

Université de Montréal

**Successful Strategies for the Implementation of Land Reform: A Peasants' Account from
the Philippines**

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the Philippines**

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RÉSUMÉ

Entre 1988 et 2008, les Philippines ont mis en œuvre le *Comprehensive Agrarian Reform Program (CARP)* qui visait à redistribuer 9 million d’hectares de terres agricoles aux paysans sans terre. En dépit des échappatoires du programme et d’une structure sociale très inégale qui freinent sa mise en œuvre, ce modèle de réforme agraire présente des résultats surprenants alors que 82% des terres ont été redistribuées. Concernant les terres plus litigieuses appartenant à des intérêts privés, Borras soutient que le succès surprenant de plusieurs cas de luttes agraires s’explique par l’utilisation de la stratégie *bibingka* qui consiste à appliquer de la pression par le bas et par le haut afin de forcer la redistribution. Sa théorie cependant ne donne que peu de détails concernant les éléments qui rendent un cas plus ou moins litigieux. Elle ne traite pas non plus de la manière dont les éléments structurels et l’action collective interagissent pour influencer le résultat des luttes agraires. Dans ce mémoire, nous nous attardons d’abord à la manière dont certains éléments structurels – le type de récolte et le type de relation de production - influencent le degré de résistance des propriétaires terriens face aux processus du CARP, contribuant ainsi à rendre les cas plus ou moins litigieux. Ensuite nous analysons l’influence du contexte structurel et des stratégies paysannes sur le résultat de la mise en œuvre du programme de réforme agraire. Pour répondre à nos deux questions de recherche, nous présentons quatre études de cas situés dans la province de Cebu.

Mots-clés : Réforme agraire, Philippines, Cebu, Action collective, Bibingka

ABSTRACT

Between 1988 and 2008, the Philippines have been implementing the Comprehensive Agrarian Reform Program (CARP) which aimed at redistributing 9 million hectares of agricultural land to landless peasants. Despite the loopholes of the program and the highly unequal social structure which constrain the implementation, this land reform program shows a positively surprising rate of accomplishment of 82% after 20 years. On the more contentious private agricultural land, Borras has argued that the unexpected successful outcome of various land struggles can be explained by the peasants reliance on the bibingka strategy which consists in applying pressure from below and from above to push for land redistribution. His theory however does not go into details about what makes a case more or less contentious, and on how agency and structure interact to influence the outcome of particular land struggles. In this thesis, we first look at how structural features – namely the type of crop produced and the tenurial status of farmers – influence the strength of landowner resistance to key CARP processes of land reform, thus contributing to make a case more or less contentious. Then we analyze the combined influence of the structural setting of the case and of the strategy used by peasants on the implementation outcome of land reform. To address our two main research questions, we present four case studies from the province of Cebu.

Keywords: Agrarian Reform, Land Reform, Philippines, Cebu, Agency, Bibingka Strategy

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LIST OF ACRONYMS

ARB: Agrarian Reform Beneficiary

ASUCAR: Alliance of Sugarland

CA: Compulsory Acquisition

CARL: Comprehensive Agrarian Reform Law

CARP: Comprehensive Agrarian Reform Program

CF: Claim Folder

CLOA: Certificate of Land Ownership Award

CPAR: Congress for a People's Agrarian Reform

CPP: Communist Party of the Philippines

DAR: Department of Agrarian Reform

DARAB: Department of Agrarian Reform Adjudication Board

DENR: Department of Environment and Natural Resources

EP: Emancipation Patent

FARDEC: Farmers Rural Development

GNP: Gross National Product

KMP: Kilusang Magbubukid ng Pilipinas (Philippine Peasants Movement)

MARO: Municipal Agrarian Reform Officer

NOC: Notice of Coverage

NPA: New People's Army

OLT: Operation Land Transfer

PAL: Private Agricultural Land

PARC: Presidential Agrarian Reform Committee

PARCCOM: Provincial Agrarian Reform...

