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The Politics, Landowners' Resistance and Peasants' Struggle for Genuine Land Reform in the Philippines

Master Thesis

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6 Conclusion and Policy Suggestions

Throughout the Philippine history there have been peasant revolts and struggles and periodic government policies on land reform to address the serious peasant unrest. Evolution of the various land reform legislations remained conservative. The political influence of proponents (landless farmers, agricultural workers) of land redistribution is low despite large in number. There were rural unrests and recommendations for agrarian change from various groups (including United States authorities) desirous of seeing reform but opponents (landlords and protégé of landlords) of land reform were highly educated and well-represented in the legislature. Landlords' power and influence in legislature as well as in the executive branch is well-entrenched. Laws passed were limited in scope, plugged with loopholes and not backed with sufficient funds for program implementation. The Aquino administration's land reform program, despite its relative comprehensiveness, was not an exception. Case studies in chapter 5 proved how a watered-down land reform program could be exploited.

CARP offers a range of schemes from which, in theory, landlords and peasants can chose from such as the OLT, CA, VOS, and VLT. Landowners have exploited these schemes as a means of circumventing land reform. The various provisions of CARP such as the exemptions and exclusions provided an opportunity for landowners to evade the program by changing agriculture practices to be exempted. Landowners also circumvent CARP through land conversion. DAR officials accepting bribes to issue conversion authorization and the absence of steep penalties and sanctions against illegal conversion of agricultural lands enabled landowners to sell their land to investors and real estate developers or convert the land to commercial use.

Contrary to the assertion by some lawmakers that land reform is a thing of the past and should be abolished, redistributive agrarian reform remains to be a relevant and important policy measure in the Philippines as long as peasants are confined to conditions of poverty. We must not forget that the major accomplishment of CARP is the land tenure improvement among beneficiaries. This pertains to the transformation of share tenancy to leasehold and owner-cultivatorship. Agrarian reform will remain

an important political and economic issue in the country. Philippine history tells us that the program corresponds to the highs and lows of peasant struggle.

Certain patterns emerging from evasive acts of landowners from CARP have implications for implementation of the program. The patterns observed also illustrate the role of NGOs and people's organizations in lobbying for effective land reform.

6.1 Policy Issues

6.1.1 Formulation of a Land Use Code

The need to prioritize the passage of a national land use bill is emphasized to harmonize overlapping agendas on land use and purpose of different government agencies (DAR, LGUs). The bill has been pending in Congress since 1995 during the Ramos administration. Areas under the network will be non-negotiable for conversion. The passage of the proposed code is essential in protecting areas for food production and in rationalizing land use patterns, especially in view of the increasing and conflicting demands for land. The bill must be supportive of the implementation of CARP and provide measures to (1) encourage efficient use of land and (2) prevent indiscriminate conversion. Inter-agency coordination is also important to harmonize contradicting land use.

6.1.2 Progressive Land Tax on Landholdings beyond the Retention Limit and Idle Land Tax Law

The government could impose a progressive land tax on landholdings beyond five hectares and additional taxes on idle and underutilized agricultural lands. Such policies will discourage land speculations and land stocking by unscrupulous developers. By making ownership of landholdings costly, the taxes may encourage landowners to have their property covered by agrarian reform. A tax law on idle lands may also result into similar actions by landowners or may encourage full utilization of agricultural lands. These provisions might address the problem of underutilized pasture lands throughout the country.

6.1.3 Task Force on Illegal Conversion

Residential areas are sprouting to what were once rice fields and coconut areas. The pressure for land use conversion will persist because of growing population and industrialization. There is a strong clamor for government to increase penalties for illegal conversion. The penalties and sanctions need to be reviewed and revised for an effective corrective measure. A fine high enough to discourage circumvention would be an alternative. Strong enforcement of the Comprehensive Rules on Land Use Conversion is necessary. DARs current function of approving and monitoring land use and transfers will continue.

6.1.4 Alternative to a 'Farmland as Bank Collateral' bill

Instead of passing the "Farmland as Collateral" bill, government can fast-track CARP implementation, ensure the completion of the distribution of private agricultural lands by 2008, provide support services to the ARBs, and most importantly provide the required budgetary support to attain these objectives.

