social and historical contexts in land and boundary conflict. In addition, it is considered as a groundbreaking initiative to help society improving quality of deliberation on democratic system with fairness and justice on land conflict resolution.

The contested land and boundary disputes on Thaplan National Park have turned into severe conflict, especially among the department of national park, the local state officers, and the local people livelihood. According to Unesco (2013, 2015), the Dong Phrayayen-Khao Yai Forest Complex World Heritage Property urgently requires to deal with land encroachment over prohibited areas of Thaplan National Park. Also, the issues of proof for land ownership is required, including a detailed mapping exercise for “a major boundary modification to exclude encroached areas that does not contribute to Outstanding Universal Value, and to include adjoining areas of high conservation value.” In addition, media coverage of Thaplan national park conflicts have led to a proliferation of media watchdog groups. The previous park chief reported more than 600 instances of encroachment, and 446 complaints had been filed against encroachers. According to Bangkok Post on 27th April 2015, the villagers in Wang Nam Khiao district gathered on Highway No. 304 to protect their interests, to protest against the state officers, and to ask for their rights and justice.

Regarding the formal conference on May 29, 2013, entitled “Problems on Resort Land Encroachment” in Wang Nam Khiao District of Nakhon Ratchasima and the Guideline to its Solution” at Thammasat University led by the Previous Director General of the Department of National Parks, Wildlife and Plant Conservation, the Previous Chief of Thaplan, the Ombudsman, and the Vice-Rector for Student-Affairs and the Assistant Professor of Faculty of Law-Thammasat University. The issues of national park conflicts and the resort encroachment against ‘law enforcement’ were seriously brought into discussion. The concerns of encroachment—land grasp, or unoccupied state-owned land, such as forest encroachment, were represented the issues of “perpetrated predominantly by the poor and often marginal people in quest of agricultural land and forest products.” The encroachers were being stigma as the groups of capitalist, notably resort owners and the politicians, who were believed to use their power to let them own lands in the restricted area (Cohen, 2014, pp. 189-190). The claims over encroachers in different social groups were being examined the truth of social entities

and the dichotomous distinction between encroachment in the Thaplan National Park and the issue of legal ownership of land. In 1932 (B.E. 2475), the changing absolute monarchy to constitutional monarchy have impacted on forest management (Sritanakorn, 2009) because of the rationalization over state management to control land. Forest lands have become the state property; all untitled lands were claimed to be owned and controlled by the Thai government, such as The establishment of Royal Forestry Government (RFD) in 1896 (B.E. 2439). This was the beginning of increasing the state's benefit from forest management.

For more details, in case of Thailand, there are laws applicable to the national parks, of which the important ones are presented respectively: 1) the Forests Act B.E. 2484 (1941 A.D.) 2) the National Parks Act B.E. 2504 (1961 A.D.) 3) the National Reserved Forests Act B.E.2507 (1964 A.D.) 4) the Wildlife Preservation and Protection Act B.E. 2535 (1992 A.D.) and 5) Forest Plantation Act B.E. 2535. Few legislations such as national park act 1961 (B.E. 2504) and national forest reserve act 1964 (B.E. 2507) have generated a controversial law between 'local communities, including local entrepreneurs' and 'the state officials such as from the Department of National Parks, Wildlife and Plant Conservation of the Ministry of Natural Resources and Environment and from the Ministry and the Land Reform Office,' whether to protect forest and land or to remove all constructions in the national park area against all land encroachers. These actions are frameworks to question 'the legitimacy of political values and the conception of justice'. As Rawls (1999, pp. 139-141) suggests, the importances of public reason and public autonomy need to take into consideration that citizens as well as civil society are free and equal to reasonably express and deliberate their ideas and thoughts to fight for their basic rights, liberties, and opportunities under the 'constitutional democracy', one of the value of 'deliberative democracy' foundation in Rawls' s definition.

The rationalization of authority to change 'forest' to 'national park' as protected areas is being questioned. The issues of the 'inclusion and exclusion of local communities and advocacies are still unclear about land and boundary in conflict. The beginning of segregation of communities moves out the prohibited areas are brought to question that people are considered as victims of modernity in forest management and the politics of contested land and boundary conflicts. Like Jacques Rancière said,

“There is politics when there is a part of those who have no part, a part or party of the poor. Politics does not happen just because the poor oppose the rich. It is the other way around politics (that is, the interruption of the simple effects of domination by the rich) causes the poor to exist as an entity (Rancière, 1999, p. 11)”.

The acts of citizens against the state regard as the power of civic virtue to respond to a violent land conflict. Therefore, coercive norms through certain ends of laws and social policies regarding to land conflicts need to be inquired into justify the justice and legitimacy posed by these complex issues. As referred to above, the implementation and enforcement of related laws to Thaplan National Park tends to be in controversy and has been raised public concerns about the regulation over Thaplan. As social and environmental issues over Thaplan have become increasing from local to the global in scale, there have been serious problems and concerns with legal issues on forest encroachment due to complicated boundaries over the national park land since 1981. Specifically, this study concerned ‘the law of the National Parks Act B.E. 2504 (1961 A.D.)’ passed by the Royal Thai Government in order to establish land reserves and protection by removing any structure found to be illegally encroaching on the national park land. In National Park Act Section 6 stated, “The government may, if it is appropriate to reserve land with natural condition for the purpose of public research and recreation, issue a Royal Decree determining such land to be a national park. Map identifying boundary of each national park shall be made and annexed to such Royal Decree. Land determined to be a national park shall not be under ownership to, or in legal possession of, other person except for government agency”.

But inevitably these actions were met with strong protests from civil society stakeholders such as resort owners and ethnic villagers. The previous park chief of Thaplan and his assistant began the forcible eviction of resort owners. The strong action caused 37 resorts were demolished. Besides, morethan 300 resorts were illigally encroach on Thaplan National park. As noted earlier, Thaplan National Park handled 434 cases of land encroachment in the park, and most cases are in Wang Nam Khiao District in Nakhon Ratchasima province (Thai National Parks, 2014). With highly charged conflicts over encroachment in Thaplan NP leads to crisis management and solution over the land rights, housing, land ownership, property rights, land use, and settlement. The serious actions to save Thailand’s forest force local community

questions the democratic legitimacy of governments' national park management and their public policies over three decades.

On 24 August, 2013, the Thai Public Broadcasting Service (TPBS), a public television station in Thailand, broadcasted the public debate on 'Thaplan national park land conflict issues'. Interestingly, there were almost 100 villagers (mostly from Thai Samakkhi Subdistrict), including NGOs, the resort owners, the park chief, and the Ombudsman who came to aid in giving information and opinions and attempted to solve crisis in land-related challenges and conflicts. The most important thing that they came to deliberate on TPBS panel was to ask for their justice and sympathy in order to protect and claim their land rights. Under a strict management regime of the institution of forestry in Thaplan national park, localized people have been limited in their capacity to take responsibilities and legitimacy over their own land. The ambition to answer key questions regarding to land conflict resolution over Thaplan National Park, 'Thai Samakkhi Subdistrict in Wang Nam Khiao District' is the goal of this research site. This is because almost of communities' areas are located in the prohibited areas of Thaplan National Park. The Thaplan National Park's land dilemma is in a controversial debate about land and boundary rectification. The discursive formation through argumentative process beyond individuals' stories as well as public forums brings about the critical rationality in "deliberative policy argumentation" applied to the land conflict resolution.

Habermas (1984)'s root theory of deliberative democracy and argumentation sparks the ideas of political interactions that are important to question the power of hierarchical organizations and legitimation over society. His best-known idea is 'communicative rationality' or communicative action' that seek to reach common citizen's understanding through their coordinate actions in reasoned giving, reasoned argument, and reasoned justification to arrive the 'ground truth', or consensus altogether. Dryzek and Hendriks (2012) and Young (1996; 2000) propose on ways to foster deliberation in many forms of communication. This study proposes to follow their discipline to come up with the variety of forms of communication (testimonies of photovoice technique to capture individuals' memories of land conflict resolution, the storytellings over lived experiences on land conflict and public forums) that have brought up the important evidences as given communicative forms from the civil

society that needs to take into account the fact that these frames and discourses finally arrived in the effective public policy. The multi-levels of micro forums have attempted to land conflict cases over Thaplan national park will be analyzed to find out the tentative best solutions from multi-group of actors to release truthfully of their social experiences toward conflicts across cases and to foster the prospect of reconciliations and effective deliberative forums cross-culture differences.

1.2 Deliberative Democracy, Civil Movement, and Land Conflict Resolution

Civil society movements serve as witnesses to arrive at the validity claims through their reasoned argumentations on land conflict resolution. Social movements can help in achieving better positions over reconciliation process which drive to reach a high-quality debate to manage conflicts (Porta, 2013, pp. 267-268). The claiming truth relates to how people deliberate with truthfulness through narratives as evidences that can be tested to claim over their normative rightness on democratic process. The example of collective efforts beyond powerless groups using ‘extra-institutional means’ promote or resist social and political change (West, 2013). Such movements are considered to promote a sustainable society to bring about the better world and to make the boundaries of politics to be contested or arguable (West, 2013, pp. 21-22). The movements are called ‘new social movements--NSMs’ because of thriving on the developemnt of morality, civil right, justice, quality of life, and democracy that challenge the power of systematic institution by peaceful means in handling conflicts such as civil disobedience (Charoensin-o-larn, 1997).

Habermas (1981) regards the notion of NSMs as related to his theory of communicative action that stimulated the argumentation prior to social action, the speech act, and communicative rationality. Therefore, understanding the construction of citizens’ social behaviors, opinions, and feelings is necessary to understand NSMs’ moral-practical learning processes and positions on their moral-legal issues in respond to the problems of land tenure conflicts. The practice of deliberative democracy insists on the process of decision-making foregrounded the collective will-formation to question the legitimacy of democracy such as Habermas (1984)’s the theory of communicative action that seeks to investigate institutionalized deliberation in society,

preferably small scale--‘micro- level’ of deliberative democracy that citizens and the state officers hold on local and regional levels. Besides, personal talks (face-to-face) also were recorded to observe the legitimacy of democratic decision making through the land conflict cases in this study. To do this the praxis of deliberation allows us to understand who participates, how people are talking about the conflicts, how and what the stories have been truly told about the case and whether they follow the rules of the deliberative democracy or not. Such a perspective requires much research to observe how people participate and discuss about ongoing policy issues and processes via mini-publics and forums in order to get more legitimacy for citizen’s political decisions as well as to investigate how NSMs can be successful and challenge the state power in deliberation process and influence on legislation, administrative power, and public policy.

The role of civil rights and group movements in the public sphere using the flow of their communicative rationality and action are experimenting with their participation, justification of argument, and inclusive forms of democracy and political representation with respect. The importance of communication in deliberative democracy should be based on the public goods through the process of justification of argument through dialogue until reaching mutual acceptable decisions. According to Habermas (1996, p. 298), deliberative politics whether is successful or not, depends on ‘citizens collective action and decisions and the openness of sphere of the institutional procedures and conditions developed through public opinions. Habermas (1996, p. 308) suggests that deliberative politics should consist of formal—“institutionalized will formation and informal opinion formation.”

The production of legitimate law through deliberative politics represents a problem-solving procedure that needs and assimilates knowledge in order to program the regulation of conflicts and the pursuit of collective goals. Politics steps in to fill the functional gaps opened when other mechanisms of social integration are overburdened. (Habermas, 1996, p. 318)

The system and structure of modern society should allow public sphere to be free of social constraints or unavoidable asymmetries of power between the state and

the civil society. The citizens should have equal chances to access on social systems and have rights to validate their will formation over conflicts. The groups of civil society beyond conflicts have to address some of necessary questions, such as how are they able to transmit their plurality of norms, beliefs, preferences, and actions on what laws to follow to be reached legitimation through performance and through the tangible results according to reach the better argument, what the emergence of public policy should be made to implement better regulations as a pillar of good governance and as a way to strengthen the deliberative democratic process. There is a great deal to be learned about such conflicts and the concept of deliberative democracy, especially in dealing with the question of how deliberative democracy has been developed among public sphere of land conflict in Thaplan National Park and the complicated boundaries between the communities and the state.

Deliberation on these issues often get involved with experts (government officers, park chief, forest officers, ombudsman, and local officers) who have privileged voices and positions in the public sphere, or political forums along with voices from civil society and their capabilities' social movement groups. The investigation into the process of public deliberation on land conflict resolution can illuminate the understanding of the roles of Thai government, including park and forest officials, local officers, the roles of citizens, and the roles of groups of social movement to represent their capabilities in reasoned debates. The considerations of deliberative process and dialogue will be a powerful tool to understand what is powerful socialization experiences that reminds citizens and what it means to be good citizens in a democratic society. This study looks at how citizens in civil society movements cast their individual voices that are recognized and taken up in deliberation, and make decisions in deliberation process, how they set the stage for deliberation, how social movement of civil society acts as local deliberators in an environmental deliberation construct expertise to conflict resolutions, and how they altogether construct creative land conflicts management and resolution after gauging public preferences regarding deliberative democracy in nature.

Importantly, to remind that since 2012, there has grown into the practical political expressions of forest mobilizations, or groups of social movement organization to raise and claim their voices and their entitlements against the state on the public,

including social media as mentions above. The roles of civil society group have appeared to be watchdog for the land crisis, and aimed to open up the debate to public deliberation regarding their interest advocacy. This raise a question that how does a deliberative model deal with land conflict in the modern world? It is very important to understand that deliberative democracy has been considered as a process of nonviolence forms that is an effective and very powerful response to conflicts. The concept of deliberative democracy help to improve this dissertation on how social movement from different kinds of civil society groups including local state learn to manage community-land conflict through the process of reconciliation and their engagement in sociopolitical empowerment. The intention is to address puzzles of common-property resources management and social mobilization, and the implications of federation-building on democratic process and negotiations governing forest management and use. Specifically, it is intended to examine the quality of public deliberation whether or not it is suitable and successful in cross-cultural contexts of the practice of land and boundary conflict resolution. Deliberative democracy provides opportunities for citizens and groups of social movements to be inclusive their voicing of conflicts between interests and identities with a critical concerns on rationality and consensus-based process of a reappraisal of conflict (Crespy, 2014). This research takes the concept of deliberative democracy into an account in connection to social movements of civil society as active agents to forge ahead their rights, liberty, and sovereignty on the Thaplan National park. Under complicated circumstances, deliberative democracy supports for better understanding on the quality of making decision for the best argument that ought to be accountable to all citizens and public (Chappell, 2012, p. 115).

In the view of Jacques Rancière, his rethinking of politics is based on the presupposition of equality. Rancière's account of democratic politics attempts to capture the logic of dissent: that is, the way in which a political dispute can be staged by people who are normally disqualified from the circle of those able to participate in rational deliberation and the exercise of rule. No one are rejected, ignored, and deduce from the essence of the community. The people are conceived as *the demos*; they are the parts of the community. They are the count of the uncounted. This means their sovereign is delimited by the power of political space. Therefore, the citizens are the

most important target as well as the state, we need to restage social space for all of them. The interplay between its normative and empirical aspects of deliberation beyond land conflict resolution reflects how the groups of people called ‘social movement’ exercise freedom of their rights, sovereignty, and legitimacy through reconciliation. The praxis of reconciliation can reveal norms and values of deliberative capacity that is examined the extents of its related theories and empirical research in this study.

The study of land and boundary conflict resolution allows us to understand and to criticize the social reality by exploring and simplifying it which may help us understand these observations of reality from social entities, including social behavior and emotions of citizens in civil society.

The key to understand social reality is essentially studying people who are stakeholders from varieties of social groups which are the ‘agents’ who perceive, interpret, and relate to their surroundings. The understanding of the meaning that agents, or social actors produce allows us to see how they define lived experiences, especially emotions, response through their communicative actions toward such land conflict resolution, and share intersubjectivity under the very structure of legal regulation on national park law restricts people’s entitlement to claim their land right. The necessity of land policy reform is needed to revise to guarantee people’s freedom and rights of those who are beneficial based on justice, equity, and peace so as to enhance community well-being and livelihood in peace.

According to Habermas (1996, pp. 338-339), the collective action over civil society movement on public sphere acts as “mechanisms” in studying how social actors engage in their “rational argumentation” to reach agreement that helps in promoting validity over communication and action coordination, notably conversations that affect “reflexive law” and basic rights for people. Habermas stated, “the communication structures of the public sphere must rather be kept intact by an energetic civil society; the political public sphere must in a certain sense reproduce and stabilize itself from its own resources shown by the odd self-referential character of the practice of communication in civil society (Habermas, 1996, pp. 344-369).” To consider deliberative democracy in practice, individuals’ storytellings of feelings and lived experiences were applied to the study. The empirical relationship on the feeling beyond public forums, situation of land conflict over Thaplan National Park, and the role of

public deliberation were tested related the context of land conflict resolution. The fundamental question has been posed to clarify: how social histories, storytellings, and narrative forums produced by citizens, groups of civil society as well as state is gearing to understand their capability in justification of public deliberation for land conflict resolution in cross culture. Such collective decision-makings aim to achieve their legitimacy through argumentative democratic deliberation over land conflict case. Individuals beyond each group should have their rights and dignities to make choices over society and to proclaim what are exactly right or wrong preferences for them for their own goodness' sake of reason so as to eliciting public preferences resting on authentic deliberation, called "a deliberative turn" (Dryzek & Braithwaite, 2000, p. 241).

1.3 The Aims of the Study

1) To understand changes and challenges of social histories over Thai Samakkhi Subdistrict in Thaplan National Park.

2) To gain insights how citizens, civil society groups, and the state deliberate on the land and boundary conflict resolution through storytellings and narrative arguments on public forums.

3) To investigate the relationships on emotion, situation, and the role of public deliberation.

4) To understand how deliberative democracy helps to promote public value and to develop the learning better public policies, and implementation in the land and boundary conflicts.

1.4 The Scope of the Study

The scope of study focused on the practice of deliberative democracy to evaluate the successful of land politics and resolutions. The empirical research of deliberation aimed to empower the attentions of state, citizens, civil society, and decision-makers from a wide range of groups and organizations to do influence policies and to promote democratic reform from varies sources of communication. The interplay

of state and civil society groups showed the wisdom of argumentation and logical coherence as evidences-based knowledge to make validity of truth through the process of reconciliation in understanding land controversy at Thaplan National Park. The theory of deliberative democracy was applied to understand how its significance of the concept helped to raise awareness of leaning better public policy and contributed to public value in justification of deliberative arguments as public spirits in the experiences of learning from one another that helped to underly values and assumptions over social and cultural contexts.

CHAPTER 2

LITERATURE REVIEW

This study has key concepts, theoretical interest, as well as related research on deliberative democracy, civil society, and deliberative conflict resolution.

2.1 Deliberative Democracy in Philosophical Thoughts: the Major Theorists, and the Critiques

Deliberative democracy concept is created to describe, explain, and capture reality of democracy as “freedom, reason, and participation (RostbØll, 2008, p. 175)”. These epistemic dimensions are called “procedural epistemic conception of freedom” that RostbØll is considered to be...

it is realized by living under political procedures that have the epistemic quality of giving all the opportunity to gain insights into what is true and right in politics and to participate in giving the law to all on that basis (RostbØll, 2008, p. 175)”.

The political participation meant to engage in political activity is the key to achieve deliberative democracy freedom. Citizens in deliberative process may have different desires, needs, and interests to justify their claims and others without pressure over one’s liberty, and to learn what is the common good for society. RostbØll (2008, pp. 5-7) referred to deliberative freedom as status—that suggested the mixture of public autonomy, negative freedom (freedom without interference), and autonomous opinion. “Freedom cannot be protected before it has been defined, interpreted, and justified, hence, negative freedom cannot stand alone but presupposes the more social freedoms involved in the deliberative process. The laws that set the

boundaries of our negative freedom must be given by ourselves, otherwise the limits of coercion are determined coercively, which is contradictory, thus negative freedom presupposes public autonomy RostbØll (2008, p. 6).” The voices of citizens as well as all social groups should be heard as exercising democracy as intrinsic to freedom as praxis over civil participation reasonableness and enjoyment of political freedom over deliberative democracy and preference changes over “the free formation of political opinions” involved in “collective self-legislation” (RostbØll, 2008, p. 28, 103)”

In the early 1980s, deliberative democracy was established to form trustworthy citizens’ voices beyond public forum that set the goal of deliberation by facilitating the emergence of an inclusive, legitimate, informed, and coherent in building consensus on public discussion (Bohman, 1998). Bohman (1998, pp. 401-402) suggests that the ideal of deliberation is building with morality in the care of public justification interested in empirical research on social problems such as the flaws of institutionalization. To engage in justification, citizens should have their autonomy to freely and equally present their opinions, reasons, and attitudes and orient themselves to the common good with the epistemic improvement of the tentative political decision that leads to improve common ends over a fair political system of social cooperation.

Regarding epistemic views of deliberation, Estlund and Landmore (2018) focus on individual’s justification over the process of exchanging reasons while debating the truth, the right, and the correct over building good arguments on public deliberation regarding the policies. To do so will show the epistemic competence and performance of deliberation and question what would be right and good for society in arriving at the best decision beyond truth-revealing outcomes with logical critiques and with self-revealing nature of the truth in creating new solutions over social problems.

According to Hannah Arendt’s the free public sphere in *The Human Condition* (1958, pp. 26-58), Arendt clarifies her notion of public space as a space for people’s actions—human capacity of action, not only for the state, but for people to articulate, to clarify common concerns from different points of view, to deliberate, to debate their own rational thoughts, feelings, and opinions, and to freely engage in political activities in collecting democratic will formation over their actions and speech of active engagement with political consciousness. Her conclusion pointed to the deep root of deliberative democracy and public space on forums. “...The end of the common world

has come when it is seen only under one aspect and is permitted to present itself in only one perspective”.

Politics is not leading to violence as passive actors to be salient by coercion. However, politics is collective actions such as the actions of justifications from schools, churches, and all services, and encouraging all citizen members from the plurality of human beings to provide different voices over communities. Arendt said, “the man, however, who is in love with goodness can never afford to lead a solitary life, and yet his living with others and for others must remain essentially without testimony and lacks first of all the company of himself (Arendt, 1958, p. 76).” In other words, politics as public space for equality is the rights of man that proclaimed to be inalienable, irreducible to and undeducible from other rights or laws. “Power is actualized only where word and deed have not parted company, where words are not empty and deeds not brutal, where words are not used to veil intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities. Power is what keeps the public realm, the potential space of appearance between acting and speaking men, in existence (Arendt, 1958, p. 200).”

Besides, the epistemology of deliberation also came out from the work of Habermas (1989, 1981), he identifies the formation and transformation of public sphere as the space of the representation of the alternative ways of public communication that claims to promote equality and freedom of expressions from all citizens’ voices, including the voices from social justice movements and campaigning organizations in forcing issues beyond the public agenda. To question of what was ‘good life’ for the man, we need to take an account on how the man are capable for his life and how he has mastered the necessities of his daily life. Man learns to get involve in public, besides his private life to guarantee citizens’ mutually equal rights regarding by the strength of people’s decisions through the process of action (praxis) and speech (lexis). Therefore, civilized people and society need the public sphere for their law of equality and justice. The loss of their homes and territory, and the loss of government protection over people’s right over action means that such communities will be risk to the loss of the entire social texture. The limited public sphere, notably relied solely on legal sphere and its constitutions, ignores the autonomy of public conversation of the public sphere (Charney, 1998, p. 92). Charney (1998, pp. 98-109) suggests that the truthfulness of

political liberalism and deliberative democracy should be invoked the flow of public as well as non-public association of communication and reason-giving to eliminate the corruption of public sphere such as the religious association. The process allows citizens, including civil society to speak out and to engage in communicatively rational discourse. It is very important that the use of public reason shouldn't limit the role of citizens in debating the public reason. Interestingly, "public reason is a self-imposed principle, a duty of civility and reciprocity, no more subject to legal enforcement than duties of politeness or etiquette (Charney, 1998, p. 101)." The process of building arguments and justification claims the doctrine of virtue of what are good reasons for public more than the doctrine of citizens' right to engage in deliberative process.

Benhabib (1994, pp. 10-11) also mentioned on the meaning of differences and democratic communities. The will of people is politically significant in articulation of law such as the law of the land. "Nothing is said about the content of the acts of declaration and independence." Democratic legitimacy creates opportunities and the right of political life in affirming the truth with equal chances of citizens' voices. Social movements provide the differences of voices in representing identity and act of sovereign will-formation to judge all political matters and concerns in the body politics (Benhabib, 1994, pp.18-19). Therefore, the notion of deliberative democracy is the model of legitimacy related to the discourse theory of ethics. The public sphere is served as the significant space of emerging the embodiment of the praxis of discursive democracy. The public sphere gives people a chance to make arguments while showing individual's epistemic capacities and skills with discursive reflection. Deliberative democracy supports the idea of decision-making by providing public space for free agents or active citizens made collaborative decisions beyond difficult discussions and should be the product of fair and reasonable discussion and debate among citizens. Some mark of respect should be shown among engaged groups by listening to those people's thinking process, attitudes, and perceptions as well as understanding their behaviors and rational actions. Conflicts are acceptable, but the hard issues should be discussed without personal attacks. Agreement toward issues and concerns should best produce the public good for the legitimacy of democratic political decisions.

To gain more details what the deliberative meeting establishes a good sake for political legitimacy and democracy, it serves as a tool to measure the quality of

democracy and how people are interested in the politics of public life to altogether resolve social conflict. This is because the unique model of deliberative democracy is “un-coerced, other-regarding, reasoned, inclusive, equal debate”, especially “reciprocal” in the requirement to give reasons and justifications for people’s beliefs and preferences in the political forum with carefully understanding people’s stand on their issues and concerns (Chappell, 2012, p. 7). To follow these assumptions should encourage people to be less selfish and more concerned about the interests, the perspectives, and the beliefs of others. So that they can learn not to attack personal beliefs, values, attitudes, and behavior. Chappell (2012, p. 8) suggests that deliberation is important for gaining people’s information during the meeting and helps to correct false beliefs that one may misunderstand the information. Through deliberative meeting, its function is composed of four stages beyond decision making: 1) agenda setting, 2) exploration, 3) recommendation, and 4) preference formation (Chappell, 2012, p. 32). Agenda setting or most important issues across micro and macro deliebration leaves the development of solutions to the salient cases. To clarify the terms, Exploration helps to gain more details and come out possible solutions for a better understanding on the issues and citizens’ views. Recommendation from all voices among micro and macro social groups of citizens as well as experts. Preference formation is vital for exchange each concerns and arguments from all citizens’ views in order to gain enough information and respect for all voices through the process of learning between many levels of government as well as civil society.

It should be noted that deliberative democracy is grounded in “epistemic proceduralism”. For Estlund’s idea, reason giving is the process of citizens’ engagement in their arguments and reasons. Epistemic proceduralism’s outcomes is “the public view of justice” (Estlund, 2008, pp. 196-197).

Just as each agent has a duty to do what he believes to be right, the agency of the public—and each person qua public citizen—has a duty to do what seems right from the public point of view. The public, like any agent, has a duty to do what it believes to be right, even when it happens to be mistaken (Estlund 2008, p. 196).

Deliberative decisions will come to normatively legitimate if conflicting interests are rational and emotionally-based elements of deliberation among citizens in the co-practice of a decision-making group toward consensus or conflict. Deliberative democracy provides spaces for those conflicts that require disposition by citizen's reconciliation through communicative action. The core of a democratic theory of deliberative is the exercise of public reason. Citizens may come to reconstruct their own truth-virtues /facts-values to reach understanding via dialogue with critical reflections under specific circumstance and socio-cultural construction. Due to, truth-virtues /facts-values are embodied, political, ethical, and artistic in nature. Regarding to the quality of deliberative democracy, the measurement of deliberative democracy and discourse quality index of political deliberation was applied as the key preformance of deliberative capacity. The quantitative investigations on the concept of deliberative democracy is theoretically grounded mostly from Habermas's discourse ethics, Dryzek's discursive democracy (1990), and Steiner et al., (2004) to claim validity and reliability of the discourse measure. The DQI, For this study, public deliberation was analyzed to understand the quality of deliberative democracy on the cases of land conflicts over Thaplan national park as mentions in earlier. One might question how democratic state responds to the special case of land conflict that run afoul of liberal norms and law. This study attempts an answer by considering Thailand's situation in the natural park land conflict as the example of the pragmatic case of public deliberation in which civil society groups, notably intellectuals and NGO activists whether or not freely deliberate, reconcile, and make their own decisions under the common good and public reason with their own rights and legitimacy among their own communities.

Besides, my empirical research utilizes "the discourse quality index" (DQI) developed by Steenbergen et al. (2003, p. 21) to measure the quality of deliberative dialogue. The DQI was proven to be yielded reliable measurement instrument regard mostly to Habermas's theoretically ground as well as others deliberative theorists in order to concentrate on the importance of attitudes to understanding observable behavior considered the role of deliberative democracy in managing the land conflicts prior to the Thaplan cases. The DQI was applied for both qualitative as well as quantitative research methods for my study. The role of deliberation was asked my respondents to measure the role of deliberative democracy in the four aspects

respectively: 1) expressing opinions in dealing the land conflicts; 2) decisions in handling the land conflicts; 3) the justification of the situations from public forum; and 4) social learning/ co-production of knowledge while participating in the forum. Steenbergen et al. (2003, pp. 22-25) presumes that the DQI has the advantage to open up deliberation in details which allow researchers to “operationalize and quantify the quality of discourse.” The deliberative discourse process shows how individuals will arrive at some insights, make arguments about policy and broader political questions, get involve in the process of rational decision-making, known as “Habermas’s communicative action theory” of deliberative democracy. As described, individuals attempt to arrive at “universally valid norms” by communicate and criticize reasons beyond the process of validity claims of discussing contested issues. To follow the rules of effective deliberation, individual rights are rights to be free to ‘participate’ without coercion or manipulation from someone. This principle provide direction and guidance to participation in the decision-making process of deliberation. Individuals have the right to express their views in all matters affecting them and requires that those views be heard with serious listening that is essential for deliberation (Gutmann &Thompson, 1996; Steenbergen et al., 2003, p. 26).

In addition, the justification of epistemic claims is crucial for moral reasoning in politics in the form of the normative theory of justice and common good. Such arguments must be accepted in relation to justice to claim validity and brought about a rationally motivated consensus that Steenbergen et al. (2003, p. 26) called, “constructive politics”. According to Habermas (1981, pp. 16-25), the deliberative ethics are claimed to authenticity of communicative action and communicative rationality that represents subjective truthfulness and achieved agreement based on good reasons along with the rightness of norms. In other words, the discourse ethics are bounded by three validity claims: 1) truth (external objective world); 2) rightness (inter-subjective relations); 3) truthfulness (internal subjective world).

Therefore, the claims to truth may be tested through discourse, where the agents deliberate about the truth as well as evidences with their normative rightness through discourse about what the norm ought to be, that is, what members of society can expect of one another and can be proven and tested the truthfulness by comparing utterances with actions.

2.1.1 Deliberative Democracy and the Significant Major Theorists

To understand more about the theory of deliberative democracy, the major theorists need to examine the idea how they conceptualize behind this concept in systematic way. Communication is the core of main concept and was developed by Jurgen Habermas, German philosopher, best known for concepts of communicative action and the public sphere. Further, John Rawls is a well known thinker of deliberative democracy related to liberal thought. His theory of deliberation emphasizes on the significance of legitimacy in law through public deliberation, known as public reason. Citizens' willingness is the key of its concept. Amy Gutman and Dennis Thompson also present their idea of deliberation based on liberal conception. They point out the problem of state control of the policy and state that for the legitimation of the polity, citizens should be respect as subjects, not objects for the game of politics. Interestingly, John Dryzek. All theorists that I have mentions in the earlier will be discussed respectively in details.

2.1.1.1 Jürgen Habermas and Deliberative Democracy: The Normative Theory of Democracy:

Deliberative theory of democratic emancipation lies from Ideological Domination mostly from Habermasian Critical Theory. Habermas develops the concept of deliberative democracy from his earlier work in “the Theory of Communicative Action (1984, 1987).” His theory presents outstandingly theory of communicative rationality and action within the public sphere as the space of strategic freedom to promote individual' rights and to provide mutual understanding between the state and civil society. A free Communicative action is prominent strategy of citizens so as to deontology from being colonized from the state apparatus. The right and the will of citizens are means of communication via language, social action, and the praxis of the ability of people's political skills. Communicative competence includes not only how citizens and state uses their language, but also how they control and manage their feeling, intensions, desires along with rationalization of reasons to achieve debatable and criticizable validity claims of arguments.

He distinguishes ‘lifeworld from system’. On the one hand, system relies on individual action that takes the means to ends. In other words, individual always maximizes expected utility to do so before making decisions. They learn to pursue their

effective goals and to calculate what are the best prospects for them. Habermas called such action as ‘instrumental rationality,’ or ‘rationality as effectiveness in order to achieve individual’s goal, desire, or taste. They ought to use all the possessed evidence when making decisions. On the other hand, lifeworld is often associated with the ‘public sphere,’ or the place for citizens who engage in rational discussion to generate ‘communicative rationality’ that this study sought to understand how citizens and state were dealing with social complexity over land conflict and facilitating integrative political participation. For Habermas (1999, pp. 241-246), in “the Inclusion of the Other” (1999, p. 241), Habermas carefully debates the role and meaning of citizens’ rights by comparing the liberal view with the republican view. He supports the previous one, the liberal conception, as the higher-law rights that guarantee more freedom and liberties from both positive and negative one. Liberal citizens can lay claims as both public and private citizens. Citizens may comply or refuse to comply (non-comply) beyond their political rights grounded in political participation and communication. Subjective rights are not an objective legal. Deliberative democracy is the one of his three normative models of democracy as follows: the liberal view, the republican view, and the deliberative view. Habermas places his political position as the balances between the positive right (conservative or right-leaning or the republican view) in promoting the integrity of the state as ‘ethical community’, also the individual rights and justice (civic society) in exercising their political power beyond participation, dialogue and discourse within community and the negative right (left-leaning or the liberal view) in taking account of the significant of the state apparatus as administrative power who strongly supports for the free market and for the fairness of political freedom with representation of democracy under the rules of laws and citizens’ equal rights to vote. For the deliberative view, politics relies on the political process and conditions of communication to produce rational results. An ideal procedure for deliberation and decision-making will verify reasonable or fair results are obtained. Communicative power via dialogue acts as a tool for discursive democracy. It proposes social cooperation, openness to persuasion by reasons, and respect for justification of judgments. Deliberative politics require ‘a discursive mode of socialization for the legal community’ and praxis through ‘spheres of action’ in consideration ‘the formal procedures of institutionalized opinion and will-formation or only in the informal

networks of the political spheres and standing in an internal relation to the contexts of a rationalized lifeworld that meets it halfway' Habermas (1999, pp. 251-252). Individuals become active roles in practice of self-legislation; inclusions of citizens show a community of equal along with the individual right. People can contribute their autonomy through the public sphere; they may not compliance to the structures of market processes. However, they present their political opinion and will in a public communication in reaching mutual understanding. To follow this model of democracy, communicative power tends to limit the government power; their administrative power can only utilize on the basis of policies and with the limited under laws through democratic process. That's why the study of deliberative democracy has become an important aspect of how citizens balance their interests through conflicts issues, how they learn to compromise in taking account to variety forms of communication, how they set the mutual goals based on public interests, how they interpret their life difficulties and show their ability of moral justification under political process that operates deliberative at all levels. Thus, deliberative political communication will or won't succeed depending on how resources of the lifeworld is free and opened political culture and enlightened political socialization. The citizens have the rights to appeal to the nation-states, against their own government if necessary. Modern law and political institutions can be investigated to claim validity via a discursive analysis.

Habermas modifies "his theory of society into a discourse theory of the rule of law and democracy (Biebricher, 2007, p. 219)", especially, his work from *Between Facts and Norms* (1992). Deliberative democracy, known as a normative theory of democracy, generates the criteria to evaluate the legitimacy of liberal-democratic political system. It opens to all periphery of public sphere. He utilizes the concept of public sphere to construct his normative philosophy of morality/ rationality, legal/political theory, discourse ethics of law and democracy.

Based on Habermas's idea of deliberative concept, the functioning of public sphere has two interrelated criteria: 1) a level of responsiveness according to societal demands and needs under the political system, 2) a required 'functioning' public sphere that relies on the process of reconciliation and debates in public sphere needed to be tentative, open-ended, and open to critical re-evaluation. A functioning public sphere is supposed to be inclusive, even actors from the periphery of civil

society, egalitarian, and conducive to rational discourse for evaluating the legitimacy of a given liberal-democratic political system. If not, public sphere becomes ‘dysfunction’ due to overwhelmingness from the power of governmentality’ (Biebricher, 2007, p. 222).

Habermas’s first book, *Structural Transformation of the Public Sphere: An Investigation of a Category of Bourgeois Society* (1962, 1991), examines the structure of modern society along with the criticism of public sphere fulfilled with irrational and regressive over systems and sub-systems of the institutionalization of society since c16-17. According to Habermas, the ‘emergence, transformation, disintegration of the bourgeois public sphere’ is the establishment of civic rights to fight and response to the feudal system during the Middle Ages through the enlightenment of citizen participation in deliberation and critical public discussion. Public sphere encourages active citizenship to engage in deliberative process. To do this will stimulate civil society—defined as the public life of a society (Holborn & Heald 2008, p. 191) to take part in political deliberation.

2.1.1.2 John Rawls and Deliberative Democracy as Political Liberalism:

Rawls, a legal philosopher and lawyer, draws his liberal political thought to explain citizens’ political autonomy of a democratic society. Diversely standing point from utilitarian position, Rawls follows Immanuel Kant’s Principle of autonomy as rational citizens is bound to the moral law by their own will or free will or self-determining, and the will must be autonomous or must have its own law or principle (Korsgaard, 1995, p. 1169). “We act autonomously when we obey those laws which could be accepted by all concerned on the basis of a public use of their reason (Habermas, 1995, p. 109)”.

Rawls’ theory of deliberative democracy is an ideal constitutional democracy. The deliberative process is significant to problems of a constitutional nature or fundamental political importance. Notwithstanding, Rawls proposes his idea to human capacity for rationality and reasonability. Rawls believes that human is rational and reasonable to achieve their goals. Rationality is considered to require the emotional capacity to emphasize with the feelings of others. When conflicts arise, individual is rational and reasonable enough to manage the different preferences. According to Rawls’s theory of justice (1971), the two fundamental principles of justice are

presented: a) the right of each person to have the most extensive basic liberty compatible with the liberty of others, b) social and economic positions are to be a) to everyone's advantage and b) open to all. Citizens, therefore, are capable of arriving at consensus that is judged morally acceptable and is fair enough for others' agreement. Rawls follows his idea of the principle of justice that are chosen behind "a veil of ignorance". Rawls explains, "No one ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Since all are similarly situated and no one is able to design principles to favor his particular condition, the principles of justice are the result of a fair agreement or bargain. For given the circumstances of the original position, the symmetry of everyone's relations to each other, this initial situation is fair between individuals as moral persons, that is, as rational beings with their own ends and capable, I shall assume, of a sense of justice. The original position is, one might say, the appropriate initial status quo, and thus the fundamental agreements reached in it are fair. This explains the propriety of the name "justice as fairness" (Rawls, 1971, p. 12).

To do so will reach the law of justice because of realizing individual's liberty and equality and promote social cooperation of the rational desires of individuals. In political deliberation, only citizens are involved in governmental matters such as judges in courts of law, political candidates, or government officials. That means his theory encourages a passive form of citizenship exercise political power as limited. On the contrary, social institution is crucial according to Rawls' idea because of promoting citizen's fair situation.

In "The Law of Peoples" (Rawls, 1999, pp. 44-47), his theory of deliberative democracy is illuminated people's thought as the idea of public reason. He articulates his theory in order to try to solve problems of legitimacy in law. His liberal thought seeks to support the movement of democratic peace. Citizens learn to develop their sense of justice as tools to achieve their stability for the right reasons, learn to embody norms as advantageous. They have to have reasonable interests that make democratic peace possible. Rawls insists that active citizens can change, revise, reform political and social institutions for the sake of making people more satisfied and happier through democracy reached their basic needs. Constitutional democratic society makes

room for people's reconciliation that provides a good opportunity for socialized citizens holding equal basic rights cooperating within egalitarian economic system. Rawls encourages people to become active citizenship that means people getting involved in their local communities with democratic values within a fair democratic polity. The right of each individual to equal concern and respect is deepening in political Rawls' theory. Rawls (1999, p. 137) concludes that a well-ordered constitutional democracy is a well deliberative democracy. Regarding political opinions, citizens can deliberate, exchange views, and debate their concerns with others citizens. The most important thing is that the outcomes of discussions are not fixed, but opened to public reason. Rawls suggests that deliberative democracy is composed of the three features of commonality within pluralistic societies (1999, p. 139).

- 1) The idea of public reason
- 2) A regulatory constitutional institutions
- 3) A general willingness by citizens to accept the ideal of public reason.

To begin with public reason (1999, pp. 132-133), this idea of Rawls is the basic moral and political values that are in between the state and the citizens, and between citizens and other citizens. It is necessary for society and political institution to support political deliberation by protecting the capacity of citizen's rights, freedoms, and opportunities. In the same token, it is essential for citizens to accept the government along with the system of constitutional democracy through the fundamental law. For public reason, it is vital that citizens make arguments only based on public reason coming from a political conception of justice, and the public reasons should only include arguments that other citizens could reasonably be expected to accept. To do so, Rawls shall call the principle of reciprocity. Essentially, Rawls suggests that the idea of public reason applies to deliberation if the issues related to political importance and on the matter of justice so as to protection of an individual liberty and discussion on coercive norms. The discussions in the public become deliberation, if its definite structure totally includes all the government officials, or political candidates, and citizens' checking from their conceptions of justice to satisfy the criterion on reciprocity. Public reason is public because 1) it is the reason of the public (free and equal citizens), 2) it is used to think about questions regarding the public good,

including constitutional essentials and matters of basic justice, and 3) it has a nature and content that are public, since it is made up of political conceptions that satisfy the criterion of reciprocity. All occurs at the ‘public political forums.’ The forum is divided into three parts and is associated with a particular segment of democratic government as well as the citizens as follows: 1) the discourse of judges in their decisions, especially from a Supreme Court, especially involved in cases of constitutional importance, 2) the discourse of government officials, especially from chief executives and legislators, and 3) the discourse of political candidates and their campaign managers. However, all other forms of public forums were restrained regarding to Rawls’ ideas of public reason. Dryzek (2000, p. 1) argues that Rawls’ political deliberation is too limited for the citizens’ communication. He suggests that citizens should not restrict to a narrow set of communication techniques. Rather, citizens are capable of reflection their arguments and decision making in various ways, such as rhetoric, humour, emotion, and storytelling, etc. Similarly, Habermas (1995, p. 129) also argues that Rawls’ idea of the public and private spheres are too sharp and restrain citizen autonomy as an ownership of the laws. The sharp division of boundaries between public and private creates problems for citizen activities to be free in an effort to political will.

2.1.1.3 Amy Gutman and Dennis Thompson and Deliberative Democracy

Gutmann and Thompson (2004, p. 3), in the book of “Why deliberative Democracy”, outline four characteristics of deliberative democracy

- 1) Reasons for acting need to be justifiable, and should be accepted by free and reasonable people seeking fair terms of co-operation.
- 2) Public debate.
- 3) Binding decisions that can be changed with the passage of time.
- 4) A dynamic process that aims at justifiable decisions, but does not guarantee them.

According to these four characteristics, the definition of deliberative democracy is

a form of government in which free and equal citizens (and their representatives), justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present on all citizens but open to challenge in the future” (Gutmann & Thompson, 2004, p. 3).

2.1.1.4 John Dryzek and Deliberative Democracy

Dryzek (2000, p. 1) supports his theory of deliberative democracy, preferably “discursive democracy” (1990) as the essence of democratic legitimacy of the ability of all individuals subject to a collective decision. To do this will take actions on talking and communication at the center of politics with ‘respectful, constructive dialogue, and from the different points of views’ such as voting and elections as conventional model of democracy. The deliberative democracy process is intended to provide people with an opportunity to understand, to engage, and to try to justify their point of view, and perhaps even to arrive at some collective appreciation of the alternatives. All participants are normally just citizens and effective representative in effective deliberative forums and are significant for the policy concerns. Besides, the forum should be a balance of gender such as 50:50, a different of ethnic groups, or a different of background and socio-economic status and so fourth. Interestingly, deliberative processes are applicable in countries where democracy is limited or absent. Because its processes are willing to be aloud people in order to giving substantive freedom to the citizen’s forum on local issues. Besides, it helps to improve a messive political participation, to improve the structure of state power, and to enhance the tolerance and openness of existing political system such as the praxis of citizens on local level from a discursive shphere over mini public forum.

2.1.1.5 Fishkin and Deliberative Democracy

Democracy places its major quality on 1) political equality; 2) participation; 3) deliberation, and 4) avoiding tyranny—the effects from decision making (Fishkin, 2009, 2014). Fishkin (2014, pp. 31-32; 2009, p. 65) pointed to the quality of deliberative and publicwill formation as followed: 1) information—reasonably and accurate information that is relevant to the issues; 2) substantive balance—accept other people’s perspectives and arguments on their merits; 3)

diversity—the extents over discussion are represented over discussion; 4) conscientiousness—the extents of the arguments are respectful in building and in weighing over forum, and the participants should be willing to talk and to listen with respect; and 5) equal consideration—all voices are respected and considered on the merits for public opinion. Deliberative democracy is counted on “human scale”—the face-to-face democracy, in other words, Fishkin desired to make deliberative more practical (“microcosmic deliberation”—randomly selected people and giving their voices to be balanced heard in manageable problem like the ancient Athens (Fishkin 2009, pp. 80-81). In deliberative forum, inclusion of random selected people is necessary to represent a population with thoughtful about particular issues, and also avoiding groupthink and polarization argumentation. Fishkin (2009, p. 102) referred that the effect of deliberative democracy should be 1) changes in policy attitudes; 2) changes in voting intention; 3) changes in civic capacities—problem-solving capacity; 4) changes in collective consistency—“single peakness” over preferences of individuals; 5) changes in the public dialogue; and 6) changes in public policy—people’s voices matters in some ways. Therefore, deliberative democracy needs to assess political equality that is the heart of its theory and about participation with non-tyranny. The example is “deliberative polling”—random selection of sample in balancing information and weighing counterarguments in discussion for mutual comprehensive; policy attitudes and voting intentions should be predictable and desirable after deliberation with single-peakness—degree of agreement at last (Fishkin & Luskin, 2005).

2.1.1.6 The Critiques of Deliberative Democracy as Anti-Consensus

Theory of deliberative democracy has some critics argued on participation as well as forms of communication as followed:

1) Chantal Mouffe (2000) and *Deliberative Democracy*, or *Agonistic Pluralism* Mouffe (2000) questioned the essences of deliberative democracy. Mouffe argued that deliberative democracy theory should be inclusive rational consensus. Agonistic pluralism of justification of arguments also includes antagonistic views to promote individuals’ passions over public deliberation. Mouffe hopes to bring diversity voices of marginalized social groups and classes to engage in decision making

and in preferences' changes, such as groups of protest on particular issues for their rights.

Democracy requires, therefore, that the purely constructed nature of social relations finds its complement in the purely pragmatic grounds of the claims to power legitimacy. This implies that there is no unbridgeable gap between power and legitimacy – not obviously in the sense that all power is automatically legitimate, but in the sense that: a) if any power has been able to impose itself, it is because it has been recognized as legitimate in some quarters; and b) if legitimacy is not based on a aprioristic ground, it is because it is based on some form of successful power. This link between legitimacy and power and the hegemonic order that this entails is precisely what the deliberative approach forecloses by positing the possibility of a type of rational argumentation where power has been eliminated and where legitimacy is grounded on pure rationality (Mouffe, 2000, p. 14).

Hence, the good deliberative democracy need to be practical in equal reaching a rational consensus—that is represented “multiplicity of voices” over “non-exclusive public sphere of deliberation”. (Mouffe, 2000, p. 17)

2) Iris Marion Young (1996, 2000, 2001)

Young (1996) interestingly argued deliberative democracy and forms of communication in the polical process to force better arguments. The expressions of emotions through narratives are crucial for improving deliberation. Individuals should be allowed to provide their storytelling, or narratives, rhetoric—forms and styles of speaking in illustrating elegant and truthful arguments. The uses of images are welcome to trigger people’s perspectives and feelings. Storytellings in discussion help to foster individuals’ understandings without boring. Narratives shows personal experiences of individuals and their abilities through storytellings that reflect their subjective experiences. Narratives also provides channels to culture, society, values, and sense making through meaning that some particular conflicts are hard to understand and explain. In addition, narratives help to reveal the truth and social knowledge—social wisdom that are hard to reach. Also, Young (2001) has argued that

deliberative democrats cannot rest content relying on the force of the better argument, but instead need both engage in discussion with others, notably activists to persuade them that there are injustices that ought to be remedied and to protest and engage in direct action (Young, 2001). The voices of activists sometimes are negligence by deliberative democrats. Young identified the four challenge indicators to assess the quality of deliberative democracy as followed: 1) deliberative procedures are exclusive due to lack of respectful arguments, instead dominance of decisions and power over minorities; 2) formal inclusion isn't enough because deliberation should be opened doors to all social segments and in creative ways of communication; 3) constrained alternatives due to the background of social history as well as structural and institutional inequality; and 4) hegemony discourse due to the existing power structure by means of threat and coercion and distorted communication.

2.2 Deliberative Democracy and Civil Society

To focus on the strengthening of the new form of governance and political legitimacy in promoting the welfare of people among local community, the circumstances of diversity, and the well-being of the country, the capacities of deliberative democracy can invoke efficiently the inclusiveness of people as well as the state that might be occurred both formal and informal deliberative forum strived to achieve and generate better public policy outcomes and policy decisions with the high degree of authenticity beyond deliberative process that should open to a variety of forms of communication with noncoerciveness (Dryzek, 2009, p. 1382).

Significantly, the deliberative democracy as 'talk-centric democratic theory' needs the opinion and will formation along with the communication process trying out the legitimate political order that is embracing the reflections of groups of people to justify to all those living under the laws and social institutions (Chambers, 2003, p. 308). The inclusive role of civil society in the deliberation process is the way to enhance democracy and strengthen local governments and the country beyond the process of power-sharing and reflexive process that groups of civil society act as agents to generally encourage a public-spirited attitude for democratic governance for the sake of common agreement with other peoples among communities (Benhabib, 1996;

Brassett & Smith, 2010; Charney, 1998; Jun, 1999; Mendonça, 2008; Peritz, 2001). The study proposes that deliberative capacity should be tested both the formal and informal public sphere whether or not its process lead to generate public opinions and lead to increase the deliberative quality of political decisions that ought to influence deliberation in the legislature as well as public policy outcomes that behave sincerely. Also, its condition is sufficient to give marginalized groups voices and empowerment under uncorrupt administration at the local level, not at the top down reform of central state institutions (Dryzek, 2009, p. 1383). Everyone is allowed to question any assertions to discourse. The deliberative process fosters the generation of arguments in multilevel of social arena, ranging on everyday talk in civil society and also on public forum (Habermas, 1990, p. 86). The deliberative capacity should bring about the equality and respects for basic civil liberties and human rights with the claims of truth under democratic polity.

Brassett and Smith (2010, pp. 413-430) conduct their empirical research on “deliberation and global civil society” that offer a critical analysis regarding to the role of global civil society and its significance to the arena of deliberation. Their study ascribes the capacity of civil society to promote and influence the egalitarian society and norms over debates and decisions such as the social action from non-governmental organization—NGOs in creating the counter discourse to market liberalism and to influence the decisions on the contexts of global governance through the formation of coalitions. Brassett and Smith (2010, pp. 421-422) refer to Bohman’s idea of public sphere in the book of ‘Democracy Across Border,’ notably known as ‘forum’ that should allow civil society to identify themselves as a “public and engage in the give and take of reasons,” must be “manifest a commitment to freedom and equality”, and “must address and indefinite audience.” The sphere of deliberation and civil society designs to promote accessibility and freedom of citizens as well as to promote norms of non-domination given the citizens as members of “national publics” (Brassett & Smith, 2010, p. 422) such as civic campaigns and their activities as well as their debate on the local communities and the internal disagreements that Brassett and Smith’s study called “civil society as “deliberative agents” or “affective arenas—that are construed as the role of debate and activities that draw on ‘affective modes of expression’ on reason and contestation, called ‘democratising a discourse’ such as civic storytellings, even

artistic expressions such as user-generated films or video recording camera to document their experiences and life chances/constraints". (Brassett & Smith, 2010, pp. 424-427)

Charney (1998) proposes civil society as the active boundary of 'nonpublic' sphere that arrives at 'public reason' through the deliberative praxis (process). Charney (1998, p. 101) states that "public reason is a self-imposed principle, a duty of civility and reciprocity, no more subject to legal enforcement than duties of politeness or etiquette." In other words, the action of citizens, or the movements of civil society holds the ideas that their arguments and reasoned debates help one's to find the truth lied behind what's 'public, private, and non-public' association to lives preceding the legitimacy on individual preferences and opinions, even if the public sphere may be limited to all relations of hierarchy, or authoritative structures of deliberations that civil society may fully participate as a non-public sphere followed the postconventional (or unconventional/universal) morality as civil disobedience. That means morality based on universal ethical principles according to self chosen principles of justice depended upon pluralistic society. Everyone goes through the process of learning what is right and what is wrong to gain basic understanding due to environment that citizens are surrounded by as well as personal experiences such as the possibility of changing law in terms of rational consideration of social utility and in terms of standards which have been critically examined and agreed upon by the whole society, notably the associations ranging from political parties and social movements of civic initiatives.

The legitimacy claims and validity claims of deliberative democracy model are a normative theory so as to give "symmetrical rights and power of citizens" when engaging in discursive practice of deliberation in order to reach on democratic legitimacy that makes society free of unconstrained public deliberation (Benhabib, 1996, p. 68—in *democracy and difference*). Benhabib suggests that deliberative democracy is a perfect model to impart facts and informations, to embody the power of citizens or commons interest on their collective decision-making praxis and fairly practical reasons to achieve the well-being of society and its social function. Benhabib (1996, p. 70) offers the condition of outcome of deliberative as follows: "The basic idea behind this model is that only those norms (i.e., general rules of action and institutional arrangements) can be said to be valid (i.e., morally binding), which would be agreed to by all those affected by their consequences, if such agreement were reached as a

consequence of a process of deliberation that had the following features: 1) participation in such deliberation is governed by the norms of equality and symmetry; all have the same chances to initiate speech acts, to question, to interrogate, and to open debate; 2) all have the right to question the assigned topics of conversation; and 3) all have the right to initiate reflexive arguments about the very rules of the discourse procedure and the way in which they are applied or carried out”.

My study aims to investigate the ongoing complex boundary conflicts tied with land and the environment in the Northeast of Thailand: Wang Nam Khiao, notably the communities inside the national park case. Such concerns allow us to question the norm and the capacity of public deliberation under tensions over both complex and pervasive areas of the Thaplan national park, covering the two provinces of Nakorn Ratchasima and Prachin Buri. Entering into practical discourses of citizens, groups of civil society, and the government reveals how they are trying to justify and build their arguments under the complicated land boundaries and come out of the public solutions regarding such concerns. As Benhabib (1996, pp. 71-72) said, “Nobody can convince others in public of her point of view without being able to state why what appears good, plausible, just, and expedient to her can also be considered so from the standpoint of all involved”. The deliberative processes do need to catalyze the “good reasons in public” that is fair and is rational for society in reaching the well-being of the country.

Besides, the Mendonça (2008)’s study found that the role of civil society on deliberative process is to claim their ‘social and political representation.’ Representation is defined as the act of freely communication connected to “judgement and sovereignty” that needs to be required to justify their interests, opinions, and ideas they defend. The necessity of sphere of deliberation and the representation of civil society involves to represent “the basic political unit” tied up with “the expression of support for ideas, values, beliefs, and publicly manifested positions.” Mendonça (2008, pp. 120-121) refers to Mansbridge (2003) and Young (2000)’s idea of ‘different forms of representation.’ The surrogate representation should not solely rely on a single form, but also through several informal ways or several arenas such as representing through a type of symbolic or discursive action on public sphere in the formation of public opinion. Democracy and representation should be understood “as a differentiated relationship among political actors...that represented “the aspects of a person’s life

experience, identity, beliefs, or activity where he or she has affinity with others (Young, 2000, p. 123 as cited in Mendonça, 2008, p. 122).” Mendonça (2008, p. 123) suggests that civil society capacities is successful or not, depended on the collective construction of decision-makings as the ability to make judgements and choose more alternatives made by a society. To follow this process will foster the flow between state and society in public life to claim civil society’s legitimacy and accountability. Besides, the civil society representation claims to be based on normative influence through communicative rationality, not on money and power of the groups. Their representations aim to strengthen civil society capacity, create an infrastructure for public spheres, and contribute to the transformation of autonomous judgments in the process of back-and-forth of communication (Mendonça, 2008, pp. 125-130). In addition, the capacity of civil society can strengthen the sustainability of local governance by decentering, or sharing the power in community in political decision and to stimulate the common good in the process of public engagement that would be essentially reduce the role of hierarchical control from the government (Jun, 1999, pp. 461-462). However, Peritz (2001, p. 21) argues that local politics doesn’t solely decenter to gain more deliberative legitimacy, but consider integration to achieve and maintain peaceful social relations in all parts of social space, especially from local, or place-based politics in a wide variety of local communities, such as forums at different levels of social groups that lead through the problem of diversity according to the postmodern views of deliberation politics from the circumstances of diversity to produce political agreement.

Thus, deliberative democracy process shouldn’t rely on ‘the representative decision making; however, ‘direct and deliberative problem solving’ (DDPS) is necessary for society, notably social space of civil society to encourage persons from any conditions of diversity to elicit their preferences in the process of reasoning and to foster each of them to exchange ideas, opinions, feeling, and arguments (Peritz, 2001, pp. 22-23). In addition, administrative agencies and courts should effectively integrate and institutionalized deliberative democracy as the key structured systems for addressing social problems affecting diverse communities with respect in achieving governance. Peritz (2001, p. 24) proposes that DDPS should... “ 1) create opportunities for the direct involvement of those affected by policy measures and give them an active

role in formulating and enacting these policies, 2) use public deliberation as a main mechanism for setting policy agendas, adopting specific measures, and monitoring their implementation, 3) bring persons together to participate in direct and deliberative democracy because they share common problems and because they believe that better solutions are available through collaboration, 4) be practiced in decentralized, often local, jurisdictions between which there is overlap and federation, 5) be supported and supervised these local units in variety ways by a variety of more centralized jurisdictions, so that power and/or resource-generation are not simply devolved onto them, 6) avoid unidirectional command relationship between the various units and jurisdictions that favor collaborative negotiations to accomplish their shared ends and to regulate their conflicts. My study also focuses on the Peritz's idea of DDPS to assess the deliberative capacity at multi levels of deliberative democratic forums such as micro/meso/macro forums of public deliberation, or from local, regional, and national level of deliberative forums as well as storytelling from persons affected areas of my study.

2.3 Deliberative Democratic Character as “Peaceful Conflict Resolution”

To begin with the question, ‘Why deliberative democracy has to deal with the issue of Land Conflict Resolution?,’ it must be asserted that, when dealing with more ‘difficult conflicts’, deliberative democracy essentially steps in as a fair and peaceful resolution to the ongoing conflict that relates to high morality, deep historical roots, and complicated power (Hodge, 2007). It is also important to note that the deliberation process contrasts with conducting a debate. The practice of deliberation is the foundation of democratic society in which citizens can create spaces beyond community politics so as to generate their thoughts and capacities to bring changes and solutions prior public problems. Deliberative process allows citizens to make their own decisions, to act in regard to such conflicting interests, to reveal new possibilities, and to yearn for creative resolutions for the right action.

Hodge (2007, pp. 28-31) classified the distinction of the concepts: “debate” and “deliberation” as follows:

Table 2.1 The Differences between Debate Vs. Deliberation

Debate	Deliberation
Debate is trying to pick up on any particularly weak areas of your opponent's arguments, or searching for weaknesses in others people's ideas.	Deliberation is taking the interests of all citizens properly into account as collaborative and search for the strong area of your opponent's arguments.
Debate is trying to find obvious differences.	Deliberation is listening to and sensitive to each other's feelings, hopes, and ideas.
Debate is winning with your own ideas and resisting your opponent's arguments.	For deliberation, all voices are valued and everyone contributes to solve a problem.
Debate is contributing your ideas and defend them against challenges.	Deliberation is contributing your best ideas to be improved upon, trying to stop making your decision on others, and choosing the best solutions altogether.
Debate is the process by creating a winner and a loser, discourages further discussion.	Deliberation invites keeping the topic open even after the discussion formally ends and attempts to find out the final solution with respect to each other.
Debate hopes for short term solution and creates a close-minded attitude, a determination to be right.	Deliberation hopes for long term solution by working together in formally discussion and promoting open-mindedness, including an openness to being wrong in order to reach sustainable public policy.
Debate looks for one solution that you have it, and other solutions are not considered.	Deliberation looks for prediction and assessment of the tentative solution.

Table 2.1 (Continued)

Debate	Deliberation
Debate protects previous solution.	Deliberation is creating the opportunities to educate people to put their ideas for better solutions.
Debate is trying to express one's ideas.	Deliberation is trying to listen and learn from other's ideas.

Hodge (2007) has come up with deliberative democracy as a tool for solving conflict through civic engagement which process is unbiased through body language and facial expression of citizens. The deliberative process promotes justice and helps in polite reaction on justification in dealing such conflict situations. When deliberating, individual is listening carefully and becomes more active listening to other people, known as collaborative learning. Its process is seeking a reconciliation with all citizens and stakeholders and is fostering creative conflict resolutions that embodies collective knowledge from many different backgrounds, requiring cultural and epistemological pluralism to make all voices heard through democratic discussion (Rao & Georgeff, 2008; Hodge, 2007). For Rao and Georgeff (2008, pp. 300-307), their study claims that deliberative process is significant for rational agents in the real-world led to the formations of intentions. They suggests the “decision tree” model of deliberation to form and reason individual intentions. This model is represented “the belief-desire-intention (BDI) architecture to gather the attitudes of intentions, beliefs, goals, actions, and inter-relationships between them. The decision plays important role as problem solving skills: 1) decision nodes acts as the choice of actions, 2) chance nodes acts as the state of uncertainty in the world, and 3) terminal nodes acts as the values of outcomes of deliberation. The implication of the study provides the best channel to ask people to “maximin, or maximizing expected value to deliberate and decide the best plan of action prior the social problems.

For Hodge (2007) and Bohman and Rehg (1997, p. 13), deliberative democracy is valuable, even more important than other forms of democracy because of the value of a legitimate collective decision-making procedure regarding to common good and

public reason to resolve conflicts, not standing on solely the private choices of individuals. In a democratic deliberation process as a significant approach to solve conflicts, the dilemmas in handling conflicts reveals the importance and value of democratic legitimacy in political deliberation in a wide range of democratic activities among macro and micro politics.

Research (Nolon, et al., 2013) indicated that the system of land development in the United States required negotiation in deliberation in the early stages to reach mutual agreement. The graph in figure 2.1 illustrated the significant inverse relationship between the incentive to negotiate and the likelihood of reaching agreement responded to mutual gains approach. Research found that communities employ negotiation technique later in the deliberative process that bring about the difficulties in handling land conflicts because of misinformation in decision-making process as shown in the figure 2.1. The early the incentive to negotiation, the better the reaching mutual agreement in deliberative process.

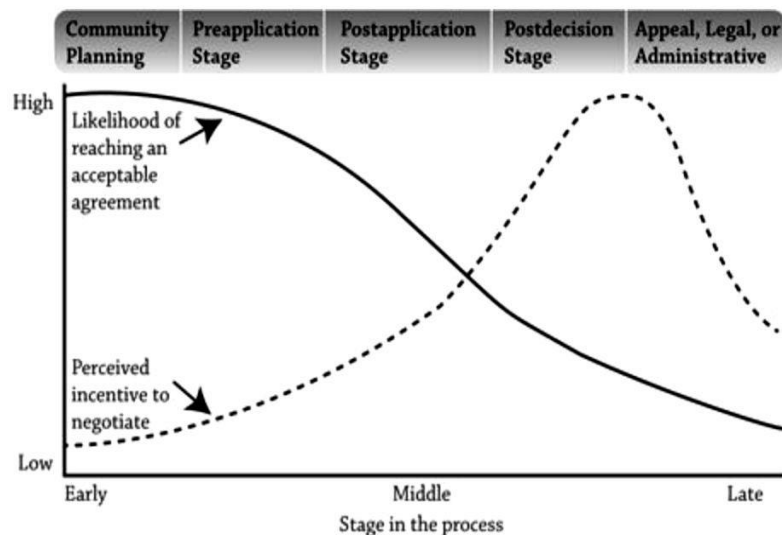


Figure 2.1 The Relationship between the Incentive to Negotiate and the Likelihood of Reaching Agreement

As noted, communities are obligated to follow legally mandated process as well as inevitably employ negotiation for crisis solutions. Therefore, in reaching mutual gains in arriving consensus need negotiate in deliberative democracy process at the early-stage process in justifying arguments with related stakeholders, such as several segments from the government, the local government, the landowner, and the community. In addition, relying on power and rights to force someone to act and to determine who is eligible for rights are not helping in resolving land conflicts. The most effective mutual gains approach is to 1) engage early, 2) listen and learn first, 3) build on interests, not positions, 4) design and build an effective process, 5) involve many, not just a few, 6) use a skilled facilitator, and 7) build relationships for the long term (Nolon et al., 2013).

The rethinking of public open space provides the available channel for citizen as well as civil society for their positions, actions, and speech that embodies the will of the people on deliberative space (Elster, Habermas, Cohen, & Rawls, 1997). Elster (1998, p. 105, 107) also notes that the deliberative setting is important to reach impartiality. The deliberative procedure should allow the flow of communicative interaction that illustrate the functioning of narratives as arguments during deliberation in conflicting groups in a systematic manner to avoid ‘threat-based bargaining.’ In addition, the size (small vs. large), the publicity (open vs. close), the (presence vs. absence) of force, the interest of people (individuals/groups/institutions) in deliberative process highlights the different outcomes of deliberation. Elster (1998, p. 109) suggests that the effect of large size, such as large assemblies may be hard to get people to involve in the arguments due to a force of authority, or a small number of ‘skilled and charismatic speakers’ with their passions, not reasons. The main aim of deliberation is to allow people to engage in public interests and to get beyond public forum from civic standpoint to solve conflicts. In other words, the public sphere of deliberation should be opened for civil society in order to cast their collective will-formation, to transmit public will on politics, and to try to generalized their public opinions and attitudes that would expect to influence the state and authority decisions.

Moreover, Habermas (1989) indicates the five conditions to achieve the success of public sphere to solve conflicts: 1) extent of access, 2) degree of autonomy, 3) absence of hierarchy, 4) quality of participation, and 5) rule of law. Public deliberation

process is the key to change reality so that it fits better with the ideal, or attempts to minimize public tension between the ideal and the reality on democracy on the process of argumentation as well as discussion that encourage people are free to argue and to debate in deliberative discourse so as to express and reflect the voice of people, attitudes, behaviors, views, and emotions in discussion in gaining understandings and reforming opinions from diverse people's perspectives during a problem-solving quest.

The deliberative outcomes hope to promote people autonomy in order to legitimate lawmaking in the process of public deliberation to reach legitimate government and to promote consensus from the agreement of public reasoning of citizens to go beyond common good, or the good life to unlock the dysfunction of deliberative institutional systems, political justification, and policy reforms (Bohman, 1998, p. 400; Bohman & Rehg, 1997).

Besides, Mansbridge et al. (2012) also have focused on the conditions of successful deliberative systems to deal with the conflicts. Mansbridge et al. (2012, p. 10) suggests that multiple forms of communication in the deliberative system not solely rely on the system leading by the government as the central constitutive role in deliberative system such as making and implementing binding decisions, but also encourage citizens, non-governmental organizations (NGOs), and social movement groups actively engaging in both formal and informal talk that represent the voice to be heard from marginalized groups in the deliberative system. Mansbridge et al. (2012, pp. 1-26) are relevant to this study because the suggestion on systemic approach offers the crucial ways of approaching the deliberation in large-scale societal terms, not only small scale. The deliberative systems allows us to capture how...“the division of labour among parts of a system... may have low or even negative deliberative quality with respect to one of several deliberative ideals, may nevertheless make an important contribution to an overall deliberative system (Mansbridge et al., 2012, pp. 2-3).” Mansbridge et al. (2012, p. 9) suggests that the main topics of discussion in deliberative systems should mainly concerned with the four aspects:

- 1) ‘the binding decisions’ (will formation) of the state (both in the law itself and its implementation)
- 2) ‘activities’ directly related to preparing for those binding decisions;

3) 'informal talk' (taking place outside the state) related to those binding decisions; and

4) 'arenas of formal or informal talk' related to decisions on issues of common concern that are not intended for binding decisions by the state.

For my research, claims from the citizen juries, civil society, and the role of official states in micro, meso, and macro forum will be evaluated to understand 'the quality of deliberation in the system' via the discursive construction of the 'formal and informal talk-based approach' to analyze political land conflicts and the process of deliberative problem-solving. Individual narrative or individual's authentic existence of deliberative democracy as well as formal public forums are analyzed to understand how civil society movements have contributed to deliberative model, and how they are trying to promote deliberative public involvement in handling the land conflicts over Thaplan national park. The gaps of a system's deliberative quality will emerge from a policy deliberation individuals as well as civil society with legitimate claims for inclusion, owing to legal exclusion beyond boundary conflicts. In addition, the strengths and weaknesses of deliberative democracy systems will be analyzed by the norms, practices, and the characteristics of deliberative system.

Like Mansbridge, Button and Ryfe (2005) point to the conceptual significance of deliberative democracy congruence with collective decision making and the collective will of members of society, known as 'the formation of public reasoning towards concerns and conflict resolution.' The self-reflective dialogue from the process of collaborative learning with all experts, state, local government, and local community leaders will solidify their practical choices and needs through the public exchanges and deliberative movement. Deliberative forums may consist of both deliberative and nondeliberative talk, strategic behavior, as well as, elite opinions; therefore, these challenges of initiated deliberation should allow people from multi-level groups such as grass roots civic association; for instance, school-based deliberations and neighborhood associations, nongovernmental organizations, such as national issues forums, and government organization; for example, town hall meetings and community forums to participate and to initiate discussions as well as collaborate their needs, motives, and prospect outcomes for the future.

As described, the aim of deliberative democracy is to resolve moral disagreement considered the problems and the disagreements as “reasonable” (Gutman and Thompson, 2004). The four essential aspects of deliberative democracy in resolving conflicts is to: 1) promoting the legitimacy of collective decisions regarding scarcity of resources, 2) encouraging public spirited perspectives on public issues, 3) promoting mutually respectful processes of decision-making to reconcile on moral conflicts such as the value law against the value of morality and liberty, and 4) learning mistakes—sources of disagreement from the roles of the give-and-take of arguments (Gutman & Thompson, 2004, pp. 10-14). Thus, ‘reconciliation’ has emerged from the process of public deliberation. This process allows people who have different values, beliefs, aims, and social status to express their values, to reconcile the conflicts and concerns, and to clarify, and to justify their political decisions, notably law and public policies in arriving at better outcomes on the process of learning to become active citizens.

Interestingly, Rostbøl (2008, pp. 210-215) suggests that deliberative democracy has been considered as the theory of deliberative freedom in handling the conflicts. According to the four aspects of deliberative freedom, this concept involves:

1) popular sovereignty or public autonomy or collective self-rule: citizens are free to be subjects as authors of the laws, called ‘self-legislator’ to exercising freedom as public autonomy;

2) instrumental to negative freedom or freedom as noninterference: to protect a form of freedom over political activities, or

3) instrumental to personal autonomy, or to protect a form of freedom and transform individuals into autonomous persons beyond the learning process of the formation of deliberative opinion that create internal autonomy of citizens;

4) intrinsic to freedom as praxis or freedom as status: to create a new experience of being free through citizens’ participation on public forum or public sphere to define and justify their opinion and especially to influence lawmaking and public policy aimed at reaching understanding.

The role of deliberative democracy serves not only as promoting ‘*freedom*’ for citizens, but also as thriving on ‘citizenship’ constituted the ‘horizontal’ relationship between citizens. This study provides the opportunities for citizens as well as the state, including local government to actually participate in public deliberation and exercise

their capacities for critically reflecting different opinions and learning to listen to each other according to gaining experiences from public deliberation toward land conflicts in Thaplan national park.

deliberative governance as a way of satisfying a dimension of freedom must be balanced against the freedom involved in making the law. The participation involved in the implementation stage might be seen as undermining the prerogatives of citizens seen in the role of makers of law...no a priori answer to which balance is best...Citizens must make their own judgments, but they could do so with a view to the different dimensions of freedom explicated and defended here. (Rostball, 2008, p. 232)

Freedom of speech or the right to freedom of expression is necessary to consider how the notion of deliberative democracy is defined as ‘political equality,’ specifically socioeconomic equality. The civic virtue of citizen’s engagement as the ‘active citizen’ in rational discussion of conflicts of what is in the public interest that reasons as a product of collective interaction (Held, 2006, p. 253). Interestingly, the role of citizen is the role to pursue glory for themselves and by themselves. Deliberative democracy lies its theory on the legitimacy of the law associated with the exercise of citizen’s public reason through the political deliberation. In Held’s book, “Models of Democracy” (2006), deliberative democracy lies in terms and conditions of “political association proceed through the free and reasoned assent of its citizens”. The deliberative process depends of “mutual justifiability of political decisions as empirical will by driven citizen’s engagement in politics, in handling the conflicts, and in actively seeking solution altogether in order to protect citizens’liberty and maintain public goods. The formation of deliberation are “fact-regarding, future-regarding, and other-regarding.” That process helps to transform citizens’ preferences to public via their discursive praxis of rationality through public meetings or discussion in order to reaching public reasoning that is regarded as essential to democracy. Held suggests that deliberative engagement values pluralism and reflects the capacity of all voices from micro to macro level of society, from deliberative activists, civil society, family members, friends, as well as all related citizens in politics.

Moreover, Cohen (1998, p. 185) in Jon Elster ch 8: “Democracy and Liberty”; (1997, pp. 69-91) “Deliberation and Democratic Legitimacy” in Bohman and Rehg) refers to the structure of deliberative democracy associated with fairness, or equality of respect (manifest equality of citizens through shaping identities and interests of citizens), common good, and institutional questions. The deliberative process arises from collective decisions to promote political legitimacy and question the social institution among society. The democratic legitimacy involves public deliberation focused on common good required some form of manifest equality among citizens that shapes the identities and interests of people through public explanations and justification of law and policies. Cohen (1997, p. 69) indicates that the value of democracy must be fair for citizens enough to achieve political liberties, not to control only socially dominant groups, notably authority groups; however, the political deliberative system should be promoted people’s common good to achieve fair outcomes. In other words, the importance of deliberative democracy is to contribute to the formation of understanding all members of the society’s needs as well as promoting people’s legitimated interests under deliberative capacities. This study, therefore, will focus on political debate for common good to understand the nature of deliberation and citizens’ autonomy in exercising their power of reasons. While Cohen (1997, pp. 79-87) suggests the significant notion of deliberative ideal procedure, he also argues that the deliberative systems should be free enough for public deliberation what is common good for society, not to be “sectarianism” or provide only one particular point of view from authority groups and also, should be scoped the topics for people to deliberate due to eliminating incoherence, injustice, and irrelevance of the ideal deliberation.

2.4 Deliberative Democracy and Mini-Public

Deliberative Democracy on public forum is a significant approach to collectively solve conflicts, such process in handling conflicts reveals the importance of human capability as well as the value of democratic legitimacy and a wide range of democratic activities on political deliberation. Public forums represent the autonomy of public sphere should be an integral part of democracy in providing social space for people engaging in rational-critical debates pertinent to the public interest without

influence from the state or powerful organizations that institutionally exert their influence on the public sphere.

Grönlund et al. (2014) provide the definition of deliberative mini-public as forums where citizens, policy makers, and state represent their different views over social problems helped to increase “the responsiveness of policy-making to public opinion”. Ryan and Smith (2014, pp. 9-26) give the term of mini-publics as the space for “democratic innovations—to increase and deepen citizens participation in the political decision making process.” The examples of mini-public are as follow: 1) Deliberative Poll (DP)—randomly composed 250-500 citizens in gathering their voices over forum; 2) Planning cells—randomly selected 25 citizens in deliberating on a policy issues; 3) Citizens’ Juries—randomly selected 12-24 citizens reporting their concerns and recommendations; 4) Consensus Conferences—focusing on interested volunteers in extensive deliberation over forums; and 5) 21st Century Town Meeting—randomly selected 5,000 interested citizens as well as all public sectors in facilitating group discussions regarding on particular issues.

In addition, Fung (2003) also refers minipublics as the appraisal of democratic institutions located in the public sphere. Fung refers to types of minipublics as follows: 1) educative forum—attempting to gathering people’s voices on particular issues; 2) participatory advisory—to improve the quality of deliberative democracy and people’s opinions, along with changing preferences; 3) participatory problem-solving collaboration—the active engagement of both state and citizens from each social groups to intensively and creatively deliberate; and 4) participatory democratic governance—the most ambition over forum than the other three types. The forth type encourages most of direct citizens in public forum to support and mobilize collective decisions with confidence in people own perspectives and with valuable and reasonable arguments. My study proposes to consider the structures of minipublics in order to acquire how people and state learn and expertise their problem-solving strategies over forums and also assess the quality of deliberative democracy over minipublics. Fung (2003, p. 347) suggests the main characteristics of minipublics in 10 indicators: 1) civic engagement; 2) participation bias; 3) quality of deliberation; 4) informing officials; 5) informing citizens; 6) democractic skills, 7) official accountability; 8) justice of policy; 9)

effective of public action; and 10) popular mobilization. All indicators will be revised and applied in chapter 5 to assess public forums over study.

Besides, Niemyer (2011) studied deliberative mini-publics. The researcher found that participants learned to express preferences and share understanding over forum. He suggests that individual subjectivities and preferences were presented over citizen participation that showed the quality of public will. He compared citizens' juries over the case of the Bloomfield track with the Fremantle Bridge. The Bloomfield track was considered the road construction concerns in the Daintree region in the tropical northeast of Australia for four day of citizens' juries. Participants actively engaged to recommend the future management altogether with clearly preference changes with strong arguments in rehabilitating the roads. Whereas, the Fremantle Bridge showed the vulnerability of mutual agreement among citizens' preference changes that were static in developing roads. Thus, lessons from mini-publics are interesting to observe their structure of citizens' participation. The empirical datas helped to improve the quality of mini-publics over forums. Also, Maija (2011) studied referendums—forms of direct democracy and deliberative mini-publics in policy making and in achieving a legislative change. She referred to Dahl (1989)'s notion of deliberative democracy with direct citizens and their equal rights to participate and vote in referendums based on the rule of equal voices of citizens that their votes in achieving outcomes should weigh equally over democratic processes with epistemic political equality. Goodin and Dryzek (2006, p. 229) identified that minipublics should play the major role in the macro world politics in building public policies with confidence. They suggested that after the year 1990, it is the time for deliberative turn in macro-political decision making represented the significance of public authority such as shaping policy through market testing such as forum of "Listening to the City" in America Speaks 21th century Town Meeting in the topic of plans for rebuilding "Lower Manhattan after the 9/11 attacks. To do all along process will provide good opportunity for society and the world in arriving legitimating policy. Wong (2015) conduct empirical study over deliberative minipublics for social movement at Hong Kong. The civil disobedience over forums in changing policy making in Hong Kong "Deliberation Days" showed the power of micro-deliberation empowers to macro-deliberation at last in the road concerns in 2014. The study suggested the interesting indicators to assess the quality of deliberative mini-

publics as followed: Inclusiveness, agenda setting, decision making (considered judgement and transparency). To examine the indicators will help in assessing the results of chapter 5 for my study.

2.5 Deliberative Democracy and Narratives (Storytellings)

Boswell (2013, p. 631) studied deliberative democracy and narrative matters. He found that the relationships of narratives and public debates were crucial for investigating public deliberation. Narratives refer to the story-tellings and accounting practices that occur in the face of deliberative democracy throughout process according to the ‘plot’, or ‘stories’ and ‘character’ of the account given and its social and motivational dimensions prior personal experiences. Narratives embed in people’s interactions, perspectives, and emotions over public forums that provoke the awareness of political matters in sense-making activities that come out of mind. Boswell suggested that narratives is tool for political actors in contesting deliberative systems by applying 1) universality—shared knowledge and norms, 2) structure—presenting issues of competing narratives, 3) selectivity—illustrating events and evidences of political life, 4) drama—emotional attachment over stories, and 5) ambiguity—the complexity of negotiation on interpretation of narratives. Federman (2016, p. 156) insisted that narratives is effective tools to study conflict concerns such as the storied of marginalized people in helping them to respond to such conflicts. “Narratives provide rooms for conflict transformation which help people from different social sectors (“individual, familial, institutional, inter-agencies, inter-government, and broadly speaking, socio-political)” renegotiate their social positions and gain their autonomy through rhetoric praxis. Narratives provides structural (who,what,where,when,why), functional (the meanings behind the storytellings), and poststructural (“issues of power, marginalization and dominant/counter narratives must all be considered both within the community as well as in the space between the researcher or practitioner and the community being studied (Federman, 2016, p. 161)” analysis.

Further, Ellis (2014, p. 4, 8) interestingly insisted that narratives were influential mechanisms in studying social conflicts, notable ‘asymmetric conflicts’ that stories as functioning as arguments while deliberation, such as the stories with history data of

victimhood and injustice to support individual views and to challenge beyond counterarguments. The high standard of arguments are the stories that refer to presumptions of reasoning and functions as arguments that all are based on ‘pragmatics’ and reach acceptable conclusions with evidence-based-processes and with causal explanations in justification the arguments for pursuing common good over the nature of reality and identity politics as part of social construction. “The narrative carries implications for the truth value of experiences as well moral status and causal explanations.”

Hendriks (2005, pp. 13-14) provided concept of ‘participatory storyline on deliberative forums. She analyzed Australian cases in policy making of Container Deposit Legislation (CDL) in Sydney in 2001. Participatory storyline, or narratives help to promote collective reasoning and consensual decision-making. The random selected 12 citizens regarding to such concerns were presented to policy makers at the final day of meeting. The narratives were expanded in various groups such as lay citizens to join over forums. Such empirical study showed the storylines encouraged on successful policies due to public participation of storylines as “productive” deliberative forums in practice. “When we listen to “practice stories” we tend to concentrate on the more obvious accounts, especially those that relate to the content of policy.” That’s why narratives are matters for deliberative democracy forums. This study aims to use narratives over public forums in chapter 5 to examine the deliberative capacity over land conflicts and resolution.

2.6 Deliberative Democracy and Emotions: Empathy and Passion

Deliberative democracy is closely tied up with moral awareness into public deliberation. The feeling of ‘empathy and passion’ from people’s expressions in participating in deliberative forums plays crucial role in assessing emotions over deliberative forums (Fouke, 2009; Krause, 2008; Morrell 2010). The moralizing mechanisms that each group of people bring to public forums underline moral perception and judgement, and hopes to have the potential to come across moral improvement over public policies and outcomes as well as a better understanding of each others through the narration and argumentation process. Fouke (2009, pp. 6-8) and

Krause (2008) refer to David Hume theory of moral sentiments as the basis pshychology of deliberation due to broaden awareness of expressions of empathy to produce moral growth and moral judgement that elicited new moral perspectives when dealing with sufferring and conflicts on public forums, or beyond people's stories (narration). Fouke (2009, pp. 16-17) suggests that narratives over public forum help to promote sensemaking as testimonies when people are making arguments, giving meaning, and expressing emotions prior their social situations and experiences, but the deliberative process should be a small scale enough to archiving all voices in achieving the better policy outcomes. Moral perception presents positive moral growth over forums. Individuals are unique and represent their identities over social positions. The effective deliberative forums come from diversity of equal voices with empathy that each person bring to such forums to achieve a new moral perspectives as the basis of moral judgement in imagination with rational arguments.

According to Sharon R. Krause's book, "Civil Passions: Moral Sentiment and Democratic Deliebration (Krause, 2008, p. 32)," the politics of civil passions place the idea of 'citizen's moral sentiment to public deliberation' without impartially and with stimulating justice in the right ways. Krause attempts to debate over 'emotion and reason' in political deliberation. "The only way to achieve good delieration, in other words, is to exercise passions from the deliberative process entirely." The politics of passion relied on the sympathetic communication of moral sentiments, such as the gay liberation in the United States to gather the minority voices, feelings, and concerns over the reflective concerns through the process of deliberation which generates judgements and motive actions. (Krause, 2008, p. 3011)

Krause referred to David Hume's theory of moral sentiment regarding the impartial sentimentality adjacent to rationalist and liberal democracy. Krause, a sentimentalist as well as a rationalist, believe in 'the arts of passions' that comes about inclusiveness and reflective care for other people on public forum under the right political structures. To explain, using only reasonings may not perfectly yearn to public deliberation. However, relying on both passions and reasons may gain the effective public argument for public deliberation. The essence of civil passions is inclusive and sensitive so as to engaging in impartial deliberation to claim citizens' legitimate voices. The new politics of passions points to a new model of citizenship to dealing with what

justice means and finds out the appropriate policy and laws in congruence with the community's concerns or public reason. A person's sense of self that is the outcome of the fragmented society will empower individuals to take the role of public deliberators as political agents, as citizens, and as persons. (Krause, 2008, p. 3058) "Civil passions is not to bring more passions into politics. The aim is instead to illuminate the ways in which sentiment already (and inevitably) does figure in moral judgement, political deliberation, and the authority of law, and to articulate guidelines for accommodating it in ways that support rather than thwart the important ideal of impartiality (Krause, 2008, p. 3063)".

The passions will bring people to deliberate their public concerns with fair decision making, and their arguments and moral judgment may cause directly some actions towards public issues beneath liberal-democratic legitimacy in the process of deliberative democracy and the ideal of impartiality.

The justice and the role of sentiment are significant for moral judgement over public deliberation and for motivating decision making through human reason with impartiality and with passion-driven deliberation. Besides, the distinction of the concept of the good and the right is tested to clarify "the vital role of deliberation about justice that cannot do without affect (Krause, 2008, p. 421)." Krause (2008, pp. 318, 324, 423-424) identified that civil passion emerged two forms 1) "sense of civilized, or free of prejudice and error", and 2) "citizens' shared public values that shape the polity." Krause mentioned to Rawls and Habermas in justice and passion, or the right and the good. The feeling of empathy comes with moral reasoning that affects the right in nature. Krause extends the theory of Rawls and Habermas in balancing emotion, practical moral reasoning, and deliberation about justice over what is good for society and what is the right thing to pursue. Krause referred to Rawls' theory of justice as striving for rationality over justice or as "the goodness of the right" to serve "certain goods, such as primary goods and the good of the autonomy" over public to re-examine what is good for the public that lies in the practical reasoning (rational desire) on desiring the goods and fair cooperation. The sense of justice and the feeling of empathy leads to public reason and congruences with other people with the desire to live with others while projectively thinking for the future of the humanities regarding on the outcome of the deliberation. To pursue any ends of the outcomes, Rawls believes that

individuals are exercising the sense of justice under ‘the veil of ignorance to validity claim of others’ (Krause, 2008, pp. 464-471). Krause referred to Habermas as “purer proceduralism” norm justification represents a procedure in which the good is extended step by step to the right. Habermas emphasizes justice over moral judgements of binding norms of ethical life. Therefore, Krause invites us to understand the link between affect and justification (614). “Justification makes the subjective feelings and attitudes of participants toward the norms under deliberation relevant to the validity of these norms as well (Krause, 2008, p. 571, 602, 619).”

Krause called “the self as public deliberator as well as the self as political agent which empower citizens to deliberation with their passions for their well-being” in promise to justice. To do this will stimulate the power of civil society’s capacity to exercise their “sympathetic communication of sentiment” to the reform of social policy and current laws. Krause insists that to apply theory of moral sentiment can “achieve a measure of impartiality in our judgements (Krause, 2008, p. 3048, 3057, 3066).”

In the same direction, Michael E. Morrell’s book, “Empathy and Democracy: Feeling, Thinking, and Deliberation (Morrell, 2010, pp. 67-69),” the author interestingly points to the feeling of empathy in deliberative theory as the feeling of the people over particular concerns, but such feeling must not overwhelm reasons. Morrell referred to the work of Rehg (1994, p. 158, 162) that investigated reason and emotion in argumentation. Rehg mentions to the feeling of empathy (feeling care and concern) that promotes building arguments and moral discourse to understand the others’ views. Morrell concluded that deliberative democracy needs empathy over the process of moral judgement in “legitimizing collective decisions as well as fulfilling promise to give equal consideration to all citizens...Deliberation must admit all forms of communication that are affective...only thus can participants see concrete others in ways that ensure that deliberation is truly attentive.” Morrell suggested that the empathy should be involved all process of public deliberation, notably support valuing others with knowledge in decision making that people feel empathy on each others in healthy deliberation. This study proposes to examine deliberative democracy and emotion when participants deliberate their preferences over arguments on conflict resolution over Thaplan national park areas. A scholar (Scudder, 2016) observed the feeling of empathy and democratic deliberation. Scudder pointed to the meaning of empathy as crucial for

imporving political discourse. She found that the empathy helped citizens to justify arguments and to listen to others. Without empathy, deliberation can not be succeeded because the value of the empathy helped to decrease problems of civic exclusion in deliberation, instead helped to motivate citizens in the action of openness to dialogue.

