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Research Article

Beyond Boundaries: Examining Land Disputes and Their Resolution in Baguio City

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ABSTRACT

This research study was about land conflicts in Baguio City. Forty-two professionals involved in land surveying and land conflicts resolution served as respondents. The descriptive research design was used with the questionnaire as the main data gathering instrument. Based on the data gathered, the study has found that boundary disputes, conflicting land claims, inheritance issues and land grabbing were among the most frequent and topmost cause of land conflicts in Baguio City; land conflicts have great effects on people and community; and the actions undertaken were very effective to resolve land conflicts. The conclusions are the following: land is a valuable and important resource to people, communities and the State which make conflicts inevitable to occur; illegal or fraudulent acquisition of land can cause hardships and great loss to people, communities and government; and conflicts can be resolved through judicial proceedings, mediation-arbitration, and other diplomatic means which are deemed very effective to concerned community, local and government leaders.

Keywords: *Adverse Effects, Alternative Dispute Resolution, Fraudulent Land Titles, Land Disputes, Land Resources*

Introduction

Land is an important economic asset and source of livelihoods, and it is also closely linked to community identity, history and culture. Land and natural resource issues are almost never the sole cause of conflict. Land conflicts commonly become violent when linked to wider processes of political exclusion, social discrimination, economic marginalization, and a perception that peaceful action is no longer a viable strategy for change. Land issues readily

lend themselves to conflict. Communities, therefore, can readily mobilize around land issues, making land a central object of conflict (Land Portal, n.d.).

Conflict arises when two or more groups believe their interests are incompatible. Conflict is not in itself a negative phenomenon. Non-violent conflict can be an essential component of social change and development and is a necessary component of human interaction. Non-violent resolution of conflict is possible when

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individuals and groups have trust in their governing structures, society and institutions to manage incompatible interests. Conflict becomes problematic when societal mechanisms and institutions for managing and resolving conflict break down, giving way to violence. Societies with weak institutions, fragile political systems and divisive social relations can be drawn into cycles of conflict and violence. Preventing this negative spiral and ensuring the peaceful resolution of disputes is a core interest of the international community. The challenge for UN, EU and other international actors is to promote positive social transformation, while mitigating the risks and potential impacts of violent and damaging conflict (UN Interagency Framework Preventive Team, n.d.).

Land conflicts can result from historical injustices, ill-advised government policies, conflicts of interest, corrupt leadership, or more generally from competition over land and resources. Conflicts can be clearly apparent, involving violence or damage to property, or may be latent or dormant. By raising the economic stakes in the area, new commercial or development projects can revive old conflicts, and ignite ongoing tensions. In some cases, disputes between project developers and local communities were rooted, at least in part, in pre-existing conflicts within or between the communities. Local land conflicts are common in countries where land governance is weak, but they can be hard for outsiders to spot. Yet failure to identify and address these conflicts in a timely way can result in disputes escalating into wider conflicts also affecting commercial or development projects. These wider conflicts can negatively impact communities, causing serious harm to vulnerable groups. This includes effects on local livelihoods, which may significantly depend on land and resources. But it includes wider effects too. Land is often more than a commodity to be traded. It can carry religious or cultural meaning and represent the backbone of local economies (Bourdreaux et al (2017)).

According to the Food and Agricultural Organization (FAO) (2002) conflict is a major cause and, in some cases, result of humanitarian crises. Access to and use of natural resources – like water and land for grazing or crop production – are key sources of conflict. Conflict frequently overlaps with underlying social inequalities, poverty and high levels of vulnerability. Conflicts are direct threats to food security as they cause massive loss of life

and therefore loss of workforce (which is particularly important, as agriculture tends to rely heavily on human labor, loss of vital livestock, and loss of land. Conflicts displace millions of people each year, often forcing them to flee with nothing and making them extremely reliant on the communities that offer them shelter and humanitarian aid. This can place unsustainable pressure on hosting communities that often face high levels of food insecurity and struggle to make ends meet.

In 2002, a joint study by Food and Agricultural Organization (FAO) and International Institute for Applied Systems Analysis (IIASA) highlighted how natural resources were shrinking. More recently, FAO (2011) alerts about the risk associated with the incremental demand for food that, together with demand from other competing uses, will place unprecedented pressure on many agricultural production systems across the world. These 'systems at risk' are facing growing competition for land and water resources and they are often constrained by unsustainable agricultural practice. The increasing world population and its corresponding food insecurity will increase the pressure over those limited resources for several decades yet. Resources pressures will intensify as very limited public and financial resources for restoring degraded land and soil throughout the world become more and more scarce. Hegre et al (2012) also noted that other demands from industries, investors engaged extractive activities, recreational use and the expansion of urban settlements for increasingly limited natural resources (not only land, but also water and forests) will probably have dramatic effects in terms of disputes and conflicts over the resources. Decreasing governance capacities are also a potential driver for conflicts. Any reform that improves governance may be conflict-reducing, be it to formal political institutions, bureaucratic quality, or corruption. When people are forced to move, they abandon their physical assets such as land and property, and only carry their skills and movable assets such as livestock. Access to water becomes a critical problem, most particularly in areas where natural disasters (such as hydrological extremes) are combined with armed conflict. In such situations, traditional transhumance coping mechanisms are no longer viable.