It is important to package an intervention scheme that will develop small farms into profitable business ventures. The government needs to develop alternative arrangements that will encourage beneficiaries to utilize their lands to the highest and best use. Collective property rights can be an option since it resolves the problem of subdivision of lots into unproductive units and provide the owners the option of contiguous large-sized landholdings that can be available for the cultivation of plantation crops. Land leasing by farmer beneficiaries which may take the form of fixed rentals or sharecropping arrangements may provide a better alternative for farmers with little capital, family labor or draft power to operate the land or for farmers who have better access to nonland-based livelihood opportunities. This arrangement would allow the landless, marginal farmers to gain access to land. However, this possibility needs further study and evaluation.

6.1.5 Land Valuation Formula

One reason why landowners are not eager to comply with CARP is that land value using the land valuation formula is lower than the market value. There is strong resistance from landowners of small to medium-size farms on the ground that values do not approximate the fair market value. If DAR and the landowner cannot come to common terms, the value is to be determined by a court which causes delay in the land transfer. It is important to review the current land valuation formula and to come up with more acceptable values. Valuation systems of other countries can be considered for adoption or incorporation to the current one.

6.1.6 Exclusions/Exemptions of Lands

CARP contains exemptions and exclusions to the criteria established in law for expropriation. The exemptions represented political compromised in legislation and can be fatal in the realization of the goals of CARP. Exemption could mean that the ARBs end up in less productive land. Review of current guidelines of exemptions/exclusions/deferment on pasture lands, livestock raising, fishponds, orchards and other production means is important.

6.1.7 Data Base Management

The CARP scope was reduced in 1994 to about 8.06 million hectares but the revised scope was not reflected in the official statistics of DAR. To be able to accurately assess targets and accomplishments, it is important for DAR to update its database. DAR can validate the information with the LGUs. This will enable DAR to identify CARPable lands, present an accurate estimate of the workable balance and prepare a realistic timetable.

6.2 Role of NGO's and People's Organizations

On the foreword of *The Bibingka Strategy in Land Reform Implementation: Autonomous Peasant Movements and State Reformists* (Borras 1999), Ernesto Garilao stated that "When reforms do not move so fast, it is easy to accuse

government of lacking political will and sincerity, and other pejorative terms in the civil society cookbook. In many cases, reforms do not move as fast because social pressure from the constituency is weak.” Alliance between autonomous peasant organizations and state reformists can be much stronger than whatever coalition of the anti-reformist within and outside government can mount. State allies within the bureaucracy must also continually allow the organized peasants and their allies to penetrate the state agrarian reform apparatus involved in policy formulation and implementation. This means continued peasant empowerment as a necessary condition for agrarian reform implementation

NGO and peasant movements should act together in building a strong people’s organization from below, so that they can continually bring the burdens of public accountability upon elected officials. Pressure can come from persuasion from more rational arguments based on research and cooperation, and penetration by harnessing the various networks and linkages that NGOs and People’s organizations have developed over the years of work in agrarian reform. Strengthening farmers’ organization is a necessary route, though not sufficient, to obtaining political influence for reforms that favor farmer tenants and landless farm workers. NGO provide support to the farmers through organizing and networking. Media exposure and mass mobilization are means to call the attention of government officials.

6.3 Collective Action for Strong Political Will

As it has been said again and again, a strong political will is necessary. There is a need for a strong agrarian reform lobby among NGOs and peasant group in Congress. Continued vigilance is necessary. The issue facing NGOs and peasant organizations today is whether they can sustain and widen the agrarian reform movement and get support from the middle class and media.

The peasantry’s gain must be defended and protected by the peasantry itself. Past elections have shown that votes still cluster around personalities and on name-recall of political dynasties by voters, rather than on issues. However, the election in 2004 showed that where civil society organizations were well-organized, meaningful victories are possible.

For example, during the 2004 election, senatorial candidate John Osmena lost his bid for re-election. Peasant leaders denounced his anti-agrarian reform stance and urged the population not to vote for him. The Senator has been known to having slashed CARP budget repeatedly. Peasant organizations launched an active campaign against him. His defeat could be attributed greatly to collective action of the masses.