CHAPTER 3

RESEARCHING DELIBERATIVE DEMOCRACY AND LAND CONFLICT RESOLUTION: THE MIXED METHODS APPROACH

3.1 Methodology: the Mixed Methods Approach

Under turmoil of land conflict at Thaplan over various medias and meetings at Thammasat University over conflict resolution, the ambitions over the study have sought to investigate such conflicts by offering the concept of deliberative democracy in clarifying over complex phenomenon of how citizens and state are exercising practical judgement after considering such issues of land conflict resolution through discussion with reasoned argument of discursive judgement. Scholars (Black, 2013; Crespy, 2014; He, 2013; Kashwan, 2011; Niemeyer, 2011) illustrated the debates and significance of deliberative democracy under conditions of power asymmetries and institutional design linked to the context of conflict resolution. Those enlightening debates inspire this study in searching of Thaplan social phenomena of land and boundary conflicts that few of research are combining the mixed-methods to study the social and cultural contexts.

This study proposes to employ the mixed methods both quantitative and qualitative approaches to examine the concept of deliberative democracy and the phenomenon of land conflict resolution. According to Creswell (2003, p. 210), the nature of mixed methods helps to understand ‘a brief history of evolution’ by combining both qualitative and quantitative data sources with the ambition of searching reasons to explain social cultural contexts. This study applied ‘sequential exploratory design’ (Creswell, 2003, p. 213) by emphasizing the priority on qualitative research, and used quantitative research to compliment.

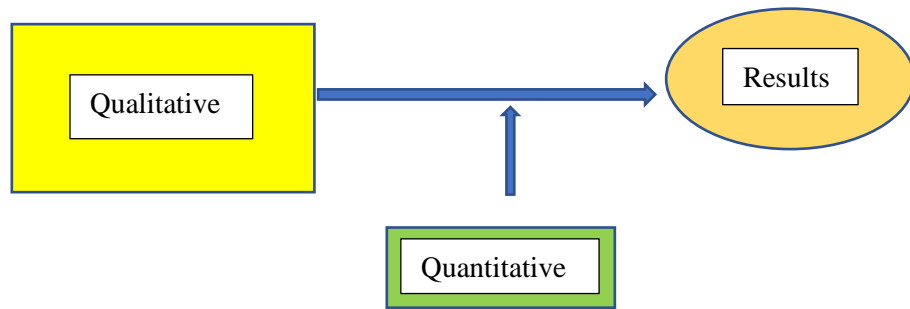


Figure 3.1 Visual Presentation of Procedure

Source: Clark and Creswell, 2008, p. 167.

The two paradigms of qualitative and quantitative research will enhance and compliment to reveal truth from the reality of society. Quantitative research is based on ‘positivism’ paradigm (traditional approaches of social research) seeks to “discover a set of causal laws that can be used to predict general patterns of human behavior (Esterberg, 2002, p. 10).” This study aims to use quantitative methods to discover such patterns in predicting the relationship of emotion, situation, and the role of public deliberation on land conflict resolution over Thaplan National Park. Whereas, qualitative research methods help to deeply understand of personal experiences of the State, NGOs, and citizens in dealing with the land conflict resolution. With respect to qualitative approach, this study employs ‘social constructionist and interpretive paradigms (Esterberg, 2002, p. 15)’ to describe and capture the meaning of individuals’ lived experiences from each social groups, including the state through the process of interpretation.

3.2 Research Role and Motivation for the Study

This study involves several concerns about reflexivity that might have impacted on the data, such as gender and in-out group. Such reflexivity involves the epistemological stance and methodological concerns (Palaganas et al., 2017). Research process is never neutral, but embodies towards subjective and value-laden research process. It should be recognized that objectivity in research is a duty, but it is not a

virtue. To consider value-free, which should be aware of researcher's contribution to the construction of meanings and of lived experiences throughout the research process. Gaining trust and developing rapport with participants were conducted with care in the setting. The role of the researcher with ambiguous position was presented as as a sociologist and a lecturer to learn and to gain insights on lived experiences of individuals and state over land conflict issues. It seeks to understand the voices of all related citizens and state officials to let them speak through own interpretation. The attempt was made in this study to eliminate these biases by working with my faculty advisors as well as academic colleagues to who carefully reviewed the methodological activities and provided critical feedback on the accuracy and completeness of data collection and analysis in order to minimize the impact of investigator bias. In addition, the interviews were recorded and transcribed them verbatim in English and Thai, which increased the accuracy of what participants expressed in order to minimize the impact of investigator bias.

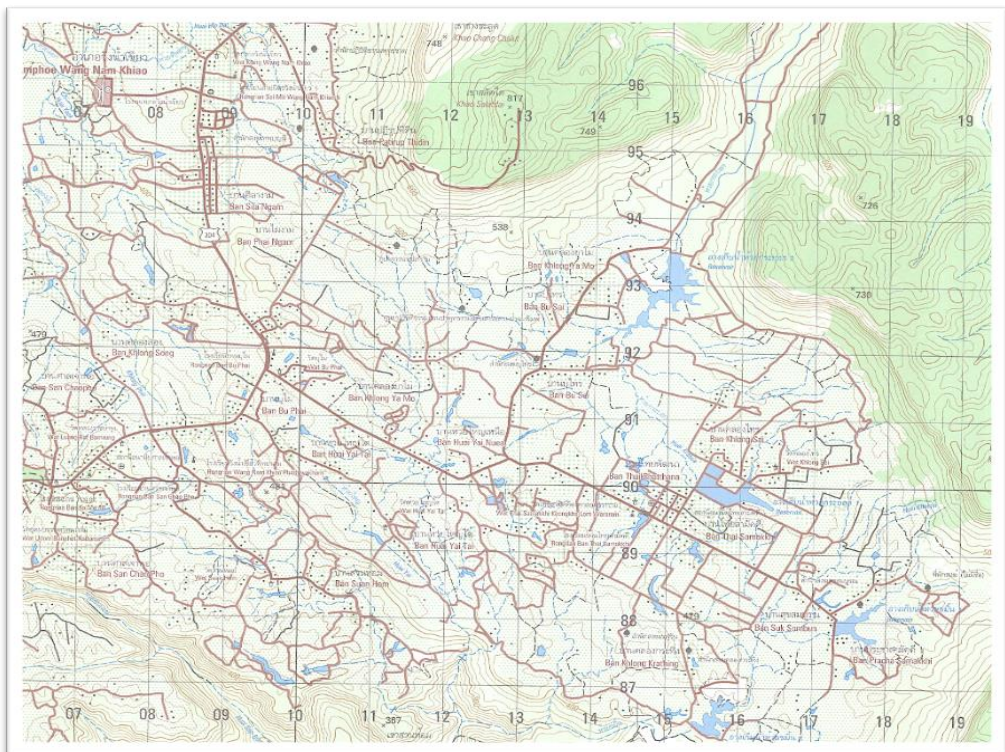
3.3 Research Sites

Thai Samakkhi Subdistrict in Wang Nam Khiao District was selected as the research site over study because the communities' areas were overlapped with the areas of Thaplan National Park since 1981 (B.E. 2524) and with the areas of Agricultural Land Reform Organization (ALRO) since 1977 (B.E. 2520) in order to dividing some areas to land reformation over degraded forest. Villagers, advocacies, civil society groups, and local state were claimed over their rights and legitimacies on land under prohibited areas. People in communities did not receive the ownership certificate, but have to pay the local maintenance tax (LMT 5—Por.Bor.Tor.5). However, the inhabitants believe that they will receive their right protection for the land they settled down long before the announcement.

A typology map of Thai Samakkhi Subdistrict in Thaplan National Park (Figure 3.2) shows the research sites which composes of eleven villages (Sources of Information: SAO) as follows:

Table 3.1 Research Sites

Moo	Names of Villages
1	Ban Thai Samakkhi
2	Ban Suksomboon
3	Ban Patirup Thi Din
4	Ban Bu sai
5	Ban Bupai
6	Ban Huai Yai Tai
7	Ban Pai Nagm
8	Ban Buddhachard
9	Ban Klongsai
10	Ban Klong-Ya-Moo
11	Ban Thai-Pattana

**Figure 3.2** A Typology Map of Thai Samakkhi Subdistrict in Thaplan National Park

3.4 Research Design

The mixed methods are divided in two main sections:

3.4.1 Qualitative Data Collection and Analysis

3.4.2 Quantitative Data Collection and Analysis

3.4.1 Qualitative Data Collection and Data Analysis

My study is classified into 4 Parts:

3.4.1.1 Narrative Approach: Storytellings

3.4.1.2 Narrative Arguments on Public Forums

3.4.1.3 Archived qualitative data, and Aerial Photographs

3.4.1.4 Photovoice of Public Deliberation

3.4.1.1 Narrative Approach: Storytellings

Narrative analysis is dealing with qualitative data that are full of narratives and stories in order to giving voices to people to tell stories, to describe, and to make sense of lived experiences in the social world (Esterberg, 2002, p. 181). Narratives help to organize the meaning of events, especially people's experiences on such events. Narratives in qualitative interviews aims to understand the discourse of the interview constructed by the interviewer and the interviewee (Elliot, 2005). This study proposes to understand the interrelation of meanings that were produced and reproduced by individuals on land and boundary conflicts (See Chapter 5 Part I). The reliability and validity in qualitative narrative research are taken care over all the study. Elliot (2005, pp. 22-27) suggested that the reliability refers to the stability of research finding over targeted populations, and the internal and external validity refer as follows: 1) internal validity of narrative interviews is to provide opportunities for the respondents to produce data that are more accuracy, truthful, or trustworthy by empowering their voices to be heard and to describe life experiences; and 2) external validity refers to use the narratives for the generalizability of qualitative evidence.

Target Group:

The target group was composed of 18 Thai participants in different social groups in the areas of Thai Samakkhi District who were willing to participate over the issues of land and boundary conflict in Thaplan National Park. Participants were recruited for this study by face-to-face interactions and via cell phones from January 2015 until December 2015. These participants gave referrals of others like themselves to participate on research. The NGO friends were very helpful during our conversation on research topic and recommended for other related social groups among communities. The pre-screening questions were asked to recruit participants over study. The basic questions according to topic were asked such as lived experiences in dealing land and boundary conflict over Thaplan, and the attendances of public forums over such land conflict issues. The interviews were scheduled with eligible participants by the following week after recruiting my participants. The inclusion criteria were 1) eligible people who *living or working* in the affected areas of land conflict over Thaplan, notably the Thai Samakkhi Subdistrict, 2) eligible people who gaining lived experiences over public forum in the case of Thaplan land conflict. I conducted all of the interviews by myself, and the place for interviews (research setting) depended on the participants' decisions as what was convenient for them, such as their homes or workplaces. The interviews were scheduled with eligible participants by the following week after recruiting participants. Over all, participants ranged in age from 41 to 71. The mean age was 53.8 ($SD = 7.95$). Participants were mostly male (77.8%), and the rest were female (22.2%). Their education mostly were bachelor degree (55.6%), elementary (22.2%), highschool (11.1%) and master to PhD (11.1%), respectively. They were mostly married (77.8%).

Table 3.2 Characteristics of Target Groups

	Sex	Age	Education	Status
Villagers:				
Meaw	F	45	Elementary	Married
Mon	F	52	Bachelor	Married
Ple	F	50	Bachelor	Married
Swai	M	53	Elementary	Married
Udom	F	58	Elementary	Married
NGOs:				
Berm	M	60	Bachelor	Married
Manode	M	66	PhD	Married
Nut	M	65	Master	Married
Buddhist Monks:				
Phra Chailit	M	52	High School	Married
Phra Sak	M	50	High School	Single
Phra Klong	M	55	Bachelor	Single
Local officers:				
Sek	M	41	Bachelor	Married
Somboon	M	42	Bachelor	Married
Jongkul	M	71	Elementary	Married
Ae	M	50	Bachelor	Married
Park and Forest officers:				
Paitoon	M	55	Bachelor	Single
Numphol	M	54	Bachelor	Single
Suthep	M	50	Bachelor	Married

Data Collection:

The qualitative data with in-depth interviews were collected stories from January 2015 until December 2015 aimed at gathering life stories and oral histories about land and boundary conflict resolution. The questions were asked, for example, how you have experienced the land conflicts; how the stories were telling related to such conflicts linked to social histories, witnesses, and evidences; how they

were expressing their ambition in solving such conflicts linked to experience over public forums. All research questions aim at opening spaces for individual narrative as products of crafting experiences over reconciliation which “in turn can bring out the life-affirming aspects of culture (Sivaraksa, 2012, p. 23). The stories were collected from groups as follows: 1) NGOs group in Thai Samakkhi District, 2) Royal forest department (Protected Areas Regional Office 7: Nakhon Ratchasima Province), from the Thaplan National Park, 3) Buddhist groups in Thai Samakkhi Subdistrict, 4) local officials, including Wang Nam Khiao District Office and Thai Samakkhi Subdistrict Administration Organization, 5) local leaders and villagers. Each story had been recorded by the digital voice recorder in MP3 format. All participants freely interpreted, critically gave meanings, and defined social situations according to such land conflicts through exchange of ideas and constant conversation. Also, each story was held in warm regard by each social group whom were recalling it.

Research Instruments and Content:

The semistructured with in-depth interviews was applied to collect data about individuals' lived experiences with mostly open-ended questions to capture individuals' live stories on land conflict over Thaplan. The interviews lasted approximately 2.30 hours each, and they were tape-recorded and transcribed (see Appendix A). In order to understand social history, changes, and challenges of the natural park land conflict resolution responded to aim one of my study, the three sections of research questions were fostered to ask for validity whether the research questions are valid for the desired outcome as followed: 1) background questions, including name, age, education, and marital status; 2) lived experiences over Thaplan land conflict as well as their suggestion on conflict resolution; and 3) lived experiences over public forums related to public deliberation (especially, inclusion and reasoned dialogue with their storied-base process) in searching land conflict resolution at Thaplan that places the assumptions about the benefit of pluralism, justice, and compassion of social emotion (Nussbaum, 2001). For reliability, care was taken in examining the peer studies (Black, 2013; Kashwan, 2011; Krause, 2008; Morrell, 2010; Schneider, 2008) with critical understanding of the ideas and the logic of deliberation to yield the consistent data in enhancing the reliability of process and results.

Data Analysis:

Narrative is a part of framing and can be effective in interpreting social context in the question of conflict (Svenson, 2016). Each interview transcript was carefully read to gain ‘a sense of the participants’ experiences on their stories as a whole. The next stage was getting involved with the data to begin to analysis. The stories were read several times before development of themes and codes. The first major analytic phrase of this study was the process of coding the data. The emerging codes lead to gain the dominant themes of narrative data so as to developing a theoretical analysis of public deliberation over land conflict resolution that the narrative can affect the outcomes by resolving conflictual social problems. The reflections from narrative storytellings revealed how participants from each social groups produced, shared, and conveyed their meanings over resolution of land conflicts through narrative processes that highlighted the value of emotions and public deliberation related to stimulate communicative rationality and equity. In addition to increase the validity and reliability of qualitative data, reviewing codings and categories were carefully read to achieve the significant themes as well as was carefully aware of reflexivity issues, or self-conscious upon the data throughout the data collection process which field noted was kept about impressions beyond the data to make clear about state of mind in this study and potential biased about the data. Also, consultation with the committees helped to arrive in dominant themes that emerged from the data. All served to increase the quality of findings.

3.4.1.2 Narrative Arguments on Public Forums

“Stories function as arguments. Stories provide a foundation for reasons and are used as evidence to justify positions; this makes them fundamentally argumentative in nature.” (Ellis, 2014, p. 1)

Ellis (2014) and Engelken-Jorge (2016) conducted narrative research on arguments over public deliberation. Ellis (2014, p. 3) suggested that dialogue and deliberation over narrative arguments provided “the search for mutual understanding, empathy, and the development of shared values. The role of narrative and deliberation over public forums would be elaborated a powerful indicator of subjective reality in reasoning processes to reach acceptable conclusions and transformation stories over asymmetric conflict (Ellis, 2014, p. 12). Also, Engelken-Jorge (2016, p. 93) identified

that narrative deliberation over personal stories on public deliberation helped to gear for collective identities, the moral, and ethical validity of values beyond articulated practical reasons as a problem-solving activity. The roles of citizen in each social groups and state engagement over public forums—political spaces for making decisions helps in assessing forms of the institutional designs (Ryan & Smith, 2014, p. 9). The practice of making arguments over public dialogue provides ‘political legitimacy’ (Peritz, 2001) responded to complex forms in which deliberative democracy and active citizens are played crucial roles to tell stories of land conflict resolution. Other scholars (Ellis, 2010; Freelon, 2010; Janssen & Kies, 2005; Smith et al., 2009) focused on deliberative democracy capacity over online public forum that guided on democratic communication in multi-sphere by providing instant spaces for debates upon shared interests and ideology beyond open dialogue to yearn for equality with rational-critical argument. This study applies the use of narrative in public deliberation over different forms of institutional designs of public forums in analyzing narrative as deliberative arguments to come across the reconciliation goal for justice to emerge. Participants in this study have learned to deliberate their stories as one’s discursive practice in justifying the arguments in their own particular ways. Public forums are considered as essential spaces to assess structures, forms, processes, and outcomes of narrative deliberation that citizens and state are joining to attribute their preferences over their deliberative capacity building as explicating policy decisions in determining guidelines of conflict resolution for the nearest future. Deliberative processes must have an impact on collective decisions, or social outcomes...that entails *governance without government* (Dryzek, 2009, p. 1382). This study proposes that different institutional designs of public forums are likely to represent different narrative qualities of public deliberation and argumentations. The narrative arguments on public forum were composed of the four distinguish forums (see table 3.2; see Chapter 5 Part II) in which represented narrative and identity as typically deliberative arguments through stories and personal narratives.

Data Collection:

The narrative arguments were collected from the different institutional designs of public forums as follows: 1) PAC; 2) KORAT; 3) MNRE; and 4) WNK. Each forums had to gain access to attained over each panel discussions with

2-3 hours per each public forum. The first public forum was collected data on 20 May B.E. 2558 at Thaplan National Park Thailand Headquarters. The PAC forum was deliberating over land and boundary conflict resolution and the progressive report over the road construction of Highway 304 Wildlife Corridor Project. PAC was gathering park and forest officers, the representative of local leaders and villagers, the qualifies committee, and groups of typical conservative clubs to participate over public forum. The Korat forum, the second forum, was collected data on 2 July B.E. 2558 at A Town Hall Meeting at Nakhon Ratchasima Province. The wide ranges of social movements (a Governor, local leaders, villagers, NGOs, park and forest officers, local media) were deliberating on land and conflict resolution over Thaplan National Park. The third forum was MNRE that was collected data on 2 February B.E. 2559 at Ministry of National Resources and Environment. Citizens in Thai Samakkhi Subdistrict, local leaders, NGOs, and State Officers were engaging on public forum in listening land and boundary conflict resolution. Lastly, WNK was collected on 21 July B.E. 2560 at A Town Hall Meeting at Wang Nam Khiao District. This final forum was the biggest forum that was crowded of citizens, local leaders, state officials from all related segments, ombusman and staffs, and media from both local and national were giving voices to land and boundary conflict resolution.

Table 3.3 Public Forums over Study

Name of Public Forum	Date/Month/Year	Places
PAC	20 May B.E. 2558	A Conference Room at Thaplan National Park
KORAT	2 July B.E. 2558	A Town Hall Meeting at Nakhon Ratchasima Province
MNRE	2 Feb B.E. 2559	Ministry of National Resources and Environment
WNK	21 July B.E. 2560	A Town Hall Meeting at Wang Nam Khiao District

Data Analyses:

Each mini-public forums was recorded by using audio voice recorder in mp3 formats and was carefully transcribed over dialogue. The empirical narrative arguments on public forums were analyzed and reread to gain sense of dialogues and deliberation over narrative arguments. The types of mini-public (Fung, 2003) forums, the information, participation, government capacity, and justification of narrative arguments were analyzed as stories' representation of emerging themes. The emerging codes and themes were attributed to develop a theoretical analysis of public deliberation prior the logic of argumentation and the quality of communication so as to fostering mutual understanding of public policy problems regarding to land conflict resolution.

3.4.1.3 Archived Qualitative Data and Aerial Photographs

“Archived qualitative data are a rich and unique... to capture lived experiences of the social world and the meanings people give these experiences from their own perspectives (Corti, 2007)”.

Archived qualitative data can prove to be as cultural heritage with full of social histories and social evidences over phenomena (Corti & Thompson, 2012). Corti and Thompson (2012, pp. 1-2) give definitions of the secondary analysis of archived qualitative data as capturing lived experiences of people and events; for examples, personal documents and photographs. This part of the study aims to collect and to assess secondary data to capture facts and evidences related to land conflict resolution of Thaplan National Park, to explore the territory of Thaplan national park conflicts, and the social contexts of land conflicts.

Data Collection:

Secondary sources of information were accumulated in B.E. 2559 to B.E. 2561 from the official documents, letters, historical and legal documents over land conflicts beyond Thaplan National Park that were hard to reach. The photographs and aerial photographs were included to capture social reality over histories. The aerial photographs were bought from the Royal Thai Survey Department

in B.E. 2559. Also, documents and photographs as evidences were collected from NGO friends, local leaders, and villagers in Thai Samakkhi Subdistrict.

Data Analysis:

The aerial photographs were used to investigate the change over geographical historical datas. The aerial photos over Thai Samakkhi Subdistrict were analyzed by comparing the years in sequences—B.E. 2510; 2517; 2542; 2554. Scholars such as, Brewer (2007); Statuto et al. (2017) suggests that the use of aerial photographs in research is effective in managing public policies over natural resource management and monitors the variation over rural landscape. To do so will provide the accuracy information in zoning management and in the changes of geography over communities. Besides, the official documents and photographs were analyzed in sequential events and histories and to understand changes and challenges over Thaplan so as to discuss local and national local archival initiatives arising over the past decade. To increase validity and reliability, this study utilised original documents; all archived datas must be protected by locking in the safe place over research study to ensure confidentiality. The direct, or firsthand evidences were gathered through observation and were analysed the contents over events, objects, persons, and social histories that are hard to reach of my empirical studies and especially to study historical conflicts over Thaplan National Park for revealing truth telling with grounding in a phenomenon.

3.4.1.4 Photovoice of Public Deliberation

Photovoice as a qualitative inquiry technique for social change to capture the strengths and weakness of communities through photographs and critical dialogue. Wang (2006) referred to photovoice as “a participatory action research strategy” to empower people in society with co-learning process to exercise their autonomy over conflict issues. Wang was giving cameras and introducing photovoice technique to youth for community change according to what they reflected on photographs with consciousness to create a more healthy democratic society. Wilson et al. (2007)’s study of young adolescents in social action projects over schools and neighborhoods’ assessment through photovoice. Emerging themes helped in representing what they have learned to develop their school’s environment such as a theme “the Scary Place” was represented the dirty wall covered with graffiti and bullet holes (Wilson et al., 2007,

p. 249). Besides, Wang and Burris (1997) applied photovoice as ‘a participatory action research (PAR) strategy’ to observe health promotion and community change by giving cameras to allow youth participation over project. Wang and Burris (1997) offers photovoice to identify, represent, and enhance society for change by employing furnish evidences through photographic technique. Wang (2006) suggests that photovoice is essential to ‘record and vivify community’s strengths and concerns’, to ‘promote critical dialogue and knowledge about community issues’, and to ‘reach policy makers.’ Downey et al. (2009) use photographs and narratives on photovoice as a method of facilitating deliberation to improve local health status on forum discussions. Therefore, this part of the study aims to use photovoice to empower how individuals record and reflect their personal feeling towards community strengths and concerns for land conflict reappraisal the needs of the communities.

Data Collection:

Photographs by citizens and NGOs were collected from B.E. 2558 to B.E. 2561. Photovoice technique was introduced to participants who were eligible to conduct narrative inquiry and were willing to be continually participant on photovoice of public deliberation on land and boundary conflict resolution. The study included totally 6 participants. Three of them were NGOs. Two participants were villagers, and one was a Buddhist monk. The coming of themes before capturing pictures was depended on what they wish to take photographs related to land conflicts. Then, participants were given cameras in order to capturing themes related to their lived experiences, places, memories and social evidences on land and boundary conflict resolution. After taking photographs, participants selected photographs and put in to their photo collection. Later, each participant engaged on discussion to explain and empower evidences that one was capturing to represent individual voices. To facilitate critical thinking, participants were asked, such as “what’s happening in this photograph?” Probes such as, “Could you tell me more about social evidences (objects/subjects) within photographs related to land conflict?”

Table 3.4 Characteristics of Participants in Photovoice

Participants	Sex	Age	Education	Status
Nut	M	65	Master	Married
Meaw	F	45	Elementary	Married
Phra Chailit	M	52	High School	Married
Berm	M	60	Bachelor	Married
Manode	M	66	PhD	Married
Ple	F	50	Bachelor	Married

Data Analysis:

The photographs that participants were taken with cameras were analyzed regarding to themes and discussion on what they were capturing and giving meanings to photographs. The dominants themes emerged after engaging in analysis of photographs and transcribed text from participant's discussion. Photovoice technique proposes as one part of triangulation methodologies for enhancing validity and reliability over the study.

3.4.2 Quantitative Methodology

The quantitative reseach methodology is applied to predict the role of public deliberation on land conflicts in order to assess the relationships on emotions, situations, and the role of public deliberation as follows: X_1 : Feeling On Participation at Local Forums Over the Community Problem, X_2 : Feeling Over Public Forum on Land Conflict Resolution, and X_3 : Situation Appraisal of Land Conflict over Thaplan National Park and y_i : the role of public deliberation on land conflict resolution of Thaplan.

3.4.2.1 Measurement

Emotion and Deliberation

Consequences of affect and deliberation have a relationship on each other. Bhatia (2015) conducted quantitative research in predicting emotion, such as passion and deliberation in decision-making process. The welcome of the affective system such as environmental stimuli as the availability of a snack helped to positively perceive and act towards public deliberation (Bhatia, 2015, p. 58). Bhatia (2015, p. 59) concluded that affective motivation as willpower was effective in enhancing behavioral outcomes of the desirable deliberative system. The feeling of faith, believe, and trust in government has influenced political affairs in public deliberation. Deliberative scholars (Geissel & Hess, 2017; Nabatchi, 2007) examined the relationship of political efficacy and deliberation. The quantitative findings of deliberation in Germany (Geissel & Hess, 2017) were reported the relationship between the feeling of group-related political efficacy and process of public deliberation; the greater the deveopment of political efficacy in local communities, such as financial and structural support on communities, the greater the praxis of institutionalized citizens' involvement in public forum on mobilization and collective action (See Figure 3.3). The Figure 3.3 showed the statistical significant in medium positive correlation between participatory plan as well as special staff with political efficacy in deliberative procedure. However, city council participation and support showed a statistically significant in weak negative correlation with political efficacy. As expected from the effect-size calculation, deliberative procedures have impacts on political efficacy in municipalities with participatory plan, special staff, a participatory history, and economic strength. The research concluded that "deliberative procedures can lead to a greater sense of political efficacy – under certain circumstances."

... by political efficacy (n=180)	
Rank-biserial correlation	
Mayor participation and support	.163**
City council members' participation and support	-.182**
Participatory plan	.256**
Special staff for citizens' involvement	.331***
Former participatory procedures	.182**
City council right wing	.184**
Somers-d	
Municipal economic strength	.159**
Municipal size	-.088(ns)

Note: p<0.01 (***), p<0.05 (**), p<0.10 (*), p>=0.10 (ns)
Source: provided by the authors

Figure 3.3 Group-related Political Efficacy, Calculation of Effect Sizes

Source: Geissel and Hess, 2017, p. 12.

Thresholds	Estimate	SE
No improvement of political efficacy	-12.121*	6.554
Slight improvement of political efficacy	-11.507*	6.543
Moderate improvement of political efficacy	-5.490(ns)	6.245
Strong improvement of political efficacy	1.517(ns)	6.352
<i>Independent variables</i>		
Participatory plan	2.065**	.854
Special staff for citizens' involvement	4.329**	1.496
Former participatory procedures	1.445**	.638
Mayor participation and support	1.842(ns)	7.266
City council participation and support	-11.085(ns)	14.431
Municipal economic strength	7.231E-5**	4.006E-5
Municipal size	-1.444E-7(ns)	6.817E-7
City council right wing	-.758(ns)	2.107
Cox and Snell Pseudo R ²	.290	

Figure 3.4 Ordinal Regression on Group-Related Political Efficacy in Deliberative Procedures (N = 180)

Source: Geissel and Hess, 2017, p. 13.

In addition, Nabatchi's quantitative research examined the relationship between political efficacy in public decisions among inclusiveness of civic participation and deliberative democracy in the case of the America Speaks 21st century town meeting. The results showed that "only the increase in external political efficacy is statistically significant with participation on deliberative forum. The external political efficacy was considered as "feelings about the responsiveness of government and its authorities to citizens demand (Nabatchi, 2007, pp. 264-265)"; where as, internal means "feelings about one's competence and ability to participate effectively in government and politics." Therefore, the feeling of positive political efficacy on government authorities led to the civic competency of deliberative forum.

Scholars (Krause, 2008; Morrell, 2010) studied ‘emotion’—empathy and passion on civic deliberation. Morrell (2010, p. 67) suggested that the feeling of empathy related to the action of the role of deliberation (openness, reciprocity, tolerance, mutual respect, inclusion, cooperation, and fairness). In addition, the empathy is considered as a process that individuals feel and engage on situations so as to help in praxis of public deliberation. The theory of deliberative democracy tied with empathy in the aspect of rationality in communication with the sense of taking account on community concerns. Morrell (2010, p. 76) referred to Habermas and the concept of generalized others as the cognitive function of ideal role taking with the limit to moral norms and empathy as basis in discourse ethics of communicative rationality. But, Morrell fulfilled by taking empathy as the whole process of how individuals feel over moral norms as well as justifying other’s views as the validity of a norm to respect for the dignity of other people (Morrell, 2010, p. 82). Krause (2008) studied civil passions and deliberative democracy. The heart of deliberative democracy has to take an account on the importance of impartiality as a cornerstone of fair decision making along with the feeling of passion on moral, especially impartiality and the feeling of judgement, and political deliberation. Krause (2008) referred to Hume’s theory of moral sentiment of how passions can bring about impartial justice in deliberation over public sphere with the requirement of using public reasons in acting for justice with benevolence.

Situation and Deliberation:

Situation stimuli has impacts on public deliberation. The unstable situations, such as economic instability required public deliberation in building trust and civic engagement (Lander & Cooper, 2017); low trust of government and democratic system in Australia led to low level of public deliberation in electoral voting on political party. Lander and Cooper (2017) suggested on applying technology for larger-scale government in promoting credible democratic system to increase civic engagement on public deliberation. Pincock’s deliberative research (2011) examined the community conflict and the role of public deliberation in Toronto. The educative potential of deliberative process was influenced by community’s interest, such as community dispute resolution organization (CDRs), a non-profit agencies. In this study, the community concerns over social problems as land conflicts on public forums

may help in explaining the role of public deliberation because the care of situation appraisal will allow citizens to make an effort over civic role of deliberation.

The Role of Public Deliberation:

The role of public deliberation on public forums represent an individual's power in action orientation in justifying the arguments. Magee (2009, p. 2) identifies on the role of deliberation as citizens' action orientation—"implemental thinking" over decision-making process to take actions as a signal of power as an effective leader on communication. Individuals attempted to demonstrate their capacities of reconciliation in policy-setting contexts on public forum. Rao and Georgeff (1991) suggested on the role of deliberation as the role of rational agents' formation of intentions to achieve reconciliation goal by testing on semantic language and a decision tree. They presented a branching time possible-worlds model for representing and reasoning about, beliefs, goals, intentions, time, actions, probabilities, and payoffs. They illustrated how an agent can perform deliberation using a decision-tree representation and then use a possible-worlds model to form and reason about his intentions. Thus, individuals presented how they were maximizing expected value to deliberate and justify arguments to achieve the best plan of action, rooted in individual intention on public forum. Scholars (Habermas, 1984, 1996; Steenbergen et al., 2003; Steiner, 2012) were applied to operationalize the quality of deliberative roles. Habermas (1984, 1996) focused on the role of communicative action and justification of norms and practical reasons (forecasts of collective utility) for fair results (Habermas, 1996, pp. 292-296). "The success of deliberation politics depends not on a collectively acting citizenry but on the institutionalization of the corresponding procedures and conditions of communication, as well as on the interplay of institutionalized deliberative processes with informally developed public opinions (Habermas, 1996, p. 298). Habermas (1984, p. 11) also helped to develop a concept of rationality with civic subjectivism. The instrumental rationality is about of "a subject capable of gaining knowledge about contingent environment and putting it to be an effective usage in intelligently adapting to and manipulating that environment. Whereas, the communicative action serves mutual understanding, whereas actors, in coming to an understanding with one another so as to coordinate their actions, pursue their particular aims (Habermas, 1984, p. 11)."

In other words, the intentions, the feelings, and the desires are important factors to increase communicative competence and the practice of argumentation that can validity claims and examining the truth of communications through statements as well as the rightness of actions and norms with the authentic of expressions under cultural productions (Habermas, 1984, p. 12). Steiner (2012) and Steenbergen et al. (2003) pointed to the quality of deliberative democracy, root in Habermas's theory. They concluded the quality of deliberation (Discourse Quality Index: DQI) should emphasize on 1) The Nature of Speech Act, 2) Participation, 3) Respect, 4) Justifications of Arguments that referred to common goods/well-being, 5) Force of Better Arguments, and 6) Stories Reinforce Rational Justification.

3.4.2.2 Hypotheses and Expectations

This study analyzed the relationship of emotions (β_1), situations (β_2), and the role of public deliberation (β_3). The stronger the feeling before/after gaining experiences of public concerns over land conflicts, including the situation appraisal on such conflicts, the greater the praxis of the role of public deliberation on conflict resolution which are embedded on the nature of the arguments.

$$H_0 : \beta_1 = \beta_2 = \beta_3 = 0$$

H_1 : not all of β coefficients are equal to 0.

3.4.2.3 Quantitative Methods and Data

The quantitative methods and data were attributed as followed:

Target Groups:

The samples over the study were 416 villagers who have been living in the Thai Samakkhi Subdistrict, Wang Nam Khiao, Nakhon Ratchasima more than 10 years that were accused as encroachers in Thaplan national park. The samples were contacted by telephone and were asked permission to be engaged on this study. The whole population over Thai Samakkhi Subdistrict were totally 6,534 people in the eleven villages. To determining sample size, the table of Taro Yamane (Yamane, 1973) was applied for firstly selecting sample size with the error 5%, or with 95% confident level. After calculated the sample size, the number was 378 peoples, plus conducted more 10% to eliminate error, so the overall number was 416 peoples over my study.

Table 3.5 Population Numbers and Household Numbers in Thai Samakkhi Subdistrict
Classified by the Areas of Villages

Moo	Names of Villages	Household Numbers	Population Numbers
1	Ban ThaiSamakkhi	415	695
2	Ban Suksomboon	420	774
3	Ban Patirup Thi Din	331	513
4	Ban Bu sai	330	929
5	Ban Bupai	260	496
6	Ban Huai Yai Tai	226	385
7	Ban Pai Nagm	181	504
8	Ban Buddhachard	319	813
9	Ban Klongsai	193	453
10	Ban Klong-Ya-Moo	177	358
11	Ban Thai-Pattana	170	614
Total		3,022	6,534

Next, the two-stage sampling design (Agresti & Finley, 2009, p. 22) was applied to be partitioned population into groups—clusters. The first stage was included all clusters, or all villages to be sampled due to heterogenous concerns of each cluster. The second stage was selected the elements, or individuals of each clusters with sampling proportional technique (See table 3.4). Participants in each cluster, or village was considered as homogenous—same kinds of characteristics of target population.

Table 3.6 Population Numbers and Sample Size Classified by Villages

Moo	Villages	Population Numbers	Percentage (%)	Sample Size
1	Ban ThaiSamakkhi	695	10.64	44
2	Ban Suksomboon	774	11.85	49
3	Ban Patirup Thi Din	513	7.85	33
4	Ban Bu sai	929	14.22	59
5	Ban Bupai	496	7.59	32
6	Ban Huai Yai Tai	385	5.89	25
7	Ban Pai Nagm	504	7.71	32
8	Ban Buddhachard	813	12.44	52
9	Ban Klongsai	453	6.93	29
10	Ban Klong-Ya-Moo	358	5.48	23
11	Ban Thai-Pattana	614	9.40	39
Total		6,534	100	416

Data-Collection:

The questionnaires as the research instruments with check-list questions and five point Likert scale were conducted to eliminate bias and errors when asking participants to express their feeling, opinions, and behaviors over the role of deliberative democracy beyond dealing on situational land conflict issues that propose to reflect deliberative capacity in a political setting. For validity, pre-test questionnaires were conducted before distributing. Cronbach's alpha coefficient was used to examine its internal consistency for reliability over study. SPSS (Statistical Package for the Social Sciences) was applied for quantitative analysis. All quantitative data were collected at Thai Samakkhi Subdistrict from December 2015 to March 2016.

Data Analysis:

My quantitative statistic study was divided into two parts:

1) Descriptive Statistics: My data was presented by applying ‘Central Tendency’, ‘Variation’, and ‘Frequency and relative frequency table.’

2) Inferential Statistics: Multiple regression was used to predict the relations over variables as followed: Feeling on participation at local forums over the community problem, Feeling over Public Forum on Land Conflict Resolution, and Situation appraisal of Land Conflict over Thaplan National Park, in predicting “The Roles of Deliberative Democracy.”

$$y_i = \alpha + X_1\beta_1 + X_2\beta_2 + X_3\beta_3 + \varepsilon$$

y_i The Roles of Deliberative Democracy (4 dimensions)

X_1 Feeling on Participation at Local Forums Over the Community Problem

X_2 Feeling Over Public Forum on Land Conflict Resolution

X_3 Situation Appraisal of Land Conflict over Thaplan National Park

The pre-assumptions on multiple regression:

1) Independent Variables (X_i) and Dependent Variable must be ‘quantitative variable’, or continuous variable with the measurement of Interval, or Ratio Scale.

2) Independent Variables (X_i) have linear relationship with Dependent Variable.

3) Independent Variables (X_i) should be free (don’t have relationship within each independent variable) by showing the Pearson Correlation not over than 0.7 that might lead to Multicollinearity problem that is Independent Variables have relationship in high level with each other. Such problem may lead to high effect R Square (R^2)

4) The data must be Normal Distribution at all X values.

5) The Residual is equal in all scatter dots (Heteroscedasticity).

CHAPTER 4

CHANGES AND CHALLENGES OVER THAI SAMAKKHI SUBDISTRICT: POLITICAL AND SOCIAL HISTORY OF LAND CONFLICT IN THAPLAN NATIONAL PARK

This chapter aims to illustrate changes and challenges over Thaplan National Park by applying the archived data of secondary source in order to understanding: a) social history of Thai Samakkhi Subdistrict, and b) public deliberation through Photovoice (a participatory action research). The ambition of this chapter hopes to raise awareness of the importance of the preserving project data that taken with great care of an archive integrated with the ongoing work of the research project. The secondary source of documents were collected from village leaders, NGOs, officials from local organization, a national park library, and the accredited organizational website. The archives have generated from the records that have been selected for long-term preservation on grounds of their enduring social, cultural, historical, and evidentiary value such as aerial photographs in the year that was unpublished. Some might not exist for searching at present. Moreover, photovoice research methods was applied to capture the voices of citizen deliberation as witnesses on political geography over Thaplan areas. The study proposes to carefully generate all those useful materials and data to think deeply about the justification of evidences with justice for social development and for revitalizing society.

4.1 General Information and History of the Areas: Thai Samakkhi Subdistrict

4.1.1 Brief History of Thai Samakkhi Subdistrict

The communities in Thai Samakkhi Subdistrict located in Wang Nam Khiao District, Nakhon Ratchasima Province have been established for a long time.

According to the establishment evidences from the administrative organizations that are verifiable and the most reliable ones, it was found that there were two villages that were found in B.E. 2457 (B.C. 1914) as follows: 1) Ban Bu Phai and 2) Ban Busai in Sakae Rat Subdistrict) (See Figure 1). Furthermore, a community named “Baan Wang Nam Khiao” also belongs to Tumbon Sakaerat, in Aumphur Pak Thong Chai, Nakhon Ratchasima Province before the establishment of Wang Nam Khiao Sub-District 22nd May B.E.2518 (B.C. 1975). The areas in Thai Samakkhi Subdistrict were transferred to Wang Nam Khiao Sub-District, Aumphur Pak Thong Chai.

ชื่อหมู่บ้าน	หมู่ที่	ที่ตั้ง (ตำบล/กิ่ง)	ปีที่	จำนวนราษฎร			หลักฐาน	วันที่
				ชาย	หญิง	รวม		
บ้านหนองบัว	๑	บ้านหนองบัว	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๕	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๖	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๗	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๘	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๙	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๐	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๑	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๒	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๓	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๔	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๕	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๖	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๗	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๘	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๑๙	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๐	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๑	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๒	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๓	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๔	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๕	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๖	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๗	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๘	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๒๙	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๐	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๑	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๒	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๓	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๔	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๕	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๖	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๗	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๘	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๓๙	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๐	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๑	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๒	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๓	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๔	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๕	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๖	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๗	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๘	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๔๙	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗
บ้านโคกสูง	๕๐	บ้านโคกสูง	๒๔๕๗	๑๐๕	๑๐๐	๒๐๕	๒๐	พ.ศ. ๒๔๕๗

Figure 4.1 The Evidence of The Establishment of Villages In B.E. 2457

Source: Subdistrict Administration Organization, 2017.

Another evidence that shows the existence of community is the foundation of the Buddhism Temple in Tumbon Thai Samakkhi, named “Wat Bu Phai” in B.E. 2480 (See Figure 4.2).



Figure 4.2 Bu Phai Temple Official Certificate the Sangha Act of 1941 (B.E.2484)
Source: Subdistrict Administration Organization, 2017.

In addition, there have been the significant evidence of the establishment of villages (See Figure 4.3) regarding the existing official document of house registration (House particulars). According to the the Local Government Act, Buddhist Era 2457 (1914), the subdistricts (tambon) are established in the districts and minor districts. Each subdistrict is led by a subdistrict chief (kamnan) and is divided into villages (mu ban). Each village is led by a village chief that is the point of human existence under the phohibited area in the Thaplan National Park.

The image shows a document with a table of house registration records. The table is titled in Thai and contains several columns. The columns include:

- ชื่อคน (Name)
- ชื่อหมู่บ้าน (Village Name)
- เลขที่โฉนดที่ดิน (Land Title Deed Number)
- เนื้อที่ (Area)
- ชื่อตำบล (Subdistrict Name)
- ชื่ออำเภอ (District Name)
- ชื่อจังหวัด (Province Name)
- ชื่อประเทศ (Country Name)

 The table contains multiple rows of data, with some handwritten entries and red markings. The document is dated 22/8/2556 (2013) and has a URL on the left side: http://172.16.240.13/ViewHome/Print.aspx?id=4317766888370000.

Figure 4.3 The Evidence of House Registration

Source: Subdistrict Administration Organization, 2017.

In B.E.2520, there was a historical event in Thai Samakkhi Subdistrict that was the establishment of Thai Sammakkee Village. The government allocated lands to villagers that was clearly the legal right possession over the land right due to the government’s permission. The mentioned establishment was for the national security since some people who did not agree with the government’s actions at that time used arms against the government in the name of the Communist Party of Thailand. Some of them hid among the people in the deep forests in Ban Munlong, Ban Mun Sam-Ngam, and Ban Khlong Ta Dam. The government wanted to separate the people from the communist terrorists. Thus, the people were migrated from the mentioned high mountain areas to Ban Busai. Each family of the people received one ngan (400 square meters) of lands for living and 10 rai (16,000 square meters) of lands for working. Then, the name of the newly established village is Thai Samakkhi. Mr. Jongkol Saracharoen was the first village headman. The current area of Thai Sammakkee Village is significantly smaller than that in the past because the population was increased. Then, the administrative areas were identified, and new villages were established. Suk

Somboon Village, firstly named Ban Huai Khamin, was separated from Thai Samakkhi in B.E.2530, and Thai Pattana Village was separated from Thai Samakkhi Village in B.E.2545.

In 13th March B.E.2535 (B.C. 1992), Wang Nam Khiao Minor-District was established and separated from Pak Thong Chai District, Nakhon Ratchasima Province. Wang Nam Khiao Minor-District had four subdistricts: 1) Wang Nam Khiao Subdistrict, 2) Wang Mi Subdistrict, 3) Udomsap Subdistrict, and 4) Raroeng Sub-District under the administration of Pak Thong Chai District, Nakhon Ratchasima Province. On 25th November B.E.2535 in the same year, Thai Samakkhi Subdistrict was established in Wang Nam Khiao District. The subdistrict had nine villages as follows:

Table 4.1 Villages and Discription on Thai Samakkhi Subdistrict

Villages	Description
Moo 1 Ban Thai Samakkhi	Transferred from Moo 13 Wang Nam Khiao Sub-District
Moo 2 Ban Suk Somboon	Transferred from Moo 16 Wang Nam Khiao Sub-District
Moo 3 Ban Patirup Thi Din	Transferred from Moo 17 Wang Nam Khiao Sub-District
Moo 4 Ban Busai	Transferred from Moo 12 Wang Nam Khiao Sub-District
Moo 5 Ban Bu Phai	Transferred from Moo 11 Wang Nam Khiao Sub-District
Moo 6 Ban Huai Yai Tai	Transferred from Moo 1 Wang Nam Khiao Sub-District
Moo 7 Ban Phai Ngam	Transferred from Moo 2 Wang Nam Khiao Sub-District

Table 4.1 (Continued)

Villages	Description
Moo 8 Ban Buddhachat	Transferred from Moo 18 Wang Nam Khiao Sub-District
Moo 9 Ban Khlongsai	Transferred from Moo 19 Wang Nam Khiao Sub-District

Source: Subdistrict Administration Organization, 2017.

On 20th November B.E.2539, a royal decree was made in order to make Wang Nam Khiao Subdistrict to be under Pak Thong Chai District, Nakhon Ratchasima Province and become a district. Therefore, Thai Samakkhi Subdistrict has been in Wang Nam Khiao Province since then. Subsequently, there were new villages established according to the increased population as follows Moo 10 Ban Khlong Ya Mo (separated from Ban Bu Phai in B.E.2542) and Moo 11 Ban Thai Pattana (separated from Thai Samakkhi Village in B.E.2545). Thus, Thai Samakkhi Sub-District has 11 villages and over 3,000 households.

4.1.2 The Forest Concession and the Announcement of Overlapped Areas

The important problems or obstacles for developments and the lives of the people in Thai Samakkhi Subdistrict are the untitled land that people were owned. Since there were conflicts regarding laws and the authorities' control of forest management, there was an announcement of the National Reserved Forest in Wang Nam Khiao forest in 1972 (B.E. 2515) and in 1981 (B.E. 2524) there was an announcement for Thaplan National Park as state-owned land which appeared that the reserved forest area, national park area, and habitat areas were overlapped that caused of land conflict. Villagers did not receive the ownership certificate, but they have to pay the local maintenance tax (Por.Bor.Tor. 5). However, the inhabitants believe that they will receive their right protection for the land they settled down long before the announcement in the same areas leading to the problems of using the lands, legal enforcements, loss of the people's

rights, and duties of the public officers with different regulations and laws governing their duties. These issues made the people and all stakeholders' confused till present.

The areas of Thai Samakkhi Subdistrict used to be the areas that the government had approved for the forest concession, and there was an concessive company that received forest concession to cut down trees, such as teak woods continuously for many periods.



Figure 4.4 The Evidence of Forest Concession (B.E. 2525)

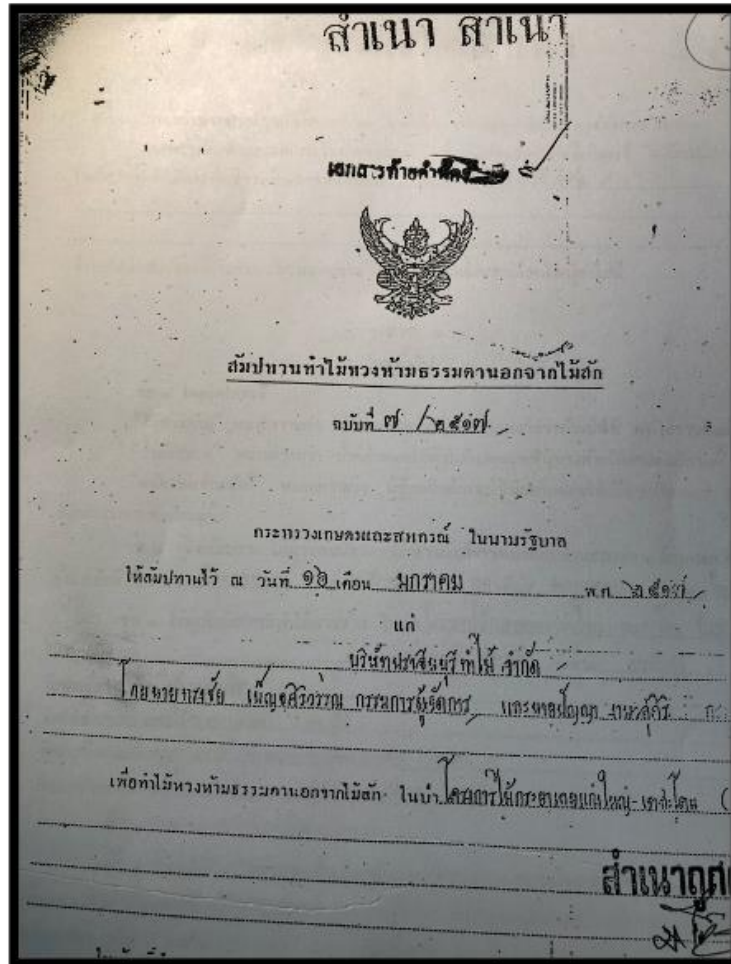


Figure 4.5 The Evidence of Forest Concession (B.E. 2517)

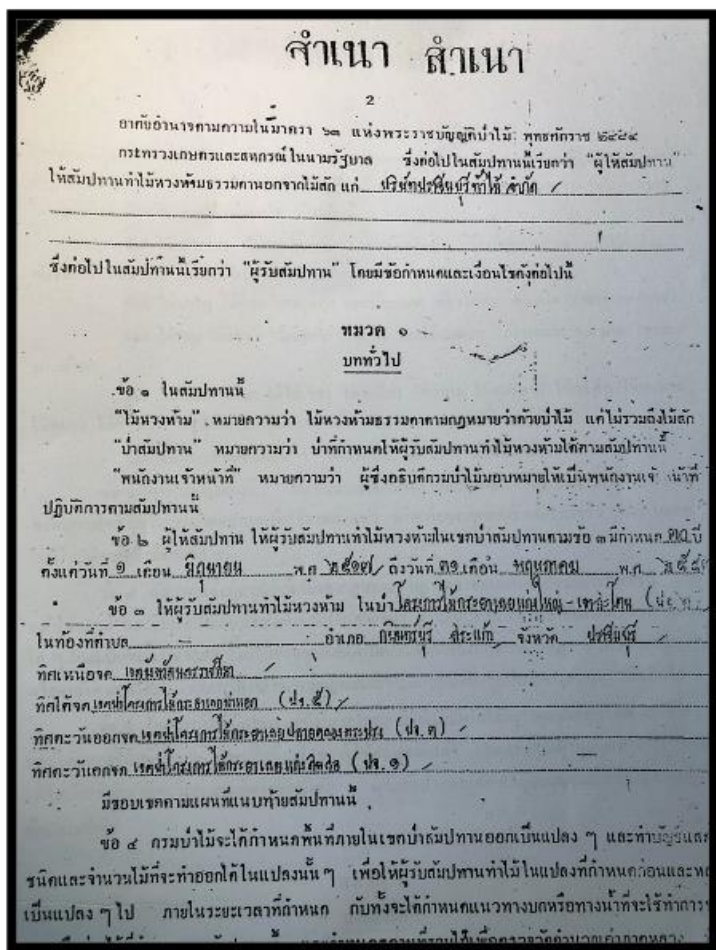


Figure 4.6 The Evidence of Forest Concession (B.E. 2517)

The increasing deforestation has started since 1968 (B.E. 2511) by Nakhon Ratchasima Wood Company as the mainly concessive company. In the mean time, there was the establishment of highway route no. 304 connecting between the deep water port named “Sattahip” and “Pak Thong Chai” camp created by Engineering Battalion 809 of the United States of America. The construction was done in 1968 (B.E.2511). Therefore the transportations of woods became more convenient and faster. According to this creation of the highway route 304, the trees in the forest’s areas has been gone tremendously and have turned forest to be the forest degradation.

In 1972 (B.E. 2515), the government announced the ministerial regulations No. 505 according to the National Reserved Forest Act 1964 (B.E. 2507). The announcement of Wang Nam Khiao was becoming the national reserved forest where

some areas originally belonged to Thai Samakkhi Subdistrict (at that time, it was called “Sakaerat”) where the villages were established long before.

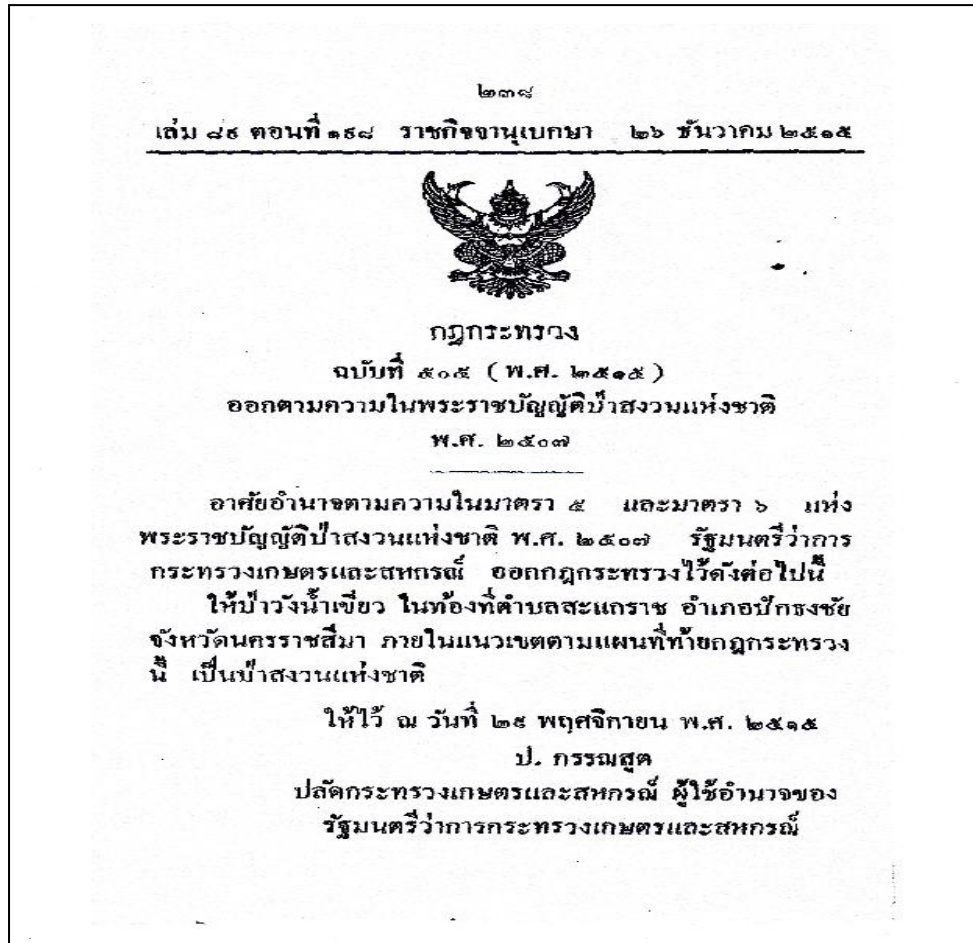


Figure 4.7 The Announcement of the National Reserved Forest Act 1964 (B.E. 2507)

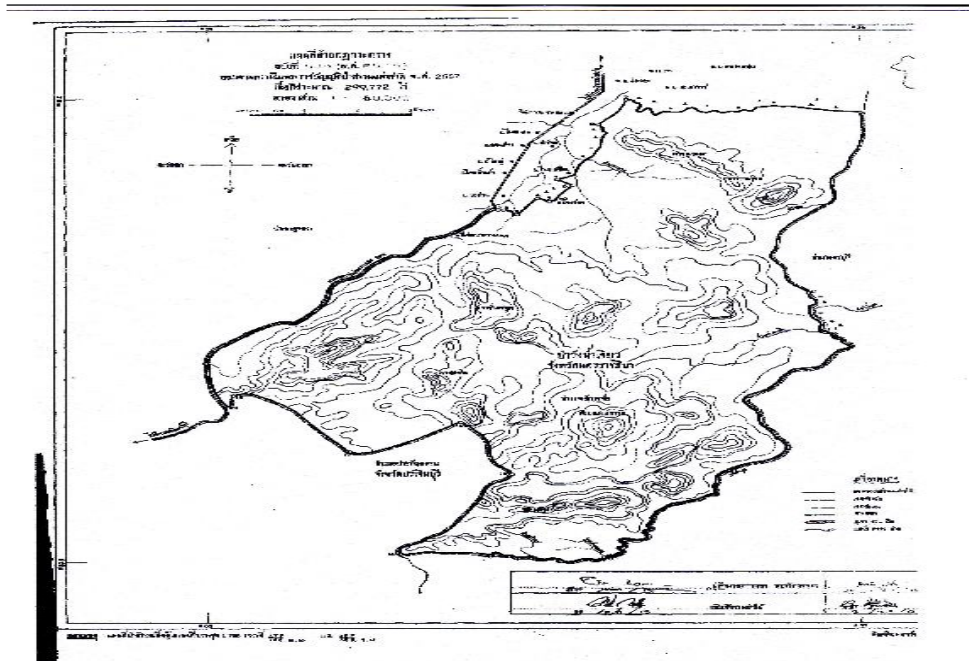


Figure 4.8 The Map of the Areas of National Reserved Forest Act 1964 (B.E. 2507)

Hence, the announcement of the national forest's areas at that time has overlapped the areas of citizens who have been living there before. The villages had been established by the Subdistrict administrative organization (SAO) before the announcement occurred. The citizens in the areas have been living in such areas long before. However, after the announcement of the national forest, the forest concession has still remained. It can be concluded that these areas of the forest have become a forest degradation as the result of the government's forestry policy itself.

In 1978 (B.E. 2521), the government legislated the Royal Decree. Some of the reserved forest areas were divided for the Agricultural Land Reform Office (ALRO) that areas covering Nakhon Ratchasima District, Chokchai District, and Pak Thong Chai District. So as to management following the land reformation project, later in 1985 (B.E.2528), there were a distribution of ALR 4-01 (Sor.Por.Kor 4-01) document of the possession over the land.

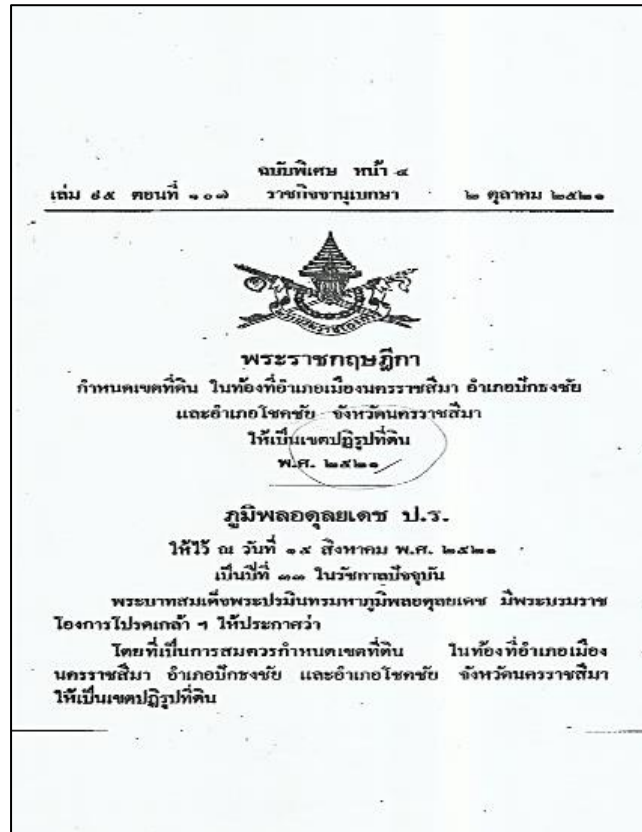


Figure 4.9 The Announcement of the Agricultural Land Reform Office (ALRO)

In addition, the government legislated the Royal Decree, the national forest's areas have been announced into Thaplan National Park which container over 1,400,000 Rais in the areas of Nakhon Ratchasima Province and Prachin Buri Province. Consequently, almost all of Thai Samakkhi Subdistrict's areas have been included (at that time was called "Wang Nam Khiao District") in the areas of Thaplan National Park in that particular announcement. Villages' areas that have been existing long before including Thai Samakkhi village's areas which were established in 1977 (B.E. 2520) have overlapped the areas of Thaplan National Park. From this announcement that overlapped the lands has caused many problems until nowadays. The reason is that the National Forest Law is very strict. In section 16 of the National Park Act, there are many prohibitions that prevent people from living or residential building in the national park. Citizens are unable to live their lives normally within the national park's areas as they cannot posses the lands, cannot establish, cannot set fires, cannot degrade the

quality of soil, cannot bring the pets in the national park's areas, cannot proceed any work to bring advantages for the national forest, cannot pick up flowers, leaves and trees etc.



Figure 4.10 The Announcement of National Park Act (B.E.2524) over Wang Nam Khiao District

ฉบับพิเศษ หน้า ๒๐๐

เล่ม ๘๘ ตอนที่ ๒๑๐ ราชกิจจานุเบกษา ๒๗ ธันวาคม ๒๕๒๔

หมายเหตุ :- เหตุผลในการประกาศใช้พระราชกฤษฎีกาฉบับนี้ คือ เนื่องจาก
 บ้างน้ำเขียว และบึงกรบุรี ในท้องที่ตำบลสระทราย ตำบลวังน้ำเขียว อำเภอ
 บึงกรบุรี ตำบลกรบุรี ตำบลจระเข้หิน ตำบลโคกกระชาย อำเภอกรบุรี
 และตำบลสระตะเคียน ตำบลโนนสมบูรณ์ อำเภอเสิงสาง จังหวัดนครราชสีมา
 และป่าแก้งต้นสอ ป่าแก้งใหญ่ และป่าเขาตะไคร่ ในท้องที่ตำบลพราหมณ์
 ตำบลทุ่งโพธิ์ อำเภอนาดูน จังหวัดปราจีนบุรี เนื้อประมาณ ๑,๕๐๐,๐๐๐ ไร่
 ประกอบด้วยสภาพธรรมชาติที่สวยงาม เป็นมรดกนันทนาการของแม่น้ำสำคัญ
 ของชาติ มีทรัพยากรธรรมชาติที่สำคัญและมีค่า เช่น ป่าไม้ สัตว์ป่า
 นานาชนิด นิลอาศัยอยู่สมควรกำหนดให้เป็นอุทยานแห่งชาติตามพระราชบัญญัติ
 อุทยานแห่งชาติ พ.ศ. ๒๕๐๔ เพื่ออนุรักษ์ทรัพยากรธรรมชาติและสภาพธรรมชาติ
 นั้นให้คงอยู่เช่นเดิม มิให้ถูกทำลายหรือเปลี่ยนแปลงไป เพื่อประโยชน์ในการ
 พักผ่อนหย่อนใจแก่ประชาชน สืบเสาะการศึกษาวิจัย และเพื่ออำนวยประโยชน์
 อันแก่รัฐประชาชาติ จึงจำเป็นต้องตราพระราชกฤษฎีกานี้

Figure 4.11 The Announcement of National Park Act (B.E. 2524) over Wang Nam Khiao District

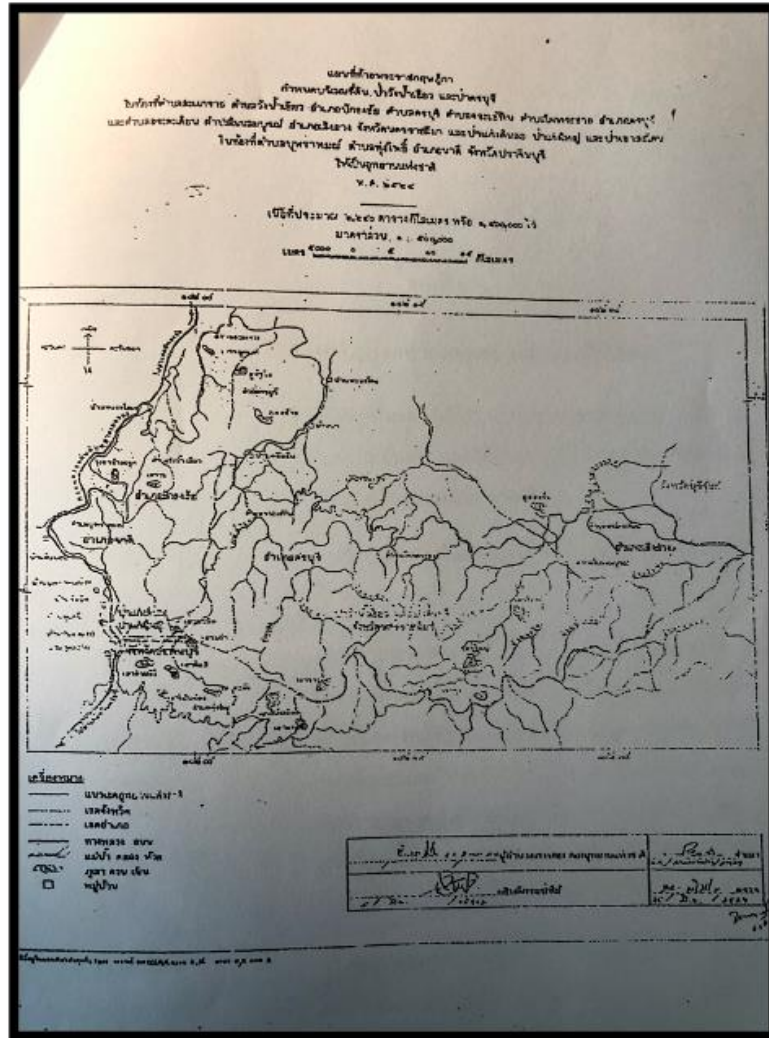


Figure 4.12 The Announcement of National Park Act (B.E. 2524) over Wang Nam Khiao District

Thus, if considered by law, people neither build any dwellings nor operate any business to earn a living in the national park regardless to the size of business such as opening a small shop to sell the necessary goods in daily life or even farming because they are activities seeking for benefits. Moreover, there are prohibitions on the harvesting of flowers, leaves or fruits in the national park. As a result of the announcement, many citizens have encountered their vexation in such prohibitions. This is an opportunity for the government officers whose intentions are dishonest to seek for benefits ,or easily persecute people by law. There is no stability in life, people

are living in fear and falling under the discretion of the government officials who hold the law. If the officers enforce the law strictly, people will not be able to live as normal as living in other villages.

4.1.3 The Mistake over Boundary Delimitation of Thaplan National Park

Considering the reasonable evidences and storytelling from participants, it can be clearly concluded that there is a problem of unclear residence rights and boundary delimitation of Thaplan National Park due to the following reasons:

1) The Thaplan National Park overlaps with the existing villages. As a result, people in villages lose their rights prescribed by the constitution law. The statutory prohibitions of the national park are very strict. They cannot do anything for normal living, so the people in the villages that have boundaries overlap with the park lose their rights prescribed by constitution. However, the right prescribed by constitution has already existed before the declaration of the National Park's boundaries. Thus, it is not appropriate and not compliance with administrative law to delimit the existing villages. Moreover, considering the numbers of villages that have been overlapped by the national park, it quite surprises that there are many villages which are not only in the district of Thai Samakkhi area, but also in the other neighboring districts both in Nakhon Ratchasima and Prachin Buri Province. Based on current zoning data, there are more than 80 villages which boundaries are overlapped with the Thaplan National Park and are scattered throughout in the area of Pak Thong Chai District, Soeng Sang District and Khon Buri District, located in Nakhon Ratchasima Province and in the district of Nadi, located in Prachinburi Province. According to the information and reasons mentioned above, it can be indicated that the boundary delimitation of Thaplan National Park had not been carefully surveyed and managed causing wide area of mistakes and problems for the people in the national park areas.

2) Land which is rightfully owned by law has been designated as a part of land of the National Park. From the origin of the Thai Samakkhi village in 1977, it can be seen that many people who were emigrated to the Thai Samakkhi village was given land for residential use as well as for operating to earn a living in life as part of the solution to the problem of country's security. Thus, the land possession of these

people are legitimate; however, such possession have not yet being entitled to prove by ownership papers. According to the National Park Act in the section 6 B.E. 2504 (1961), “Land determined to be a national park shall not be under ownership to, or in legal possession of, other person except for government agency.” It can be concluded that people here were allocated lands by the government as mentions earlier of the establishment of Thai Samakkhi Village in B.E. 2520. But it appears that the whole Thai Samakkhi village falls in the area of Thaplan National Park, announced in 1981 like other villages. Therefore, the delimitation of Thaplan National Park in 1981 overlapped with the area of Thai Samakkhi Village is prohibited by law. And it is the significant evidence to show that the planning phase to define the boundary of Thaplan National Park is not carefully surveyed, causing terrible mistakes and is prohibited by this Act.

3) The reformed land area by ALRO, which was declared in 1978 (B.E. 2521), was also overlapped by Thaplan National Park due to complex regulations, overlaps in administrative functions, and inconsistent government policies. Although the designation of a national park to overlap with the Land Reform Act is not prohibited by the National Park Act B.E.2504, it is inadmissible to do so. Because a land reform is an area that needs to be reformed so that people can benefit for farming and living. But in the national park boundary, it is prohibited to use the area for benefits. In addition, to conduct an agriculture, land must also be cleared. Agricultural products such as flowers, leaves or fruits must be harvested. In some cases may be fed for livestock. These operations cannot be done in the national park. These also include the construction of residential houses for living as well.

Therefore, the designation of Thaplan National Park in 1981 (B.E. 2524), which was overlapped with the land reform declared in 1978 (B.E. 2521), can be considered as a big mistake. It causes followed inevitably problems. This is the evidence which clearly shows that the planning phase to define the boundary of Thaplan National Park is not carefully surveyed and causes problems to other government agencies. It also affects the people who do agriculture and live in these areas leading to the difficulty in enforcing the law and many other problems.

4) Mistakes in forest survey. The Forest Department cooperates with various agencies, including the administrative department, local community leaders,

and the representative of the people to improve the landscape of Thaplan National Park. However, the summary number of areas needed for improvement in new district are deforestation and the forest degradation will be separated from the Thaplan National Park in area of 273,310.22 Rais, and the forest area will be integrated or added into Thaplan National Park with an area of 110,172.95 Rais.

According to those numbers, the mistake in defining Thaplan National Park is not just overlapping with the community and integrating degraded forests as national park areas. There are more than hundred thousand Rais of forest, which should be designated as a national park area, but it is excluded. It can be a clear evidence indicating that there is an inadequate planning in boundary delimitation of Thaplan National Park in 1981 (B.E. 2524).

5) The government official admitted that they did not carefully survey the area thoroughly. According to the storytellings from a village leader, at the National Park Association meeting on October 19, 2012 (B.E. 2555), representatives from Thai Samakkhi Subdistrict presented the overlapping problem of Thaplan National Park area to various villages, which caused trouble to the people and the problem had not been resolved as well as acknowledged to the meeting. After presentation, Mr. Pong Leungei, a consultant of the National Park Association and the former Director General of the Forest Department, provides the additional information about the problems of the national park. There was a statement mentioned as followed:

In the 1980s (B.E.2523), he moved to be the Director of the National Park Division, and initiated initiatives to protect the forests in Thailand because the laws of conserved forest were not strict enough to protect the forests. So, he thought about declaration of national park as it had more stringent rules, hard to deforest. As a result, there were a number of forests declared as national park in that period. The boundary delimitation of Thaplan National Park was not carefully surveyed, he only took ‘a helicopter’ to study the area and examined the forests’ conditions. After seeing the forests were in good conditions, he returned to Bangkok and defined the boundaries of Thaplan National Park, using the former national park boundaries because at least it already had boundary lines. It wouldn’t have many problems. But in those days, Thai Samakkhi Subdistrict was in red area, there were many communist terrorists. And it was allowed to make forestry concessions. Nakornratchasima Company, one of the

companies which had been granted a forest concession. After announcing the area of Thaplan National Park, it was known that the park had overlapped with the inhabited villages. The purpose of declaring a boundary delimitation of national park is to preserve most of the forests. However, for the existing community or village issues, he had the intention to amend the park boundaries to protect the rights of the people. However, the process of improving the landscape took a long time. Even when he left the position, the amendment was still on process until present which was more than 30 years long of the improvement of the boundaries had not been completed until passing the law. The information from Mr. Pong Leungei above is clearly confirmed that the boundary delimitation of Thaplan National Park was not carefully explored which is why there was the overlapping between the national park and existing villages or communities. Also, Mr. Pong Leungei who was directly responsible for this incident intended to revise the boundary of Thaplan National Park to conform with the reality, called ‘reshape areas.’

4.1.4 The Rectification of the Thaplan National Park’s Boundary Line (Boundary Demarcation over Thaplan National Park)

The Royal Forest Department (RFD) have come to term to rectify the area line of the Thaplan National Park to be consistent with reality. The rectification had been happened and the result was the completed new area line in the year 2000 (B.E. 2543).

The timeline of the important event relating to the Rectification of the Thaplan National Park’s area line:

- 1) In 1982 (B.E. 2525), the Internal Security second division, the Second Army Area, asked for the approval to use the National Park area to solve the security problems. The division arranged the area into a forest neighborhood, where locals could make a living in the area according to the Rural Security Development Project, in Soeng Sang and Khon Buri district in Nakhon Ratchasima Province until the year 1990 (B.E. 2533). In 1990, the division issued the rectification plan to the Royal Forest Department.

- 2) On February 27th 1991 (B.E. 2534), the RFD approved the new area rectification plan.

3) Nakhon Ratchasima Province's Subcommittee on the Prevention and Suppression of the deforestation issued an order number 2092/2534, dated May 23rd1991 (B.E.2534), appointing a group to work on the park area rectification which should be according to the aerial photo taken in 1983 (B.E.2526), Landsat5 in 1992 (B.E. 2535) satellite image, and other documents. The result of the work progress was mentioned to the 1/2537 National Park board's conference on September 17th1994 (B.E.2537). The board agreed to carry out a clear boundary demarcation and bring up to the board consideration later.

4) On July 6th1994 (B.E.2537), the RFD launched an order number 1145/2537, stating measurement officers to begin the work and making a sign telling the National Park area in Nakhon Ratchasima Province and Prachinburi Province's areas. The measurement team should use a GPS-UTM and the new map that the forest conservation and the park area improvement team has rectified and got a permission from the National Forest Department.

5) On April 22nd1997 (B.E.2540), the Cabinet of Chavalit Yongchaiyudh Government agreed to the solutions to the land acquisition and forest intrusion problems that Nakhon Ratchasima Province brought up. The Cabinet ordered the Ministry of Agriculture and Cooperatives, the National Forest Department to prepare a draft ordinance about the area rectification of the national park area that was already prepared in three districts: 21,135 Rai in Wang Nam Khiao district, 14,850 Rai in Soeng Sang, and 622 Rai in Khon Buri district. The draft ordinance would be brought to the Cabinet consideration with three months since the day the Cabinet has agreed on this issue

6) On June 30th1998 (B.E. 2541), the Cabinet of Chuan Leekpai government agreed to the resolution of the National Forest Policy Board which would apply to the forest area department countrywide. However, in the resolution of the Forest Policy Council, the Cabinet has proposed to abolish the Cabinet resolution, April 22nd1997 issue, about bringing the rectification of the Thaplan National Park area draft ordinance to the Cabinet consideration within three months in 4.5.

7) On October 4th1999 (B.E. 2542), the RFD approved the area rectification project in Nakhon Ratchasima and Prachinburi Province. The objective of this project is to improve the landscape of Thaplan National Park to be in accordance

with the reality until the new ordinance came out to support the new area line. The project duration is from October 1999 (B.E. 2542) to September 2000 (B.E. 2543). The budget for this project is 2,720,000.00 Thai Baht.

8) On January 11th2000 (B.E. 2543), the RFD issued an order number 44/2543, appointed the Thaplan National Park Improvement Committee in Nakhon Ratchasima Province and Prachinburi Province, to do the survey and measure the national park area using the GPS coordinates mapped in the UTM system with GPS satellites, and mark the coordinates in the map 1: 50,000, in according to the Rules of Law and the problems' solution. The Cabinet resolution on June 30th1998, the committee should gather all the information, documents, and the result of the project approved by the Cabinet before releasing the Royal Decree.

9) On March 21st2000 (B.E. 2543), the Nakhon Ratchasima Province's Subcommittee on the Prevention and Suppression of the deforestation issued an order number 1230/2543 appointing a co-working team to work on the survey and measurement of the Thaplan National Park area in Wang Nam Khiao district, Pak Thong Chai district and Soeng Sang district in Nakhon Ratchasima province. The subcommittee assigned the sheriffs of each districts to be the chairman of the working team in each district. When the work is done, the sheriff should gather all the documents and the result of the working process presenting to the Nakhon Ratchasima Province's Subcommittee on the Prevention and Suppression of the deforestation.

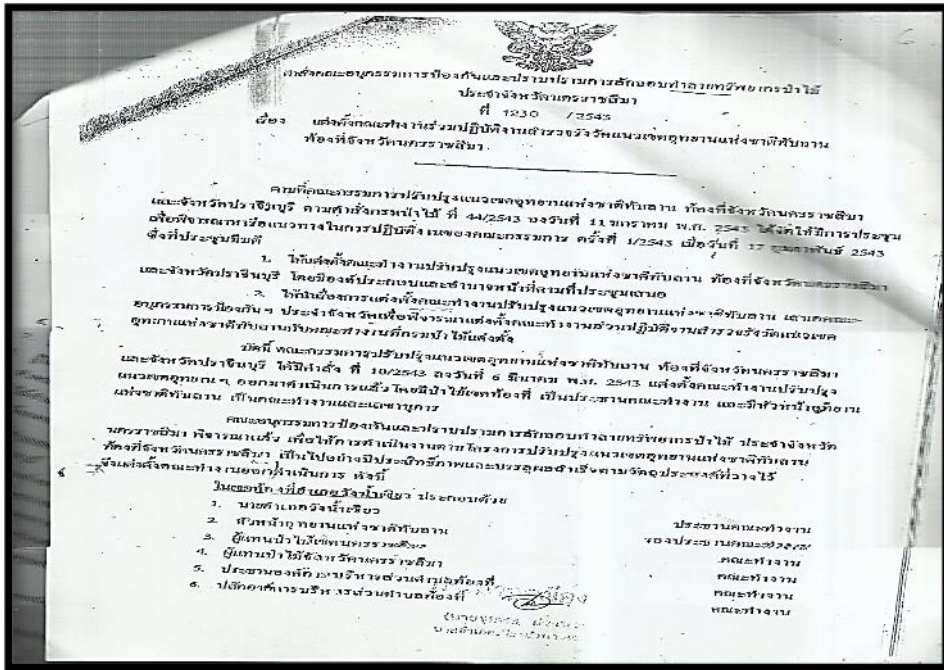


Figure 4.13 The Royal Forest Order 10/2543 (2000s)

10) On February 28th2001 (B.E.2544), the sheriff of the Wang Nam Khiao district gave a document number XX 2511/590 about the result of the area rectification in Nakhon Ratchasima area to the governor. With the document, he sent the map showing the new National Park area line according to an order from the Nakhon Ratchasima Province’s Subcommittee on the Prevention and Suppression of the deforestation number 1230/2543; the details have already been mapped in the UTM system.



Figure 4.14 The Order 2511/590

In conclusion, the rectification of the Thaplan National Park area in accordance with the reality was approved by the responsible agencies for many years and was approved for a large amount of budget, with many government officers participation; officers from the Royal Forest Department, Administrative officers, community leader, and people representatives. Finally, the park area has permanently settled with the primary satellite coordinates, including the completed new boundary map and the new zone has been accepted by all concerned parties, both government and local people. It is common knowledge that this new area line is the real area of Thaplan National Park.

The previous ombudsman described in the summary report on facts, opinions and suggestions on the resolution of land issues in Wang Nam Khiao. From the year 1994 to the year 2000 the area was separated from the park area of 273,310.22 rai and

the area was added to an area of 110,172.95 rai. The operation of the Forest Department to improve the park area is to separate the people who occupy the area of the national park and align the boundaries and map the area properly to proceed to issue a national park change ordinance.

Although the redevelopment of boundary demarcation of Thaplan National Park was completed, but the draft ordinance for the change of the national park to have legal effect has been waiting to present to the Cabinet for approval. So, the effort to revise the boundaries, which took a long time and been through the government of many eras, and spent a huge amount of budget, there is no legal effect to this day.

4.1.5 Performance of various government agencies to the areas of the villages

Since it had been had declaration of Thaplan National Park in 1981 (B.E.2524), Many government agencies had been conducting and especially dealing with overlapping area of villages. As mentioned in earlier that the site of the Thaplan National Park, which was proclaimed a Royal Decree in B.E.2524. Due to the responsible person for this topic had not carefully explored, then it caused overlapping areas between the park and pre-existing villages. In addition, the overlapping included the land was converted into a land reform zone by ALRO, which was to be reformed for the benefit of the people in agriculture and housing. Therefore, the government agencies must well know that there were faults in defining Thaplan borderline and these faults would be got improving to consistent with reality thus the project that had ever been working or planning, it had been still conducting normally. The performance of various governments were not aware of village areas that would became as national park areas or had to enforce the law, the National Park Act BE 2504 strictly which can be seen from the following evidences:

- 1) In 1985 (B.E. 2528), (after it had been proclaimed the borderline of Thaplan National park for 4 years) the Government had issued the Ministerial Regulation No. 1145 (B.E. 2528), in accordance with the National Forest Act B.E. 2507, to repeal the Ministerial Regulation No. 505 (B.E. 2515) order to set national forest borderline by cutting Wang Nam Khiao Forest off, then granting to the Office of Agricultural Land Reform about 161,748,800 square meters (101,093 Rai).

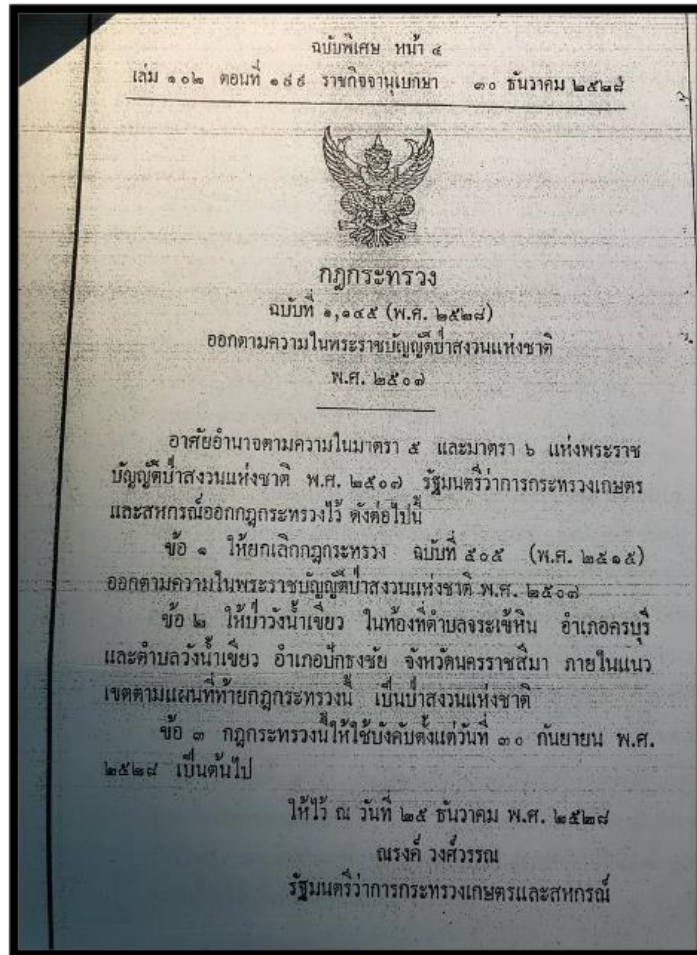


Figure 4.15 The Ministerial Regulation No. 1145 (B.E. 2528)

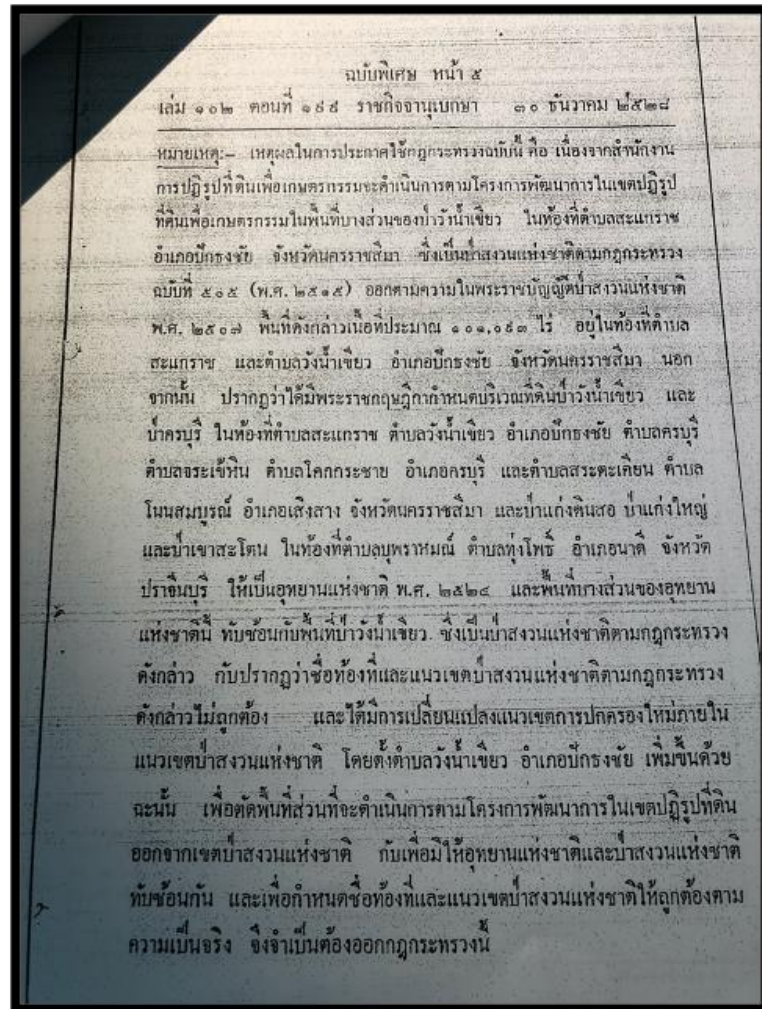


Figure 4.16 The Ministerial Regulation No. 1145 (B.E. 2528)

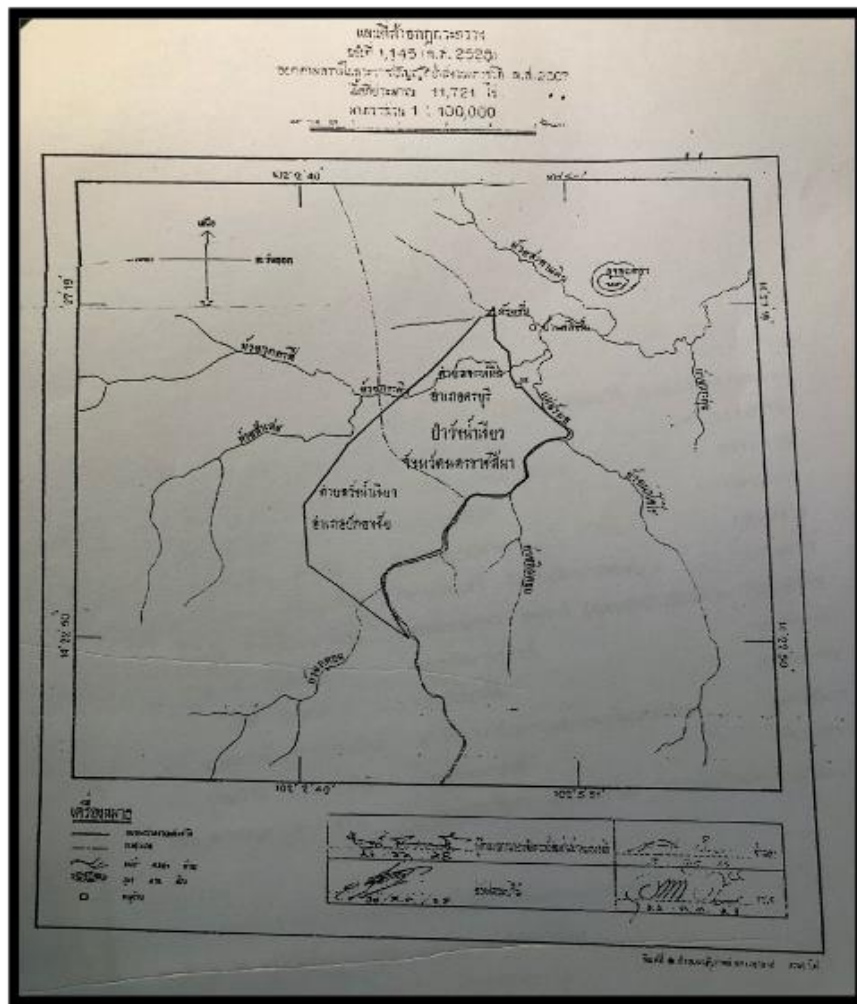


Figure 4.17 The Ministerial Regulation No. 1145 (B.E. 2528)

The area that was granted to the Office of Agricultural Land Reform was a part of overlapping area between Thaplan National Park and Thai Samakkhi Subdistrict and was proclaimed as a park district line in 1981(B.E.2524). The delivering the land to the Agricultural Land Reform Office was a clear evidence of that the government and the Royal Forest Department did not consider the area as a national park. Due to the areas of the Office of Agricultural Land Reform was an area where people required to use agricultural land and farming was prohibited in the park. Therefore, if all government agencies considered to that area, it might be the park as announced in 1981, the land would not be granted.