In the Philippines, land distribution has been a salient issue for decades. In recent years, population growth and degradation of productive land has led to increased stress and

tensions between smallholder farmers, wealthy landlords and the state. Land issues are crucial for the Philippines, as agriculture is an essential livelihood, and difficult access to land tenure is correlated with poverty, which is a mainly rural phenomenon (ADB, 2009; Borras, 2009; Tadem, 2015). Farmers' protests to obtain rights to land have often been met with violence from landlords and security forces. The land in the country is overexploited due to two simultaneous trends: population growth and land degradation. Falling from roughly 3% in the 1960s, the population growth rate in the Philippines is still high, as it has remained consistently above 1.5% every year since 2000 (World Bank, n.d.). The quantity of available land per person is thus continuously reduced. As a result, the rural poor have been moving to the uplands where land is ill-suited for agriculture. Cultivation of these fragile lands has led to their ecological degradation, thus increasing land scarcity even further (Kahl, 2006; Kennedy, 2001). Many farmers deprived from their sole livelihood have migrated to the cities, where they often end up as squatters in informal settlements (USAID, 2011).

As a solution to high population growth and land shortages, agricultural intensification policies have been put in place. They have improved land productivity, but also damaged agricultural land (Briones, 2005). For example, rural farmer communities often cultivate land owned by the state and wealthy landlords (Vargas, 2003). This system contributes to livelihood insecurity, as it facilitates the acquisition of large land plots by foreign investors, and makes rural populations very vulnerable to evictions (Oxfam International, 2014).

The Global Land Tool Network (2020) adds that land and natural resources have always been sources of conflict. Violence due to land and natural resources is ever prevalent with resultant death and damages, sustained by those with less power, particularly the rural poor. Not only the number of land and natural resources conflicts are arising but also the degree of conflict – employing violence in many cases is intensifying. In the heart of the matter is the inequitable distribution of rights over land and natural resources wherein the rural poor pinch the meager land and or natural resources afforded them by the State. In contrast, businesses and influential families are allowed to amass vast expanses of land, which largely are left unchecked in their ruinous exploitation of natural resources. Yang & Zhu (2013) also

made emphasis that with the current social and economic development around the world, the land resources are becoming increasingly scarce, and the land use conflicts are getting more frequent, deeper, more diversified and more severe. Besides, the factors that induce land use conflicts are more and more complicated.

In the Cordilleras, indigenous peoples' movement has yet a long way to go for the realization of the peoples' aspiration for the recognition of their ancestral land rights, and for genuine regional autonomy. The Cordillera indigenous peoples' communities continue to gain strength. It is also building greater solidarity with the Filipino people and with other indigenous peoples and groups against globalization and for the recognition of indigenous peoples' rights, human rights and the protection of the environment. By the so-called development programs in the area are actually designed for resource extraction especially in the homelands of indigenous peoples. Bilateral and multilateral aid agencies and multinational companies are pushing projects such as large dams, corporate mining, commercial logging, and commercial agricultural production that completely disregards the rights of indigenous people as if their integral existence with nature were just incidental. As a result, they have put up resistance which in many instances has been met with force and deception, if not with the outright use of the military might of the State. Because of the historical injustices committed against indigenous peoples in taking away their land and resources, and in disregarding their interests, welfare and rights as human beings, their collective right to exist as indigenous peoples must be protected and guaranteed to ensure their continuing survival. For indigenous peoples, the right to life of every human being is the right to land. For without their territory, indigenous peoples' collective well-being with their natural environment will also be gone. Without the material base of their existence, indigenous peoples will not be able practice their distinct culture, spirituality and ways of life. Thus, indigenous people claim and assert their right to self-determination. This is their collective right in the same manner that every nation or States exercise the right to self-determination as their right to development. This collective right of indigenous peoples will guarantee them the right to define and pursue their development in accordance with their own culture and ways of life, which remains

dynamic. Other collective rights of indigenous peoples include the practice of their culture and indigenous systems which should be respected; the development of their languages; and the promotion of their interest and welfare in matters affecting them (Carling, 2001).

In Baguio City, the Position Paper on the land provisions of House Bill No. 2813 (An Act Revising the Charter of the City of Baguio) introduced by then Congressman Mauricio Domogan mentions that throughout Baguio's history, numerous laws and policies have been passed, decisions have been made and developments have happened, resulting in a complex and problematic land situation in the City. Starting with the proclamation of the Baguio Townsite Reservation in 1907 by the American colonial government, the creation of Baguio as a Chartered City in 1909, and the decision on the Carino doctrine in 1909, there have been a series of laws, proclamations and decisions on land claims and land disposition in the city that make the urban land problem truly a challenge to fathom. Various interests and perspectives come into play in the Baguio land situation.

Further, the said Position Paper notes that the original Ibaloi indigenous inhabitants whose native title to their ancestral lands was "recognized" in a decision of the US Supreme court in 1909 on the case of Carino vs. the Insular government (a landmark decision now known as the Carino doctrine). However, these same Ibaloi families fell victim through the years to a systematic and legalized dispossession of their ancestral lands with the passage of numerous laws, proclamations and decisions by the colonial and commonwealth government in the Philippines. Now we see a large part of Baguio, including Ibaloi ancestral lands, declared as government reservations and public land under the control of the national government (HB No. 2813).

Moreover, conflicting land laws and overlapping land claims also exist in the city. Aside from land titles of various kinds, the Townsite Sales Application (TSA) is the primary instrument of land disposition in the city within the Baguio Townsite Reservation. However, the issuance of TSAs by the DENR has been so expensive, controversial and anomalous that there is hardly a land claim that does not conflict with another. There is also the issue of expanded titles, conflicting land use, subdivisions, road right of way, watershed and forest reserves, miscellaneous sales application, overlapping

surveys with different reference points, Community Mortgage Program, actual occupants vs. claimants, etc. etc. The limited area of alienable and disposable land in the city is now being fiercely contested by these numerous and various conflicting interests. Another aspect of the urban land problem is the influx of migrants from other regions and provinces into the city. As early as the 1900s with the opening up of the mines in Benguet and the declaration of the city as a summer capital, there has been a steady stream of migrants coming into the city. In-migration and rapid urbanization has stretched the carrying capacity of Baguio to the limits and has resulted in land scarcity, squatting and homelessness. Hence, describing the land situation from bad to worse (Cordillera Peoples Alliance (2008).