PARO: Provincial Agrarian Reform Officer

PD: Presidential Decree

PD 27: Presidential Decree 27

PHILDHARRA: Philippine Partnership for Development of Human Resources for
Rural Areas

PhilNet-RDI: Philippine Network of Rural Development Institutes

RA: Republic Act

UCLA: United Cebu Landowner Association

VLT: Voluntary Land Transfer

VOS: Voluntary Offer to Sell

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INTRODUCTION

UNDERSTANDING LAND REFORM STRUGGLES IN THE PHILIPPINES: AN ANALYTICAL FRAMEWORK

This day of May 2008 was one of celebration for the families of Dalag, a barangay located in the northern municipality of Medellin, in Cebu province. After almost 20 years of struggle, they were finally being installed on the 51-hectare landholding they had been working on prior to 1988 and fighting for ever since. Thus a special thanksgiving mass was celebrated that morning to launch the official ceremonies. Counting their blessings and visibly proud of their achievement, the old farmers receiving one by one their legal titles from the hands of DAR officials could however not hide the scars of the past. All these years of hard work and struggle had darkened their skin and wrinkled their hands. As they stood by to watch the symbolic first plough of their sugarcane landholding, their hearts were twisted by memories of relatives and friends who have not lived long enough to see this day. A bitter sweet moment which they hoped would tip the balance towards the sweet side for the years to come.

1.1 Problem Definition

In 2008, the Comprehensive Agrarian Reform Program (CARP) of the Philippines came to its 20th year of implementation amidst debates about its accomplishments and its future. In a country where economic inequalities were amongst the highest in Asia at the time, the main objectives of the CARP were to promote rural development and industrialization, and reduce inequalities through a more equitable distribution and ownership of land. This agrarian reform program was comprehensive in that it encompassed all lands regardless of size, crops or tenurial arrangements. It focused both on redistributing land and providing support services.

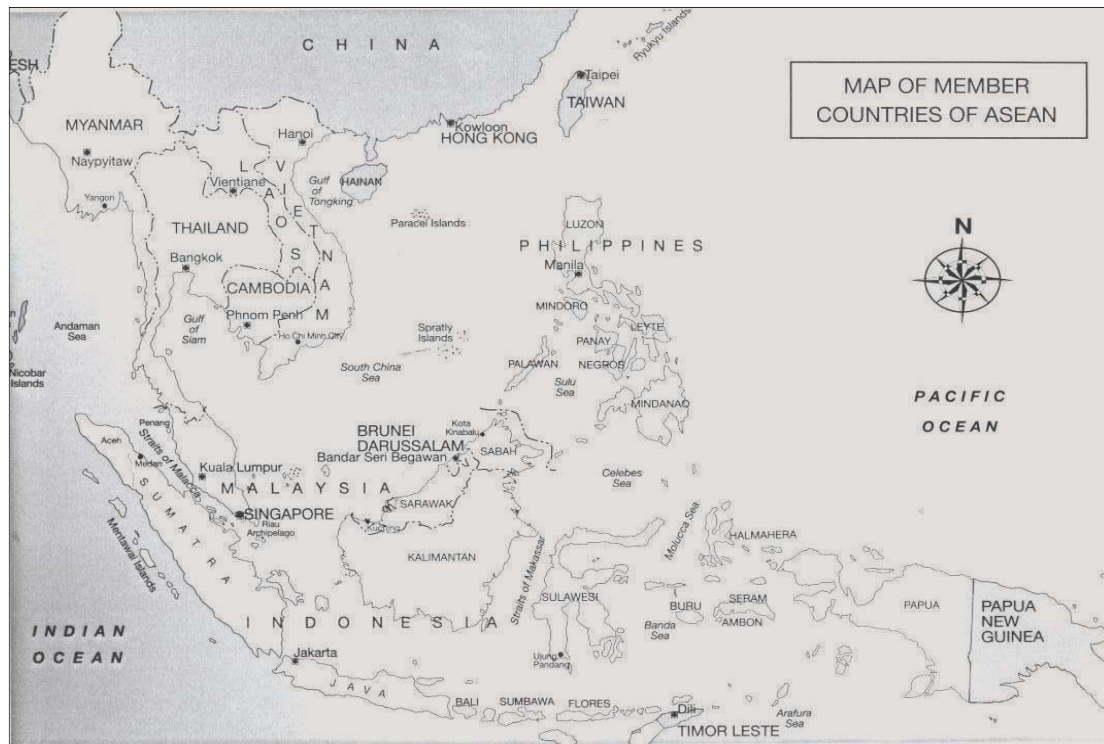
The initial target for land distribution set in 1988 was ambitious. Within ten years, the Philippine government was to distribute over ten million hectares of land to some four million rural poor households across the archipelago.¹ However when CARP came to its 10th and what was supposed to be its final year of implementation, the program had redistributed only a little more than half of its target, which had already been reduced by two million hectares in 1996.² This shortcoming prompted President Fidel Ramos to extend CARP for another 10 years at a time when CARP seemed to have gained some momentum. In 2008, after 20 years of implementation, the redistribution target had still not been met fully.