2) After the Office of Agricultural Land Reform had obtained the land as mention above, they reformed the land and the issuance of Sor.Por.Kor. 4-01 documents to the public as reported by the Ombudsman, *Prof. Siracha Charernpanich* concluded that the overlapping area between the Office of Agricultural Land Reform and Thaplan National Park had approximate 92,169,600 square meters (57,606 Rai), which was issued Sor.Por.Kor. 4-01 documents to 1,619 people calculated as 2,167 plots of the area.

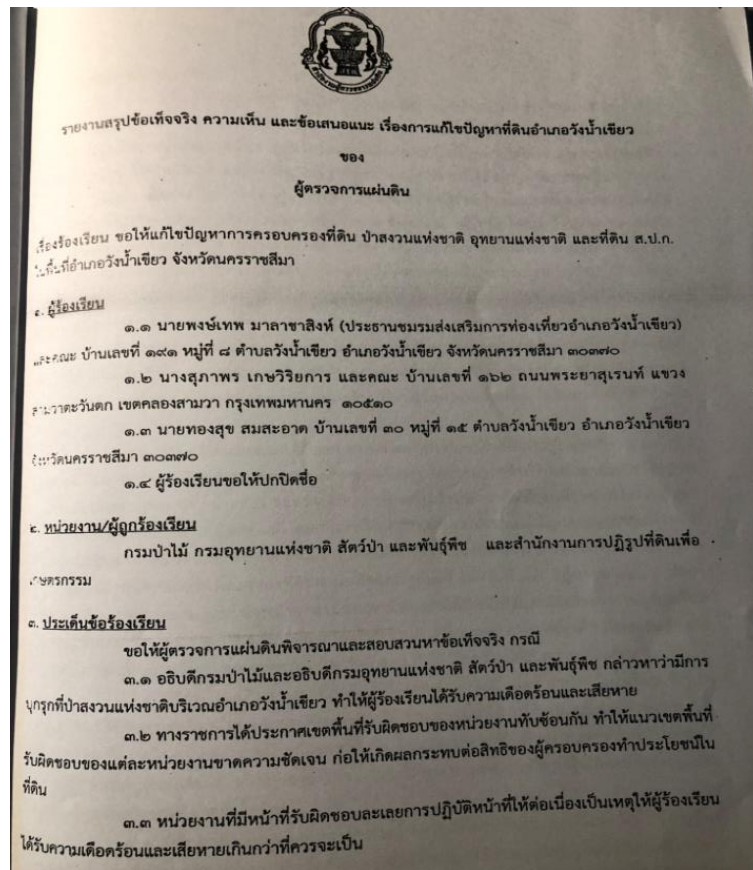


Figure 4.18 The Report of the Ombudsman, Prof. Siracha Charernpanich

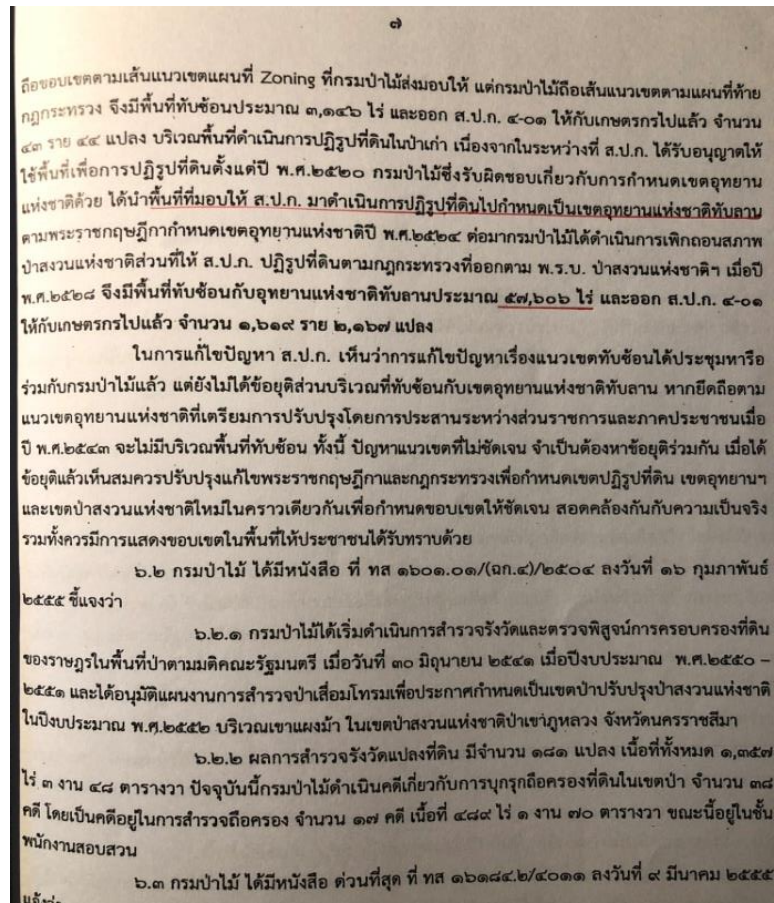


Figure 4.19 The Report of the Ombudsman, Prof. Siracha Charernpanich

From the above evidence, it indicated that the Office of Agricultural Land Reform continued to work as usual as planned and there were many farmers in the villages, the land overlaps with the area of national park Thaplan could receive official documents, Sor.Por.Kor. 4-01. In addition, officials from the park authorities had never objected or interfered with the operation of the Office of Agricultural Land Reform or. Did anything to show that the land was park land. It could not be used in agriculture because agriculture was prohibited in the park according to the National Park Act BE 2504, Section 16. The summary was that the issuance of Sor.Por.Kor. 4-01 documents was a clear evidence that both officials authorities from the park and the Office of Agricultural Land Reform had considered that the area was not a park land.

3) The National Park Act BE 2504, Section 8 defined that “the competent official shall provide the district and other signs or markings showing the national park area as appropriate to the public as a national park.” Thaplan National Park, which was declared a boundary in 1981 (BE 2524) with an area of about 1,400,000 rai, had a vast territory covering several districts in Nakhon Ratchasima and Prachin Buri. Making a park district or parked area marker required a large amount of budget. The project would be supported and must have a command to appoint an officer then must be approved budget by the government but it never turned out that there were projects, orders, appoint officials or budget approval to perform the district or mark to show the boundaries of Thaplan National Park as announced in 1981. Moreover, people living in the village area which was declared by the park overlap did not see the district or the borderline of the area.

On the other hand, the improvement of Thaplan National Park Area, which started in 1991(B.E.2534), was completed in the year 2000 (B.E.2543). The project had been implemented continuously. Many of the officers were appointed from both the Department of Forestry and the Department of Administration. There were approved budget for implementation, people in the field, in addition to being the official appointed official, there were community leaders and amount of representatives of local people participated in the action. In addition, the performance was acceptable to all staff including people living in the area.

It was obviously evidence that Thaplan National Park, which was declared a boundary in 1981 was not the right line. Also, there was no action to settle district line or mark a borderline according to as defined in Section 8 of the National Park Act BE 2504. Due to every party knew that it was a zone that must be resolved. It was not appropriate to waste money and manpower to confirm what was wrong. Government agencies were more interested in improving park boundaries. When the improvement of the district finished, it had been settled permanently, the satellite's primary satellite coordinates and a map of the new boundary was complete. The new district was the evidence that all parties refer to, including the policy of the local community and the province indicated that was the real borderline of Thaplan National park. The new alignment was aligned with the boundaries of the designated park boundaries which was defined as the National Park Act BE 2504, Section 8.

อุทยานแห่งชาติห้วยขาแข้ง บริเวณข้ามบึงน้ำเขียว อ. นครราชสีมา
แนวเขตปรับปรุงใหม่บริเวณที่มีทับซ้อนเขตแนวเขตเจ้าฟ่องที่ ๑ นครราชสีมา

ก.บ.๘๐ ลำดับ	หมายเลขจุด	ค่าพิกัด		พิกัด	หมายเหตุ
		N (เมตร)	E (เมตร)		
1	1000	1568345.52	805502.126	pole479	ต้นสมอสูง
2	1001	1568295.814	806743.919	pole443	พื้นลาด
3	1002	1568334.704	806828.147	pole456	กอไม้หอมม่วง
4	1003	1568265.67	807046.698	pole446	ต้นส้มกบใบ้ำ
5	1004	1568134.548	807328.311	pole433	กอไม้หอมม่วง
6	1005	1567892.573	807880.647	pole442	ดินมะเดื่อป่า
7	1006	1567634.345	808612.416	pole458	ต้นแก้วขึ้น
8	1007	1567905.974	809076.202	pole427	ต้นส้มกบ
9	1008	1568973.059	808350.101	pole428	ต้นเตาไฟใหญ่ปลายกิ่ง
10	1009	1568574.993	80995.135	pole440	ต้นแก้วขึ้น
11	1010	1568238.714	810096.201	pole451	ต้นแก้วขึ้น
12	1011	1568270.146	810300.658	pole447	ต้นแก้วขึ้น
13	1012	1568803.239	810627.792	pole471	ต้นทองหลาง
14	1013	1568557.478	811155.159	pole474	แยกกอไม้ใหญ่
15	1014	1568811.358	811573.064	pole438	ดินมะม่วง
16	1015	1567186.662	811637.882	pole431	ไม้ไผ่ทางเข้าบึงน้ำเขียว
17	1016	1567556.259	811519.475	pole475	มุมทางเข้าบึงน้ำเขียว
18	1017	1567845.759	811700.021	pole468	ดินมะคำหินทอง
19	1000	1567686.768	812016.654	461	ต้นเตา
20	1001	1567597.011	812096.83	497	ไม้มีถิ่นประพันธ์ชนิดเตา
21	1002	1567563.692	812227.064	425	ไม้มีถิ่นประพันธ์ชนิดเตา
22	1003	1567570.627	812344.905	482	ไม้มีถิ่นประพันธ์ชนิดเตา
23	1004	1567568.906	812356.177	426	ไม้มีถิ่นประพันธ์ชนิดเตา
24	1005	1567661.463	812489.837	430	ไม้มีถิ่นประพันธ์ชนิดเตา
25	1006	1567563.944	812585.272	485	ไม้มีถิ่นประพันธ์ชนิดเตา
26	1007	1567558.208	812631.22	424	ไม้มีถิ่นประพันธ์ชนิดเตา
27	1008	1567675.849	812670.438	490	ไม้มีถิ่นประพันธ์ชนิดเตา

Figure 4.20 The Evidence of the Boundary Delimitation in B.E.2543 Mapped in the UTM System with GPS Satellite



Figure 4.21 The Evidence of the Boundary Delimitation in B.E.2543 Mapped in the UTM System with GPS Satellite



Figure 4.22 The Evidence of the Boundary Delimitation in B.E.2543 Mapped in the UTM System with GPS Satellite

4) After it had been proclaimed the borderline of Thaplan National park in 1981 (B.E.2524), the performance of the administrative staff was still the same. It did not considered that the area in the village was overlaid over the park had been converted into a park. Local officers as well as park officers still allowed the construction of such villages as usual, allowed people from different habitations to move into the village and allowed people to carry out business in the village. Thus, there was the expansion of the community as well as the general village. There were subdivisions, schools, temples, medical centers and shops where people needed to live. There were specifying numbers for new home and home registration was created. Roads had been built and improved to facilitate the livelihood of the people and the larger communities. Utilities were provided to the community for accommodating the growing population.

When the population was higher, the government department had adjusted the area to suit for these populations. It was found that a new village was intermittently established in the area of Thai Samakkhi district such as Ban Huay Yai Tai and Ban Phai Ngarm were established in 1985 (B.E. 2528) by separating from Ban Bu Phai Village. Ban Sukomboon was established in 1987 (B.E. 2530) from Thai Samakkhi Village. Klong Sai Village was established in 1989 (B.E. 2532) from Bu Sai Village. Ban Patirup and Ban Phutthachat was established in 1989 (B.E. 2532) from Butako Village. Ban Khlong Ya Mo was established in 1999 (B.E.2542) from Ban Bu Phai. Ban Thai Pattana Village was established in 2002 (B.E.2545) from Thai Samakkhi Village. The evidence of the establishment of the village had continued. It showed that the community had expanded rapidly and there would be a lot of new construction going on within the community. These phenomena were what could be clearly confirmed that the administrator authorities did not consider the area of these villages to be the park boundaries. Various operations including permission to build houses of the people did not follow the park rules.

5) On December 2005, a workshop on an integrated tourism development plan was held in Nakhon Ratchasima Province. The deputy prime minister was a chairman and there were many participating national speakers included: Assistant Secretary of Natural Resources and Environment, also senior officials from the Department of National Parks, Wildlife and Plant Conservation and senior officials

from many government agencies. Participated in the meeting, held at rock hut, Nannaphak and Resort Wang Nam Khiao district. In this seminar, Wang Nam Khiao district was promoted to be a major tourist attraction of Nakhon Ratchasima Province which had preparation and plans to support tourism, responsibility by the Deputy Governor of Nakhon Ratchasima Province, was the chairman of the working group.

The result of this seminar was that Wang Nam Khiao District was growing very fast to accommodate the growing number of tourists and what was indispensable in the tourist attraction was plenty of places for tourists. There were restaurants and shops to serve visitors including festivals to attract tourists. These things were happened with state policies and no chance to succeed, if the state did not provide support in various areas, for example, a Benjamas Ban Nai Man Mhok festival which is held every year during the winter months in Thai Samakkhi by Thai Samakkhi Subdistrict Administration Organization and was supported budget by Provincial Administration Organization, Nakhon Ratchasima Province and other private sectors. The chrysanthemum which is a key of this festival was from productivity of local communities. Then, when analyzing all that happened. It could be concluded that the actions that took place in these communities because state officials did not consider the area of the community as a park area. It also promoted activities to promote tourism as a result of cooperation between the government and local people then the budget was continually supported.

The Benjamas Ban Nai Man Mhok Festival which held by Thai Samakkhi Subdistrict Administration Organization every year over 10 years, it was the annual event of Wang Nam Khiao District and Nakhon Ratchasima Province. Thai Samakkhi temple and Bann Thai Samakkhi school had completely established in 1977 and 1978, respectively. It had demonstrated the community before the announcement of Thaplan National Park in 1981.



Figure 4.23 The Benjamas Ban Nai Man Mhok Festival which held by Thai Samakkhi Subdistrict Administration Organization (SAO)



Figure 4.24 The Benjamas Ban Nai Man Mhok Festival which held by Thai Samakkhi Subdistrict Administration Organization (SAO)

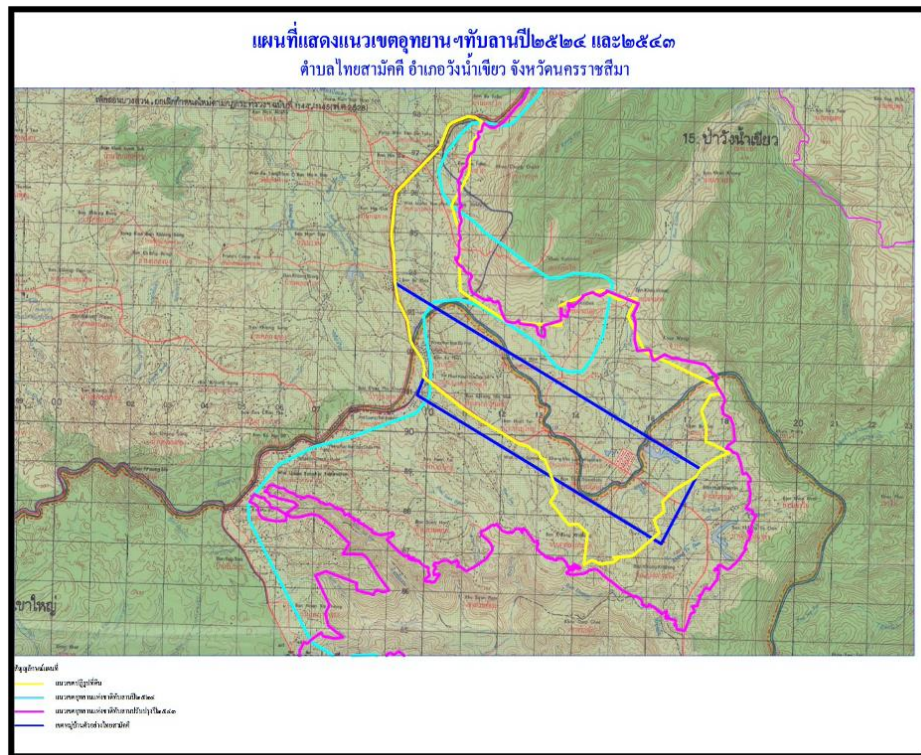


Figure 4.25 The Map indication of the boundary delimitation of Thaplan National Park, compared the year B.E. 2524 and B.E. 2543

Source: Subdistrict Administration Organization, 2017.

4) Administration Organization Image: Show area in Thai Samakkhi Sub-district, Highway 304 (Light brown line)

5) Borderline of Thaplan National Park, which was declared in 1981 (B.E. 2524). (Light blue line)

6) Improved borderline of Thaplan National Park, which was declared in 2000 (B.E. 2543) (Pink line)

7) The area of the Office of Agricultural Land Reform (ALRO) which had been reformed and documented, Sor.Por.Kor. 4-01. (Yellow Line)

8) The areas of Thai Samakkhi Subdistrict (Navy blue line)

The image can be interpreted that:

(1) If using the boundary of Thaplan National Park in 1981(B.E. 2524), the area of Thai Samakkhi Subdistrict would overlap with the park area.

(2) If using the boundary of Thaplan National Park in 1981(B.E. 2524), the amount of area of the Office of Agricultural Land Reform would be in the park area.

(3) If using the improved borderline of Thaplan National Park, which was declared in 2000 (B.E. 2543), all communities in Thai Samakkhi Subdistrict (11 villages) would be outside of the park area.

(4) If using the improved borderline of Thaplan National Park, which was declared in 2000 (B.E. 2543), the area of the Office of Agricultural Land Reform would be outside of the park area.

4.1.6 The Commitment of the Thai Government to UNESCO

Thai government had issued a letter to UNESCO on March 1, 2005 signed by Mr. Suvaj Singhaphan, a former Director General of the National Park, Wildlife and Plant Conservation Department. An importance message in that letter was to promise UNESCO to change the landscape of Thaplan National Park. To illustrate, the area where people lived (community) and the degraded forest area around 43,729.63 hectares would be removed from Thaplan National Park and would append 17,627 hectares of forested land into Thaplan National Park. The action would be completed by 2007.

The reason why Thai Government needed to inform UNESCO via document because at that time Thai Government was filing UNESCO to consider the Dongphayayen - Khaoyai Forest as a world heritage site but the map of national park and its forests submitted to UNESCO for consideration had not been corrected and updated to the current situation. So Thai government needed to inform the UNESCO in advance of the changes that would take place in the future. Aforementioned in Chapter 4, the Royal Forest Department had made a collaboration with various agencies to improve the Thaplan national park line to actual situation and it had been a long-standing process since the Royal Forest Department approved the redevelopment of Thaplan National Park on February 27, 1991 resulting in established several ongoing projects as well as the properly supported budget. In 2000 the projects had accomplished, the land had been permanent marked with the satellite coordinates as well as an updated map. To Summarize, there would be an area of 273,310.22 Rai

removed from Thaplan National Park and an area of 110,172.95 Rai appended to Thaplan National Park (According to the factsheet, comments and suggestions on the land problems' resolution in Wang Nam Khiao District by The Ombudsman, Prof. Sriracha Charoenpanich).

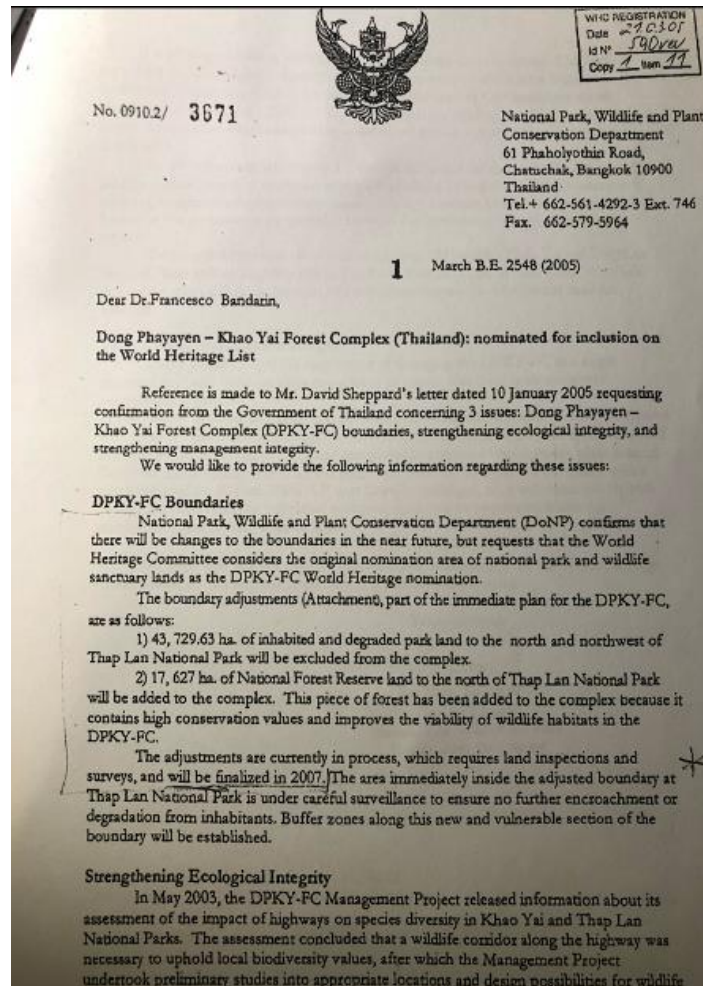


Figure 4.26 The Letter of Thai Government for UNESCO

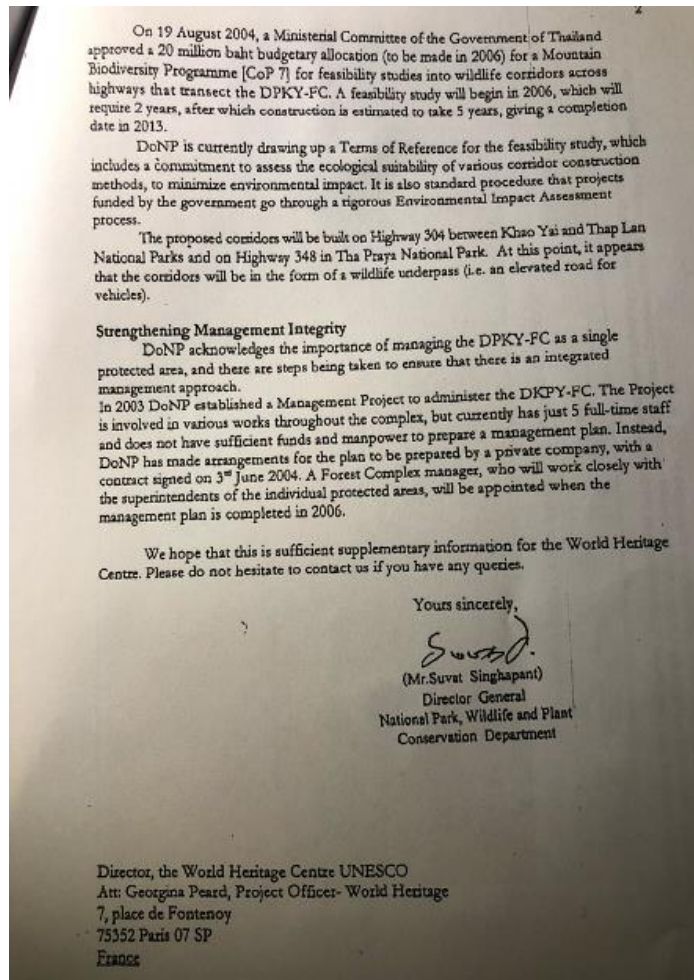


Figure 4.27 The Letter of Thai Government for UNESCO

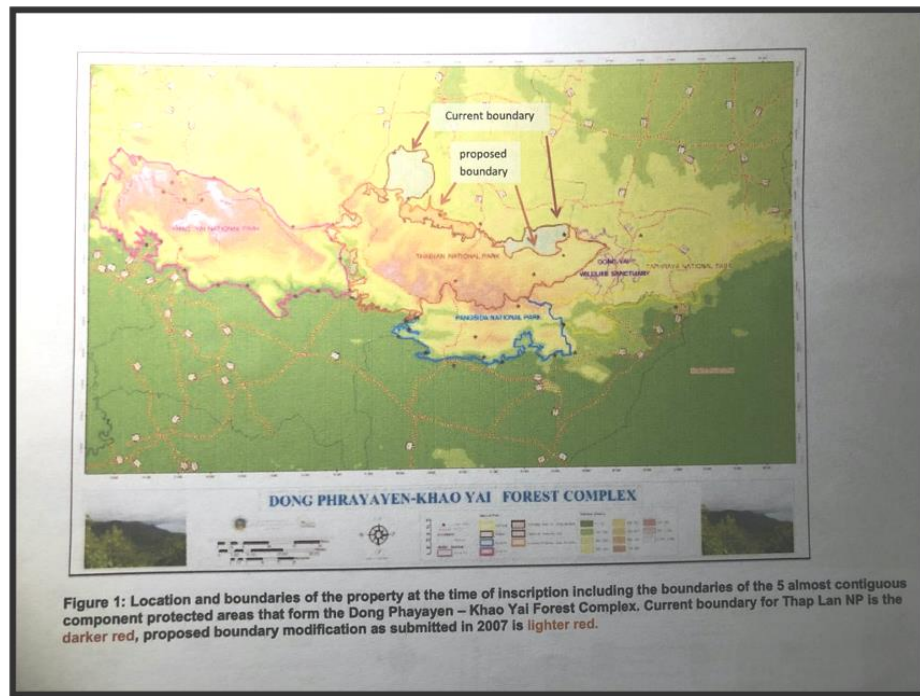


Figure 4.28 The Letter of Thai Government for UNESCO

To inform UNESCO about the improvement (the boundary delimitation) of the national park boundaries, it is necessary to use the unit in universal unit so that the foreigners can understand. So, the area in rai was converted into a hectare with the proportionate 1 hectare equal to 6.25 Rai. So, when calculated the land alteration above people would understand immediately that the landscape line promised to UNESCO to be completed in 2007 (B.E.2550) is the redevelopment of Thaplan National Park, which was completed in 2000 (B.E.2543), because the separated and integrated area are the same as the promised area. The image is indicated the current boundary that is the areas of Thaplan National Park at present. Whereas, the proposed boundary is the improvement of boundary delimitation of Thaplan national park done in 2000 (B.E.2543). The new proposed boundary shows whether areas are added on (110,172.95 Rai, or 176.26 square kilometer) and move out (273,310.22 Rai, or 437.73 square kilometer) from the Thaplan National Park.

Thus, this letter was a promise that bound Thai government to international organizations and clearly showed that the government proposed to the redevelopment boundary which completed in 2000 (B.E.2543), represented the true boundary of

Thaplan National Park. It also as the evidence that the declaration of Thaplan National Park boundary in 1981 (B.E. 2524) had problems to solve and the summary of resolution was the line that the Department of Forestry and all the agencies had been done for a long time until it can be finalized in numbers.

4.1.7 Model Scheme of Thaplan National Park

National Park, Wildlife and Plant Conservation Department had approved the model scheme of Thaplan National Park in order to main plan in managing area of Thaplan Nation Park between 2007 (B.E. 2550) to 2016 (B.E. 2559) by Mr.Puttipong Joosanit, superintendent of Thaplan nation park and Mr. Songtham Suksawang, Director of National Education and Research Division of Thaplan Nation Park being recipient, Mr.Chairat Chayamareut, director of the National Park Bureau certified and Mr. Damrong Pidech, Director General of the Department of National Parks, Wildlife and Plant Conservation was authorized to use such model scheme.

For the conservation program restoration and protection of natural resources model scheme had presented a project to resolve the land problem and to make clear the borderline of Thaplan National Park. This project had priority and had activities to do the following:

- 1) Due to the Royal forest department (former) and Nakhon Ratchasima province had appointed a committee to solve the problem of land. The survey was completed in 2000 (B.E. 2543). Therefore, it was necessary to precipitate the implementation of the borderline of Thaplan National Park in 2000. The duration of the operation was 1-2 years of model scheme which was 2007-2008. (B.E. 2550-51)

- 2) A map of the national boundaries of Thaplan National Park had been updated, and it was recognized by all relevant sectors. Also making borderline of Thaplan Nation Park by building a 407 km. road model, the budget for this activity was 99,516,463 Baht. It was scheduled for 3-7 years of the master plan, which was 2011-2013 (B.E. 2554-56).

- 3) The area was known to the public by installing a sign indicating the area. It was making other appropriate media and detailed information about the rules and regulations regarding the use of national parks, agreed with the people living in the area of the National Park not to expand the area into the national park including set

clear penalties if there was a violation of the agreement. The budget for this activity was 1,200,000 Baht. It was scheduled for 5-10 years of the master plan, which was 2011-2016.

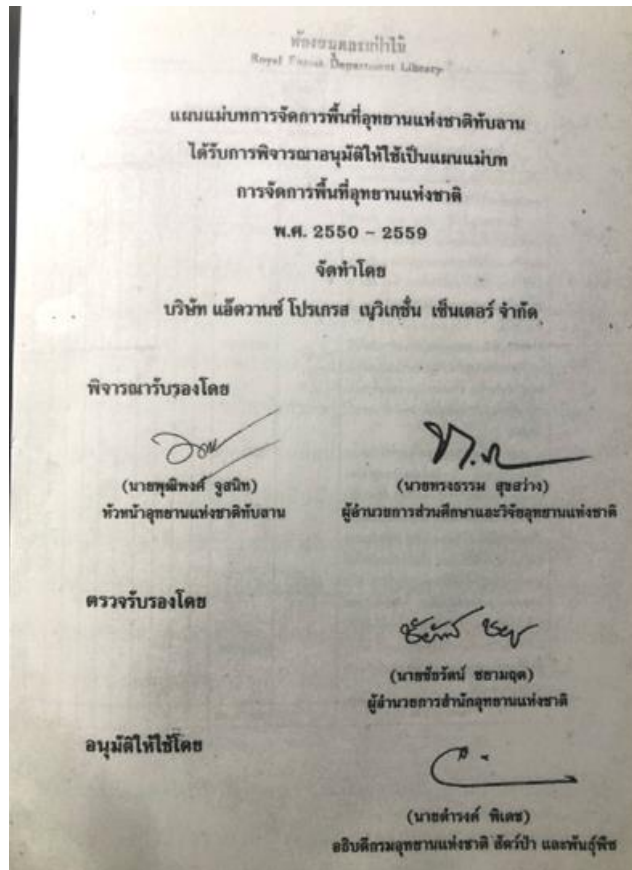


Figure 4.29 The Master Plan for Thaplan Management, B.E. 2550-59

แผนปฏิบัติการจัดการอุทยานแห่งชาติ

ตารางที่ 3.7.1-1 แผนงานด้านการอนุรักษ์ ที่ดินและสิ่งก่อสร้างอุทยานธรรมชาติ

โครงการที่ดำเนินการ	จำนวน ไร่/กม.	งบประมาณ (บาท)	ระยะเวลาที่ดำเนินการ (ปี)												
			1	2	3	4	5	6	7	8	9	10			
1. โครงการอนุรักษ์อุทยานธรรมชาติและสิ่งก่อสร้างอุทยานแห่งชาติ	(1)														
1. โครงการอนุรักษ์อุทยานธรรมชาติและสิ่งก่อสร้างอุทยานแห่งชาติ			/	/											
2. จัดทำแผนที่แสดงเขตอุทยานแห่งชาติได้มีการปรับปรุงใหม่ และเป็นที่เรียบร้อยแล้ว		99,516,463		/	/	/	/	/	/	/	/	/	/	/	/
3. ปรับปรุงสิ่งก่อสร้างอุทยานแห่งชาติ		1,200,000					/	/	/	/	/	/	/	/	/
4. ทำการตรวจหาแนวเขตอุทยานแห่งชาติ		4,800,000					/	/	/	/	/	/	/	/	/
รวมงบประมาณ		105,516,463													

Figure 4.30 The Master Plan for Thaplan Management, B.E. 2550-59

As the master plan and approved activity mentioned above, it showed the intention of the Department of National Parks, Wildlife and Plant Conservation for precipitating to announcement new improved borderline of Thaplan National Park which was completed in 2000 for being a permanent area of Thaplan National Park. The department of National Parks, Wildlife and Plant Conservation accepted that the new borderline had been accepted by all related sectors. This project had a 407-kilometer-long road along Thaplan National Park to make it was clear and easy to inspect or monitor the park. Moreover, there were also plans to publicize the new district to be known throughout to avoid expanding the area into the parks, and to make agreements with the people to achieve the same understanding. However, plans and activities that had been approved by the master plan still had no action within the time

frame set. In spite of the many activities that would be able to solve the problem of the people who were currently underway.

4.1.8 The Action of Park Service Officer in 2011-2012 (B.E. 2554-55)

In late June 2011 (B.E.2554), Wang Nam Khiao district became a major news media nationwide. The negative news had been continuously reported by National Park and Wildlife and Plant Conservation staff informing reporters that the park has been invaded (Online Reporters, 2015).

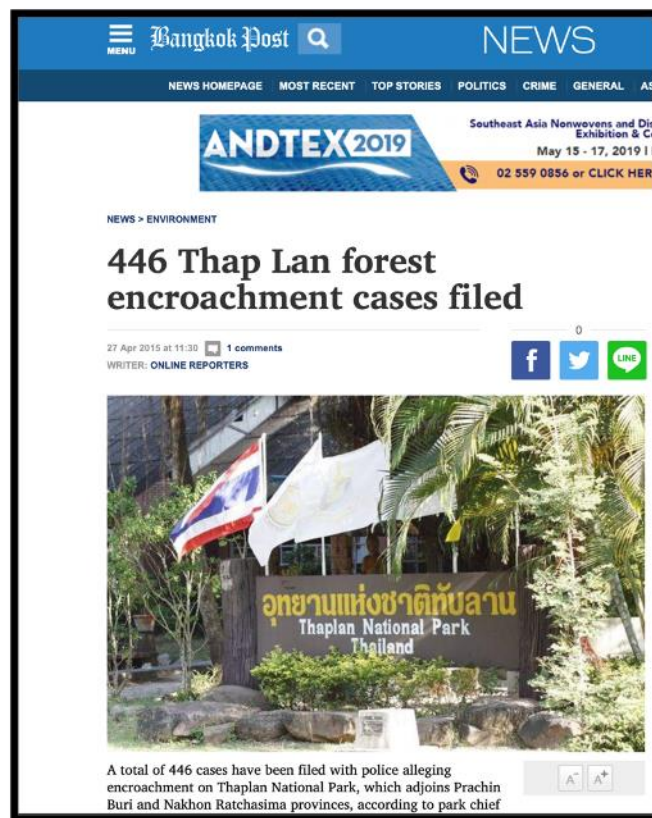


Figure 4.31 The Articles of 446 Cases of Encroachment over Thaplan

Source: Online Reporters, 2015.

Many capitalists had taken the land of the park to build a resort and bungalow. The forest was destroyed, it caused global warming and the major cause of the flood in Nakhon Ratchasima Province in the past year. At present, media broadcasted the issues of intrusion over Thaplan National Park (Global Conservation, 2019).



Figure 4.32 The Articles of Illegal Houses (Global Conservation News)

Source: Global Conservation, 2019.

Therefore, the National Park Department required to undertake the suppression strictly. There were park officials from all over the country to arrest the perpetrator and report the allegations to Wang Nam Khiew Police Station for hundreds cases. The park department planned to return all these forests back because it was a conservation forest which could not be used in such a way. The operation of nation park stuff was legal and due to improved borderline of Thaplan National Park which was completed in 2000 (B.E.2543). The Royal Decree had not been introduced to the Cabinet for approval to change the boundaries that made borderline in 2000 (B.E.2543), there was no legal effect, so the original boundary was announced in 1981 (B.E.2524).

However, the operation of the park authorities as above was a completely different approach to the government's operations since 2000 (B.E.2543) which was the year that the Royal Forest Department had agreed to revise the boundaries of Thaplan National Park to be in line with reality and had continued to implement the resolution as long as it had been mentioned. In addition, those who had been identified as offenders were those who lived in villages that had been declared obsolete being the area outside the boundaries of the park was revised in 2000 (B.E.2543). The houses were also allowed to be constructed from government agencies. The house number and household registration number were issued by government agencies and the expansion of the community had continued like other villages before the announcement of the National Reserved area of Thaplan National Park until today.

The remarkable and things that should be emphasized were all accused which did not destroy the forest resources as presented on news and academic research. Lots of forests had been disappeared from the area due to past government forestry concessions and that happened about 40 years ago, even in 1981 (B.E. 2524), which was the year that Thaplan National Park was declared. The area of Thai Samakkhi Subdistrict was not a forest. It was a village and a community first. Thus, accusing people in the area for reasons by forest destruction was not true because it could be proved with aerial photographs which had been continuously recorded by the government agencies. On the other hand, the analysis of aerial photos reflected the fact that when the number of people more and more, wilderness was gradually increasing.

The relocation of the people into the area had continued. This was evident from the establishment of separating villages, as described earlier. What is remarkable was many villages in the Thai Samakkhi Subdistrict area was established after 1981 (B.E. 2524), the year of the publication of Thaplan National Park. If the government agencies considered areas of the all villages as a real park zone, the actions of the government could not happen at all. Even if the park authorities considered all past government actions to be illegal, it would be unfair for the people who were offender and might response. In addition, the park staff's actions were contrast with the master plan presented in earlier, which was the main theme of the Thaplan National Park proposed by the Former Director General of the department of National Parks, Wildlife and Plant Conservation who was the same person as the Director General of the Department of

Conservation in 2011-2012 (B.E.2554-2555). This phenomenon was a stagflation, because 2011-2012 (B.E.2554-2555) was the time in the 2007-2015 (B.E.2550-2559) of the master plan.

The conclusion was that the operation of park officials during 2011-2012 (B.E. 2554-2555), although it was considered to be a legal practice, it was law enforcement regardless of reality and justice of reconciliation and justification. Whether it was to make a borderline the park with a mistake from the beginning, the government's efforts to rectify the boundaries had been long-lasting, the performance and management of all government agencies throughout the period, government promises to international organizations including an approved master plan by the park department itself.

4.1.9 The Results of Investigation of the Truth of Organizations

Many groups of citizens have received some vexation from the working procedures of national park officers. There are many complaint letters sent to Office of the Ombudsman Thailand and Committee on House of Representatives. The results of investigation of facts of these organizations appear as conclusions and comments purposed to government and related governmental sectors for consideration to solve these problems as the contexts as following.

From “The Report of concussions of the facts, comments, and recommendations to solve the problem of the land in Wang Nam Khiao District” by the Ombudsman Thailand, has some important conclusions about the problem of Thaplan National Park are mentioned as following:

In 2000 (B.E.2543) the RFD had commanded the order to appoint the subcommittee for managing the boundary lines which include the director of Natural Resources Conservation Office, the sheriff, related departments in the area, and the leader of the community to proceed the survey of the boundary lines distinctly.

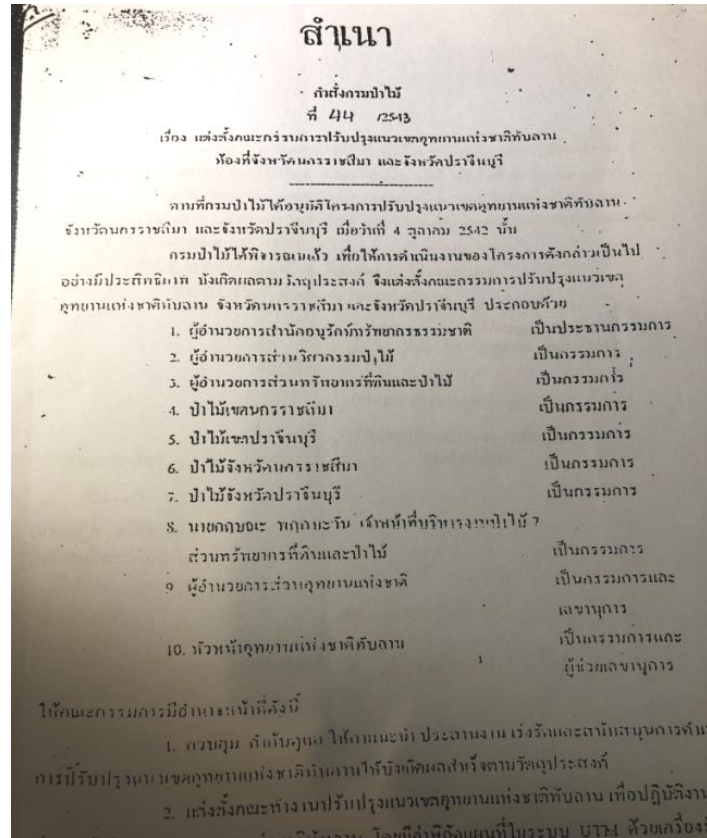


Figure 4.33 The order 44/2543 by Royal Forest Department

The result of the survey of the improved measurement of the boundary lines of Thaplan National Park from year 1994-2000 (B.E. 2537-43) has been concluded as the restricted areas of Thaplan National Park has its area of 273,310.22 Rai and added extra area of 110,172.95 Rai. Such action has not progressed till present. The areas should be moved out from the park are full of communities and villages as mentioned earlier. Villagers didn't realize that they are living in the national park zone. The government should be sincere and assure such people to fix the boundary delimitation over Thaplan National Park. As officers of royal forest department or National Park Wildlife and Plant Conservation have investigated and proceeded to capture some citizens who possess and utilize things within the separated area under repairing along Thaplan national's boundaries. If National Park Wildlife and Plant Conservation and Electrical sector which are in charge of this repair of boundaries of Thaplan National Park, when these lands under repair are repaired completely following the vote from The Cabinet

Resolution on April 22nd, 1997 (B.E. 2540); they will not belong to Thaplan National Park anymore. Besides, according to The Cabinet Resolution 30th June B.E. 2541, the National Park should be made the clear boundary so as to convenient to prove and protect unintentionally encroachment. If prove that citizens have been living before the announcement of the first forest law, such people should be allowed to continually stay. But If people have been staying in the forest/conservative zone, they should move to the State’s allocated areas and granting their land right. However, people have been living after the announcement of the first forest law, they should move to the State’s allocated areas, or postpone to arrest with the condition not further encroachment. Thus, to consider the justice and relieve the vexation of citizens in the area separated, National Park, Wildlife and Plant Conservation which is in charge of this repair should slow down of cease the arresting of citizens in order to solve the problems of overlapped areas and the repair of the boundaries mentioned. The citizens who possess and utilize the areas should be protected by their rights over their properties following each suitable case.”

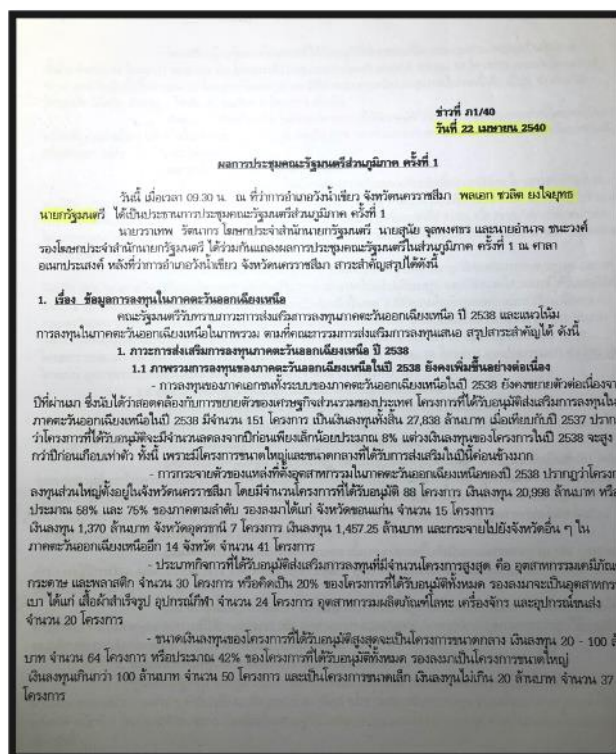


Figure 4.34 The Cabinet Resolution April 22nd, 1997 (B.E.2540)

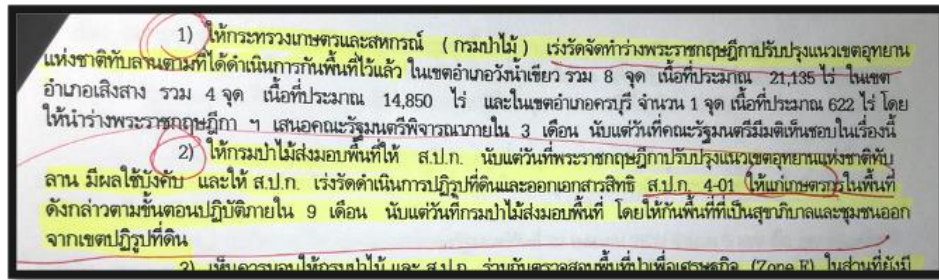


Figure 4.35 The Cabinet Resolution April 22nd, 1997 (B.E. 2540)

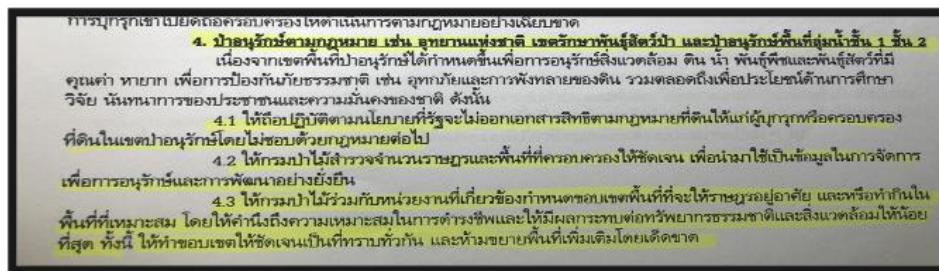


Figure 4.36 The Cabinet Resolution April 22nd, 1997 (B.E. 2540)

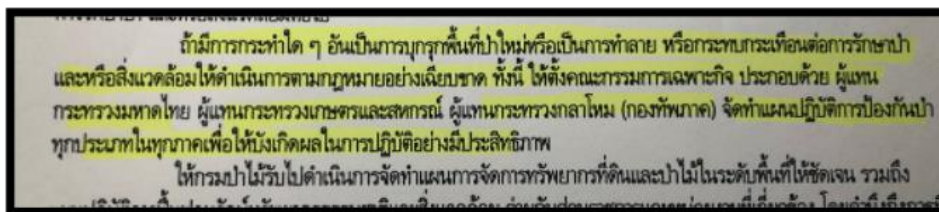


Figure 4.37 The Cabinet Resolution April 22nd, 1997 (B.E. 2540)

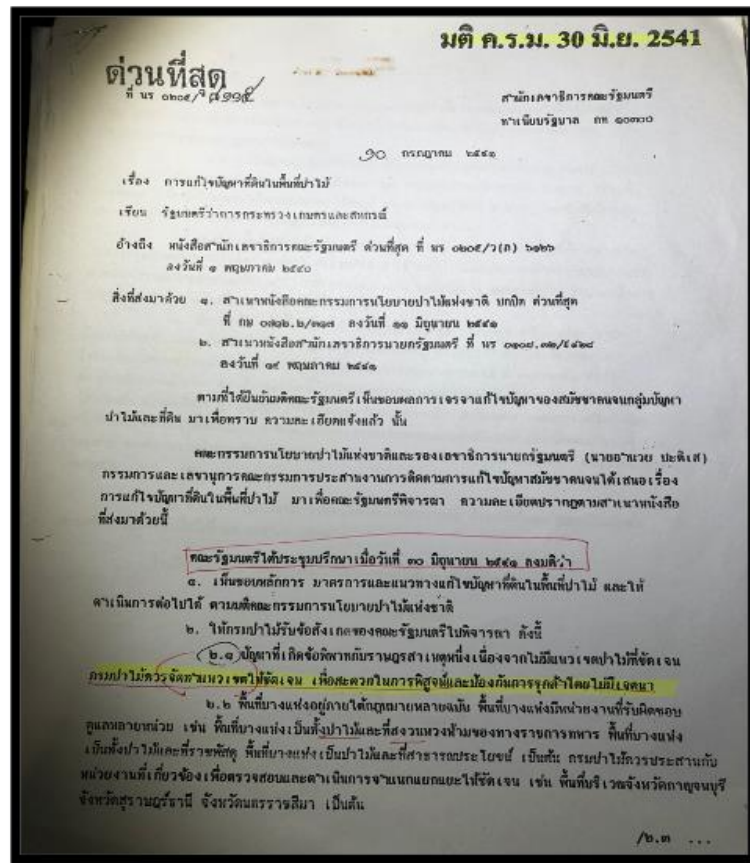


Figure 4.38 The Cabinet Resolution 30th June B.E. 2541

From the results of the investigation in another aspect, they are accomplishments of Law Commission Justice And the human rights of the House of Representatives which are concluded in to “Reports of consideration of the study and the investigation of facts in case of citizens who live in Wang Nam Khiao District, Nakhon Ratchasima District, and Na Dee District, Pranchin Buri Province have been receiving some vexation over legislations of the royal decree and the ministerial regulations to promote Thaplan National Park to become a national forest.” The suggestions related to the boundaries of Thaplan National Park are as follows:

1) Proposing the government to rush the procedures of investigation of Thaplan National Park’s boundary lines under boundary delimitation in year 2000 (B.E.2543) urgently by legislating the royal decree of repairing boundaries of Thaplan National Park according to the corporation of Royal Forest Department and National Park Wildlife and Plant Conservation. The provincial governor of Nakhon Ratchasima

Province, The provincial governor of Prachin Buri Province, subdistrict headmen, village headmen, and citizens have already buried the boundary posts to present Thaplan National Park's boundary lines in year 2000 (B.E. 2543). This has led to the remedy of in-area citizens' vexation correctly and related to real conditions which benefit every sector as follows:

1) Officers of National Park Wildlife and Plant Conservation, or Royal forest department can perform their work in reserving and nourishing the forest efficiently because there is the announcement of boundary lines with boundary posts of Thaplan National Park and the road divided the boundaries has been made clearly where is the national park's areas and where is citizens' areas.

2) Be able to solve the vexation of the citizens in the areas immediately as most citizens live and utilize the areas within their villages have been restricted from the boundaries of Thaplan National Park completely according to the royal decree imposed on citizens' area

3) The procedures of the government related to the restriction to impose other law are able to be proceeded effectively such as local administrative department can impose the law of local administration for stability in lives of citizens. Local administrative department has gone into the area to build and improve facilities such as road, water supply, and electricity for citizens in the areas as suitably as each case in order for the society will be able to move forwards.

4) Solving the problem when the Royal Forest Department has sent the letter to confirm with UNESCO that they will improve the boundaries of Thaplan National Park which are the areas of citizens' habitats, Citizens' Habitation, and specify the areas of Thaplan National Park's boundaries sustainably.

5) Solving the problem of citizens' disputes according to no clear boundaries of Thaplan National Park. This has eased the way to prove the boundaries of the national park easily if there are lands outside the boundaries of Thaplan National Park, those lands do not belong to the national park."

From all conclusions as mentioned from related organizations, they show that the results of the investigation of the facts go in the same direction as following:

1) The boundaries of Thaplan National Park were overlapped the ownerships of lands of citizens which are the community's area assigned by governmental sector;

Administrative department assigning these lands to belong to such villages. The establishment of the villages happened a long time ago before the National Park was set up.

2) Repairing of boundaries of Thaplan National Park which has finished completely in year 2000 (B.E. 2543) has notified understandings of every sector where are Thaplan National Park's boundary lines. Therefore, there should be the continuous procedures to separate the citizens' areas from the national park's areas by establishing boundary posts along the boundary lines of Thaplan National Park and creating the map of the national park correctly in order to continue imposing the royal decree of changing Thaplan National Park in the future, and the keeping promise with UNESCO.

4.1.10 Aerial Photographs

The aerial photographs (1:50,000) over Thai Samakkhi subdistrict were illustrated by comparing the years in sequences—B.E. 2510; 2517; 2542; 2554 over the changes of geography to portray the physical features of the earth over Thaplan National Park and the traces of communities, including the traces of distribution of populations and resources over land use areas. The dark green was forest over Thaplan national park. The communities' road (the slightly white curvy line) and the 304 roads (the thick white curvy line in the right corner) were shown in the aerial images as followed:



Figure 4.39 The Aerial Photographs in 2510

Aerial photo indicated traces of the communities' settlement along the local roads. To consider the forest historical aerial photos, the forest was fertile (See dark green areas), before forest concession in B.E. 2511-2517.

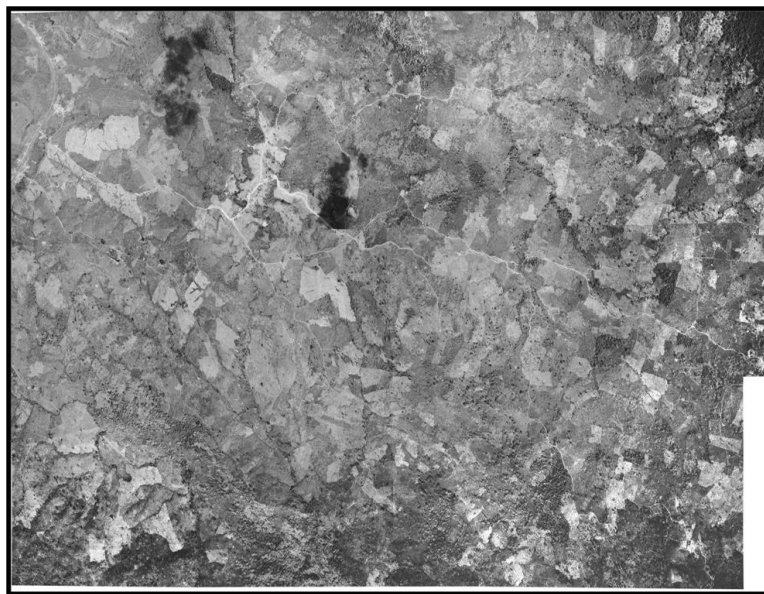


Figure 4.40 The Aerial photographs in 2517

The aerial photograph showed interesting patterns and acquired knowledge on the landscape patterns of Thai Samakkee Subdistrict in Thaplan areas. After forest concession at Thaplan areas, the dark green areas of forest rapidly turned into the light green areas with full of communities along the communities' roads. The results of radical land use and land cover change led to impose land reform laws in B.E. 2521 over Thaplan areas.



Figure 4.41 The Aerial Photographs in 2542

This aerial photographs showed the vivid of enlarging of communities along the local roads. The groups of landscape figures above illustrated the land use and road change since B.E. 2510. There were evidences of agricultural areas (the green dots in square areas). This year was the year of continued proceeding of the boundary rectification to separate communities from the Thap Lan prohibited areas of national park since B.E. 2524.

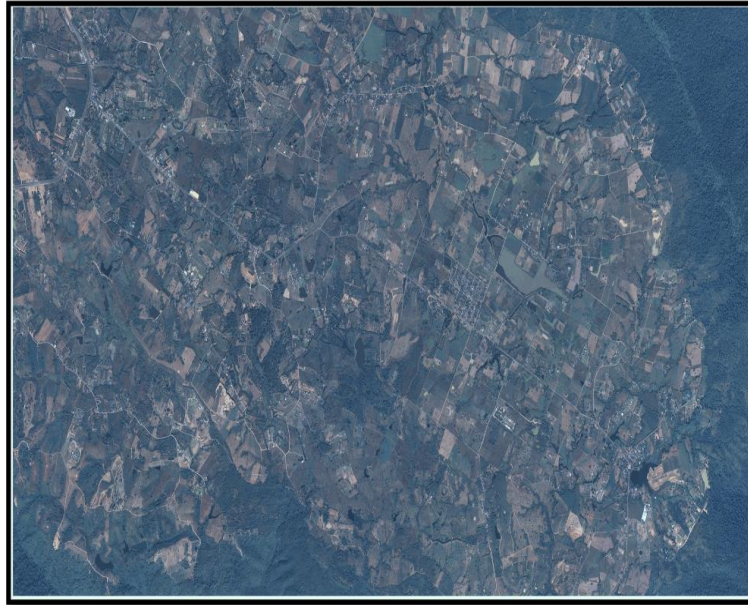


Figure 4.42 The aerial photographs in 2554 (Digital File)

Thaplan one of the Dong Phayayen-Khao Yai (DPKY) has been deligated to UNESCO World Heritage since B.E. 2548. The comparison of lot on a time series of historical aerial photograph indicated the dramatic land use change. All areas of Thai Samakkhi Subdistrict have fulfilled with 11 villages with 3,000 households. The lands were under cropping. The picture also showed the dark green as boundaries. Many patterns of village life have existed in the prohibited areas of Thaplan National Park. The severe land and boundary conflicts still have severe impacted over the overlapped boundaries among National Park, ALRO, and communities up till now.

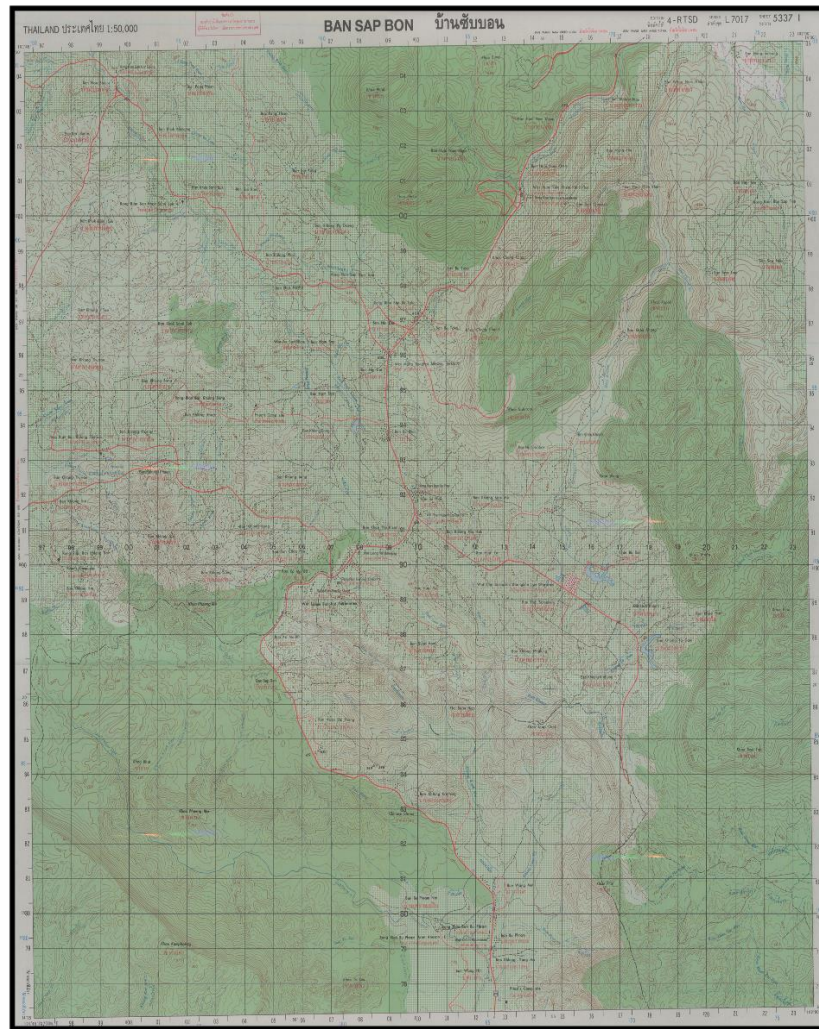


Figure 4.43 Topographic Map Surveying over Thai Samakkhi Subdistrict

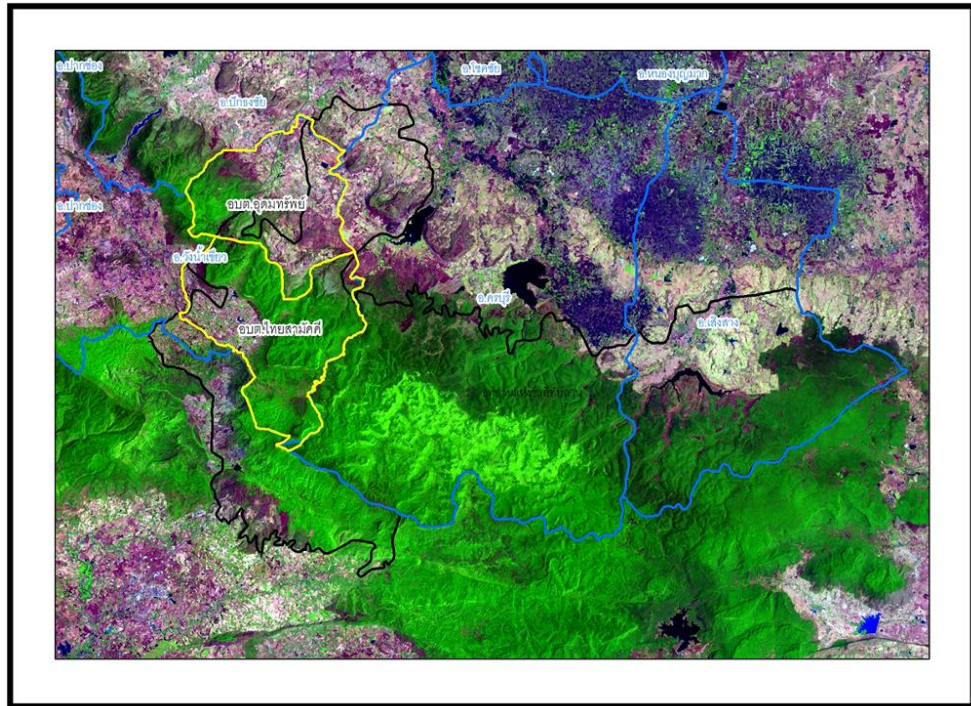


Figure 4.44 Illustration the Geography over Thai Samakkhi Subdistrict by Using Global Mapper Program

Table 4.2 Summary of the Orders of Circumstances in Thai Samakkhi Subdistrict, Wang Nam Khiao District, Nakhon Ratchasima Province

Year	Circumstances	Consequences of the Circumstances
1914 (B.E. 2457)	The establishment of community in the area of Thai Samakkhi Subdistrict by law according to the Local Government Act of 1914 (the Foundation of Bu Phai and Bu Sai villages)	The announcement of restricted (prohibited) areas by the government (National forest, or National park overlapping the residential areas where have been established before prior the evidences of founded Villages). This state action has effected on citizens' rights.

Table 4.2 (Continued)

Year	Circumstances	Consequences of the Circumstances
1968 (B.E. 2511)	Thai Samakkhi Subdistrict's areas were allocated to forest concessions.	The forest concessions as state's forest management was one factor that caused the disappeared forest due to forestry policy.
1968 (B.E. 2511)	Public road; route No. 304 was finished its construction.	The transportation and civilization caused the growth of population over Wang Nam Khiao District.
1970 (B.E. 2513)	The governmental sector investigated the areas through aerial photographs (VAP-61) over the areas of Thai Samakkhi Subdistrict; citizens in so many areas grew the crops by hands.	The evidence proved the existence of Thai Samakkhi Subdistrict community
1972 (B.E. 2515)	The government announced Wang Nam Khiao Forest in Thai Samakkhi Subdistrict according to National Reserved Forest Act, B.E. 2507.	The announcement of National Reserved Forest overlapped the utilities of the areas of citizens that lead to land conflicts.
1977 (B.E. 2520)	The establishment of Thai Samakkhi village happened according to the Act of 1947 (B.E. 2457) to separate citizens from communist terrorists. The lands were given to each family for 1600 square meters (1 rai) and lands for crops of 10 rais (land replacement of the old lands).	The village was under the control of Ministry of the Interior. The citizens lived, possessed, and utilized these areas legally.

Table 4.2 (Continued)

Year	Circumstances	Consequences of the Circumstances
1978 (B.E. 2521)	The legislation of royal decree was announced to reform lands in many areas in Nakhon Ratchasima Province including Thai Samakkhi Subdistrict.	This was the evidence confirming that these areas were not forests, and such areas were suitable for the land reform.
1978 (B.E. 2521)	The government built the community's road into Thai Samakkhi Subdistrict's areas; the distance is 10 km (currently local route number 3138) and 2 sub-roads for people to travel conveniently.	This was the evidence confirming the existence of the community among these areas.
1980 (B.E. 2523)	The government announced the policy 66/2523 in order to evacuate communist terrorists from the forest and to become the Thai National Developers.	This state action was one of reasons leading to the Expansion of Thai Samakkhi communities.
1981 (B.E. 2524)	The royal decree announced the boundaries of Thaplan National Park without surveying the areas with GPS according to be mentioned in earlier section.	1) The national park had overlapped residential areas of many villages in Nakhon Ratchasima Province and Pranchin Buri Province including almost all areas of Thai Samakkhi Subdistrict which have effected on citizens' land rights. 2) Announcement the act of Thai Samakkhi village was against the national park act of 1961 section 6 because the lands belonged to

Table 4.2 (Continued)

Year	Circumstances	Consequences of the Circumstances
		citizens legally. 3) Boundaries of Thaplan National Park overlapped the reforming lands (ALRO).
	*The national park act of 1961 (B.E. 2504) section 6 states that “the lands were given to the national park are not the lands under any legal possession of an individual which is not under the ministry.”	
1985 (B.E. 2528)	The government announced the ministerial regulations No. 1145/2528 to cancel the areas of national reserved forest (Wang Nam Khiao forest) to give the lands to Agricultural Land Reform Office for imposing ALRO 4-01 right.	The lands given to ALRO this time, some part of them used to be long to Thai Samakkhi Subdistrict which overlapped the Thaplan National Park’s areas. This seemed to be evidence to prove that the government doesn’t treat to areas as the national park’s areas.
1985 (B.E. 2528)	The cabinet resolution on February 26th, 1985 (B.E. 2528) provides the opportunities for communities within the national reserved forest which have been settled before in 1967 (B.E. 2510) to prove their rights by casting votes to cancel the national reserved forest act and to proceed the documents of their land rights. Besides, the establishment of communities during 1967-1975	The severe land conflicts still have impacted at present due to not applying the cabinet resolution in the areas of Thai Samakkhi Subdistrict which made citizens in the areas unable to receive their rights over these lands.

Table 4.2 (Continued)

Year	Circumstances	Consequences of the Circumstances
	<p>should receive their documents of land rights for Agricultural Land Reform (ALRO)</p>	
1991-2000 (B.E. 2534-43)	<p>Many governmental sectors with the representatives among villagers in the areas proceeded the rectification of boundaries of Thaplan National Park which overlapped the residential areas and agricultural areas belonged to citizens. There have the pining of national park's boundary poles along the boundary lines of the national park, including the GPS location of the boundary poles, and the map of the fixed boundary lines completely.</p>	<p>Every sectors have accepted and perceived the action of making new boundary lines of Thaplan National Park obviously and correctly.</p>
2005 (B.E. 2548)	<p>The request for registration of World Heritage of Dong Phrayayen-Khao Yai Forest Complex. The Thai government promised UNESCO to reshape and to rectify the new boundaries of Thaplan National Park that all were completely rebounded in 2000 (B.E. 2543); they are correct boundaries of Thaplan National Park and complete procedures would have been finished</p>	<p>The promise of Thai government to UNESCO is the significant evidence proving that the government have accepted the new boundaries in 2000 (B.E. 2543) and needed to fixed boundary of the Thaplan National Park in 1981 (B.E. 2524).</p>

Table 4.2 (Continued)

Year	Circumstances	Consequences of the Circumstances
	in 2007 (B.E. 2550).	
2005 (B.E. 2548)	There were the workshops about the planning policy in developing the tourism of Nakhon Ratchasima Province and in supporting Wang Nam Khiao District to be Thailand's significant tourist market insights.	Wang Nam Khiao District has become a Thai natural tourism sector which is very popular all around the nation.
2007- 2016 (B.E. 2550- 59)	The Master Plan of area management on Thaplan National Park has been following the project to purpose the registration of these suitable areas to become World's Heritage; there were the projects to fix the lands' problem and create the new boundaries for Thaplan National Park. The finished measurement of the areas occurred in 2000 (B.E. 2543).	This has shown the intent of department of National Park to provide the boundaries in the year 2000 (B.E. 2543) which would be legal boundaries by law.
2011- 2012 (B.E. 2554- 55)	There were some allegations to citizens, the residents originally in communities by the act of 1914 (B.E. 2457), as they are intruders of Thaplan National Park approximately 200 persons from all citizens who have been registered of 3,000 households which have been living in the same areas in Thai Samakkhi Subdistrict.	All accusation on citizens leads to land conflict at the present. Citizens have concerned and questioned the action of claiming them according to the law, including the conflicts with Local Administrative Law of Ministry of the Interior.

4.2 Photovoice: Public Deliberation on Controversies over Complicated Political Geography

According to Hendriks et al. (2017) in “A Picture worth a thousand words? Visuals in public deliberation”, the role of visuals in action, notably images and texts are a powerful medium as a visual evidence to influence public deliberation on framing like controversial policy issues. This part aims to use photovoice to study how citizens explored and reflected their lived experiences towards land conflict reappraisal. Beyond their artistic sense-makings, the six participants were engaged in photovoice over land conflicts to capture photographs that triggers land conflict memories. The major theme for taking pictures after brainstorm together was to focus on capturing ‘people, or places, or objects that related to inspire on Thaplan land conflict.’ They have times for couple weeks before meeting to discuss photographs related to the major theme. All photographs invite us to investigate and to engage in critical discuss for conflict resolution for the prospect future.

4.2.1 The Evidence of Aerial Photographs: Case 1 Nut

Nut, a sixty-five-year-old man, is NGOs in Thai Samakkhi communities. He was accused of national park encroachment. He made his decisions to fight against the claims by capturing aerial photographs and the aerial photo interpreter to prove our land right and autonomy over his homestay resort. His ability in handling such social evidences showed his effort to map boundaries over Thaplan National Park with using aerial photographs as witnesses on justification with rationality. Nut is expertizing his political power with the delineation of boundaries as a space of Geo-State and NGOs in fighting for fairness. These roles of images are identified significant evidences how citizen has learned to narrate his knowledge and sovereignty on public space. He attempted to show the communities’ existence before forestry law and policies, such as the announcement of Thaplan National Park overlapped with communities.

In Photograph 1, Nut captured the experts of aerial photograph interpreter at the supreme court. “This is Khun Dilok who help me to prove my land right by giving details on the aerial photographs.” In photograph 2, nut showed aerial photographs on process of analysis. “I captured my aerial photographs that were approved by aerial

specialist at the court who interpreted all evidences. The years of aerial images indicated the comparative years (2513, 2518, 2526, 2537, 2542, 2552). The geographical changes over areas in each year can effectively prove that communities exist before the announcement of National Park act B.E. 2504. I consulted to the court expert who helped me interpreting all aerial photographs. I used L7017-7018 with scale 5337-I.”

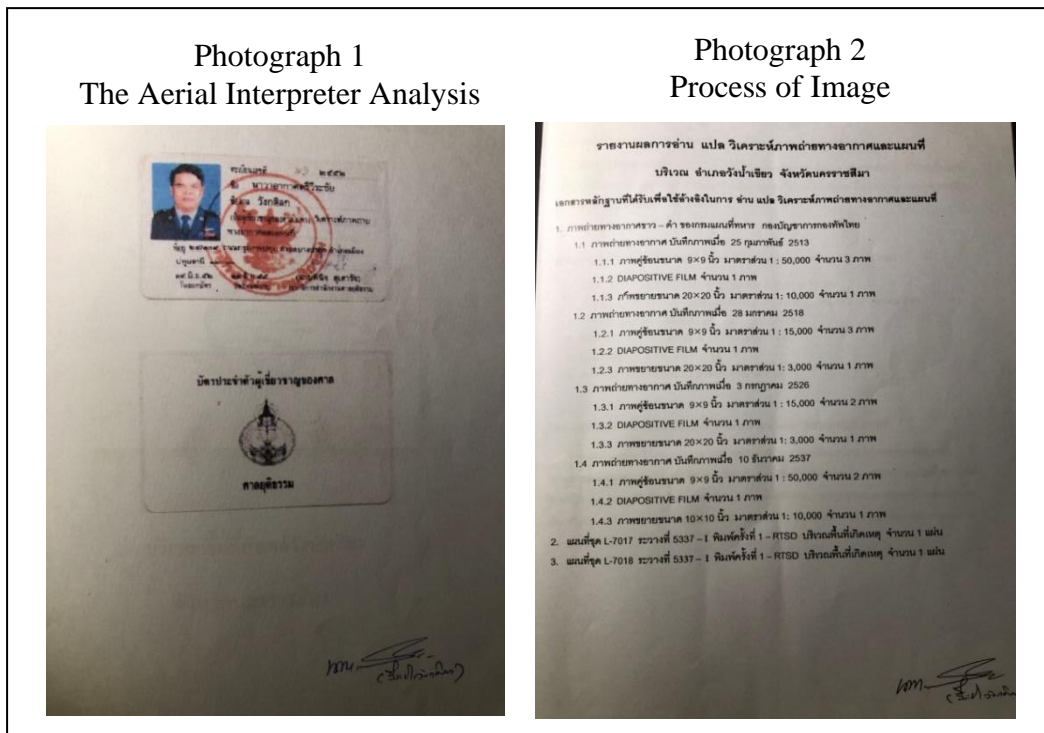


Figure 4.45 Photograph 1-2: The Aerial Interpreter Analysis

In photograph 3, he captured to show all materials to conduct aerial analysis. Nut said, “You know, the process of interpretation was complicated. The expert needs to be a specialist. He used a light table Richard and Mirror Stereo Scope to enlarge the photographs and compare with topo map (Photograph 4) in scale 1:50,000 in the same matrix. The expert interpreted all traces on images with the use of Diapositive Film to capture all details in 3D photo from the comparative images in scale. The results showed that in the inspected areas covered 450 rais; the north of the map connected with Thai Samakkhi Village. There has the local route no. 3200 over communities. The

east connected with Suk Som Boon Village. The South connected with Klong Kra Ting Village, and the West connected with Huay Yai Taii (Photograph 4).”

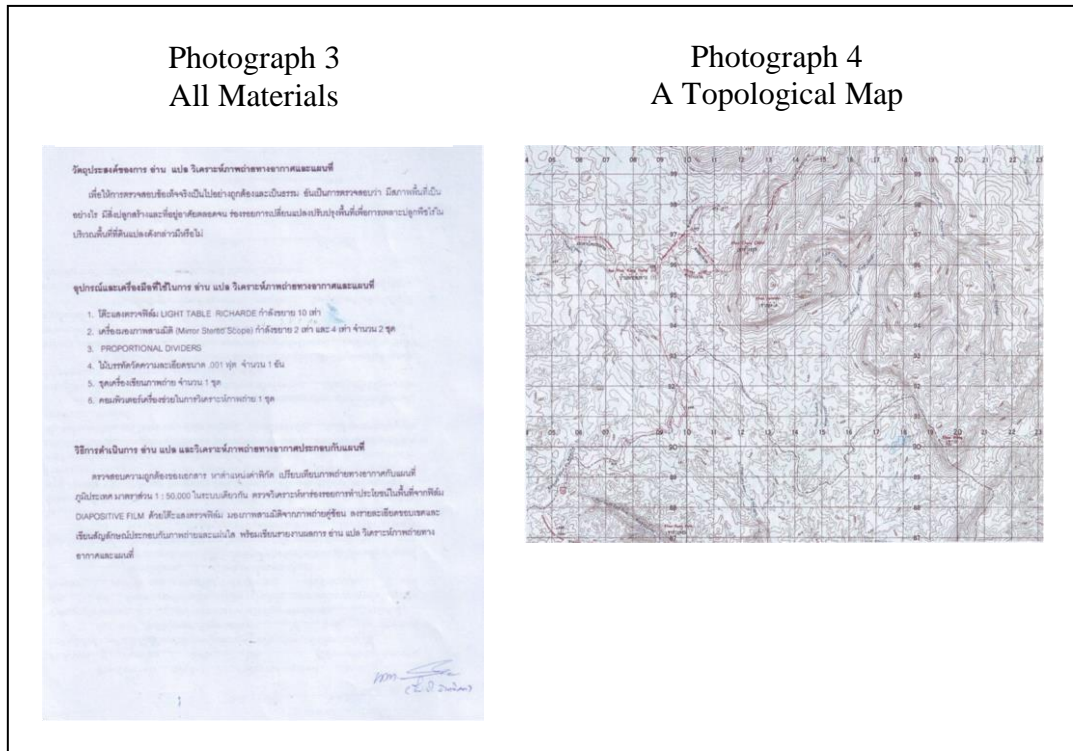


Figure 4.46 Photograph 3-4: A Topological Map

“This was the interpretation of aerial photographs that was necessary in order to mapping geography with classification. L7017 and L7018 in scale 5337-I by using aerial photographs in black and white colors with diapositive film which belonged to Royal Thai Survey Department. The number of photographs were 0024, 0025, and 0045 (in scale 1:50,000) with larger size 20*20 inches (in scale 1:10,000) (Photograph 5-6).”

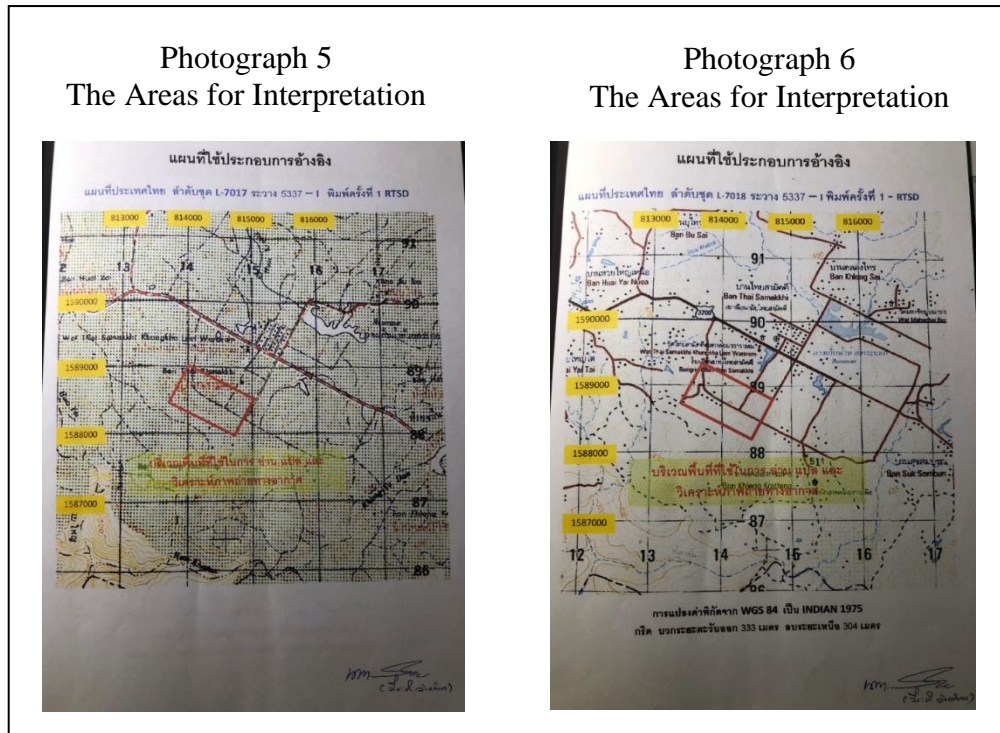


Figure 4.47 Photograph 5-6: The Areas for Interpretation

In photograph 7-8, this was the aerial photographs B.E. 2513; the results showed that the areas around Thai Samakkhi Subdistrict about 80% was forest and shrub trees (F2). The rest for 20% showed the trace of human construction and farm products (A2). Nut narrated, “the land as you can see is not all forest. You know, A2 shows agricultural lands and in square symbols are the evidences of settlement. The aerial photographs also showed the cutting of road 304 and forest concessions. If notice in 1970 (B.E. 2513), the images have been found where were the evidences of villages with their agricultural areas (seeing the rectangle on the images). So, I noted why state agencies announced the national reserved forest in year 1972 (B.E. 2515) and the announcement was overlap with community area. The Government didn’t want to solve the mistake now has become the source of problems land dispute in Wang Nam Khiao.”

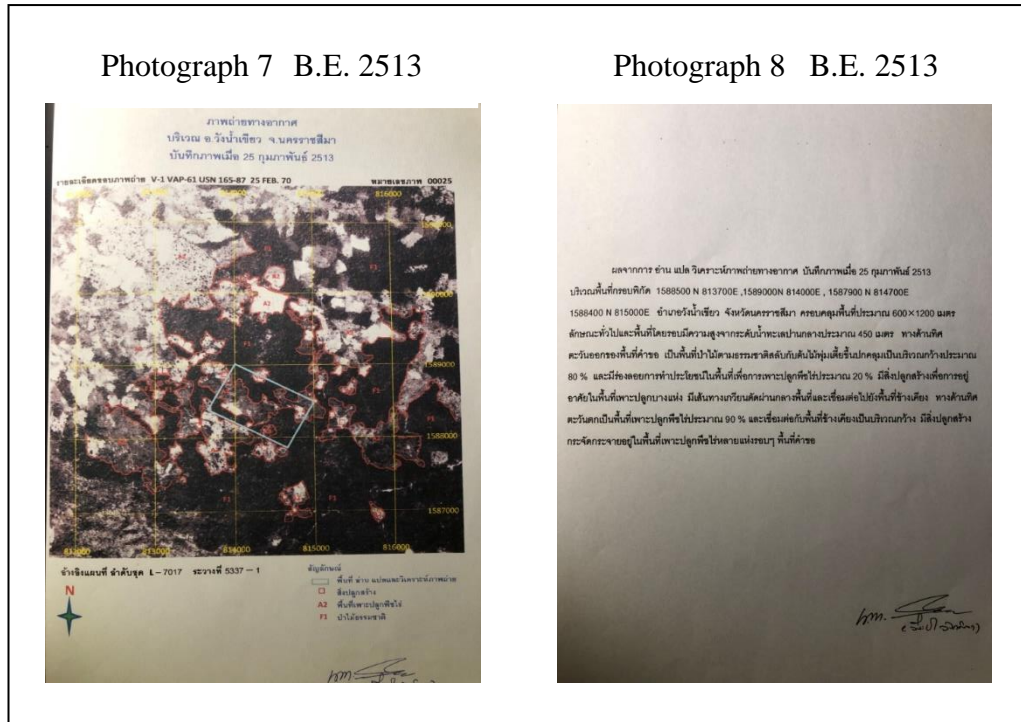


Figure 4.48 Photograph 7-8: The Aerial Photographs B.E. 2513

In photograph 9-10, this was the aerial photos B.E.2518; the results showed that the areas in Thai Samakkhi Subdistrict about 80% was farm products (A2). The rest for 20% showed the areas were forest (F1), meadow and shrub trees (M1) with the traces of human construction and farm products. Nut said, “You see, the settlement was enlarged than B.E. 2513, compared to B.E. 2518. Especially, the areas mostly are agricultural land and were degraded. You know, in the year 1975 (B.E. 2518), there was the coming of the Agricultural Land Reform Office (ALRO); In the maps it becomes the field crops without the forest anymore. It became the community, and that announcement was also overlap with the National Reserved Forest in year 1972 (B.E. 2515) as well. In year 1976 (B.E.2519), the students escaped into the forest; in 1977 (B.E.2520) General Prem had the concept that this is exactly the zone near the border Cambodia. He established communist village and give the military blockade by the community surrounded by soldiers, and deliver the area of the village to the Agricultural Land Reform Office occur (ALRO).”

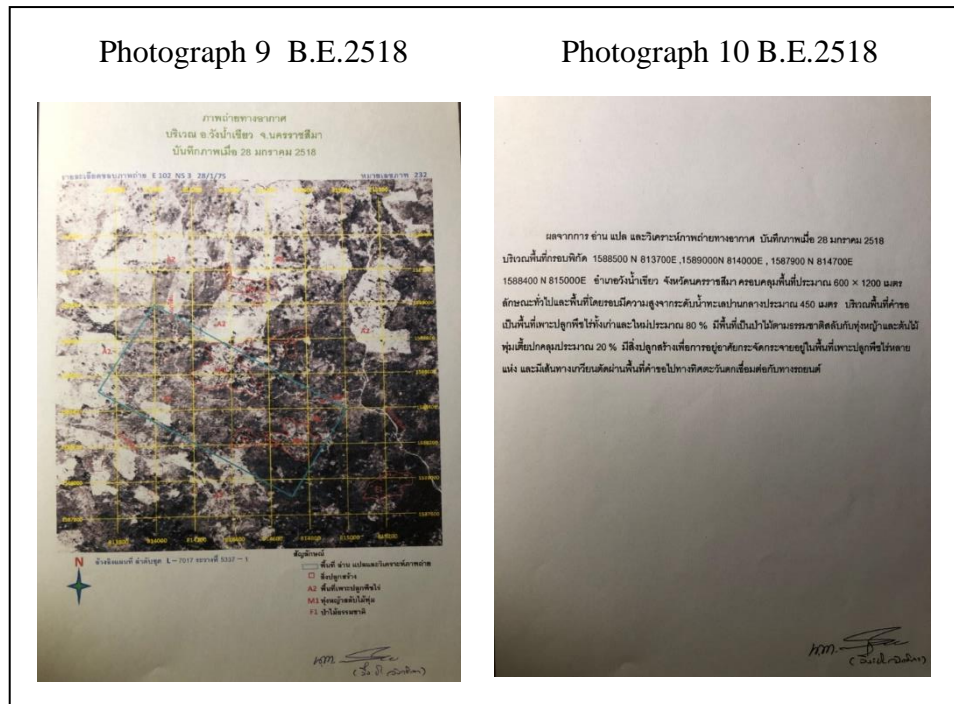


Figure 4.49 Photograph 9-10: The Aerial Photographs B.E. 2518

In photograph 11-12, this was the aerial photos B.E.2526; the results showed that the areas around Thai Samakkhi subdistrict about 80% was farm products (A2) with meadow and shrub trees (M1) and also the trace of human construction (see symbol, A2). Nut narrated, “how these areas are located in the park? In 1981 (B.E.2524), it was announcement of national park over such areas. So, ALRO could not take any action, and later Department of National Parks smuggled to announce as National Park in year 1981.”

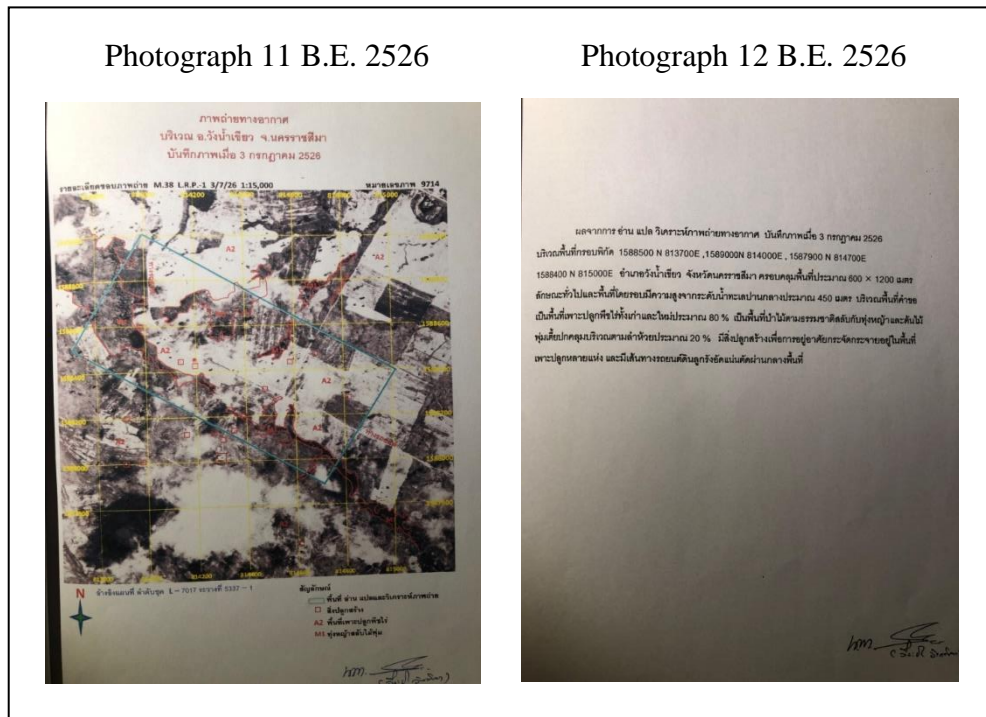


Figure 4.50 Photograph 11-12: The Aerial Photographs B.E. 2526

In photograph 13-14, this was the aerial photos B.E.2537; the results showed that the areas around Thai Samakkhi subdistrict about 95% was farm products (A2); the rest 5% was meadow and shrub trees with the trace of human construction, gravel road construction, and villages. Nut suggested, “all most all areas are agricultural land with communities around here. Well, I need aerial photographs to show as the evidences of the truth with justice.”