This researcher being a geodetic engineer who practices his profession in Baguio City, has witnessed several occurrences of land conflicts between and among indigenous peoples, residents, business communities, government, landowners and other claimants. His experiences in land surveying in Baguio City has provided him with a motive to conduct this study on land conflicts in Baguio City. The findings of the study will serve as baseline information in helping concerned government officials, community leaders, landowners and claimants in dealing with and resolving land conflicts not only in Baguio City but also in other places.

Theoretical and Conceptual Framework

The study is anchored on facts and theories that explain land use, land tenure and land conflicts in order to have a clear understanding of the nature and direction of the study.

Land tenure security refers to the right of individuals and groups of people to effective protection by their government against forcible evictions. Tenure refers to the status of individuals or groups in relationship to property. Tenure can be freehold, leasehold, conditional, collective, and communal. Land tenure security is, therefore, an element of property rights: the right to remain on one's land and make use of and profit from that land in ways the individual or groups value (so long as they do not harm others). In urban settings, land tenure is often insecure for slum dwellers and for the poor. In rural settings, land tenure is also often insecure for the poor, as well as for women, who face problems such as unlawful evictions (Boudreaux & Sacks, 2008).

Land use conflicts are defined as interaction between groups of people with an interest in how land is used. A review made on conflicts indicated that there is no universal pattern and hence no universal prescription for resolving conflicts in land use. This appears to be partly due to the heterogeneity of both the natural environment and cultural influences. It is concluded that the natural and cultural influences cannot be dealt with separately (Havel, n.d.).

Land conflicts and/or disputes commonly occur due to conflicting land claims, boundary disputes, fraudulent land titles, inheritance issues, or land grabbing. These disputes can become particularly complex when land titles overlap or when claimants possess different forms of evidence to justify their claims (Bruce & Boudreaux, 2013).

The Conflict Theory is a framework for understanding how power, resources, and social inequality shape social relationships and institutions. It is a useful tool for analyzing social problems and understanding the dynamics of social change. This theory focuses on the competition among groups within society over limited resources. Conflict theory views social and economic institutions as tools of the struggle among groups or classes, used to maintain inequality and the dominance of the ruling class (Yang & Zhu, 2013). Conflict theory has three assumptions: Humans are self-interested. Societies operate under perpetual scarcity of resources. Conflict is pervasive and unavoidable within social groups and between social groups (Hamon, 2016).

The Conflict Theory is most commonly associated with Marxism, but as a reaction to functionalism and the positivist method, and a number of other theories. This theory was first developed by Karl Marx, is a theory that society is in a state of perpetual conflict because of competition for limited resources. Conflict theory holds that social order is maintained by domination and power, rather than by consensus and conformity. For Marxists, there is fundamental conflict between different groups in society. This conflict is ongoing and persistent and not temporary (<http://www.sociology.org.uk/notes/pctmmarx.pdf>).

Realistic Conflict Theory (RCT), also known as realistic group conflict theory (RGCT) (Jackson, 1993), (Baumeister & Vohs, 2007) is a social psychological model of intergroup conflict.^[3] The theory explains

how intergroup hostility can arise as a result of conflicting goals and competition over limited resources, and it also offers an explanation for the feelings of prejudice and discrimination toward the outgroup that accompany the intergroup hostility (Sidanius & Pratto, 1999), (Whitley & Kite, 2010). Groups may be in competition for a real or perceived scarcity of resources such as money, political power, military protection, or social status. This theory believes that feelings of resentment can arise in the situation that the groups see the competition over resources as having a zero-sums fate, in which only one group is the winner (obtained the needed or wanted resources) and the other loses (unable to obtain the limited resource due to the "winning" group achieving the limited resource first). The length and severity of the conflict is based upon the perceived value and shortage of the given resource. According to RCT, positive relations can only be restored if superordinate goals are in place (Jackson, 1993). RCT can also provide an explanation for why competition over limited resources in communities can present potentially harmful consequences in establishing successful organizational diversity (Brief et al, 2005). RCT can help explain discrimination against different ethnic and racial groups. An example of this is shown in cross-cultural studies that determined that violence between different groups escalates in relationship to shortages in resources. When a group has a notion that resources are limited and only available for possession by one group, this leads to attempts to remove the source of competition (https://en.wikipedia.org/wiki/Realistic_conflict_theory).

These above discussed concepts and theories serve as the theoretical and conceptual framework of the study.

Paradigm of the Study

The operational paradigm of the study illustrates the direction and flow of the study as illustrated in Figure 1.

The Input is about the land conflict in Baguio City. The Process includes the following: descriptive research design, descriptive survey method, questionnaire administration, treatment of data, and analysis and interpretation of data. The Output will be a list of suggested measures to resolve land conflicts.