Although redistribution remained incomplete, the national implementing agencies - the Department of Agrarian Reform (DAR) and the Department of Environment and Natural Resources (DENR) - were reporting in 2008 a positively surprising rate of accomplishment of about 80%.³ The figure was surprising considering that local observers had little hope that CARP would accomplish any substantial redistribution of land at all due to the anticipated resistance of politically entrenched landowners and to the numerous legal loopholes of this program crafted in part by the landowners themselves.

The official data of the DAR and the DENR have been criticized however for not giving an accurate portrait of the situation on the ground. The definition of what constitutes a successful distribution is a first problem.⁴ Government institutions such as the DAR computerized land distribution as being successful once they have emitted a Certificate of Land Ownership Award (CLOA) to the Agrarian Reform Beneficiaries (ARBs), not when peasants *physically* take possession of their land. Thus on the ground there are numerous cases where farmers, after receiving a legal title to the land, were still barred from entering it by former landowners and their private armies or goons. A second problem is that the land distribution process can easily be delayed by resistant landowners. A vast number of farmers had to wait for 10, 15 or 20 years before they were finally granted ownership because their cases were pending in court. A third problem is that due to the lack of funds for the program, many communities do not receive the support services they are entitled to under CARP, such as the building of infrastructure or credit facilities. This often leaves the peasants with little choice but to sell their land - although this is not legally permitted⁵ - or lease it back to the former landowner.

If statistics do not tell the whole story of agrarian reform in the Philippines, some numbers are indicative of where the program is falling short. Numbers show for example that the main problem with land reform under CARP is the redistribution of private agricultural lands (PALs) for which DAR reported a rate of accomplishments of only 57% as of 2008.⁶ Once taken into account the aforementioned problems related to the official data, it is clear that the successes reported in national agencies reports are not always being 'felt' on the ground.⁷ But despite all these problems, there have been a significant number of successful cases of land redistribution over the years in the Philippines, even on private lands.⁸ Enough anyway to wonder why redistribution occurred in certain cases and not in others. Thus examining the conditions under which CARP can be successfully implemented on contentious private lands, and the strategies that can be used by peasants and their allies to ensure land redistribution, is crucial to understand the situation of agrarian reform in the Philippines.

Map 1.1 The Philippines in Southeast Asia



Source: Southeast Asian Affairs 2008

In this thesis, we will look at the influence of four variables (three structural variables and one process variable) on key CARP processes and on the implementation outcome of four specific cases of land reform.⁹ Our first research question will focus on the influence of two structural variables - the type of crop and the tenurial status of farmers – on the strength of landowner resistance to four key CARP processes of land reform. The strength of landowner resistance identified in the analysis of this first research question will then allows us to create a typology of structural settings based on the level of contentiousness of each landholding. Then in our second research question, we look at the influence of the structural setting – an independent structural variable – and of the peasant strategy – an independent process variable - on the implementation outcome of land reform. These questions are meant to increase our understanding of two issues that have not been fully addressed in the literature on land reform in the Philippines: the influence of structural variables on the strength of landowner resistance to land reform, and the interaction between structure and agency to explain the outcome of specific land struggles. This research presents four case studies located in the province of Cebu. These case studies are identified according to the name of the barangay in which they took place: Salacan, Kalimpak, Manlayo, and Dalag.¹⁰

1.2 Literature Review

Understanding the conditions of successful land redistribution in the Philippines is not possible without first examining the land reform model that the country has adopted, and the debates that underpin the various perspectives on land reform. In this section, we discuss first some of the major issues which have shaped the debates around the economical and political rationale for land reform. We then look at four current perspectives of land reform at the international level, and at the debates which led to the adoption of the CARP in the Philippines in 1988. Finally we consider the constraints to land redistribution under CARP, the strategies available to Filipino peasants, and the limits of the theoretical model of Borras to explain the successful redistribution of contentious private lands in the Philippines.