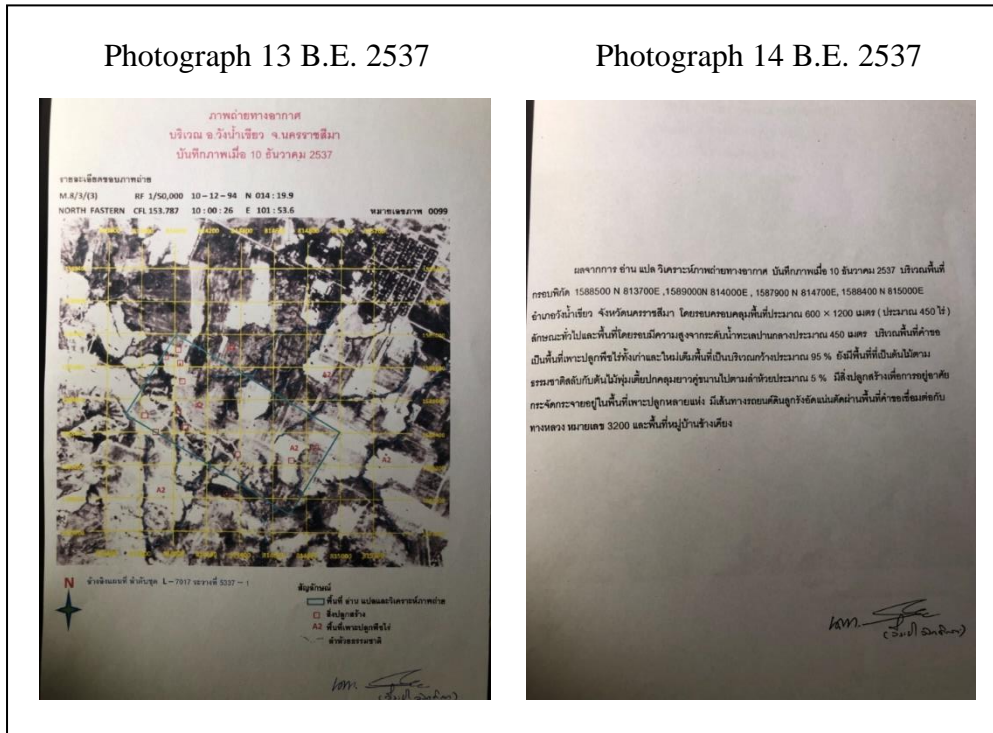


Figure 4.51 Photograph 13-14: The Aerial Photographs B.E. 2537

In photograph 15-16, this was the aerial photos B.E. 2542; the results showed that the areas around Thai Samakkhi subdistrict about 95% was farm products (A2); The traces of human construction were scatter in agricultural areas. The local road construction was connected with the road no 3200 and communities. Nut identified, “there was very little forest area around here. Most were open area because it was made all agricultural land. However, I believed that Thailand couldn’t earn money from only farming land. The ALRO law must be changed. It couldn’t possible forcing Wang Nam Khiao villagers earn their lives only the farming career, but ALRO really need to be developed, such as the sustainable tourism for Aging people.”

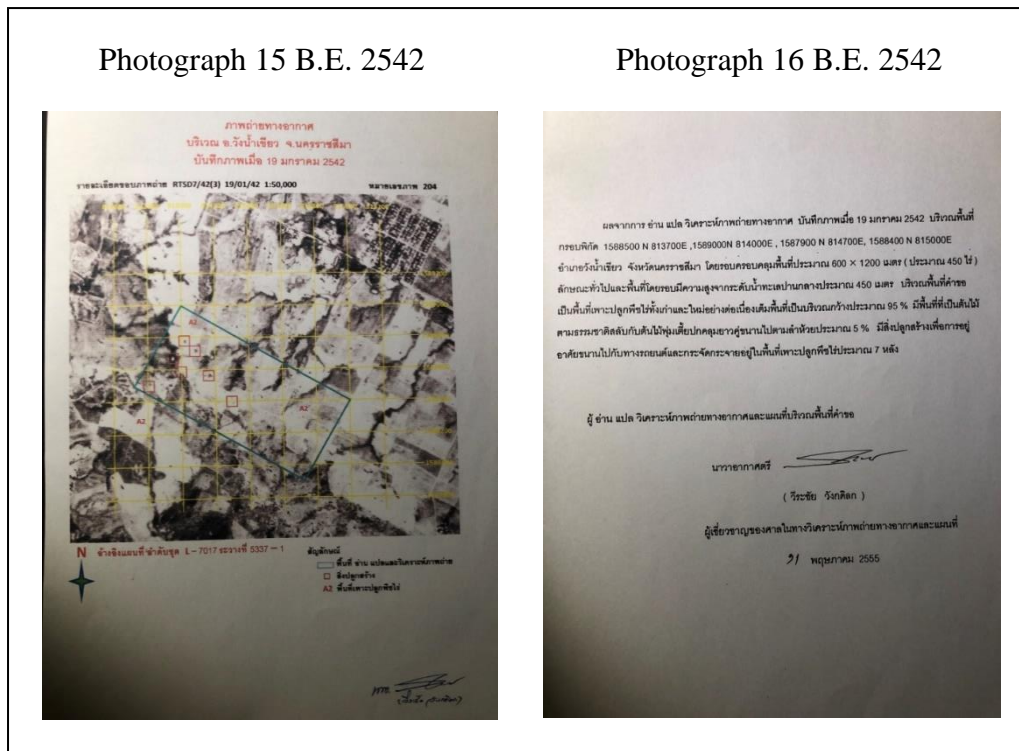


Figure 4.52 Photograph 15-16: The Aerial Photographs B.E. 2542

In photograph 17-18, the last was the aerial photos B.E. 2552 by using google earth program; the results showed that the areas around Thai Samakkhi subdistrict was full of farm products (A2) 5% with the trace of human constructions along with many road constructions. Nut concluded, “we should use all aerial photographs to reveal truth as systematic way in seeing the changes of all areas...I mean...people who were claimed as intruders should find their own ways to fight in the court. Never give up!”

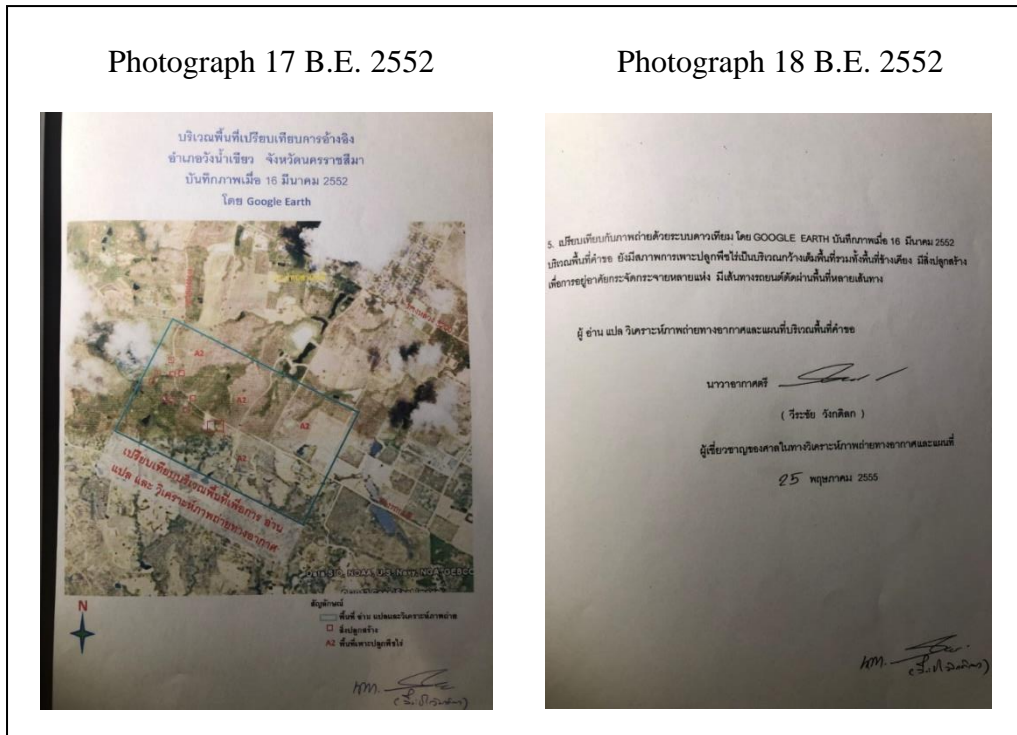


Figure 4.53 Photograph 17-18: The Aerial Photographs B.E. 2552

In photograph 19-20, Nut narrated, “I captured the important map for you, the yellow areas are the prospect areas that should be excluded from the national park; whereas, the green areas should be added more to the Thaplan National Park. This is the boundary demarcation in B.E. 2543 with all related groups—state officials, local officers, park officers, forestry department, ombudsman, villagers, and all committees.”

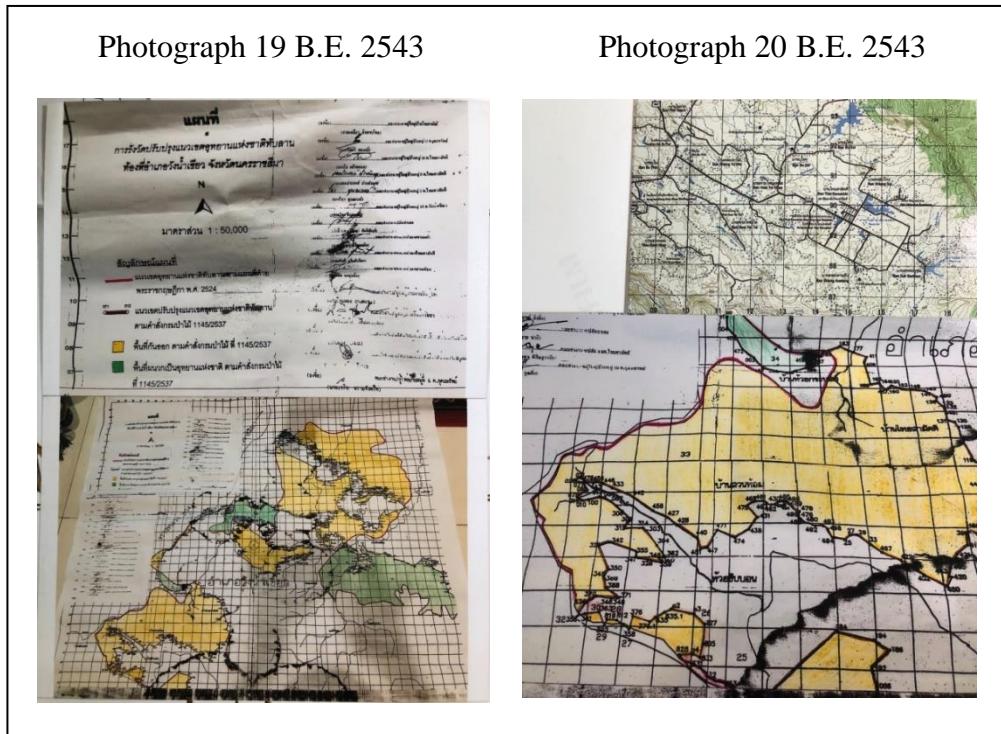


Figure 4.54 Photograph 19-20: The Evidence of Map B.E. 2543

In photograph 21-22, Nut was collecting all aerial photographs to make his voice to be heard. He compared photographs B.E. 2513 and B.E 2549. Nut narrated, “the government policy should be revised for people here. We need the ALRO right—ALRO 4-01 to prove our land possession. Also, all villagers live here and support the boundary line in year 2543 because all villagers understand the boundaries of the park as well.”

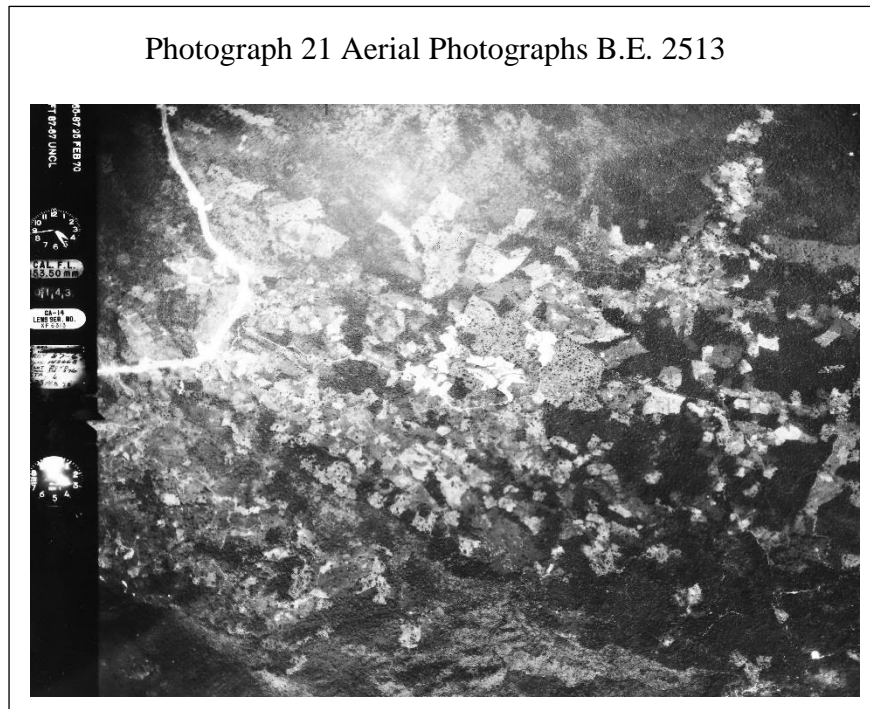


Figure 4.55 Photograph 21: Aerial Photographs B.E. 2513

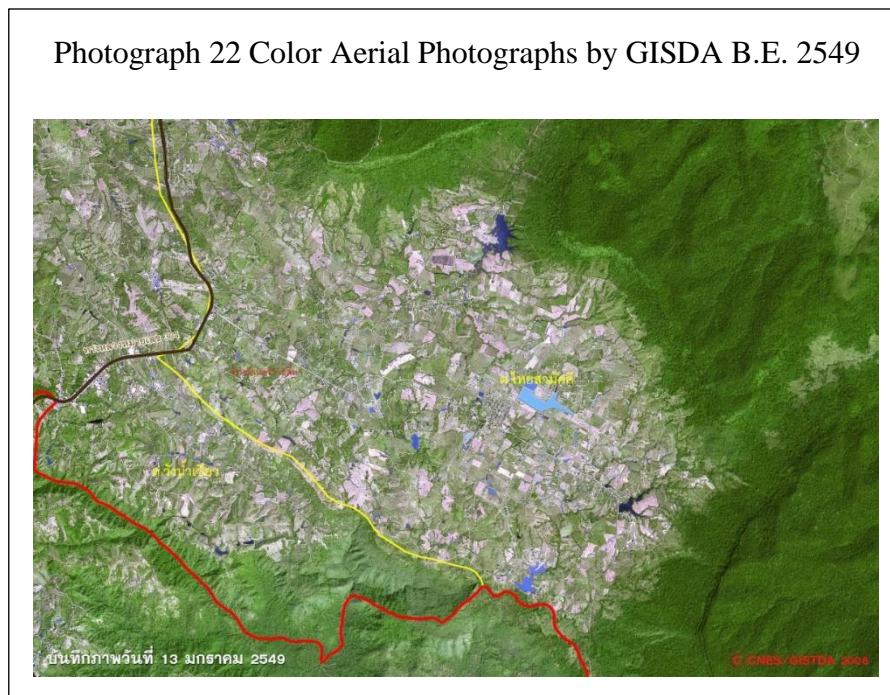


Figure 4.56 Photograph 22: Color Aerial Photographs by GISDA B.E. 2549

4.2.2 The Evidence of Aerial Photographs: Case 2 Meaw

Meaw, a forty-five-year-old woman and resort owner, was capturing her own land to give voice to society. She and her foreign husband were trekking into forest. Her husband took a photo of elephant dung to show healthy ecology around her community.

In photograph 1-3, she narrated, “this land has slopes. Some spots of the land have grasses and wild bananas. So, I bought it from the villagers. The ownership document is Phor Bor Thor 5 as general documents. It is the only document. It was signed by the SAO. We came to make things better. We didn’t come to harm anyone. We came to grow trees. I have never seen any tourist, villager or business owner cutting any tree because everyone takes care of the forest. How can the tourists be the sources of pollutants? My bungalows have air conditioner machines. However, I don’t think that it will change the eco-system because I have many trees enough for preventing the change. Animals’ footprints still can be found here. My husband has a foreigner; he found elephant dung when he was jogging in the forest here. The soil was fertile. We are not invaders. We help here to become green and I grew the trees on almost 6 rai of the land. In the first year, there was a wildfire and it was blown to here by the wind. Think of the dried grass roof being burned. The villagers were very kind. They stayed here for 2 days to watering the roof. The wildfire was blown from the other side of the land. I and the villagers grew trees together in order to prevent wildfire by creating the wildfire defense line. No wildfire has occurred again after people came here.”

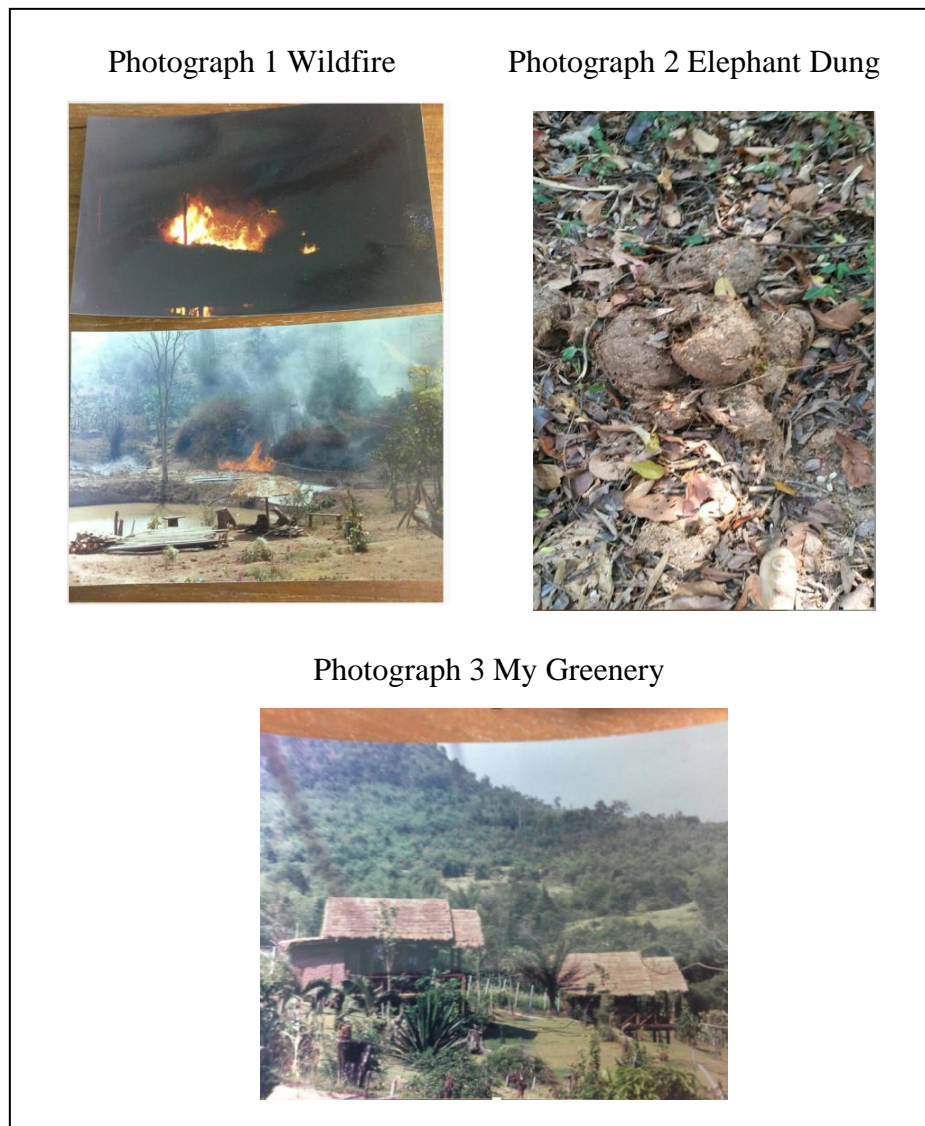


Figure 4.57 Photograph 1-3: Wildfire, Elephant Dung, and My Greenery

4.2.3 The Evidence of Aerial Photographs: Case 3 Phra Chailit

In photograph 1-4, Phra Chailit, a fifty-two-year-old-man and a community leader, showed evidences of civic engagement on Buddhist ceremony in the forest. Phra Chailit stated, “this is our Silathong Temple: I led villagers to explore the area uphill. I have become a community development monk. The land here is Sor Por Kor 4-01 for agricultural areas. The land here has 14 rai. Our community helps me planting trees around the temple and takes good care of the hill. I protect people to *cut* trees here. I educate people to preserve all forests. As a social developer, development need people

with strong will, truly care about nature and really take care of it; not coming to reap benefit. Because, at the present, benefits are involved too much. They should stop building temple within the forest. Right now, the government agency has foreign capital groups which have said that the villagers like to trespass the forest area. So, they give out 500 THB per Rai to grow palm. Do you think this is good? It's very devastating on budget. Before area development, before budget investment, shouldn't there be someone who educate villagers or officials first? Visiting villagers and providing education to the community is the most important. It would never success if approaching with force. The government should find good quality personal to train the National park officer and visit the villagers. For the appropriate personal development, the officers should visit the community.”



Photograph 1
Community Involvement

Photograph 2
Community Involvement



Figure 4.58 Photograph 1-2: Community Involvement



Figure 4.59 Photograph 3-4: Silathong Temple

4.2.4 The Evidence of Aerial Photographs: Case 4 Berm

Berm, a sixty-year-old man, a restaurant owner, and NGOs, presented the photographs of his land, the letters, and fee receipt from encroachment as important evidences to represent his feelings on land conflict. Berm narrated, “I had a friend who was a provincial police station’s commander who suggested me the land in Wang Nam Khaew District, but I was not satisfied with it. Then, I met Pranom, the sub-district headman who suggested this area and persuaded me to grow trees here. I thought that it was a good side road land. I bought it for 120,000 baht. When I bought this land, there were no forest over such areas; I grew all trees myself. By looking at air maps, it can be seen that the number of green areas is increased than that when I bought this land. I also took photos as evidences (Photograph 1).”



Figure 4.60 Photograph 1 The Land Condition Before Constructing Home

In photograph 2, “This is our group...forest conservation and quality of life group—a group volunteer in community development and sustainability. We donated useful things such as drinking waters and bicycles for Wang Nam Khiao hospital. You are also invited to join group.”



Figure 4.61 Photograph 2 The Quality of Life Group

Photograph 3-4, “I wrote a letter to Ministry of Natural Resources and Environment to listen and help to delay arresting villagers. I would like to show my gratitude to government by presenting the facts and collected relevant documents for the considerations at every forum.”

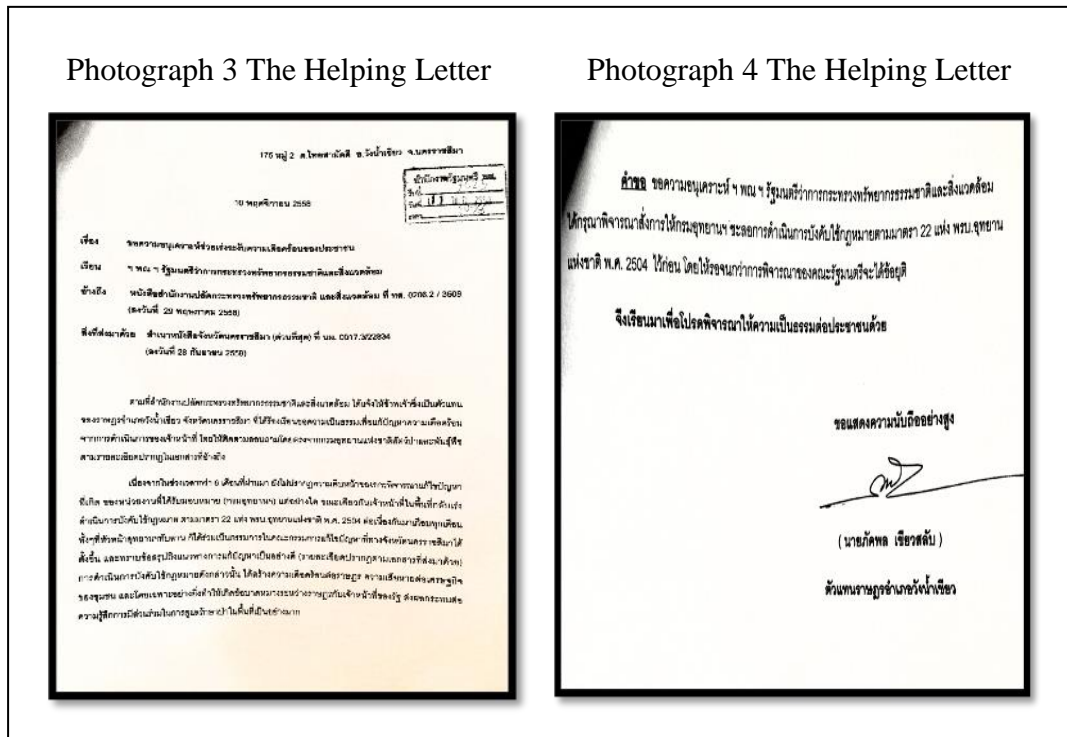


Figure 4.62 Photograph 3-4 The Helping Letter

Photograph 5 Evidence of Our Forest Conservation Support: “I and other villagers were helping in extinguishing the blaze over forest. We received a letter of gratitude from National Park, Wildlife, and Plant Conservation Department. Here...is the latter to show that we love forest, not destroying such media broadcasting.”

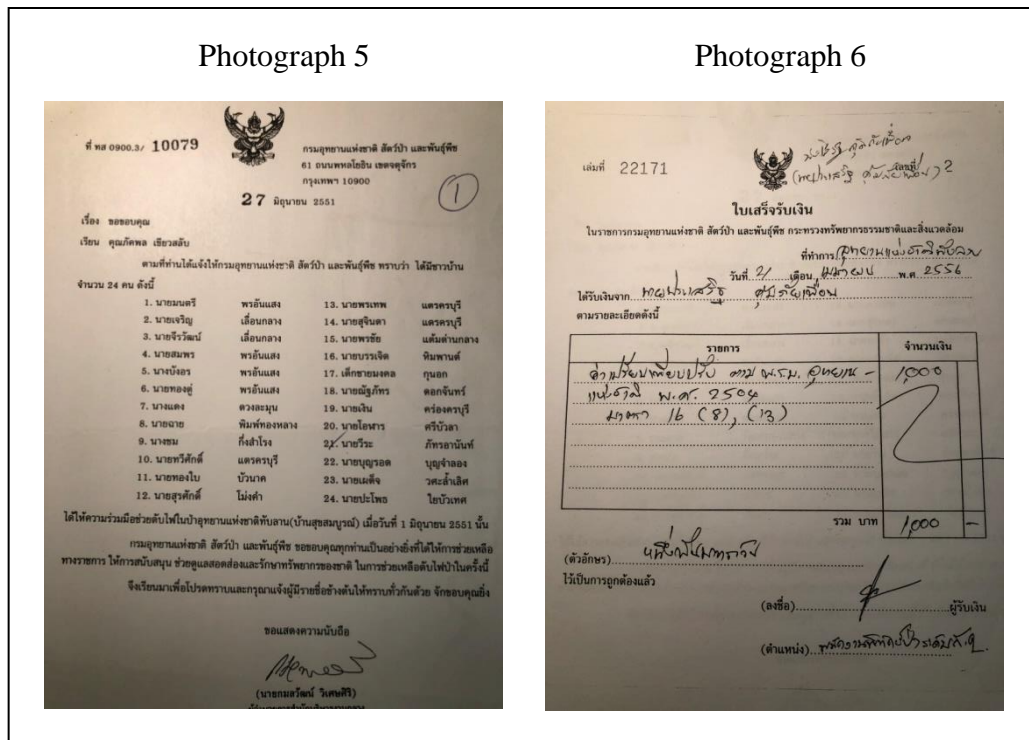


Figure 4.63 Photograph 5-6: Evidence of Our Forest Conservation Support and The Receipt of Fine

Photograph 6, The Receipt of Fine “My friend, a villager, got a ticket of encroachment over Thaplan national park about 1,000 baths. The ticket indicated that the fine was done following the National Park Act B.E.2504 Section 16 (8, 13). My friend didn’t have enough money because he is so poor. That was tough for him.”

4.2.5 The Evidence of Aerial Photographs: Case 5 Manode

Manode, a sixty-six-year-old man, moved from Bangkok to stay at Wang Nam Khiao for his early retires for decade. He narrated,

“I give this picture named “A Chamber of Political Desire” I felt so impressed. I was the one who was spoken on forum that day...at Wang Nam Khiao forum in 2016. The ombudsman and his committees were listening me and other villagers in solving such land conflict. That was impressed on that day!”



Photograph 1
A Chamber of Political



Photograph 2
Our Communities' Forum

Figure 4.64 Photograph 1-2: A Chamber of Political Desire and Our Communities' Forum

In photograph 2: Our Forum, “This is my friend restaurant, but such place also was opened for community forum at conflict resolution. I and villagers always come here to deliberate solutions and gather evidences on the tables.”

In photograph 3-4, Manode showed the clearly detailed on boundary demarcation: ALRO, Communities, and the National Park.

Manode narrated, “If the community is separated from the forests along the boundary line in year 2543, they can care about the forest. People who live in the area can also be planted forest in the community area. Also, we need the Agricultural Land Reform 4-01 document to prove our communities' rights. As you see in the picture here

(Photograph 3-4), the green section in photo 3 and the pink section in photo 4 are the ALRO areas which still overlapped with the area of Thaplan national park. The land problem must urgently solve with all related people and state. We want to be in the area legally. The National Parks Department still continued intent to bring the Wang Nam Khiao Forest as UNESCO World Heritage Site. When the agreement with the Park Department with UNESCOs includes contracts with the villager that will use boundary line year 2543, they should follow that contract. Do not be unreliably, because it causes people confusion. In addition, if see the legal, the authority of the Ministry of resources or the National Park Department did not have the authority and duty to involve the people at all, but responsible for the care of natural resources. There is no obligation to take care of people. The National Park Department brought the Community space in Wang Nam Khiao to be their own. Are you lying to yourself? because such areas as community area and not the forests. The community was here before the National Park Department announced as the forest area.”

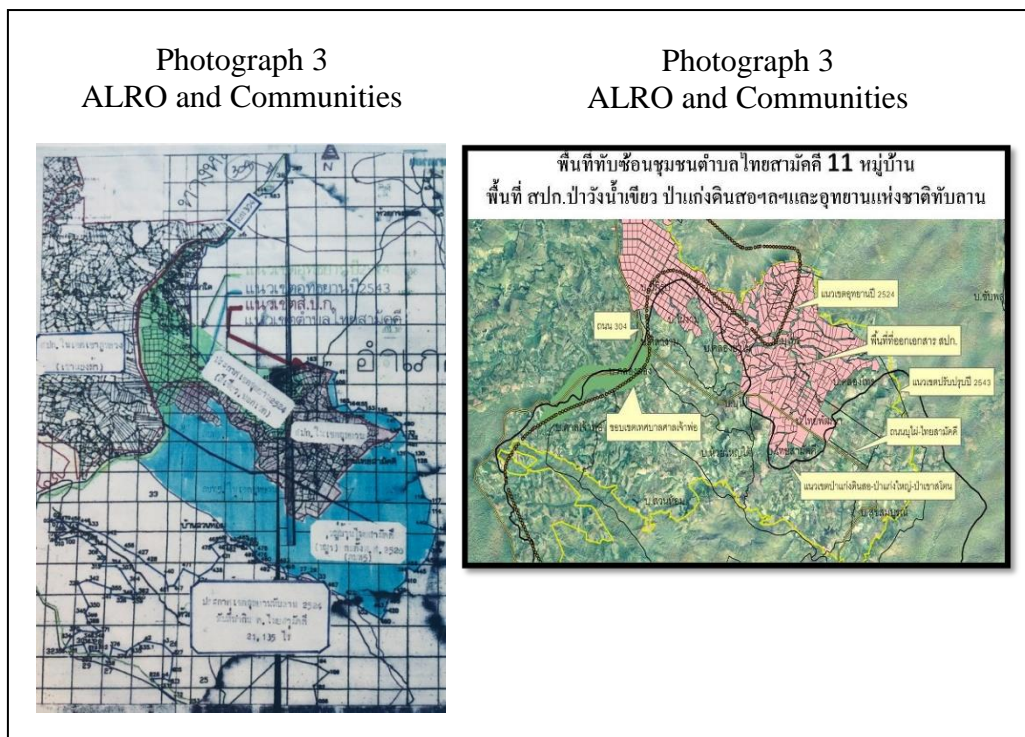


Figure 4.65 Photograph 3-4: ALRO and Communities

4.2.6 the Evidence of Aerial Photographs: Case 6 Ple

Ple, a fifty-year-old woman, an owner of homestay resort and the owner of secondhand shop at Wang Nam Khiao, capture her homestay to represent her green activities. She narrated, “This is My Green Land: My homestay resort was fulfilled with trees and meadows. I do organic farm here. I plant such trees and well take care over pond here. I help villagers by hiring them to take care the green areas. I never cut trees. The area of Wang Nam Khiao more than decade was bald mountain. Nowadays there is lot of forest, it is the area that people planted later. I began to improve new soil by digging a well watering and fire lines with the afforestation allowance from Subdistrict Administrative Organization to support. After three years the trees grew and around April, there was a fire with the cause of dry season. Villagers did not have anything to eat, so they light a fire to keep rats out of the morass. The fire also spread out. I was stand there with tears because regretting the 3 years. I stopped for one year. After that, the rain is falling. Teak trees burning but it grows that we had planted more, and after that, the fire burns again, 4 times. So I stopped this type of tree then I began planting fruit tree to provide income for hire the garden workers. At that time many government agencies helped promote planting flowers because in this space was suitable for the cultivation of the flowers. We simply planted several types of floral for trials and finally planted. At that time, I did not have the knowledge of homestays. We just open for trials. I did it for 1 year because there was encouraging the villagers to do so.”



Photograph 1



Photograph 2

Figure 4.66 Photograph 1-2: My Green Land

CHAPTER 5

THE NARRATIVE ARGUMENTS OF CIVIC COMPASSION: ATTEMPTED LAND CONFLICT RESOLUTION

This chapter 5 showed the two following parts of the results of the narrative arguments: 5.1 narratives over personal storytellings, and 5.2 narrative forums. In 5.1 Part I, Storytellings as Civic Testimonies, storytellings as civic testimonies provide analysis of personal arguments from group-based communication as follows: villagers, non-governmental organizations (NGOs), forest and park officers, local officers, and Buddhist monks. These multiple voices reflect critical and diverse sets of roles and sentiments on the arguments of public deliberation to justify their preferences, as well as civic compassions, on deliberative resolutions of land and boundary conflicts. This part has synthesized participants' baseline stories as well as lived experiences in handling such conflicts, while keeping focus on the concepts of 'the common goods' and 'the feeling of civic compassion' as the core values of deliberative democracy in dealing with social conflicts. According to Kant's ethics, "right actions have moral value only if they are done with a good will" (Vaughn, 2010, p. 100) considered these as essential for moral deliberation per se. The emerging themes from personal stories of participants past experiences in which social actors produce and convey meanings are constructed into four main categories as follows:

- 1) Taking account of reality on land conflict,
- 2) Encountering self-sympathy,
- 3) Engaging in public deliberation,
- 4) Fostering compassion by deliberation.

In 5.2 Part II, Narrative Forum, narrative Forum provides broad-based decisions and rational arguments. The results of forum analysis require some new deliberative solutions such as civic compassions in dealing with the many tensions of public

deliberation as well as public management. For comparison, four cases of public forum are considered as follows:

- 1) PAC Forum
- 2) Korat, Provincial Hall Forum
- 3) Ministry of Natural Resources and Environment Forum
- 4) Wang Nam Khiao, Town Hall Forum

The narrative evidences aimed to justify the propositional evidence over complicated boundary disputes of Thaplan National Park. This study has become visible in discussions of deliberative democratic practice and governance in the context of land conflict. The participants from civil society and the State have attempted to build rational arguments since B.E. 2540 to manage land and boundary-related problems in the coming decades. The evidence is difficult to decipher. This is because the truth about human existence opens deep wounds of social stigma, such as bandits and criminal. The critical voices from villagers, local officers, Buddhist groups, and NGOs reflected the reality of land controversy and the use of deliberation as the effective instrument to justify truths as self-evident. The emotional evidence, such as the feeling of alienation from society because of being claimed as intruders in Thai Samakkhi Subdistricts, revealed how feelings of sadness, anger, anxiety, denial, fear, shock, confusion, or guilt can effectively claim the validity as reflective decision-making. According to Black (2013), personal storytelling acts as effective instrumental rationality while deliberative groups framing and reframing their conflicts so as to achieve better understanding, developing, and helping explained and resolved conflictual social problems through the praxis of discursive democracy. Dryzek (1990, p. 5) said, “instrumental rationality represses individuals. On the one hand, instrumental rationality gives us the power and technology to create the material conditions for human freedom.” Moreover, communicative rationality from narrative discourse also provides reasoned consensus on normative judgements in the process of problem-solving capabilities in which competent actors are oriented toward their intersubjective understanding (Dryzek, 1990, p. 53). By storytellings, in 5.1 part I, aimed

to seek to justify and to transform deliberative power of narratives from the citizens, advocacy groups, and the government through the deliberative reason-giving in land conflict resolution. Curato et al. (2019, p. 46) believed that the deliberative process helped to attribute to “transform coercive power into productive power.” Ryan and Smith (2014, pp. 9-26) suggest that different forms of institutions and public engagement processes are important to assess how deliberative public forums are applied to identify how citizens and the State play a role in the political decision-making process. This process embodied the meaning of deliberation to test the quality of deliberative interactions among participants, which this study proposes to investigate in 5.2 part II.

5.1 Part I - Findings: Storytellings as Civic Testimonies

Storytellings over Thaplan

Group-based narrative analysis from the stories of villagers, non-governmental organizations (NGOs), forest and park officers, local officers, and Buddhist monks provide their counter-narratives as testimonies to identify in the discussion on the content of the stories. Storytellings reveal the four significant narrative themes from the results as follows:

- 1) Taking Account of Reality on Land Conflict
- 2) Encountering Self-Sympathy
- 3) Engaging in Public Deliberation
- 4) Fostering Compassion by Deliberation

1) Taking Account of Reality on Land Conflict

The first theme coming out of the storytellings shows how social groups interpret, justify, describe, and deliberate their lived experiences and duties in the problems of land conflict over Thaplan National Park. These narratives serve as a rhetoric of device by which social actors attempt to ‘produce and convey meanings’ (Engelken-Jorge 2016, p. 79) under conditions of social conflict by expressing and arguing using all relevant information, interests, and feelings to justify ‘the causal-explanation’ (problem-based approach) on the land conflict situation. A theme taking

account of reality on land conflict represents an action of taking into the fact of the situation by expressing different modes of communication and moral premises with strong feeling, and remembering to pay attention to the causes and effects of the land conflict problems. Individuals from each group attempt to examine the causes and consequences of their experience more clearly and cultivate greater psychological mindedness on social space that they have learned and embodied through their past experiences. Each group has distinct passions that are attributed to rational reasons based on evidences, experiences, especially moral arguments (right/ wrong), on such concerns and engage freely in collective reasoning of examined life. The preeminence of expressing rational reasons and feelings emphasize the power of deliberative narratives and the power of justification on such land conflict issues.

Villagers:

Mon, a fifty-two-year-old woman, bought this land 19 years ago. She helps her husband to do a Thai restaurant as well as to teach in the school in the area of Thaplan National Park. She felt vulnerable and had anxiety about of losing information about park signs indicating the prohibited areas. As a teacher, I always question why me? Why my home land has been accused as illegal to stay here with my family since 1999 (b.e.2542). Park officers came here to give a notice to intruders and take pictures for the first time at my home, while my house was still being constructed at that time. Well, the park officers talked nice, and claimed what they did was their responsibility and duty. You know, it was a mistake of the national park! They didn't have a warning signs that these areas, including communities here, are 'in the prohibited area.' Why? I don't know. I'm living in the prohibited zone! The first time I bought the land it was not a forest area. It was clear land without trees and ready to construct a home. Also, we keep planting trees. We are not invaders, not like the media broadcasted! (Mon, teacher, aged 52)

Like, Ple, a fifty-year-old woman, had lived in the Suksomboon village since 1997 (B.E.2540). She bought her land from her neighbor. All areas in previous time were a forest. She's the homestay owner with her husband and opens a second-hand shop near the Rt 304 road. Ple didn't realize that her homestay was located in the prohibited area of Thaplan. She mentioned the subdistrict administrative

Organization—SAO as ineffective system because of allowing construction in Thaplan without any warning from local officials. I did not think it was a park invasion zone. We came to buy a house and the people who build can take advantage of the land. Then I ordered big trees. I grew up in hundreds of green trees. When we wanted to build our house, we also ask for permission from the SAO. They had house models and set the criteria for building homes of the height of houses. At first, I built a small cabin. Then, we had more neighbors, so we expanded the house to keep more stable. For the second house, we asked permission at SAO and for house an address number. Then, I consulted with the SAO. After that, we built a camp and also consulted with SAO for permission again. (Ple, homestay and second-hand shop owner, aged 50)

Meaw, a forty-five-year-old woman and the owner of a resort and restaurant in Thaplan, moved from Bangkok to stay here for 11 years because of experiencing signs and symptoms of allergy to air pollution. She held the land right document as Por.Bor.Tor 5 (P.B.T.5) without knowing that such a document cannot prove her private land right and ownership. But it was a document as an evidence to pay tax to the local government (SAO) for using of land, administered by a local village leader who oversaw possession rights and boundaries. The P.B.T.5 document cannot be used to register with the Department of Lands and is restricted for transferring the ownership of land claims. She felt shocked and distressed when the park officers visited her resort and restaurant with guns. She narrated: There were people suggesting to me that Wang Nam Khiao air was good. I took three days to find land. The ownership document is Por.Bor.Tor 5, a general document. It is the only document. It was signed by the SAO. I thought that the document issued by the SAO was correct, as the SAO is a public organization. So, we believed that. Then, we made our decision to buy the land. We were very happy. Well, the conflict occurred about three years after that. In the past, people were very happy. They gradually become wealthy and opened their businesses. Actually, there was no restaurant here. We are the pioneers about this business. The villagers had jobs to do. You know, On the first day, the officers came to say that they come to take over the land. I replied, “What? Take over? This is excessive? I wanted to live with nature in the late period of my life. You have come to confiscate the land?” An officer said that “I have to investigate areas.” There were many officers. They were here in two pickup trucks. They carried guns! What did that mean? Guns. It was like

we killed someone. They came on weekdays. I remembered that there were about two groups of customers. They were confused. People are normally confused if they see guns. But, the officers dressed like they were commandos. I was faint! My husband was sad. He said that “What? They look like communists.” He really said that. They investigated every area. They took photos. They even took photos of my husband. I asked them not to post the photos of my husband. He loves Thailand. I asked them not to post the photos of my husband and not to state that there is a foreigner coming to this place because I couldn’t predict whether it would be posted positively or negatively. It’s good that they did not post the photos of my husband. They only posted my photos in newspapers and on the Internet. There was a headline, “A Famous Spec Arrested in Wang Nam Khiao”. I still remember the headline. On that day, I couldn’t cry. However, my heart cried. It was like I was harmed. However, I didn’t sign anything. They just came to inform us.

Swai, a fifty-three-year-old man and a village headman, had referred to social histories of the communities before the announcement of the national park act in 1981 (B.E. 2524) and the National Reserved Forest Act, B.E. 2507 (1964). He and his father had stayed there since 1967 (b.e. 2510) before the announce of the National Park Act in 1981 (B.E. 2524). He mentioned the surrounding lands. He suggested that forest concession over the whole forest caused the failures of forest preservation. He was one of a cooperative board engaged in the establishment of the B.E. 2543 boundary demarcation that separated people from the zone of national park legally. To use the B.E. 2543 boundary line, people will be free of being accused as invaders of the prohibited zone of park areas. He, likes other villagers, didn’t know that his land was located in the park zone because there was no posted park signs over the areas. Interestingly, he narrated that park officers had kindly established the zone and allowed people to stay in the park zone, so as to build a civic village.” He told his story: My father has stayed here since 1967 which is the time before declaring the preservation forest area. The department of national park officers have claimed that the residents in this area are destroying the forest. That is not true at all. At the time that we moved here, the area was a plain open space. Then, there were companies that were owning forest concession by which they destroyed all the forest. The residents later demolished those areas, and prevented others from buying the land, which they continue to use as

their living place to this day. At that time there was no agricultural land reform office came 2-3 years after the preserving zone was established. As a headman during 2540 – 2543, I had been chosen as a member of the cooperative board for establishing and preserving a zone in 2543 as well, which was known as the 2000 (2543) Boundary, during the time of the preservation area declaration in 2524. The national park department didn't perform any accused action, but they were starting to do that in 2527 by adjusting the area to a living area. After that they invited people outside the area to enter and establish a village. After they established the area, the department of national park informed residents to not violated the other area beside the established area because those are the areas of the department of national park. You know, the department of national park haven't posted any sign to indicate to people that all these areas are prohibited areas. No violence occurred, until the year after 2555. A conflict was started and officials started to jail people and drive them out of the area. This was not fair because the government had let it pass for too long which made the residents understand that they have a right to stay there. During the time that the government was informing the residents to move and to establish a village, all of the residents followed that without any conflict since its announcement in 2524. There was no clear border line sign. Then, they started to do that in the year 2543. I remember helping them move the signs to the place because I was the headman at that time. I knew where the pinning poles were. The authorities were using the GPS to define the clear areas, and no single resident violated the area beyond 2543 because everyone knew that it was the area of the department of national park.

NGOs:

Manode, a sixty-six-year-old man from Bangkok, lived in the Suksomboon village for his early retired life since 2005. He was a doctor and practiced meditation while living here. He was the one of the villagers who narrated his story on the topic of forest concession. He had been fighting for his right and that of the communities for almost a decade. He gathered evidence such as social histories beyond Thaplan to gain legitimacy to live there. He referred to the complicated boundary between Thaplan National Park and the Agricultural Land Reform Office. He interestingly also mentioned the land rights document Sor.Por.Kor. 4-01—ALRO 4-01

that is allotted for agricultural land. S.P.G.4-01 confers the right to occupy only and be transferred only by 'inheritance' according to the Land law and requires that land be used agriculture only. He supported the B.E. 2543 boundary and insisted that communities had been settled before the announcement of the park act. He presented his hypotheses on the reasons that government denied to apply the B.E. 2543 boundary. He reported: Interesting! This district had overlap area between the Land Reform Committee and Thaplan National Park. I would talk about land allotted by the Land Reform Committee problem. That area might have been denuded forest before becoming land allotted by the Land Reform Committee, as the Land Reform Committee did not use abundant forest area to cultivate. It had forest concession after 1967 (B.E. 2510) which indicated that the area had been a degraded forest for a long time. The Land Reform Committee had announced the boundary before Thaplan National Park was created. There were 3 districts, Pak Thong Chai, Choke Chai, and Wang Nam Khiao in which was land allotted by the Land Reform Committee. Allocation of areas to the farmers required a project to support it. Thus, the Royal Forest Department issued a ministerial order to certify this area as land allotted by the Land Reform Committee. After that the National park announced its borderline that designated this area as an overlapping area because these areas belonged to the Land Reform Office. The Land Reform Committee knew it was wrong, but was negligent. And the project was continued. The Royal Forest Department granted the land to the Land Reform Committee by imposing a 'ministerial regulation' in 1985 (B.E. 2528) to prepare to transform the usage of the land. But in 1989 (2532) there was a new Act. When the land was reformed, it was now considered as belonging to the Land Reform Committee without issuing any ministerial regulation, but by issuing Sor.Por.Kor. 4-01 in the area of national park. Actually, before the Land Reform Committee had taken charged of degraded areas. However, this land belonged to communities, and it was not a degraded area! There were communities in this area before it was Sor.Por.Kor. 4-01. Since the forest was degraded, it was a concession. After cutting trees down, people began coming up here frequently. Then, this area was granted to the Land Reform Office, and the Committee allocated to the villagers. Observing the area map, the squares were then converted to give a number to each plot that was a Sor.Por.Kor. 4-01. In 2000 (B.E. 2543), boundary marks were made more precise than in 1981 (B.E.2524). After the year

2000, it was very strange that the park and the government did not accept the agreement of the cabinet to approve it as a decree. Possible reasons for not proposing this to the Cabinet may have been 1) The declaration was a political issue. Everybody in every era wanted to have a lot of area. No one wanted to reduce the area because it resulted in looking bad in public eyes. The Director Generals, did not want to waste space in their own time. 2) If there was loss of forest areas by any government, the government was blamed. Thus each government wished to save its benefit and not to be humiliated in its own time. 3) It was about the importance of the agency, budget and other things. Unrealistic reasons were created to raise the budget as much as possible. There was a benefit and this was what one expected. But he refused to say why not. No one dared to have a problem with the park owing to conservation of the area as a law. So it could not solve or reform the park area. This area should have a certificate of ownership but it was unfinished. At this time the certificate was Por.Bor.Tor.5 (Possessory rights). It meant that a person who was the “possessor”, pays taxes, but the real owner was the government.

Similarly, Berm, a sixty-year-old man and restaurant owner, raised his specific concerns on the dysfunctions of imposing this law over Thaplan and supported the B.E.2543 boundary like Manode. Berm reported his story by comparing the action of park officers that seem to be strange for him with other participants. He narrated: I am very disappointed with an instructor of the Department of Laws at some University of reputation around the Rangsit area. The instructor studied the dispute, and I expected that this dispute in Wang Nam Khiao would be a study case of wrong legislation. However, the instructor wrote reports that only referred to laws that were not facts. I want scholars to study the dispute in the area because there are no individuals solving the dispute from either the political sector or the managerial sector. So, I want to present the facts through an academic writing to the society. In 2004, there was no park officer giving an order to demolish the restaurant. There were even the officers who were drinking at the restaurant. The border in B.E. 2543 needed to be effective for the community and the whole society...I think that the provincial governor is not willing to solve the problem. Also, the provincial governor was the first district chief officer of Wang Nam Khiao who participated in bordering the area in 2000 (2543) and he knew the land boundary conflict well. Other officers also exploited the dispute in Wang Nam

Khiao in order to make themselves famous and gain political opportunities. In the communist period, for example, public officers moved people from the mountain and gave them 10 rai of lands to control them. Then, the officer, Suea Jone (a local bandit) and some park officers drove these people out of the lands by claiming that the lands were the park's lands. After that, they immediately occupied the lands.

Nut, a sixty-five-year-old man and a resort owner, attempted to search for evidence to support his arguments. He knew very well about social histories over Thaplan area. Nut liked Manode, who referred to the complicated administration of the Agricultural Land Reform Office vs Thaplan d National Park. He was taking account of such conflicts with logical arguments and presented his understanding of the land conflicts by pointing out the significance of Aerial photographs. Nut illustrated his thought as follows: I question the forest law, the Agricultural Land Reform Office Act, as well as the national park act that are one of the causes of land boundary conflicts in Wang Nam Khiao areas. In 1972 (B.E. 2515), the announcement of the conserved forest have had effected over the area of Wang Nam Khiao forest with the claim from Thai government that no community over such area. That's a big mistake for our country because the aerial photographs showed the traces of communities that have been settled in those areas. Also, in 1975 (B.E. 2518), the Agricultural Land Reform Office occur (ALRO) was created. The maps it showed the field crops without the forest anymore. It became a community and the announcement also overlapped with the conserved forest in year 1972 (B.E. 2515) as well.

Nut explained the stories of the time period of the communist party of Thailand in 1976. The area of Thaplan had been established as 'the communist village' to make it easily control by the Thai state. He assessed the land agricultural law that might need to be revised prior to the modern time period of land management. He pointed to the importance of the UNESCO letter and the State policy corruption. Nut told his story: In year 1976 (B.E. 2519), the students escaped into the forest, General Prem (Prem Tinsulanonda) had the concept that this was exactly the zone near the border with Cambodia. So, he thought...what should I do for people to replace the weapons. He established the communist village and gave a military blockade by the community surrounded by soldiers, and delivered the area of the village to the Agricultural Land Reform Office (ALRO). Later, the State saw the area that he

delivered to ALRO was the areas that linked together Prachinburi with Nakornratchasima Province. Thai Government then solved the problem by moving the administrative district for the time one in postpone to the area of Nakhon Ratchasima Province. That was making the area of the communist village in charge of the administrative district of Nakhon Ratchasima Province. Adjustment by the Thai government of the boundary issues occurred in 1976 (B.E. 2519), time 1, and again in 1981 (B.E. 2524), time 2. It was announced from the national park, covering over areas of Thaplan such as the Thai Samakkhi Subdistrict (reserved for forest in 1972 (B.E. 2515), ALRO year 1975 (B.E. 2518), and the park in year 1981(B.E. 2524)). During the year 1978 (B.E. 2521), the government ordered the ALRO to explore the land in the area first. But ALRO couldn't operate in them all. Why? because the Royal Forest Department (RFD) refused to officially cancel the forest condition. So, ALRO could not take any action, and later the Department of National Parks secretly announced it as National Park in 1981 (B.E. 2524). After all of these areas had belonged to the national park, it is a fact that in a number of 334 lawsuits occurred with the origin villagers. I think it was policy corruption because it occurs in conjunction with the overall forest area and forest park, with the purpose of combining the areas as a world heritage site. Others argued that there were people in this area how will be included in the world heritage site? The Thai State, therefore created the boundary line in year 2000 (B.E. 2543) to separate people out of such an area. But when the District boundary line in year 2000 was proposed, the minister did not sign to allow it, claiming that it was a forest area and didn't separate people out. But this also confirmed the rise as a world heritage site, and promised to remove people from the area. The land right over ALRO is Sor.Por.Kor. 4-01. The law should change! Because most of people here have changed their careers, and are not dependent on the agriculture occupations anymore. So, it's the time for ALRO to change their act/ law so that people can open a restaurant or can be used it as collateral with the Bank, etc. So, I think the problem with an ALRO area is that it does not affect the boundary but affect the well-being of the villagers. The ALRO must solve this problem at this point! It's not a fairy tale that villagers should produce only agricultural products. Times change...People have to change to live better according to current social standard. Thai Samakkhi district is weird! Some areas have been declared as in the charge of ALRO. Some have been been declared in the charge

of the National Park. There have been problems with of confusion between Possessory rights like Por Bor Tor 5 and ALRO. Some believe they are the full owner, while they only have possessory rights (Por Bor Tor 5), that is not a real Title Deed to the property. Por Bor Tor 5 is recognized by tax payments at the Local Administrative Office. It means that a person is the “possessor”, pays taxes, but the real owner is still the government! That’s the big problem here! People use Por Bor 5 to show their legal right to live here. However, the right with ALRO indicates that it couldn’t change hands to others that’re not primitive land owners. The Possessory rights must be clarified for the original/primitive villagers. Thus, conducted PBT 5 overlaps with ALRO for more layer but actually it could not change hands. However, the prosecution of this case, is difficult because there was not budget enough because there were as many as million cases. However, the current state is planning to have policies that would call the area back, so people in the ALRO areas would be sued by the Thai government.

Park/Forest officers:

Paitoon, a fifty-five-year-old man and a forest officer at the Forestry department, Nakhon Ratchasima, referred to no trace of communities over Thaplan. Later, he identified that after announcement of national park act over Thaplan, some people having been living here in Thai Samakkhi Subdistrict. I am the head officer of the land and community distribution within wildlife sanctuary’s areas. I take care of merely around the boundary of the national park and Wildlife Sanctuary in the hunting restricted areas according to the law related to lands occupied by people within forest conservation areas. We act with our authorities that were assigned only to take care of dealing with problems of overlapped lands that occur. This includes taking care of the system of land possessions by people in the areas of the national park and wildlife sanctuary and the hunting restricted areas under the office of conservation of 3 provinces; Nakhon Ratchasima, Chaiyaphum, and Buri Ram. Before, the route 304 existed, it was a normal route with no facilities. In the past, the 79th kilometre at Luk Chao Por, when driving up to Wang Nam Khiao, one would pass Prachin Buri at the highest point. This area had no people living there. So, it has been the area of the national park since 1981. This area was the picked zone which referred to the connected terrorist area to Cambodia. It is the buffer line between Cambodia and terrorists. At that

time, it was the picked zone. Later on was announced to be the red zone as there were thieves in this areas. Wang Nam Khiao at the earlier period had no people coming to live there yet. Some people were good, but the majority were bad. There were few villagers around here. When there was the announcement of the boundaries of the national park, there were not many people living in the Thai Sammakhi sub-district.

Paitoon pointed to social history in the era of communist occupation. He spoke of the number of villagers and the village headman at previous times. He admitted that land distribution had been continually disputed to the present due to lack of using GIS technology in surveying the Thaplan areas in 1981 (B.E. 2524). Therefore, it was a buffer line for the military. It's military area was given to villagers to work on. As its reputation was as a terrorist area, there were Hmongs brought into the area to take care of it, like what they do in Chiang Mai to help to be the eyes and ears for the governmental sector. This area is described an idea that of the citizens of Thai Sammakhi, how they established the village and how they live. There were not many people living here only around 100 persons which was considered as the very small number compared to the size of the national park's area. The villagers themselves didn't feel like they lost their right over the lands. They had no time to notify the governmental sector within 180 days so that the areas could be separated for them. It has seemed to still be the argument because after the announcement, they have notified the header of the village to proceed on the procedures. It was not easy in the past to travel. It would take a day and a night. They did not have any bicycles as motorcycles. So, some people who didn't have vehicles needed to walk out from the mountain for many kilometres on the Korat side, excluding Prachin Buri. The national park areas cover two provinces. To avoid problems the announcement of the national park was rushed out to be pronounced before accurate area measurements were made as the national park had the idea that it would like to preserve the forest areas as much as possible. If they waited to measure the areas and listen to what people had to say, that would not successful. So, as announced, it overlapped areas occupied by villagers. In the past, this didn't create any troubles to people. For example, let's imagine 100 people; announcing the forest areas for 1,000,000 Rai was not enough. Furthermore, people who cultivated in such areas only possessed the lands for growing crops and raising animals as a sufficient economy. You know, thus, mistakes and land conflicts at the Thaplan national park

occurred because in the past the officers never went to measure the areas exactly. The plan for the national park boundary announcement was estimated and contoured on the map table to see that the boundaries would cover which villages from the map. The contour process came from the boundary lines from the map. We looked at the map and just drew the lines without any GIS technology at that time, said Mr. Phong Leng Yi who was the director. He admitted that the mistake was that there were no real measurements done by walking to measure the areas. That results in a loss of citizens' rights.

Numphol, a fifty-five-year-old man and park officer at the department of Thaplan national park, described on their duties and responsibilities concerning Thaplan. I'm working for the national park in the section of Natural Recreation and as Intermediary officer. Some projects or activities were organized for the public to participate in solving disputes. From the past to the present, a network for conservation of the forest is also established. The network is responsible for conservation of Thaplan National park or activities together with the staff. For example, when an educational group came to visit the park. The officers of the park synchronized with the Mun River Conservation group and Wang Nam Khiao district office to participate in care-taking, teaching, being speakers about trekking, including creating a sense of conservation for the group. Also, it organized co-activities to make salt lick for animals to eat because salt licks are a mineral source. It also undertook elephant conservation activities. Cooperatives that who are currently working with the park are FREELAND Foundation of the USA, Eco best project etc.

Also Suthep, a fifty-year-old man and a forest officer at the Forestry department, Nakhon Ratchasima, mentioned about his duty and job description and the bad feeling of arresting people over Thaplan. He claimed that forest fires were caused by villagers, as well as the people who bought the land from villagers. He gave an interesting discourse about how "they sell nature." I'm working in the rehabilitation and restoration section. It is a part of the sufficiency economy project in the forest area of 3 provinces, Korat, Chaiyaphum, and Buriram. For Korat, there are 12 villages. Bringing projects into the village has both advantages and disadvantages. The advantages are promoting life quality and ways to survive. We also think about how to make them stay. So, we are trying to create activities and extra value to the area. We think about how

we can improve for them that doesn't need much forest resource and is not illegal. The park act forbids much. They forbid even turning a rock. Well, Thaplan area belongs to the Prachin Buri office. They manage Thaplan national park area. Coincidentally, millions of Rai of area are in Korat. Thaplan problem occurred when there was a raiding, so their cooperation was decreased. But it was OK in the past. We had said to villagers. We had our own duty. Not every park officer's duty was to act with the intent to arrest people. I try to understand the villagers and I can't blame them. I told them if they don't want to be arrested, they shouldn't break the rule. Our duty is to support them to survive. If they sell it, we must control not to let them expand. That is following the rule, so it is ok. Sometimes we don't know who the mainstay investors are. They do not reveal themselves much. Most of them are normal villagers and the investors rarely come. They certainly have to afforest, because they sell nature. There are some who ask that do Wang Nam Khiao sell the forest? But why are the forest fires occur? And they occur often. Later, they help each other. They do make firebreaks, as a road line or barrier line. But the fire does not come from the road, they come out from the forest, by the hunters or someone. In most cases, we can't see the one who light it, but sometimes we see the trace, and they are lessening now.

Local officers:

Sek, a forty-one-year-old man, has been worked at Wang Nam Khiao district office and interestingly reported on his duty and job description, the problem of land conflicts, including the cases of invaders over Thaplan that are still problems. The duties of the deputy district chief are mainly divided into 2, 1) the duty of management according to the National Government Organisation Act, BE 2534 (1991) and 2) the inquiry official duty according to the civil code. Criminal procedure: from the fact, if it is considered, will be seen that the duty as a deputy district chief is both as law keeper and as a troubleshooter. Mainly, the duty as an inquiry official is the duty of collecting evidences and witnesses as an information to support the deputy district chief in understanding more about the land disputes in order to use such information to solve these disputes. I think that both duties do not have any overlapping responsibility. On the other hand, they support each other, for example, in the dispute about the Thaplan national park area. If the inquiry official doesn't know the fact, he will

prosecute the dispute according to the law and not pay attention to its origin as a land conflict case. It causes the one who is enforced by law not to receive real fairness. However, if the troubleshooter and the law enforcer is the same person it causes the prosecution to get together with the facts. This provides more fairness to the enforced person. For the land conflicts here, WNK, there are 331 cases now, divided into the cases about monasteries, people accommodations and resorts. It is a fact that “If the villager who lived in the area before the announcement of normally forest area to become national park forest area, and has enlarged his house currently. It appears that he has been forced by the park officers to demolish and has been accused to be an investor.” In fact, according to the principle, all buildings in the park area are guilty under the national park law. However, I have asked the operation guideline of the officer while taking charge of people. It appears that the size of the building with investor characteristics is used as a criterion and such building characteristic are prosecuted only. That is the reason why he was prosecuted despite he has lived there before a park area was announcement. I found that it lacks fairness in law enforcement, and I saw that the government has two choices to resolve the disputes in the Wang Nam Khiao area. One, solving by evacuating the people in Wang Nam Khiao who invade the park area, or two, by adjusting the boundary line to conform with the fact. For this case, I, as a deputy district chief, am trying to present the facts that happened in the Wang Nam Khiao area to the ombudsman of the national environment board. It is concluded from all of the authorities that ...“ people has lived in the areas before the announcement of Thaplan national park area, the Royal Forest Department and the Department of National Parks have already known of such on issue” From this conclusion, the government, then, tried to make an agreement with that of the people and decided to adjust the boundary line of the park area to conform with that fact, and by aiming to complete this in 2000, but such action was on hold and has not taken effect until the present. It currently has one committee attempting to push the concept of the year 2000 by ordering me to collect the facts in the area to propose to such a committee. This is currently in progress.

Somboon, a forty-two-year-old man, had been worked at Wang Nam Khiao Subdistrict Administration Office (SAO), illustrated on the evidence of new

boundary of B.E. 2543 and the communist era in order to evacuate people out of the forest in the decade that led to land without many trees.

Mostly I am a mainstay that lead the villagers to solve the problem. I am a local and have lived here since I had a family. I am the president of Ton Nam Moon conservation network. In the past, the fight to manage the overlapping areas has been begun for a long time. It was likely to have begun in 1997 (B.E. 2540). At that time, I became the village headman here. I tried to propose the problem to those involved. In fact, this fight had begun since 1981, but my group had not. It was the groups likely to be groups of Soeng Sang district, Kornburi district, Nadee district, but ours has just begun since 1997. It was Mr. Chaowalit's government at that time. He tried to solve this problem. He began by making a new boundary line in 2000 (B.E. 2543), but that ministry resolution was cancelled and they came back to use the ministry resolution June 30th, 1998 (B.E. 2541). The Royal Forest Department hadn't used the ministry resolution of April 22nd, 1997 (B.E. 2540) anymore. They used the ministry resolution June 30th, 1998 (B.E. 2541) instead. It shows the sincerity and continuity in the resolution of the government authorities through various filtration. The ministry resolution must have several steps until it came out. But then it had been cancelled and has been replaced by another ministry resolution. The problem then went back to the beginning. This showed a non-sincerity in solving overlapping issues. Concerning the B.E. 2543 boundary line. I'd like to tell you first that this area belonged to the Communist Party of Thailand. The Security Maintaining Command asked to use this area to maintain stability in the park. They made an agreement to evacuate the people. When the Security Maintaining Command had operated for more than 10 years, in 1980-1982, it was an overlapping time. As we operated, the kingdom became peaceful in 1990-1991. The Security Maintaining Command thought that the area that was blocked out was no longer in a forest condition, so they let the Royal Forest Department block out the area and plotted the new boundary line. That was its origin in 1991.

Somboon suggested that activities of reforestation over civic participation. Significantly, he referred to social history over making new the boundary which excluded 27,000 rai from the National Park areas. In the past, the National Park Department were dependent on the Royal Forest Department. However, after plotting the new boundary line, they divided the area to perform reforestation. Many areas had

a reforestation project, and in the community areas, the villagers participated at the beginning of 1991 until it was clear in 1994. At that time, the Royal Forest Department used the thorny trees because they need to block along the boundary line between the villager and the park and to prevent animals from coming down to the villages. However, the boundary line plotting was not made clear, and, at that time, the Forestry department did not receive any objection about over a 300 million US dollars budget that came for plotting the boundary line in the forest area, so they started in 2000 (B.E. 2543) by relying on the Forest dept. As they finished the reboundary line, they sent its project of new boundary via the district administration, then to the provincial administration and finally to the National Park Committee, but the committee argued the area exclusion about 27,000 rai that “Whom would this possession benefit? so they did not receive a consideration and it was sent back, so it remained undone. As a result, the B.E. 2543 boundary lines were not yet used” This was the reason that the Forestry Department did not mention them, and in 2000 the world bank provided 300 million US dollars as a budget to allocate areas to become preserved areas for the whole country. This project had been planned to take action in 2000-2003.

Somboon commented on the contradiction of the forestry law and the national park act with the benefits over land possession. Unfortunately, the political situation was very shaky. It changed very often. However, the National Park Dept only had an idea to reserve the forest, but not take the past history into account, for example, the National Park Dept had an area of 2 million rai. They only needed to preserve the area and did not think about the amount of forest area and other areas. It was a change in department policy and the problem came from the separation of the National park department and the Forestry Department. Both of them are based on the Ministry of Resource. But now there are two laws currently enforced, the B.E. 2507 forestry law and the B.E. 2524 national park act. Wherever it is a park area, it must be completely surveyed. It becomes a problem. In conclusion, “The problem was there before the separation of departments, but it has not been resolved, and it’s got bigger since the separation”. Each department tried to protect its own benefits, their own areas. And it was a matter of budget receiving too. Another issue was that the Thai government was a feudalism system, because they saw that occupying larger areas was more powerful

than occupying smaller areas. It was a level problem in the government system. As the government thought like this, the problem has not been solved for more than 30 years.

Somboon referred to the government capacity problem and the promise from government for UNESCO support. Also, social history to reaffirm the existence of communities as well as the detail about the national park act also was presented: This was the internal problem of the Ministry of Resources, and then, in 2003, with the Thaksin policy, with the economic crisis, they need to promote tourism too. As a result, Wang Nam Khiao was aimed to be an international tourism spot. He was able to dream according to the government's policies that passed through the Ministry of Agriculture or the province. Then, in 2005, the government had a policy to reshape the map to match those of the Forest Department. About 8 hundred million baht of budget was spent, but it was not completed. But, it was a good start. In 2005, the Ministry of Resources itself proposed to the World Heritage Center to declare Khao Yai's area to become a world heritage site, and there was also an incomplete boundary line amidst the objections from the world heritage that it was still a community inside that area. Documents were issued. However, first they just needed it to become a World Heritage Site, then clearing the problems later. For the reshaping, they continued. When the Thaksin's government was overthrown, Apisit's government was still continuing this project by adding a budget for more than twenty-two trillion baht for reshaping. As you can see, it was an enormous budget spent for reshaping. But it's not finished. The people who followed or knew the information would know that the problem was nothing at all. It's just about lacking in sincerity and continuity to solve the problem more than about the policy and discriminative law enforcement. For example, there were more than 80 villages in the national park area in tambon Soeng Sang which could be considered a crowded area. It was no longer a forest area like before, but they did not think about this. In Mr. Pong Lengyi, there was an attempt to preserve the forest area as much as possible. They declared more than 24 national parks in one year. If we looked into the declaration process, we would see that it was practically impossible because there was one million and four hundred thousand rai of area in the national park area. it could take more than 3 years for the people to survey the boundary line. A one -year time limit would result in bad outcome. Then, his approach was to place the map on the table and plot the map, so it overlapped the communities. It's a big deal. I mean, bringing people into the

national park is a big deal because the section 16 of the National Park law states that we can't do anything. We can't have SAO, can't make loud noises, even driving a car in that area. Then, everyone violates that law. do it every second. They did not consider this. This is a big problem in Thailand's society. We understand the intension to preserve the forest, but it turns to be forcing people into the national park area under another law that is unfair to them. The first reason that I lead them to fight is that because I think it's unfair to them. As villagers, they don't know how the national park law is, and don't even know where the boundary marks are. He said it had, but we have never seen them, so we tried to struggle because it has a very big mistake of the Thai bureaucratic system!

Jongkul, a seventy-one-year-old man, the first village headman over Thai Samakkhi subdistrict, also mentioned to the communist like other groups. He referred to social history and the evidences of the establishment of communities, the subdistrict existence, and forest concession in B.E. 2510. I had been a subdistrict headman twice, in 1997 (B.E. 2540) and 2010 (B.E. 2553). In fact, I was the first subdistrict headman (Kumnan) and was the village headman in 1977 (B.E. 2520). Then, I became a subdistrict headman and retired in 2009 (B.E. 2552). After that, I became Chief Executive of the SAO. I came to live here since 1960 (B.E.2503) at which time the village had existed for a long time. The first village was San Jao Phor village and there was a village headman election in 1960. In, 1967 (B.E. 2510) the Bu Pai village was established. However, Thai Sammkkee village was established around 1977-8 (B.E. 2520-1). The reason for migration from Mul Long village, Mul Sam Ngam village and Klong Ta Dum village was because there was a lot of communist in such areas. The government and the Second Army Area assisted the migration and establishment of the Thai Sammakchi village. The Thai Samakkhi village was established around 1977 (B.E. 2520) but the park area was announced in the year 1981 (B.E. 2524) of which I was the first village headman. During the year 1992 (B.E. 2535), there was a separation from Wang Nam Khieo subdistrict to Thai Sammakkee subdistrict (Tumbon Thai Sammakchi) and I was the first subdistrict headman. It is a village associated with national security, so when there was a migration, the official would name it Samakkhi (Unity) across the country. In fact, Thai Sammakchi exists in many districts and provinces. Therefore, when the subdistrict is designated, it was named Thai Samakkhi

for Thai people to be united when they live together. During 1987 (B.E. 2530), almost the whole area was agricultural and was already plowed. In fact, concession had been happening long ago. They cleared down the whole area since before 1967 (B.E. 2510). I was here in 1960 (B.E. 2503) and there was a Chok Chai Farm already built and there was a Route 304 Kabin-Korat construction.

Ae, a fifty-year-old man, a previous local officer, indicated his duty over communities as consultant of land conflicts. U-Dom Sap Subdistrict are affected areas under the National Park areas. He mentioned on the ALRO surveying areas without applying GPS. I was a Deputy Chief Executive of U-dom Sap SAO. My family have stayed in the Poo Khao Thong village Moo. 15 tambon U-dom Sap, Wang Nam Khiao. An overview of this village is separated into 3 residences(kum). Khao Thong village, Moo 15, contain Kum Thab Nok that you passed, Kum Khao Lhong and Khum Bong Bor Deaw. It's approximately 130 households. Most households have problems about forest invasion. It's all ALRO community area. The remaining area may not be more than 5% that hasn't been explored. I am a mainstay who provides consultation to the villagers. Most of them respect me for a consultation about boundary lines, temples, and as a school committee or something like this. My father, Flight Sergeant First Class Lert was a member of the group that marked the boundary line because, as he was there, he established the village. In the past this village belonged to Moo 12, but this community was far away from Moo 12, so he requested to separate the village by following the process since making a request at district office, constructing the road and then establishing the village until it became Moo 15. There were 12-13 villages but now there are 17 villages. It was all the forest at first, since the ALR hadn't come in. Since 1974-1975 (B.E. 2517-8), after he had stated living here, the ALRO started to survey the land without using GPS. It was a policy of Maj.Gen. Sanan Kajorn Prasat. Then, they stated surveying by making the boundary line with military map. It was probably be in 1982 (B.E. 2525). It was unlikely to use GPS because the technology was not advance as present. They had the officials joined in too. They should be administration officials, I mean, the village chief, subdistrict headman and so on, including the park officers and forestry officials and ALR officials too. The result of such measurement was estimated because the forest was bushy. They marked it by scoping. Then the policy was issued to own the land up to 50 rai each, and the people who lay claim the land

more than that was given up to 50 rai too. If It did not reach 50 rai, they could claim the area as they want, may be 5 or 7 or 10 each. If someone had more than 50 rai, the land must be divided to other names. They might sign the cousin's names in this matter, such as the same surname and got 50 rai each. The policy stated not to own more than 50 rai each and the owner had to be at least 20 years old and wasn't a student. There are not many problems in U-dom Sap area. It could have some at moo 16, Sub Plu. This was not clear, but in tambon U-dom Sap would have some problems at Moo 10 and Moo 16 because these are adjacent to the park and still have some intrusion.

Ae revealed that some officers also have occupied and sold their own land. He mentions the land right is misunderstanding by using Por.Bor.Tor. as land entitlement claim to live. In fact, it has some part that relates to the government officials, such as, the village headman acts as a land broker even they knew it. Sometimes the officers themselves bought the land. Then, as the arresting occurred, it became a persistent problem. It's like the administration officers who lived in the area acted as they knew nothing, but, in fact they occupied the land. At first, the local administration area must be made clear. Subdistrict headmen and village headmen must know their administration area. Not thinking about commission or trading. It can't be denied. If they were stopped since then, they would not dare. But you don't stop them, now this problem is escalating. After that, you stopped them as they have already invested, after many things happened, it's hard. If you stopped them at the first place, such as, cooperating with ALR to issued the new area or new boundary, or cooperating with district administration. If the first point is not stopped, this problem may escalate. It should be like this. The resolution should start at the country level then continue to the lower level between SAO, Village headman, Subdistrict headman, and national park department. The problem happed because they assume their area, and they do measurement by themselves for claiming to be land owners. It could be for exchanging or trading. However, the Por. Bor.Tor is not a document of right. We must inform this to the community because the process of paying Por. Bor.Tor (local maintenance tax)—LMT, consist of an application form bearing an administrator signature which is the village headman's or subdistrict headman's to approve the boundary line. You see, it goes back to the same place. This was not protested at the first place. The one who give a signature to approve the boundary line is not a forestry official but the village

headman or subdistrict headman. Therefore, he emphasizes that the village headman or subdistrict headman must know their area. They must be a voice of the community unless they are greedy and want to sell the land themselves.

Buddhist Monks:

Phra Chailit, a fifty-two-year-old monk, is community and social development leader. He narrated the social history and the emergence of communities. He mentioned to the ALRO right (ALR 4-01) for agricultural areas: At the present, I have become a community development monk. Before that, Thammasat University and Wong Chawalit Kul University had organized a training together with the Ecclesiastical Provincial Governor and Monk Rector to become a mainstay in community development including general training, community development process, city monk guidelines, country monk guidelines, how to find water sources and how to understand Buddhism and become generous and supportive. It was a training to have a conservative mind, know the advantages of reforestation and disadvantages of deforestation. At first, it was very hard because it was all wilderness here. There was no building at the beginning, it was the red zone with high risk of Malaria. During the 14th October or 6th in 1973 (B.E. 2516), there were many deaths. There villagers came after that time. It can be said that they pioneered the forest and made charcoal, until it became deteriorated area. So, there was an ALRO application. At that time, I wasn't here yet because it occurred 30 years ago. I was here when it was already an ALRO (8 years ago) which a temple can be built in ALR area which is a public ALRO and ALR 4-01 was a workspace. But this temple area is a public space belonging to Udomsap police station, so they will not issue ALRO, but they had already measured the area. Then, we had to go to Udomsap police station to issue the ALRO right to own community which later the villagers had already received 'community ALRO,' not Sor Por Kor 4-01 for agricultural areas.

Phra Sak, a fifty-two-year-old monk, the same as Phra Chailit, referred to the overlap of ALRO areas and Thaplan national park areas. I have been ordained for 19 years. Thai Samakkhi temple had just been authorized as a temple on March 31st, 2015 by the prime minister. This temple is in ALRO area, not the National park area. There are two areas in the temple. The area authorized to construct the temple is 15 Rai

and the public area 43.2 Rai which are 58.2 Rai in total. About the procedure, I asked ALRO to survey the temple area and asked ALRO to confirm the temple area. Then send a proposition to Nakhon Ratchasima province for the Ecclesiastical Provincial Governor and elder monks including the Village Headman and the District Chief to approve and proceed in other relevant part. It has never been accused of intrusion. Moreover, the park officer did not come to notify about intrusion during the temple construction because Thai Samakkhi temple is inside the ALRO area. Nevertheless, should a temple be further inside, it will be in the park area. Technically, no temple was allowed to be constructed in the park area. Originally, the villagers migrated down from the mountain then established a village as a policy of Maj. Gen. Prem; the objective for villagers' migration was to separate them from the communists.

Phra Klong, a fifty-five-year-old monk, also indicated to the ALRO areas same as Phra Sak and Phra Chailit. But, he mentioned the resort construction problems in Thaplan areas. This place has been constructed around 30 years, most problems in this area because of against the land use law. Because, most areas have belonged to...ALRO right... the kind legal documents that this temple belong to which have clearly objectives to be public agricultural area for people. But, nowadays, there are many resort constructions in that area. The officers have to discharge them.

In summary, the group of villagers narrated how they were being stigmatized by society as intruders, or criminals. They referred ineffective management of administrative subdistricts as well as the national park department. They mentioned the issue of forest concession. They posed questions on documents on land right, such as using Por.Bor.Tor.5 to claim their land possession. The NGOs group questioned the complex administrative process between the ALRO Department and Thaplan National Park Department to determine land allocation and land right. NGOs are very knowledgeable about social histories as well as the aerial photograph techniques to fight for fairness for communities. They identified on the complicated law between the National Reserved Forest Act and the National Park Act over communities. They suggested land conflict as policy corruption over Thaplan National Park. Park and Forest Officer group mentioned on their duties and responsibilities. They claimed over the national park act in section 22 to arrest intruders over national park. One of them admitted that it was a mistake to not use GPS technology in surveying overall Thaplan

areas because they were rushed in announcing and imposing the National Park Act to save the forest. One park officer mentioned that people in communities like, “They sell nature.” Local officer groups also were well-informed like NGOs. They mentioned social history over Thai Samakkhi Subdistrict. They claimed to park officers that they were charged by people in communities to consider the size of houses as a major criterion for arrest over national park encroachment. They reported on the complicated boundary line over communities, ALRO, and national park. Most of them mentioned on forest concession over communities in Thaplan areas. One claimed that park/forest officers were land buyers, not only wealthy people. Buddhist monk groups also questioned the existence of temples in the national park. One mentioned on ALRO 4-01 document to prove land right and possession.

2) Encountering Self-Sympathy

Encountering self-sympathy reflects what participants perceive himself/herself on one’s emotions and attitudes through the primary of self-pity on conflict situation. According to the cognitive theory of emotion, “the process of cognitive interpretation in emotions has two steps: 1) the interpretation of stimuli from the environment, 2) the interpretation of stimuli from the body resulting from autonomic arousal and actions of the body (Lahey, 2009, p. 389).” The brain stimulus shows on their narrative abilities to feel tenderly on their own suffering and unpleasant situations. Then, one’s may take their own point of views as right way to believe, or to gain attention. They learn to make excuse on themselves to take one own points of views as necessary. Their learning experiences, motives, and emotions also can influence other’s perceptions. They also used social support or social relationship as self-worth (Gabe et al., 2004, p. 41), in the same situation notably informational support as evidences to justify their storytellings in positive way to convince what they believe responded to complex phenomena.

Villagers:

Mon, a fifty-two-year-old woman, a teacher and an owner of a small restaurant, referred to her house condition, compared to her neighbors. She questioned why the park officers claimed over her house. My house is located beside Baan Bu Phai village and behind of Bu Rai temple. Interestingly, not all villagers were sued; they only

sue the big and new house! My house isn't big. It's just a plain mortar. I bought this land from the villagers and signed for permission from the SAO. The reason why I choose here because I like nature and I have a chance to become a teacher here. We bought when it was belonging to community. We did not go to buy land on the mountain area, the green area. So I and my family understand altogether that we can live. I think we're not wrong because we did not damage anything. It is a community area. We are suffering because the house was planted with money. Our neighbors were shocked to run away from home. Some died because of the heart attack when they knew that they were illegal to stay here. Some are getting ill from the national park law. It's a very miserable! Actually, we were hurt. Some villagers who worked with the resort. They lost their incomes and moved back to the other provinces. Many of them become unemployed.

Mheaw, a forty-five-year-old woman and a resort and restaurant owner, revealed her family's autonomy to stay because of the right of Por.Bor.Tor.5. Her husband is a foreigner. She and her husband thought of their legitimacy to stay here. They referred to green activities in planting a lot of trees. Mheaw didn't realize that air-conditioning machine in each room over her resort can harm the environment. My husband and I. My husband is a foreigner dreaming to build something with dried grass or palm roof. After the conflict occurred, my husband was confused for a while because foreigners thought that national parks are for everyone and under everyone's shared responsibilities. My husband thought like that. He wondered why my country was like this. I told him that I thought that we bought the land and got Phor Bor Thor 5, which was correctly issued by a public organization. We never thought that we would face this problem. Both my husband and I didn't know this, even I was Thai. After my husband knew it, it took a long period of time to make him accepted it. He was sad. He was dedicated for this because he likes trees. When we bought the land, it has nothing on it. He invested about million baht to buy trees. Some of the trees wilt in some areas. I bought many good trees. I took care of the trees very well. I have gardeners. I grew the trees on almost 6 rai of the land. Some trees wilted because the soil was not fertile and appropriate for some trees. The remaining trees were very lucky because the soil's properties were appropriate for the trees. The land is green because of us. I took care of the trees. I watered them. I used every fertilizer. I took care of the trees as good as

possible. In the first year, there was a wildfire and it was blown to here by the wind. Think of the dried grass roof being burned. The villagers were very kind. They stayed here for 2 days to watering the roof. The wildfire was blown from the other side of the land. I and the villagers grew trees together in order to prevent wildfire by creating the wildfire defense line. You know, people...my friends decided to live here; we are never cutting trees to make the air pollution here. I want to go against those words. I have never seen any tourist, villager or business owner cutting any tree because everyone takes care of the forest. How can the tourists be the sources of pollutants? They came here to generate income for the villagers. About wastes, the wastes should be managed. Rules can be created and applied to the tourists. For example, any tourist bring any waste here must take the waste out of this place. In this resort, environments are protected. For example, I collect wastes with black bags and put the bags in bins tightly close with covers. There is a waste buyer coming here. I pay the waste buyer for 1,500 baht per month. However, I don't know where the wastes are moved to. I don't really know where it is. I pay for waste relocation cost every month. The wastes are relocated by the villagers. They have incomes from this. Bottles can be sold. So, they buy the bottles. Nothing is left here. So, there is no pollutant. Even if my resort has an air conditioner for tourists. I don't think that it will change the eco-system because I have many trees enough for preventing the change. There are enough trees. You can count the number of the trees, and compare it to the number of few people here.

Swai, a fifty-three-year-old-man and an owner of a homestay, insisted on social history as he and his family are original coming here before the announcement of Thaplan. We are trying to tell them about the truth...I mean...the surrounding of all areas in the past. They did not listen to us. I feel that the government organization especially the administrative unit is weak and do not care about the people. They just did what they wanted to regardless of the opinion of the people. There are about 22 of them who came at that time. They came right into the resort. They came from various provinces because I asked them too. Some of them told that they did not want to chase people out of the area but it was the time that the department of national park have the policies to charge everyone in the area. If the staff themselves did not enforce the order, they will be the one to get charged. I suggested that they should report the truth. I told them that... "I was here even before they declared the preservation area, why don't you

pay attention to this fact at all” the staff heard that and they started to act softer. Every one of them have guns, as if we were robbers. However, I know that they just want to make us scare. They continuing to visit us. They brought the sign that it is against the 22nd section of national park act of Thailand. They told us that they were just following the laws, it doesn’t matter how long have we been staying here, if it is against the law then we must be charged. After we have been jailed, we claimed our right to bailed out which cost us around 100,000 Baht per person. The residents have to loan the bailing cost. In fact, it is not fair to claim that it is the residents fault entirely since the government at that time declared the Wang Nam Khiao district area to be a tourist attraction site which made the residents misunderstood that they have right to build the resorts. Year 2545 was the year of major change because the majority of the locals were turning from farming to resort business, restaurant and souvenir store. The economy was drastically improved by the year of 2546. In the year of 2554, the department of national was starting to interrupt us by charging. There were 435 cases of allegation while the government also announced via the news media and told people not to come to the area. The government unit that had plan to arrange a seminar in the area will not be granted the budget as well which caused the local economy to be halted since then.

Udom, a fifty-eight-year-old man and a herdsman, indicated that he was right to feed the cows in the national park areas. I have many cows here, my land, my farm. That’s a poor of me! You know, the park officers came here and they said that if they found cows in the park, they would arrest the cow owners. So, I wonder where will the cows live because they will not have the land to live on! I had no idea. They called me that they would arrest me, but I told them that they could not arrest me and they should let them partially use the land for living. My land is over there. It does not invade the park, but my lover’s mother. They live on her land, but the officers still disturbed them. We told the officers not to disturb them because they have lived on the land for a long time. I have had Sor Por Kor document to live here as my land right title.

NGOs:

Manode, a sixty-six-year-old man and a community leader, claimed the right as right to stay here, and blamed the state action.

I live at Thai Sammakkee village, Suksomboon. All villagers were accused of encroachment of the Thaplan national park. If it is considered by the park boundary, that was announced that the road from 300 meters until reaching the temple (Wat Bu Phai). The backside was a park including where the shops located. To accuse as invasion of the park, the whole sub-district was alleged because it was all in a park boundary that was announced. If it was based on the area, there were other places such as Nadee, Soeng Sang, Khonburi and Pak Thong Chai, totally more than 80 villages, 15 sub-districts and 5 districts. I worked as a private sector coordinator as civil society then coordinated only those that had suffered. When the park and the authorities came to the police station for charging, it caused a problem for all Wang Nam Khiao. I wondered what the staff he used to judge the remaining 200-300 people. At Wang Nam Khiao there were about 300 people and 100 people at Nadee, totally 400 people. There were charging and demolishing only at Wang Nam Khiao because it was famous and a tourist attraction. He chose who would be charged. He looked at the condition of the house, not the ordinary villagers such as resorts and stores. For instance, my house was not a resort but covered about 100 square meters and was a building that looked like a capitalist house. Noteworthy is the houses with thatched roof, galvanized iron roof, hanging an old tires, whose households were lucky and free from charging. But if some houses looked clean and neat, they were accused. For example, Klong-Ka-Ting at Thai Sammakkee village there was a folk who fed the cow and cultivated but their children graduate engineering bachelor so they came back to develop their ancestral parents' home to look good and modern that's why it was impossible to spend their life to be shabby as the past. Finally, they were accused because their house looked like a modern home to capitalism. This could conclude that there were two-standard for this discrimination. It's unconstitutional, section 30. Everyone has equal rights. The official could not do illegal discrimination for reasons of socio-economic. We could not say "why did you build a house next door?" Beside my house, there were a lot of shabby house that were built after my house about 80 percent behind where the park had announced its boundary. There were around remaining 20 percent of settled houses before announcing the park boundary because some moved or transferred. Hence, if it was considered that who came after announcing, it had to chase all. This is the accusation of the people complaining that he chose this. My group, there were 300

members who were accused as National Park invasions. It's a big deal! The news had large spread. As a criminal case, the police officer, as the officer, asked us to investigate. After that submitted an opinion that a prosecution order should be made and sent the opinion, together with both the file and the alleged offender, to the public prosecutor; next to the prosecutor was the governor if the governor agree with this order next to sue. We were in the expectation of being innocent and must be prosecuted. I had to go to court and pump my fingers. Being an offender was nervous. Even my girlfriend I had not lied yet but here came to do the fingerprint. It made me feel bad. I told my friend in the group about the criminal procedure to prepare themselves in advance.