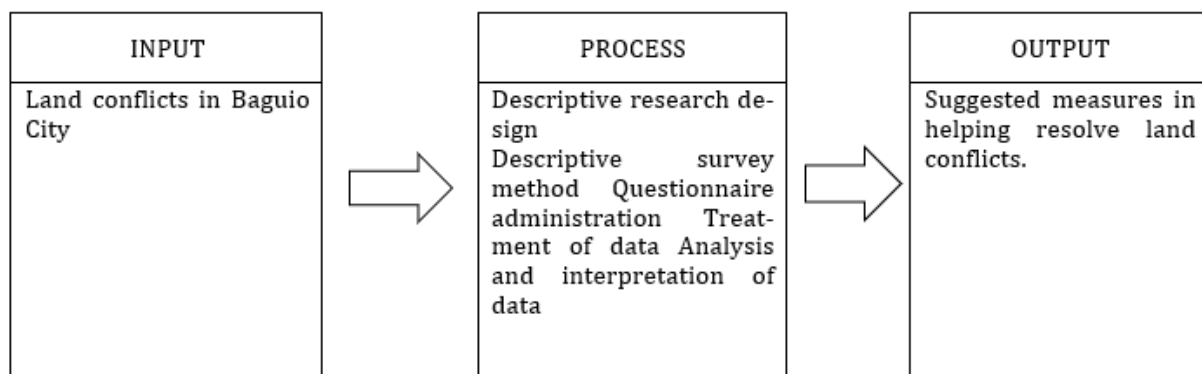


Figure 1. Paradigm of the Study

Statement of the Problem

This study focused on the land conflicts in Baguio City. The specific questions are the following questions:

1. What is the frequent cause of land conflicts in Baguio City?
2. What is the extent of the effect of land conflicts on people and communities?
3. What is the degree of effectiveness of the actions undertaken to resolve land conflicts?

Assumptions

This study assumes that:

1. Boundary disputes are the most frequent cause of land conflicts in Baguio City.
2. Land conflicts have moderate effect on people and communities.
3. The actions undertaken to resolve land conflicts are moderately effective

Methodology

Research Design

The descriptive – survey research design was used in this study. The questionnaire was used as the main instrument to gather the data needed.

According to Calmorin (2010) the descriptive design is most appropriate for studies that aim to find out the current conditions, prevailing practices, relationships and opinions of the target population. Siedlecki (2020) also explains that the purpose of descriptive studies is to describe individuals, events, or conditions by studying them as they are. The researcher does not manipulate any of the variables, but rather describes the sample, and/or the variable. Descriptive studies look at the characteristics of a population.

Locale and Population of the Study

The study was conducted in Baguio City which involved forty-two land surveyors and other professionals who handle land conflicts in Baguio City as the respondents.

Data Gathering Instrument

A questionnaire-checklist was used as the data gathering instrument of this study. The questionnaire was constructed based on relevant facts, and information about land use and conflicts from reliable and secured sources in the internet.

The questionnaire had three main parts which gathered data on the following: Part I - Frequent cause of land conflicts in Baguio City; Part II - Extent of the effect of land conflict on people and communities; and Part - III Degree of effectiveness of the actions undertaken to resolve land conflicts.

The questionnaire was checked and evaluated by the Proposal Research Committee. Their corrections and suggestions were incorporated in its final copy before it was used in gathering the needed data of the study.

Reliability and Validity of the Questionnaire

The questionnaire was considered reliable and valid because the facts and indicators included therein were consistent to the focus of the study and can be reproduced under the same conditions, and the indicators used can accurately measure the desired results.

Data Gathering Procedure

The researcher secured the needed permission to conduct the study from the Office of the Director, Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP), Baguio Central University.

A letter request was sent to the respondents to seek their participation and cooperation in the study. Sufficient copies of the questionnaire were prepared, and this researcher personally floated the questionnaire to the respondents. The copies of the questionnaire were retrieved, and the gathered responses were sorted and tabulated.

Statistical Treatment

The data gathered were subjected to statistical treatment to facilitate their analyses, interpretation, and discussion.

The 3-point arbitrary scale was used to find out the level and weight of the gathered responses on Table 1, 2, and 3:

Table 1. Frequent Cause of Land Conflicts in Baguio City

Arbitrary Scale	Numerical Limits	Descriptive Interpretation	Symbols
3	2.34 - 3.00	Most Frequent	MF
2	1.67 - 2.33	Frequent	F
1	1.00 - 1.66	Seldom	S

Table 2. Extent of The Effect of Land Conflicts on People and Communities

Arbitrary Scale	Numerical Limits	Descriptive Interpretation	Symbols
3	2.34 - 3.00	Great Effect	GE
2	1.67 - 2.33	Moderate Effect	ME
1	1.00 - 1.66	Slight Effect	S+E

Table 3. Degree of Effectiveness of The Actions Undertaken to Resolve Land Conflicts

Arbitrary Scale	Numerical Limits	Descriptive Interpretation	Symbols
3	2.34 - 3.00	Very Effective	VE
2	1.67 - 2.33	Moderately Effective	ME
1	1.00 - 1.66	Slightly Effective	SE

The Weighted Mean (WM) was used to determine the weight and rank of the responses, and to compute the average weighted value of the presented data. The WM formula according to Subong (2006) is:

$$WM = \frac{TWP}{N}$$

Where:

WM = Weighted Mean

TWP = Total Weighted Points

N = Number of Respondent

Ethical Considerations

In conduct of this study, this researcher has observed all the necessary procedures and protocols to ensure that ethical considerations were followed such as:

1. Properly secured the permission to conduct the study from the Director of the Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP), Baguio Central University.
2. Requested participation and cooperation of the respondents, and that they were assured of the strict confidentiality of their identities as well as their responses in compliance to the provisions of the Data

Privacy Law, and that the data gathered from them were presented in consolidated form and not as individual responses.

3. Properly and appropriately recognized and acknowledged all the sources of the information, literature, and data presented, cited and quoted in this thesis manuscript.

Results and Discussion

Frequent Cause of Land Conflicts in Baguio City

Table 4 presents the data gathered on the frequent cause of land conflicts in Baguio City as observed by the respondents.

The gathered results showed that all the indicators and/or causes of land conflict were observed as most frequent in Baguio City as proven by the computed average weighted mean of 2.92.