1.2.1 Why Land Reform?

Economic Arguments. A first set of arguments used by land reform advocates is based on economical considerations and focuses on three issues: tenure security as an incentive for investment and productivity; the relation between productivity and farm size; and rural development as the path to national economic growth and poverty reduction.

The first issue is the least contentious one as most authors argue that there is a positive relationship between tenure security on one side, and investment and productivity on the other. As Dekker says, « a person secure of long term access will care more for the land, will work intensively, [and] make capital improvements ». ¹¹ World Bank economists support this idea and further suggest that tenure security increases farmers' access to credit. ¹²

The issue of productivity and farm size has sparked more debates although the argument in favour of large-scale farming has been increasingly criticized. The support for large-scale farming productivity is based on the idea that economies of scale can be made where labour is replaced by equipment and machinery. ¹³ Kautsky for one advocated that large farms were superior in « terms of costs, yields, economy of labour, and efficiency of the division of labour ». ¹⁴ Stevens also concluded that productivity, as the estimated output per unit of land or labour, was higher in the modern agriculture associated with large farms than in the traditional agriculture associated with small family farms. ¹⁵

The problem with that argument is that, as Lipton noted, although it may apply to developed countries which have a lot of capital and a relatively small labour force, it does not fit so well the context of developing countries.¹⁶ In developing countries where the land is scarce, the labour force is large, and the amount of capital is low, an increase in productivity is better achieved by applying more *labour* rather than more *capital*.¹⁷ Many have also made the argument that notwithstanding the scarcity of land and lack of capital issues, there is an inverse relationship between farm size and productivity. Hayami, Quisumbing and Adriano for example showed that productivity on rice lands in the Philippines was higher on small farms than on large farms because tenants on small farms know the particular conditions of their land better, and are likely to invest more effort in production than wage labourers hired on large farms.¹⁸ Development economists of the World Bank such as Deininger, Binswanger and Feder have also endorsed small-scale farming as being more productive.¹⁹

In terms of economic growth, the World Bank argued in 2000 that previous development models' predictions were wrong and that a one-time distribution of assets can in fact be associated with permanently higher levels of growth and with poverty reduction.²⁰ Binswanger adds that « small-scale farmers generally use land, labour, and capital more efficiently than do large-scale farmers » and that « redistributing land from large farmers to family farmers can bring efficiency gains to the economy ». ²¹ Land reform thus leads to higher economic growth.

As Griffin argues however, national economic growth and poverty reduction are two different things and there is no causal relationship between national economic growth measured in terms of GNP and reduction of inequalities measured by the Gini coefficient.²² He adds that because poverty is evaluated in relation to wealth, the only way to reduce poverty is to reduce inequalities.²³ Borras explains that by transferring to the rural poor control over productive resources, land reform is crucial in giving them the capacity to construct livelihoods and overcome poverty.²⁴ Griffin believes that even in cases where GNP rates would not increase as a result, land reform would still significantly contribute to poverty reduction.²⁵

Political Arguments. Aside from economic arguments, political arguments are also used to justify the necessity of land reform. The first argument focuses on social justice and presents land reform as a means to change the balance of power in the countryside in

order to bring about a more equal society. Hazra argues that in many developing countries, the power relation between landlords and tenants is an impediment to the development of productive forces, and that reform is needed to transform the structure of agrarian relations and economies.²⁶ Land reform is thus inherently a political process and, historically, the social justice objective has been achieved through state confiscation and redistribution of land.²⁷

The second political argument is that land reform can ensure political stability. Hayami, Quisumbing and Adriano explain that newly independent developing countries after World War II pursued land reform as a means to ensure political stability - a stability which would be the basis for economic progress and eradication of poverty.²⁸ According to Dekker, empirical evidence show that land reform has indeed increased political stability in Latin America for example.²⁹ It is suggested that political reforms to transform power relations in the countryside are a necessary and prior condition for economic development and that a purely economistic approach to land reform is bound to fail not only in achieving social justice and political stability, but also in achieving sustained economic development.