Like Manode, Berm, a sixty -year-old man and a community leader and a restaurant owner, mentioned to the national park boundary, overlap of the communities' existence as well as his restaurant. There were seven park officers accusing me. There were one female officer and six male officers from Nan Province. I had been informed that the officer would come to accuse-me, I told my employees to go home and close the restaurant. I stayed at the restaurant and not letting my family members go out of the house. Unfortunately, the seven officers graduated from Kasetsart University. They are my seniors. So, it was easy to negotiate with them. The seven officers recorded that they did not find me in order to not arrest me. The reason why I was accused of invading the park because the borders in 1981 (B.E. 2524) were only 300 meters from the entrance of the street. All of the areas beyond the borders were the park's areas including those of a school(s), temple(s), and sub-district administration organization (s). I didn't know before that this area, including my little restaurant was situated in the area of national park. There were poles and texts on the poles stating that the National Park Area B.E.2524. However, the texts were not clear. The Section 6 of the National Park Act B.E.2504 also stated that if the government considers conserving the nature of any land with any interesting natural condition for educational and recreational purposes of people, it is authorized to do so by announcing any royal decree attached with any map stating the borders of the area. This area is called as a "national park". According to the Sector 8, any officer must set use any pole, sign or mark indicating the national park's borders as appropriate in order to show to the people that it is the national park's area. In Wang Nam Khiao, there was no indicator like this. In my opinions, the Sections 6 and 8 were not applicable because of a reason

that the park's areas were announced after the community was established. You know, I decided to stay here because I hope to settle down my last life here with my beloved family. I had a friend who was a provincial police station's commander who suggested me the land in Wang Nam Khiao District, but I was not satisfied with it. Then, I met Pranom, the sub-district headman who suggested this area and persuaded me to grow trees here. I thought that it was a good side road land. I bought it for 120,000 baht. You know, I grew all trees myself. I am the one who made this area greener than that time I bought this land. By looking at air maps, it can be seen that the number of green areas is increased than that when I bought this land. I also took photos as evidences. I think that the land was outside the park. The director of Wang Nam Khiao police station also showed me the border poles, and he understood that my land was in an exempted area. So, I believed like that.

Nat, a sixty-five-year-old man and a resort owner, claimed his right and autonomy over social history and geography over Thaplan. The Prime Minister ordered the provincial governor of Nakhon Ratchasima to continue troubleshooting the land disputes in Wang Nam Khiao District integration. That caused the provincial governor of Nakhon Ratchasima called relevant agencies both governmental and public sectors into the meeting to resolve such issue which operated 1 year ago. In 1 year, they surveyed Khao Pangmah. The dispute arose as people want to do the firebreak. But the government agencies wanted the boundary line of the National Park. The survey found that my area was the boundary Agricultural Land Reform Office (ALRO) miss out, that is the land of ALRO without title indeed and with no reason to be in the park zone. As said, there was the area of ALRO because there was pins number 17 in this area clearly and from my investigation, this pins number#17 was postponed for 2 times: in 1976 (2519) and in 1977 (2520). Postpone time 1 lead to "Wang Nam Khiao forest 2" and issued a title deed, but this area has not yet issued a title deed ALRO because land's owners fear issuing a title deed ALRO, this area has not been able to sell their own lands. A title deed ALRO could not change hands due to it is owned by the State. However, postpone this time was to resolve the problem of boundary. At that time administrative area cover two provinces, Prachin Buri and Nakhon Ratchasima province. The Prime Minister at that time separated the boundary line according to L707 by providing L707 correspond to administrative area of Nakhon Ratchasima to

solve such problems and raised areas along the boundary line L707 and ALRO operated but ALRO ran out of budget, so they surveyed it only partially. The area of mine did not get surveyed at that time. For Postpone time 2 in the year 1977, when setting branches Wang Nam Khiao district had amended administrative area of Nakhon Ratchasima province, covering an area of Prachinburi Province and such areas rely on Nakhon Ratchasima. The method defined through the watershed boundary defines a natural. This area had to amend because this area goes to Prachin Buri harder than goes to Nakhon Ratchasima because of going down the mountain as 100 kilometers. The second boundary postponement was a good thing, I believe, because it kept it consistent with reality. It is correct. I have a boundary line to divide the forest area with the community to see 2 boundaries, that are the boundary line year 2000 with boundary line year 1984. At the present, I have photos to indicate green (the number of trees in the area) of my area, you can notice that there was difference green clearly. I was here, and planted trees throughout because I like nature.

Park/Forest officers:

Paitoon, an interesting fifty-five-year-old man, revealed how some park/forest officers bought their lands. They later were approved as “legal purchasers” to clarify their own land right. In the past, people who had money went in to buy their lands because the land prices at that time were cheap around 1980. I positioned as the assistant for forests and fire hydrant. At that time, there was the forest concession still. Each rai cost not over 10,000 baht. When I was still working there, ALRO went in and 10 rai cost only 35,000 baht. Some officers also bought land over Thaplan too. The reasons the lands were sold because there was the land possession over 10,000 rai to sell. You know, we have all the lists of officers who have purchased the lands. We have registered their names. They are legal purchasers. The national forest department ordered every district of the national park to investigate the areas and announce to notify the citizens who live within the national park’s areas to come in and notify their names to the officers of SAO. Then SAO came to notify the national forest department. Also, ALRO allowed each person to possess not over 40 rai; for cultivating areas with not over than 15 rai. The rest needed to be divided or sold to bureaucrats or other people. Now, they have still had the problem whether ALRO came first or the national park

came first. This thing can be clarified. You just need to protect your own right. The law allows you to stay the same place. However, you need the new set of documents to confirm your right. It is hard to prove the truth now as the time has passed for quite a while already. I have been in governmental services since 1980 until now; in total for 35 years. If asking whether the forest problems has been fixed already or not, I think not really for every government because of the land overlapping problem is hard to be fixed. I'm going to give example of the rich in the southern part who own a lot of lands. They have the possession documents to guarantee that their ownerships are legal. However, the lands are considered the illegal lands. The land department did not cancel the right of possession as all procedures were done legally and correctly by the officers and there are signatures signed. We do not know surely whether the documents are real or counterfeit. Most cases of lands are like as mentioned. The national park's officers have sued to the court to cancel the possession right. Do you know how long it takes for the court to proceed? It has taken 30 years for only 1 land at some island. The privation took too long. But in our case, we have pointed out which lands belong to us. People who tried to own it illegally got arrested or if they were investigated and found that they were in the lands and utilised it illegally, these people would be arrested.

Numphol, a fifty-four-year-old man and park officer, inserting an interesting sentence: "The purpose of conserving forests is to create lungs for the country." We still insist on our principle in treating the forest even if it's look like it's not fair for people in the disputed area. However, most people also pay tax. Therefore, the true park owner is all the people, not only a group. The purpose of conserving forests is to create lungs for the country. We must keep the forest for our next generation. If we let the investor to build resorts, the forest area will be lost in no time. Wouldn't it be better to let it be 100% natural? Comparing between leaving the land empty by forbidding any intrusion and letting people in the land to both grow and cut trees, which will bring greener? I see investor invading to build resorts, even though they grow trees, as not truly conserving the forest. We must create forest conservative mind to people. If they are aware, they will build a strong forest community as they are doing in the North. The investors are more selfish, like they have to cut down trees to make houses. If the court order to demolish all their resort or any construction, the officers will ask for the cooperation from the investors to demolish by themselves, so they still have

scraps to make use of. But if letting the officers demolish, they will completely tear it all down with no reuse anymore.

Suthep, a fifty-year-old man and forest officer, blamed others, notably investors and claimed over their right to buy land. Asking why they're always wrong? I think that it's not wrong, but society tried to attack him, but we do it because we were forced by "regulations". If we did not do so, we would be punished by the section 157, now it is an audition for ignorance. So, I said maybe we clear it out first and talk to each other. If you're wrong, how will you care it because it's what the ministry is now doing now. Would the social trend accept us? I asked why the investors really need to do this. We indulge it because we need to help the people who are really in trouble, but what are the investors doing? Okay, you want to relieve the people by giving them money, but I want to ask whether you encourage him to invade the jungle? Will you let the people continue to do the wrong things? We see a house in the cliff which looks like it is in a park area. That's why I asked who it really belongs to. Then, was he really that person? The one who has lived before. It is a continuing effect that because, for Thai people, it does not immediately affect the properties, but it is like being absorbed into the sand. That being said, we are government officials, we pay taxes too. Then when do I have the chance to own a piece of land like them? When does the government allow us to live inside the park area? Can I have a chance to build up a fortune like them? I know some officers who bought the land. That's true. But, let's say I have an occupation, then would I use my name to buy it? I use the name of the other to buy. If you ask the forest officials, like Mr. Thep. He also said if I knew it, I would buy one or two plots. It could be sold for a price. Almost all of the forest officials I know say this. And what's more we fear about the regulations. I would like you to sometimes try to listen to me. Sometimes I know that in the understanding of the people who have lost money, everyone must find out any reason to claim their actions. It is almost everyone's action. The reason is only for all people, it's not a personal reason. This is the reason. I can understand that once everyone makes an investment, it's not that they are wrong, but they do not know. They know it as they have already bought it.

Local officers:

Sek, a forty-one-year-old man and working at subdistrict office, showed their feeling of self-sympathy as workload in arresting villagers. I wish that all these cases will be free of being accused of invaders over the prohibited areas. I and my friends (inquiry officials) will be free from the workload here. There are many cases to investigate...331 cases have already accused of invaders. I feel helpless sometimes to help people. Sometimes, it's hard to process all these cases over the government. I have mentioned in the fact collecting report that during the execution to solve the disputes and reach the conclusion, we should delay the enforcement for the benefit the process of judgement. But, it's not obvious that the relevant authorities will agree or not, but I am trying to request cooperation of other authorities. I am responsible for the work such as card registration, local administration such as the boundary line, village headman or subdistrict headman work, security work, such as the drugs problem, solving group case such as protestor mob. And another responsibility is to be an assistant of district chief, according to the regulations of public administration. Somdet Phraya Damrong said that the district chief's is to maintain people's happiness. When the forest department informs that there are intruders, inquiry official has a duty to collect evidence and witness. As I am a deputy, the district chief becomes an official inquiry. Another duty is to resolve the problem which cannot be solved by law alone. There must be a Committee which has two duties.

Somboon, a forty-two-year-old man and the head of SAO at Thai Samakkhi, mentioned his cousin is a restaurant owner. He supported that his cousin as not an invader over Thaplan areas. Well, we must understand that tambon Wang Nam Khiao has many critical events, such as, resort construction that does not follow the Hotel law, and its own area cannot be used for resort according to the title deed or whatever, including the government's land such as ALR. These lands cannot be sold or used or making profit. The people who have authority are politicians and public servants. The problem comes from 2 sources, businessmen and politicians and public servants, but the villagers suffer from these issues. They don't have power to fight. In the doctor group which are potential people, a honored doctor degree, they don't truly understand about the land right. But I do because I have been solving the land right problems for 10 years. Some in Isan region and some in Northern region. But in this

age, they enforce the law without solving overlapping problem. The conflict can be seen in the past few years. An unfairness occurs and the cases that are close to the authorities are delayed, for example, Ban Renu was prosecuted first. Ban Renu were the villagers who had lived here since 1965, but the case was sent first. Auntie Renu, my cousin told me. The powerful one was prosecuted later and the villager were prosecuted first. They did that to the weaker one first, the poor one. This can clearly be seen as unfairness. I don't deny the resort, but the popular surnames are not prosecuted first, but the normal one is. This is an unfairness in the society. 300 cases are arrested, but they are not treated in the same way. The lineages of the Member of the House of Representatives or Provincial Councilman were treated better. If we talk about this issue, it will be that we speak harshly, but it is a fact in the society.

Jonkul, a seventy-one-year-old man and the first village headman, claimed their right to protest over Thaplan by presenting social history to the national park. He own 100 rai over Thaplan areas with ALRO right. When it was announced as the national park according to the national park act B.E.2524, I went to protest with 4-5 of my friends. I went to protest with the National Park director (there was no director-general at that time) which was Mr. Phong Leng-Yi. I informed him that the park area is overlapped with the villagers' area in many communities and subdistricts including Kornburi distric and Serng Sang district, around 15 subdistricts in total. The border in B.E.2524 started from the 304 road and the 79 market to Sakaerat and Moon Bon Irrigation. Nobody dare to protest because they didn't know the facts. the officers arrested the people who were the resort owners. The villagers were not arrested. I thought that the officers' arrests were weird. They came to take photos. If they did not find the land owners, then they asked neighbors and went to the police station in order to issue warrants. If they found the land owners after that, they would arrest the land owners immediately. There were contradictions. I was the chief executive who opposed the park and department of forestry because I claimed that the communities were established before the park's border was announced. Some resort owners had been farmers before the resorts were built. After the area became a tourist attraction, many resorts were built and caused disputes. I invited the park officers to meetings, but they rarely participated in the meetings. I quarreled with a park officer at the village's meeting place. I invested myself. I have about 100 rai of land. Well, the officers did not

demolish the buildings in this area. They didn't dare to come here because the villagers live that. If they want to demolish any building, they will have to demolish all buildings, and there will be problems about where the villagers will live. Will they be able to demolish the buildings if there are five to six thousand villagers in the sub-district? The people in Wang Nam Khiao area are not bandits. I didn't have any right document. Initially, I knew that the ALRO's document would be issued in 1978. ALRO would allow an individual to own not more than 50 rai of lands. However, my child was still very young. So, the document was not issued for the child who was not 20 years or older. So, Phor Bor Thor 5 was issued. I live here with no fear. Actually, I have lived here before the park's announcement. If the land is confiscated, then who will get the land and how to manage it? I participated in almost all meetings. I always summoned the Commissioner of the House of Representatives in order to describe problems and solutions. The forest is greener than before. Forestation is being promoted. I have conducted the forestation for over 20 years because the trees were cut in order to prepare agricultural lands. An individual with 10 rai of lands should grow trees for two to three rai of lands. The villagers will take care of all trees without any support from the park. Cutting trees will be prohibited.

Ae, a fifty-year-old man, insisted that his support over temple will help communities. In my point of view, as I have experienced this, I'd tell about the rules for establishing the Buddha Garden. I have the right to start by my own area, the area of Sila Thong Monastery was the area between ALR and 200ccommodation area, a public benefit area. Since 1981 (B.E.2524), the villagers moved in and stated raising livestock, and their cow ranches trespassed the area. Everyone already has their homes, but they need a temple. I have consulted with local administration which are the village headman and subdistrict headman. The village still doesn't have a temple, then it would be great to have temple around here. A pilgrimage monk can rest here. At least the intruder would be courteous or fear of sin.

Buddhist Monks:

Phra Ajaan Chailit, a fifty-two-year-old man, claimed right over his land. That's pity if park officers claimed this land belonged to Thaplan . The temple area is separated as a public area by a former SAO chief, 14 Rai in total, due to this area

are slope thus not suitable for cultivation. In fact, this area was not declared as prohibited areas. But there was an officer from the park came to disturb. They were asked to cease to build the temple. I, and around 20 villagers went to talk with the park officials asking the park to send some men to guard the area. As that area was allocated by Udomsup Police Station as public space which has been verified and informed and asked to investigate. But then again, no officer has come to investigate yet. In fact, the officer should already know that this area is outside the park area which also had reforestation activities.

Phra Sak, a fifty-year-old man, claimed his right due to the soldiers' suggestion. In the past, all these areas were forest, and I was developing by planting the ornamental trees, plants and flowers to make temple area look lush and beautiful. The reason I choose here to construct the temple because of the soldiers' suggestion. The soldier came to play role, partly, to protect influential people to own properties more than appropriate. This land not located in the prohibited areas.

Like Phra Chailit and Phra Sak, Phra Klong, a fifty-five-year-old man, claimed his right as legal for construction of the temple. This place has no warning signs from the national park officers. I think no problem to construct the temple. But, I'm not sure about this because, there is overlapping among national park, preserved forest, and the Agricultural Land Reform Office.

In summary, the Villager groups were questioned why their houses were being sued from park and forest officers. One pointed out that her friends get sick and death due to mental illness on land conflict. Some claimed over their land right and believed that national park should belong to all people and communities. Some mentioned on the green activities, such as planting trees. Some claimed that they have been settlement imposing the national park act. The NGOs group suggested that if the national park officials arrest people as encroachment on prohibited areas, all temples, schools, and communities should be arrested and wiped out from the national park areas. Some mentioned on the unclear park signs over prohibited areas, including communities. Some suggested that his land was missing out in surveying that let him win the case of encroachment at the supreme court. The park and forest group claimed over their rights and duties. They arrested people to save lung for country. They argued over the different position between investors vs. native villagers. Local officers claimed

that they wish the land conflict cases need to be stopped and free from being accused as encroachers because people in communities are not invaders. They are not bandits. One reported workload in gathering information from people on land conflict cases. The Buddhist monk group also claimed over autonomy of the temples in communities.

3) Engaging in Public Deliberation

Engaging on public forums leads to shift the moment of encountering self-sympathy to be active on critical reasoning and moral reasoning with concerning common good over the resolution of land and boundary conflict. Mini-publics helped in assessing democratic deliberation through the process of mutual justification (Setälä & Herne, 2014, p. 64) of lived experiences of individuals that they represented different viewpoints on land conflict resolution. The public forum provides freedom space for all participants from multi-groups in praxis and embodiment discursive interaction without coerced communication (Villa, 1992, p. 712). The public deliberation stimulates the justification for preference changes, without excluding emotions. Participants are justified when they considered themselves as vital actors in dealing with such conflicts. They conveyed meanings beyond their building arguments with moral statements. Each participant changed from concerning about one's self to more focusing on other-interests, communities, and society. In other words, they were attempting to listen and to understand one another's reason to find common ground with others. Free speech kept flowing in public forum for mutual understanding and providing opportunities for exchanging dialogue between experts and lay citizens. Participants were engaging in public reasoning and rational debate. They illustrated their capacities and skills over forms of communication, such as presenting storytellings with evidence-based reasoning.

Villagers:

Mon, a fifty-five-year-old woman, narrated on the experiences over public forums. She felt that there was too little power in preference changes over local forums. I engaged many local forums such as the forums that took place at my school's area. All villagers were here almost 1000 people who are affected and organized by themselves. I was joining in almost every day. Such community forums took a couple

hours, not so long because it is a moving stage. There was information available to show and for clearing the allegations from the state officers. People came to discuss boundary problems beyond the national park. I normally just sat and listened to what they said. While listening, it sounds like people are victim of destroying the forest in Wang Nam Khiao. I was here because we bought the land with the government section (SAO) and they themselves allowed us to build my house. They make us believe that we are staying here as legal! Actually, it's good to see everyone offering their opinions. I see the power of the villagers is still too little to solve such a big land dispute. Such forum invited the park officers to join, but they denied to come.

Mheaw, a forty-five-year-old woman, felt disappointed in joining the forum because of no change over consensus because public forums were like the stage for romantic relationship. But, she still gained some sense of useful participation over forums due to lack of knowledge and information over such conflicts. She felt hurt of being stigma when park officers called her “capitalist.” She narrated: After I and my husband acknowledge this, we joined the community group to fight for our right. We listened and followed what anyone told us to do because we felt that we must join them. We didn't know what to do by ourselves. We have not studied law. We didn't have legal knowledge. We just fought for our justice. I attended many local forums, but I think I feel like the forums are discussions about the problems in romantic relationships. The forums did not aim at solving the conflict, and there was no responsible individual participated in the forums. It was like people with heartbreaks comforting each other without acknowledging any responsible one. There was no officer participated in any forum. There were only officers passing by the forums. They just followed up the forums by listening to other people. The participants were only villagers because the entrepreneurs didn't dare to participate in the forums. The word, “capitalist”, used by the park officers hurts me. People gathered at the forums in order to fight for the justice. Many forums were held. Most of the forums were held at the SAO and Khao Phaeng Ma. It depended. Some of my friends and acquaintances participated in the forums, and then they told me about the forums. Unfortunately, the results were similar. It was like discussing about the problems in romantic relationships. It's just that. The forums were just discussions without any public officer.

Like Meaw, Ple, a forty-year-old woman, felt empathy to others after attending public forums because such forums didn't bring any changes of preferences for the future. I attended many forums to know more information because I'm afraid that my areas are in the boundary of national park. In many forums, the villages said that they were willing to rent the areas so as to have the right to live. My friends were sad because they left everything to be here. It was the last of their money, and me too. Each forum took place without any consensus or conclusion for the future direction. I feel empathy for the villagers and people here who are intending to make these areas...Wang Nam Khiao as a place for tourists. On many forums, I was trying to offer the National Park Department that we came to build a house in the areas without any officers to inform me that I could not built my house.

Swai, a forty-three-year-old man, reported that forums were good for people, especially people with different socio-economic status. He claimed difficulties in justifying on communicative forum. He questioned his ability in speaking. We joined as many groups as we could assist. Firstly, we joined the Lampraphueng group which their main objective is to claim their right over their land. Also, we joined in many forums such as Town Hall forum at Korat. You know, people in WNK here. It seems like they're afraid of someone. I was once reporting the conflict over the area to him but he said that this is something beyond what he can do. It is a policy and he has no right to tell such power people what to do. In fact, I've got a chance to express my opinion in every stage, but depends on the organizer whether they will give that chance for me or not. I understand why they don't let me speak, because I'm not good enough for speaking. People don't like the way that I am expressing too much emotion. At least, I think the forums are good; we are in the country under democracy. There is someone who understand each other and have faced the similar problems. The high-ranking people do not know the villager's way of life. All forums are the best channels for citizens to express their beliefs, their thoughts...that's good for us and community.

Udom, a forty-eight-year-old woman, was one who kept listening to other's perspectives. I actually joined many local forums at temples that gave me information on land conflict issue. I coordinate with people there. I normally keep listening what they said. I think the villagers cross the border to collect wild foods and

mushrooms shouldn't be arrested. The officers cannot arrest them. We live here. This is our land, our home. You can't move people off from the forest!

NGOs:

Manode, a sixty-six-year-old man, set the community forum for people to equally and freely speak, including experts such as lawyers to give any advices. The Thai Samakkhi temple is used for public forum due to low price and easily gathering all sufferers to participate. Also, he had experiences to engage many public forums in many levels: local and formal. He went to Thai PBS media channel to broadcast on Thaplan land conflict. He mentioned to Mr. Phong Leng Yi, the first Park chief and the one who drew the mistake boundary line over Thaplan national park. He faced with Mr. Phong and gave long narrations as shown below: Communicative process in the group I had created is closely about 80 people for community forum to deliberate such land conflict issue. We treat everyone equally not including raising hands and voting in election. There is no such thing as everyone has volunteered to help. I'm not sure if it should be called democracy or not. It's more like gathering ideas and volunteering to help one another as much as we can. For expenditures, originally we set up the funding to gather funds in advance. We used that part of money for our spending gradually. Sometimes, I paid document fees first to proceed the procedures then notify the group for the spending later. We tend to find the truth about this problem and consult with the lawyer if it is the fact then we came up with some conclusions. Since I invited a lawyer to consult, he gave an advice, so we could sue at administrative court. Some house was photographed and specified coordinates, it's enough to be accused. We had a lot of meetings, but lately it's quiet since we did not meet as often. Unless, there was preparing to investigation at police station, I had to schedule a meeting. Each meeting required 4-5 rounds, because some people could not come easily. Meet up about 30 people, maybe 20 depending on the convenience of each person, maybe 10 more than I held a meeting in order to get him ready to go to the police station. It was held at Thai Samakkhi temple because rent was cheap and it was a public place. There were a pavilion and microphone for renting 1500 Baht per day. You know...not only community forums, I attended many forums both local and formal. When I went to broadcast at TPBS media for society, I met with Deputy Director General of the Royal Forest Department as an aerial

photographer. He also told that the 1970th aerial photograph had a live community, Let's say "Real Community from that time before the national park possessed." Then, it had a forest concession for many times. I had to admit that the original area was very fertile before such concession. After that time, trees disappeared owing to the rapid forest concession, it started in 1968. The former community was not very large, each had its own area and people have connected to each community. The previous communities have had their own villagers and their village headmen. Importantly, there was the 2524 borderline of national park, when Mr. Lengyi was the first director of national park. There was no park department at that time. By this time, he is still alive today, and I had a chance to attend the National Association Forum, I said, "the 2524 borderline was overlapping the community with the national park. It was a huge mistake and a false declaration at that time because it indicated that the national park officers have not explored the area indeed. In fact, declaring such area as the area of national park, the area must have to clearly inspected, especially by the GPS satellite technology as a tool of surveying and mapping activities around the whole areas. If such surveying found the communities, such areas should not declare as the national park. This is because the national park act, B.E. 2504 (1961) are very strict in such laws for communities to conduct such as the law of protection and conservation of national park. People can't collect and take away any matter of national resources in the area of national park. It's illegal for villagers to survive their lives under such prohibited area. None of the farmer markets sells their agricultural food products. All such activities is illegal if the national park act was taken charged over such area. Well, I do not know that Mr. Lengyi was sitting in that forum. As I explained, Mr. Lengyi was the first person who raised his hand and said, "May I say this as I am the cause of this severe boundary problem. You're right! All information that you have got are the truth like what you have said it all, doctor! I really pay my attention on listening to what you've said, see if this person what knows things exactly." You haven't said anything wrong.... it is all the truth. (Repeated). Mr. Lengyi said, "When I announced the National Park, I had the only idea that I wanted to preserve all forests under the national park possessed." The declaration of the conserved forest cannot be preserved completely as it can still provide forest concessions. In that time, All 18 places were declared as conserved forest in Thailand. Many forests have become forest reserves. It is true that there is no real

survey of the area over Thaplan! You know, I took photos while drawing a map over Thaplan areas by helicopter ride. Then, I sat back to outline the forest lines at my office with the same line of conserved forest without any applying the GPS satellite. Originally, the area of Wang Nam Khiao forest used to be a reserved forest in 1972 (B.E. 2515) named ‘Wang Nam Khiao Forest.’ At that time, whoever possessed the lands in the conserved forest originally, they needed to notify their possessions. At that time, the area was not Wang Nam Khiao district. But it was Pak Thong Chai district,” Mr. Phong said finally. Traveling was very hard at that time. If asking whether anyone went to notify their right of possessions of the lands, there were only 2 persons who had come to notify the land possession which one of them was the owner of Sawmill factory who worked at the national forest office. The forest officer told him to go to notify his possession for his sawmill factory which was in town and this made it easier to travel. Also, he had money. If I made a copy of this certificate of notification of land possession and showed it to the rest of the villagers, they would not understand the meaning of this certificate. You know, who would go to inform about their land possession at that time, no one knew about the forest announcement. That's right. This sawmill factory owner knew because he owns the sawmill factory which relates directly to the forests. But villagers do not know. I guarantee that no one knows at all.” As long as they were not being disturbed by the officers. They were just continuing with their work and lives in the areas.

Berm, a sixty-year-old man, indicated the different justification both macro and micro forums. He suggested that micro forum had disadvantage in making argument due to the overwhelming political images and power, rather than deliberating such conflicts. He also mentioned on Damrongtham Center as a weakness channel in contacting to the state. I have experienced in many forums both micro and macro public forum. For macro forum such as the meeting at Nakhon Ratchasima Provincial City Hall, each key speaker needs to do their best for their own roles to fix the boundary conflict. If not, holding forums was just only ineffective forum for Wang Nam Khiao land problems. Each person could say anything. For example, such dispute would be solved by making land titles for all people. In facts, such promises let people have only hope and day dreaming of having their own land titles with the new boundary (2000). However, holding public forums at the community—micro level was only for

improving the key speakers' political image in order to maintain their political position. I think we should do something right for society. All facts and truth should be right managed for community and society. Besides, I and my groups went to Damrongtham Center, which was established by the revolutionary group. However, the public systems did not facilitate us. For example, by contacting a government organization, that organization usually suggested contacting another organization with greater authority or decision-making power. There were no officers wanting to handle the dispute in Wang Nam Khiao area because of the high land conflicts with huge conflict interests.

Bern interesting concluded on the consensus over macro forum and the ALRO right is tentative land right for the future over Thaplan as being shown below: Also, many forums that I attended have been held after that. The head of national park department was coming, all related people and civil society to a forum in order to discuss the dispute in Wang Nam Khiao area. That forum was assigned by the provincial governor as the chairperson of the forum. He informed that a field observation must be done in order to understand facts before holding the next forum. On the mentioned forum day, my document sent to the prime minister was considered. The mentioned document stated the prime minister's order to public organizations to integratively solve the dispute in Wang Nam Khiao area. According to the order of the prime minister, not only the Department of Thaplan National Park, but relevant public organizations must solve the dispute. I was really glad that the prime minister acknowledged and valued my issue.

According to the meeting, the forum had the following agendas.

(1) The border in B.E.2543 would be referred in order to solve the dispute, but an inclined area that was Ban Khlong Sai must be returned to the park.

(2) The areas separated by the border B.E.2543 would still be public areas. I cannot remember the details, but all areas in Wang Nam Khiao area were owned by ALRO. An additional condition was that any land owner in Wang Nam Khiao District must grow plants on 20 percent of the area of the land. The fifth paragraph of the Section 30 stated that ALRO has the authority to allocate any land or real estate to any individual to rent, hire-purchase or use for any business supporting or relevant to the land reform announced by the Minister of Agriculture and Cooperative in the government gazette. The size of the owned land should not be more than 50 rai as

considered by committees. The criteria and conditions for approvals would be as set by the committees and agreed by the cabinet. There are 15 types of the approved businesses. According to the mentioned principle, ALRO was going to specify the 16th business type for agricultural purpose in order to maintain any other type of businesses not included in the 15 types without being demolished.

(3) In the case of Wang Nam Khiao, an individual could not own more than 35 rai of lands according to the Section 30(1) of the Agricultural Land Reform Act B.E. 2518, which stated that an individual cannot own more than 50 rai of ALRO's lands, and the principle of owning forest lands that an individual cannot own more than 35 rai of lands. According to the resolution of the cabinet on 30 JUL B.E. 2541, the total land of 65 rai divided by 2 was about 35 rai. Even though I did not agree with this principle, I did not argue with it in order to solve the dispute peacefully since I mainly comply with the border in B.E. 2543.

(4) The Department of National Park and Royal Forest Department were requested to slow down suing/arresting the villagers.

(5) The dispute should be solved according to 1) 2) and 3). As forwarded to the prime minister, the Section 44 must be applied to solving the dispute, the principles to amend any law and the border in B.E.2543 must be concluded and drafted by the Department of National Park as the unit responsible for the issue and forwarded to the Secretariat of the Prime Minister in order to enable the cabinet to consider and approve the drafts. Then, the drafts would be presented to the Officer of the Council State to review the principles before being announced in the government gazette and become effective. If the Section 44 would be used for solving the mentioned dispute, it would be urgent and not considered according to the processes of presenting the drafts to the prime minister to consider, sign and make it effective immediately.

Like Manode and Berm, Nat, a sixty-five-year-old man, engaged all macro and micro forum. He asked for “Public Hearing—Deliberative Day over Wang Nam Khiao” for the future in resolving the land and boundary conflict. He concluded that the problem of local forums as limiting people’s autonomy in justification. I have engaged many forums such as a local community forum as well as formal forum at the Province hall to fight for the fairness about land dispute in Wang Nam Khiao area. I would like to comment about what makes the stage achieved the purpose and the

attitude toward the public arena that people held it up. I think, It depends on the key characteristic of the public forums, achieving the objective of that stage. Depending on who manage such forums, as if it was the stage of State, it will make the benefit for the state. If it was a public stage, it will make the benefit for people managing the stage each time the parties will be invited to join their people to make righteousness to themselves. I think that was not the essence of public deliberation. I think that the public forums are only a part to resolve the issue, but to resolve the land conflict issue must make public hearing—deliberative poll day for people here according to the principles laid down in the Constitution to better gain insight from the community. Everything must be solved by the State's mechanism, that's necessary. But, you know, the local forum sometimes wasn't good because there is no power to negotiate with Thai government. It wasn't useful and wasting time. But, if it was a forum that was set up at a large stage and invited those concerned to attend meetings, such as the meetings, on the 2nd, this was a great meeting, and achieved the objectives altogether. Most people would say because it affects the well-being of the people directly, such as the stage on 2nd, the villagers talked, and commented that were helpful for troubleshooting, they also dared to negotiate with the State, in the case that they lose too many benefits. But, many times, most forums was about the political side because they were arranged through member of the Provincial Council in the area. And it was not good due to conflict of interests. People's rights should be defined in the Constitution and in forums, such as getting people to involve in such forum, all parties have access to real talk like on 2nd forum.

Park/Forest Officers:

Paitoon, a fifty-five-year-old man, offered the solution after park the forum, concluded that people who were accused of encroachment could pay tax for rent over their land location. He answered the questions of being claimed of double standard as shown below: We have the forum at the national park as well as the city hall. After the conferences were over. There will be the announcement whether who has lived there before and after the national park's boundaries were established. Then, they will announce which types of stays so that people would get in and implement on how long people could live, how they could invest in such lands, and how many areas they could

grow plants in such lands etc. After all assortments of lands for people, there will be the governmental sectors which are involved to go in to support and bring projects to do for people. I think...there are 2 problems that Thaplan has had; No. 1. There is the population growth to 10000 people and the main problem No. 2 is There are some wealthy people that came in. Also, "the expansion of the lands, we have not many officers to take care all over areas. Look, now we have only had not over 10 officers. We had our officers who studied elementary school to sign up to be volunteers for help preserve the forests. Nowadays, we have strict more qualification that they have to graduate at least Matthayom 3 or grade 9. Now, they can think and decide things themselves without waiting for orders from officers. We have the forest management that may suggest how to solve the land conflict here. We have already appointed who have stayed before or after the announcement of the national park's areas and have some exceptional areas in those areas mentioned earlier. If some people have to move out, we will pay them some redemptions, or let them rent the areas which can be allowed by the national forest department according to law sections 16 and 19. We have the national park law to help those villagers that were accused of intruders. We allow them but they have to pay for rental as the law allows. The rate is 1 rai for 5 baht or 30 bah per year which is considered very very cheap. In order to be able to rent the lands, we need to take a look at the land's background; whether it is under anyone's possession or not and it has to be the area without any problematic issues. It has not to be the precarious areas such as the areas without any possession or not documents of possession. On forum, some villagers said that the park or forest officers had treated them...I mean their homes with a double standard. You know, we get blamed from some villagers in case that some people have lived for a long time and they were about to build the concrete houses meanwhile, the houses next to theirs which were only small cabins did not get arrested. It seemed to be like you arrested one house then skipped another house in the same areas. Some people misinterpreted this. I'll explain...there are 2 cases; for example, when the officers went in to ask for documents, but did not do the real surveys yet. When it came to the real survey, some houses didn't provide their documents to SAO. If they did, there would not be any problems arising. However, if you did not notify, when Thaplan national park's officers came in to investigate. They could accuse you that you have just moved in to build your house as this information

will not match what SAO has. If you have your documents to confirm your possession, they will not arrest you. For the guilty by the law, people who do not have documents will be accused of 1. Additional constructions—People will be arrested, if they construct their house more over than they have been declared us. Their building has not been notified. Their landscape has been changed from the previous pictures that they show to us. According to the cabinet, they just wanted people to be able to generate their income from the lands by following sufficient economy, not to become rich. They did not allow people to utilize the forest areas for further benefits. If you are rich, you should find any areas to live. The government allowed these areas for the poor people. You know, the primitive villagers here have a few, they sacrificed their land to the Rich. Such as some poor people who ride the bikes for public service; they have not even had their home. They need to rent homes to live because the rich have more power and take advantage out of them. That made the poor not want to stay in the forest.

Numphol, a fifty-four-year-old man, interesting by indicated that for park forums, people sometimes, were confused over the issues and scope of officer's duties between 'Natural Recreation and Intermediary department and 'the park's Prevention and Suppression section.' Park officers don't want to in conflict with people. He spoke on 'the big cleaning day;' the officers demolished people's resort as well as restored children's minds. We set many activities and talked to villagers to educate them in a local forum. It's the Mul River conservation group that has the goal to emphasis developing conservative minds to love the forest and nature. I must clarify that, organizing activities and area disputes are completely different issue. In other words, the activities benefit locals and, most of the time, are welcomed by the villagers. So, we don't receive any complaint about area disputes at all. The villagers will organize their own protest about the area dispute. They will not mix up these two issues. Additionally, the Natural Recreation and Intermediary department's duties are to enhance or give benefit to the locals. So, it's not against the villagers. However, the officers from the park's Prevention and Suppression section are blamed by the villagers because it affects the villager's right. On forum, we had issues such as Big Cleaning Day in Pha Ngam area. That's the day of demolish all resort owner's constructions. After the process of construction demolition by the court order Section 22 of the National Park Act B.E. 2504, the Natural Recreation and Intermediary department will

readjust the area condition to become a forest once again. People who took charged don't come back anymore. There's no more second intrusion. After the raiding and demolition by the park department, we are now focusing on creating a conservative mind for children. In case that the villagers create their own network to organize their own forest conservation activities, but they are still arrested and accused by society as forest invaders, I questioned that the park department have already investigated the case now. If there's a direct order for Natural Recreation and Intermediary Department to organize such activity, we will do it. Mostly in the provincial level and only for relevant people or representatives to participate. If we organize it ourselves, there will be thousands of participants and it will create more dispute without solving anything. It will be like a mob, not an activity. By the way, there were no conclusions yet on land conflict problems. There were only conflicts. They talked about completely different issues and never got to the point. However, in such level, officials must follow and prioritize the law for the most justice. The stage was fierce with the legal issue, facts and evident. There were some hired mob though.

Suthep, a fifty-year-old man, questioned mutual consensus after forums because the preferences from officers might weightless for the higher authorities. He insisted on the application of a new boundary (B.E.2543) as resolution for people as well as park. He also mentioned on the causes of land conflict as well. He said: We actually have forums for park, forest officers, and all related stakeholders. The national park law must be used to solve the problem in the park area, but we must see how the authorities think. Sometimes our offers are not right, and it's weightless. What we offer may not be responsive. Maybe they think of one thing, and we think of another. Maybe they look deeper than we do because solving problems in the area is a delicate issue. For such forums, ...the management system is of the person... "Who is a chief." Firstly, when he receives the order, he has to look at the department that order that and how many budgets they have and what to do in what kind of plan. Most operations in the park must mainly be according to the National Park Act B.E.2524. There are 4 main features of the park works: 1) Protection works 2) Service works 3) academic works. 4) Participation works. If you were head of the park, you had to hold to these 4 features. You need to look at your protection work, the Act or the regulations, and you need to use the principles that have been linked, and you also need to use the principles of

participation. Secondly, this service work about tourism locations. The academic works are not only researches, but also finding other involved works to support the service works. About participation work. If mentioning Thaplan or the problems occurring in Wang Nam Khiao or anything else, it is important to mention the land utilization which is a part of protection work. It has many solutions such as the B.E.2543 boundary line or an attenuation for staying. Therefore, the officers or the head are sometimes required to complete an arrest. When the time comes, the government, department or ministry order it to postpone because they still do not know how to proceed. But all of this was due to the ministry resolution June 30th 1998 (B.E. 2541) that forbids land trading. As land trading emerged, it became guilty, and was prosecuted until the demolition occurred. A moment ago, there was a talk about a man with a concept of conservation (Mr. Berm). Did he commit a crime? In his guilt, he was just a person who wanted to take care of the forest without knowing that that area was forbidden from land trading. Because we declared it beforehand, he might be choosing the marginal area than buying the area inside the boundary. People in the Thaplan are, like habitually violating the laws. They are minor laws that do not directly destroy the properties, then slowly destroy them. When they came to arrest, they gathered together as a group that made a complaint. Even then they arranged a place for them to live, and they made a trading when they thought it was comfortable. Similarly, the people in the region were gradually moving into Wang Nam Khiao area. The officers were not eager to officially arrest, as it happens today. When the arrest occurred, it was protested, then the chiefs were driven out, especially the leaderboards who tried to show the citizens that they had power and influence so that they could benefit. This also made the work of the officers more difficult. This is only a part that I would explain. If you ask what percentages of the people who are really in need, then try to survey that number first.

Local Officers:

Sek, a forty-one-year-old man, engaged many forums and concluded the preference change from the last forum in 4 main points of mutual consensus as follows: I think...the provincial meeting or the town hall forum can listen to public opinion very well, because public opinions are social facts that can't be avoided. In case of the dispute resolution in Wang Nam Khiao area, it is best to accept the fact and solve by

defining according to the B.E. 2543 boundary line. Every meeting based on this idea, and whoever come to study the disputes in Wang Nam Khiao area will have the same conclusion by consensus which is defined according to the B.E. 2543 boundary line. I think that it show that the public voice has an effect in the provincial meetings, and I see that the lower-level meetings or the low class meetings are the foundation of listening to the voice or opinion of the people, and is the best reflection of the fact because this idea is the base for larger meetings or later stages. From the last forum, the guideline of consensus is that park area boundaries will be determined according to the B.E. 2543 boundary line and adjust all of the land in the Wang Nam Khiao area to be owned by ALRO. Upon succession, they will enter the guideline determination process, according to the Agricultural Land Reform ACT B.E.2518 Section 30 (1) of Agricultural Land Reform ACT B.E. 2518. That states that the person, who is a farmer, including his family, shall own up to 50 rais of land. However, the newly determined guideline for solving Wang Nam Khiao disputes state that a person shall own up to 35 rais of land in ARL area. Such determination is caused by the ministry resolution of June, 30 1998 that surveyed the number of people living in the forest or the park area, so that they could find the area to support them. The conclusion must be the one that all voices in all levels of social segments agree together in the same direction, and the concept, or fact must be proposed continuously. The collection will be done by querying all areas in the Thaplan national park area and the relevant agencies. So, the queries are divided into 3 categories including: (1) Condition of problem/disputes (2) facts and (3) The appropriate solution. However, after the querying, it's found that there are interesting issues as follow: (1) In case that certain persons are qualified to utilize the land in ALRO and use the area according to the objectives of ALRO area, such as, the people who live legally by law, and have done an agriculture all along, There is no issue whatsoever, and they can live without the need to define the conditions. (2) In cases that the outsiders are not qualified to utilize the land in ALRO area and use the area according to the objectives of ALRO area, such as, the outsider who bought the land for agriculture, I think that, in this case, the outsiders should be let to continue staying because it is also in the scope of the objective of the ALRO, but they need to pay the land maintenance fee every three years to the ARLO fund to finance the ALRO and to purchase the land with a title deed, and then allocate it to others who still have no arable

land. (3) In case that the certain people are qualified to utilize the land in ARLO, but misuse the area outside the objectives of ARLO area, such as, he had done agriculture but it failed because the land is not suitable. As a result, they turned to opening a resort or restaurant. I think that these people should be supported because the main objective of the ALRO is to accommodate and facilitate activities of the people in their area. These people need to help themselves without help from ALRO. They have to live their lives until they own businesses. It would be unfair if they are forced to demolish. I think that they should be allowed to stay without any conditions. (4) In cases that the outsiders are not qualified to utilize the land in ARLO area, and misuse the area outside of the objectives of ARLO area, such as, the outsiders who purchased the land for resorts. I think that the policy that promote Wang Nam Khiao area to be a tourist attraction result in the Wang Nam Khiao land is wanted by the investors, so they should not be blamed. Moreover, if the government forces these people to demolish the building, it would not benefit either side. I studied the Agricultural Land Reform ACT B.E. 2518, and found that the section 30, paragraph 5 of this ACT state that “Besides the land allocation to the individuals according to (1), (2) and (3), the ARLO has an authority to allocate land or real estate to a third party to lease, purchase and utilize for other businesses which support or relate to the land reformation according to Minister of Ministry of Agriculture and Cooperatives defined in the Royal Thai Government Gazette. This is based on the size of land holdings, as the Committee deems appropriate, which may not exceed fifty rai. The criterion, guidelines and conditions of the permission or the abidance of the authorized people shall be determined by the Council of Ministers”. At present, the ARLO has determined and announced 15 types. I suggest to add a 16th type which is the learning restoration place_and agricultural and ecological tourism (Home stay) to conform with the tourism promotion policy. I think that such ideas much listen to comments from multiple parties for the preliminary conclusion. My concept conforms with the concept of the ombudsman and the National Environment Board. However, I think that this integration concept will cause considerable reduction of disputes in Wang Nam Khiao area.

Somboon, a forty-two-year-old man, indicated the bureaucratic problems as well as the good capacity of NGOs in building arguments. He also mentioned villagers' capacity in giving speech: As I said, there is a process that make the villager participate in it. We are trained by the bureaucracy system. This system has a community development by agriculture system. The villagers are trained by the officer from this system. But the officers don't have much work quality. As we work here, we see that the bureaucracy system does not provide many chances, and the cooperation process is not that good. But the NGO or public sector or business sector do this very well, while ours is still weak. So, it does not lead to a good raising of the understanding level of the villager level meeting stage. I mean that there are only few villagers who are knowledgable. There is only listening, asking, and presenting not much information. Now the society has changed to a lot. The society believes that the Members of the House of Representatives, Provincial Councilor, Senator or the District Chief can help them. It's a patronage system. It's more like a test of power. But, I think it's quite democratic. The villagers would surely be joined by many educated, wealthy and more knowledgeable people gathering together. But the scope of democracy is defined by people with more knowledge and understanding. It's on a different level. He is highly educated and wealthy, but the villagers are in low level and lack education. Unless the speech pleased him, he would raise his hand and such. For me, I think the good forum should: (1) have clear information to present to the villagers, (2) have allies, and (3) preparation of media and information. I have a lot of written medias such as documents and maps to present. Presentation is very important. If we prepare power point to present, some place may not have a projector, so we must prepare well. We think about how we make people see the A4 paper which is too small, so we present with A3 instead. It's a technique to create understanding by other people and media is very important to reinforce attractiveness for people to understand. It doesn't matter how good the information is, it will fail if the presentation stage is a failure. Coordination is also important. Every time we have the operation, we need to summarize our obstacles. It will lead to development. If we want to develop people, we need to do it based on the problems. It depends upon the presentation of the speaker. It's like we are salesmen who sell the idea. We have training process and such for speakers. They need their own skills. They can't just make something up during the

presentation and there are people who agree and disagree. It's not good, isn't it? For the land conflict forums, we used 3-4 topic as mentioned. We prepared power points and so on. This presentation stage objective is to provide information to villagers. We want them to know and "come out to protect their rights." If villagers had no information, they would agree. Also, the park and forest officers rarely join in such forums. They wouldn't come to a presentation stage like this as they would be asked too many questions. We used to set a stage for 5 days on Route 304. It was an incitement. Such a forum was based on the sentiment of arousing people to understand such land conflict problems. We must use media combine with speech skills and information provision. It's not good if one is talking too long. It needs preparation. We talked about hot topics. They would yawn if we talked about well-being. We started from 5 p.m. to 10 p.m. because we had to prepare about what to do in each moment.

Jonkul, a seventy-one-year-old man, spoke on the public forums by illustrating the existence of communities over Thaplan . He was the one in many thousand people that was fighting over the Big cleaning day—the day of demolished resort over Thaplan. He felt angry by narrating: I participated in the forums at the ministry of resources. We were appointed to go there at 10 o'clock, but they were not there because they went to Kanchanaburi to see dead bulls. Why did they appoint us? Public officers usually work independently. They have independent authorities. They see people as worthless things. By the way, there were many forums held by all stakeholders. The dispute is chronic. For the meeting(s) at the SAO, all villagers, district officers, and park officers were invited. They said they were about finding solutions. Arresting people couldn't be prohibited because people had been arrested! The villagers had their own opinions. The villagers had lived here for a long time before the resort owners bought their lands and they also didn't know that the lands were in the park's area. The park officer's attitudes mostly claimed that their superiors ordered them. They participated in every meeting if they had been invited to. Actually, they lived in the area. We know them, and they are our relatives. Some park officers lived around here. We were the representatives at the legal committees' meetings. If a meeting was going to be held, we would make appointments in order to prepare agendas. Issues were presented to the government. I also presented the issues to ministers and then the prime minister (Yingluck). She replied politely and ordered her secretary to accept the issues.

The prime minister must be the one solving the issues, but the issues have never been solved. The movements have been conducted since the dispute occurred. The 304 road was blocked by me. The 79 Market. There were many thousand peoples including the governor. If we did not find the solution, then we would not know what to do. I spoke at every meeting through all TV channels. I frequently went to Channel 3. TPBS also invited me to have speeches. It seemed the current governments want to help since the previous government did not really help. The current government can solve the dispute. Even though it's a military government, the government could make decisions for many issues. In the cases of Ban Tha Le Mok and Ban Pha Ngam resorts, the resorts were demolished at two a.m. I questioned that such resort owners were not bandits, and they could not just pick the resorts to somewhere else. Why did the officer not come on the daytime? Just four or five officers were enough, but there were thousand officers. Who were their enemies? The resort owners were not bandits. I scolded at the previous park chief that I didn't think that he was good by doing that. You know, it was unnecessary to arrest the villagers. If he wanted to do so, just arrest me only. The villagers asked for my permissions. So, I issued the permits. For taxations, I exempted them. So, don't arrest the villagers. Just arrest me. They could have arrested me after demolishing Ban Tha Le Mok and Ban Pha Ngam, but they didn't. About a week later, I invited them to a meeting at the SAO. Then, they tried to come to the meeting. However, they couldn't come to the meeting because I had a border in front of the SAO. If there were crazy people and laws, crazy laws would be used. If the laws were unfair, how could the laws be effective? All people here have evidence, notably at the SAO to live here. Me too. There are details indicating who came here before and after me. Even the royal guidance of King Rama IX during 1973 – 1974 that people would not commit illegal actions, if any enforced law unfairly causing any trouble to the people, it took and posted the photos of the royal guidance at the SAO. You can go there to take a look. I also posted the photos at the park for the officers to read. The different forums were effective in different aspects. We were willing to solve the dispute, but the other party was not willing to do so because the other party could solve it immediately. However, they said they were finding a solution.

Ae, a fifty-year-old man, discussed the forum as follows: At a forum, I gave speech once at tambon level; when I was a Deputy Chief Executive. I mentioned that the boundary line was an important issue. As I said, I have done it once when I administrated. Every year I provide a budget about 2-3 hundred thousand Thai baht for measurement and boundary line. I used a rotate a letter via community leaders such as the village headman, village headman deputy, villager agriculture and volunteers. You cannot only invite the villager leader. Mostly over a hundred came to the meeting, five men from each village, mostly they were invited about 5 people a village. If they can't come they send a representative. We invited the park and forest officers to join the forum. The problem is forest burning and animal hunting. And they suggested people not to intrude and hunt in the area because it has many violations. There was a talk about caring for the forest and resources. Other than that, we talked about boundary line. There is an explanation for the villager. In fact, I had a map of an old ALR, so I point out the location to them. It has been since 1981 (B.E.2524). It showed the title deeds, location of ALR, and public benefit area. I also had a picture. Officers were listening and didn't use rude words, or violence in the forum. The summary results of the meeting are everyone agree about the boundary line issue and intrusion and living with the forest. It's an average around 2-3 month between meeting. It is held 3-4 times a year. It must start from informing the villagers. The villagers have to decide their own community's future.

Buddhist Monks:

Phra Chailit, a fifty-two-year-old man, mentioned on the forum as follows: After joining local forums, you know, the park officers; They listened respectfully but not acknowledge. They only listen to the people from their official. Promise to take field works, but never come. They should be more open minded. They should be more hardworking, selfishless, and, should take a field work by themselves. He should not completely trust his colleagues. In fact, he should train his officers to care about the forest and sustainable community. Otherwise the villagers would be targeted and get into problem with authorities. On one hand, the area in front of the park is inside the park area as well so it can have restaurants and resorts. On the other hand, the deeper area can't have. As the religious mainstay, about villagers getting demolished such as

in Ban Talay Mok and Thai Samakkhi village which the officers enforced criminal code section 22, I think that's very bad. I disagree for demolished building over some resorts. The construction had been proceeded for a long time before the operation. So much was invested, and they were just beginning to execute. It should have been before the subjugation. But I partly agree with the officer. If there was not any title deed which indicate intrusion, so it should be prosecuted. But I disagree about why there was no prevention before the subjugation. It should be warned beforehand. Because the officer should have known. I see it as creating a trend for himself to be further involved with politics.

Phra Klong, a fifty-five-year-old man, concluded that people should be focused on development concerns, rather than conflicts: They used to gather here to set up the forum. But, nowadays, there is a new community hall in this village. This area used to be an Agricultural Land Reform Office. Now, I have sent the documents to the Agricultural Land Reform Office and have waiting for a response. I think they would rather talk about the community development than talking about the conflict. However, I think there are some strange things because, the government has implemented the rule to discharge people, but they still provided them with public utilities such as electricity and water supply. Moreover, since the conflict, this area have been faced with a bad economic situation. The resorts could provide some work for people. Moreover, the resorts have supported the green environmental, not deforestation as the news had published.

Phra Sak, a fifty-year-old man, discussed building a consensus and this is assumption: Villagers and related stakeholders have come here to set up local forums many times. The atmosphere was quite democratic. People can easily talk and discuss their land conflict problems and arrive at solutions that were recorded as citizens' consensus for the next meeting. Also, they can agree or disagree on the decisions. I also discuss the social history in WNK and just listen what they said. I think that, particularly, we should not solve the dispute in Wang Nam Khiao by resort demolition because it does not give the most to all parties. The advantage of having resorts is that it creates jobs for villagers. I did not particularly agree with resort establishment in the forest. But I agree with the changes in society and some areas are not suitable for agriculture. Therefore, I propose to convert all Wang Nam Khiao area to ALRO right

and add some law to allow resorts in the area. But it must be subject to conditions such as providing rental to the state. In the process of being accused by the park officers, they came by several cars at that time to obstruct villagers. I know some lands are illegal and that it was the right thing to get caught. I stand for what is righteousness.

In summary, the villager group stated that public forums were good for everyone in expressing opinions. Some villagers reported being disappointed in local public forums because of no preference changes after reconciliation. They claimed that local forums were low power in negotiation. She argued that local forums were like romantic relationships in which everyone with the same destiny were engaging in exchanging opinions. Some felt afraid to speak among communities. The NGOs group used public forum at Thai Samakkhi temple to share and justify all evidences and arguments. Some claimed that macro forums were effective more than local forums due to having a significant impact on the decision-making process as well as the power-related preferences in building consensus and public policies. Some suggests to set up the Deliberative Day to be held in Wang Nam Khiao District for public discussion on land conflict resolution. The park and forest group reported that public forums helped in educating people. Some asked a question on the power related to the chair of forums, “who is the chief of forum?” The local officer group suggested that public forums in macro level were better than micro in building consensus. Some gave advice to improve public forums by referring major characteristics over forum as followed: 1) a clear information and evidence, 2) must have allies to treat people in equal voices, and 3) media engagement. The Buddhist monk group claimed that forums were good in ideal, but were less realistic in practice to solve land problems.

4) Fostering Compassion by Deliberation

The last theme emerged from personal narrative stories as the final stage of a social psychological process of moral sentiment in deliberative resolution of land and boundary conflict. It shows that our moral ideas and actions are a product of our nature as social creatures. When participants narrated, their stories identified the strong emotion and moral actions based on rational arguments and justice. According to the study of neuroscience laboratory (Klimecki et al., 2013), compassion is a more powerful feeling than feelings of empathy, while training positive and negative

emotions as well as memory training of brain activations. Compassion increases activations within the brain in self-reports of positive affects in handling such conflicts. Compassion is considered as a new coping strategy to overcome empathic distress and strengthen resilience (Klimecki et al., 2013, P. 1). When the cognitive aspect of compassion links on deliberative resolution, participants justified their personal experiences prior to deliberative process and understanding the suffering and difficulties of land conflict issues. Participants will be able thus to place ourselves in the service of others by stimulating and helping one's effectively while still preserving their kindness, inner peace, and the feeling of inner strength. I aim to call individual's praxis their 'Mega-wisdom'—the enlightenment of larger views of reality from multivoices over deliberation process as practical wisdom in action, not only a process of public deliberation, but concrete outcomes. With empathy, I share your emotions; with compassion I not only share your emotions, but also elevate them into a universal and transcending experience. Compassion is more engaged than empathy, or passions; compassion is associated with an active desire to alleviate the suffering of subjects with complete sincerity. Compassion is the last step that is growing from the third step of public deliberation.

Villagers:

Mon, a fifty-two-year-old man, expressed his strongly desire for resolving land conflicts by referring to the new boundary in 2000 (B.E. 2543). I need all compassion from Thai government to solve this land problem. I do not want to be prosecuted as illegal or invaders. You know, I took a loan for my house building. If they destroy my house as in the case of Ta-lay-Mork. How we gonna live with family here? We broke. Thai state should set clear boundaries such as the 2000 (B.E. 2543) boundary to avoid such problems again. People and forest should be split clearly like the boundary of 2000 that all related people and officers joined together to drop GPS pins and set clear boundaries of what is the areas of communities and what are the national park boundary. However, the 2000 boundary was not applied yet to such areas. It's under the consideration by the Thai government.

Mheaw, a forty-five-year-old woman, also showed her strong desire to fix land conflicts: (We just thought that) we came to make things better after talking over forums. We didn't come to harm anyone. We came to grow trees. I explained to the officers, but they didn't reply. They just listened to me. Three years after that, officers drove around here to frighten us. They didn't ask us for anything. We talked to them politely. Actually, if there had been any public land for rent, then I would be willing to rent it. If laws are amended; investors, resort owners and restaurant owners will pay for rents and keep staying on the lands. Actually, if agreements can be made, they will be willing to pay for the rents as the villagers said. So, the conflict will be solved. So, we will not feel bad anymore and not be worried about being arrested because of any guilt. We want to build a roof and adjust the land surface because it's slippery. We want to build a road. We slip if the rain falls. However, we don't dare do so. During the recent three years, we stopped everything. We don't want the public officers to demolish our building. I really want to beg for mercy. I fear them (laugh). Especially, you know, the 2000 boundary that move the villagers off the national park should be reconsidered as a common good boundary! I know the headman whose name is "Uncle Phorn." He lives in Suk Somboon Area. He was the one who knows where the border piles (2000) are. He was the one pinning the locations of the piles on maps with GPS. I came here because I like this place. I knew nothing about the border. In other words, I was like an innocent. The serious situation has just begun since 3 – 4 years ago. There had been no public officer contacting me and there had been nothing before this conflict. The tourists just come and go. They just pay to the public officers to take them to go to places in the forest and to see wild animals. I think we have the same attitudes with the park officers. It's like they want to protect the forest, and we also want to protect the forest. We live in the zone provided by them. We don't invade the forest for sure. We protect the forest. It's like them. Don't think that we are destroyers. Agreements may be made. Both parties may be happy, right? So, if they arrested us in the near future; I and my husband will ask them for permission to pay taxes! We need to do it for the legal because we are not illegal to live. People should pay for rents and taxes. Just let us continue living here. I will still be happy with using Phor Bor Thor 5, which is commonly used. I am happy here because I've never wanted to resell this land. I want to live here. All we need are sincerity to fix the land chronic problems.

Ple, a fifty-year-old woman, like Meaw and Mon asked for sincerity from all related people. She also compared Thai and Japanese forest management style as follows: The problem should be resolved with sincerity on the complicated boundary that some areas are ALRO; Some are the national park zone, and especially Thai government should have some actions and implement some public policies to support tourism here with sincerity. The newcomers must be controlled to avoid further invasion, and the government should support tourism. My husband is Japanese. You know, in Japan, Japan government has different public policies over land management. If the areas aren't forest...I mean degraded forest, the government allows their people to manage and restore that areas. They support a better community as well as sustainable areas. The government does marketing for their people who live in that area. People can produce and directly sell their own agricultural products. But, in Thailand, the farmers have to accept less income because they have to sell through a middle men. Unlike Japan, if the Thai state follows Japan pathway. I am ready to support, but if the state takes my land here. I really need to compliance. But, we really want to develop the land, not to destroy it.

Swai, a fifty-three-year-old man, said we need a hero to solve such conflicts and concluded to pursue the new boundary in 2000 (B.E. 2543) as resolution for land conflicts. We need someone who dares to be the hero for us and society sincerely. The fair border (in 2000 (B.E. 2543)) should be applied for people here. It is the fair border between both parties because it was determined by mutual agreement. Actually, It could be anything that we still have the place to live, to work and to eat and I just don't want this area to be someone else's. There was a foreigner offer to buy the area 1,000,000 per Rai, but we didn't sell it. There were soldiers established a communist village and told us to move away, but we told them that we can't because we cannot move all the 30 poles. The government organization that wouldn't help us as well, so we remained here. At that time there was just our house in this area. It's quite sad. In the beginning, we didn't invest in anything, but none try to chase us but once we invested into it, someone start to chase us out. If they chased us since the beginning, we would not feel like this because it was just a wooden shack. Wang Nam Khiao and they had the activities to plant the trees for the forest sustainability. I was the one that move those tress into the trunk of the truck and moved them to the area. If you

want to plant the forest just preventing the wild fire and let them grow themselves. We love here, and we have strong desire to chase all suffering from people here away from tears. We all have learned all mistakes, so let's do the right solution for people here.

Udom, a fifty-eight-year-old man, expressed her strong desire for the Thai government to handle such conflicts. The government should be serious about fixing the long land problems here, with all their sincerity and with all their efforts. The park's border should be clear and be divided between the park border and the community line. Let the people live on the land where they live. Everyone know, "Just do not cut trees and don't do cow farms in the forest. There are about 300 cows. The villagers need help regarding the sources of the water in the forest because they want water reservoirs in the forest for them and their animals. However, the existing water reservoir is very shallow. They want it to be deeper. They vaccinated their animals in order to prevent diseases to be spread to the wild animals. If any domestic animal dies, the owner will die too because the price of a cow is about 30,000 – 40,000 baht. If the government provides any budget and any fundraising can be done, please dig a well for them.

NGOs:

Manode, a sixty-six-year-old man, insisted on the 2000 (B.E. 2543) boundary and narrated social history of the boundary as follows: I hope that the Thai State will definitely and sincerely help people here to fix a new boundary as a new coming boundary of common good! After attending many forums, I suggest that the 2000 (B.E. 2543) boundary should be mentions and should be applied for the bright future for society. To explain, in 2000, the boundaries were mapped. There is evidence that which areas would be excluded, or included, or added more to the national forest's areas. The fertile forests should be included, or added more to Thab Lab areas. I strongly believe that the 2000 boundary need to be apply as the right and legitimacy boundary because this boundary is the truth for common good. The park officers, the local officers, the ombudsman, the headman of each village in Thai Samakkhi district, the villagers, and other related people come to accept as the real boundary for people, here. This boundary used the GPS satellite to capture the areas, then the poles are pinned to the ground. Some areas are excluded from communities and will be given back to the

National Park, if those areas are forests and hills. However, the communities' areas need to be excluded from the areas of the National Park too. Nowadays, there are houses of people built in the areas. It's just that we have to keep it to 1000 people. However, It does seem impossible to control people within such a number limit. There will be an increase and a decrease in number. If we cannot afford to do so, we have to sell it. Maybe the lands are divided and given to children of such families. So people increase. Otherwise, why would they announce a new village? After 1999, there was an announcement which meant that the number of people increase. How could the national park not know about the increasing number of new residents and houses. These kinds of stuffs do not mention about... only deal with the boundary lines and evade people by not telling the truth. (Showing the picture of the boundary poles). Areas which are communities should be excluded from Thai Samakkhi Sub-district's areas. Some villagers' houses got demolished. To demolish house is very sad thing to do because they had to invest to build their houses and it took time to finish. It wasn't like just click then the house is there. Therefore, the requests for permission to build the houses are required. The requests for permission can be done at Subdistrict Administrative Organization (SAO). When the governmental sector demolishes houses, who is responsible for the damages and redemption? Governmental sectors and officers are representatives. We are just villagers, Should we go ask for permission ourselves? When we ask for the houses' numbers, we need to go to the district offices. If to ask whether we don't know anything at all? when it is time when the problem comes, everyone related to it disappears. Often the citizens need to fight for their justice in the court of law themselves. The use of law is even more important. It needs to be impose for justice not only to impose the law. The action speaks louder than word!, not only sincere. But the action must be made!!

Berm, a sixty-year-old man, hopes that the land conflict problems will be handled with sincerity by applying the boundary in 2000 (B.E. 2543) and a limit of the authority's power. I think that I want to propose my solutions. I think it's the right time to solve the WNK land boundary problem altogether with sincerely action with...all related public sectors as well as civil society. I was one of the leader of the WNK forest conservation group. As a leader, I believe that...The first solution is that the political problems must be solved sincerely in action because the politicians ran

campaigns that made the people here suffer. An election of a village headman in Wang Nam Khiao area bought over 2,000 votes. Politicians should emphasize progression on the right boundary, especially, the 2000 boundary must be applied to fix all problems here. I think that we must be brave to fight against what is wrong altogether. There were politicians who promised to provide supports, but it was just for getting votes without any sincerity. So, we have to fight with the big mistakes here, the area of Thaplan national park. People here, villagers... here have our hope to fight for our rights and freedom. This is our country, our land. Even if hope is dangerous when it compels you fight a battle you can't win, by the way, we do our best and all movements to overcome such barriers. We hope to live for and to achieve! The second solution is that the roles of the park and forest officers should be reduced or limited in order to promote flexibility of forest management. Some part-time park employees wore the park uniforms and extorted the people by claiming that they had the duties to do so and the people misunderstood and believed their words, etc. I'm really glad that the prime minister ordered the command to integratively solve the land problem. I think the forums will be held until the border in 2543 B.E. is reviewed.

Nut, a sixty-five-year-old man, insisted on the ALRO right, along with B.E. 2543 boundary. The ALRO should be used as land right so as to reclaim Sor Por Kor land from illegal occupants over the national park. The state should give more power to the right of Sor Por Kor, for our communities here. So, people are not illegal anymore under the prohibited areas. However, the problem of ALRO that could not survey all the areas in the past because there were not enough officers at that time and we need to sympathy them. So, the officials at that time, solving the problem by declaring the areas in accordance with the law without measuring and told the villagers acknowledge later that as ALRO area by posting their signs and signals to be the ALRO's boundary. Most villagers don't really know that these areas belong to ALRO. During the same time, the villagers took that land they occupied to sell to others without knowing that their areas are ALRO's boundary, and then the officers arrest them. I think it's not fair to them at all. The Thai state should be do take serious action to solve the WNK land boundary dispute. Also, Thai state should impose some laws and policies to push the 2000 (2543) boundary as the boundary of fairness to all related people here as well as the raising of people's standard features of quality of life. At present, people

live here a feeling fear and unhappy, Thai state and related social organizations should keep our feelings of fear and unhappy so as to concentrate on what and how we gonna do to make people here live their lives better than for this moments! All people should have their own reasons and values to live without life-threatening!

Park/Forest officers:

Paitoon, a fifty-five-year-old man, suggested that imposing the ALRO right can help villagers to live peacefully under Thaplan. He revealed his concerns over bureaucratic administration of governmental organizations, notably from the subdistrict administrative organization—SAO in Thai Samakkhi subdistrict. He insisted on the B.E.2543 boundary as resolution over land and boundary concerns. I think it's not hard to solve the land conflict here. We should seriously coordinate to resolve the problems together in action as soon as possible. If people are living in the zone of the national park, so the park should allow the villagers to live like in the past with the land title as ALRO right. The right was not lost. But it is only on the paper that identifies which person earns the right over which land for cultivations. They could use the lands to guarantee their loan. The person would still have the right to cultivate over his land even though he has used it to guarantee his loan. So, the government should give rights to the people. But if they are the rich...the exchange of previous land owner to the rich, the state officers should arrest them at the first glance that they were building the resort or houses at that time. Rich people in Wang Nam Khiao loved to buy famous lands to build their houses. The purchases of lands were not known to the governmental sector. They exchanged land to each other like thief stuffs being exchanged. If asking why officers did not go into the areas and tell these people or arrest them, as you could see after the year 1980 (B.E. 2523), we hadn't had a lot of officers. I think not over than 2 officers which were the header and the assistant. Asking about when they built the buildings, why did the national park officers did not notify Wang Nam Khiao governmental office that it wasn't right to do so. I asked when someone bought a land, how come he didn't go to check the background carefully first. The problem was arisen as the rich who came to buy lands and build houses within investigating the lands they bought carefully. So, it has seemed to be like they bought from thieves because the purchases of lands in Wang Nam Khiao were not fully legal. Why didn't any officers

go in to tell them or arrest them at first? As you can see we have a few officers; not over 2 officers. I think, who were the head officer and the assistant. When building the constructions, why they did not notify the forest department of Wang Nam Khiao that these constructions were not legal to do so. I'm asking when you buy a land, why you don't check the information carefully. Normally, what should be asked are 1. Does it have the land deed and how much does the land cost? 2. Then, you can compare with the land department whether the price rate is correct or not? Especially, the 2000 boundary should be applied as new boundary for WNK people with all empathy and compassion. The 2000 (B.E. 2543) boundary was done by the government budget of around 2000 billion bahts. That was to reshape the area with GPS technology and had the poles to pin all over the mistake areas. All related people and officers such as village head men, villagers, and the park officers came to survey all affected areas over Thaplan in order to divide the degraded areas that belong to villagers and add the forest for the national park areas. But, we need to take serious action to use the 2000 boundary. You know why? It is good but it cannot really be imposed. We can make deforested areas become beautiful forest areas again. If we do not try to bring back the deforested areas, they will never get better and the areas will increasingly disappear. The forests can also revive themselves if there is no one invading and destroying them. (The idea of the separation between forests and people, people have inability to preserve forests) Reshaping the boundaries is the thing that should be done. However, it could not be done as they let the time pass by without finishing the procedures. The people who would be able to get things done is the government. But it is up to them whether they would sincerely determine to accomplish this project. If the government don't do it, they will have a problem with the villagers. It is not our job to argue with the villagers but it is our duty. If we didn't do our duty, who else would. The soldiers also did do something, when we talked about the Reshape to those who would work on this improvement. It is beneficial to the villagers who bought the lands from someone else (Lands which change in hands) because they would not be affected much. However, we would lose a lot of forest areas, around over 100,000 rai in doing this Reshape project. We have still used the 2000 (B.E. 2543) boundaries as if anyone has surpassed the boundaries 2000, we could arrest them immediately without any excuses. They would accept if they have surpassed. However, it has not been truly imposed yet. I agree

with the use of the 2000 boundaries as it could truly eliminate the problems. As the forest department's officers, we would love to keep some deforested areas as they could still be revived. It is the job of directors to do. We have just done what have been ordered as our duties. The 2000 boundaries seem to be the gap for the rich as they bought the lands and they got benefits from them. We've given it to ALRO to take care of. But for me, I still think it is not possible as ALRO has had many lands in control already like around 30-40 Million Rai.

Numphol, a fifty-four-year-old man, suggested that we need to solve land conflict to help people to maintain their autonomy over forest with animals. Now the National Park department is rushing to solve the problem, but it must be based on the idea that "Human can live with animals." For example, the natural food source creation a project; to bring animals back to the appropriate area or creating network with the public and people who are interested in studying the area where wildlife are trespassing the community area. Another interesting project is "Fan Palm returning project", started in 2005, by having communities take part in growing Fan Palm. When the palm has grown-up, a community can benefit from them such as making basketry. It creates jobs for the community and returns the Fan Palm to the forest, which is an activity to reflect that "Humans can live with the forest" by depending on each other.

Suthep, a fifty-year-old man, expressed his feeling in strong desire to solve such land issues. He also accepted that he didn't have any information of the B.E.2543 boundary. According to my opinion, I would like to survey where people's lands really get in trouble. And, then we ask to reclaim the degraded land, if it is suitable to become a forest. The unsuitable one will be allocated to the people. How can it be cured to prevent a change of hand? How will we plan? And how do we promote people? We have to have our sincerity to cope all problems with all attempt on conflict. I confess that I missed that B.E. 2543 boundary line event. I will not have a comment on what I don't have its information. I have a concept that if the people move into somewhere then the problem occurs, what the government intends to solve, it means that the government have considered to solve it. However, we must ask who will benefit too. We must accept the cause first, then how will the government cure this, how to separate them in groups, so they can fix it at the right point. The government will lose the benefit, of course. But after giving it to someone, who will he give it to next? Because the

committees have regularly mentioned in the meeting that “if land really reaches the hand of the poor, they will accept, but not for the rich.”

Local officers:

Sek, a forty-one-year-old man, needs a sincerity of other social groups to solve the land problems. He interestingly suggested that “the people is important so does the forest.” He suggested that local forums help to set the same direction in people’s preferences over land conflicts. He narrated: I think that the person who can decide and end these disputes is a senior executive with compassion who really wants to solve the problems and without the political games that should not allow, because, in the past, when some executives really wanted to solve the problem, the opposite political party brought up an issue to reduce the reliability of another party, such as, solving the problem by relying on the B.E. 2543 boundary in order to make benefit for the investors etc. I think that defining the B.E. 2543 boundary line will separate the real forest area and non-forest area and help the people to utilize such land, because, at present, the separation of the real forest area and non-forest area does not correspond to reality. “The one that should be, it’s not. The one that should not be, it is.” That’s the point we really need to take actions as soon as possible with all effort for our country and for our people. The people are important; so is the forest. So, the state should impose some new national park act that can save people here. However, to impose it, a new law needs to be revised because this park’s idea has been assaulted greatly from conservators. This is because in the future there would be an amendment of the National Park Act B.E. 2504 which can divide into 3 categories including 1. Prevention of habitation or intrusion 2. The tourism part in the national park 3. The part that allows people to live with the forest. They are meant to be issued to be a new law and have been heavily assaulted. Considering the boundary line from 304 road, if it’s 500 meters far from it, they must be arrested. If the arrester is a park officer, I ask that why arrest some building and spare some too. They answer that they will arrest if they are resorts or big business places or big houses that seek profits. They will not arrest, if it’s a villager house. Then, there is a problem about law enforcements. If it’s considered that the B.E. 2524 boundary line is correct, everyone who live 500 meters far from 304 road will be guilty. They all need to evacuate from the park area, or the boundary line need

to be corrected sincerely. Therefore, arresting only some people is a law unfairness. Then, we must see whether to alter the man or correct the line. If consider the basis, there is a Local Government Act, B.E. 2457 about Thailand local organizing which consist of village, tambon, aumphoe, province. Originally, this area was an area of aumphoe Pakthongchai since 1908, aumphoe Wang Nam Khiao since 1996. In 1872, it was originally an area of Pakthongchai, there was Ban Busai, tumbon Sakaeratch, Ban Bupai, and it became 11 villages from 2 villages. As people come before the declaration of Thaplan national park, we have to see whether correct the line or to evacuate people. It was a meeting as the problem occurs and the villagers have collected the name list to propose to the commissioner, and I came to explain and the commissioner came to survey, then the ombudsman and the Environmental Commissioner too. Later, there was a study which found that the people lived here before the declaration of national park area, and the Forest dept. or the national park dept. were well aware of this. In 2000 (B.E. 2543), there was a resolution and boundary line defining, but the committee who survey the area commented that the boundary line should be corrected, but all of the comments were just documents. It had no sanction. The governor commented that it's an idea and action of independent organization, not from the administrative section, so they formed the provincial committee. It's a summary of the background of the land and the establishment of tumbon Thai Samakkhi, tumbon Wang Nam Khiao and the consideration of the province. In the revision, there are 3 sections including problem conditions, facts and desired solutions. The ALRO right also has a lot of problem because it cannot be sold or change hands. Some buy it for farming, or for resort because the ARLO is for the poor to make a living or farming. Back to the ALR, the ALR Act B.E.2518 has a purpose to allocate the land to farmers who does not have workspace. The state lost their possessed area so that the farmers had the land, and the state must provide utilities. Sadly, in fact, the ALR has never provided anything except the land. When they cannot do agriculture anymore, they sell the land to investors or some of them send their children to school and establish the restaurants. After that, they are sentenced to be guilty. Sometime, there are investors who see that Wang Nam Khiao has good weather, so they buy the land for resorts which I divide into four categories.

(1) Currently doing the right ALRO and do farming with no changing hands to others.

(2) Come to buy land and do agriculture which is in the objective of ARLO even if they do not claim the land by ALRO method. This case should be allowed, but it can be trading encouragement. Instead, they need to rent the land to fund the ALRO for further land purchasing for allocation. (3) Change from agriculture to trading or resorts. These people can self-develop their own land without any help from ALRO. They should not be chased away. They can develop until it becomes a resort or restaurant. From the person who has nothing then becomes a person who is rich. They should be given the reward. Should they plant corns for the rest of their life without any electricity or plumber support from ALRO? They don't even build a road, and yet they prohibit the resort. (4) The people who buy the land and build the resort in Thailand have the land with title deed or ALRO. The cause of the purchasing is the support from the state which supports Wang Nam Khiao to be a tourist attraction. The Section 30, paragraph 5 of ARLO Act authorizes, the ALRO to declare 15 business types that relate to ALRO, such as, salon, construction material, petrol station, restaurant. After the declaration they propose a 16th which is agricultural learning and tourism accommodation. There will be the relating activities, such as, planting grapes within the resort for tourism and agriculture, making non-toxic agriculture or eco-tourism. How could they get back to just farming only? There are all the big issues to think and cope with sincerely by all stakeholders along with the government. There must be consideration of what I proposed. I propose to report that it should be done urgently to relieve the damage. They should delay until they force arrestment, but the arrestment is a matter of the park, and it should be delayed. As it comes to the Commissioner, the fact suggests using the B.E. 2543 boundary line, and transfer to ALR. Wherever the meetings are held, the same result is yielded which is ponderable and reliable, and comes from the comments of the villagers. If the villagers' idea is not responded, the B.E. 2543 boundary line will not occur. The lower-level stage can forward this matter to the higher-level stage. It's up to the authority of those who make the decision. It is a political issue. The problem of land is really necessary. If they were not in trouble, they would not come to complain. If any government tries to solve the problem, they will be assaulted by the opposite political party. When it comes to a military government, if the leader dared to decide, the problem would be easier to solve. The B.E. 2543 boundary line does not benefit some certain groups, but it reflects an overview. There was a concern that the B.E. 2543

boundary line may benefit an investor group. The solution information that I have made contain all 54,000 Rai. The resort is about 1,000 Rai. Some of them are reorganized to match the B.E. 2543 boundary line. Some villagers areas are park areas, but the villagers do not know. Some parts that should be a park areas are not, but some parts that should not be park area are park area. The important thing is to have a guideline or an agreement in the same way. A small forum can lead to the same conclusion. Overlapping area issues are not only issues between the villagers, but also a problem between the government authorities. Local administrative organizations who have an authority and money in local administration, such as the Department of Highways, hired a contractor to build a bike lane, but the national park prevented it because the Department of Highways may be accused. This action caused the state to compensate for damage. In addition, there is the ministry resolution that prevents the government authorities to arrest each other. I don't understand. The government authorities have never talked to each other. It is unbelievable. The reserve forests have problems too. The law state that before becoming the national park, it needs to be a reserve forest first which require all of the space. It began at the Forestry Act 2484 which stated that the land does not belong to anybody, it was the forest. Later, there was a new law, the National Reserved Forest Act, B.E.2507 (1964), stating that how would the forest would be, how much space it would have and what was its name. Then a ministerial regulation would be issued. The first ministerial regulation was born, ministerial regulation 505th B.E. 2505 (1962), which state that this forest would be called Wang Nam Khiao forest. It covered the area of tumbon Sakaerat, aumphoe Pakthongchai with an area of 299,137 rai, the whole Aumphoe. In 1975, the Agricultural Land Reform Act (ALR) declare a royal decree to allocate and reform 200,000 out of 299,137 Rai from Wang Nam Khiao forest. Later, in 1981 (B.E.2524), there is a declaration of national park area. In 2000. (B.E. 2543) should be an ALR area because the law stated that this two hundred thousand rai was given to be ALR area. Today there is a problem about overlapping of law. The next question is that if there was a declaration of Thaplan national park, would it lead to the cancellation of the Land Reformation Royal Decree? Can the latter law cancel the previous law? The National Park Act did not state anything about that, so it did not cancel the Royal Decree B.E. 2521(1981) which is still enforced and become an overlapping of two laws in the same area which is caused by an official

section. I think this 200,000 rai which is an ALR is in B.E.2543 boundary line as an operation area of ALR which has placemarks. I also have its map. The forest department as well as the national park would know the B.E.2543 line because there was a proposal to UNESCO, but the lawsuit still used the B.E.2524 boundary line. But the B.E.2543 boundary line was used when proposing to UNESCO. As they know this fact, why would they still use the B.E.2524 boundary line? We must ask about the fact and overlapping and also confirm the fact to UNESCO. The B.E.2543 boundary line is being stated as correct by the order from the Royal Forest Department, and the Royal Forest Department has realized that it is overlapping. Then, today, you are telling me that they will use B.E.2524 line and abandon the B.E.2543 line, aren't you? (mentioned to the forest and national park officers).

Somboon, a fifty-two-year-old man, proposed using the B.E.2543 as the boundary of common good. He revealed the weakness of Thaplan model. He mentioned the inability of State government that regularly changed policy according to the year they possessed. If they do not use the B.E.2543 boundary line, it will be difficult. It will be a thorn in the Ministry of Resources and the Park Department, because the area is no longer in park condition. As I talked to the park officer, I said I want 2 things. Firstly, the boundary line of the preserved forest by law should be removed. Its current area cannot be used as a preserved forest according to Section 16 and 19. Even the stone, rock or sand cannot be brought out of the park area. It's a element of the law. If it's like this, the content of the law will be unreliable. It does not mean that the law should be amended. But the area should be moved out from the B.E. 2543 boundary line. Secondly, this splitted area, about 270000 rai, should not return to its former condition. It should be managed in the way of the budget of how to use it, as a barrier or something. It should have regulations because this area is a water source. And what about the waste and noise and people issues? There is no need to leave the preserve forest, then all go back to the same, or it will be condemned by the society. How will we have a role in forest management? I think we are in Thaplan model. If we evacuate people and begin demolition, the economic system will suddenly be broken, and protests will occur again and again. The only thing that can be done is, first, this area must be excluded from the forestry law. Second, they must have a management system for terms and budget. How will these people live? by what right? A system must be arranged. How will your

businesses benefit the community? For example, you have a resort. You've come to eat here using water here then how will you repay it? If there are no funds, then they will return in what tax form? We will design together. About the waste and environment matter, you cannot be carefree as in other places. If they live here without removing the existing people, they must have conditions that can be accepted 1) environment 2) community 3) forest. How will you manage waste? How will you manage the forest? And noise and the tax that will return into the community, for example. It has been stated, but this idea requires that the authorities decide to execute it. There were a few meetings at the provincial level. I have proposed to the governments, independent organizations and commissioners. I am trying to push this matter on, but the result depends on their understanding. The resorts want the land rights. But we are conservators. Any right will be fine, it's just to have a right. But you also need to look back about the resources, environment, social history and community. If you can't be under these conditions, you will be prosecuted, just like at Pa Ngam resort. Our expectation is not to demolish or destroy, because the park law really states just that. Because the law prohibited us to break, demolish, or delevel the area. Even tourism business cannot be done because the intension of the park law is to protect the forest and make the area have a fertile ecology. It must answer to society why the resorts are excluded from the world heritage site. It's also a water source. If we look in an ecological way, resorts should not be there. If we look in the conservator point of view, this area is sensitive to chemical substances which should not be used. And the sound should not be made in this area because it interrupts the animals. If we look back in the past, we must understand the government and the people of that time. We are a developing country. We need to sell timber for export, but if we went back, it would be like a "Blaming" "the forest is lost because of concession". The government itself said that Cutting just a part, not all of them" but they forget that, in concessions, there will be a bad worker who burn it. They do not cherish it. They wanted it burned, so they would have open space to grow crops, since the state also promoted economic crops too. This required a large space. However, the academics concluded that the forest would be lost because of economic crops. There was no tractor in the past. How much area did it yield if digging by hands? But the tractor can dig tens of rai. The forest was really gone because of concessions, but there were several related factors. We are not

looking at only one side. As we fight, we claim that we lost because of the concessions. The concession was one thing, but the villager was starting to get inside too. There were several factors that cause the forest to be lost. The 304 road has a part in it. As the road was improved, the people got inside easily. It resulted in more wood cutting and wildlife hunting. We must learn and move forward. We should not focus on solving the people issue. The resort needs this, the community need that. We must look at the other sides such as resources and outcomes. Well, their ancestors were deforesters. They didn't say it was wrong. They did not destroy the forest in that day, but they did in the past. The royal forest department, too. The new occupants say that they don't destroy the forest, but their areas were forest. It can be seen from past photographs. The new occupants are trying to grow trees, I understand that, but I look at the past. The farmers really intruded the forest. Recently they did not destroy the forest. There was a change in the government policy for deforestation. However, it was just a different point of view. The Royal Forest Department has their own point of view, and the people have their own point of view too. Everyone is wrong. They all accuse the others. It never ends. Everyone has a part in that. We cannot go back and see it. We have to look forward. When I fight over forums, I am the one who argues. As I look back, I look at that fact. But first, we must push forward to the end. I don't know how they were taught, but for the park department, they believe they were right and they must protect the forest well. In fact, if we see the history, the forest was established for international trade. I used to read that they put some seal on the wood when they cut it down. But, when the forest was depleted, they became forest conservationists. But these conservationists think that the No.1 threat is human. But in the social developer point of view, the balance of an ecosystem must consist of human, animal and forest and how to make them rely and coexist with each other. In the future, I think the National Park department will have no ability to conserve the forest which may be because by limitation of budget. They used up a lot and they can't have rangers in every square inch. It's impossible. The local community must be stabilized and developed until they can take care of the forest. They must think that it's their own forest, so they will help taking care of it. But if they blame each other about the past mistakes, the mob will accuse each other back and forth. For us, politics is the main drive and it's unstable. Unity in managing the forest in Thailand was always attached with politicians' benefit or something else. But, at local level, they

live as they are, and there may be some trespassing or breaching. It's normal. But if we create responsibility for the locals, you will see that ... the forest doesn't need to be in a national park to be the forest. Dr. Siripongthip, who was a director of the space station, said that the forest in Wang Nam Khiao had grown during the 6-7 years after the people moved in and the resorts were established. Is it called a forest in the local point of view? Yes, but locally, not legally. Even though the forest in the park is legitimate, but the real forest area is but small. It is mostly community area. We must use fact. It's not that if there's a boundary, it's a forest. But in fact, it's not a forest. Community exist there. It is only because the government want to preserve the park area more than thinking about facts. As there are many families within the communities under the national park, you can have an answer about involvement, about sustainability, about everything. So, instead of wearing camo and holding guns (forest ranger uniform), you can hold pens to help people about the boundary like B.E. 2543. We need to fix the land conflict with all effort and with sincerity for all people here. If we're community developers wanting to develop people, we would find topics. If we work with the community, we find a topic first. What topics should be main topics like how many homeless, how many families. If we talk about residential and bring forest to create a learning process, it will be very amazing! Forest officer must take care of the forest as well as take care of the forest in "people's heart" that provides more results. If there's more social rule, how do we develop poor people to have more potential. They need to develop their economy. They may go to find bamboo shoots in the forest as the way they are. What I mean is, to change the thinking process of the National Park department from elimination to protection. It is a teacher that will teach responsibility to people and create social consciousness. I have proposed the park and forest officers to postpone arresting people who were charged of invasion of the national park. The first thing to do is to gather facts and information, and create a common understanding. So, I advise that they should stop prosecutions.