These most frequent cause of land conflicts are arranged in descending order based on their weighted means as follows: Conflicting land claims, Boundary disputes, inheritance issues, and land grabbing with weighted mean of 2.98 each; Fraudulent land titles, 2.96; Resistance to agrarian reform, 2.93; Conflicts of interest, 2.90; Competition over land and re-

sources, 2.88; Land investments (mining, forestry, plantations, infrastructure, 2.81; and Corrupt government leaders and officials, 2.79.

These findings demonstrate how Baguio City is laden with land conflicts such as boundary disputes, land claims, land grabbing and

inheritance issues. As a premier city and land with indigenous ancestry, Baguio City residents, businessmen and other people are in great rivalry competing to legally acquire pieces in this premier city.

Table 4. Frequent Cause of Land Conflicts in Baguio City (n=24)

Indicators	Frequent Cause			TWP	WM	DE	R
	MF	F	S				
	3	2	1				
1. Conflicting land claims	41	1	0	125	2.98	MF	2.5
2. Boundary disputes	41	1	0	125	2.98	MF	2.5
3. Fraudulent land titles	40	2	0	124	2.95	MF	5
4. Inheritance issues	41	1	0	125	2.98	MF	2.5
5. Land grabbing	41	1	0	125	2.98	MF	2.5
6. Resistance to agrarian reform	39	3	0	123	2.93	MF	6
7. Competition over land and resources	37	5	0	121	2.88	MF	8
8. Conflicts of interest	38	4	0	122	2.90	MF	7
9. Land investments (mining, forestry, plantations, infrastructure)	34	8	0	118	2.81	MF	9
10. Corrupt government leaders & officials	33	9	0	117	2.79	MF	10
Average Weighted Mean					2.92	MF	

Legend :

Arbitrary Scale	Numerical Limits	Descriptive Interpretation	Symbols
3	2.34 - 3.00	Most Frequent	MF
2	1.67 - 2.33	Frequent	F
1	1.00 - 1.66	Seldom	S

These findings imply that land is such a precious property that people are engrossed and put so much effort in looking into possible causes on how they can claim a piece of land or even vast tracks of land in Baguio City. However, claimants and disputing persons of interest should act fairly, do what is right and reasonable so as not to trample on the rights and life of others, especially those who have less in life.

Because of the prevalence of spurious land titles, the city government of Baguio City has warned the public against entering into transactions involving sale of voided land titles. These properties have been voided by the Supreme Court in a decision that became final in February 2020. The Supreme Court has reversed the validity of the subject certificates of ancestral land title (CALTs) over 36 prime lots in Baguio City located in Upper Session Road, Pacdal Circle, Wright Park, and the city government's titled property in Lualhati village, and that the SC decision has been already annotated in the land titles at the

Registry of Deeds. Then, Community Environment and Natural Resources Officer (CENRO) Edgardo S. Flor of the Department of Environment and Natural Resources (DENR) Cordillera confirmed the manifestation of former Baguio City Mayor Mauricio G. Domogan that one fifth of the city's total land area is covered by Certificates of Ancestral Land Title (CALT). On the other hand, the present Baguio City Mayor Benjamin Magalong seeks a review of ancestral land sales. Mayor Benjamin Magalong said that "Ibaloy families who sold their ancestral lands in watersheds and reservations here should lose all privileges granted by their certificates of ancestral land title (CALT)". Magalong said: "non-Ibaloy clan members who bought the ancestral lands have occupied forest or developed portions of it such as those at the Baguio dairy farm". The city government recognizes Ibaloy lands, he wants the proper implementation of the Indigenous Peoples Rights Act (IPRA, or Republic Act No. 8371) (Quitasol, 2012); (Agoot, 2022); (Cabreza, 2019).

The access to and use of natural resources like water and land for grazing or crop production are key sources of conflict. A joint study by FAO and IIASA highlighted how natural resources were shrinking (Fischer et al, 2002). More recently, FAO alerts about the risk associated with the incremental demand for food that, together with demand from other competing uses, will place unprecedented pressure on many agricultural production systems across the world. These 'systems at risk' are facing growing competition for land and water resources and they are often constrained by unsustainable agricultural practices (FAO, 2011).

According to the Executive Summary of the United Nations Interagency Framework Team for Preventive Action (n.d.) the role of land and natural resources in conflict is attracting increased international attention due to the changing nature of armed conflict and as a result of a variety of longer-term, global trends. Land conflicts commonly become violent when linked to wider processes of political exclusion, social discrimination, economic marginalization, and a perception that peaceful action is no longer a viable strategy for change. Land is an important economic asset and source of livelihoods; it is also closely linked to community identity, history and culture. Communities, therefore, can readily mobilize around land issues, making land a central object of conflict.

The first assumption of the study which states that boundary disputes are the most frequent cause of land conflicts in Baguio City is accepted as confirmed by the obtained average weighted mean of 2.92. Aside from boundary disputes, the other most frequent cause of land conflicts in Baguio City are conflicting land claims, fraudulent land titles, inheritance issues, land grabbing, resistance to agrarian reform, conflicts of interest and competition over land and resources.

Extent of Effect of Land Conflicts on People and Communities

Table 5 presents the extent of effect of land conflicts on people and communities as observed by the respondents.

As indicated by the computed average weighted mean of 2.93, land conflicts have great effects on the people and communities. This means that land conflicts have significant adverse effects on the lives of conflicting people and the communities where they live, and/or the communities where land conflicts are.

The foremost great effects of land conflicts are abandonment of land because of fear, unfair compensation of (their) land, and lack of due process in resolving disputed lands with each garnering a weighted mean of 2.95 each. Land conflicts were also observed to have great effects on people and communities such as human rights violations, people may be indiscriminately or forcibly removed from their land, damages or loss of property, disharmony in communities, and tensions among ethnic groups.