In sum, the redistribution of large tracks of land to small family farms through land reform in developing countries contributes to increased investment and productivity in the countryside as well as to economic growth and poverty reduction. It can also contribute to social justice and lay the foundation of a more equal society, increasing political stability and reinforcing economic development. Although some have used both to justify the need for land reform, there can be a tension between economic and political arguments. This tension is well described by Bernstein who explains that for those supporting the economic arguments alone, the notion of 'land to the tiller' is supported as a way to increase productivity and investments in rural areas.³⁰ However « once pre-capitalist landed property (...) is destroyed, and a fundamental condition of capitalist agrarian transition thereby satisfied, *there remains no rationale for redistributive land reform* ». ³¹ In the next section, as we discuss the current perspectives on *how* land reform should be implemented, we relate these perspectives to the economic and political arguments sustaining them.

1.2.2 Current Perspectives on Land Reform

Typologies of land reform are abundant in the literature. Some like Patnaik focus on historical paths to distinguish between conservative landlord-dominated redistribution and more democratic and revolutionary peasant-dominated redistribution.³² The Land Research Action Network (LRAN) suggests that land reforms of the 20th century are better categorized in terms of ‘endogenous social revolution’, ‘cold war proxies’, ‘postwar allied consolidation’, and ‘endogenous political compromise’.³³ Akram-Lodhi, in a review essay, suggests that there are now two contending frameworks left: the Market-Led Agrarian Reform (MLAR) of the World Bank, and the food sovereignty movement of *La Via Campesina*.³⁴

For this research, the distinction made by Borras between four ideal-types of land reforms - peasant-led, state-led, market-led and state/society-driven - is most useful because it highlights the importance of the political actors (state officials, landowners, peasants, and CSOs) involved in the implementation of agrarian reform and it provides a heuristic framework to understand the land reform debates and implementation in the Philippines.³⁵ The following discussion on *how* land reform can be implemented will thus be structured around Borras’ typology, while also presenting different authors’ views.

Peasant-Led Perspective. For Borras, the first ideal-type of land reform is the peasant-led perspective. In this perspective, land is seen not only as an economic factor of production but also as a socio-political and cultural resource.³⁶ The focus on both economic and political arguments in favour of agrarian reform is important because it drives both the purpose of land reform and the means to achieve it. In the peasant-led perspective, it is assumed that the market forces are dominated by elite interests and opposed to pro-poor agrarian reform while the state is too captive of the elite.³⁷ Peasants are thus the only actors which can achieve a pro-poor agrarian reform.³⁸ This model is described in the work of Eric Wolfe who has written about ‘peasant wars’ such as those which occurred in China, Vietnam, and the Soviet Union.³⁹ In these wars, land reform was driven by peasant revolutions which often allied themselves with radical left movements.

State-Led Perspective. The second ideal-type of land reform is the state-led perspective. Much like in the peasant-led perspective, the necessity of land reform is based both on economic and political arguments. The necessary condition for land reform in this case is strong political will, and the mechanism needed to achieve redistribution is the

expropriation by the state. Although peasant movements and CSOs are considered as important actors in this perspective, they are attributed a subordinate administrative role.⁴⁰ The state-led model was prevalent between 1945 and 1980 when the dominant Keynesian discourse gave a central role to the state in economic development. Today however, Rossett believes that the only two states which have « a sincere commitment to genuine land reform » are Cuba and Venezuela.⁴¹ Critics of state-led land reforms, such as the World Bank, say that these are bound to be abandoned before completion and will thus remain partial precisely because they are *politically* motivated.⁴² Barraclough argues however that « in every Latin American case where significant land redistribution benefiting the rural poor took place, the state played a decisive role ».⁴³ According to Byres and Bernstein, state-led agrarian reform was also a ‘key motif’ of the period of state-led development in Asia.⁴⁴