Jonkol, a seventy-one-year-old man, as one of witnesses over the reshape of the B.E.2543 boundary line. He said this: I think the B.E.2543 boundary is the common good boundary for people here and for the national park and forest officers. I was one of the witnesses to create the B.E.2543 boundary. I separated the communities myself from the forest zone. If you want to see it, you can ask the SAO to take you to

take photos there. In 1997, General Chavalit was the prime minister. The cabinet had a field meeting in Wang Nam Khiao area. It was agreed that the border announced and overlapping with the villagers' and communities' lands would be inspected and revised in order to prevent excessive invasions of the forest. Both parties including the park and administrative party were satisfied. So, a special group of provincial committees was created. The chief district officer was the chairperson. The committees were the Royal Forestry Department, Land Department, sub-district heads, village heads, and police officers. The group worked from 1994 to 2000 with the agreements of all parties including the Royal Forest Department, Land Department, park, administrative party, villagers and experts. In 2003, the Department of National Park used budgets to construct roads along the agreed border in B.E. 2543. All budgets costed many hundred millions. The roads were constructed around the park, and spiky trees were planted around the roads under constructions. In 2004 (B.E. 2547), border posts were used for indicating the border of the park. The resort owners wouldn't be arrested. After a year of 2011 (B.E. 2554), the border wasn't used by the park, but the border along the 304 road was used again. The border in B.E. 2524 in Thaplan area overlapped the communities' and villagers' lands without any inspection before its announcement. Mr. Phong Leng-Yee also accepted fault. In 2013 – 2014 (B.E. 2556-2557), he accepted that there was no inspection before the announcement. The police station and district officer in Soeng Sang District were also inside the park's area. So, all land conflicts must be fixed by applying the right border B.E. 2543. Well, the problem was that the park and ALRO had mutual agreements, and the committees also agreed to use the border in B.E. 2543. The ombudsman agreed with it too. The people from all sectors agreed with it too. No one was in trouble. The park was not in trouble. The border in B.E. 2543 should be used for communities sincerely. They resolution shouldn't be taken for granted!

Ae, a fifty-year-old man, revealed the witnesses over the reshape of Thaplan areas by offering the process of the B.E. 2543 boundary line as solution. I propose to use the B.E. 2543 boundary line as a solution for overall communities. People need a practical land resolution in in the near future because all segments were holding many forums each couple of years. All consensus needs to be urgently reached with all positive effort. It was a Royal Forest Department policy that coordinated with

ALR. The overall forest is called Phu Luang forest which is divided into Thaplan and Khao Yai, led by the Royal Forest Department. There are many people who participated in reshaping the boundary. I live in Moo 12, Moo 15 also surveyed this area and excluded the community area out of the forest area and made a boundary line. It also has boundary pillars. I will take you to see them and take a photo of them. These pillars are written to tell that it is a park area. They are concrete pillars 4x4 inches that separated the community from the areas of national park in 2000 (B.E. 2543). Well, in 2000, subdistrict headmen and village headmen already knew the boundary line and talked to the park. The incident of the past 3-5 years were caused by a new generation. They might not clearly understand. The present village headman doesn't know the real boundary line, so they questioned a lot of witnesses to find evidences and information. As the administration committee changed, the information was also lost, or the new one didn't understand as much as the old ones who were more familiar with the area. In fact, you know, if they wanted to be a village headman or subdistrict headman, they needed to know the area and boundary, like they are a villager representative. For example, the SAO member may know less, because of a difference in responsibility such as to manage the income and expense to construct the road, plumbing and electricity which are not related to the local administration. As I said before, the forestry department had already known this. Suppose that we are sitting here in the forest area, but they make ALR measure the area. Supposed that is Moo 15, where I lived, they do this much, this is an ALR, and the work land right are in this scope. Beyond that it is still forest area. The Royal Forest Department and National Park Department responsible for it. In this part, the royal forest dept cannot interfere because it's in ALR responsibility. Where there is a problem, the ones which reach beyond this line are Moo 10, Sub Tao and 16 Sub Plu which are adjacent and nearly overlapping with the park area.

Buddhist Monks:

Phra Chailit a fifty-two-year-old monk, concluded by referring to The B.E. 2543 boundary line. Moreover, he commented on the issue of "Buddhist Park" (Buddha Utthayan) over Thaplan areas as well. He said:

The B.E. 2543 boundary line should be revised and used to apply to solve the land conflict and should be investigated further to prove invasion rights from the investors. But it should be done quickly to use B.E. 2543 boundary line for the villagers who have been doing agriculture or inhabiting are safely from some corrupted officers. The use of the B.E. 2524 boundary is considered good, but the implementation of public will may be unsafe from extortion, which I have faced before. The officer may take advantage of the B.E. 2524 boundary line with the villagers, so they must be advised not to wield power unjustly. The government should take care land conflict issues seriously! They should make it clear which areas belong to villagers or working space, not for investors, and which must be placed out of the park area. That is for sure. A park officer should meet with the communities to provide knowledge. I have been living here for 8 years, but have never seen any officers providing any local knowledge. So, the boundary lines should be redesigned. It should allocate areas which already have title deed out of the park area to prevent the officer to abuse the villagers. Also, the idea of registration of temple areas in the park area as “Buddhist Park” (Buddha Utthayan), I think it’s good idea. But there was no legal certification. This concept was proposed by Suwit Khunnakitti (a previous minister of natural resources and environment) to register temples in the national park area. However, the law should not be guaranteed to be completely legitimate as it may cause problems for the temple later as there might be too many buildings constructed in the area. It should keep the as much forest area as possible as temple area and assign the temple to take care of the area when it is registered as a Buddhist park. But this document is with the park, not with me. Development need people with strong will and who truly care about nature as well as communities, because we are parts of nature. They should not take advantage for their own benefit. Because, at the present, benefits are involved too much in society. Some monks tried to build temples over the prohibited areas...I mean under the forest zone that was wrong.

Phra Sak a fifty-year-old man, supported for the B.E. 2543 boundary line. He narrated: I propose to follow the B.E. 2543 boundary line because, if not, where would the government migrate the villagers? The truly invaded area would still have to be enforced by law. I think it should all be converted to ALRO soon. Our society needs sharing all resolution with compassion to solve communities’ problem and also the

country's problems. All effort in the future should be taken to care for all suffering and severe pain land conflict over moral communities as well as the country. To make ALRO area and ALRO right will make a guarantee to the bank the same as Nor.Sor.3 Kor or title deed. And I see that they should define more boundary in using ALRO area such as allow establishing resorts for agriculture, but not allow any factory to construct here. I hope people can live peacefully in the forest like before.

In summary, the group of villagers concluded to use the B.E. 2543 boundary demarcation as the final fair border for all communities as well as state activities. The NGOs group also suggested on the B.E. 2543 boundary demarcation due to justify border lines with GPS technology as the right and fair boundary for all. Some suggested to give the ALRO right as a land document used for communities to prove land possession. The group of park and forest officers suggested to use the B.E. 2543 boundary demarcation and to allocate ALRO 4-01 document for communities to claim over land possession. One interestingly stated, "Human can live with animals." The local officer group concluded to apply the B.E. 2543 boundary demarcation with ALRO 4-01 right. For the Buddhist monk group, all suggested to apply the B.E. 2543 boundary demarcation. One mentioned to "Buddha Utthayan" for temples to stay in the park zone.

5.2 Part 2 - Narrative Forum

Narrative Arguments in Public Forums:

In Part 2, four cases of minipublic forums were analyzed across distinct institutional designs to test the quality of deliberative democracy and interactions within such institutional designs and preference transformation over land and boundary conflict resolution. The different public forum cases are likely to play a central role in raising awareness on systematic investigation of the extent to which democratic deliberation is enabled from within. Fung (2003, pp. 338-339) interestingly gives definition of minipublics as, "They convene citizens, in the dozens or hundreds or thousands, but certainly not in the millions or tens of millions, in self-consciously organized public deliberations." My study, therefore, attempts to gain insight on dialogues of the four cases to represent on building justifications of phenomena at different institutional forms of public forums using the following respective cases: 1)

PAC Forum, 2) Korat Forum, 3) Ministry of Natural Resources and Environment—MNRE Forum, and 4) Wang Nam Khiao—WNK Forum.

The First case (PAC) was the official meeting at ‘Thaplan national park’ in dealing with conflict resolution. Social actors included the park chief, national park officers, local state as well as the representative villagers and NGOs—approximately 20 people in mini-public forum. The Second case (KORAT) took place at ‘Korat Provincial Hall meeting.’ The forum included related government sectors, civil society groups, national park and forest officers, and the representative citizens from Tumbol Thai Samakkhi. There were approximately 50 people over forum to actively engage and deliberate through narrative arguments. The Third case occurred at ‘Ministry of Natural Resources and Environment’ (MNRE) meeting in Bangkok with the representative minister, the representative citizens in Thai Samakkhi as well as civil society groups approximately 30 people on the meeting, and the Fourth case (WNK) was considered as the biggest mini-public forum. It took place over Wang Nam Khiao Town Hall Meeting with the targeted mobilization of up to 500 people meeting for one day and a variety of civil society groups, notably wide range media channels. Almost all villagers were gathering and engaging in the public sphere on narrative forum.

Drawing on empirical research from four case studies, I questioned: (1) how do group-based communication with such as state, local officers, park and forest officers, NGOs, and the representative citizens *respond* to such land conflicts over Thaplan and engage in public deliberative forums in handling their interactions over such public forums and in achieving rational consensus for the sake of common good and justice into the policy arena succeed? And how was the quality of public deliberation and the quality of participation attributed beyond different public forums regarding normative aspects of deliberative democracy? In exploring these questions, I show that the four public forum cases pose fundamental challenges to the ‘compassion and reconciliation’ of public deliberation on land and boundary conflict resolution in real-world politics as well as encouraging informed debate and deliberation on policy issues. According to the data, the praxis of deliberation showed the five significant characteristics of mini-public forums: (1) types of mini-public forums, (2) Informative Source, (3) Participation, (4) Government capacity, and (5) Justification of Arguments in preference change.

Table 5.1 The Summary of Four Cases and Characteristics of Mini-Public Forums

Case	Types of Mini-Public Forums	Informative Source	Participation	Government Capacity	Justification of Arguments in Preference Change
1) PAC (May 2015)	Educative forum	Stories and evidence-based data	Unconstrained conversational speech	Public Interest	Justification with an illustration based on social evidences and common good
2) KORAT (July 2015)	Participatory advisory panel	Stories and evidence-based data	Unconstrained conversational speech	Integrative capacity	Justification with conscientiousness
3) MNRE (February 2016)	Participatory Problem-solving Collaboration	Stories and evidence-based data	Unconstrained conversational speech	Public Interest	Justification with an illustration based on social evidences and common good
4) WNK (July 2017)	Participatory Democratic Governance	Stories and evidence-based data	Unconstrained conversational speech	Integrative capacity	Reinforcing rational justification with compassion on common good

A Case Study I: PAC mini-public:

PAC was a mini-public forum that contained the representative committees related to a specific area, notably officers from Thaplan national park. Other group-based communication were the representative villagers, local officers, NGOs, the officers of the Freeland foundation, officers from the ECO-BEST, an officer of the elephant conservation center for Dong phayayen-Khao yai Forest Complex World Heritage program, and the officers of the Hornbill conservation Club. The target of the meeting was to play a critical role in focusing and solving such conflicts over Thaplan in order to bring about the sustainability in the state and community. The prominent member of park and forest officers were making their arguments on the causes of land conflict and its resolution. The forum opened with an introduction by mentioning ‘Thaplan as World National Heritage by UNESCO’ and ‘community participation.’ Later, such forum opened arguments on the land and boundary conflict and design of a decision process giving individuals equal chances to speak.

Type of Mini- Public Forum:

PAC public forum was considered as ‘educative forum’ because the process hoped to ‘form, articulate, and refine opinions about conflict issues (Fung, 2003, P. 340). Pack, allowed people to fairly narrate which included multiple voices from each group. They took their turn in discussion of land conflict resolution. Also, participants gave information such as social history and evidence, and stories related to conflict issues. However, such forum should include more lay citizens in institutional design to avoid the elite deliberation in nature—elite bodies (Fishkin, 2014, P. 29) that can potentially reduce asymmetries in civic participation. Such forum linked skillful citizens and elected elites in deliberative systems from diverse horizons. The forum enlarged the public views on land conflicts cases and attempted to solve such severe problems by passing their public views through the medium of an elite body forum. The discussions were steered in such a way that they arrive at clear positions with respect to the issues debated on land boundary conflicts over Thaplan and led to tentative policy. Nevertheless, the elite nature of the forum structure might be questioned as to the legitimacy in validity claims; nevertheless, the good elite deliberation, notably this study, might be considered as transparency and openness to the public eyes, and not

just taking place behind the closed doors. About the resolution of overlapping areas, as I look into it, most of the ARLO is in Prachin Buri. There have been several meetings and fieldwork to see how much area have been overlapped... I focus on the tourism conservation. One important thing that I always consider is the collaboration in the community. Many people think that nothing can be done inside the park area, but, in fact, it can be done under the 2006 order... When they don't understand, they make a complaint. What we afraid are a complaint. Complain to the department, to the ministry. Then I have to inspect as ordered (a park officer). The boundary line must be made clear. What has been done, must be done better. I think that if the government is not harmed, so does the people. The villager must understand what the fundamental of the community is beside what we are agreeing about. Don't push it yet, or you can't complain later, because the officers have to follow the laws. (Forest officers) Excuse me, I want to ask the one who knows. About the reshaped area (B.E.2543 boundary). I'd like to tell that it uses some budget. Firstly, I would like to know who cancelled the documents. We have never seen them. Secondly, what is the cause? And another, the budget belongs to the kingdom, then, who is responsible (a villager).

Informative Source:

The diversity arguments were discussed related to story and evidence-based data with rational and logical ways. The flows of information were crafted in a variety forms of communication. The combinations of information were personal stories of elected elites and officers, scientific information technology, notably GPS for public deliberation. Personal stories—Story-telling was considered as testimonies to valid claims (Mansbridge, 2010, P. 67). One local officer coordinated GPS in each photo he took to monitor and map a location so as to present on forum for regulating cooperation and forging resolution over land boundary conflict by implementing an inclusive dialogue. I have a picture (GPS was presented on PowerPoint program). It is a picture that indicates the fact that forests and ALR are overlapping. It matches with what the head of the park said. Now we all understand the same. The map that is made should be utilized to answer who is where, because of the reshaped map (the new boundary map over Thaplan in B.E. 2543. Now all authorities and sectors have agreed to follow this. Let the people live normally. I propose that all of the existing channels

will continue as usual. And for the prosecution, it was proposed in the meeting that whether the sector can issue an order. I said the issuer shall be imprisoned because it cannot be done. So, the management had proposed to postpone which is management's technique, but all of them are during the execution. We just need to consider the reality that how should each type of ownership be decided? and the people should not be headstrong. It must be seen from many directions. The official should preserve. Which one is bold should be managed, which one has a lot of trees the villagers should preserve, so they all can live normally together. I think that the government should demand back the trees rather than the land. If they want to stay, they must plant trees and we will indulge to allow them to stay. Consider if it's appropriate. This is my idea. (an expert applied technology-related information) I'll answer. First, the one who cancels the order is the minister. Why? He said that a concept of changing the idea. And if you ask that whether it causes damage, it can be said that some works are halted. However, they must be continued, cannot be left out. You can be comforted because all of them are the truth. I'd like to see the picture that how do we move forward after this. I, as a committee member, can express my idea, can't I? (a park officer applied story-related information) Inclusion of a variety of information will increase validity claims of citizens-to state on deliberation that is an important potential of the quality of deliberation initiatives. Using technology and story-related information are interesting channels to raise awareness, educate, form opinions to deliberate on public policy on issues of common interest.

Participation:

Unconstrained conversational speech is necessary when citizens engage in praxis of deliberation. Freedom to speak is considered as basic right when doing deliberation (Habermas, 1996, P. 299; Steiner, 2012, P. 32) that means deliberation should be opened to all people who affected by the decision (Mansbridge, 2010, P. 2). No one in this forum dropped out of deliberation almost two-hour meeting. Skilled citizens are under pressure because of surrounded by the representative of state; however, they attempted to demonstrate their capacity for political participation. They learned to talk about politics and discussed on the resolution of land boundary conflicts, even if, they knew that they had the ear of the public as well as the political elite. They

are able and willing to deliberate with elite and state about serious political matters at a high level of deliberation due to their suggestion on resolution on common interest. Steiner et al. (2004) identified the high level of deliberation was the unconstrained conversational speech and action. This factor is important to achieve a high degree of praxis of deliberation on forum.

Government Capacity:

The arguments from the various group of government and park officers were based on the common concern on public interest view. The government recognizes the arguments of the general public. In other words, the state capacity was considered as fair dealing when engaging on praxis of deliberation. No interruption has been made to such forum when deliberating. The state used respectful language toward other participants when making the arguments. None of them used foul languages to interrupt them. The government capacity realized on the significant deliberation on forum to legitimate most of the decisions and policies that democracies adopt. They understood well in terms of the structure and systems to deliberative democracy. They offered the flexible surrounding to support the arguments that allowed citizens to think productively and creatively about the crisis over the land boundary conflict of the national park area and communities. By enhancing inclusion, the government capacity should be friendly and sincerely to such public deliberation. The right action with the right mindfulness are significant to gain a high level of government capacity because of treating each other with kindness not to cause harm to each other upon the basis of an ethical pathway. The government potential operates on the righteous ways to fix the dysfunctional society to function well by living in peace. The next quotation showed an example of feeling empathy in establishing the trustworthiness of other participants' data by greeting them to talk about such conflict. Currently our national park is being registered for world heritage, and we are focusing the community participation. I will focus on suppression beforehand. Sometimes, when we catch him, he says that he does not know that it is a forest conservation area. He is a Khmer. He comes for sugarcane cutting. As someone induces him, he migrates in because of good payment. Excuse me! I see that in 3.2, the biggest problem is overlapping area in Thaplan national park. I would like to know about your concept in resolving the Thaplan national park problem.

If you would like to inform the consultant about your concept, please share your word (a chairman).

Justification of Arguments in Preference Change:

When land boundary conflict arising as severe issues as a national Thai politics, this has to pass through various phases of discussions and justification over preference change in both vertical and horizontal forums. This raises an issue for resolution by using social evidence referred to common good as final discussion according to this forum. Skilled citizens, elites, and state officers might set their hopes on the boundary 2543 as the boundary of common good as the resolution on the initial minipublic. However, the final resolution has not yet proved as final consensus approval. The justification of arguments shows the facts and evidences one-by-one participant over forum. Everyone in such forum engaged in getting access with freedom to speak and to act for community. The most frequently voiced justifications for land boundary conflicts could be put in the three categories. The first is justification of arguments by referred to 'justice' or a fair way for both state and community. Second, such discussions could be justified by reference to 'rational informations and stories in deliberative justification.' Third, there are considerations of 'common good without self-interest' of how community will live peacefully with development as freedom under national park by offering the new boundary (preferred 2543) to clear to set public policy as a final resolution. The high level of justification was be measured by engaging in real discussions and the preference change on the final discussion. The preference change was be counted as the expression of intensive information more than one preference on the basis of common good with rational justification and respect for the claims of others (Steiner, 2012, P. 188-189). The next examples of quotations presented the justification of arguments on common good for the conclusion at the level of national park forum.

Let me recommend this. Scope the whole park, then split to each tambon. They have both correct and incorrect ones. Mark them all, so, when the time comes, we propose the fact of each tambon. How is it? It will be easier answer the questions, and eastier to manage the park...Not using the information to arrest them. But, it's not that all will benefit. It's up to who is in or out of the rules. I'd to propose.

I'd to suggest that we prioritize this map, and then split into tambon. After that, we link to the aerial photograph, then, to the reshaped line, so, it can answer all the question. As we fill them all, it will answer the question. It will lead to systematicly resolution. Now for the concrete guideline. It is a big deal. It will be done like this mainly of each tambon. Bring the tambon to the locality. But not all of them. They should be bought for the Park Department to inspect them, but all of this must be informed for the Ministry of Resources to target them. As I said, I havn't done it, but I'm about to circling and answer the question to be concrete, so the problem can be solved. For example, in Nan province, the SAO and Aumphur cooperate to find the budget to do it all by themselves, so they can solve all of their problems. However, the readinneses of each area are not equal, and must consider the appropriation. If there is any way that cannot be done, then they ask for the government support. Let me express my idea a bit. Now, I began to see the light, the existing reshaped map must be use to resolve such boundary conflicts. Then, we identify the position of each tambon then put it together. Then should the Thaplan cooperate to each locality? it should. But if we wait for the officers, it will not be done. Now we must analyze the fact, and do whatever it is to make the Thaplan to be an example. That's all of the point. Today, it is clear. I think that head of the Thaplan park may have a guideline. In summary, we must apply the reshaped map's boundary line first. not all of them, it's just to be used as a guideline. After that, we fill all the fact into the reshaped map and prove that the conditions are met with the Jun 30 1998 or not. The B.E.2543 boundary will be used as a framework after we've discussed, and the conditions of resolution Jun 30 1998 will be used as a basis to prove the right. However, the government should turn to promote development, rather than a conservation of forest area as the head of the park said that the government should demand back the trees rather than the land (an officer).

In fact, when consider the B.E.2543 boundary line, no one can answer that who can remove community from the national park. How do we ensure that there will be no more invasion? None can answer that. Now we hold the B.E. 2543 boundary line. But, in practice, we hold the execution of the Jun, 30 1998 (B.E. 2541). For now, we always indulgent for almost the 14000 cases. Now, yesterday, the province, they offer the information about the fact that what year or when did they begin to stay. It is the offer of the fact, so the governor will make a proposal. We must check that who are

they? and when do they move in? Such as who do the farming, and who do the resort? We must take a look in the fact. It will be proposed to the above unit. I cannot amend the law. And it's not that you can do nothing in the park, but it must receive my permission beforehand. I understand that if we live selfishly. You see, tambon Bu Phram doesn't have much trouble because the people here are original habitants which are included in the resolution Jun, 30 1998, but there are a lot of changes of hand in Wang Nam Khiao or Thai Samakkhi. Some people bought it and then come to ask me for help. I said not to construct, but he asked somebody who said it can. It goes in the different direction with the fact, so the problem occurred. I said it cannot because there are many changes of hand, the resort cannot be constructed, then, I asked if someplace else have it, it is the same everywhere. I think that we should cooperate in the matter of conservation, participation in reforestation. I think the park has many things to help supporting the community incomes. I think we should view this side too. Maybe if we focus on conservation alone, I'm sure it's not good. Today the reshaped map should be taken as a basis to resolve according to the 30 June 2541 cabinet resolution. But, please don't construct more. They are condemned whether they arrest or not. Well. I have all the reshape information, including namelists with land plots and coordinates, especially in Thaplan park area. I can provide them all if you want. Now we have to create the scope for all of the park area, and then load the informations of each unit in it. We can use it when we do something about improving so that it can go together. But now I would like to know what information that each area representative has, and how far does the process go? (a park chief).

A Case Study II KORAT Provincial Hall Forum

Korat mini-public forum included all various social groups in narrative forum. The groups contained the provincial governor, the Army Area Commander, the representative government, the park and forest officers, local officers, NGOs, the representative villagers, and the ALRO officers. The goal of minipublic aims to collect the integrative will-formation in resolving such land and boundary conflicts. According to the integrative model, "deliberation is process through which people grapple with the consequences of various public problems and proposals. Participants focus on solving public problems in ways that are consistent with their publicly formed understandings

and ends (Mcafee, 2004, P. 53). People attempt to talk together to deliberate on matters and transform personal concerns to public forum. The meeting lasted three hours in praxis deliberation.

Type of Mini- Public Forum:

The Korat mini-public forum was a ‘participatory advisory panel.’ Such forums aim “not only to improve the quality of opinion, but also to align public policies with considered preferences (Fung, 2003, P. 341).” All various groups and levels of state decision-makers, NGOs, and civic groups drew and mapped their arguments in building consensus on the values to be applied in managing land conflicts. They were devoted to enhancing their legitimacy over the forum. They sought to revise the B.E. 2543 boundary (reshape map) as the policy resolution over Thaplan area. They made the rational argument as instrumental rationality with communicative rationality. The process in achieving consensus was well structured and formed for engaging discussions. Let me explain in this meeting. As everyone knows, we must think about the occurred problems and facts at this moment, and also the community organization to control the problems and prevent problem expansion. So, today, this is a meeting to find the conclusion at the provincial level and offer this conclusion to the government as a part of the decision to solve the problem. This happens a lot and for a long time. As it has not been solved, it continues to expand. Today is one more time. In fact, I have talked for sometime that if we don’t have a target, we do it aimlessly, and do not conclude. We must talk to the related division. At first, there may be conflict or disagreement. Then we all consider the solution in this council. It will become a conclusion such that everyone does not loss 100%, and gain 100%.”, thus the solution in our way is everybody “win-win”. We must hold this “win-win” principle. The second thing is how can we organize the Wang Nam Khiao community. We use reasons and facts to talk to each other. When we talk with reason and facts, Law and justice can be assembled. If we hold only one law or only one thing, sometimes it will make the operation more difficult because there are not only 10-20 occupants like the Klong Pla Yang. Even I have done only 40-50 households at Khlong Pla Yang, I was sued! This Wang Nam Khiao have a lot of people because it is the district. What can we do to make everybody lives together and able to preserve community and forest? We must

look into these principles of benefit and worthwhile. What do we gain and what is worth? Compare them. Both economics and development must be combined. This is the way I think, but I would like you to think before we decide that what will Wang Nam Khiao become. What kind of Wang Nam Khiao we want to see? At this moment, the department of highways have approved to make tunnels and roads. If we don't control it, there will be many people who come to Wang Nam Khiao. The problems and complexion will become more complicated. If we don't end the problem, it will be greater (the provincial governor).

Informative Source:

Stories such as social history, the cabinet resolution, and related laws were applied to present an overall mini-public forum. The photos and GPS were illustrated to show evidence-based information. The flux of information was smooth over the meeting from various group. Participants received informational materials, and watched a PowerPoint slide show to orient them. The Sheriff assigned me to inspect and solve the problems within the area of Thaplan national park. In fact, the council has determined the direction of the solution. The documents are already sent to you. Every council member knows and is ready for the meeting. I will present in Power Point. For the problems of Wang Nam Khiao in Thaplan national park, there are many other councils that have studied the problem in this area, such as the Office of the Ombudsman and the others. We have taken the opinions of the other council to consider the fact in the area and support our works and fact in the area (the Deputy District Chief).

Participation:

Participants from each group, both authorities as well as civic, expressed both verbal and nonverbal communications. They all were speaking in an unconstrained way through the whole process over three hours without any tension. The talk-centered from participants is necessary in grounding normative position in public deliberation (Steiner, 2012, P. 37). None of them were under pressure to give socially desirable answers.

Government Capacity:

Each members of the panel were respected from the government or decision-makers, and their advices were provided as a group rather than as individuals with integrative. The state capacity helped collaboration with better insight through story-based narration. Also, their capacity helped to deliver policy matters on land and boundary conflict resolution. They promised to deliver consensus to the next level of state apparatus by sharing results across public sectors.

Justification of Arguments in Preference Change:

The justification of narrative argument was interestingly presenting to mini-public forum. The resolution was made through the whole process of deliberation, notably through discussion and brain-storming the overall evidence-based information. The content of justification included the reference to common good, or what is concerned as good altogether for society on such this situation. The discussion beyond rational argument was clarified with its mission and goals in a sustainable way such as the proposing of the B.E. 2543 boundary, the fundamental social conditions with the ALRO right of document to prove civic right and legitimacy. The following quotations helped to clarify all justification capacity: I want you to imagine that what will Wang Nam Khiao look like in 3-4 years. I had a dream that if I were the provincial governor of Korat, I would want it to be an organic city. I think we should start with this Agriculture Land Reform for more than 3000 Rai. I set the next year budget at 20 million baht and I will explain to the bureau of the budget on July fifth. It creates jobs for people to earn income. So, Wang Nam Khiao is not yet done. Now I have a suggestion that I would like to spend 2-3 months so that this meeting has a conclusion before the governor's retirement. If there is no conclusion I will call the meeting more often until it's done to present to the central. How they will conclude is as their decision? Even though we need to do a little to help them clarify. If this makes everyone agree, then so be it. Is there a someone else who has any comments or anything? The second agenda is about Thaplan national park in the Thai Samakkhi subdistrict (the provincial governor).

We have to review the history of Wang Nam Khiao. How the habitat occurred in Wang Nam Khiao? Krom Phraya Damrong Rajanuparb established the governance in 1914 (B.E. 2457) which were village establishments and sub-district establishment. Many households gathered as villages, many villages gathered as sub-districts (tambon), many sub-districts gathered as districts (Aumper) and many districts gather as province. This is called local governance. From the official evidence since 1914 (B.E. 2457), Aumper Wang Nam Khiao was originally Tambon Sakaeraj and Tambon Takhob of Aumper Pakthongchai Ban Busai and Ban Buphai. Currently, it has become 11 villages of Tambon Thaisamakee. This is the evidence (shown by power point presentation). This is the coordinate of Ban Buphai in 1914 (B.E. 2457). It shows all of the Ban Buphai Coordinates since 1914 (B.E. 2457). It shows that there has been a tambon since 1914 (B.E. 2457). And, this one is the evidence of temple foundation since 1917 (B.E. 2480). This is the evidence of village establishment by the habitants. This is calling the people to register which has been used since 1982 (B.E. 2525). This shows the date when the first habitation occurred on July 9th, 2003 (B.E. 2546). This tell us that there really were village foundations in each year as official evidence. In the area of Wang Nam Khiao, it can be concluded that in 1867 (B.E. 2484) there was an act of forestry, in 1954 (B.E. 2497) the law of land was applied: in 1957 (B.E. 2500), there was permission for wood cutting at Songpaiboon Sawmill. In 1961(B.E. 2504), there was a declaration of a national park: in 1964 (B.E. 2507) there was a declaration of national forestry preservation. In 1972 (B.E. 2515), very importantly, the word Wang Nam Khiao was used in the 505 ministerial regulations which declared the Wang Nam Khiao forest to be a national preserved forest of an area of 299,772 rai. This was the first Wang Nam Khiao national preserved forest as determinind by analysis of all the evidence, such as people registers, establishment documents, inhabitants, land occupation law, conserved forest declaration that come before ministerial regulations for Wang Nam Khiao forestry. Based on ministerial regulations in 1972 (B.E. 2515), in 1974 (B.E. 2517), the Ministry of Agriculture and Cooperatives allowed the Nakhon Ratchasima Wood Trading Co., Ltd, the Prachin Wood Trading Co., Ltd and the Panthong Wood Trading Co., Ltd to have wood concessions in the Wang Nam Khiao forest area. In 1975 (B.E. 2518), there was an act of land reformation for industry. This was an act made by Agricultural Land Reform Office. Next, in 1977 (B.E. 2520) the Ministry of Agriculture

and Cooperatives that allowed the Royal forest department to change the land reformation area on degraded forest. As for the Wang Nam Khiao area, the 2nd division had evacuated the people to establish the village to solve stability problems. This village was named Thai Samakee in 1977 (B.E. 2520). In 1978 (B.E. 2521) there was a demarcation for Aumphur Muang, Aumphur Pakthongchai and Aumphur Chok Chai to be an Agricultural Land Reformation area. This is sequencing by year. Later in 1981 (B.E. 2524) there was a Royal decree which determined the area in Wang Nam Khiao forest, Kornburi forest and Wang Nam Khiao forest in Tumbon Sakaeraj and Tumbon Wang Nam Khiao to be the national park areas of 1,400,000 Rai. This is referenced in the 505 ministerial regulations on November 9th, 2002 (B.E. 2545). This is the map from the end of the ministerial regulations which show 299,722 rai of forest area. This is the area of wood concession from the old picture. This is the wood deposit area of Nakhon Ratchasima Wood Trading. And this is the picture of communist problem solving own by the army. This is the Royal decree on Local land reformation area in 1878 (B.E. 2421). This is the memorandum of the minister of Ministry of Agriculture and Cooperatives that was approved by Mr. Chantalaksathit, the 11th minister. Of 299,772 rai of Wang Nam Khiao area, 200,000 rai was declared to be land reformation area. This is the national park declaration of the area. The national park declaration affected the people who owned the land before the declaration. There was an attempt to solve the Wang Nam Khiao by every government. It can be concluded that: in 1977 there was an evacuation of people to the solve communist problem. In 1982 – 1990 (B.E. 2525-2533), the 2nd Internal Security Operations Command requested to use the Thaplan area to solve a stability problem. Next, in 1991 (B.E. 2534) there was a consideration that allowed improvement of the national park area. In 1994 (B.E. 2537), the department of forestry issued the order 1145/37. That is the foundation of a national park area improvement group that must be allowed by the department of national park. Next, on 22 April 1997 (B.E. 2540) there was the first council of ministers meeting held at the Wang Nam Khiao district office. They concluded to barrier the Thaplan national park with in 3 months and give the ALRO-401 to the people with in 9 months, a total of 12 months. In 1998 (B.E. 2541), there was a council of minister's conclusion to solve the problem. In 2000 (B.E. 2543), the department of forestry issued Order 44 on January 11, 2000 (B.E. 2543) which founded the working council, and Nakhonrachasima

appointed the sheriff to join the council. In 2012 (B.E. 2555), there were many councils exploring the area for problems, such as the Office of the Ombudsman and the law commissioners and others until they issued each document. On September 18 2012 (B.E. 2555), the council of ministers aware of the overlap problem between agricultural land reformation, allowed the ministry of national resource to activate the inspector's result. This is the regional council of minister's meeting document. This is the order to improve the Thaplan national park area, which will be combined and which area will be barriered out. Now let's take a look at the second part which will be shown to the council. The working council has explored and found that there really are 13 villages that have problems. They consist of the Thai Samakee village No1-11 which means all the area in Tumbon Thaplan, and 2 villages in Tumbon Wang Nam Khiao which are San Chao Por village No. 1 and Ban Suan Aom village No.2. The problem area is 13 villages in total calculated as containing 45,131 rai that need to be taken care of. We subdivide the 45,131 rais into this following: Temples or Government offices 339 Rai (12 places), household area 1764 Rai 3363 households, over agricultural area 39000 rai, business places or resorts 1,058 rai and other area over 2,000 rai. These are all the information for 45,131 rai. The fact and information lead to the district level offer that has 3-4 issues. Firstly, the working council agrees that there should be a slow or suspension of arrest of related people for the case of the area in the 2000 (B.E. 2543) boundary because the cabinet resolution on 30 June B.E.2540 suggested to readjust the boundary in all affected areas within 3 months and give the ALRO-401 within 9 months. If the people had received the ALRO-401, there wouldn't have had a trouble like this. So, if we consider fairness, the arrestment and prosecution or sign posting, and demolition may not actually be fair, and we, the official government, did not complete the procedure correctly or something like that. So, we suggest slowing down the demolition measure. Secondly, we agree that there must be an improvement of Thaplan National Park's area, that is, by bringing up the area in the 2000 (B.E. 2543) boundary and improving base on the cabinet resolution on April 22, 1997 (B.E. 2540) which is to adjust to area of the 2000 (B.E. 2543) boundary within 3 months and issue the ALRO-401 within 9 months following the ministry's regulation. There are many reasons for this including first, about the overlapping area, second about the stability problem because the stability department evacuated people into the area, and later

expelled the people out. Thirdly, during any procedure, in addition to slowing down the arrestment, people must not construct, expand or change anything. They should photograph it and wait for examination. Fourthly, the occupant, whose occupation do not involve agriculture, must rent and grow trees for 20% of the area because, following the ARLO principal, they will lose the right immediately because they do not have any agricultural activity. So, we decide to let them rent the area. Fifthly, if there is an invasion in the area 2000 (B.E. 2543) boundary, a strict legal action and punishment must be applied for those who invade in the area. Lastly, this is an area map. The blue area line indicates the Thaplan national park area. The yellow line is the ARL area, as you can see, the ARLO (Agriculture Land Reformation Organization) area invades the national park area. The purple-blue line is the area of the army and the purple line 45000 rai is the area that we will barrier out and that must cover 13 villages. There are some parts where the yellow line invades the purple line and many areas where the ARLO have taken care of. This is all I inform this council (the Deputy District Chief).

In the first issue, there are 4-5 keywords. As the permanent presented, there was an establishment of temples villages and the announcement for issuing the people to register in the Sakaeratch area before 1937 (B.E. 2480). Where there was a temple, there must be some villagers but they should be living in many small groups, where they counted as a village. It might be more than B.E.2470. The second keyword is an announcement for establishment of Wang Nam Khiao forest in 1982 (B.E. 2525) which covers 299,772 rai. Some parts of the area overlap some of the village areas, but not all. The third keyword is, in 1977 (B.E. 2520), the army evacuated the people to established the Thai Samakee village in the blue area, and the ARL announcement the cover the area of many Aumphurs; but, at that time, every square inches of the area was not belong to Aum phur Wang Nam Khiao. Anyone has title deeds shall be having an agreement later. The fourth keyword is that, in 1981 (B.E. 2524), the announcement for national park establishment covered Prachin Buri and some area of Nakhon Ratchasrima and areas of Paktongchai Sakaeratch Soengsang in total area more than 140,000 rai. They announced it and it overlap the barriered area and Burai and some things here. However, there have been attempts to try to solve the problem since 1982-1990 (B.E. 2525-2533). Until 1991-1994 (B.E. 2534-2537), the forest department improved the areas which have overlapping problem. That means the area in this

straight line overlapped the village and others, so the forest department considered to adjust the area, but many things have been undone until 1997 (B.E. 2540). The next keyword is “the mobile council of minister” (mobile cabinet) the Chawalit Yongchaiyut generation offered to finish the Thaplan national park improvement within 3 months and proceed to be ARLO – 40 within 9 months which means everything would be completed within a year, but it was not. When it was incomplete, was it a villagers’ fault? Or the government officers’? Maybe at that time the officers were very poor... I don’t know. I wasn’t there at that time. So, it was not ended. The forest department found the council in 1994 (B.E. 2537) and in 1997 (B.E. 2540) the minister’s resolution was issued and the 2000 (B.E. 2543) was issued to complete the procedure, so the 2000 (B.E. 2543)’s council said that the national park should have its own area, that is the keyword. More than 3000 rai, 40,000 families were right there (in 2000 (B.E. 2543 boundary), but the national park still abided by the 1981 area, so it became the problem. It can be solved easily by changing the blue area to the purple (change from 1981 (B.E. 2524) area to 2000 (B.E. 2543) area). I assign the officers to investigate that how many areas in the 2000 (B.E. 2543) boundary area divide each farm, such as, Mr. John do farming 13 rai 2 ngan (1 ngan = 400 square meters), classify them, if they are 1,000 people, then classify all 1,000 people. From now on if Mr. A B C cannot add in. today we need to cover our people, our land. Who has already occupied, let them be. If someone try to add in and occupied more, Arrest them. Please try to listen to me first, or the problem won’t end. If anyone disagree, please speak. I think all these incidents happened because we did not enforce the law seriously. If we use the 2000 (B.E. 2543) boundary, where will the one who have already been here go to? That’s why I say everyone must talk to each other. In my point of view, we have a number of people, a number of families and a name list which is quite clear; but, we need to make it elaborately. For the second issue, if we don’t solve the problem until we receive a conclusion, it will not end. The related departments like the forestry department. and the national park dept. are worried because the people live in the area without documents of right. If we ask the people that whose land it is belongs to, they all know. Does somebody not know? So, we need to talk about what measure we have? How do we solve the purple and the blue line? because it is starting to become a crowded area. This already has 4000 families. Doing agriculture and others. I would like to ask that,

in each part, how do you think about them? (an officer). With respect, I have look into this issue for many times. In fact, the villagers want to gain this line 2000 (B.E. 2543) boundary. I'd like to know that the cabinet resolution that issued the 2000 (B.E. 2543) boundary. What authority does it have? And does it help to change the blue line to the purple? (a villager). I have talked about this at several meetings. As for the resolution of June 30, 1998 (B.E. 2541), the objective is really to help the poor as much as possible. However, as we investigate the name list, family amount and living places, we list them in the register. And about the person who investigate, I did it myself in Korat area. As I received the information, I followed the procedure with the sheriff as the president...sorry with the director office as the president, and I was the assistant, and there was the village chief, the sub-district headman of Wang Nam Khiao. We had several meetings until we had the name list that tells those who come before and after. And this is in the consideration procedure of the national park department. All of the country. I'd like you to look about this. Thank you (Thaplan national park's representative).

The resolution June 30, 1998 (B.E. 2541) is not the resolution about barrier the area, sir president. It is about the proof of inhabitation before and after. There is nothing about dividing the area or lining the living area of the individual. However, the aumphur council has considered the resolution June 30, 1998 (B.E. 2541) about how can it solve the problem. We think that if we use the resolution of June 30, 1998 to fix the problem, it may not be fair for the people because (1) people have been here before (2) This problem had applied the resolution April 22, 1997 (B.E. 2541), and do they have to prove with June 30, 1998 again? If we consider fairness, we should fix the area line, should not prove the farm area (a Wang Nam Khiao local officer). Let me inform you more about the resolution of June 30, 1998 (B.E. 2541). We use the blue and purple line. We do not determine in a small area. But when we measure the area, it has to come out as a small part and classify who occupied it first or later. And there is no arrestment because we have no space for that. Thank you (a Park officer). I think that if the resolution of June 30, 1998 (B.E. 2541) caused a lot of problems when applied, then it would be hard to use it to solve the other problems because the resolution 1998 (B.E. 2541) specifies clearly that do not spend the reformatted land. It is written clearly at the end. But we need to look into the mistake. First, the

announcement for national park area line (B.E. 2524) did not come from the real investigation. The national park must admit that first. The evidence is clear. If we look into the picture in since 1969-1983 (B.E. 2512-2526) especially 1983 (B.E. 2526) it is clear that they have been utilized. The proof consists of 2 parts. First, this community has the evidence as Mr. Permanent said, and second, if we take a look in the picture we can see that the land has been utilized continuously, so the resolution of June 30, 1998 (B.E. 2541) cannot be applied because the resolution June 30, 1998 (B.E. 2541) has to divide the land for the community. Block it for it cannot be expanded or it will be more expansion. If we use the resolution June 30, 1998 (B.E. 2541), it would cause the problem in a practical way because according to the resolution June 30, 1998 (B.E. 2541), national park is a preserved forest by right. Now, let's talk about the right proof following the resolution June 30, 1998 that concerned what will the community become or what will it gain. The word "preserved forest" people do not understand that what right do they gain and what they can do on that land by right, and what right do they have for living on that land. If they need to utilize, what can they do. Then, the people will lose that right. As the permanent said which is complete information, in fact, the area in the national park, they call Tumbon Wang Nam Khiao from a shrine of the godfather until tumbon Wang Nam Khiao has 11 villages in total. If we view it overall, Wang Nam Khiao consist of many villages, and they have the similar area overlapping problem. I will protest if the resolution June 30, 1998 (B.E. 2541) will be used to solve problem because, in a practical way, it can be applied for Subtao or Subpoon area only because they are in the national park area (Wang Nam Khiao SAO representative).

Aumphur Wang nam Khiao, in the past, was in Paktongchai. There was a boundary line in the Aumphur Wang Nam Khiao. Half of it is Wang Nam Khiao and another half is Korat. When did the civilization come? It was when the road (304) came. If there had no land adjustment for the road, that area would still be a forest. So, at that time, Thai population is about 30 million, it is not much to live as a group in the forest. When the problem came I did not look only in Thai Samakee. Why would we fight only for a few area line? It will have never ended. And what will Wang Nam Khiao be, as sir President said? What model will Wang Nam Khiao be when a part of it is Aumphur Paktongchai which has already reformed to Aumphur. From the past evidence, it was a permanent forest, then a preserved forest then Wang Nam Khiao forest, Phu Luang

forest. It is a forest. It is a land owned by the government. It is a status that we need to accept first. The law determined that the government's land is the land where people have no right in it. If they need to have, they need to utilize it after occupancy. If we want to talk only for a few tambons on Wang Nam Khiao, it never ends. So, today, we may determine to status for Wang Nam Khiao's land. My idea is it must be a reformed area and that ALRO must take charge. And if they change the status, what would the provision suggest? How much maximum area can each family receive, how will they utilize it, and can this be accepted. If it is just moving the line a bit, I don't mind. And divide the area so that one has many for the others. People in Zone C may move downwards. For many areas that still can be utilized, divide them. If not, then keep it in the central. What I said, I don't intend to benefit someone. I said that because if I were a council member, I would give this idea. As the land is owned by the government, what status should it be? It should be in the reformed status. And how do we accept this status? How much can they own or what will it be used for? And what principles can be adjusted. The government has provided in the same way as the people should provide, too. The resorts are already built, could they be reformed to agricultural resort? Grow durian or something, it can be utilized. How can the gas station do agriculture? Or shall we cut the whole aumphur? It cannot be done. We need to solve that damn June 30, 1998 (B.E. 2541). I have read it for 30 times already. Like I said, this year is 2015 (B.E.2558). What have you done for the past 17 years? You changed and changed. On a day that you gained a benefit, then you did it. That day you did not gain anything you did it to the government officers. Sometimes, the most shameful thing is you sold the land. Because I think that the forest dept. and the national park dept. are all the public servant. And we must protect our land's treasure. How can we live on from now? If I cast it to be a bold mountain, can we live on? It cannot be. So, today, as I said, Solving Wang Nam Khiao's problem is not only to solve at Thaisamakee. We must fix in every Tambon. Because they all have problems. If we determined its status, determined the rule, we move on. If we go back, what will the resolution 1998 (B.E. 2541) be, an obstacle? How long will it haunt the people? I said while I don't own any inch of Wang Nam Khiao Land, but full of anxiety. When will people have a good sleep? When will the Wang Nam Khiao status change? In my opinion, I'd like to change the land status for Wang Nam Khiao. Who want to fight about the chanote, or let them

be? So, we will transform the land in the picture to be ARL or somethings. Then we will determine the rule for living (Army representative).

We are here considering the Wang Nam Khiao because there are some problems in which is the area line is and ALRO line, the yellow and blue lines are overlapping. The overlapping yellow line cannot issue the ARL paper. Some house can issue ARL but some cannot because of the national park claim that it is in their area. But I agree that the whole aumphur Wang Nam Khiao is already in ALRO. But there is a problem about overlapping. The second issue is that we need to clearly demarcate the area. This problem is not hard. OK, if we stick to the purple line, we can provide the information that: 1 it's already a bold mountain, or 2 it's already a village or a community. We then determine the status of what should the area in the purple line be. Would the ALRO area be okay? Now, for the proving the resolution of June 30, 1998 (B.E. 2541) right. If they stayed before December 1 1997 (B.E. 2540), we force them into the system. What will the ALRO decide? agree, but everyone in Wang Nam Khaio must accept that the ALRO have to announce their status to be "park invader" and the punishment is severe. The villagers said that during the past 17-18 years, the government hadn't done anything? They didn't say that they cannot construct the national park officer house, build the road or spend the budget on construction. So, we don't blame anyone because somebody does not continue living. So, if we determine the area line, anyone who invade will be in jail. But, if we stay here, the road, electricity, work place, school, temple are already here. So, can we accept that? Accept the national park area to be here? Determine that this is the ALR area and proof the resolution June 30, 1998 (B.E. 2541) right that someone has been here before with any evidence. After it become the ALR area, the ALR will open the issue that what can they do in the ALR land. Is it possible to grow the forest? We can talk about this later. The national park cannot decide. We will offer that in the provincial council we offer to pull back and use the area 2000 and give the land condition information to them. Then they proceed issuing documents or something. It might end in 1-2 years. Then it ends. ARL, please add a bit (the provincial governor).

According to the information in the past, the national park dept. and ALR dept. belong to the same ministry. So, they assigned the ALR in 1977m (B.E. 2520), but in 1978 (B.E. 2521), there was a land reformation area in aumphur Paktongchai which is

the land that was completely barriered, but in 1981 (B.E. 2524), there was a national park area demarcation that overlapped the area that was already assigned to ALR. I don't know how that happened. The offer year 2000 (B.E. 2543) stated that the land had already given to the ALR, why was it given to the national park? I don't really know how that happened. It became a problem ever since. However, I have issued the ALRO-401. But there was a national park area which forced us to stop for clarity. So, I'd like to inform this council that I am ready. I'm ready to operate this. But if there is an adjustment to be a purple area, there will be more problems that require the Ministry of Natural Resources to give me the purple area. I think so because we need to accept the fact that what Wang Nam Khiao will become. Do the farmers benefit from the present status? And the answer is Yes. We have section 30 clause 5 that clearly states without modifying that "Beside from land division, the ALR have an authority to divide the land or estate to the individual for renting, purchasing, hire-purchasing for utilizing that support or involve the land reformation." Now, the problem is what the land reformation consists of. According to the announcement in 1990 (B.E. 2533), there was an addition of the 4 activities involving agricultural and estate which are: (1) the agricultural academic activities, demonstration and experimentation for agricultural benefit. (2) the activity that result in agricultural way or cost deduction for agricultural product (3) The activities that has the land development agreement for agricultural reformation in production and distribution of agricultural crops. (4) The activities that are factors of production, distribution and yield addition. Wang Nam Khiao has these four. But in 2000 there was an addition of the 5th which is: the service activities involving the livelihood of the farmers in economic and social ways which are the activities in the area that the council determine. This is an important one to adapt in all the country. I, as the ALR, am ready to operate immediately (ALR representative).

A few of the Keywords are not so hard 1. we will talk about the area line until it's done and 2. for the area development surely into the ALR. But, if the Ministry of resources orders to add follow the purple line then we conclude later. But now, there is the National Land Board, we will do the meeting once more. So, if they expand the yellow area into the purple (talking about the ALR to match the area 2000) then give it all to the ALR. If not, we arrange the National Land Board to proceed about the status of something, ALR or anything. We don't have a problem with that. 3) we need to

control so that houses or people do not to invade the area. If beyond this, we arrest them all immediately if we let the ALR proceed. As you said about what you can do, I think that a resort should be a learning center. It becomes both lodging and academic center. The problem is all that if its ends, it ends. We let these things be a problem for the province. Mr. National park department, you can speak or not, as you like (a president). Now we are talking about development. The 304 road is being expanded, more people are migrating. I, as the one who know about the area, have a sympathy for it. I am thinking that how the people spend their life along with preservation. As for the province that was offered, I agree with it. When given to the ALR, it will become an issue about preservation, but I worry about the presentation of our consensus. The solution must have way out for the higher authority. They might have a solution for us. If we present impossible solution, it will be hard for us (national park representative). For there not to be any problem, it needs additional information about what are the advantages and disadvantages, and causes and reasons. We need to look at what will Wang Nam Khiao become to generate income to the country. Many things will come. Furthermore, there is the Luang Pho Koon statue right there. I think many tourists from Singapore and Malaysia will be here. If we end the problem, we found the writing council and we will see for a while. If it does not pass, I will have the ministry council in the ministry of resource sigh it until it reaches deeply into the council. During this, we will inform the people that will stop arrestment for a while or they blame us that we don't do anything. The official agent will not receive the 157. We need to finish it within 90 days (president).

A Case Study III Ministry of Natural Resources and Environment Forum

MNRE was mini-public forum that took place at the ministry of natural resources and environment, located in Bangkok. The volunteer villagers from Thai Samakkhi subdistrict, along with the NGOs groups were decided to discuss and make their arguments on land and boundary conflict with the minister, the representative government, and the representative of Thaplan national park.

Type of Mini- Public Forum:

MNRE was considered to be a 'participatory problem-solving collaboration.' The relationship between the state and civic groups aims to solve such land and boundary problems. The villagers told their own stories as creative and emotional to gain interest from the state that "public can keep a close eye on their public servants (Fung, 2003, P. 341)". I have filed a complaint regarding the land dispute in Wang Nam Khiao District, the case of the lack of clarity in the landscape of Thaplan national park and overlapping issues in law enforcement between national park act and land reform act. Since I have submitted such a letter to several agencies, there have not been clear about the solution over the problems. With the Prime Minister, there is an official note at the end of my complaint that have ordered to the Ministry of Natural Resources and Environment as the main unit with the relevant agencies in mainly solve land problems with integrative from all across sectors, and later must report to the prime minister. Recently, the MNRE assigned to the National Park Service to take the responsibility for the implementation of the Prime Minister's record. The head of the park department has confirmed that the ministry's policy must be followed. I would like to know the progress of this operation from you (NGOs).

Informative Source:

Storytellings were applied as to allow the state to gain insight into civic pain. Social history evidence was used to present to the state to create structural incentives and to address their concerns. Individuals were rational through discussion and information-pooling during the MNRE forum.

Participation:

The length of the meeting was about 2 hours. Participants were engaging on deliberation their arguments without fading from the panel. This forum allowed social inclusion due to opening opportunities for civic engagement in public space. They all had their practical ability to attend deliberative forum.

Government Capacity:

The state capacity presented their duties and responsibilities in good receptors to benefit civic deliberation on conflict resolution at the ministry level. They allowed the chance and the opportunity for people who are vulnerable to express their own stories related to such conflicts. The state accepted its values of mutual respect and tolerance towards civic points of views.

Justification of Arguments in preference change:

They have epistemic advantages to access their own preferences and values. The content of sustainable community over Thaplan as well as the B.E. 2543 reshape boundary was presented to raise awareness in building consensus. We need to tell the facts in the area to inform. The problem was caused by the fact that in 1961 (B.E. 2504), the Royal Forestry Department did not survey the boundaries and announced the royal decree that the area of Wang Nam Khiao is a forest area of Wang Nam Khiao without first exploring the area according to the facts, both the evidence of aerial photos and the history of the village before the Department of Administration. In that time, Leng Yi was the Director General of the Royal Forest Department at the time. He acknowledged that he could not maintain the forest because the size of the forest is declared. The government also allowed forest concessions. The problem as solved by the national park department at the time was declared. The area of Wang Nam Khiao forest was declared as a park area, I had a chance to talk with him and ask him as he announced it was a park. It's over the villagers' areas, how did he do that? He responded that he used the old forest reserve in 1961(B.E. 2504) because he could not survey. Later in the year 1972 (B.E. 2515), the area of Wang Nam Khiao became a reserve area and villagers are also allowed to live in the area. Mr. Pong Leng Yee aware that the declared forest overlapped with the area of the village, the maintaining the forest, which was larger than the area of the village to overlap. I intend to preserve the forest. The problem was over the village to solve the problem but the steps to fix it were so slow, he said. "I have been tried for 30 years, but it still is not resolved". Because of the park's demarcation, a royal decree revokes the boundary of the village. In 1991 (B.E. 2534), the Department of Royal Forests started a policy to revise the boundaries of Thaplan New Park and the Cabinet's resolution in February 1991, the establishment of a district

improvement committee. In 1994 (B.E. 2534), it was done until the new redevelopment area was completed in 2000. They knew it was perfect because: (1) Clear map. (2) The coordinates of each pin of GIS. (3) Has been down in local area code. Therefore, it can be seen that the improvement of the park boundaries was not done by the task force. Since the 2000 (B.E. 2543) revision of the new boundary was made clear, the villagers were based on that line, without further encroachment. The villagers understood that it is a park and understood that the problem was over. Because the area was cleared and not only villagers, but the district government officers or the administrators also understand that now there was a clear division of the district and it was based around the area line of year 2000 (B.E. 2543). However, this area line was not legal status or not published as a law. During the operation the area of the villagers was still within the national park department under Section 16 of the National Park Act. There was still no right to carry out any actions in the park. If the officers were intentionally dishonest, It could be done to notify the villagers by the authority. There have been about 400 cases charge of the alleged people in the village of, including the district of Nadee. In Wang Kae district, was over 300 cases were asked whether all the allegations were made. The answer was not every households. There are about 3,000 cases in Wang Nam Khiao district, and it was impossible to sue every household. So, when there was a problem to solve the boundaries, the former boundaries were considered still legal. Well, the fact of setting up the village, in the past, there was only one village, Thai Samakkhi Village, which started when the village was established in 1977 (B.E. 2520), It can be seen that before the announcement of the park in 1981 (B.E. 2524) and later split into 3 villages, it was reiterated that it was a separate area from the original village, not an encroachment into the forest. However, the amendment was not made during 1991-1992 (B.E. 2534-2543), but in 1997 (B.E. 2540). The Cabinet resolution on April 22, 1997 (B.E. 2540) ordered the removal of the community area from the park and the area that is out of the area to Agricultural Land Reform Office (ALRO). We have to say that now we have to consider the two zones are the boundary of the year 1981 (B.E. 2524) with the boundaries of the year 2000 (B.E. 2543), the area of 2000 (B.E. 2543) is not the same in Wang Nam Kaio but also Serng Srang district area, Pak Khao, Pak Thong Chai and also Nadee. Also, because of the announcement of the National Park Act in 1981 (B.E.2524), it did not take into account the facts in the area, that is, the area

that should be forest is not considered. The degraded area becomes forest. Why was it that the year 2000 (B.E. 2543) has not been declared legal? Many people think that may be due to the fact that the state-owned area, if there are numerical losses of forest area in the year they take charge. It's not a good image for them to lose areas. Later, the Royal Forestry Department proposed to the Cabinet on June 30, 1998 (B.E. 2541). Cabinet had a policy to abolish Cabinet's resolution of April 22, 1997 (B.E. 2540). However, Cabinet's resolution on June 30, 1998 (B.E. 2541) was one of the essences which was not to give the area to Agricultural Land Reform Office (ALRO). Later in the year 2015 (B.E. 2558), Nakhon Ratchasima has been amended according to the Prime Minister's memorandum to solve the problem in the area of integration. The province has already concluded the proposal to the Prime Minister. From the above-mentioned facts, if people were prosecuted to demolish their homes as well as resorts. It is also caused suffering of people in the area when the boundaries of the year 2000 (B.E. 2543) were clear. The solution was already there. So, I ask the Ministry of Property to wait for the prosecution before it? The problem is solved and will not have to go to court, can wait for the problem to be resolved. If you need to prosecute, you have to chase people out of the park, out of the total area of 3,000 more than the family, so I want to ask all of you for justice. The fact that we are in the park is because the government allowed us to build the village. Not that we do it by the circumstances. When the park came over, the post was overwritten and the edit was not completed. This was now the conclusion of the solution to the problem was expected to be clear. If the conclusion was clear, then the state will do what it can do the law, because the waiting not to use, but only to the Department of royal Park waiting, because the authorities have to treat the forest as required by law. They cannot make self-determination decisions. So, the waiting is based on the policy or administrative support to support them. The Department of Thaplan national park will be more comfortable (NGOs).

Had you made a resolution to solve problems in accordance with the resolution of the province in 2015 to the Ministry of Interior? (Minister).

Yes, we offered it on September 20, 2015 (B.E. 2558). But no progress at all. The policy 'one map' is expected to use. If any area overlaps with the area of the ARLO, it must be carried out by the ARLO. However, in Article 12 of the one map, it

is further stated that, in the event of an incomplete agreement, the matter shall be submitted to the Sub-Committee for further consideration. I see it as a non-concrete rule. In the area of Wang Nam Khiao, half of the area is half of the ARLO, and half of the area is still unknown, so it is unclear how the problem can be solved for villagers (a villager). One map is a general rule that applies throughout the country and the opening of the channel to the scrutiny of the subcommittee. In each area, the problem is different. So, no specific rules can be used (Representative of the Ministry of Natural Resources and Environment). There is another story that needs to be noted. In the case of declaring the Wang Nam Khiao Forest to be a World Heritage, the issue is the conditions of the World Heritage. Forests to become a World Heritage Site are no more in the wild. The state promised to get people out of the forest. By setting a budget for the 2000 (B.E. 2543) survey of reshape boundary, the state could not fix it. The issue of wilderness is that people pay attention. If it is announced that the forest is available to people in the area, the state may have a bad image. But most people do not understand that people live before the forest. I see that if the state explains most people understand that people live before the forest. It should be helpful (Meeting Attendees). There should not be less. The announcement of the forest in the period of the Phong Leng Yi no one had explored the area before. If asked how many other villages have been affected, such as Wang Nam Khiao, several villages. I do not know why I did not study this issue. However, from the survey in Wang Nam Khiao, there were 82 villages affected by this announcement (local officer).

I must tell you first. I do not have the power to command. That power is of the Prime Minister. I just got to listen to it and forward it to him (Representative of the Ministry of Natural Resources and Environment).

I would appreciate your help on this. I ask in what have you been most suffering? It is law enforcement if you have a law enforcement order to wait for the resolution to be completed by Thaplan national park. It will make the staff work more peacefully with integrative. I need to edit all the parts to integrate offline. I would like to learn that aerial photos show that the village was set up before the announcement of the forest. The overall area is open space without trees. The state has granted private forest concessions. The tree disappears from the forest, not from the actions of people in the area. It has one case. That was about 9 pm. There was fire in the forest, I call the

national park department to send staff to help us, but officials say that was the authority of another agency and they did not help to extinguish the fire. I and other villagers cooperated to extinguish the forest fire by ourselves. I'm very angry. Now, the land dispute made two villagers dead from stress (crying). (a villager).

I feel that the staff of royal forestry department did not do something wrong. I cannot believe these facts are not discussed at all. The national park department does not talk to the local government department that in the national park area, one cannot build a house or building. Moreover, the local government made public utilities. It is unlikely. However, one of the facts is that you have said that the road construction project has stopped. It was done for a while (Minister).

On the Road to Building a Cabinet Resolution on November 23, 2007 (B.E. 2550). It had many important details as followed: Do not build roads in forest parks. Do not extend the road in the national park forest. In case of development or tourism, one can do that but this project would belong to the rural highway project. When problems happened, they stopped building and let the road go unfinished. By the way, the road that was not finished was very dangerous to the people as a lot of people have ride motorcycles on the side of the road, so it is very dangerous, so you need to fix it (NGOs). The national park department also had a letter to hurry fixing it. The proposal to waive Cabinet resolution and request a resolution to allow the Department of Rural Roads to build but they did not come and continue but now? (The representative of national park). It needs to be fixed very early because it is dangerous to the people. I understand the national park department of the park because it requires guidelines to comply with the rules and legal factors (Minister).

I would like to share experiences after living in Wang Nam Khiao district since 1997 (B.E. 2540). We started building a house in 2003 (B.E. 2546). We have a good relationship with the national forest staff, but no one ever said that my estate was part of a national park department and finally, I was honored under Section 22 of the National Park Act. It's very emotional (crying). If we knew it was a park area, we would not do it. Because we are in the area by faithfully believe that it is for living. It's really sad It makes us feel that someone can know it before building a house. We were authorized by the SAO. We did not know the facts from the national forest staff at all what the correctness was. It's sad. I ever thought we could quit being a citizen of

Thailand? Because it comes into my own on Section 22 in the national park act indicated to arrest invaders over prohibited areas, it was a criminal case to find a lawyer to pay. I was also affected by section 22 as well. I must pay bail up to 200,000 baht. Many people didn't have enough money, they were in jail. I received a scholarship from the University to find solutions to problems. I do not take one side. That's all my sympathy. From the study and survey, I found the problems like that some park officers will take a bribe from some villagers. In the case of land disputes, however, I would like to propose that we should revise. In case of foreigners comes to Wang Nam Khiao by doing restaurant business. They told me that they never thought of destroy the forest. When a forest fire occurred, they always helped, also to grow the forest before becoming an empty area. They were ready to rent an area just to get them in the area is enough. In the view of the scholar, I would like to have a discussion on the area about the year 2000 together and resolve the problem as well (female Villager).

I would like to talk about this area in the year 2000 (B.E. 2543). As you may know, the 2000s (B.E. 2543) boundary landscape was abolished by the Cabinet's resolution in 1997, but the Royal Forest Department was still trying to follow that. In a 2000 (B.E. 2543) reshape map, everyone expected that it would pass well, but last but not least, it was the last meeting of the National Park Board on November 1, that ruled that this area survey was contrary to the cabinet resolution of June 30, 1998 (B.E.2541), that held that it was canceled area line to the Thaplan district, according to the resolution of the Royal Forest Department agreed to have the district area in year 2000 (B.E. 2543) and held area in year 1981 (B.E. 2524), the problem was resolved using the following rule of June 30, 1998. This was the resolution of the National Park Department Board. This is a problem that I would like to inform accordingly to everyone. Actually, the government really wants to separate people from the forest. But the problem in this area is not only cases of encroachment into the park, and there are other people also get into the area including a land owner change case. Therefore, the resolution as mentioned above is to take care of the people now. It's not the other way. Staff is required to comply with this National Park Board resolution. The staff cannot use any discretion (National Park Officer).

I would like to talk about a land owner change case. In the view of arresting from stff, what is the difference between the two cases if people in Bangkok will arrest but the people in Nakhon Ratchasima who buy will not be arrested (a villager).

No, I have to adhere to being a local person of the area (a national park officer). Based on the principles mentioned above. It is not possible. If you go to explore, I do not know how many local people left maybe less than 20%. The world must change. When we come to the ownership topic, the fact is that the villagers came here before the national park. The park was declared as national park later. For the villagers, the government had given them the right to stay in the past due to allow the establishment of the village. Even in the law of conservation, it is the same law as that one. "Does not affect pre-existing custody". Here we are talking about the legal aspects of custody, and the Civil and Commercial Code of the principle of the custody transfer to each other. Transferors do not need documents when transferring, Transfer is complete. Considering the resolution of the Cabinet on June 30, 1998, it was found that there was no indication of how to deal with the case of land change even if the order does not sue the prosecutor. It is clearly stated that in the case of Mr. A before the announcement of forest reserves and the transfer of custody to Mr. B and in the Cabinet resolution of June 30, 1998 did not specify how to proceed with this case. So do not sue. This shows that the cabinet resolution has many interpretations. If interpreted according to the law may be wrong and must consider the facts included (NGOs).

I used to talk to Leng Yie (the first national park head officer), he has a policy to preserve the forest, because then the forest was reduced so he announced the forest area. By the way, the Ministry of Agriculture and Forestry has set up a forest by setting up 100,000 Rai, but has returned only 15,000 Rai. So everyone must live together with the forest. By the thinking both the political science and the law to manage it, we do not enforce the law strictly. So, everyone can live in the forest together but if we do not follow the law because someone watching at us, however, the information that he has offered is taken by the ministry to carry out her proposal to report to the Prime Minister for further consideration because she was interested in this. I hope that there will be a better solution to the problem or more than that in the past but in the proposal to solve the problem as proposed by the governor, I see that she will continue to propose to the Ministry of Interior. It is part of the responsibility of the Ministry of

Interior. In the part the ministry cannot do it, because it exceeds the ministry's authority but will take the request of the Prime Minister. It will result in upgrading the problem to a more interesting and it could be good for the case, as you offered (Minister). Interstate Synchronization Issues: It should be fixed because people like me, outside the area. I did not know that there was a park. In addition to government agencies, they confirm where one is able to live. This is the case, I would ask you to solve this problem (NGOs).

A Case Study IV Wang Nam Khiao Town Hall Meeting

WNK mini-public forum was held at the WNK Town Hall, located in Nakhon Ratchasima province. The Meeting was for the consideration of the suggestions from the ombudsman for solving the land conflict in Wang Nam Khiao District. The main objectives aimed to achieve effective communication, detailed oriented, and an outcome focused on the land conflict resolution in the big scale of various groups that reflected individuals. The potential outcomes of consensus will set the right directions for implementation of the new policy change in the future.

Type of Mini- Public Forum:

WNK was remarkable as 'participatory democratic governance' which Fung gives an interesting definition as... "this type is more ambitious than the other three. This flavor of mini-public seeks to incorporate direct citizens' voices into the determination of policy agendas...Injecting direct, mobilized, deliberative citizen participation into democratic governance...and offer a procedural antidote enhances the equity in legislation and policy making (Fung 2003: 342)." The broad-based decision process can increase the quality of public deliberation that might promote some new solutions in dealing such land and boundary tensions.

Informative Source:

A wide range of information was applied to capture all evidence-based information, such as the presentation of a video clip of citizens' voices and a PowerPoint presentation with all related photos and GIS data. The well related documents were prepared for all participants in the forum.

Participation:

WNK mini-public forum was important to show the participation of the range of both the state and civic engagement. This forum encompassed voluntary citizens, the media, civil society organizations, politicians, and all branches of government to communicate on land and boundary problems. They all become more informed, interested, and passionate in highly participation over a forum that is the root of supportive deliberative democracy.

Government Capacity:

The WNK forum was considered to be ‘good and integrative governance’ because of the wide range from the state promoted empowerment, consultation, collaboration, and reconciliation at all levels. The state capacity used their strategic senses of arguments to realize common interests and invaluable insights of indigenous people, NGOs, local officers, and villagers that have been living at risk of dispossession of lands and their properties according to land conflict.

Justification of Arguments in Preference Change:

The justification of arguments were compatible with ‘compassion’ on land resolution problems. The crystalized consensus was coming out at the large panel in the forum. The ombudsman was declared with compassion to resolve boundary conflicts. The common good resolution was based on all discursive participation in justifying the arguments. Meta-agreement might have occurred over the WNK forum. Chappell (2012, PP. 108-109) suggests that “meta-agreement can be result of better informed about issues during deliberation. As the nature of an issue becomes clearer to individuals they might change their preference ordering based on new information in order to make it more compatible with underlying issue dimensions. They might also change their mind about the relative importance of issue dimensions.” Therefore, WNK mini-public forums have led to form the clearer preferences and to transform the consensus to arrive at better decisions with all compassions from multi-level social groups among society. The following narrative forums are presenting by way of praxis the arguments from a wide range of groups of the state and citizens. My study hopes to present the narrative in the original quotations to enlighten the reflections on how

rational communication with compassion helped to clarify the meaning of making arguments over public forum as well as achieving the better policy implement from public deliberation. The narrative arguments showed “substantive balance” (Fishkin, 2014, P. 31) of the chairman is an ombudsman’s capacity in sincerely weighing the arguments with equal inclusion of all voices over the forum debate. The WNK forum showed narrations in justifying arguments as follows:

Ombudsman:

This meeting is a follow-up of the results from implementing the suggestions of the ombudsman according to the resolution of the cabinet on 18th SEP 2012 (B.E. 2555) acknowledged as reported by the Office of the Permanent Secretary, Prime Minister Office. Regarding the investigation of the case that there were people and hotel entrepreneurs in Wang Nam Khiao District, Nakhon Ratchasima Province complained that the Ministry of Natural Resources and Environment would demolish the buildings invading the national park’s area in Wang Nam Khiao District, Nakhon Ratchasima Province of the audit committees, there were the opinions and suggestions for solving the mentioned issue as follows:

1) Demolishing the buildings invading Thaplan National Park’s area in Wang Nam Khiao District, Nakhon Ratchasima Province and Nadi District, Prachin Buri Province (the case of Baan Talay Mhork Partnership Limited) of the officers of the Department of National Park, Wildlife and Plant Conservation according to Section 22 of the National Park Act BE. 2504 were legal and complied with relevant laws.

2) In the next occasion, the case of the Department of National Park, Wildlife and Plant Conservation was a case. The court’s decision was to demolish the buildings of the offenders invading the national park’s area. The case should be strictly executed according to the methods and procedures in the civil code. In the case of the court’s decision that the offenders had to move out of the national park’s area and the officers of the Department of National Park, Wildlife and Plant Conservation would use the authority to destroy or demolish the buildings or any other thing invading the mentioned national park’s area according to Section 22 of the act, the officers should strictly proceed according to relevant laws, criteria and guidelines about the authorities of the officers of Section 22 of the act.

3) To solve the problem of invading Thaplan National Park's area, Wang Nam Khiao District, Nakhon Ratchasima Province and Nadi District, Prachin Buri Province; the Ministry of Natural Resources and Environment and the Ministry of Agriculture and Cooperatives should be the main organizations implementing the suggestions of the ombudsman, the Committee on Laws, Justice and Human Rights, House of Representatives, Committee on Natural Resources and Environments, Senate and Nakhon Ratchasima by improving the boundary lines of Thaplan National Park and national forests, and the land resolution areas for the purposes of clearance and prevention of the overlaps of private and public lands.

The Issues that must be Considered in the Meeting are as follows:

1) The overlap boundary of the national park's and Agricultural Land Reform Office (ALRO)'s lands.

2) The overlap of the national reserved forests' and ALRO's lands.

3) The case of the overlaps of some areas of the national park that people's land come *before* announced as conserved forest.

4) The case of the improvements of the boundary areas of Thaplan National Park, especially in Thai Samakkhi District, according to the government's fact that the people migrated to the mentioned areas and built villages; unfortunately, leading to the case of the overlaps of some areas of the national park and the people's lands that they have lived since the announcement had not been made

5) The case that the people with the rights to own the lands in the revolutionary areas of ALRO do not have the agricultural occupations according to the Agricultural Land Reform Act B.E.2518, but they have the occupations for the tourism industry according to the policies of the provincial governor with the consideration that the latter occupations can result in higher income than the first ones.

The ultimate goal of this meeting was to find the resolution for all overlap areas in Wang Nam Khiao District according to the principle of borders B.E. 2543 that was agreed by both public and private sectors as well as the principle of the cohabitation of the people in the forests with the supports from the government.

“This meeting complied with Article (1) of Section 230 of the Constitution of the Kingdom of Thailand B.E.2560”, which states that the ombudsman has the following authorities and duties: Providing suggestions for relevant public organizations in order to result in the improvement of any law, rule, regulation, order or procedure causing any trouble, unfairness or burden that is unnecessary or excessive for the people. According to the authority in Article (1) of Section 230 of the act, I would like to ask the relevant organization(s) to describe any obstacle for solving the conflict(s) in the problematic areas with the emphasis on the country’s benefits and people regarding the royal guidance of His Majesty the King Rama IX stating that...“Law is not justice itself, but it is only a kind of tool for maintaining and supporting justice. So, the uses of the law must be for maintaining justice not for the law itself. The scope of maintaining the country’s justice is not only the scope of the law, but it must be expanded to include actual ethics and rationales.”

Deputy Secretary General of the Office of the Ombudsman:

The summaries of the implementations of the suggestions to the prime minister in 2012 with the two main parts are as follows:

1) The operations of the relevant public organizations

(1) In the case of the overlap of the national park’s areas and revolutionary lands and that of the improvement of Thaplan National Park’s borders, the relevant organizations including the Royal Forest Department, Department of National Park, Wildlife and Plant Conservation; and Agricultural Land Reform Office coordinate and amend the lands’ maps under their responsibilities in order to amend the ministerial regulations and decrees relevant to the government’s land segmentation.

(2) In the case of zoning the reserved forests’ areas of Pa Khao Lhuang (Zone C), the Royal Forest Department and Nakhon Ratchasima Province has to appoint a working group consisting of public and private organizations in order to mutually check and correct the boundaries and conditions of the areas.

(3) In the case of the arrest and prosecution for the fairness and relief for the affected people, the Department of National Park, Wildlife and Plant Conservation has to delay, or suspend the arrest and confiscation in order to wait for

the results from adjusting the boundaries of Thaplan National Park according to the cabinet's resolution on 22nd April 1997 regarding the boundary adjustments.

(4) In the cases that license of the use of the reformed land (Sor.Por.Kor. 4-01) changed the conditions of the uses, the Agricultural Land Reform Office has to report the case to the Agricultural Land Reform Committees in order to zone the land according to the policies and strategies of Wang Nam Khiao District.

2) To take actions with the people owning and using the lands in the reserved forests and national park for solving the mentioned problems, the government has to comply with the five criteria as follows.

(1) If it is proved that the rights of the people have existed before the land code was effective (1st December 1954 (B.E. 2497), rights documents must be issued for them.

(2) If the invasion was after the cabinet's resolution on 30th June 1998 (B.E. 2541), then the government must seriously enforce laws.

(3) The people gaining the ownerships in 2) with connivance are considered as dishonest; they must be prosecuted.

(4) The people honestly accepting the ownerships should not receive the right protections.

(5) The people honestly owning and using the lands before or after the first announcement of the forest areas should be allowed to live on and use the lands for a period of time with special conditions; for example, the people can live without constructing any new building and they have to grow trees as considered by the authorized organizations in order to restore the forest in the cases of a headwater or other areas dangerous for the ecosystem.

According to the report of the Ombudsman on the inspection of the case that the people and tourist entrepreneurs in Wang Nam Khiao District, Nakhon Ratchasima Province had complaints to audit committees that the Ministry of Natural Resource and Environment would demolish the constructions invading the national park's areas in the district, the cabinet had the resolution on 18th SEP 2012 (B.E. 2555) that the ministry and Ministry of Agriculture and Cooperatives were assigned to be the main organizations for considering the suggestions of the Ombudsman; Committees on

Laws, Justice Procedure and Police Affairs; Committees on Natural Resources and Environment, Senate and Nakhon Ratchasima Province to adjust the boundaries of Thaplan National Park, reserved forest and reformed lands as well as preventing the overlap of any public and private land. Then, Nakhon Ratchasima Province appointed the working group in order to solve the problems of owning and using the lands in the reserved forest of Pa Khao Phu Luang on 25th SEP 2014 (B.E. 2557). On 23rd SEP 2016 (B.E. 2559), the province presented the results of the mentioned action to the Secretariat of the Prime Minister, the prime minister and the head of the National Council for Peace and Order approved that the Ministry of Natural Resource and Environment was the main organization responsible with the Ministry of Agriculture and Cooperatives and Ministry of Interior for considering the ownerships of the lands and finding the solutions for the mentioned problems as well as gave an order to make a legal resolution that would be submitted to the National land Policy Committees. Then, Nakhon Ratchasima Province appointed the working group in order to check the facts about the ownerships of the lands in Thaplan National Park, a reserved forest in Pa Khao Luang Forest in Zone C in this province. At the meeting, the mentioned committees had a resolution to ask the provincial governor to ask the Department of National Parks, Wildlife and Plant Conservation for the permission to conduct inspections. On 26th DEC 2016 (B.E. 2559), a meeting of the working group was held. The result was that the coordination from the Ministry of Natural Resource and Environment was needed in order to mutually solve the problems. The relevant organizations had to prepare information to be presented at the meeting. The local organizations also had to conduct meetings in order to present solutions for the conflicts with the suggestions of the province. On 30th MAR 2017 (B.E. 2560), the Office of Natural Resources and Environmental Policy and Planning conducted a meeting with the organizations involved in the land ownerships and uses in Wang Nam Khiao District with the following resolutions:

- 1) The Agricultural Land Reform Office (ALRO) was the main organization coordinating with the Department of National Park to submit the issue to the Office of the Council of State to interpret the legal status of the overlapped areas in the reform areas and Thaplan National Park in order to obtain any legal resolution.

2) The Royal Forest Department, the Department of National Park, the Internal Security Operations Command (ISOC), the 2nd Thai Army Area, and Nakhon Ratchasima Province provided suggestions according to the issues presented by the Ombudsman, and then presented the results to the Minister of Natural Resources and Environments and the National Land Policy Committee.

3) The conflicts in the moving of the reserved forest in Khao Luang Forest and the zone C of the reserved forest in Khao Phang Ma out of Thaplan National Park and then submit the issues to the National Council for Peace and Order (NCPO).

4) The Department of the National Park reported the amendments of the National Park Act B.E.2504 and the Wildlife Preservation and Protection Act B.E.2535 at the meeting.

According to the mentioned problem-solving procedures, it was found that the resolutions only complied with legal principles. The overall conflict in the areas was about facts. It was found that the mentioned conflicts were because of the announcement in B.E. 2524 of the forest or national park's areas overlapping with the community without confirming facts. In the past, Wang Nam Khiao Area was for taking the people migrating from mountains and the forest concession was made before the announcement. After the forest area became an empty area, a reform law must be enacted and the reserved area must to be given to ALRO. While there were the communist threats, these people established a village, Thai Samakkhi Village. It can be seen that if the focus was on laws without considering facts, the problems would not be solved; for example, by submitting the mentioned conflicts to the Office of the Council of State to interpret for legal interpretation. The Office of the Council of State would interpret the conflicts only in legal terms and the legislation was not right. According to the resolution of the cabinet dated 22nd April B.E. 2540, it was found that the resolution emphasized on solving the problems according to facts by bordering the areas according to the borders in B.E. 2537 and the royal decree was made in order to support separating the areas from the forest. The issues were submitted to ALRO. Accordingly, the problems were caused by the incompliance with the resolution of the cabinet. Subsequently, the problems have never been solved. Thus, the resolution of the cabinet can be used at any time. The Ombudsman considered that after suggesting the

solution for five years, there was no progress especially in Thaplan national park. This is for the informative purpose at the meeting. In this meeting, there were the representatives from relevant organizations with the completed authorities to solve all problems with sincerity.

Ombudsman:

After the solutions for the above problems were suggested by the Ombudsman to the Prime Minister in B.E. 2555, it was found that the conflicts about the areas in Wang Nam Khiao Area were not seriously solved. Therefore, the government represented by General Prayut Chan-o-cha valued and submit the mentioned problems to the Department of Lands' meeting. He was the chairperson of the meeting. The resolution was made on 30th March B.E. 2560. According to the Natural Resources and Environmental Policy and Planning and after the meeting, the consideration results and suggestions would be submitted to the cabinet. The guidelines for solving the problems would be presented to the Prime Minister. For the 300 – 400 cases of the prosecutions with the people regarding the overlap areas, these will be written and submitted to the Attorney-General while collecting facts in order to slow down the prosecutions. In this meeting had the representative of the Permanent Secretary of the Ministry of the Natural Resources and Environment, the representative of the Secretary of the Office of Natural Resources and Environmental Policy and Planning, the representative of the Permanent Secretary of the Ministry of Agriculture and Cooperatives, the representative of the Department of National Parks, Wildlife and Plant Conservation, and the representatives of the Royal Forest Department.

Ombudsman The additional information from the Office of Natural Resources and Environmental Policy and Planning are wanted. The representative of the Secretary of the Office of Natural Resources and Environmental Policy and Planning – Since the NCPO had a letter dated 13th July B.E.2559 to the Prime Minister to find the solutions for the problems of the people in Wang Nam Khiao Area. The Ministry of the Natural Resources and Environment was suggested to be the main organization responsible with the Ministry of Agriculture and Cooperatives, and the Ministry of Interior for considering the following issues:

- 1) Checking the information and facts about land ownerships
- 2) Checking the relevant laws
- 3) Setting the guidelines for solving the problems, providing suggestions for the cases that cannot be solved and reporting to the prime minister.

Regarding the Office of Natural Resources and Environmental Policy and Planning, the letter was sent to the responsible organizations and the Ministry of Interior in order to collect information and facts. Subsequently, a meeting was held in order to find the resolutions for the mentioned problems. Initially, the office reported the Land Policy Committee. Then, the Minister of Natural Resources and Environments appointed the office to obtain the opinions for the responsible organizations again. A meeting was held after that with the representatives from the Royal Forest Department, the Department of National Park, the 2nd Royal Army Area, and Nakhon Ratchasima Province in order to make the clear guidelines for solving the problems before being submitted to the Minister of Natural Resources and Environments and reported to the Ombudsman. Then, the Office of Natural Resources and Environmental Policy and Planning held a meeting on 30th March B.E. 2560 and then made the four following resolutions:

- 1) For the case of the reform area of the Department of National Park, ALRO was appointed as the main organization to coordinate with the department and to submit the case to the Council of State to interpret the legal state of the case in order to make any legal resolution. This was in-progress.

- 2) In the cases of the people owning the lands in Phu Khao Luang Forest and Wang Nam Khiao Area; the resolution was that the ALRO, the Royal Forest Department, the Department of National Park, the ISOC, the 2nd Royal Army Area, and Nakhon Ratchasima Province had to provide suggestions according to the five resolutions of the cabinet dated 18th September B.E.2555 and inform the permanent secretary before reporting the Department of Natural Resources and Environments and RTP.

- 3) To solve the problems of the people, the Royal Forest Department and Nakhon Ratchasim Province would solve the conflicts with Phu Khao Luang, Khao

Phang Ma and Thaplan national park. The results would be submitted to Royal Thai Police for considerations. It was in-progress.

4) The consideration results for amending the National Park Act and Wildlife Preservation and Protection Act. This was in-progress at the decree level.

On 18th July B.E. 2560, the Office of Natural Resources and Environmental Policy and Planning held a meeting in order to check the progresses of the responsible organizations after the meeting on 30th March B.E. 2560. The approval of General Prawit Wongsuwan was given. A problem-solving center was also created in the area. The results of the meeting would be reported to the Minister of Natural Resources and Environments and Prime Minister.

The representative of the Permanent Secretary of the Ministry of the Natural Resources and Environment - Regarding the mentioned problems, the Office of the Permanent Secretary for National Resources and Environments sent a letter to the relevant organizations including the Royal Forest Department and the Department of National Park and report to the Prime Minister in order to allow the responsible organizations to provide consequent reports. The results of the meeting would be submitted to supervisors at respective levels.

Representative of the Department of National Parks, Wildlife and Plant Conservation the Department of National Park provided suggestions and guidelines for solving the conflicts of the overlapped lands in Thaplan national park with the three following cases.

1) For the case of the overlap and reform areas, the Department of National Park submitted the case to the Council of State to interpret the legal state of the case in order to make any legal resolution. This was in-progress.

2) In the case of the people in the lands of the land allocation project for impoverished people, it is found that the lands are being used by the people. The Department of National Park recommended to comply with the cabinet's resolution dated 30th June B.E.2541 and also suggested that the government should support the people with consumption goods.

3) In the case that the ownerships of the lands were transferred to capitalists for building the resorts and weekend houses, it should proceed according to

laws. For the lands owned by the people according to the objectives of the laws, it has to proceed according to the cabinet's resolution dated 30th June B.E.2541 and it is also suggested that the government should support the people with consumption goods.

It is the center established according to the order of the director-general of the Department of National Park. In other words, it solves problems only in the areas of Thaplan national park. The president of the center is the deputy director of the department. The purposes of the center are as follows: (1) to make the people understand the problems in the areas, (2) to collect data in order to implement the resolution, (3) to ensure that the actions taken with the offenders comply with the National Park Act, and (4) to consider conflicts.

Ombudsman:

What is the opinion of the representative of the Department of National Park regarding the application of the cabinet's resolution dated 30th June B.E.2541? I am worried that the public procedures may be slow and cannot continuously solve problems. I would like to suggest that do not set too many procedures that may be a burden for the people.

Representative of the Department of National Parks, Wildlife and Plant Conservation: I would like to ask for the permission of the chairperson to mention about the boundary issue in B.E. 2543 on 1st November B.E. 2556 that the Department of National Park had the resolution to solve the land conflicts in Thaplan national Park by complying with the borders in the map(s) attached to the royal decree. The lands in Pa Wang Nam Khiao, Pa Khon Buri, Sakae Rat Sub-District, and Wang Nam Khiao Sub-District have to comply with the borders of the National Park Act B.E. 2524 and the cabinet's resolution dated 30th June B.E. 2541 that confirmed the compliance. If the meeting demands to solve the problems by complying with the borders in B.E. 2543, then this should be presented to the National Park Committees established according to the National Park Act with the Permanent Secretary of the Ministry of Natural Resources and Environments as the chairperson.

Ombudsman:

You or the office of policy and planning is assigned to invite the Permanent Secretary of the Ministry of Natural Resources and Environments to meet me within 30 days after this meeting in order to understand the conceptual framework of the National Park Committees towards solving the problems and time frame and action plan.

The Representative of the Permanent Secretary of the Department of Natural Resources and Environments: accepted the meeting's resolution as presented by the chairperson.

Ombudsman:

Who are the committees of the establishment of the mentioned center?

The Representative of the Department of National Parks, Wildlife and Plant Conservation: the administration officers of Areas 1 – 7 and Thaplan Areas are the committees.

The Representative of the Permanent Secretary of the Department of Natural Resources and Environments: Is Nakhon Ratchasima Province a committee?

Representative of the Department of National Parks, Wildlife and Plant Conservation: since this is an internal order, Nakhon Ratchasima Province is not a committee.

Ombudsman:

Did you appoint the committees without the province? Did you take actions without the acknowledgement of the province? I would like to ask the president of the mentioned center because I consider that if the tasks are separately performed, then the data will be dispersed and solutions will not be consistent for solving the conflicts. Next, the Royal Forest Department has to explain.

Representative of the Royal Forest Department:

Since B.E.2556, the Royal Forest Department has cooperatively solved the problems according to the cabinet's resolution dated 18th September B.E.2555. The

department has two main solutions as stated in the document dated 3rd November 2559 as follows.

1) The reserved area in Zone C of Pa Phu Khao Lhuang has to be maintained as a national reserved forest.

2) There are four following cases for solving the land ownership problems.

(1) In the case that the people had the rights to own the lands according to the land laws or owned the lands before the National Reserved Forest Act B.E. 2507 was effective, the rights must be verified with the Land Invasion Solving Committees of Nakhon Ratchasima Province.

(2) The case of the people taking the benefits after setting the borders of the forests in B.E. 2524 under the National Land Policy Committees' criteria must be considered by the committees.

(3) The invasions after the cabinet's resolution dated 30th June B.E. 2541 must be legally handled in order to allocate the areas for the impoverished people or restore the forests.

(4) The compliance with the Hor No. Kor Sor Chor. No. 64/2557 order dated 14th June B.E.2557 and the Hor Nor. Kor Sor Chor. No. 66/2557 dated 17th June B.E.2557 is required.

Deputy Secretary General of the Office of the Ombudsman:

According to the records of the Prime Minister's orders, there are two cases that can be separated.

1) In the case that the ALRO's areas overlap with the reserved forests, the representative of the Royal Forest Department stated the possibility to solve the problems with the integration of the ALRO and department

2) In the case that Thaplan National Park's areas overlap with the ALRO's areas as stated by the Royal Forest Department (the establishment of the problem-solving center), it was a solution applying the laws inconsistent with facts. I considered that this was inappropriate and the solution suggested by the Royal Forest Department might not meet the objectives. Moreover, I would like to suggest that the actual problem-solving principle must comply with the bordering principle in B.E.2543.

The problem of Wang Nam Khiao Area cannot be solved with the cabinet's resolution dated 30th June B.E.2541, but the cabinet's resolution dated 22nd April B.E.2540 must be applied. However, the principles and reasons must be presented in order to explain that the government does not provide any benefit to anyone since these are the solutions for solving the government's mistakes about the borders in the past. The implementations according to the borders in B.E.2543 should be reviewed, and conclusions must be made within six months after this meeting.