These findings strongly imply that land conflicts have great adverse effects on people and communities. These negative consequences of land conflicts can be a heavy burden to affected people and communities. In extreme circumstances, land related conflicts can turn increasingly violent and may result to people's displacement which greatly affect their security, livelihood, and others.

Land conflicts not only affect people's lives and communities but also in the degradation of the environment. An article written by Gonzales (2016) describes that urban sprawl has environmental impact in Baguio City, and urban sprawl is characterized by a discontinuous, fragment/leapfrog development with random population densities. Land use policies advocating urban expansion for residential use to the detriment of a critical environment. In the case of Baguio City, the decreasing area of prime open lands has long been identified as a negative consequence of urban sprawl even as the 2014-2023 Comprehensive Land Use Plan (CLUP) recommended increasing residential land usage to correspond to the shrinkage in the city's open areas. An assessment of the space covered by urban green spaces and even forest reservations in the city is difficult due to the variations in land use categories used in the said CLUP, which lists "Forest/Water Reserves" and "Open Areas" as land use categories. This is highly evidence of a speculative and arbitrary nature on how open areas are reserved for urban expansion rather than for environmental protection. Currently, the city is mostly composed of residential lands, which take up 61% of its total land area. The second largest land use is for "Vacant Forested Area" at 12.38 %, followed by Commercial Land Use at 2.57

% of the Forest/Watershed Reserves comprise 2.54 % of the city's lands. Aside from the negative collaterals on open spaces and forest areas, urban sprawl and the pressure

of continued population increase have moreover exerted a severe strain on the City's water resources.

Table 5. Extent of Effect of Land Conflicts on People and Communities (n=42)

Indicators	Extent of Effect			TWP	WM	DE	R
	GE	ME	SE				
	3	2	1				
1. People maybe indiscriminately or forcibly removed from their land	39	3	0	123	2.93	GE	3.5
2. Unfair compensation of their land	40	2	0	124	2.95	GE	2
3. Lack of due process in resolving the disputed land	40	2	0	124	2.95	GE	2
4. Abandonment of land because of fear of violence	40	2	0	124	2.95	GE	2
5. Damages/Loss of property	38	4	0	122	2.90	GE	6.5
6. Human rights violations to affected people	39	3	0	123	2.93	GE	3.5
7. Ethnic tensions	37	5	0	121	2.88	GE	8
8. Disharmony in the community	38	4	0	122	2.90	GE	6.5
Average Weighted Mean					2.93	GE	

Legend:

Arbitrary Scale	Numerical Limits	Descriptive Interpretation	Symbols
3	2.34 - 3.00	Great Effect	GE
2	1.67 - 2.33	Moderate Effect	ME
1	1.00 - 1.66	Slight Effect	SE

In the Philippines, Climate Diplomacy (n.d.) notes that in recent years, population growth and degradation of productive land has led to increased stress and tensions between smallholder farmers, wealthy landlords and the state. The population growth rate in the Philippines is still high, as it has remained consistently above 1.5% every year since 2000 (World Bank, n.d.). The quantity of available land per person is thus continuously reduced. As a result, the rural poor have been moving to the uplands where land is ill-suited for agriculture. Cultivation of these fragile lands has led to their ecological degradation, thus increasing land scarcity even further (Kahl, 2006; Kennedy, 2001). Many farmers deprived from their sole livelihood have migrated to the cities, where they often end up as squatters in informal settlements (USAID, 2011). Land conflicts arising from the land distribution indicated that whilst some wealthy landlords in the Philippines own large plantations, including the most productive swathes of land, about 70% of farmers are landless (USAID, 2011). Corruption and resource appropriation by powerful elites reinforce this situation (You,

2014). Rural farmer communities often cultivate land owned by the state and wealthy landlords (Vargas, 2003). This system contributes to livelihood insecurity, as it facilitates the acquisition of large land plots by foreign investors, and makes rural populations very vulnerable to evictions (Oxfam International, 2014; see also Land Grabbing in the Philippines).

Similarly, the study of Boudreaux et al (2017) on community land conflicts gives a clear picture on how land disputes affect private sector investments and development projects. The spike in demand for agricultural land in developing countries over the past decade has generated a great deal of political and media attention. While many investments bring opportunities for local communities, some have wrongfully pushed residents and workers off their lands or have caused social and environmental harm. Some development projects such as agroforestry initiatives and irrigation schemes have also encountered land conflict. These wider land conflicts can negatively impact communities, causing serious harm to vulnerable groups. This includes effects on local livelihoods, which may significantly depend on

land and resources. But it includes wider effects too. Land is often more than a commodity to be traded. It can carry religious or cultural meaning and represent the backbone of local economies. Left unaddressed, escalating land disputes can also result in project delays, increased operational, labor and legal costs, supply chain issues, damage to property, security concerns, and reputational harm. Costs may be high and drawn out, nullifying return on investments or resulting in stranded assets. Investors may be inadvertently complicit in the wrongful displacement of people.

Moreover, urbanization presents conflicts to farmers on the urban fringe such as destruction of crops and damage to farm equipment. Urbanization may also cause the “impermanence syndrome” (i.e., a lack of confidence in the stability and long-run profitability of farming), leading to a reduction in investment in new technology or machinery, or idling of farmland. As urbanization intensifies, agricultural and nonagricultural land use conflicts become more severe. This may lead to an increase in

local ordinances designed to force farmers to pay for some of the negative impacts generated by agriculture.

The second assumption of the study which states that land conflicts have moderate effect on people and communities is rejected because the actual findings showed that land conflicts have great effect on people and communities as confirmed by the obtained average weighted mean of 2.93.

Degree of Effectiveness of the Actions Undertaken to Resolve Land Conflicts

Table 6 presents the data gathered on the degree of effectiveness of the actions undertaken to resolve land conflicts as observed by the respondents.