Market-Led Perspective. The third ideal-type of land reform is the market-led perspective. In this perspective, land is viewed as a *commodity*, a scarce resource and a factor of production. Land reform here is seen as a way to improve economic efficiency and productivity but not as a mean to address the unequal distribution of power within a society. A main argument for land reform in this perspective is that the skewed distribution of land results in lack of access to productive resources by rural households and leads to poverty.⁴⁵ Advocates of this perspective however argue that state intervention in redistributing land distorts land markets and that redistribution must be carried through market-oriented mechanisms such as ‘willing seller-willing buyer’ land-transfer schemes, land-rental markets, and the privatization of land property rights.⁴⁶

Bernstein and Byres explain that state-led development started to give way to the ascendancy of neo-liberalism in the late 1970s.⁴⁷ Under neo-liberalism, the poverty discourse adopted the ‘growth paradigm’, moving away from the objective of redistributing the pie and towards the objective of enlarging the pie.⁴⁸ Thus with the growing predominance of the market in the economic discourse, the political argument for land reform and the role of the state came under attack. Neo-liberal thinkers of the World Bank lobbied for the avoidance of state-led land reforms on the basis that they ‘provoke and aggravate violence’.⁴⁹ Even Griffin – who had underscored in the 1970s the importance of land reform as a mean to reduce inequalities in the countryside – seemed to agree as he criticized in 2001 previous state-led land reform programs for having been ‘unduly confiscatory’.⁵⁰ According to Deininger, the advantages of a market-led model

are that it replaces central bureaucracy with local empowerment; that it is demand-driven rather than supply-driven; that it reduces the costs of the program; and that it is faster and less conflict-ridden.⁵¹ Having previously taken position in favour of small farms over large ones in the debate over productivity, Deininger may have overestimated the capacity of peasant families to acquire land in an open market.

The market-led model has been severely criticized in recent years. One argument formulated by Borras and Franco against this model is that it promotes a purely economic view of land as a scarce factor of production, and it focuses only on its most efficient use and allocation.⁵² This downplays the fact that land is also a source of considerable wealth and power. Patel adds that a fundamental problem of the market-led model is its « stubborn refusal (...) to acknowledge the existence of divergences in power between those who control land and those who don't », and that « markets compound and consolidate these power relations ».⁵³ Market mechanisms favour the rich, not the poor. As Riedinger argues, « a market-based approach to land reform is likely to be unaffordable to the would-be beneficiaries because the market value of land exceeds the agronomic value of the land ».⁵⁴ He adds that « in such context, land sales markets are likely to become a means for large landowners to accumulate more land ».⁵⁵

The fact that there seems to be no known case of a successful land reform based on market-led principles to this day is also a severe blow to the MLAR proponents.⁵⁶ Borras and Franco argue that « where implemented, these programs tended to benefit the non-poor households and other corporate elites more than the rural poor ».⁵⁷ Bernstein agrees that recent market-led land reform in Southern Africa « have had negative consequences for employment and poverty, and especially for the weakest groups in rural labour markets ».⁵⁸ Riedinger's conclusion is that the market-based approach « offers little promise of benefiting a significant number of families or of distributing significant amounts of land. It is likely to serve only as a screen for government temporizing on the critical issue of redistributive reform. »⁵⁹

State/Society-Driven Perspective. The fourth ideal-type of land reform is the state/society driven perspective.⁶⁰ In this case, the implementation of land reform is driven by the interactions between peasants, CSOs, state actors, and landowners. The originality of this perspective is that rather than focusing on a single type of actor to lead the implementation, it focuses on the *interactions* between them.⁶¹ Here peasants have an

active role to play in pushing for the implementation of land reform. Barraclough says that « in every case where significant land reforms occurred, protests and demands by organized peasant producers and rural workers made crucial contributions to bringing them about ». ⁶² In this model, peasant mobilization is considered to be a necessary but insufficient step towards land reform implementation. To succeed, peasants need to find allies within civil society to help them overcome landlord resistance and scale up their mobilization beyond the local level. ⁶³ The state/society driven perspective also offers a different viewpoint on state actors who are not seen as homogenous but rather as divided between those supporting the interests of the peasants, and those supporting the interests of the landlords. ⁶⁴ Thus land reform is not driven by revolution, by state expropriation or by market mechanisms alone. It is driven by different types of actors and its implementation is likely to depend on the local context, landowner resistance and peasant strategies.