A Villager:

Wang Nam Khiao related problems can be separated into two cases: the overlap areas in the forests and those in the national park. There were strong agreements on the guidelines for solving the problems regarding the bordering principles in B.E. 2543. For Phang Ma Zone, there were no borders in B.E. 2543. Nevertheless, zoning was made according to the firebreak lines in B.E. 2536 that were empirical. The mentioned solution caused the people who had lived before the zoning announcement could not continue living in the areas (Basin 1 and 2). This is for the information purpose.

Ombudsman:

Acknowledged. The mentioned issue was answered by the Royal Forest Department. The next one is the representative of the ALRO. The representative of the Ministry of Agriculture and Cooperatives – Regarding the overlap areas of the National Park and ALRO as well as facts in B.E. 2520, the Royal Forest Department and Park Division still were under the ministry. At that time, the ALRO was also assigned to handle the areas in Pa Wang Nam Khiao. With the cabinet resolution, the ALRO was approved with the royal decree. Nonetheless, the Royal Forest Department sent a letter to the ALRO in B.E. 2518 in order to ask the start time of the implementation in order to mutually identify borders. The borders were actually measured with the measurement scale level 1. The results were obtained in B.E. 2523 with milestones. While measuring the borders, it was unfortunately found some parts of Wang Nam Khiao and Pa Kang Din So were adjacent to each other since Pa Kang Din So was in Kabin Burin. However, the people on Nakhon Ratchasima province actually lived there. Some of the identified

borders invaded Pa Kang Din So. Later, there was the announcement of the overlap area in B.E. 2524. These lead to two levels of problematic overlaps. To solve the land conflicts, the ALRO considered that all organizations follow the principle of “protecting their own lands”. In other words, the lands were not divided for anyone else and the borders set by laws were applied. The ALRO also found that the cabinet’s resolution dated 30th June B.E. 2541 could not really solve the problems. If the lands were given to the ALRO, then the ALRO would immediately take actions since it was supported by the royal decree in B.E. 2521.

Ombudsman:

The next one is Nakhon Ratchasima Province. The Permanent Secretary of the Minister of Interior has to describe the overall image.

The representative of Nakhon Ratchasima Province:

summarized the solutions of Wang Nam Khiao Area as follows. The governor in B.E. 2556, appointed a working group in order to solve the problems. The mentioned group presented five solutions that could be divided into two parts. Firstly, in the case of the national park, the group suggested applying the borders in B.E. 2543 to solve the problems. Secondly, Pa Phu Khao Luang would apply the firebreak lines as borders. After Nakhon Ratchasima Province suggested the solutions, the province sent the mentioned suggestions to all relevant organizations, especially the Ministry of Natural Resources and Environments. However, there was no respond from any ministry, the Provincial Governor, utilized a channel for sending letters to the provincial ISOC, forwarding the letters to the regional ISOC, and then forwarding the letters to the NCPO and Prime Minister. Consequently, orders were given to all organizations regarding (1) summarizations of facts, (2) relevant laws, and (3) solutions. Nonetheless, the province still confirmed the suggested solutions. I considered that the Prime Minister’s order regarding the “facts” was not applied as the base for solving the problems by all organizations, but only the legal facts were applied for solving the problems. Everyone did not think that the “people have lived there for a long time, and then the government used the borders to force the people to move out of the forest”. They also did not mention about this. Hence, Nakhon Ratchasima Province has

highlighted the issue for the whole time. To correctly solve the problems, the laws must be amended according to the facts. That is, the borders must comply with actual contexts. It does not mean that if the borders in B.E. 2543 are used, then everyone can do anything (e.g. building resorts). However, there are still conditions. For example, each individual cannot own more than 35 rai of lands because the Land Reform Act stated that each individual cannot own more than 50 rai of lands. The government had a policy to promote Wang Nam Khiao Area to an eco-tourism attraction. If the lands were transferred to the ALRO, the government's policy would not be implemented because the purpose of using the lands under the Land Reform Act did not cover using the lands in the tourism industry. Nakhon Ratchasima Province suggested guidelines in detail. It can be seen that the province tried to solve the problems and made plans for solving the problems until the end of the land conflicts in Wang Nam Khiao Area. It also presented in the meeting that the problems should be integrated and solved, not only in Wang Nam Khiao Area, since the borders in B.E. 2543 covered Khon Buri, Soeng Sang and other districts. I would like to support the borders in B.E. 2543 to solve the problems, but the Ministry of Natural Resources and Environments did not agree with this by claiming that "since the borders in B.E. 2543 were surveyed long ago and the borders were not appropriate for current contexts, the borders were not appropriate" in the meeting in November B.E. 2559. I did not agree with this because everyone knows that the borders in B.E. 2543 were being announced and most people did not invade the areas. There were few invaders, but these problems could be solved because the invasions were clear. Nakhon Ratchasima Province confirmed that in the case of the national park, the working group suggested to applied the borders of B.E. 2543 to solve the problems and comply with Section 44 because many scholars and lawyers provided opinions that were not consistent with the local facts. Moreover, Pa Khao Phu Lhuang would apply the borders.

Wang Nam Khiao Chief District Officer:

Since most representatives from the organizations explained the solutions for solving the conflicts in Wang Nam Khiao area, I would like to provide additional suggestions regarding the developments of the area in Thai Samakkhi Sub-District that budgets were rarely allocated. For instance, the recent budget of three

million baht was returned to Nakhon Ratchasima Province because the area was in the national park. If Wang Nam Khiao area will still be the national park's area, then it is expected that it will be difficult to be developed because most farms are in the areas without ownership documents. If any disaster occurs, there will be no financial support.

Ombudsman:

The representative of the Permanent Secretary of the Minister of Interior (Department of Lands), please explain.

The representative of the Permanent Secretary of the Minister of Interior (Department of Lands): Regarding the responsibilities of the Minister of Interior for solving the problems in Wang Nam Khiao area, the representatives of Wang Nam Khiao District and Nakhon Ratchasima mentioned everything. Generally, I agreed with the suggestions of the representatives from the two organizations.

Ombudsman: Any additional suggestion?

The Head of Thaplan National Park: Since I was the middle person for solving the problems, I agree with the borders in B.E. 2543. Nonetheless, I also thought in advance about applying the borders in B.E. 2543 according to principles. The Department of National Park eventually suggested applying the borders in the Ministry of National Resources and Environments, the borders were reviewed again by complying with the borders in B.E. 2524 and solving the problems according to the cabinet's solution dated 30th June B.E. 2541. This was because the mentioned committees did not have any attendee who was the representative from the department, but only the secretary attended the meeting. The chairperson was the Permanent Secretary of the department, while the others mostly were scholars and experts. It was presented in the meeting that the department tried to present the borders in B.E. 2543, but it was argued that "whether the borders in B.E. 2543 had legal procedures. Otherwise, investigation committees might be appointed." These were the facts. So, the establishment of the problem-solving center was the best solution of the department at that moment. As a public officer, the compliance with the cabinet's resolution dated 30th June B.E. 2541 was required as ordered with the considerations of people's acceptances. The establishment could not invite the director-general or governor

because of the limited legal authorities, the compliance with the Department of National Park's concepts, and urgency. The borders in B.E. 2543 were consistent with Section 44, but the tourism support policy still has many issues to be considered. Generally, the Department of National Park did not obstruct the policy because it supports the local people's income. Nevertheless, the overview must be considered and the questions of all people must be answered.

The representative of the Army Area Commander:

I would like to present my point of view to the working group for solving the past problems of the former provincial governor of Nakhon Ratchasima Province in the form of a draft to ISOC Area 2. The issues that I am concerned about were over 400 cases of Mr. Pidet. The provincial governor ordered to conduct all proceedings for all cases after decisions. For example, Pa Renu, a poor person, had his son to be imprisoned. Where should he be? Therefore, solving the problems with laws only is not applicable. However, I would like suggest that the ombudsman should slow down the process of judgment.

Deputy Secretary General of Office of the Ombudsman:

According to the statements of Pol. Col. Sommai, I agree with him and am concerned about the cases that he presented. Thus, I would like to suggest proceeding according to the resolution dated 22nd April B.E.2540 as the base and the resolution dated 30th June B.E.2541. If the proceedings are made according to the resolutions, then the process of judgement should be postponed. If anyone has knowledge about slowing down the process, then please present it in this meeting.

Police Officer:

Since I coordinated with the prosecutor, the prosecutor's guidelines were to conduct proceedings for all cases and to finish everything soon. In the past, the prosecutor who took this case tried to slow down the process at the provincial level, for example, by conducting additional investigations.

Ombudsman: It was suggested in the meeting on 21st July 2560 as follows in action:

1) The responsible public organizations have to integrate and proceed in order to amend information or maps of the National Park Act according to laws without disturbing people, while protecting the public benefits.

2) All responsible public organizations have to survey the borders of Thaplan National Park in B.E.2543 and firebreak lines to be used as the main references for solving the overlap land conflicts in the national park and the ALRO's area.

3) The Royal Forest Department agreed with identifying Khao Phaeng Ma to be Zone C according to actual situations in order to solve the problems in the reserved forest in Wang Nam Khiao District.

4) The Ombudsman would coordinate with the attorney-general while obtaining facts in order to slow down the prosecutions with the prosecuted people in the cases of the land conflicts between Thaplan national park and their lands.

5) The Ombudsman would make appointments for discussions in order to find guidelines to effectively coordinate with the Permanent Secretary of the Department of Natural Resources and Environments in order to solve the land conflicts in Thaplan national park, forests in Soeng Sang District, and Khon Buri District. Especially, another purpose is to identify the procedures and time frames for solving the conflicts.

Summary of Analysis

Narratives from storytellings and distinct forums have shown that there are several important factors for improving the quality of deliberative democracy. Narratives in various forms such as the forms over personal stories as well as forum help as an anchor to track people's emotions, opinions, and attitudes regarding their arguments. The diverse views from various group-based communication both state and civic are thoughtful articulations that are enable to synthesis of complex public problems. The most important factor in reaching high quality of deliberation in my study is not only the high degree of participation and rational communication in building consensus, but the justification with the feeling of compassion as an essential indicator in deliberative success and failure, notably the role of ombudsman as well as

civil capacities. Compassion is a valuable feeling with a strong positive action in dealing with such conflicts. The consensus coming out from compassion concerning the common good helps to bring discussions from people's spirituality that are beneficial reminders in solving problems with the spirit of compassion and justice to others (Sivaraksa, 2012, p. 56). The political processes along with normative of deliberation

CHAPTER 6

QUANTITATIVE FINDINGS: EMOTIONS AND THE ROLE OF DELIBERATIVE DEMOCRACY

In this chapter, quantitative findings are divided in the two parts. The first part is ‘descriptive statistics’ of samples as well as of the four major variables: 1) Feeling on participation at local forums over the community problems, 2) situation appraisal on land conflict resolution of Thaplan, 3) feeling of engaging on public forum over land conflict resolution of Thaplan, and 4) the role of public deliberation over land conflict resolution of Thaplan. The second part of inferential statistics aims to predict the role of public deliberation by using ‘multiple regression’ for prediction. The questionnaires were distributed and collected over 416 cases from 11 villages with proportional quota sampling.

6.1 Descriptive Statistics

6.1.1 Demographic Characteristics Table

6.1.2 Feeling on Participation at Local Forums over the Community Problems

6.1.3 Situation Appraisal of Land Conflict over Thaplan National Park

6.1.4 Feeling over Public Forum on Land Conflict Resolution

6.1.5 The Roles of Deliberative Democracy

6.2 Inferential statistics

6.2.1 Multiple Regression in Predicting the Role of Public Deliberation

6.1 Descriptive Statistics

Descriptive statistics is applied for summarizing the data (Agresti & Finley, 2009, p. 4). Each table of the information in a collect of data presents numbers and percentages over samples of research study over entire population.

6.1.1 According to Demographic Characteristics on my Research Sample, table 6.1 shows the most respondents are female (57%), the rest are male (42%). The majority of age group are the group of 'older than 61 year old (29.4%) and the second is the age group of 46-50 (17.7%). Most participants have been living over Thaplan more than 36 years (61.4%). In term of education, the majority is primary school (71%). Regarding the number of participation on public forum, most of them are engaging on forum about 1-5 times (47.461%), then about 5-10 times (35.1%). The majority of occupation are agriculture (45%). The majority of participation on public forum are the village forum (88.8%), the community forum (40.3%), the province forum (2.9%) respectively. The most land use is for residence (66.3%), for agriculture (29.7%), and for tourisms (1.2%). The document to prove the status of habitants is Por. Bor. Tor. 5 (67.7%), and the rest is Sor. Por. Kor. 4-01 (29.4%).

Table 6.1 Demographic Characteristics

Characteristic	Frequency (n)	Percentages (%)
Gender		
female	235	57.0
male	173	42.0
others	4	1.0
Age		
24 – 30	16	3.9
31 – 40	52	12.6
41 – 45	41	10.0

Table 6.1 (Continued)

Characteristic	Frequency (n)	Percentages (%)
46 – 50	73	17.7
51 – 55	56	13.6
56 – 60	53	12.9
Older than 61	121	29.4
Habitat (years)		
Lower than 35	149	38.6
More than 36	237	61.4
Education		
Primary School	296	71.0
High School	68	16.3
Bachelor Degree	6	1.4
Others	32	7.7
Conference (times)		
1 – 5	162	47.4
5 – 10	120	35.1
More than 10	59	17.3
Occupation		
Housekeeper	51	13.0
Agriculture	176	45.0
Business (Resort/Restaurant/Homestay)	28	7.2
Private employee	19	4.9
Public employee	10	2.6
Others	107	27.4
Level of conference (Village)	310	88.8
Level of conference (Community)	141	40.3

Table 6.1 (Continued)

Characteristic	Frequency (n)	Percentages (%)
Level of conference		
(Province)	10	2.9
Land use for residence	381	66.3
Land use for agriculture	171	29.7
Land use for tourism	7	1.2
Land use for business	15	2.6
Land Right		
Por. Bor. Tor. 5 (Land tax return)	260	67.7
Sor. Por. Kor. 4-01 (Land Allotted)	113	29.4

5 cases missing on gender, age

31 cases missing on habitat

15 cases missing on education

75 cases missing on Conference (times)

68 case missing on village, 67 on community and 67 on province

6.1.2 According to Feeling on Participation at Local Forums over the Community Problems, table 6.2. shows percentages and level of feeling enjoy deliberating with other villagers about community problems in the most of a medium level (33.6%) to high level (30.5%). The feeling of enjoy consulting with community leaders about community problems is mostly medium (33.6%), and high (31.2%). Participants feel they are regularly listening without deliberating on public forum, mostly medium (43.2%) and low (24%). They are actively making arguments on public forum, mostly medium (40%) and high (30.7%). Participants feel eager to participate on public forum, mostly high (36.20). They feel disappointed with the outcomes of public forum, mostly medium (39.1%) and low (28.5%). Most of them feels that public

forum process is justice for everyone in medium (36.9%) and high (32.4%). The feelings of meeting on public forum will force community development, mostly high (41%). The feelings of public forum brings about common good, mostly high (38.6%). They feel dislike using violence emotion in solving the issues over public forum, mostly medium (34.1%) and high (30.5%). Interestingly, participants feel free in creative thinking over local forum, mostly high (39.1%), feel freedom of expression over public forum, mostly high (39.1%). They feel that people in community show integrative thinking in solving complex problems, mostly medium (38.4%) and high (31.9%). They are glad to the outcomes of forum on the implement of public policy, mostly medium (41.5%) and high (36.7%). They feel regularly protecting their own rights when expression on public forum, mostly high (38.4%).

Table 6.2 Feeling on Participation at Local Forums over the Community Problems

Feeling on Participation at Local Forums over the Community Problems	Levels of Feeling on Participation									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
1) Enjoy deliberating with other villagers about community problems.	25.90	108	30.50	127	33.60	140	7.70	32	2.20	9
2) Enjoy consulting with community leaders about community problems.	22.10	92	31.20	130	33.60	140	8.60	36	4.30	18
3) Regularly listening without deliberating on public forum.	7.70	32	13.70	57	43.20	180	24.00	100	10.80	45
4) Actively making arguments on public forum.	13.40	56	30.70	128	40.00	167	10.10	42	5.50	23

Table 6.2 (Continued)

Feeling on Participation at Local Forums over the Community Problems	Levels of Feeling on Participation									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
5) Eager to participate on public forum.	13.20	55	36.20	151	34.30	143	10.10	42	6.00	25
6) Disappointed with the outcomes of public forum.	8.20	34	10.80	45	39.10	163	28.50	119	13.20	55
7) Public forum process is justice for everyone.	16.30	68	32.40	135	36.90	154	11.50	48	2.40	10
8) Meeting on public forum will force community development.	17.30	72	41.00	171	32.90	137	7.90	33	0.50	2
9) Public forum brings about common good.	16.10	67	38.60	161	37.40	156	6.70	28	0.70	3
10) Dislike using violence emotion in solving the issues over public forum.	20.60	86	30.50	127	34.10	142	8.60	36	4.60	19
11) Feeling free in creative thinking over local forum.	11.00	46	39.10	163	36.90	154	9.40	39	2.90	12
12) Feeling freedom of expression over public forum.	12.00	50	39.10	163	35.30	147	10.80	45	2.40	10

Table 6.2 (Continued)

Feeling on Participation at Local Forums over the Community Problems	Levels of Feeling on Participation									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
13) People in community show integrative thinking in solving complex problems.	16.80	70	31.90	133	38.40	160	10.60	44	1.20	5
14) Glad to the outcomes of forum on the implement of public policy.	12.00	50	36.70	153	41.50	173	7.00	29	1.40	6
15) Regularly protecting your own right of expression on public forum.	16.50	69	38.40	160	35.00	146	7.70	32	1.20	5

6.1.3 Situation Appraisal of Land Conflict over Thaplan National Park, table. 6.3. illustrated that bureaucratic systems are effective for solving land conflict, mostly in medium (38.40%), and High (26.9%). Participants reported that national park signs regularly post to indicate prohibited areas, mostly medium (35%) and high (25.7%). They found that park officers are friendly in solving land conflict, mostly medium (35.3%) and high (21.3%). Park officers are ineffective in solving land conflict, mostly medium (34.3%) and low (24.9%). They found that ineffective management on solving land conflict at the province level, mostly medium (39.1%) and low (30%). Public policies are effective in solving land conflict, mostly medium (43.2%) and high (23.5%). Public policies in solving land conflict are congruence with the reality over communities, mostly medium (45.1%) and high (22.8%). Communities are well taking care overall forest areas to make them more green, mostly high (37.9%).

Communities' roles are effective in solving land conflict, mostly high (35.3%). They found that communities are fragile without harmonious in solving land conflict, mostly medium (31.4%) and low (25.9%). Society neglects in solving land conflict, mostly medium (35.3%) and low (32.9%). Media's roles are effective in solving land conflict, mostly medium (41%) and high (28.3%). Court systems are effective in solving land conflict, mostly medium (44.6%) and high (26.4%). Law related to solve land conflict should be fixed prior to reality, mostly medium (36.9%) and high (26.6%). Cooperating in making boundary in separating communities out of park zone, mostly medium (38.8%) and high (25.9%). Park officers well explain in solving land conflict, mostly medium (36.2%) and high (27.8%). Forest officers well explain in solving land conflict, mostly medium (39.6%) and high (24.2%). Convenience in keeping contact with park and forest officers, mostly medium (40.3%) and high (21.1%). State officers listen well while you have land problems, mostly medium (44.6%) and high (24%). State officers are willing to participate over public forum, mostly medium (41.2%) and high (24%).

Table 6.3 Situation Appraisal of Land Conflict over Thaplan National Park

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
1) Bureaucratic systems are effective for solving land conflict.	16.10	67	26.90	112	38.40	160	12.50	52	5.80	24
2) National park signs regularly post to indicate prohibited areas.	11.30	47	25.70	107	35.00	146	11.00	46	16.50	69
3) Park officers are friendly in solving land conflict.	10.60	44	21.30	89	35.30	147	14.60	61	17.30	72

Table 6.3 (Continued)

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
4) Park officers are ineffective in solving land conflict.	10.10	42	15.30	64	34.30	143	24.90	104	14.10	59
5) Ineffective management on solving land conflict at the province level.	4.80	20	13.20	55	39.10	163	30.00	125	12.00	50
6) Public policies are effective in solving land conflict.	7.20	30	23.50	98	43.20	180	18.20	76	7.20	30
7) Public policies in solving land conflict are congruence with the reality over communities.	9.60	40	22.80	95	45.10	188	15.60	65	6.00	25
8) Communities are well taking care overall forest areas to make them more green.	31.20	130	37.90	158	24.20	101	5.00	21	1.20	5
9) Communities' roles are effective in solving land conflict.	14.60	61	35.30	147	30.70	128	12.20	51	6.70	28
10) Communities are fragile without harmonious in solving land conflict.	16.10	67	15.60	65	31.40	131	25.90	108	10.10	42
11) Society neglects in solving land conflict.	10.10	42	16.10	67	35.30	147	32.90	137	5.30	22

Table 6.3 (Continued)

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
12) Media's roles are effective in solving land conflict.	6.70	28	28.30	118	41.00	171	14.90	62	8.90	37
13) Court systems are effective in solving land conflict.	11.30	47	26.40	110	44.60	186	11.80	49	5.50	23
14) Law related to solve land conflict should be fixed prior to reality.	17.00	71	26.60	111	36.90	154	12.00	50	6.00	25
15) Cooperating in making boundary in separating communities out of park zone.	11.30	47	25.90	108	38.80	162	14.60	61	8.40	35
16) Park officers well explain in solving land conflict.	8.90	37	27.80	116	36.20	151	16.30	68	10.10	42
17) Forest officers well explain in solving land conflict.	7.20	30	24.20	101	39.60	165	12.90	54	15.10	63
18) Convenience in keeping contact with park and forest officers.	10.30	43	21.10	88	40.30	168	15.60	65	11.80	49
19) State officers listen well while you have land problems.	7.00	29	24.00	100	44.60	186	11.00	46	13.20	55

Table 6.3 (Continued)

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
20) State officers are willing to participate over public forum	6.50	27	24.00	100	41.20	172	15.80	66	11.80	49

6.1.4 Feeling over Public Forum on Land Conflict Resolution, table 6.4. shows statements to trigger participants feeling as follows: participation over forum is meaningful for me, mostly high (38.1 %) and low (26.9%). Participation over forum makes me gaining experience of being the same fate like others on land conflict, mostly high (35.5%). Feeling empathy over public forum, mostly high (32.6%). Feeling warm over public forum, mostly high (36%). Feeling empowerment in solving land conflict, mostly high (39.3%). Participation on public forum makes me feel justice in solving land conflict, mostly medium (42.7%) and high (29.3%). Participation on public forum makes me feel of social divide over separates society, mostly medium (46.5%) and low (23.7%). Participation on public forum makes me feel fairness in achieving consensus, mostly medium (45.3 %) and high (33.3%). The process of public forum is transparent, mostly medium (40.8 %) and high (31.7%). The land conflict resolution set the goals for the bright future, mostly high (35%). Participation on public forum makes me feel understandable with others' different views, mostly medium (42.2%) and high (30.9%). Feeling happy in participate over public forum, mostly medium (41.2%) and high (39.3%). Public forum is boring due to speaking the same topics in solving land conflict, mostly medium (44.6%) and low (21.6%). Feeling meaningless over forum, mostly medium (41%) and low (29.3%). Feeling admire over the process of forum, mostly medium (46.3 %) and high (33.1%). Even if feeling obstacle, I decide to engage on forum regularly, mostly medium (41%) and high (31.7%). Disappointed when forum is ended, mostly medium (45.3%) and Low (27.8%). Always putting yourself in the other party's shoes, mostly high (38.6%). Unhappy while engaging on forum, mostly medium

(41.7%) and Low (29.7%). Feeling vulnerable and inferior after meeting, mostly medium (52.3%).

Table 6.4 Feeling over Public Forum on Land Conflict Resolution

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
1) Participation over forum is meaningful for me	26.90	112	38.10	159	24.20	101	8.60	36	1.70	7
2) Participation over forum makes me gaining experience of being the same fate like other on land conflict	22.50	94	35.50	148	30.20	126	8.200	34	2.40	10
3) Feeling empathy over public forum	20.60	86	36.60	136	36.20	151	5.30	22	4.30	18
4) Feeling warm over public forum	11.50	48	36.00	150	40.80	170	6.70	28	4.60	19
5) Feeling empowerment in solving land conflict	12.00	50	39.30	164	37.20	155	5.80	24	4.60	19
6) Participation on public forum makes me feel Justice in solving land conflict	11.80	49	29.30	122	42.70	178	10.30	43	5.00	21
7) Participation on public forum makes me feel of social divide over separates society	3.10	13	12.00	50	46.50	194	23.70	99	13.70	57

Table 6.4 (Continued)

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
8) Participation on public forum makes me feel fairness in achieving consensus	8.40	35	33.30	139	45.30	189	7.90	33	4.10	17
9) The process of public forum is transparent	10.30	43	31.70	132	40.80	170	11.00	46	5.00	21
10) The land conflict resolution set the goals for the bright future	12.70	53	35.00	146	34.30	143	12.00	50	4.30	18
11) Participation on public forum makes me feel understandable with other's different views	12.90	54	30.90	129	42.20	176	12.00	50	1.00	4
12) Feeling happy in Participate over public forum	12.90	54	29.30	122	41.20	172	11.50	48	3.60	5
13) Public forum is boring due to speaking the same topics in solving land conflict	3.40	14	9.10	38	44.60	186	21.60	90	20.10	84
14) Feeling meaningless over forum	3.60	15	15.80	66	41.00	171	29.30	122	9.40	39

Table 6.4 (Continued)

Situation Appraisal of Land Conflict over Thaplan National Park	Levels of Situation Appraisal of Land Conflict over Thaplan National Park									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
15) Feeling admire over the process of forum	6.70	28	33.10	138	46.30	193	8.40	35	4.30	18
16) Participation on public forum makes me feel fairness in achieving consensus	10.80	45	31.70	132	41.00	171	13.20	55	1.70	7
17) Disappointed when forum is ended	4.10	17	9.40	39	45.30	189	27.80	116	12.00	50
18) Always putting yourself in the other party's shoes	12.70	53	38.60	161	35.00	146	10.80	45	1.90	8
19) Unhappy while engaging on forum	3.40	14	12.20	51	41.70	174	29.70	124	12.00	50
20) Feeling vulnerable and inferior after meeting	3.60	15	15.10	63	52.30	218	18.90	79	8.90	37

6.1.5 The Roles of Deliberative Democracy, table 6.5. exhibits the role of deliberative democracy. The Role of Expressing Opinion: Expressing opinion without interruption, mostly medium (51.6%) and high (30.9%). Your opinions are acceptable over forum in solving land conflict, mostly medium (50.8%) and high (25.7%). Expressing your opinion based on communities' benefits in solving land conflict, mostly high (41.7%). Expressing your opinion with rational ideas, mostly high (45.6%). The Role of Making Decision: your decision is selecting in consensus, mostly medium (37.6 %) and high (26.9%). Your decision is neglected from others, mostly medium (40 %) and low (22.5%). Your decision is respect by others, mostly medium (43.9 %) and high (20.1%). M 43.9 H 20.1. Your decision is based on common good, mostly medium (41.2%) and

high (28.5%). Your decision is reasonable for society, mostly medium (41.2%) and high (30.2%). The Role of Justifying the Arguments: smoothly justifying the arguments over forum mostly medium (42.4 %) and high (32.9%). Justifying the arguments based on the rational information, mostly high (42.4%). Actively justifying due to feeling belong to community, mostly medium (44.4%) and high (36%). Fail in Justifying the arguments due to social violence, mostly medium (29.7%) and highest (23.5%). Justifying the arguments on creative resolution, mostly medium (40%) and high (29%). Justifying with the new resolution for the next following forum, mostly medium (38.4%) and high (35%). The Role of Learning on forum: learning on debating, mostly medium (32.4%) and high (30%). Learning on understanding others' different views, mostly medium (38%) and high (32.6%). Learning on exchanging information, mostly medium (39.1%) and high (31.4%). Learning on mistakes over forum, mostly medium (42.4%) and high (30.5%). Learning on integrative thinking over forum, mostly medium (39.3%) and high (25.7%).

Table 6.5 The Roles of Deliberative Democracy

The Roles of Deliberative Democracy	Levels of Citizens' Roles of Deliberative Democracy									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
The Role of Expressing Opinion										
1) Expressing opinion without interruption.	5.00	21	30.90	129	51.60	215	8.40	35	2.90	12
2) Your opinions is acceptable over forum in solving land conflict.	6.00	25	25.70	107	50.80	212	9.80	41	6.70	28
3) Expressing your opinion based on communities' benefits in solving land conflict.	15.30	64	41.70	174	34.80	145	6.20	26	1.20	5
4) Expressing your opinion with rational ideas.	13.70	57	45.60	190	31.20	130	6.70	28	2.20	9
The Role of Making Decision										
1) Your decision is selecting in consensus.	13.90	58	26.90	112	37.60	157	15.60	65	5.00	21

Table 6.5 (Continued)

The Roles of Deliberative Democracy	Levels of Citizens' Roles of Deliberative Democracy									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
2) Your decision is neglected from others.	6.20	26	11.50	48	40.00	167	22.50	94	18.20	76
3) Your decision is respect by others.	11.50	48	20.10	84	43.90	183	16.10	67	6.20	26
4) Your decision is based on common good.	18.90	79	28.50	119	41.20	172	9.40	39	0.70	3
5) Your decision is reasonable for society.	16.30	68	30.20	126	41.20	172	9.80	41	1.40	6
The Role of Justifying the Arguments										
1) Smoothly justifying the arguments over forum.	15.60	65	32.90	137	42.40	177	4.60	19	3.10	13
2) Justifying the arguments based on the rational information.	7.90	33	42.40	177	35.30	147	8.20	34	4.60	19
3) Actively justifying due to feeling belong to community.	5.00	21	36.00	150	44.40	185	7.70	32	5.50	23
4) Fail in Justifying the arguments due to social violence.	23.50	98	16.30	68	29.70	124	24.00	100	4.80	20
5) Justifying the arguments on creative resolution.	7.00	29	29.00	121	40.00	167	12.70	53	10.10	42
6) Justifying with the new resolution for the next following forum.	9.40	39	35.00	146	38.40	160	12.20	51	3.80	16
The Role of Learning on forum										
1) Learning on debating.	15.30	64	30.00	125	32.40	135	15.30	64	5.00	21
2) Learning on understanding others' different views.	16.80	70	32.60	136	38.10	159	10.30	43	0.70	3
3) Learning on exchanging information.	8.60	36	31.40	131	39.10	163	16.10	67	3.10	13
4) Learning on mistakes over forum.	10.60	44	30.50	127	42.40	177	9.40	39	5.80	24

Table 6.5 (Continued)

The Roles of Deliberative Democracy	Levels of Citizens' Roles of Deliberative Democracy									
	Highest		High		Medium		Low		Lowest	
	%	n	%	n	%	n	%	n	%	n
5) Learning on integrative thinking over forum.	12.00	50	25.70	107	39.30	164	10.60	44	10.80	45

6.2 Inferential Statistics

Inferential statistics is used to “provide predictions about population, based on data from a sample of population (Agresti & Finlay, 2009, P. 4).” Multiple regression provides precise prediction over variables so as to learn more about the relationship between several independent (predictor variables) and a dependent (criterion) variable.

Table. 6.6 Multiple Regression in Predicting the Role of Public Deliberation

Predictor Variables	b	SEb	Beta	t	p-value
The Roles of Deliberative Democracy (R)					
Constant	-6.57	2.85		-2.31	0.02*
1) Feeling on participation at local forums over the community problems (F Com)	0.38	0.04	0.29	9.08	0.00**
2) Feeling over Public Forum on Land Conflict Resolution over Thaplan (F T)	0.49	0.05	0.39	9.13	0.00**
3) Situation appraisal of Land Conflict over Thaplan National Park (Situ)	0.36	0.04	0.35	8.20	0.00**
	R = 0.83	R ² = 0.68	R ² _{adj} = 0.68	F=234.46	Sig.=0.00
The Role of Expressing Opinion (R O)					
Constant	1.19	1.01		1.18	0.24
1) Feeling on participation at local forums over the community problems (F Com)	0.13	0.01	0.40	8.95	0.00**
2) Feeling over Public Forum on Land Conflict Resolution over Thaplan (F T)	0.01	0.02	0.02	0.32	0.75
3) Situation appraisal of Land Conflict over Thaplan National Park (Situ)	0.09	0.02	0.34	5.71	0.00**
	R = 0.60	R ² = 0.36	R ² _{adj} = 0.36	F=64.37	Sig.=0.00
The Role of Making Decision (R D)					
Constant	1.90	0.88		2.16	0.03*
1) Feeling on participation at local forums over the community problems (F Com)	0.07	0.01	0.23	5.39	0.00**
2) Feeling over Public Forum on Land Conflict Resolution (F T)	0.08	0.02	0.26	4.70	0.00**
3) Situation appraisal of Land Conflict over Thaplan National Park (Situ)	0.09	0.01	0.38	6.88	0.00**
	R = 0.69	R ² = 0.47	R ² _{adj} = 0.47	F=99.26	Sig.=0.00

Table. 6.6 (Continued)

Predictor Variables	b	SEb	Beta	t	p-value
The Role of Justifying the Arguments (R J)					
Constant	-0.09	1.05		-0.08	0.93
1) Feeling on participation at local forums over the community problems (F Com)	0.06	0.02	0.15	3.96	0.00**
2) Feeling over Public Forum on Land Conflict Resolution over Thaplan (F T)	0.25	0.02	0.64	12.65	0.00**
3) Situation appraisal of Land Conflict over Thaplan National Park (Situ)	0.02	0.02	0.06	1.25	0.21
	R = 0.74	R ² = 0.55	R ² _{adj} = 0.55	F=136.62	Sig.=0.00
The Role of Learning on Forum (R L)					
Constant	-9.69	1.21		-8.00	0.00**
1) Feeling on participation at local forums over the community problems (F Com)	0.12	0.02	0.24	6.91	0.00**
2) Feeling over Public Forum on Land Conflict Resolution over Thaplan (F T)	0.16	0.02	0.33	7.12	0.00**
3) Situation appraisal of Land Conflict over Thaplan National Park (Situ)	0.16	0.02	0.41	8.67	0.00**
	R = 0.78	R ² = 0.61	R ² _{adj} = 0.61	F=177.42	Sig.=0.00

Note: * Significant Level 0.05

** Significant Level 0.01

Statistic Explanations

Table 6.6 Multiple Regression in Predicting the Role of Public Deliberation

1) The Role of Public Deliberation (R): The multiple linear regression shows the predictor variables (F Com, F T, Situ) are significant at 0.01 in predicting (R). Moreover, the relationship over (F Com, F T, Situ) are positive directions in predicting (R). Under model summary, the Adjust R square (Adj R²) is (0.61) that means all the predictors (F Com, F T, Situ) was stronger predictors on (R) (68%).

$$R = -6.57 + 0.38 X_1 + 0.49 X_2 + 0.36 X_3$$

2) The Role of Expressing Opinion (R O): The multiple linear regression shows the predictor variables (F Com, Situ) are significant at 0.01 in predicting (R O). Moreover, the relationship over (F Com, Situ) are positive directions in predicting (R O). Under model summary, the Adjust R square (Adj R²) is (0.36) that means the predictors (F Com, Situ) was stronger predictors on (R O) (36%).

$$R_O = 1.19 + 0.13 X_1 + 0.01 X_2 + 0.09 X_3$$

3) The Role of Making Decision (R D): The multiple linear regression shows the predictor variables (F Com, F T, Situ) are significant at 0.01 in predicting (R D). Moreover, the relationship over (F Com, F T, Situ) are positive directions in predicting (R D). Under model summary, the Adjust R square (Adj R²) is (0.47) that means all the predictors (F Com, F T, Situ) was stronger predictors on (R D) (47%).

$$R_D = 1.90 + 0.07 X_1 + 0.08 X_2 + 0.09 X_3$$

4) The Role of Justifying the Arguments (R J): The multiple linear regression shows the predictor variables (F Com, F T, Situ) are significant at 0.01 in predicting (R J). Moreover, the relationship over (F Com, F T, Situ) are positive directions in predicting (R D). Under model

summary, the Adjust R square (Adj R²) is (0.55) that means the predictors (F Com, F T) was stronger predictors on (R J) (55%).

$$R_J = -0.09 + 0.06 X_1 + 0.25 X_2 + 0.02 X_3$$

5) The Role of Learning on forum (R L): The multiple linear regression shows the predictor variables (F Com, F T, Situ) are significant at 0.01 in predicting (R L). Moreover, the relationship over (F Com, F T, Situ) are positive directions in predicting (R D). Under model summary, the Adjust R square (Adj R²) is (0.61) that means all the predictors (F Com, F T, Situ) was stronger predictors on (R L) (61%).

$$R_L = -9.69 + 0.12 X_1 + 0.16 X_2 + 0.16 X_3$$

According to the table 6.6., the results shows the statistical significant relationships of F_Com, FT, and Situ on the role of public deliberation. The most predictor variable is FT on the role of public deliberation. That means individual feelings on public forum in dealing land conflict resolution is the important factor in the expression of the role of public deliberation. The more the positive feeling over the forum, the more the praxis of public deliberation role.

In addition, F_Com, FT, and Situ demonstrates the statistical significant relationships on the role of making decision and the role of learning on forums. The most predictor variable is also the FT variable. The more the positive feeling over the forum, the more the role of making decision and learning on public forum. However, the FT predictor variable doesn't statistical significant on the role of expressing opinion. Individual may rely on the rational decision-making more than emotion/values while expressing their opinion on forum.

Besides, the Situ variable doesn't statistical significant on the role of justifying the arguments. But, the powerful predictor variables are F_Com and FT. In other words, both feeling over local forum and public forum in land conflict management are essential factors in justifying the arguments. Emotion shapes individual practical judgement and individual sensation seeking. They may feel right and compassion to justify and deliberate their interests on public forums.

Inversely, they may feel uncertainty, fear, anxiety, and anger while justifying the arguments over land conflict resolution. Therefore, the affective engagement (feeling) is significant factor to investigate over deliberative role. The positive and the negative role enhance validity on the role of public deliberation such as the feeling of anger as injustice is valid to examine.

CHAPTER 7

CIVIC COMPASSION ON BOUNDARY AND LAND CONFLICT

7.1 Conclusion of the Summary

This study was conducted mix-method research techniques for both qualitative and quantitative methodologies by seeking to highlight the land conflict issues in the case of Thaplan National Park. For qualitative methodology, the investigation of social histories over communities, including achieved data, aerial photographs, and the photovoice technique were applied in order to justify social and cultural context of phenomena. The deliberative democracy concept was depicted to test political equality and freedom of voices without coercion on public forums as well as personal storytelling so as to deriving the effective consensus as the goal of dialogue from plurality and the better policy outcomes. Fishkin (1991) suggests that testing deliberation with democracy needs to observe the institutionalization of a system. The flow of public forums was clearly represented the structural design which helped to show everyone's preferences and how their preferences were formulated on the choice of a policy over the conflict issues. Besides, narrative from individual storytelling was compliment technique to fulfill how deliberative democracy enhanced the possibility of the state and citizens' political actions and opinion-formation through public discourse. The informal participation such as engaging on telling their personal stories to valid of individual experience is crucial in generating the uncover topics to public and in contributing the resolution of concerns and creativity in both formal and informal decision-making in the public sphere (Kulynych, 1997, p. 321).

In Chapter 4, the results from social history of Thai Samakkhi Subdistrict and photovoice technique were represented the truth justification of social evidenced on land problems. The evidences of the establishment of communities were applied to confirm the existing villages (11 villages with approximately 3,000 households living

near forest and relying on edible plants and agricultural products for their daily needs) since B.E. 2457 (B.C. 1914) in the Thaplan NP and in the areas of ALRO. Also, the evidences of the temple (Bu Phai temple) was showed to justify the land right since B.E. 2484 (B.C. 1941). The evidence of house registration was claimed to prove citizens' land right in the Thaplan NP. Interestingly, the forest management by Thai government was failed to save the forest since B.E. 2511 (B.C. 1968). There was deforestation according to Thai State's policy of forests for commercial purposes in the area of Thaplan, before the declaration of Thaplan NP in B.E. 2524 (B.C. 1981). The emerging forest concession and related business company such as Nakhon Ratchasima wood Company was trading and cutting economic trees, notably teak woods for private enterprises. The cutting trees and the removal of important woods was the significant factor that led to forest encroachment later due to the change of land utilization. The immigrants and forest dwellers were settled before the Thaplan NP taking charge all areas of Thai Samakkhi Subdistrict. The forest was controlled by the State shifted from the forest conservation to the forest concession so as to following the economic growth. At that time, the evidence of the announcement of the national forest act B.E. 2507 (B.E. 1964) was mentioned to justify forest management policy, along with the evidence of the announcement of the agricultural land reform office (ALRO) since B.E. 2521 (B.C. 1978). The unfertile land was taking charge by ALRO to manage all forest concession areas. In 1896, there was the establishment of the Royal Forestry Department (RFD), and in 1981 was the establishment of Thaplan National Park (Thaplan NP). Forest policy has been changing gradually by the government policy with full ownerships and the state-control-policy of all forest lands. The Thai State was changed policy to protect the forests (forest conservation) after forest concession. The land conflict over Thaplan NP was emerged for many decades. The most important reason was the overlap of forest areas between the State (ALRO vs. Thaplan NP) and the State and the communities. Another important factor of land conflict in Thaplan NP was the mistake of forest survey by the previous park chief. He was making boundary at that time by hand without GPS survey and pinning points over all areas, including communities within Thaplan NP. The big mistake by the State was caused the big trouble to all villagers in that areas to be the victims of the situation and to be accused of invaders in the Thaplan NP. In addition, the evidences of the boundary rectification

(B.E. 2543) of the Thaplan NP have been clearly proved the reality of sphere divided between the zone of communities and the park. The archived letter of UNESCO and the action of reboundary of B.E. 2543 also presented to point to the State action with sincerity to solve the land conflict. The promising of Thai government to UNESCO on 1th March 2005 should be critically examined in excluding areas of communities (43,729.63 hectares) from the Thaplan NP and in including areas of wild forest to the Thaplan NP (17,627 hectares). All action should be finished as promise by the prospect year 2007. All land conflict issues need to be brought to critically deliberate in policymaking with all possible action to solve the chronic issues.

In addition, the use of photovoice with the compliment to deliberative practice was clearly guided to the reality of the situations to affirm the creation of the policymaking. Downey et al. (2009) suggested that photovoice as an innovative technique is useful to enhance the power of local deliberation such as the issues of health assessment among communities as well as families to participate in action-based research on forums. This study gave cameras to 6 participants to capture all related things that they have created themes to tell story of their lived experiences over land conflict issues. Some of them showed the evidence of aerial photographs to indicate the existence of communities. Some captured their home land to prove their innocence and to affirm the land management with sustainability. Some showed the evidence of the receipt of fine as the park encroachment from park officers. Therefore, photovoice helps to bring about the role of citizens' justification in addressing land complex problems and solutions regard to the themes and its content. This strategy is essential as a trigger to point to what society has left out through visual images and come to critically deliberate about possible solutions.

Part I in Chapter 5, thematic narrative analysis revealed 4 main themes:

- a) Taking account of reality on land conflict,
- b) Encountering self-sympathy,
- c) Engaging in public deliberation,
- d) Fostering compassion on deliberation.

To begin with Theme A, taking account of reality on land conflict, this study found multiple voices and perspectives beyond each social group. They asserted evidences by telling personal stories over the social history, the forest law, the national park law, as well as individual lived experiences and sufferings to support their rights over Thaplan NP. The embodiment of narrative engagement was the first mental process that participants from each group focused on the representation of their inner perspectives with emotional attentions in a self-report. The specific self-report allowed individual to concern about processing experiences with causal explanation. The care of sufferings over marginal and powerless people is crucial for the root of deliberative democracy. Turner (2008, pp. 242-249) called the embodiment of vulnerability and values of individuals over their claims of rights. Villager groups expressed the psychological impact of life-threatening responded to the severe land conflict. They claimed on lack of information on the warning signs of the national park zone. Some felt shock because the park officers carried guns and sued them as the invaders of the prohibited areas. Some pointed to the ineffective systems of subdistrict administrative Organization (SAO). Some were knowledgeable; they referred to social history over all areas such as forest concession before the announcement of national park act. Whereas, Park officer groups claimed over their autonomy over national park boundary by referring to the law enforcement for the invaders. Some admitted that land and boundary conflicts occurred due to the mistake of the first park chief who was dividing all Thaplan boundaries by hand without using GPS to pin points. Some used discourse like “They (People) sell nature” in arousing the listeners. For Local officer group, they claimed on their duties and responsibilities for managing on the cases of invaders. They faced with psychological hardness to deal with all cases of encroachment that they dislike to accuse of people as invaders. Some reported the main problems of individual misunderstanding in using Por.Bor.Thor. (local maintenance tax) as land entitlement over Thaplan. For Buddhist Monk group, they questioned their rights to live here. They mentioned to the issues of overlapped areas of Thaplan NP and the boundary of ALRO—Agricultural Land Reform Office.

Secondly, Theme B, encountering self-sympathy, showed individual feeling beyond a sense of self (inner self). The inner self represented the feelings of strong emotion of individual values and beliefs. Participants from each group tended to limit

their understanding from the other perspectives, preferably called “self-sympathy” over the land conflict situation appraisal. Some villages questioned the conditions of their houses compared to neighbors. They wondered the government actions of accusing someone may be discriminate due to the size of the house—big houses implied as they are rich. Some claimed over their first coming before state. Some earned their living by feeding their cows over Thaplan NP boundary. NGOs revealed social history to fight for their rights. Some provided informations to claim their right to live and blamed the State, notably park and forest officers that they treated people double-standard. Some mentioned on the mistakes of ALRO in surveying over all areas that provide him to fight to the court as a winner of the case of missing out ALRO. Park officers claimed their land right over Thaplan as “legal purchasers.” Some presented interesting discourse, “The purpose of conserving forests is to create lungs for the country.” Local officers claimed their workload in claiming over people as encroachment. For Buddhist monks, they claimed their land right by emphasizing their own perspectives and reasons.

Thirdly, Theme C, engaging in public deliberation, was the significant process to gain public will-formation due to the flows of informative knowledges and diversity in the discussion (Fishkin, 2014, p. 31). The experiences of participation in mini-publics was proved to change participants’ attitudes and feelings for public in reconsidering what was good for society. For villagers, they reported public forum as good public sphere in providing information and flow of communicative action. Some revealed that preference changes were hard to reach. The NGOs’ group identified that interesting suggestion by pursuing “Deliberative Day” for the future in resolving such land and boundary conflicts. They showed capacity in critical thinking over comparing micro and macro forums as well. For Park officer groups, they mentioned on the B.E. 2543 boundary line. Some reported their preferences over mutual consensus need to be heard. He revealed the bureaucratic problems over forums. For Local officers, they indicated clearly on the preference change over last forums on 1) the use of B.E. 2543 boundary line, and 2) the ALRO right and conditions. Some mentioned on the bureaucratic problems over forums like Park groups and commented on the good capacity of NGOs in building arguments as well as the weakness of villagers’ capacities in giving speech.

For Buddhist monks, some disagreed on resort demolish. Some referred to development topics, rather than land conflicts. Some asked for the ALRO right as land right claim.

Lastly, Theme D, fostering compassion on deliberation, compassion is considered as strong actively desire in fostering to solving the conflicts by implementing such preferences and consensus to continue to the real world. Compassion is more strong positive emotions toward others, including passion and empathy inside of overall feeling of compassion. It likes feeling of the enlightenment that composes of wisdom and compassion. Wisdom comes from public deliberation along with compassion feeling of inner positive awareness on the conflict resolution as understanding in the reality of social facts with cause and effect. Wisdom suggests people over study to gain insight with right thought, plus understanding and put the right effort altogether in handling such conflicts, as well as, compassion provides strong desire with state of mind in connecting to one's own suffering and the suffering of others. Then, compassion is to stimulate people's behavior in progress for others for the bright future on development over communities and right livelihood that promotes well-being of mankind with honorable, 'blameless, and unity. For villagers, they all expressed their strong desire to solving land conflicts. Almost all referred to the new boundary in 2000 (B.E. 2543) as pathway to resolve such conflicts over Thab Lan and communities. For NGOs, they concluded on the use of new boundary line B.E. 2543 as conflict resolution as well as insisted on the ALRO land right to entitle over communities' areas. Social histories also provided all along their narration. For Park/Forest Officers, some accepted that they were lack of information on B.E. 2543, the year of reshape Thab Lan areas. Most of them identified on the application of new boundary line B.E. 2543. Some still claimed over the discourse of the Poor and the Rich via land possession at Thab Lan. For Local Officers, concluded that they need sincerity after deliberation by applying new boundary line B.E. 2543 as well as the declaration of ALRO right over communities' areas, to separate Thab Lan areas. They stated that people are important as forest. For Monks, they concluded on using new boundary line B.E. 2543 as well as the ALRO right. Some suggested that "Development need people with strong will and truly care about nature as well as communities, because we are parts of nature." Beyond narratives, or storytellings, personal experiences among each social group reveal how individuals produced their stories, especially reflected the

negative feelings in such memories that individuals have to face up with in the reality of land and boundary conflicts and construct meanings to pursue their rationality of truth debating process of making arguments.

Therefore, in the exploration of a narrative over personal storytelling from groups of related people to Thaplan, this study has tried to demonstrate the power of the subjective stories that individual has shaping his/her personal experience through the politics of truth with the lens of how his/her sees the world in dealing such land conflicts. Hendriks (2006, p. 490) identified that informal deliberation by the groups of everyday citizens provides the power of counterbalance to state to promote democracy. Dryzek (2000) supported for the use of rhetoric and storytelling to validate the authenticity of deliberative democracy. He explained on the degree of authentic democracy as the channel of individuals' reflective preferences and interests to public. One can deliberately practice and exercises one's right to free expression to public realm. The narratives have been showed the congruence with the study of Young (2000, p. 70) that narratives helped to situated knowledge as a way of giving voices to public. Young (2000, p. 71) stated, "such testimonios involve one person's story standing or speaking for that of a whole group to a wider, sometimes global, public, and making claims upon that public for the group." Moreover, Engelken-Jorge (2016), Ellis (2014), Black (2013)'s study of narratives, their works have noted that stories function as argument with logical reasons so as to justifying people's positions toward the conflict resolution during deliberation. For Engelken-Jorge (2016), narrative is a complimentary method for public deliberation because of such stories can be attributed to formulate the arguments to support the nature of reality with emotional talk and to finally reach the right answer as a problem-solving activity through the learning process. For Ellis (2014), narratives may contain variety styles of the representation of deliberation such as the suffering personal stories, adversarial arguments to support one's own interests, and the story of transformation to reach resolution as the results of conflict. For Black (2013)'s study about an online deliberation group, the role of storytelling provided the space for frame and reframe personal conflicts in sense-making process and for the community collaborative practice of deliberation. This study found that all groups (villagers, NGOs, park and forest officers, local officers, and Buddhist monks) were encouraged in collaborative practices over informal

deliberation, notably in constructing the storytelling. They made reasoned and acted toward their lifeworld regard to land conflict in Thaplan NP. They encountered by redefining their subjective meanings with rational reasons. They engaged in producing adversarial stories to persuade others to agree with the storyteller's position. Individuals tried to redefine meanings and building arguments with rationality based on how they "examined the structures of the lifeworld (Habermas, 1984, p. 43)." Individual acts firstly based on one's own best interests of what was considered as good reasons for oneself. Surprisingly, after they engaged on public deliberation both local and formal scale of public forums. Each group of all participants has learned the experiences of others and tried to counter preunderstandings. Like Young (2000, p. 73) suggested on the storytelling, the role of discursive practice through discourse is the only vehicle for people to exchange and share experiences with the feeling of justice. They changed their attitudes and judgements by focusing on the morally right action with compassion in the suggestions of land conflict resolution and policymaking for the future.

Part II in Chapter 5, Narrative Forums showed the power of deliberative democracy in action and the power of minipublics in addressing power through decision-making process with diverse groups (Curato et al., 2019, p. 61). Curato et al. (2019, pp. 63-64) suggested that minipublics are crucial to observe the reality redistribute power of public sphere and the empowered people with their justification in generating collective outcomes of problem-based learning and solving such conflicts. Curato et al. (2019, p. 66) and Piyapong Boossabong (2017) concluded that public forums provided legitimated spaces for people to justify their voices over pluralistic society, and deliberation was compliment tool to cultivate voices and to remedy the structural inequalities of power imbalances between citizens and the government to be more justice over deliberative forums. This study examined the capacity of rational arguments by comparing the four cases of deliberative public forums as follows: 1) PAC, 2) Korat, 3) MNRE, and 4) WNK.

The assessment results of public forums addressed important issues of the outcomes of the different structures of deliberative forums. The WNK forum was the best forums to empower groups of civil society, local officers, the State officers, the ombudsman, and the media to cultivate their critical voices over the mutual consensus in solving such land conflicts. The meaningful participations from wide groups were

strengthen the power of civic expert as well as the role of State engagement in capturing altogether lessons learned from each other. Narrative forums allowed them to discuss things and to dig deep into the histories over communities, the cultural contexts, the feelings, and the local knowledge through communicative rationality. All groups were transforming themselves without limited rationality and have learned what was the best resolution in achieving democratic governance. The outcomes of the WNK forum were guided to policymaking as followed:

1) The responsible public organizations have to integrate and proceed in order to amend information or maps of the National Park Act according to laws without disturbing people, while protecting the public benefits.

2) All responsible public organizations have to survey the borders of Thaplan national park in B.E.2543 and firebreak lines to be used as the main references for solving the overlap land conflicts in the national park and the ALRO's area.

3) The Royal Forest Department agreed with identifying Khao Phaeng Ma to be Zone C according to actual situations in order to solve the problems in the reserved forest in Wang Nam Khiao District.

4) The Ombudsman would coordinate with the attorney-general while obtaining facts in order to slow down the prosecutions with the prosecuted people in the cases of the land conflicts between Thaplan National Park and their lands.

5) The Ombudsman would make appointments for discussions in order to find guidelines to effectively coordinate with the Permanent Secretary of the Department of Natural Resources and Environments in order to solve the land conflicts in Thaplan National Park, forests in Soeng Sang District, and Khon Buri District. Especially, another purpose is to identify the procedures and time frames for solving the conflicts.

Such consensus pointed to the important deliberation and policy analysis and planning which Piyapong Boossabong (2017, p. 54, 69, 80) called "policy-relevant publics" because such deliberative policy would bring the best policy with inclusion of different mode of individual rationality that empowered the process of "give and take of reason". The power of deliberative mechanism was to elicit the power of "self-determination" (Young, 2000, p. 237) from both state and civil society to claim for rights and legitimacy under sovereign state with justice. Therefore, the more the empirical evidence from a wide social groups, the greater the policymaking outcomes.

For quantitative methodology in Chapter 6, multiple regression analysis was applied to examine the relationships of emotions, situations, and the role of citizens on public deliberation. The samples over study were 416 cases, ranging by proportional technique for 11 villagers (Thai Samakkhi Subdistrict—Tumbol Thai Samakkhi). The independent variables (X_1 : Feeling on participation at local forums over the community problems, X_2 : Feeling over Public Forum on Land Conflict Resolution, X_3 : Situation appraisal of Land Conflict over Thaplan National Park) were significant (p-value 0.01*) on the dependent variable (Y: the role of public deliberation—R; the role of making decision—R D; the role of learning on Forum—R L).

Such conclusion helped to confirm hypothesis on the relationships among emotion, situation, and the role of public deliberation. Mansbridge et al. (2005) investigated six organizations in the U.S. to assess the norms of deliberative practice. They found that the feeling of comforts and positive atmosphere help to promote the quality of deliberation. Mansbridge et al. (2005, p. 19) concluded that reason and emotion are correlated on the process of decision-making over deliberation. The studies of Krause (2008) and Morrell (2010) investigated such feeling of civil passions and empathy in promoting public deliberation capacity. Krause suggested that passion supported good deliberation because passion was the feeling of positive emotion so that can legitimize individuals' democratic decision making with considering common good and impartiality. Morrell suggested that the role of empathy, like passion, supported the whole process of deliberation; the intersubjective feeling such as caring for each other can create the development of human powers for better society. To claim reason over the right and the good needed empathy in promoting equal voices and legitimacy over public forums, including all forms of communication such as the narrative. Morrell mentions on Rawls's theory of justice-as-fairness as the example of empathy over the right action as justice in original position with respect towards people.

However, my study found that feeling over land conflict forums (F T) wasn't statistically significant at .05 level on the role of expressing opinion (R O). Such finding may suggest on the difficulties over such land conflicts forums that lead to incapable expressing opinion in deliberation because some restrains of free flow of the speech in expressing opinion (Weinstock, 1999). In addition, my study found no relationship over situation appraisal over land conflict resolution (Situ) on the role of justifying the

arguments (R J). Such finding suggests that lived experiences over situation appraisal may not help in support the role of justification because social agents might take things (such situations) for granted over justification. Also, such findings might reflect on the justificatory defense of deliberative democracy as inescapable limitations on human judgement (Weinstock, 1999). Interestingly, emotion related variable (F Com and F T) helped to predict the role of justification. The more the positive feeling on both local forum as well as Thaplan public forums, the greater the role of justification on the arguments.

What is clear is that a culture of truth, forgiveness, and cooperation can foster acts of reconciliation, which in turn can bring out the life-affirming aspects of culture.” (Sulak Sivaraksa, 2012, p. 25)

7.2 Discussion

7.2.1 Deliberative Integration of Emotion, Rationality, and Power with Theoretical Lens of Dewey, Nussbaum, and Foucault with Habermas

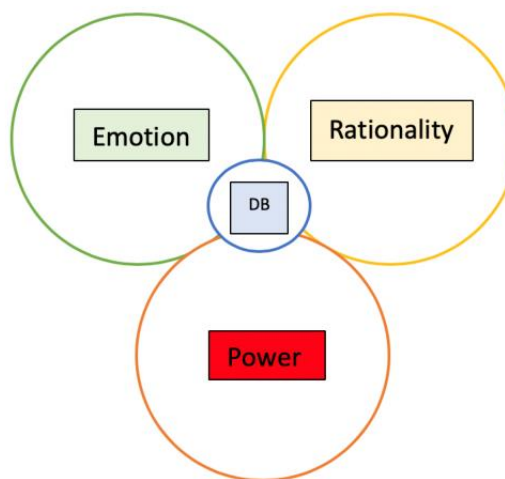


Figure 7.1 Deliberative Integration of Emotion, Rationality, and Power with Theoretical Lens of Dewey, Nussbaum, and Foucault with Habermas

Rationality on justification and on compassion may help in improving the quality of democracy. The mix-methods as the useful research strategy in bridging the gaps on asymmetric power and inequality over life-threatening of land conflicts at Thaplan. The empiricisms from both disciplinary of qualitative and quantitative methods help to bring about the “seeds of peace” (Sivaraksa, 1992) through reconciliation and deliberation for revitalizing society among material progress. Deliberative turn as enlightenment function to promote policy development in interpreting the meaning of personal explanations and understandings and in taking account of reality per se (Fisher, 1998). This study is gearing towards “Practical Deliberation” that Fisher (1998, p. 20) suggested, “Practical deliberation thus seeks to bring a wider range of evidence and arguments to bear on the particular problem or position under investigation.” The task in developing deliberation is testing the discovering knowledge over rationality and justification of the arguments by critical state actors as well as critical communities as figuring out context of land conflicts.

Practical deliberative is the key to fix land conflict problems over Thaplan. According empirical findings over study, deliberation should be based on the power of justification by rational reason and the power of subjective feeling (normative/affective values of individual narratives). According to Dewey (1927, p. 6):

The political facts are not outside human desire and judgement...the phase of human action we should not start with is that to which direct causative power is attributed. We should not look for state-forming forces. To explain the origin of the state by saying that man is a political animal is to travel in a verbal circle.... impels men to speech. (Dewey, 1927, p. 9)

Dewey stated that deliberation provided spaces between the private and the public; such that spaces were invited individuals come to social through by presenting deliberative acts of individuals to achieve social quality. This is the duty of both state and citizens with the exercise of the power of justification and deliberation. The justice power over deliberation helped to transform state to develop the country for the future as well as to transform citizens' voices to be heard for sustainable development over

conflict issues. The power of local community and local state should be constructed and acted for the truth of realities.

The genius of the justification from principles of logical and rational evidence such as using local knowledge, technological information, and social history was important elements of deliberative democracy to gain the power of “Dewey’s concept of ethical justification” over social intelligence at managing such conflict (Shook, 2013). Shook (2013, p. 3) referred to Dewey’s ideas of ethical right, “all people have an ethical right to become as valuable to their communities as they can become.” Shook (2013) concluded on Dewey’s concept of the three justification of democracy as followed:

1) The epistemic justification—the justification to protect individual right, freedom of thought, and social intelligence to empower rights to public and to promote cooperation in group deliberation in solving social conflicts without the fear to justify the arguments.

2) The individualism justification—the justification to expand opportunities for individuals with respect for the value of human-being.

3) The ethical justification—the justification for the superiority of democracy of the moral communities.

All three types of justification are roots of the sustainable society and development for the greater good, not for only group or personal-based-benefits. Also, Ralston (2010) also referred to Dewey’s theory of moral deliberation. Ralston explained that deliberation offered the insightful information for moral judgement. Such social action to judge and to embody evidence was showed social intelligence on the argumentative communication for resolving collective problems. Such discourses that were produced by state and civil society were transformed into public values, choices, and challenges policy implementation. The moral quality of a situation of land conflict showed the deliberative capacity of openness of communication on public. In other words, experts and citizens practice deliberation through mutual reconciliation, consultation, and inquiry. These actions guided to the quality of public spirit power in collaboration that balanced on the power, emotion, and rationality of deliberation

According to Fisher and Boosabong (2018)’s study, the study was compatible for this study. Fisher and Boosabong concluded that deliberative public policy is

considered as the creative tool for new public management to assert all social groups of citizens/politicians/ experts' voices to policy analysis. This is because the role of deliberative democracy rooted in the argumentative turn helps to encourage citizens from the wider social groups, the government, and the experts to justify their deliberative arguments for policy decision-making to make well-evidenced arguments in order to achieving mutual consensus and conflict resolution. For policy analysis, deliberative democracy represents the interpretative function of social actors to share their incentives and local knowledge based on practical forms of reasons such as the storytellings of social actors to reproduce their experiences regard to the public good via dialogues. Such process of public deliberation helps to potentially explain social phenomenon and its implication of policy recommendations over mutual consensus that clearly reflects relevant information from various groups. Fisher and Boossabong (2018) mentions to the deliberative policy analysis case of Khon Kaen City Municipality. Since 1932, the political structure of Thai government was centralized, but in 1997 the structure had been changed, in particular to decentralization of public administrative management. Local government and citizens from widely social groups engaged in deliberative policy analysis and deliberated the issue of healthcare system and education. Though, deliberative process in Thailand has faced with the politics of power over policy process, civil society social movements were strong to deliberate their voices and community concerns to Thai government. Later, Khon Kaen was the first public sphere for deliberative activities in 2001, including 160 organizations and groups to participate over deliberative policy analysis such as the collaborative case of urban planning. The more sincerely we appeal to facts, the greater justification of deliberation.

To consider the political psychology of deliberation, Kapowitz and Mendelberg (2018) explained to the two aspects of deliberative forums: 1) the structure of individual belief systems, and 2) the role of group-based forces. They found that deliberation “can under the right circumstances, interrupt typical cognitive patterns and produce more thoughtful and informed political judgements.” (Kapowitz & Mendelberg, 2018, p. 1) Public space was the emotional and rational space for the interplay of the power of citizens and state regarding to their beliefs, feelings, the habits of information proceeding. These actions attributed to give empirical meanings and logical-related

evidence. However, Kapowitz and Mendelberg (2018, p. 4) pointed to deliberative problem such as “deliberation is a group-based phenomenon.” Under discussion process of deliberation, participants shared knowledges and facts can face with both negative and positive side of deliberation. For example, the inequality of communication from persuasive arguments such as group polarization from the majority opinion. But, the importance of people’s aspiration under the right condition helped to bridge the gap of inequality of deliberation while justifying on arguments.

The empirical research of political science research on deliberation and the water management in Rayong province (Jumnianpol, 2009), was the example to assess the quality of deliberation on the state management and the cooperation of committees from a wide group. Her finding has shown that deliberation was challenged on the Thai political system. There have problems in implementing the concept in reality. Even if the concept of deliberative has been accepted in National Health Act, B.E. 2551 and Community Organizations Act, B.E. 2551; the limitation of deliberation pointed to the political problems of low levels of cooperation in policymaking process and the limited openness of deliberative implementation on state management in practice. Interestingly, for local level, deliberation was successful among communities in cooperation process. Jumnianpol (2009) finding, in contrast to the empirical finding in this study, the development of deliberative democracy was successful for both state and civil society group. The power of deliberation gathered Thai government as well as citizens to participate in formal and informal public forums in solving land conflicts. Narratives of storytellings and of forums was shown the social inquiry and intelligences to justify the arguments. The use of deliberation in public policy making process highlight the use of rational reasons, the academic information, and social evidence, notably aerial photographs to discuss and to formulate policy from all stages of policy making so that to discover the best land conflict resolution to policy issues. That was positive development of deliberation in Thai state management in the process of making the outset of the common good.

The findings lead to recognize the true power of deliberative democracy under social and cultural contexts of land conflict management. The successful conditions were as followed:

1) The political atmosphere of compassion in forging the acceptance of deliberation for both public and private sphere among government sectors, civil society, and media.

2) The decentralized structure of justification with knowledge, principles of reconciliation, and rationality to push forward sustainable development over communities and state capacities.

3) The capacity of state and civil society to provide availability of information on forums in coordination with policy makers from multi-level government.

Furthermore, referring to the connection of compassion and deliberation, Nussbaum (2001, 2013) 's study of political emotion indicated that the feeling of compassion as the intelligent of emotions showed human capacity of impartially, the morality of human dignity, and recognition of ethical problems. Nussbaum (2001) investigated compassion and public morality on the two levels: 1) the level of individual psychology; 2) the level of institutional design. In case of a bad state of affairs, how state and citizens should react to conflict issues in order to achieve the preferable outcomes of solutions with justice and the structure of institutions should be proposed for increasing stable or functional among society. Nussbaum (2001) said,

The relationship between compassion and social institutions is and should be a two-way street: compassionate individuals construct institutions that embody what they imagine; and institutions, in turn, influence the development of compassion in individuals.

Compassion required the assessment of public roles over the serious justifications and judgements (Nussbaum, 2001). Nussbaum (2001) defined compassion's meaning as a greater degree of individual suffering with the positive aspiring to manage conflicts with ethical importance of the good citizens and state. Therefore, compassion and judgements on public deliberation should rely on the feeling of seriousness to others as important persons, the feeling of nonfault in blaming others, and the feeling of similar possibilities with others. Nussbaum (2013, p. 144) concluded with "the eudaimonistic thought" as the serious feeling of taking responsibility on

others' well-being as the important goal of judgement. Nussbaum's study helped to guide for the empirical finding over this study. Both narratives on storytelling as well as forums pointed to the development of human behaviors, notably helping behavior in dealing land conflict and the evolution of emotions from self-empathy to transform to civic compassion on deliberation. All justification from state and citizens expressed the abilities of compassion and morality of impartiality over conflicts. Nussbaum (2013, p. 201) said, "good public emotion does embody general principles, but they clothe them in the garb of concrete narrative history." For this study, narratives helped to confirm how citizens felt toward the state, and how state felt over the conflict issues in solving problems. This study affirmed that emotion as compassion was vital for deliberation in dealing conflicts. Compassion allowed state and citizens to give strong reasons, strategies, and evidences for community development and well-being. Face-to-face deliberative participation helped to empower citizens and state politically and psychologically that fostered equality, caring, and impartiality with effectiveness of policy (Pincock, 2012, p. 135).

In addition, to consider the findings over study, some reflections of deliberative democracy in the social and cultural dimensions of Thai communities raised moral awareness of compassion, like as Krause (2008)'s study of civic passion and deliberation. This study supports Krause (2012) on the new politics of passions. She mentioned on civil passion as root of deliberative democracy in moral judgement and the feeling of impartiality over public deliberation. Krause (2012) defined passion as the sympathetic communication of sentiments. Krause said, "the mind is changed when our hearts are engaged in the righteous way." Passion needed a form of reason over argumentation that motivated actions as political agents in supporting the practice of justice by extension of sympathy in moral judgement and related to authority of law in building some guidelines reflected on impartiality. However, Krause also argued that passion by itself offered the other sides of coins—the negative feeling that was dangerous for liberty and equality as the old politics of passions. The findings of this study support Krause in the new politics of passions by bringing back the passion in a form of reason praxis. The justification on arguments should support moral duty of impartial deliberation in which all citizens, civil society, and state kept learning by treating what justice meant in handling on land and boundary conflict resolution.

Krause mentioned on the new politic of passion that was considered as the politics of civil passions that points to new models of citizenship on public deliberation. Hence, deliberation couldn't pursue without the emotions, but the affection of norm justification. Also, Morrell (2010) preferred empathy as all process of public deliberation and argumentation in representing the plurality of all values of individuals at gaining well-reasoned solutions. Morrell suggested that empathy was not taking other's perspectives from one's own view, but empathy should cherish other's concerns with understanding other's positions as well as one's own points of views. Morrell pointed to the legitimacy over decision-making process that incorporated in the feeling of empathy as basis of democratic education and equal respect.

This study has been influenced from the work of Krause and Morrell in applying the concept of passion as well as empathy to be considered to land conflict resolution. Krause and Morrell defined both concepts, passion and empathy, in the similar meaning. Both of them suggested to take passion and empathy in the process of public deliberation. Krause was mostly inspired from the works of Hume's theory of moral sentiments; whereas, Morrell's study of empathy derived from empirical works of multi scholars such as Vischer (1873)'s concept of 'Einfühlung' (German notion in recalling the theory of empathy as feeling into others). The empirical findings over study preferred to use a term of compassion, rather than empathy and passion. Therefore, compassion was a compliment to public deliberation on public forum. The feeling of passion and empathy played important role when individuals as well as state took account of the reality on land conflicts. Participants over study were thinking of their own perspectives while blaming others in the earlier stage. But, after engaging on public deliberation, state officials and civil society were transforming themselves with strong reasons, called, compassion. This study proposed that the feeling of compassion on deliberative democracy was crucial praxis in promoting the quality of public deliberation. Legitimate public decisions need to be done with sincerity from all public as well as private social segments. Narratives from the state, local state, NGOs, villagers, and other stakeholders should be not only engaged in mind as passion in promoting deliberation with impartiality, but should be followed the moral rights of actions in the prospect future in resolving such land conflicts over Thaplan national

park. Krause was right to suggest passion as moral sentiments in motivating and finally asserting reasons with passions over justification process. Sivaraksa (1992) said,

In a new constitution, freedom, equality, and fraternity must be guaranteed. We always forget that our present laws are unjust because they benefit only the rich. The whole process of justice in our country is shaky: the police, the public prosecutors, and the judges are not upright and are easily influenced. There are the issues of equality and equity that urgently need to be addressed. It is not easy, but it can be done if the political will is there. Unfortunately, we have not had the will....In democracy, we must pay attention to ordinary people and to everyone's human rights". (Sivaraksa, 1992, p. 122)

Compassion was root in development of society. Sivaraksa (1992, p. 48; 2012, p. 49, 60, 63) suggested on the pathway to renew society. According to the process of change and transformation over social justice, compassion was the key to promote sustainable society because compassion stimulated cooperation among people and state so that to unite communities from structural violence and conflicts. Unite society should bring discussions on particular concerns and act based on compassion and simplicity for world peace, social justice, and environmental balance. The resolution of conflicts shouldn't be concerned consumerism and capitalism that are forms of greed nevertheless, its resolution should be valued the nature of things, notably human-living under nature to live peacefully. The Buddhist development model helped in practicing with a critical understanding of individuals' selves and society in middle way to support the notions of individuality, integrity, ethical life, and creativity for society, nation, and world respectively. Sulak Sivaraksa (2012, p. 63) presented the concept of compassion, arising from the Dalai Lama teaching,

Any human activity carried out with a sense of responsibility, a sense of commitment, a sense of discipline, and a wider vision of consequence and connections, whether it be involved with religion, politics, business, law, medicine, science, and technology—is constructive. The emphasis is motivation for action. Because motivation is closely connected to an individual's

worldview, any change in worldview, such as an understanding of interdependence or the universality of suffering, will lead to a change in motivation”. (Sulak Sivaraksa, 2012, p. 63)

Compassion with competition—not presenting a negative sense, but “a sense of direction to push us to become kinder and more generous” with awareness inside individual glory, notably by empowerment to strengthen people’s spirits. “True enlightenment was built upon wisdom and compassion and was intrinsically connected with the well-being of all (Sulak Sivaraksa, 2012, p 64).” The example was the local currency exchange, known as “the Bia Khud Chum—to strengthen community as well as community trust in barter system in the ancient time, not replacing the use of Thai baht.

To hold this concept of Sulak Sivaraksa will enlighten over study of compassion and deliberation. The essence behind the concept of compassion was positive one when people engaged on deliberation with multiple stakeholders. Compassion, or *Karuṇā*—the Pali and Sanskrit word in Buddhism, concerns individuals’ attitudes over others, makes senses of the suffering, and acts toward conflicts with liberative action for a just and harmonious society. Compassion on land conflict resolution showed the well-being in Siam (Thai) democracy, environmental performance, community capacity as well as social performance in building arguments through land and boundary crisis. When participants deliberated their perspectives upon their suffering and stress over land conflicts, most of them were end up with desire and compassion for achieving altogether better communities with strong feelings of security of others such as their suggestion to apply the new boundary (B.E. 2543) as justice borders for communities and state. The deliberative action without the feelings of others, was hard to handle because of the problem of self-interest over conflicts. Non-harming other human-being was the right pathway to follow with compassion—the human capacity to place ourselves in the shoes of others. Thaplan, a world heritage from UNESCO, must be revised carefully and urgently in public policy and land use to fix the severe issues over the discourse of “encroachment” over prohibited areas. Such misunderstanding on social histories and politics over Thai Samakkhi communities—the whole subdistrict became widespread broadcasting on such media world-wide connections. This study

offered resolutions that would educate and set the right direction for country for better coming future. Deliberation with compassion was considered deliberative wisdom, only if the outcomes from multiple voices were heard and were praxis because all voices reflected liberation. Like Rawls (1999) mentioned on public reasons as a process of citizens' practice their sense of justice and embody norms over justification to benefit sustainable society. For community wisdom, Sangharakshita (2004, p. 101) pointed to the concept of "Sangha community"—root in the Buddhism that offered the way to live peacefully like Sangha. Sangha community defined as the community is fulfilled with right communication with respect to represent the nature of relationship. All members in community were treated respectfully under civilized society with compassion in solving life problems with strong faith. The good will emerges from the nature of human-being under universe, reflecting moral consciousness in creating the right, wisdom, and justice for others in healthy communities. Sangharakshita (2004, p. 111) explained that the Sangha community composed of 1) openness for all voices, and 2) positive movement for dynamic society for social development. All actions are root for good sake of communities, society, and world communities to relieve suffering and oppression.

The empirical research (Klimecki et al., 2013) found that compassion reported positive effect in pattern of functional brain; whereas, empathy reflected the feeling of positive and negative that must be maladaptive in brain activations. Klimecki et al. concluded that compassion provides good emotions in promoting new coping strategy to strengthen resilience from high stress. Land conflicts over Thaplan need to be handling with compassion in order to inspiration new positive solution for helping people in practice. In addition, Psychology research (Lim et al., 2014) found that compassion and mindfulness helped to support individuals' abilities to feel for others and behave compassionately toward others—prosocial behaviors. Researcher (Bandes, 2017) suggested that the significance of compassion helped to stimulate understandings for decision-makers because it is linked to support humanity.

According to Piper (1991, p. 727, 741), compassion was linked on impartiality and modal imagination. Piper defined modal imagination as individual capacity to envision the possible of actual situations and human interaction. Piper suggested that compassion involved modal imagination so that to promote "strict impartiality" to one's

judgements. The impartial ability of individual was assessed on the communicative rationality and skills on justification to treat all to have equal voices that required compassion as moral conduct of justification. Without the inner capability of modal imagination, one would be self-center and wouldn't be able to achieve impartiality because of limited to solely one's own perspectives. Therefore, Piper concluded on modal imagination process as followed:

- 1) One empathically experiences the other's feelings as one imagines them to the exclusion of one's own reactions to them.
- 2) One is so preoccupied with imagining what the other is thinking that one's own thoughts are temporarily suppressed; and
- 3) One's actions reflect one's conception of the other's wishes or desires as to how one should act or what should be done."

Piper (1991, p. 746) identified that state capacity also requires modal imagination that involves the inner state to regard compassion on symmetric imagination with respect to the relationship of both state and citizens. As Piper suggested, findings of narrative forums in chapter 5 showed the deliberation with compassion of a disposition to impartiality of land conflict resolutions.

To conclude by referring to the connection of power, rationality, and emotion, readings of Foucault with Habermas (Rodriguez, 2011; Kulynych, 1997) would explain such relationship on deliberation. Rodriguez (2011) referred to Foucault's theory as complimentary readings of Habermas' theory of the communicative action (1997, 1998) on reason and rationality of modernity. Rodriguez indicated the work of Foucault on *Discipline and Punishment* (1995) as the subject's body acted as passive agents under social institution. That pointed out to the powerless of subject under surveillance system. However, the later work of Foucault on *The Care of Self* (1986) the power of subject has transformed to enjoy the pleasure power of subjectivity so that one can pleasure their own freedom of choice over crafting bodies so that to achieve autonomy and to increase civic values through self-formation (Jularut Padunchewit, 2015, pp. 264-266).

The modernization of deliberation has brought to the development of mode of thinking and knowledge- power over state and citizens. Rodriguez (2011, p. 143) stated

that Foucault recognized knowledge- power as the most important strategy to position one's self as exercising autonomy. The process of rationalization on modernity promoted a new form of power as "the art of government" (Rodriguez, 2011, p. 143). Deliberative; therefore, has been fulfilled the power of justification from state and civil society to be enlightened over reasons, facts and strategic position. The modernity was not claimed subject as victims of society, but rather empowered subject to be active over sovereign body. In this point of view, Habermas suggested that communicative rationality helped state and civil society to reach mutual effective consensus on deliberation. The justification on the argument showed the clarification of the ability of communicative rationality to be carried out and decolonized the power of subjectivity (Rodriguez, 2011, p. 142). Rodriguez said, "Foucault's and Habermas's insight on the process of modernity can be seen as a complimentary attempt to bring the consequences of rationalizing power and social domination to light." Thus, the wisdom of ethical justification helped to legitimize the power of deliberation over conflict resolution.

Kulynych (1997) referred to Foucault and Habermas on the concept of participation. Habermas's discursive politic used communicative action in deliberative forum. Whereas, Foucault emphasized on the micropolitics of resistance. The administrative state's role should be promoted civic engagement on public forum so that citizens can enjoy the power of discursive participation (problem-solving deliberation and opinion-formation) for both formal and informal communication (Kulynych, 1997, pp. 320-321). For Foucault's concept of resistance, the power of individual resistance took place on a micro level to make validity of lived experiences and interpretation (Kulynych, 1997, p. 328). The act of resistance showed individual reflection on life world as self-evidence. Kulynych (1997, p. 331) pointed out that the power of resistance was effective to guarantee individual's political efficacy and the creation of an identity that one represented one's self on public life and deliberation. The resistance might be helped to the innovative deliberation through the wisdom of the public. The exercise of power as the product of deliberation led to the creation of reasonable consensus that showed "the power of the public" over the role of argumentation and public justification (Heysse, 2006, p. 266). For state, the government should finally hold administrative power to bring about the resolution with support public opinions. For citizens, one should deliberate and exercise one's power for

common good and bring the best justification on the arguments to legitimize one's right and responsibility as citizens. Like Rawls in his theory of justice that placed his theory on the sense of justice over public reasons and the outcomes of deliberation in positive driven-consensus to improve communities' sustainability. Also, Habermas (1996, p. 299) identified that the flow of communication as the formation of public opinions between state and society helps to enhance the validity and the legitimacy over public arguments to the resolution of problems. Therefore, it is necessary to make validity on the sense of justice and rationality by offering the process of justification on arguments enough to affirm justice as fairness without the impacts of coercion on motivated agreement. This study helps in seeing the transformation of self-empathy, being based on the self-interest on land conflict, to civic compassion in solving land conflict resolution. Also, to consider Kant's theory of ethics and categorical imperative (Vaughn, 2010, p. 109), citizens, civil society, and state apparatus were engaging on the process of sense making between what are good and rational for them in solving land conflict. The purpose of this study was to examine how individuals do their justice and use their moral judgements and practical reasons on public deliberation, with hope that reasons over making arguments had been purified through deliberative justification. Applying deliberative democracy process in examining the policy making and planning through the study of communicative practices and argumentation helps to shed the light over neo-positivism (logical empiricism)—things/reality can be verified empirically and tend towards falsification through logical analysis (Fisher & Forester, 1993). All discussion and theoretical was illustrated by "a model of civic compassion and ethical justification" as followed:

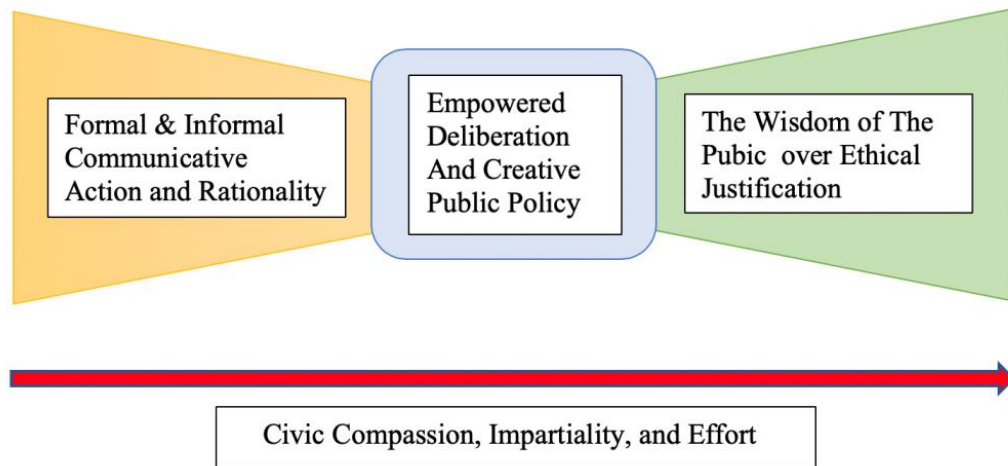


Figure 7.2 A Model of Civic Compassion and Ethical Justification for Empowered Deliberation and Creative Public Policy

7.2.2 Reflection on Policy-Analytic Implications and Recommendations

According to the empirical evidences on the wisdom of justification, the connection of deliberative democracy and public policy geared up for sustainable land conflict management over the strength/weakness of state and citizens, policy suggestion, and implication that are indicated as followed:

Table 7.1 Reflection on Policy-Analytic Implications and Recommendations

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
1) Long periods of time in state management on land conflict at Thaplan	1) The long-term process of land conflict resolution at Thaplan has been proceeding for many decades. All evidences showed that the transmission and interpretation of information were ready and well-prepared for the future resolution. But, in practice, the resolution still needs final decision from state so

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
2) The complexity of state organizations and land policy related over Thaplan areas	<p>that to proceed to the effective policymaking.</p> <p>Also, the changes of state officials over institutions in each government have led to limited knowledge of resolution to a few groups of state officials.</p> <p>2) Therefore, the policy agenda need to be set as soon as possible. The state should focus on policy coordination over land conflict resolution by imposing the final consensus in relation to policy development on targeted communities and affected areas.</p> <p>1) The official's duties and responsibilities were malfunctions because of complicated levels of forest management in dealing such conflicts among: ALRO/Thaplan NP/ MNRE/ RFD.</p> <p>2) The complexity of law enforcement over Thaplan Areas (National Reserved Forest Act (B.E. 2515) Vs. The National Park Act (B.E. 2524).</p> <p>3) Therefore, the public policy in the future should identify arguments with moral values, compare history of evidences, and integrate all information in collaborative dialogue to reflect social and cultural aspects of communities and targeted areas.</p>

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
3) State-Owned Land Problems	<p>4) The malfunction of state land management such as lack of using GPS in the previous time leads to severe land conflict on Thaplan NP because of neglect of communities in the forest.</p> <p>5) The Transfer of land ownership without land title deed.</p> <p>6) Thus, the new land policy should allow the existing communities in Thaplan with land right of Sor Por Kor that has been given to landless farmers and existing communities in Thai Samakkee Subdistrict to be cultivated. Also, Sor Por Kor land document should be upgraded to title deeds, which will let land holders to be legal to stay according to the new boundary on B.E. 2543 with new conditions that will not specific to only agriculture, but should open for more sustainable ways of living and earning such as homestay owners.</p> <p>7) The prospect of the examination of ALRO conditions according to the Ombudsman's suggestion: in case that the farmer who receive permission from ALRO to utilize the land in Agricultural Land Reformation (ARL 4-01) area has changed the land condition for utilization, Agricultural Land Reform Office shall propose such matter to the Board of Agricultural Land Reformation to determine the area for land</p>

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
	<p>reformation to match the Wang Nam Khiao's policy and strategy for the farmers who receive permission can conduct the business which is a service or the business related to the being of people in economic and social way following the announcement of Ministry of Agriculture and Cooperatives. The action for the people who occupy and utilize the land in national reserved forest and national park area, the government should consider with these 5 following principles:</p> <p>(1) If the people occupied and utilized on such land before the enforcement of land code of laws which is before December 1st, 1954 (B.E. 2497), such people shall receive the right following the land code of laws. The related unit should proceed on problem solving by issuing the related document of right.</p> <p>(2) in case of the invaders who invade the forest with clear intension. As the ministry's resolution June 30th, 2004 suggested, such people are considered as dishonest invaders, the law enforcement on these people should be done seriously.</p> <p>(3) in case of the transferee from invaders in item 2. who know, hire or support the invasion to become the transferee of that right, such people are also considered as dishonest people, the law</p>

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
	<p>enforcement on these people should also be done seriously.</p> <p>(4) in case of the transferee who receive the dishonest right such as, knowing that it is a forest area or under the law enforcement but still receive such right, they should not receive right protection as same as the invaders in item 2.</p> <p>(5) In case that the people had occupied or utilized the land before or after the first announcement of the forest area but transferred the right to the other or change its status for further utilization, even the government enforce the law by reclaiming the land, if such person perform with honest action, he should receive the indulgent to stay and utilize the land for a while in which should be under the regulation or requirement that prevent further construction and plant the trees and forest as the authorized unit suggest and no ecology interrupting action will be performed.</p> <p>(6) The government should support the drafting of city plan of the provinces and apply to all the area of all provinces across country for a suitable area utilization arrangement.</p> <p>(7) The action for the resort entrepreneurs proposes as follows:</p> <p>a) in case that the entrepreneur the land before the announcement of National reserved</p>

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
	<p>forest and national park area, this group shall continue to have the right in the land, but they need to consider that the place affects the ecology or not, and if they change the utilization of such land that become the resort, will they affect the ecology or not? If the affection is seen and cannot grant the right, the government shall relief the people by providing the land instead.</p> <p>b) in case that the entrepreneur is the transferee or the outside investor, they should be judged by law. If they believe that they claim the land honestly and pay the price, it shall be considered no intension for invasion and shall not be sued for criminal liability, but the entrepreneur shall have no right in that land.</p> <p>c) in case that the entrepreneur in the Agricultural Land Reformation area is a person who receive Agricultural Land Reformation (ARL 4-01), the Agricultural Land Reform Office shall inspect and consider that it is a utilization which related to agriculture or an activity that related to the being of the farmer in economic and social way. If the resort entrepreneur receives the land from the one who receive the land from land arrangement and ARL land transferring, which considered to be illegal, the former owner shall right their own wrong, and if he violates, he shall</p>

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
4) The problem of local state governance within communities	<p>be withdrawn the right in the land and the land shall be provided to the rightful person.</p> <p>1) The ineffective management of local administration (SAO) to stop newcomers to buy and transfer land ownership without title deeds.</p> <p>2) Thus, public policy on the role of state officials should be strict, if the forest areas belonged to national park areas. The land distribution policy should be revised so that to prevent the land transfer by newcomers. In addition to protect land encroachment in the future, state should be</p>
5) The problem of the implement of new boundary on B.E. 2543	<p>1) The proceeding new boundary on B.E. 2543 by state and communities has been working for decade (2533-2543) so that to separate state's vs communities' border in the areas of Tap Lan.</p> <p>2) Thus, new land policy should be imposed this common good border (B.E. 2543) as the truth border in land conflict resolution. This border is considered as common good because of justification from both state and citizens on forums. The prospect of new boundary demarcation B.E. 2543 should be implemented due to the problem of land boundary of overlapped area. It appeared that the related departments including Forestry Department, National Park Department and Agricultural Land Reform Office could not identify the clear area boundary between</p>

Table 7.1 (Continued)

Reflections of Weakness: State and Citizens	Policy Suggestion and Implication
	<p>the responsible area of each department. It caused an overlapping between the responsible area of each department and caused a conflict with the people who couldn't check the boundary and argued with the government departments. In conclusion, the area of Thaplan national park that has been improved the area of Thaplan national park following the order of the Board of improvement of Thaplan national park 10/2543 dated March 6th, 2000 are as follows</p> <p>(1) The excluded area because there is a problem with the people 238,991.18 Rais</p> <p>(2) The area that should be added to Thaplan national park 99,154.89 Rais</p>
Reflections of Strength: State and Citizens	Policy Suggestion and Implication
1) Deliberation beyond state management on land conflict resolution.	<p>1) The state management used deliberation as innovative tools to solve such conflicts. All justifications from state and citizens were effective under well-organized systems of public forums. The systems were opened for the dynamic interaction and led to the wisdom of public. The strength of deliberation on state management will integrate information and attribute to sustainable conflict resolution for the future.</p> <p>2) Thus, deliberative policy analysis and planning should be implemented to all level of scales: state,</p>

Table 7.1 (Continued)

Reflections of Strength: State and Citizens	Policy Suggestion and Implication
	local state, civil society, and media so as to achieve power of justification over communicative action.
2) Deliberation on wisdom of public	<p>1) Civic participation for both formal and informal communication helps to bridge the gap over inequality in state management.</p> <p>2) Thus, the deliberation is useful for promoting wisdom public that shows civic capacity and strategy on the uses of rational knowledge and related innovative information and facts as evidences to support public management as well as public values among communities.</p>

Therefore, our country and state management should not fall in to the trap of “myth of decentralization and myth of participation” (Patcharee Siroros, 2013, P. 22). Policymakers should transform all demands and give feedback to create policy outcome that reflects all the best available evidences from state and citizens’ justification that is the heart of policy development and implementation. The most weakness of state management on land policies was the complexity of state policies (seeing chapter 4) in managing land conflict at Thaplan as followed:

Table 7.2 The Complexity of State Policies

Year/ Policy Maker	Policy Related Issue	Who Gains Benefits?
B.E. 2507 ministerial regulations on Forest Reserved law: Ministry of Agriculture and Cooperatives	To impose the Forest Reserved Act over Thaplan	Thai Government and Communities
B.E. 2517 Order 7/2517: Ministry of Agriculture and Cooperatives	To impose Forest Concession policy	Pracheanburi Wood company and Thai government
B.E. 2521 Royal Decree on Land Reforms	To impose areas (Nakhorn Ratchasima Province, Pak Thong Chai Subdistrict, and Chok Chai Subdistrict) to become land reform areas (the Agricultural Land Reform Office—ALRO's responsibilities.	Communities and Local State, the Agricultural Land Reform Office
B.E. 2523 order 66/2523 from State Policy	To impose policy to move the suspected people as communists in the forest to settle the communities in Thai Samakkee Subdistrict.	Thai Government and Communities

Table 7.2 (Continued)

Year/ Policy Maker	Policy Related Issue	Who Gains Benefits?
B.E. 2524 Royal Decree on imposing Thaplan as National Park	To impose laws and policies over Thaplan areas	Thai Government, Park and Forest Officers
B.E. 2528 The Cabinet Resolution on 26 th February to prove citizens' land rights	To provide the opportunities for communities' rights for citizens who have settled since 1967 (B.E. 2510)	Communities
B.E. 2540 The Cabinet Resolution on 22 nd February	To solve land conflict at Thaplan areas by offering responsibility to Ministry of Agriculture and Cooperatives to take charge over the land examination to proceed the rectification of new boundary. Also, to impose law for the Royal Forestry Department to allocate areas to the Agricultural Land Reform	Thai Government and Communities
B.E 2543 The Cabinet Resolution on 30 th June	To impose policy for the Royal Forestry Department to rapidly proceed the new boundary so that to easily	Thai Government and Communities

Table 7.2 (Continued)

Year/ Policy Maker	Policy Related Issue	Who Gains Benefits?
	prove land rights and to protect land encroachment.	
B.E 2543 Order 44/2543 on 4 th October: the Royal Forestry Department	To impose order to settle the committees to proceed the new boundary.	Thai Government and Communities
B.E 2544 NM 2511/ 590: the Royal Forestry Department	To submit all areas and boundary by GPS (1: 50,000) to clear proceed the new boundary to state.	Thai Government and Communities
B.E. 2549 Order 13/2549: Ministry of Agriculture and Cooperatives	To impose policy to reshape Thaplan areas with condition as followed: In case of land overlap between the National Park and Land reform zone; the one that first declaration before the Royal Forestry Department allocated areas to ALRO shall belong to National Park. But, if after declaration on land allocation to ALRO, the areas shall inspect the total areas.	National Park Department and ALRO

Table 7.2 (Continued)

Year/ Policy Maker	Policy Related Issue	Who Gains Benefits?
	If that areas are forest; such areas shall belong to National Park, and shall be removed from the ALRO areas.	
B.E. 2550-2559: The Master Plan of Area Management	To impose the master plan according to the Unesco’s Conditions to separate communities and the NP zone so that achieve the suitable areas of NP to register as Unesco World’s Heritage Zone.	Thaplan NP and Communities

The policy suggestion for co-management from state, communities, and advocacy groups in the Thaplan areas should proceed the clear target goal for sustainable community development that followed the UN’s Sustainable Development Goals (SDG_s) on Democracy and Development. According to The United Nations 2030 Agenda, “there can be no sustainable development without peace, nor peace without sustainable development.” Both Thai government and communities should have strong capacity by building the sustainable communities on Thaplan and building an effective legal and land policy to eliminate land conflict and to promote equality. The more the strong communities, the greater the social development in the country. The Goal 16 was promoted inclusive democracy and peaceful conflict resolution. Deliberative democracy’s concept was effective mechanisms and congruence to support peaceful communities with inclusive societies to achieve the goals of the agenda. Regard to SDG Target 16.7 aims to “Ensure responsive, inclusive, participatory and representative

decision-making at all levels.” To measure the target goal of deliberation on land conflict resolution, helps to point out how Thai democracy and representativeness linked to inclusion of civic engagement and state capacity to solve the conflict. This study showed the wisdom of state and civic participation on land conflict: a case of Thaplan NP in empowering public reasons with compassion on the common good. The dialogues over study were held at all levels during all stages, from preference formation to final decision. Civil society groups over study showed their capacity of ethical justification and pursued their collective interests and ideals. Deliberation on land management helps to confirm the strong of engaged society, the respect counterarguments, and reconciliation over forums. The power of state and civic wisdom needs to further development with the effective land policy in the near future. Even if rationality is power; power is rationality in justification of power that have challenging over democracy (Flyvbjerg, 1998, p. 234). This study helps to gloss the truth by fostering compassion to deliberative democracy in arriving land conflict resolution.