The results showed that the actions undertaken to resolve land conflicts were observed as very effective as proven by the obtained average weighted mean of 2.90. This manifests that the actions were successful in achieving resolution of the land conflicts and/or land disputes.

Table 6. Degree of Effectiveness of The Actions Undertaken to Resolve Land Conflicts (n=42)

Indicators	Degree of Effectiveness			TWP	WM	DE	R
	VE	ME	SE				
	3	2	1				
1. Mediation	39	3	0	123	2.93	VE	4
2. Mediation-Arbitration	40	2	0	124	2.95	VE	2
3. Open dialogues	40	2	0	124	2.95	VE	2
4. Public meetings	40	2	0	124	2.95	VE	2
5. Judicial proceedings	38	4	0	122	2.90	VE	5
6. Working with trusted community leaders and government officials	36	6	0	120	2.86	VE	6
7. Diplomacy	34	8	0	118	2.81	VE	8
8. Creative peacebuilding	35	7	0	119	2.83	VE	7
Average Weighted Mean					2.90	VE	

Legend :

Arbitrary Scale	Numerical Limits	Descriptive Interpretation	Symbols
3	2.34 - 3.00	Very Effective	VE
2	1.67 – 2.33	Moderately Effective	ME
1	1.00 – 1.66	Slightly Effective	SE

Mediation-arbitration, open dialogues, and public meetings were observed as the top actions undertaken to resolve land conflicts. The Program of Negotiation (n.d.) at Harvard Law School further explains that mediation is appealing because it allows parties to reach a collaborative settlement, but it could end in an impasse. Arbitration, on the other hand, can

wrap up a dispute conclusively, but it does not give disputants much say in the outcome. A hybrid approach called “med-arb” combines the benefits of both mediation and arbitration techniques. In this mediation and arbitration hybrid, parties first attempt to collaborate on an agreement with the help of a mediator. If the

mediation ends in an impasse, or if issues remain unresolved, the parties can then move on to arbitration. The mediator can assume the role of arbitrator (if qualified) and render a binding decision quickly, or an arbitrator can take over the case after consulting with the mediator. Under Philippine experience, Respicio & Co. (2023) observe that while litigation is the traditional method of resolving land disputes, alternative dispute resolution methods such as mediation and arbitration are also encouraged. Mediation can provide a faster, less adversarial, and more cost-effective solution to land disputes. Republic Act No. 9285 defines arbitration as a voluntary dispute resolution process in which one or more arbitrators, appointed in accordance with the agreement of the parties or rules promulgated pursuant to the Act, resolve a dispute by rendering an award. In arbitration, a neutral third party serves as a judge who is responsible for resolving the dispute. The arbitrator listens as each side argues its case and presents relevant evidence, then renders a binding decision. Arbitration provides a procedure which is far less complex than the court process. Its advantages are the designation of expert and impartial persons to decide issues and the convenience and speed of the procedure. Arbitrators have the power to award the expenses of any party against another party, when such assessment is deemed necessary (Section 20, Republic Act 876 otherwise known as the Arbitration Law).

Public meetings and open dialogues are also innovative ways to settle or resolve conflicts and disputes. These are familiar, established ways for people to come together to express their opinions, hear a public speaker or proposed plan, engage in shared learning about a topic, or work together to develop solutions. Public meetings do not have to follow any specific script or agenda. Open dialogues build strong and positive relationships between aggrieved parties. It is the ability to listen and adapt to the particular context and language of every exchange.

These findings imply that land conflicts can be resolved legally, reasonably, amicably with humanitarian considerations through alternative dispute resolutions. Conflicting or disputing parties are encouraged to seek the help, mediation and arbitration of the concerned officials and employees of the Department of Environment and Natural Resources in addressing and resolving their land conflicts or disputes.

Knight (2018) explains that mediation is a structured process led by a neutral third-party mediator. Mediators can be lawyers, community mobilizers or trained, respected community members. The mediator's job is to remind the parties of the relevant laws, help the parties communicate, find common ground and assist in identifying desired solutions. The mediator's goal should be to help both parties to reach a resolution that benefits both sides, not just one. Once a resolution to the conflict is reached, it should be recorded in writing and signed by all the parties. This will help ensure that everyone sticks to the agreement. Mediation centers across the country are often available to assist in facilitating dialogues and agreements between disputing parties.

The other very effective ways of resolving land conflicts are judicial proceedings, use of diplomacy, working with trusted community and government officials. In Baguio City, the Department of Environment and Natural Resources (DENR), Cordillera Administrative Region, land claims and conflicts are settled through the help of the DENR Alternative Dispute Resolution Officers from the region. They speak to parties of land claims and conflicts and handle their cases for neutral evaluation, negotiation, conciliation and mediation. The DENR-CAR photo release in June 2023 showed that of the 26 cases handled, 10 ADR cases were resolved through amicable settlement. The non-resolved cases will be returned to the handling ADROs in the DENR-CAR, PENRO, Benguet and CENRO Baguio City.