1.2.3 Land Reform Debates in the Philippines

Peasant-Led versus State-Led. After the People Power Revolution and the end of Marcos' dictatorship in 1986, peasant organizations in the Philippines « wasted little time in pressing their demands for swift action on agrarian reform ». ⁶⁵ The progressive elements of civil society were not in agreement however on the ideal-type of land reform implementation to promote. This led to a debate which opposed the radical groups who shared a peasant-led perspective, and the moderates who shared a state-led perspective.

The group of radical peasant organizations was led by the Philippine Peasants Movement (KMP) ⁶⁶ which was guided by, and sympathetic to, Maoist revolutionary objectives. ⁶⁷ KMP advocated a 'genuine agrarian reform' and its demands included the free distribution of land to peasants; selective compensation to former owners; and the nationalization of lands owned by multinational agribusinesses. ⁶⁸ The moderate group was a social-democratic coalition of NGOs and was led in part by the Philippine Partnership for Development of Human Resources for Rural Areas (PHILDHRRRA). ⁶⁹ Their demands differed from those of KMP on two main aspects: they proposed that beneficiaries pay the land awarded to them according to their capacity rather than receive it for free; and they suggested a more moderate two-tiered approach to landowner compensation with a cut-off at fifty hectares. ⁷⁰ As a political opportunity arose to push through with land reform legislation, the ideologically divided peasant sector decided to unite ahead of an inevitable battle with a landlord-dominated Congress by creating the

Congress for a People's Agrarian Reform (CPAR) in May 1987.⁷¹ The CPAR was composed of 12 national peasant organizations and coalitions - including KMP⁷² - and saw the supporters of the peasant-led perspective of land reform throw their support behind a state-led perspective.

The CPAR's demands were assembled in a legislative program called the PARCODE.⁷³ The progressive agenda of CPAR however was going to face strong resistance from the landlord-dominated Congress. The ensuing debate in 1987 was described by Putzel as one between « the conservative and the liberal approaches to agrarian reform ». ⁷⁴ The CPAR represented the liberal approach, one that put the emphasis on the *political* arguments for land reform such as the need for a more equitable redistribution of land, and argued for widespread land redistribution from large landowners to landless peasants.⁷⁵ These arguments were shared by the advocates of both the peasant-led and the state-led models of implementation. The conservative approach on the other hand focused on the *economic* argument of agricultural productivity to justify land reform and had a strong free-market component. It was based on the assumption that large landholdings allow for economies of scale and that ownership of land must thus remain in the hands of the traditional landed elite.⁷⁶ The advocates of the conservative approach, i.e. the landlord-dominated Congress, thus supported a market-led model of implementation.

The result of that debate was the creation in 1988 of the CARP, a land reform program which mainly reflected the conservative approach and the market-led model of land reform. The CPAR thus initially rejected the CARP because it was « fundamentally opposed to the interests of the rural poor »⁷⁷ while Bello argued that it was « riddled with loopholes, making it a dubious vehicle for genuine reform ». ⁷⁸ For Putzel, the weakness of the CARP was a consequence of the vested interests of the ruling elite.⁷⁹ But despite its market orientation, CARP is better described as a hybrid type of land reform program because it also provides the state with expropriation power.⁸⁰ This mix of market-led and state-led features of the CARP, as well as the return to democracy in the 1980s, opened the door for a struggle between peasants and CSOs pushing for the use of the state-led mechanism on one side, and landlords and their allies trying to avoid land reform or rely on the use of market mechanisms on the other side. In the end, CARP is a state/society-driven model of land reform where the implementation outcomes are contingent upon the interactions between peasants, CSOs, landowners, and state actors.