7.3 The Limitation of the Study

This study has concentrated on narratives to convey meaning as features of human communications on public deliberation; however, the land conflict resolution might be challenged due to limits of specific cases, lack of time and resources. Future research may consider in inclusion of wide range population that helps in bring more fruitful to legitimacy of the prospect future.

7.4 Recommendations for Future Research

The possibilities for future research could generate the implement of land conflict management to assessment the target plan of the state and communities in dealing land conflict regard to SDGs. Concerning the qualities of deliberative practices and the successful of consensus whether the power of civic engagement and the power of state authority will contribute to be encouraged to strengthen the sustainable society. This empirical mixed-method research has provided some initial results, although further evidences needed.

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APPENDICES

APPENDIX A

Questionnaire

APPENDIX A

Questionnaire

แบบสอบถามงานวิจัยเชิงคุณภาพ

โครงการวิจัย: ประชาธิปไตยแบบปรึกษาหารือ:

ขบวนการเคลื่อนไหวทางสังคมของภาคประชาสังคม

ในการจัดการความขัดแย้งเรื่องที่ดินในพื้นที่อุทยานแห่งชาติทับลาน อำเภอวังน้ำเขียว

จังหวัดนครราชสีมา

แบบสัมภาษณ์มีเนื้อหาสาระพอสังเขปดังนี้

1. แบบสัมภาษณ์คัดกรองประชากรที่ศึกษาเพื่อเข้าร่วม
2. แบบสัมภาษณ์ประชากรขณะศึกษา

คำถามเกี่ยวกับข้อสงสัยในการทำวิจัย (Questions)

หากเอกสารนี้มีข้อความใดที่ท่านอ่านแล้วไม่เข้าใจ โปรดสอบถามได้ทุกเมื่อที่ ข้าพเจ้านางสาว จุฬารัตน์ ผดุงชีวิต ที่เบอร์: 085-271-6116 หรือส่งอีเมลล์มาที่ jularut@live.com นอกจากนี้ ท่านสามารถติดต่อหัวหน้าโครงการวิจัย ผศ.ดร. อาแว มะแส โดยส่งอีเมลล์มาที่ awae.m@nida.ac.th (081-478-7137) และ ร.ศ. ดร. สมศักดิ์ สามัคคีธรรม (081-373-1226) เพื่ออธิบายจนกว่าจะเข้าใจชัดเจนดี นอกจากนี้ท่านสามารถนำเอกสาร นี้กลับไปที่บ้านเพื่ออ่าน และทำความเข้าใจหรือปรึกษาหารือกับครอบครัว หรือเพื่อนของท่าน เพื่อช่วยในการตัดสินใจ เข้าร่วมการวิจัยครั้งนี้ได้ ซึ่งการสัมภาษณ์จะเริ่มจากคำถามทั่วไปหลังจากนั้นจึงเป็นคำถามหลัก และคำถามปิดท้ายซึ่งมีรายละเอียดคำถามดังต่อไปนี้

• คำถามทั่วไป (Background Questions)

1. ชื่อ (Subject)
2. อายุ (Your Age)
3. ระดับการศึกษาสูงสุด (What is the highest level of education that you have completed?)
4. สถานภาพการทำงาน (What is your current employment situation?)
5. อาชีพ (What is your main occupation)
6. รายได้ปีที่แล้ว (What do you estimate your total family income was last year?)
7. หมู่บ้าน (Dept)
8. อาศัยอยู่หมู่บ้านไหน (Where do you live in this village?) และมีระยะเวลาานเท่าไรในพื้นที่อุทยานทับลาน (How long since you lived here?)
7. สถานภาพสมรส (Marital Status)
8. กรณีถ้ามีบุตร มีบุตรจำนวนกี่คน (How many children do you have?) อายุ (please list their age)
9. เป็นสมาชิกกลุ่ม องค์กร สมาคม ชมรม ใดหรือไม่ (Are you being a member in any group?)
10. ประวัติองค์กร; ชื่อ; Organizational Structure—micro-macro → ก่อตั้ง; เป้าหมายหลักของกลุ่ม; Norm; Organizational Culture? ดึงระเบียบประเพณีอย่างไร; กิจกรรม; การเงิน (แหล่งสนับสนุน); เครือข่ายในการติดต่อกับองค์กรอื่นๆ (Connection of other social networks-- การเชื่อมโยงเครือข่าย/กลไกการเชื่อมโยง เช่น การใช้เทคโนโลยีสื่อสาร/ลักษณะรูปแบบการเชื่อม

โยงหรือข่าย (model)); เหตุผลที่มา เข้าร่วมเป็นสมาชิก; **Social Support:** ลักษณะการปฏิสัมพันธ์ในกลุ่มระหว่างสมาชิก กับ สมาชิก-หัวหน้ากลุ่ม → (A) **A Sense of Self-Worth/ Offering resources in tackling life troubles:** 1) Informational 2) instrumental—forms of support in solving life difficulties 3) appraisal—flowing of decision making 4) emotional—self-esteem/ (B) **Causal role of social support:** 1) Availability of social support; 2) Perceived Support; 3) delivery of support เช่น พบปะง่ายใหม่/ โอกาสกับการเข้าถึงในการเข้า- ออกในการเป็นสมาชิก);
ทำ mapping องค์กร

11. ตำแหน่งทางสังคมและบทบาท

12. กรณีถ้าเป็นสมาชิก มีกิจกรรมอาสาใดๆบ้างเพื่อชุมชน

- คำถามหลักเริ่มแรกก่อนการสัมภาษณ์ตามวัตถุประสงค์หลัก (Initial General questions before Discussing land conflicts)

: ประวัติความเป็นมาของชุมชน (Communal history): หมู่บ้าน อาชีพ ภูมิศาสตร์ของชุมชน; ความเชื่อเกี่ยวกับป่าและอำนาจของความเชื่อนั้นๆ; ใครเป็นหัวหน้าอุทยานคนแรก รวมถึงกลยุทธ์ในการจัดการป่า; มีใครทำผัดบังและถูกลงโทษอย่างไร; จุดเปลี่ยนที่ทำให้เกิดข้อพิพาทและความรุนแรงเกี่ยวกับปัญหาที่ดิน;

: เรื่องราวของท่านเกี่ยวกับประสบการณ์ที่เกิดขึ้นเกี่ยวกับการเผชิญปัญหาที่ดินในเขตอุทยานทับลาน (เกิดอะไรขึ้นกับท่านบ้าง, เรื่องราว/สถานการณ์เป็นอย่างไร, สถานที่ที่ท่านอยู่อาศัยอยู่ในเขตพื้นที่หรือไม่, มีประสบการณ์พิเศษใดที่ท่านอยากจะได้, สิ่งที่เกิดขึ้นกระทบกับชีวิตความเป็นอยู่หรือความมั่นคงของท่านอย่างไร (ครอบครัว ญาติ เพื่อนสนิท เพื่อนบ้าน เพื่อนร่วมงาน คนนอกหมู่บ้าน)

: ****Timeline** ในการเปรียบเทียบการพัฒนาของพื้นที่ป่าวังน้ำเขียว รวมถึงก่อน-หลังการประกาศป่า และความเชื่อมโยงกับชุมชน

- ก่อน 2504 การจัดการป่าและพื้นที่ทำกินก่อนการประกาศเขต
- 2504 พรบ. อุทยานแห่งชาติ
- 2507 พรบ. ป่าสงวนแห่งชาติ เกิดรูปแบบที่ดินเพื่อการเกษตร สปก-สัญญาหนึ่ง
- 2524 ประกาศเขตพื้นที่อุทยานแห่งชาติ ซึ่งเป็นหลักเขตที่ไม่ชัดเจน
- 2526 โครงการเพื่อพัฒนาความมั่นคงในพื้นที่ (พ.ม.พ.)
- 2534 โครงการจัดสรรที่ดินทำกินให้แก่ราษฎรผู้ยากไร้ (ค.จ.ก)
- 2534-2543 การพัฒนาปรับปรุงแนวหลักเขต เช่น unesco
- 2543 – 2557 การพัฒนาของนโยบาย แผนแม่บท การจัดการการใช้ที่ดินในพื้นที่ เช่น การจัดโซนนิ่ง (Zoning); การสัมปทานป่าไม้; นโยบายและวาทกรรมการท่องเที่ยว (ติดอันดับแหล่งโอโซนและสวิสเซอร์แลนด์)

แบบสัมภาษณ์เชิงลึก (In-depth Interview)

วัตถุประสงค์ที่ 1 (Aim One)

: เพื่อศึกษาบริบทของปัญหา สภาพปัญหา ข้อเท็จจริง ผลกระทบที่เกิดขึ้นที่เกี่ยวข้องกับกรณีพิพาทเรื่องที่ดินและการจัดการปัญหาในพื้นที่เขตอุทยานแห่งชาติทับลาน อำเภอวังน้ำเขียว จังหวัดนครราชสีมา: คำถามต่อไป นี้ จะประเมินสภาพปัญหาที่เกิดขึ้น สถานการณ์ที่เกิดในอุทยานแห่งชาติทับลาน รวมถึงวิเคราะห์การจัดการปัญหาที่เกิดขึ้นซึ่งมีแนวคำถามสำหรับสัมภาษณ์ผู้ให้ข้อมูลสำคัญดังนี้

- คำถามสำหรับเจ้าหน้าที่รัฐ (กรมอุทยาน/กรมป่าไม้/อบต.), ผู้นำกลุ่ม/องค์กรรวมถึงกลุ่มเคลื่อนไหวต่างๆ ในพื้นที่ ผู้อาวุโส ชาวบ้านและคณะกรรมการหมู่บ้าน
 - ความเป็นมา ก่อน/ หลัง การประกาศเขตอุทยานและป่าสงวนรวมถึงผลกระทบ
 - ท่าน/ครอบครัวของท่านอยู่ในพื้นที่เป็นระยะเวลาานเท่าไร ก่อนการประกาศกฎหมายป่าไม้หรือไม่ /เปรียบเทียบอดีตถึงปัจจุบัน มีความเป็นมาอย่างไร
 - จงเปรียบเทียบอดีตกับปัจจุบันว่ามีปัญหาในความเป็นมาเรื่องที่ดินแตกต่างกันหรือไม่ อย่างไร
 - การจัดการป่า ทรัพยากร รวมถึงลักษณะภูมิทัศน์มีการเปลี่ยนแปลงไปหรือไม่ เช่น ความเขียวของป่า
 - ท่านรู้สึกและคิดเห็นอย่างไรกับปัญหาที่ดินที่เกิดขึ้น
 - ปัญหาเหล่านี้ส่งผลกระทบต่อคนในชุมชนของท่านอย่างไร ส่งผลต่อตัวท่านหรือไม่ อย่างไร (ทางกาย จิต อารมณ์ ความเป็นอยู่ ความมั่นคงทางเศรษฐกิจและสังคม)
 - รูปแบบความรุนแรงเกิดขึ้นกับท่าน อย่างไร เพราะเหตุใด
 - ในฐานะที่ท่านเป็นคนในชุมชน ในความคิดของท่าน ท่านเห็นอย่างไรกับประโยคที่ว่า...ประชาชนเป็น... “ผู้บุกรุกป่า” หรือ “ผู้อยู่อาศัย” เพราะเหตุใดจึงคิดเช่นนั้น

- สภาพปัญหาความทับซ้อนในประเด็นเรื่อง 1) การประกาศ/บังคับใช้กฎหมายรวมถึงแนวเขต และ 2) ประเด็นเรื่องพื้นที่เรื่องสิทธิ
 - ท่านคิดเห็นอย่างไรเกี่ยวกับกฎหมายที่ดิน (สปก/ภบท/สค1) ที่ประกาศบังคับใช้ในพื้นที่
 - ท่านคิดเห็นอย่างไรเกี่ยวกับความทับซ้อนของพื้นที่ในเขตอุทยานทับลานในประเด็นเรื่องสิทธิการครอบครอง(สปก/ภบท/สค1) และประเด็นในการประกาศใช้กฎหมายอุทยาน/ป่าสงวน ในเขตทับลาน
 - ก่อนที่จะมีการประกาศเขตอุทยาน มีเจ้าหน้าที่ของกรมอุทยานมาชี้แจง/ เดินสำรวจหรือไม่

- ท่านทราบ/เคยเห็นป้ายในการประกาศบอกพื้นที่เขตอุทยานหรือไม่
อย่างไร
- ท่านทราบถึงความแตกต่างของหลักเขตปี 2524 และ 2543 หรือไม่
- ถ้าทราบ โปรดอธิบายว่า หลักเขตดังกล่าวแตกต่างกันอย่างไร
- ท่านเคยเห็น/เข้าร่วมการปรับปรุงหลักเขตในปี 34-43 หรือไม่/
สภาพ และ บทบาทของท่านในการเข้าร่วมครั้งนี้เป็นอย่างไร/
ด้วยเหตุผลอะไร/ มีกระบวนการอย่างไร/ และรู้สึกอย่างไร
- ท่านได้มีการดำเนินการต่อสู้/เรียกร้อง เพื่อขอความเป็นธรรมหรือไม่
อย่างไร มีเหตุผลใด (รวมถึงการจัดทำสื่อสิ่งพิมพ์ต่างๆ เช่น หนังสือ
ป้ายประกาศ และเว็บไซต์) ใช้ความรุนแรงหรือไม่
- เอกสารสิทธิ์ควรเป็นชนิดใดจึงจะรักษาที่ดินไว้ได้

○ การจัดการปัญหาที่ดินในอุทยานแห่งชาติทับลาน

- มีปัญหาในการติดต่อประสานงาน/ ขอความร่วมมือในการแก้ไข รวมถึง
ขอคำปรึกษากับ (เจ้าหน้าที่ ของกรมอุทยาน/อบต./NGOS/
ผู้นำท้องถิ่น/เพื่อนบ้าน) อย่างไร
- ภายในกลุ่ม/หน่วยงานของท่าน ได้มีการดำเนินการต่อสู้/เรียกร้อง
เพื่อขอความเป็นธรรมหรือไม่ อย่างไร มีเหตุผลใด (รวมถึงการจัดทำ
สื่อสิ่งพิมพ์ ต่างๆ เช่น หนังสือ ป้ายประกาศ และเว็บไซต์)
- ได้มีการติดต่อประสานงานกับสื่อหรือองค์กรภายนอกหรือไม่อย่างไร
- บุคคล/กลุ่ม/องค์กรไหนที่มีส่วนร่วมในการแก้ปัญหาที่ดินได้เป็นอย่างดี
- ท่านเข้าร่วมกลุ่มไหนบ้างในการแสดงบทบาทในการจัดการปัญหา
- ท่านและ/หรือ กลุ่ม/ องค์กรของท่าน มีการรับมือกับปัญหาที่เกิดขึ้น
อย่างไร โดยวิธีการใด
- มีการใช้รูปแบบ/อัตลักษณ์กลุ่มในการร่วมกันเคลื่อนไหวทางสังคมอย่าง
ไร
- ท่านคิดว่าการแก้ไขปัญหาเกี่ยวกับที่ดินเช่นนี้ส่งผลกระทบต่อมุมมอง
ของ (เจ้าหน้าที่ ของกรมอุทยาน/อบต./NGOS/ผู้นำท้องถิ่น/เพื่อนบ้าน)
อย่างไร
- ถูกตีตรา/กล่าวหา หรือไม่อย่างไรจาก (เจ้าหน้าที่ของกรมอุทยาน
/อบต./NGOS/ผู้นำท้องถิ่น/เพื่อนบ้าน)

○ ข้อเสนอแนะ

- ด้านกฎหมาย
- ด้านแนวคิด
- ด้านการจัดการปัญหา (เพิ่มเติม)

- การวางแผนการจัดการปัญหาในระยะสั้นและระยะยาว
- การขับเคลื่อนการแก้ปัญหาในลักษณะเครือข่าย (กิจกรรม/วิธีเจรจาในการแก้ปัญหาพร้อมกับเครือข่าย/กลไกในการขับเคลื่อนที่นำไปสู่ผลสัมฤทธิ์)
- การจัดการเรื่องปัญหาที่ติดอย่างยั่งยืน (ปัจจัยที่สำคัญที่สุดในการแก้ไขปัญหาอย่างยั่งยืน คืออะไร ต้องมีอะไรสนับสนุน ถึงจะรวมกันได้ถึงจะแก้ปัญหา)

วัตถุประสงค์ที่ 2 (Aim Two)

: เพื่อศึกษาลักษณะของรูปแบบและกระบวนการของประชาธิปไตยแบบปรึกษาหารือในขบวนการเคลื่อนไหวของภาคประชาสังคมในการจัดการปัญหาที่ติดในอุทยานแห่งชาติทับลาน

คำถามกรีนนำเกี่ยวกับกลุ่ม/องค์กรและความเป็นประชาธิปไตยในการจัดการปัญหาที่ติด (เขียนผังโครงสร้างของกลุ่มหรือองค์กร; ท่านคิดว่ากลุ่มหรือองค์กรของท่านมีฐานคิดที่สอดคล้องกับหลักประชาธิปไตยหรือไม่ อย่างไร; คุณลักษณะของผู้นำกลุ่ม (คุณสมบัติ/ การได้รับการยอมรับ); คุณลักษณะของสมาชิกในกลุ่ม (จิตสาธารณะ--เห็นคุณค่าในองค์กร/ เห็นความสำคัญของผลประโยชน์สาธารณะ/ ยอมรับในความคิดการกระทำของสมาชิกคนอื่นในองค์กร; รูปแบบของการระดมความคิดในการตัดสินใจภายในกลุ่ม; สมาชิกมีความสุขที่ได้สานเสวร่วมกันในกลุ่ม; ความไว้วางใจกัน; ความอดทนอดกลั้นในการรับฟังความคิดเห็น มุมมอง ความเชื่อที่แตกต่างหลากหลายบนพื้นที่สาธารณะรวมถึง เคารพมติในที่ประชุมและมีความอดทนรอรับฟังผลที่จะบรรลุเป้าหมาย (ความเห็นไม่ถูกชุกไว้ได้เสีย)--ก่อน-ระหว่าง-หลัง การประชุมปรึกษาหารืออภิปราย ถกเถียง วิพากษ์วิจารณ์ความเห็นที่แตกต่างกัน; ประชาธิปไตยในความคิดของท่านคืออะไร; องค์กรของท่านได้ก่อให้เกิดบรรยากาศแห่งความเป็นประชาธิปไตยในชุมชนบ้างหรือไม่ อย่างไร; ท่านคิดว่า แนวทางการทำงานกับชาวบ้านที่เป็นอยู่ มีความเป็นประชาธิปไตยมากน้อยเพียงใด; ท่านคิดว่า การเคลื่อนไหวตามแนวทางประชาธิปไตย จะช่วยสร้างพลังในการแก้ปัญหาได้หรือไม่ อย่างไร)

- กระบวนการของประชาธิปไตยแบบปรึกษาหารือ
- ธรรมชาติของการสื่อสาร- รับสารของผู้พูดและผู้ฟัง (nature of speech act)
 - บรรยากาศการพูดคุยของท่านภายในกลุ่ม มีความเป็นประชาธิปไตยมากน้อย เพียงใด มีการขัดจังหวะการสนทนาหรือไม่ อย่างไรระหว่างผู้พูดและผู้ฟัง
- ระยะเวลาในการเข้าร่วมในการเสวนา (Participation—Length of time)
 - ชั่วโมง/นาที/วินาที
- อุปสรรคในการเข้าร่วม (Participation—Constraints)
 - ในระหว่างการเสวนา ท่านถูกขัดจังหวะทั้งทางวิจนะและอวิจนะภาษาหรือไม่จากผู้ฟังในการแสดงอารมณ์ เช่น การโห่ร้อง การถูกยกนิ้วหัวคิ้ว

- ท่านคิดว่าท่านได้เข้าไปมีส่วนร่วมในกระบวนการประชาธิปไตยในชุมชนบ้าง หรือไม่ อย่างไร
 - การเคารพผู้พูดและผู้ฟัง (Respect—Foul language, respectful language, listening)
 - มีการใช้ภาษาที่รุนแรงในการโจมตีฝ่ายตรงข้าม เช่น การใช้วาทกรรมที่รุนแรง
 - มีการใช้ภาษาที่สุภาพให้เกียรติทั้งผู้พูดและผู้ฟัง
 - ผู้ฟังไม่ยอมรับในสิ่งที่ผู้พูดนำเสนอ หรือมีการบิดเบือนข้อโต้แย้ง รวมทั้งคำถามต่างๆที่เกิดขึ้น
 - ผู้พูดและผู้ฟังรับฟังซึ่งกันและกัน มีส่วนร่วมในข้อโต้แย้งหรือคำถามต่างๆที่เกิดขึ้น อย่างโปร่งใสและไม่บิดเบือน
 - ความเข้มข้นของการอภิปรายในการเชื่อมโยงเหตุและผล (level of justification of arguments)
 - ผู้พูดคำนึงถึงผลประโยชน์ของกลุ่มตนเป็นหลัก
 - ผู้พูดคำนึงถึงผลประโยชน์ของกลุ่มอื่น
 - การอภิปรายในการเชื่อมโยงเหตุและผลของเนื้อหาภายในและนอกกลุ่ม (Content of justifications of arguments (own groups/other groups))
 - การอภิปรายในการเชื่อมโยงเหตุและผลของเนื้อหาในเชิงศีลธรรมจรรยา (Content of justifications of arguments—abstract principles e.g social justice; social quality etc.)
 - มีการพูดถึงความยุติธรรม สังคมคุณภาพ ความอยู่ดีมีสุข
 - การนำหลักประชาธิปไตยมาใช้ในการเคลื่อนไหวเพื่อแก้ปัญหาที่มีความจำเป็น และสำคัญ หรือไม่ อย่างไร
 - ทางออกของปัญหาเชิงสรรค์สร้างและเน้นความสมานฉันท์ (Force of better arguments)
 - ท่าที่ผ่านมาการปรึกษาหารือกันระหว่างคนในชุมชนประสบความสำเร็จมากน้อย เพียงใด
 - ผู้พูดและผู้ฟังมีการหยิบยกประเด็นที่สรุปรวมในครั้งก่อนหน้า มาสานต่อในการประชุมแต่ละครั้ง (a change in position)
- ***process ลักษณะกลุ่ม จุดยืน ข้อเรียกร้อง เป้าหมาย มติ เอกฉันท์ กลยุทธ์ ผลสัมฤทธิ์
- ข้อเสนอแนะ
 - ประชาธิปไตยแบบปรึกษาหารือที่ท่านคาดหวัง
 - ท่านคิดว่าอะไรคือปัจจัยที่ทำให้เกิดประชาธิปไตยที่ยั่งยืนในการจัดการปัญหาที่ดิน
 - ท่านคิดว่า อะไรคืออุปสรรคที่ขัดขวางการพัฒนาประชาธิปไตยในชุมชน
 - ความเห็นต่อ สิทธิชุมชนและพลังขับเคลื่อนท้องถิ่น (Localism)

การประเมินชุมชนด้วยภาพถ่าย (Photo-Voice)

Theme 1: ถ่ายประสบการณ์และร่องรอยความเสียหายของท่านเรื่องปัญหาที่ดิน และอภิปรายร่วมกัน

Theme 2: ถ่ายพยานวัตถุ เช่น ป้าย สื่อ หลักเขต เป็นต้น เกี่ยวกับปัญหาที่ดินในตำบล และอภิปรายร่วมกัน

Theme 3: ถ่ายภาพที่เกี่ยวข้องกับประชาธิปไตยและความร่วมมือในชุมชนในการจัดการปัญหาที่ดิน

โครงการวิจัยเรื่อง ประชาธิปไตยแบบปรึกษาหารือ: ขบวนการเคลื่อนไหวทางสังคมของภาคประชาสังคมในการจัดการความขัดแย้ง ชุมชนที่
 เรื่องที่ดินในพื้นที่ กรณีศึกษา การบุกรุกพื้นที่อุทยานแห่งชาติทับลานอำเภอวังน้ำเขียว จังหวัดนครราชสีมา
 โดย คณะพัฒนาสังคม สถาบันบัณฑิตพัฒนบริหารศาสตร์



แบบสอบถามเรื่องการจัดการความขัดแย้งเรื่องที่ดินในอุทยานแห่งชาติทับลาน

คำอธิบาย: แบบสอบถามมีด้วยกันทั้งหมด 6 ส่วนดังนี้

1. ข้อมูลคุณลักษณะทั่วไป
2. ความรู้สึกต่อประสบการณ์ชีวิตของท่านในการเข้าร่วมประชุมเกี่ยวกับปัญหา ต่างๆที่เกิดขึ้นในชุมชน
3. การประเมินสถานการณ์ที่เกิดขึ้นในการแสวงหาแนวทางแก้ไขปัญหาความ
 ขัดแย้งที่ดินในอุทยานแห่งชาติทับลานร่วมกันระหว่างรัฐ-ประชาชน
4. ความรู้สึกในการเข้าร่วมประชุมเวทีที่ประชุมเกี่ยวกับการจัดการปัญหาความขัดแย้งที่ดิน
 ในอุทยานแห่งชาติทับลาน
5. บทบาทของท่านในเวทีที่ประชุมในการจัดการความขัดแย้งที่ดินใน อุทยานแห่งชาติทับลาน
6. ข้อเสนอแนะอื่นๆ

1. ข้อมูลคุณลักษณะทั่วไป (โปรดทำเครื่องหมาย ✓ และเติมค่าลงใน.....)

- 1) เพศ หญิง ชาย อื่นๆ
- 2) อายุ ปี (จำนวนเต็ม)
- 3) ระยะเวลาที่อยู่อาศัยในชุมชนของท่าน (โปรดระบุ).....ปี (จำนวนเต็ม)
- 4) วุฒิการศึกษา ประถมศึกษาหรือน้อยกว่า มัธยมศึกษาหรืออาชีวศึกษา
 ตั้งแต่ปริญญาตรีขึ้นไป อื่นๆ(โปรดระบุ).....
- 5) สถานภาพ โสด /ไม่เคยสมรส สมรส หย่า อยู่ร่วมกันโดยไม่แต่งงาน
 แยกกันอยู่ หม้าย อื่นๆ(โปรดระบุ).....
- 6) จำนวนบุตร.....คน (โปรดระบุ)
- 7) หมู่บ้าน.....หมู่ที่.....
- 8) รายได้ของครอบครัวต่อเดือน (โปรดระบุตัวเลขโดยประมาณ)..... (จำนวนเต็ม) บาท
- 9) อาชีพ แม่บ้าน ชาวนา/ชาวไร่/ ชาวสวน ธุรกิจส่วนตัว (รีสอร์ท/ ร้านอาหาร/ โฮมสเตย์)
 ลูกจ้างเอกชน ข้าราชการ/ พนักงานรัฐวิสาหการ นักเรียน/นักศึกษา
 อาชีพอื่นๆ (โปรดระบุ).....
- 10) ท่านเป็นสมาชิกกลุ่มใดบ้าง (โปรดระบุ).....
- 11) จำนวนในการเข้าร่วมประชุมในการจัดการปัญหาที่ดินในอุทยานแห่งชาติทับลาน
 1 - 5 ครั้ง 5 - 10 ครั้ง 10 ครั้งขึ้นไป
- 12) เวทีในการเข้าร่วมประชุมของท่าน (ทำเครื่องหมาย ✓ ได้มากกว่า 1 ข้อ)
 เวทีระดับหมู่บ้าน เวทีระดับชุมชน เวทีระดับจังหวัด
- 13) ลักษณะการใช้ที่ดิน (ตอบได้มากกว่า 1 ข้อ)
 เพื่อที่อยู่อาศัย เพื่อการเกษตรกรรม (กลีกรวม/ปศุสัตว์/ป่าไม้)
 เพื่อธุรกิจท่องเที่ยว เพื่อการค้าขาย
 อื่นๆ (โปรดระบุ).....
- 14) สิทธิในการถือครอง ภท.5 สปก. อื่นๆ (โปรดระบุ).....
- 15) จำนวนพื้นที่ที่ถือครอง.....แปลง.....ไร่.....งาน
 ซึ่งได้มาจาก บุกเบิก มรดก ซื้อมา

โครงการวิจัยเรื่อง ประชาธิปไตยแบบปรึกษาหารือ: ขบวนการเคลื่อนไหวทางสังคมของภาคประชาสังคมในการจัดการความขัดแย้ง ชุดที่
เรื่องที่ดินในพื้นที่ กรณีศึกษา การบุกรุกพื้นที่อุทยานแห่งชาติทับลานอำเภอวังน้ำเขียว จังหวัดนครราชสีมา
โดย คณะพัฒนาสังคม สถาบันบัณฑิตพัฒนบริหารศาสตร์

2. ความรู้สึกของท่านในการเข้าร่วมประชุมปัญหาต่างๆของชุมชน

ประเมินความรู้สึกของท่านในการเข้าร่วมประชุมปัญหาต่างๆของชุมชน	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
1.เมื่อเกิดปัญหาต่างๆในชุมชนของท่านท่านมักจะปรึกษารวมถึงพูดคุยกันเพื่อนบ้านอยู่เสมอ	○	○	○	○	○
2.ท่านมักจะปรึกษาหารือกับผู้นำชุมชนเกี่ยวกับปัญหาต่างๆของชุมชนในเวทีที่ประชุม	○	○	○	○	○
3.ท่านชอบรับฟังปัญหาเพียงอย่างเดียวโดยไม้ออกความคิดเห็นของท่านขณะประชุมในเวทีที่ประชุม	○	○	○	○	○
4.ท่านรู้สึกกระตือรือร้นที่จะแสดงความคิดเห็นของท่านในเวทีที่ประชุม	○	○	○	○	○
5.ท่านมักจะไปเข้าร่วมประชุมสม่ำเสมอเมื่อมีการประชุมเกี่ยวกับปัญหาต่างๆ ในเวทีที่ประชุม	○	○	○	○	○
6.ท่านรู้สึกสิ้นหวังกับผลของการประชุมในเวทีที่ประชุมเกี่ยวกับปัญหาต่างๆ ของชุมชน เพราะไม่มีอะไรดีขึ้น	○	○	○	○	○
7.ท่านรู้สึกว่าการประชุมเกี่ยวกับปัญหาต่างๆของชุมชนให้ความยุติธรรมแก่ทุกฝ่ายที่เข้าร่วมประชุม	○	○	○	○	○
8.ท่านเชื่อว่าการไปประชุมเกี่ยวกับปัญหาต่างๆของชุมชนจะช่วยให้ชุมชนของท่านพัฒนาได้ดียิ่งขึ้น	○	○	○	○	○
9. ท่านเชื่อมั่นในว่า หากไปประชุมจะเกิดขึ้นจริง ขึ้นในการพัฒนาชุมชนร่วมกัน	○	○	○	○	○
10.ท่านไม่ชอบการใช้กรรมวิธีความรุนแรงในการตัดสินใจแก้ไขปัญหาต่างๆของชุมชนในเวทีที่ประชุม	○	○	○	○	○
11.ท่านรู้สึกว่าชุมชนมีอิสระทางความคิดในการจัดการปัญหาต่างๆของชุมชนในเวทีที่ประชุม	○	○	○	○	○
12.ท่านรู้สึกว่าคนในชุมชนของท่านมีเสรีภาพในการชุมนุมในที่สาธารณะเพื่อร่วมแสดงความคิดเห็นต่อ ปัญหาต่างๆของชุมชน	○	○	○	○	○
13.ท่านรู้สึกว่าคนในชุมชนมีวิถีชีวิตที่หลากหลายในการจัดการปัญหาต่างๆของชุมชน	○	○	○	○	○
14.ท่านคิดว่าคนในชุมชนมีส่วนผลักดันนโยบายต่างๆจากภาครัฐในการจัดการปัญหาต่างๆของชุมชน	○	○	○	○	○
15.ท่านชอบรักษาสีของต้นไม้ในการแสดงแนวทางในการจัดการปัญหาต่างๆของชุมชนในเวทีที่ประชุม	○	○	○	○	○

3. สถานการณ์ที่เกิดขึ้นในการแสวงหาแนวทางแก้ไขปัญหาความขัดแย้งที่ดินในอุทยานแห่งชาติทับลานระหว่างภาครัฐ-ภาคประชาชน

ประเมินสถานการณ์ที่เกิดขึ้นในการแสวงหาแนว ทางแก้ไขปัญหาความขัดแย้งที่ดินในอุทยานแห่งชาติทับลานระหว่างภาครัฐ-ภาคประชาชน	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
1. ระบบการติดต่อราชการเอื้ออำนวยในการแก้ไขปัญหาที่ดิน	○	○	○	○	○
2.มีการติดป้ายบอกแนวเขตอุทยานเป็นระบบและชัดเจนตั้งแต่การเริ่มประกาศพื้นที่เป็นเขตอุทยาน	○	○	○	○	○
3.เจ้าหน้าที่อุทยานให้ความเป็นมิตรกับท่านในการเสนอแนวทางการจัดการปัญหาที่ดิน	○	○	○	○	○
4. เจ้าหน้าที่อุทยานไม่สามารถจัดการปัญหาความขัดแย้งที่ดินในอุทยานทับลาน	○	○	○	○	○
5. ฝ่ายบริหารจังหวัดไม่สามารถจัดการปัญหาความขัดแย้งที่ดินในอุทยานทับลาน	○	○	○	○	○
6. นโยบายของภาครัฐในการจัดการความขัดแย้งเรื่องที่ดินในอุทยานทับลาน มีประสิทธิภาพ	○	○	○	○	○
7.นโยบายของรัฐบาลในการจัดการความขัดแย้งเรื่องที่ดินในอุทยานทับลานมีความสอดคล้องกับ ความเป็นจริงในพื้นที่	○	○	○	○	○
8.คนในชุมชนร่วมด้วยช่วยกันในการดูแลต้นไม้ป่าไม้ให้อุดมสมบูรณ์และเขียวชอุ่มในอุทยานทับลาน	○	○	○	○	○
9. คนในชุมชนมีบทบาทในการเสนอแนวทางการแก้ไข ปัญหาที่ดินในอุทยานทับลาน	○	○	○	○	○
10. คนในชุมชนไม่สามัคคีกันในการร่วมกันแก้ไขปัญหาดินในอุทยานทับลาน	○	○	○	○	○
11. สังคมและเลขาธิการแก้ไขปัญหาดินในอุทยานทับลานอย่างจริงจัง	○	○	○	○	○
12. สื่อมีบทบาทในการเสนอแนวทางการแก้ไขปัญหาดินในอุทยานทับลาน	○	○	○	○	○
13. ระบบศาลยุติธรรมมีประสิทธิภาพในการดำเนินการในแก้ไขปัญหาดินในอุทยานทับลาน	○	○	○	○	○
14. กฎหมายในแก้ไขปัญหาดินในอุทยานทับลานควรได้รับการแก้ไขให้สอดคล้องกับความเป็นจริงในพื้นที่	○	○	○	○	○
15. มีการร่วมกันทำแนวเขตที่ดินชัดเจนและจริงจังในการกันชุมชนออกจากเขตอุทยาน	○	○	○	○	○
16.เจ้าหน้าที่อุทยานชี้แจงขั้นตอนในการดำเนินคดีปัญหาที่ดินในอุทยานทับลานได้ชัดเจนแก่ท่าน	○	○	○	○	○
17. เจ้าหน้าที่กรมป่าไม้ชี้แจงขั้นตอนในการดำเนินคดีปัญหาที่ดินในอุทยานทับลานได้ชัดเจนแก่ท่าน	○	○	○	○	○
18. การติดต่อราชการกับเจ้าหน้าที่อุทยานและกรมป่าไม้มีความสะดวกรวดเร็วในการชี้แจงเรื่องปัญหา ที่ดินในอุทยานทับลาน	○	○	○	○	○
19. เจ้าหน้าที่อุทยาน รวมถึงเจ้าหน้าที่ภาครัฐอื่นๆ ยินดีรับฟังปัญหาที่ดินของท่าน	○	○	○	○	○
20. เจ้าหน้าที่อุทยาน รวมถึงเจ้าหน้าที่ภาครัฐอื่นๆ ยินดีมาร่วมฟัง แนวทางการแก้ไขปัญหาดินในที่ประชุม	○	○	○	○	○

โครงการวิจัยเรื่อง ประชาธิปไตยแบบปรึกษาหารือ: ขบวนการเคลื่อนไหวทางสังคมของภาคประชาสังคมในการจัดการความขัดแย้ง ชุมที่

เรื่องที่ดินในพื้นที่ กรณีศึกษา การบุกรุกพื้นที่อุทยานแห่งชาติทับลานอำเภอวังน้ำเขียว จังหวัดนครราชสีมา

โดย คณะพัฒนาสังคม สถาบันบัณฑิตพัฒนบริหารศาสตร์

4. ความรู้สึกในการเข้าร่วมประชุมในเวทีที่ประชุมเกี่ยวกับการจัดการปัญหาความขัดแย้งที่ดินในอุทยานแห่งชาติทับลาน

ประเมินความรู้สึกในการเข้าร่วมประชุมในเวที/ ที่ประชุมเกี่ยวกับการจัดการปัญหาความขัดแย้งที่ดินในอุทยานแห่งชาติทับลาน	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
1. การเข้าร่วมในเวทีที่ประชุมมีความหมายสำหรับฉัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. การเข้าร่วมในเวทีที่ประชุมทำให้รู้สึกถึงประสบการณ์และความเจ็บปวดระหว่างเผชิญเหตุการณ์ปัญหาที่ดินในอุทยานทับลานด้วยกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. การเข้าร่วมในเวทีที่ประชุมทำให้เกิดความเห็นอกเห็นใจระหว่างกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. ท่านรู้สึกอบอุ่นใจที่ได้รับฟังแนวทางต่างๆในการแก้ไขปัญหาที่ดินในอุทยานทับลานร่วมกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. การเข้าร่วมในเวทีที่ประชุมก่อให้เกิดพลังในการสานต่อแนวทางการแก้ไขปัญหาที่ดินร่วมกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. การเข้าร่วมในเวทีที่ประชุมทำให้ได้มั่งซึ่งความยุติธรรมในการแก้ไขปัญหาและนำเสนอข้อเท็จจริง ร่วมกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. การเข้าร่วมในเวทีที่ประชุม ทำให้ท่านรู้สึกถึง การแบ่งแยกของเวทีที่ประชุมในการแก้ไขปัญหาที่ดินในอุทยานทับลาน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. การเข้าร่วมในเวทีที่ประชุมนำมาซึ่งความชอบธรรมในการแก้ไขปัญหาที่ดินร่วมกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. กระบวนการในการประชุมมีความโปร่งใสสามารถตรวจสอบได้	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. แนวทางการแก้ไขปัญหาที่ดินมีการพูดคุยถึงการมองอนาคตร่วมกันในการแก้ไขปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. การเข้าร่วมในเวทีที่ประชุมสร้างความเข้าใจ ระหว่างผู้เข้าร่วมประชุม แม้จะมีความคิดเห็น ที่แตกต่างกันก็ตาม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. ท่านรู้สึกมีความสุขในการเข้าร่วมในเวทีที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. การรับฟังแนวทางการแก้ไขปัญหาที่ดินสร้างความเบื่อบ่าให้ท่านเพราะประเด็นกวนในเรื่องเดิม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. ท่านรู้สึกตัวเองไร้ความหมายในเวทีที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. ท่านรู้สึกชื่นชมในกระบวนการของการประชุมเพื่อหาแนวทางการแก้ไขปัญหาที่ดินในอุทยานร่วมกัน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. ท่านอยากที่จะมาเข้าร่วมเวทีที่ประชุมเสมอ แม้จะมีอุปสรรคในการประชุมก็ตาม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. ท่านรู้สึกไม่พอใจเมื่อสิ้นสุดการประชุมในการแก้ไขปัญหาที่ดินในอุทยานทับลาน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
18. ท่านคิดเสมอว่าไม่ว่าจะพูดหรือทำอะไรจะต้องเอาใจเค้ามาใส่ใจเราเสมอในเวทีที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
19. ท่านรู้สึกอึดอัดใจตลอดระยะเวลาประชุมในการหาแนวทางการแก้ไขปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
20. เมื่อสิ้นสุดการประชุมท่านรู้สึกต่ำต้อยเมื่อเทียบกับผู้เข้าร่วมประชุมท่านอื่นในเวทีที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

โครงการวิจัยเรื่อง ประชาธิปไตยแบบปรึกษาหารือ: ขบวนการเคลื่อนไหวทางสังคมของภาคประชาสังคมในการจัดการความขัดแย้ง ชุมชนที่
เรื่องที่ดินในพื้นที่ กรณีศึกษา การบุกรุกพื้นที่อุทยานแห่งชาติทับลานอำเภอวังน้ำเขียว จังหวัดนครราชสีมา
โดย คณะพัฒนาสังคม สถาบันบัณฑิตพัฒนบริหารศาสตร์

5. บทบาทของท่านในเวที/ที่ประชุมในเสนอแนวทางในการจัดการปัญหาความขัดแย้งที่ดินในอุทยานแห่งชาติทับลาน

๑ บทบาทของท่านในการแสดงความคิดเห็นเรื่องจัดการปัญหาที่ดินในอุทยานทับลาน	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
1.1 ท่านนำเสนอความคิดเห็นในเวที/ที่ประชุมโดยไม่ถูกขัดจังหวะ	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1.2 ความคิดเห็นของท่านได้รับการยอมรับร่วมกันเพื่อนำไปเป็นแนวทาง ในการจัดการปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1.3 การเสนอความคิดเห็นของท่านคำนึงถึง ผลประโยชน์โดยรวมของชุมชนในการแก้ปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1.4 การนำเสนอความคิดเห็นของท่านคำนึงถึงหลักของเหตุและผลในการแก้ไขปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

๒ บทบาทของท่านในการตัดสินใจเรื่องจัดการปัญหาที่ดินในอุทยานทับลาน	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
2.1 การตัดสินใจของท่านเป็นส่วนหนึ่งในข้อเสนอร่วมกันในเวที/ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.2 ท่านไม่มีโอกาสในการตัดสินใจในการนำเสนอแนวทางจัดการปัญหาที่ดินในเวที/ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.3 ผู้เข้าร่วมประชุมเคารพการตัดสินใจของท่าน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.4 การตัดสินใจของท่านคำนึงถึงผลประโยชน์ส่วนรวมในเวที/ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2.5 การตัดสินใจของท่านคำนึงถึงหลักของเหตุและ ผลเพื่อผลประโยชน์ชุมชนเป็นหลักใน การแก้ไขปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

๓ บทบาทของท่านในการพิจารณาสิ่งที่เกิดขึ้นจากการเป็นส่วนหนึ่งของเวที/ ที่ประชุม	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
3.1 บรรยากาศในเวที/ที่ประชุมเป็นไปด้วยความราบรื่นขณะที่ท่านร่วมประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.2 มีการเตรียมข้อมูลนำเสนอข้อมูลและร่วมแบ่งปันมูลในเวที/ที่ประชุมในการแก้ไขปัญหาที่ดิน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.3 ท่านรู้สึกเป็นส่วนหนึ่งในเวที/ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.4 มีความรุนแรงเกิดขึ้นระหว่างการประชุม เช่น เกิดการปะทะกันระหว่างกลุ่มผู้เข้าร่วม ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.5 ที่ประชุมเสนอทางออกของปัญหาที่ดินได้อย่างสร้างสรรค์และเป็นธรรม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3.6 ที่ประชุมมีการหยิบยกประเด็นที่เคยประชุมกันมาก่อน และสานต่อในการประชุมครั้งต่อไป	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

๔ บทบาทของท่านในการเรียนรู้ขณะประชุม	มากที่สุด	มาก	ปานกลาง	น้อย	น้อยที่สุด
4.1 การโต้แย้งในที่ประชุมมีการเสนอประเด็นความยุติธรรมของผู้มีสิทธิของประชาชนรวมถึงความยุติธรรม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.2 ท่านเข้าใจในความแตกต่างหลากหลายในการเสนอความเห็นเรื่องจัดการปัญหาที่ดินในเวที/ ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.3 ท่านร่วมแลกเปลี่ยนและเรียนรู้ข้อมูลรวมถึงประสบการณ์ของท่านกับผู้เข้าร่วมใน เวที/ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.4 ท่านเข้าใจถึงความคิดพลาดของตนเองที่เกิดขึ้น และพร้อมที่จะปรับเปลี่ยนความคิดเห็น ของท่าน	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4.5 การโต้แย้งในที่ประชุมมีการเชื่อมโยงความคิดเห็น ที่แตกต่างหลากหลายของกลุ่มต่างๆ ในเวที/ที่ประชุม	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. ข้อเสนอแนะอื่นๆ

- 4.1 ด้านสิทธิในการครอบครองที่ดิน (โปรดระบุ).....
.....
- 4.2 ด้านการจัดการปัญหาที่ดิน (โปรดระบุ).....
.....
- 4.3 ด้านปัญหาและอุปสรรค (โปรดระบุ).....
.....
- 4.4 อื่นๆ (โปรดระบุ).....
.....

(ขอพระคุณในความร่วมมือของท่านในการพัฒนาชุมชน

APPENDIX B

Maps of 11 Villages in Thai Samakkhi Subdistrict

APPENDIX B

Maps of 11 Villages in Thai Samakkhi Subdistrict

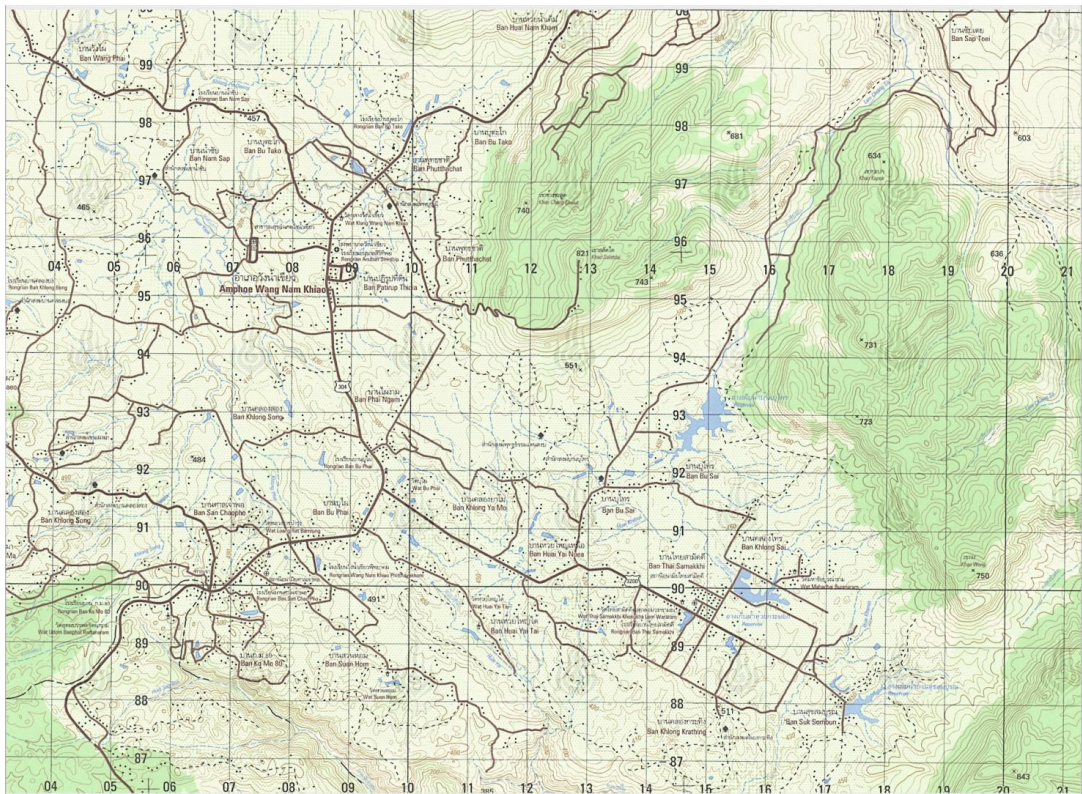


Figure B1 Topological Maps of 11 Villages in Thai Samakkhi Subdistrict

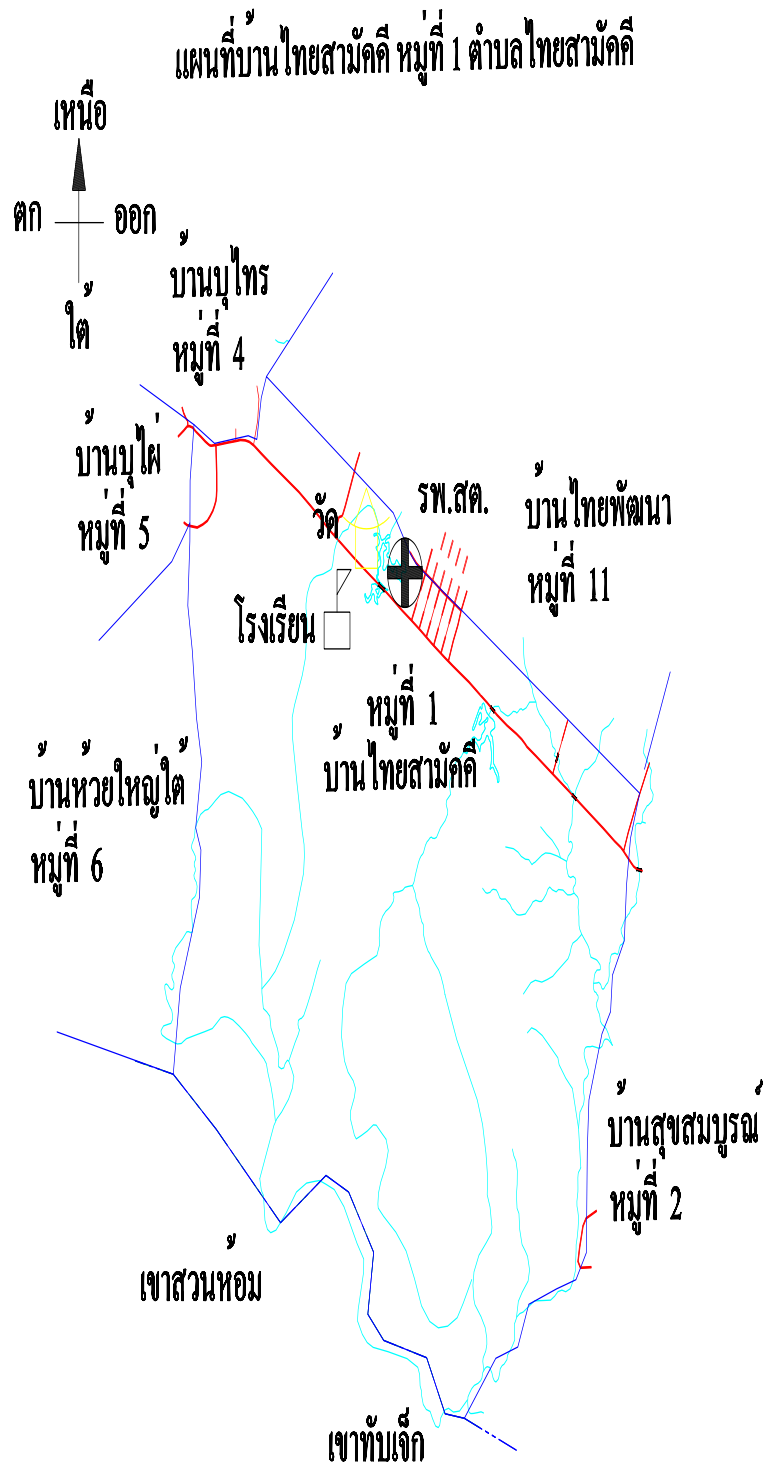


Figure B2 Village—Moo 1 Ban Thai Samakkhi



Figure B3 Village—Moo 2 Ban Suksomboon

แผนที่บ้านปฏิรูปที่ดิน หมู่ที่ 3 ตำบลไทยสามัคคี

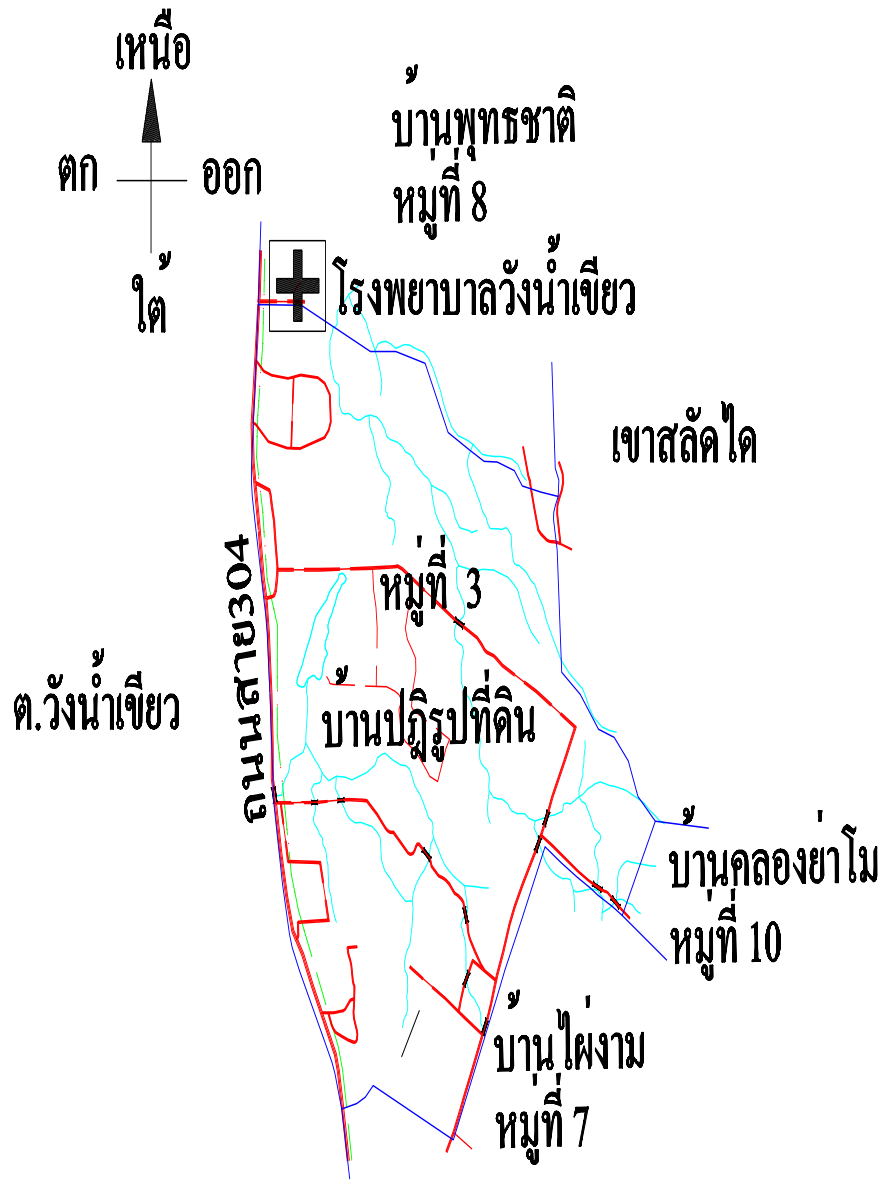


Figure B4 Village—Moo 3 Ban Patirup Thi Din

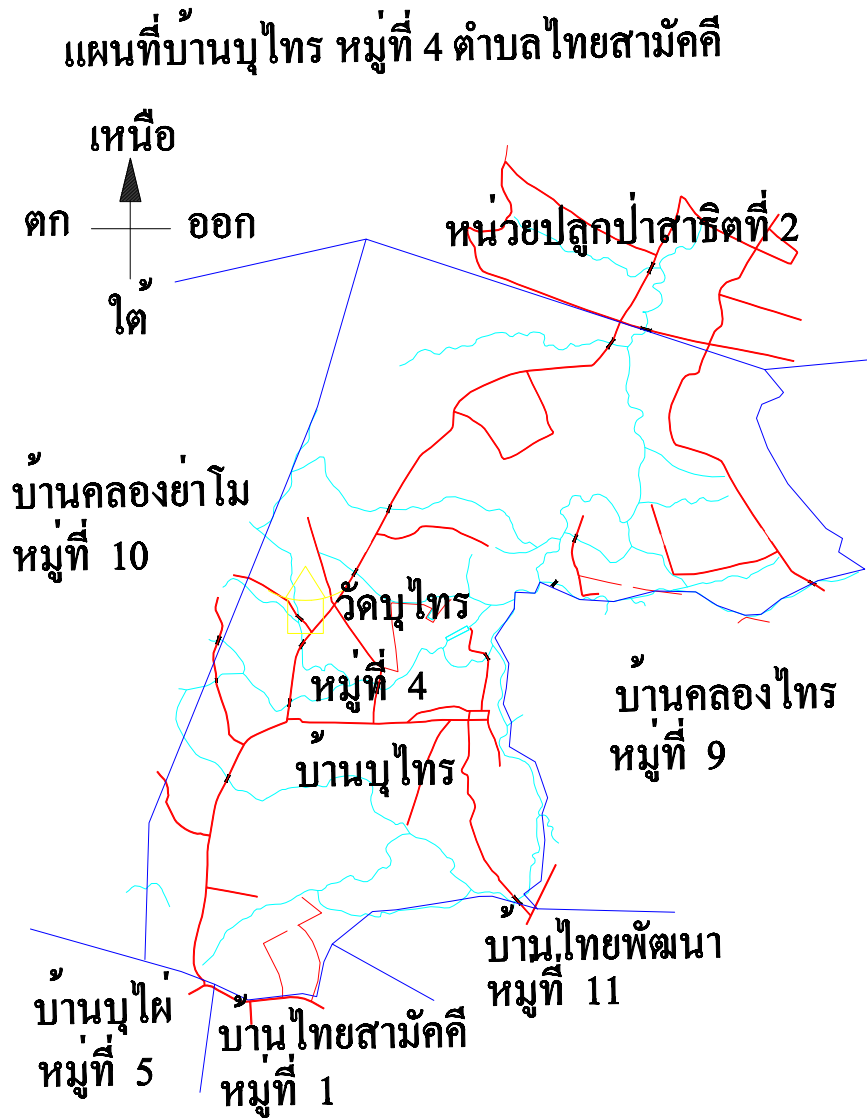


Figure B5 Village—Moo 4 Ban Bu Sai

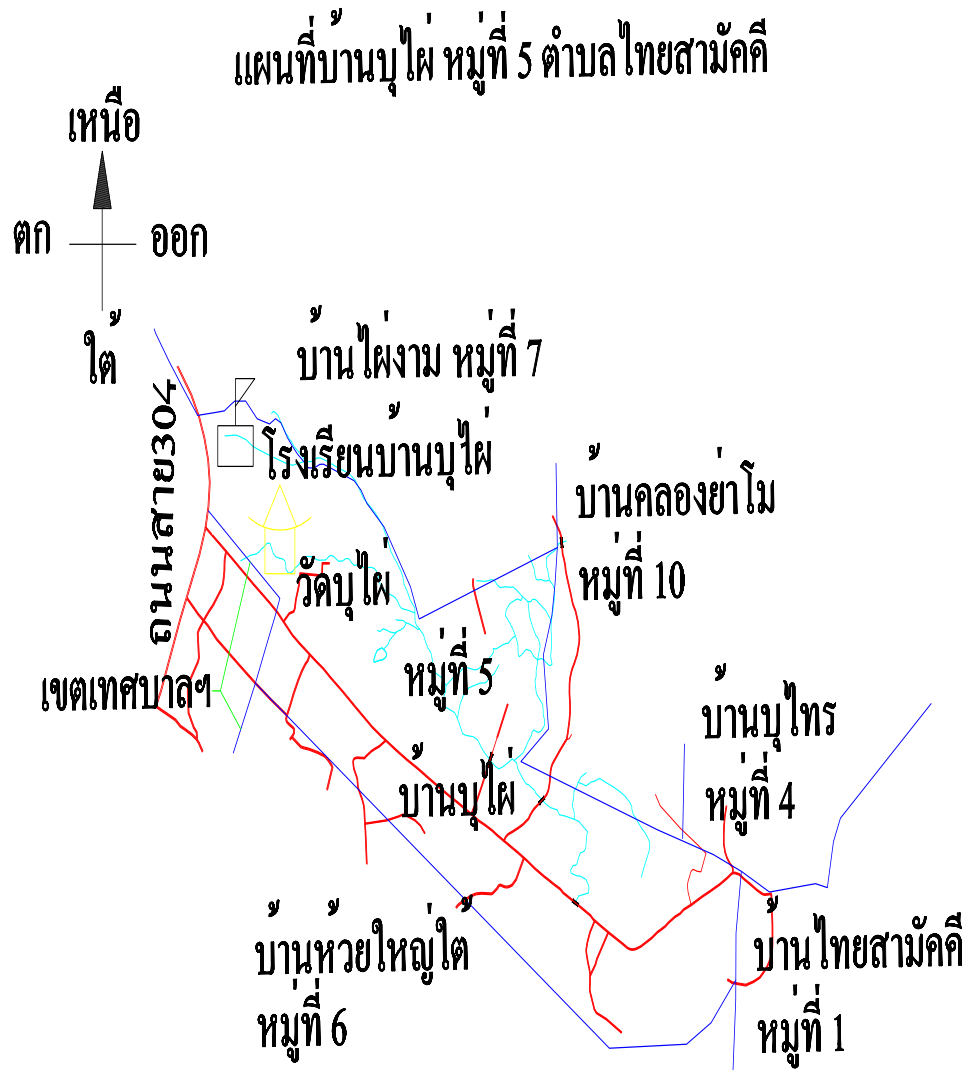


Figure B6 Village—Moo 5 Ban Bupai

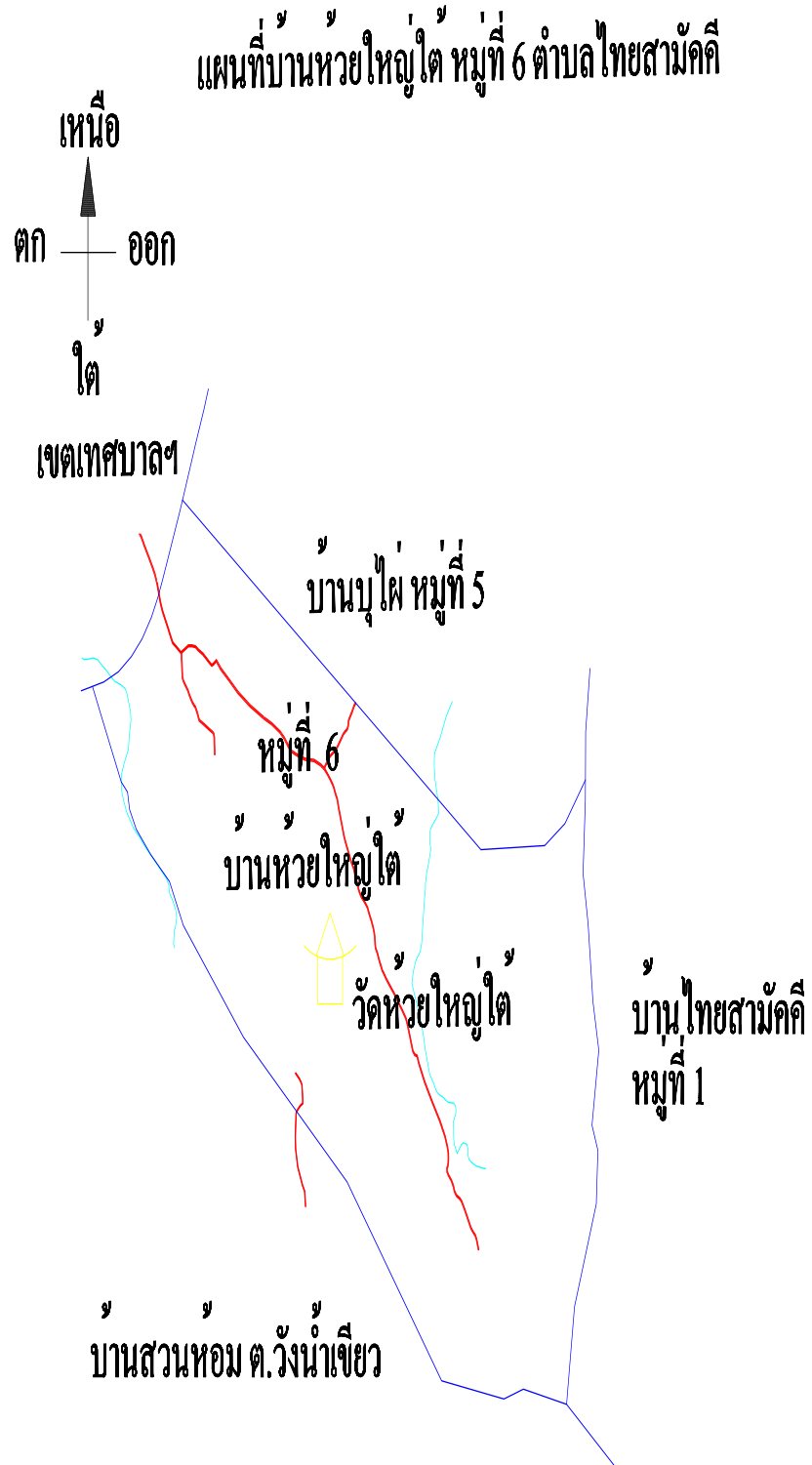


Figure B7 Village—Moo 6 Ban Huai Yai Tai

แผนที่บ้านไผ่งาม หมู่ที่ 7 ตำบลไทยสามัคคี

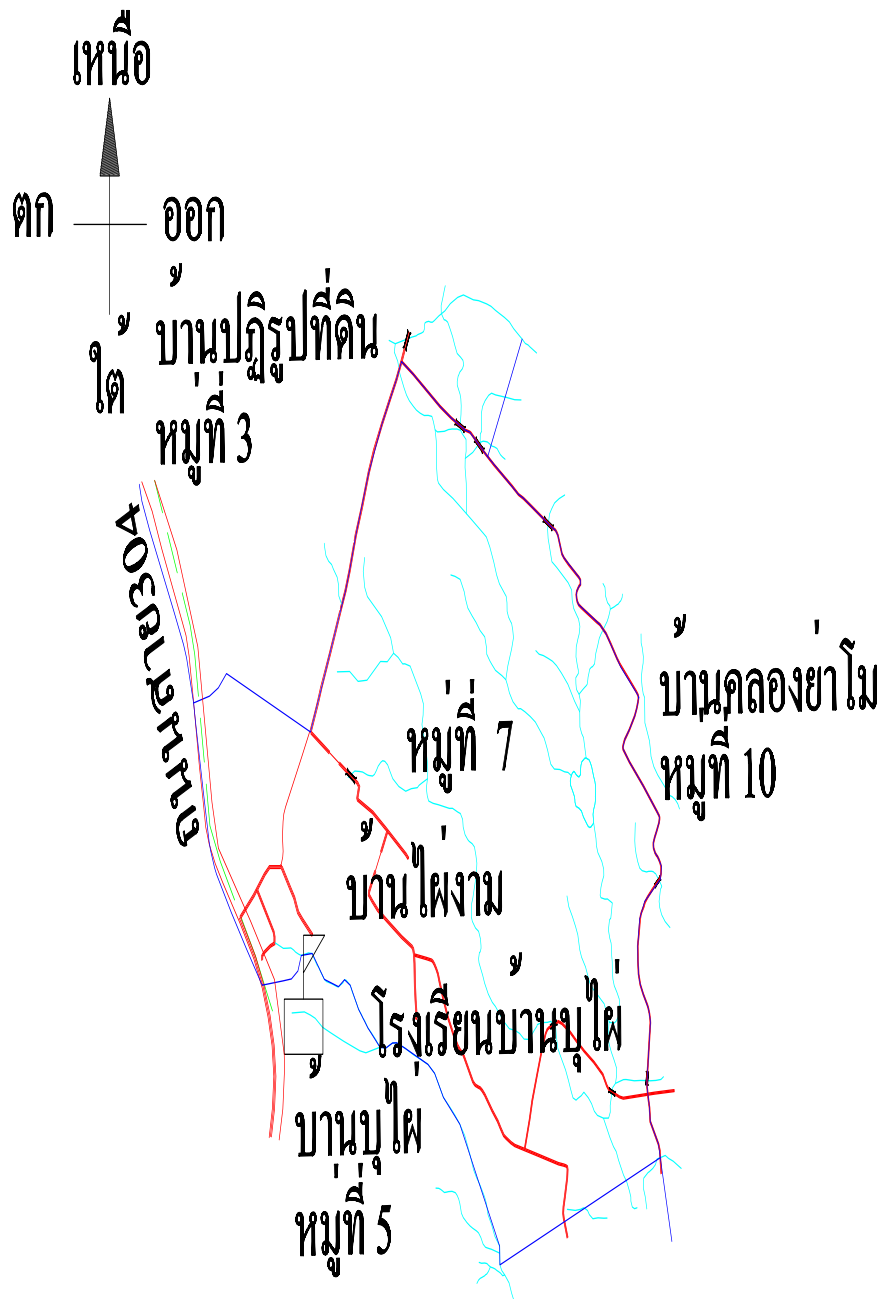


Figure B8 Village—Moo 7 Ban Pai Nagm

แผนที่บ้านพุทธชาติ หมู่ที่ 8 ตำบลไทยสามัคคี

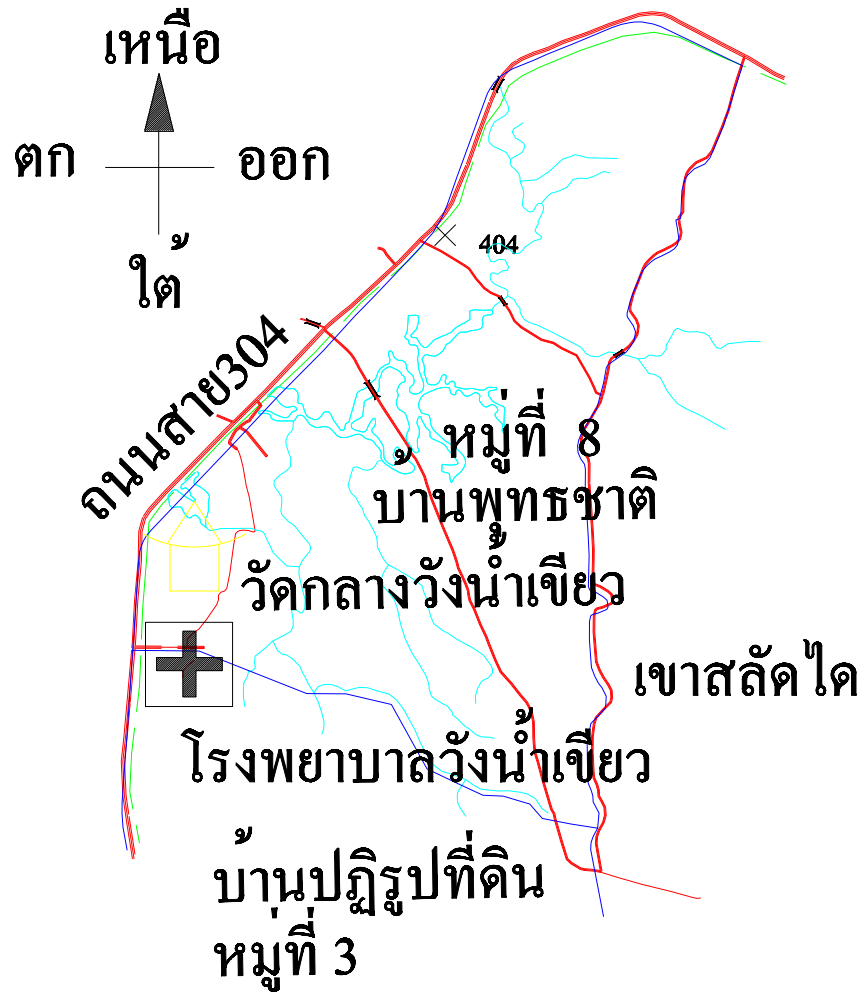


Figure B9 Village—Moo 8 Ban Buddhachard

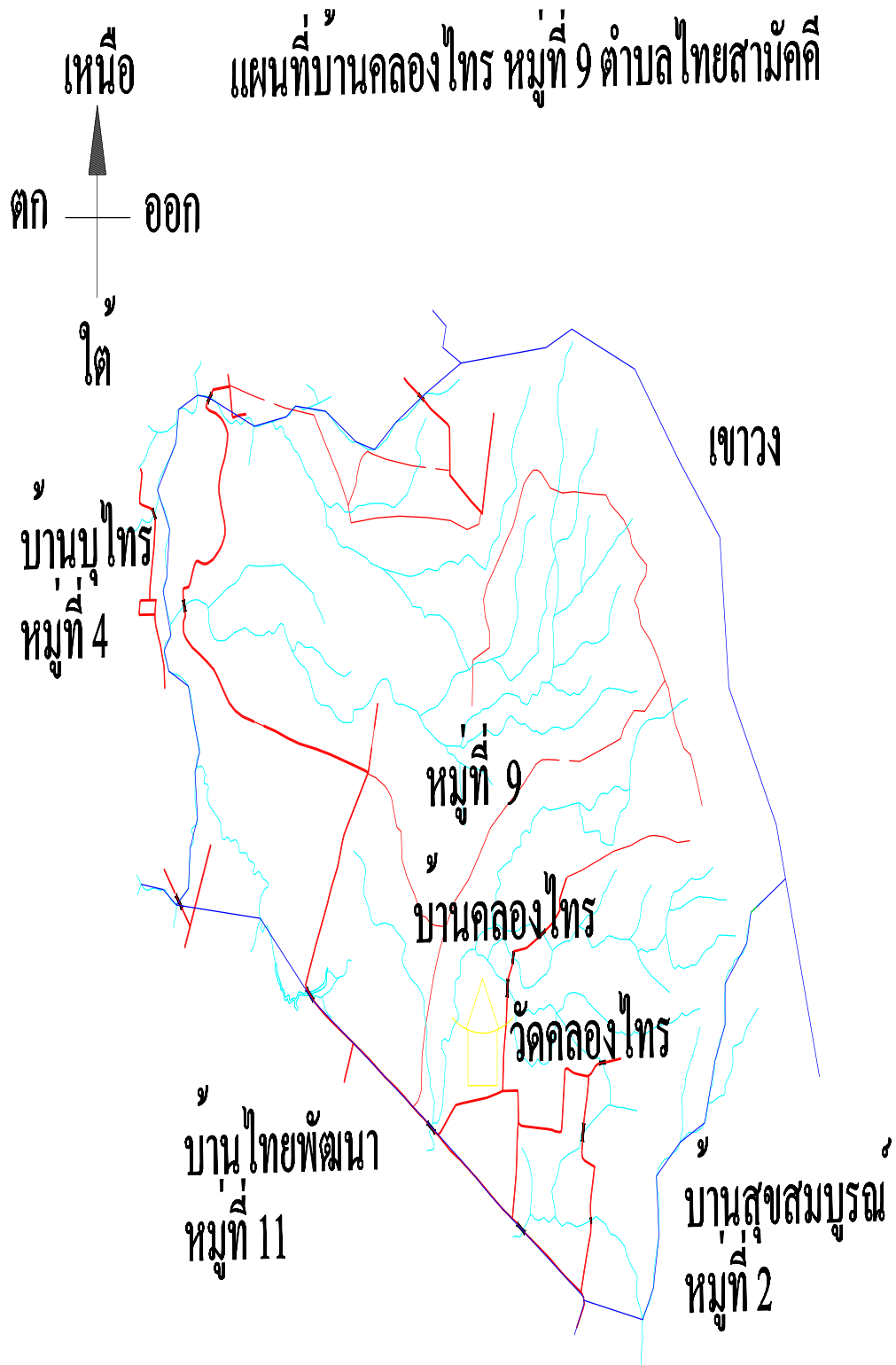


Figure B10 Village—Moo 9 Ban Klongsai

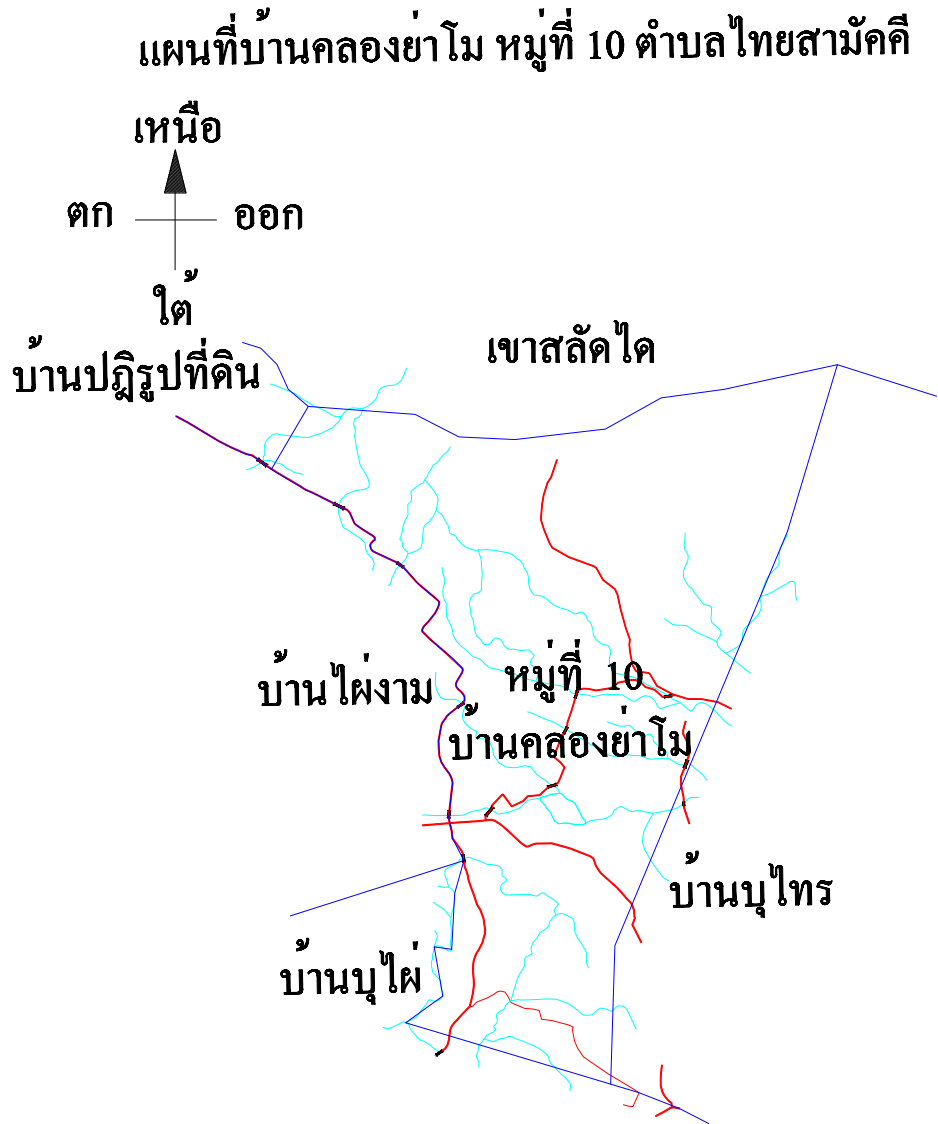


Figure B11 Village—Moo 10 Ban Klong-Ya-Moo

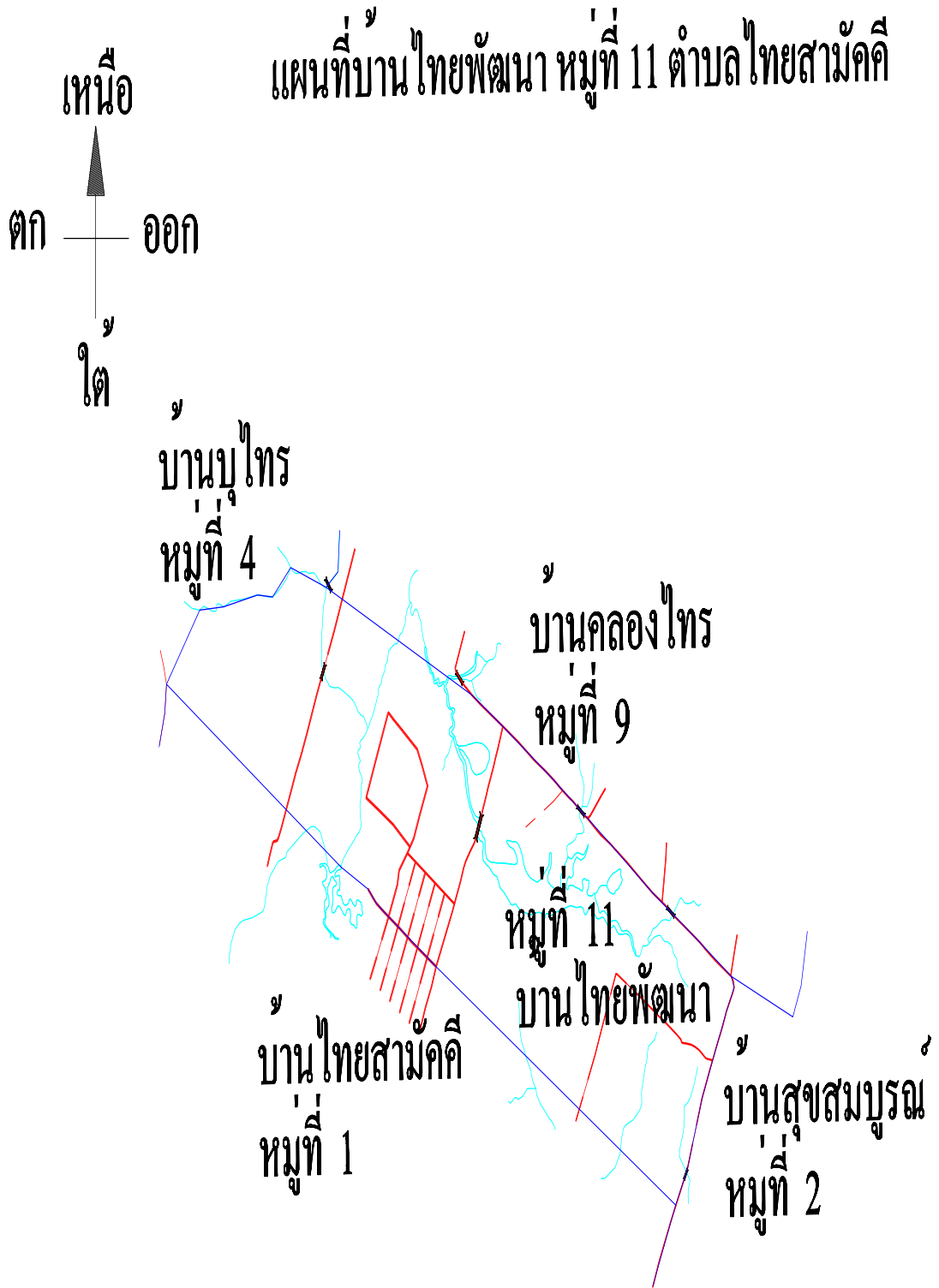


Figure B12 Village—Moo 11 Ban Thai-Pattana

BIOGRAPHY

NAME

Miss Jularut Padunchewit

ACDEMIC BACKGROUD

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Project of Tsunami, Pung-Ngah Province, the Southern Part of Thailand, Professor Surichai Wankaew, Chulalongkorn University

2006

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