Moreover, the Department of Environment and Natural Resources (DENR) is looking into expanding the Alternative Dispute Resolution (ADR) mechanism to other sectors next year, following its successful adoption in settling land disputes through the Land Management Bureau (LMB). DENR Assistant Secretary for Legal Affairs and ADR Committee Chair Atty. Michelle Angelica Go bared the proposal in her message at the awarding of best ADR officers during the National ADR Day Celebration held at the Heritage Hotel in Pasay City on December 16, 2021. In her presentation titled "Building Trust: Key Factor in Environmental Peacebuilding," Go called the ADROs as "environmental peacebuilders," noting that building mutual trust between two parties "is the first element that you should establish." "We leverage on the environment and natural resources to foster sustained peace instead of litigiousness among stakeholders. Sustained peace will

hasten the attainment of the development objectives of the department which will definitely have a ripple effect on the societal goals of inclusive growth and poverty reduction," Go said. She underscored that the DENR legal affairs office "discourages" litigation which she described as "too costly, too painful." The proposal is pursuant to the Republic Act (RA) 9285, or the Alternative Dispute Resolution Act of 2004 and DENR Administrative Order (DAO) 2005-18, which calls for the adoption of the ADR principles and procedures in the resolution of conflict. She noted that since its roll out in the lands sector in 2018, a total of 1,020 cases have been referred for ADR as of December 8, 2021 with some 281 cases still under ADR proceedings. A total 739 ADR cases have been mediated during the period, of which 321 disputes or 43 percent of 739 cases were settled while 418 others failed to reach a settlement (DENR Publication, 2021).

Above all, for many people land is a historical-social construct, impregnated with culture, values and spirituality. Land is the object and human beings are the subject. They interact over land and, when all goes well, they create a socio-ecological contract involving the land, the people and the institutions with whom they interrelate. But because of covetousness, land can also be a source of problems and conflicts. Dealing with land in conflict is therefore above all about rebuilding that contract and reestablishing a process of trust and dialogue amongst stakeholders (Land Portal, n.d.).

Summary of Findings

Based on the data gathered from the respondents, the study has found that the boundary dispute, conflicting land claims, inheritance issues and land grabbing were among the most frequent and topmost cause of land conflicts in Baguio City; land conflicts have great effects on people and community; and the actions undertaken were very effective to resolve land conflicts.

Conclusion

Based on the findings of the study, the conclusions are the following:

1. Land is a valuable and important resource to people, communities and the State. Land conflicts are inevitable to occur.
2. Illegal or fraudulent acquisition of land can cause hardships and great loss to people, communities and government.
3. Land conflicts can be resolved through judicial proceedings, mediation-arbitration, and other diplomatic means which are deemed very effective to concerned community, local and government leaders

Recommendation

The recommendations are the following:

1. Land claimants should seek proper advice from concerned knowledgeable and experienced community, local and government leaders with regard to the validity and legality of their claims. The pros and cons of land claims should be made clear to both sides – claimant and claimee.
2. Concerned individuals involved in land conflicts should evaluate their drastic actions to acquire lands so as not to cause burden, pain and sorrow to people and communities.
3. The concerned government agencies like the Department of Environment and Natural Resources, the Baguio City government and community leaders are encouraged to resort all means to reconcile or resolve land conflicts.

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Appendix A
Letter from the Dean, Graduate School
Baguio Central University

Appendix B Letter to the Respondents

Appendix C Questionnaire

Personal Information

Name: _____ (Optional)

PART I. Frequent cause of land conflicts in Baguio City

Direction: Please check the column that corresponds to your observation as to the common causes of land conflicts in Baguio City. Be guided with the arbitrary scales and descriptive interpretations below.

3 - Most Frequent (MF)

2 - Frequent (F)

1 - Seldom (S)

Indicators	MF 3	F 2	S 1
1. Conflicting land claims			
2. Boundary disputes			
3. Fraudulent land titles			
4. Inheritance issues			
5. Land grabbing			
6. Resistance to agrarian reform			
7. Competition over land and resources			
8. Conflicts of interest			
9. Land investments (mining, forestry, plantations, infrastructure)			
10. Corrupt government leaders & officials			

Reference: Respcio & Co. (2023), Global Land Tool Network (2020)

PART II. Extent of effect of land conflicts to affected people and communities.

Direction: Please check the column that corresponds to your observation as to the extent of effect of land conflicts to affected people and communities. Be guided with the arbitrary scales and descriptive interpretations below.

3 - Great Effect (SE)

2 - Moderate Effect (ME)

1 - Slight Effect (SE)

Indicators	GE 3	ME 2	SE 1
1. People maybe indiscriminately or forcibly removed from their land			
2. Unfair compensation of their land			
3. Lack of due process in resolving the disputed land			
4. Abandonment of land because of fear of violence			
5. Damages/Loss of property			
6. Human rights violations to affected people			
7. Ethnic tensions			
8. Disharmony in the community			

Reference: Bruce & Bourdreaux (2013); Bourdreaux & Sacks (2017); Handoko (2019)

PART III. Degree of effectiveness of the actions undertaken to resolve land conflicts.

Direction: Please check the column that corresponds to your observation as to the degree of effectiveness of the actions undertaken to resolve land conflicts. Be guided with the arbitrary scales and descriptive interpretations below.

- 3 - Very Effective (VE)
- 2 - Moderately Effective (ME)
- 1 - Slightly Effective (SE)

Indicators		VE 3	ME 2	SS 1
1.	Mediation			
2.	Mediation-Arbitration			
3.	Open dialogues			
4.	Public meetings			
5.	Judicial proceedings			
6.	Working with trusted community leaders and government officials			
7.	Diplomacy			
8.	Creative peacebuilding			

Reference: Land Portal (n.d.), Knight (2018)

Appendix D

Output of the Study

Suggested Measures in Helping Resolve Land Conflicts

This researcher suggests the following actions or measures to help concerned persons in resolving and settling land conflicts.

1. Suggestions as presented in this study are:

- Mediation-Arbitration
- Public meetings
- Open dialogues
- Judicial proceedings
- Working with trusted community, local and government leaders

2. Refer to Republic Act 9285 of 2004 known as the Arbitration Dispute Resolution Law of the Philippines. The Alternative Dispute Resolution Act of 2004 enacted by the Philippine Congress is the declared policy of the State to actively promote party autonomy in the resolution of disputes or the freedom of the parties to make their own arrangements to resolve their disputes.