1.2.4 Constraints to the Implementation of Land Reform

As a state/society-driven model of land reform, CARP does not rely exclusively on market mechanisms and offers some political space for peasants and civil society actors to influence the process. The social structure of Filipino society however constrains the implementation of land reform. Understood as more or less enduring patterns of behaviour and relationship in a society, the social structure is characterized in the Philippines by a highly unequal distribution of power in favour of the landed elite. Simbulan for one argues that these inequalities are rooted in the social divisions of the Pre-Spanish period.⁸¹ These divisions were exploited and reinforced by both the Spanish (1571-1898) and American (1898-1946) colonial regimes, giving rise, as Putzel argues, to a landed oligarchy composed of families which are still prominent today in the Filipino political and economic life.⁸² According to Clarke, 130 out of the 200 House representatives of the Philippines in 1987 belonged to traditional landed elite families while an additional 39 were their relatives.⁸³ Jose Maria Sison has argued that, in the Philippines countryside, this highly unequal social structure translates into persistent feudal relations of production.⁸⁴ Thus in a context of such gross power imbalance between landowners who controlled the state apparatus and landless farmers of the countryside, prospects for land redistribution on a large scale were dim. The return to electoral democracy in 1986 and the adoption of the CARP in 1988 however, despite their shortcomings, opened new spaces of contention for peasants and agrarian reform advocates in their struggle for land reform implementation. Thus to understand how land reform successes emerged in such a constraining social structure, it is necessary to look at the strategies used by the peasants.

1.2.5 Strategies for the Implementation of the Land Reform

This democratic space opened by the end of the Marcos dictatorship was crucial because the involvement of the peasants themselves in the implementation of CARP is a key condition for success. Franco for one has stressed that poor farmers are not merely passive victims of socio-political processes but that they can change the social relationships in which they are embedded.⁸⁵ Putzel even attributes the failure of Marcos' land reform program (PD 27) specifically to this lack of space saying that:

(...) by relying on central government agencies and government established organizations, the Marcos state prevented the kind of peasant involvement that was needed to implement and maintain redistributive reform, even on the small scale dictated by the scope of PD 27.⁸⁶

In other words, in the absence of sufficient political will to implement a state-led land reform, political space is crucial to allow pro-reform actors to push for implementation. As a land reform activist quoted by Bello puts it: « If you don't push, you don't get anything ». ⁸⁷

Peasants have different strategies at their disposal in their struggle for land reform. Under Marcos, because of the lack of political space, they were basically limited to two main strategies: violent uprisings or 'everyday forms of resistance'. Scott developed the concepts of 'everyday forms of resistance' and 'weapons of the weak' to refer to individual strategies such as foot dragging, theft, avoidance, or acts of petty revenge, showing that the absence of collective action on the part of peasants does not equate acceptance of domination. ⁸⁸ Bernstein and Byres emphasize that sometimes « these 'weapons of the weak' have a greater cumulative effect in ameliorating their condition than organized collective action and dramatic but intermittent outbursts of rebellion ». ⁸⁹ This comment illustrates the dichotomous choice between everyday forms of resistance and rebellion in absence of political space. The end of the Marcos regime and the new space of contention it opened allowed and incited farmers to go beyond these everyday forms of resistance and risk avoidance strategies to use more open and active strategies.

In the early 1990s, the rural social movements that had united behind the CPAR in 1987 split in different groups according to the type of strategy they relied on. ⁹⁰ One of these was the revolutionary group led by KMP, which was sympathetic to the Maoist movement led by the Communist Party of the Philippines (CPP) and the New People's Army (NPA). After CARP failed to produce the model of land reform they had hoped for, KMP radicalized its position and decided to pursue the land reform struggle outside the legal framework provided by CARP, seeking to eventually seize state power and implement its own genuine land reform. In recent years, they have been criticized by more moderate activists for not tolerating other left-wing autonomous peasant movements, harassing and intimidating peasant leaders. ⁹¹

Some however advocated strategies designed to secure gains within the legal framework of the CARP. As Franco argues, between all-out revolution and apparent quiescence, « there is a vibrant and variable rural social movement field where peasants engage in purposive collective action ». ⁹² The 1990s, according to Borras, saw a shift in strategy away from « revolutionary seizure of state power, and toward radical reformist assertions

of the right to have rights by autonomous peasant movements, around the state land reform law ».⁹³ Aware of the shortcomings of the CARP, peasants have nonetheless been more inclined to use the increased political space to claim their rights to land within the legal framework provided by CARP.

The most successful of these middle-ground strategies under CARP has been one based on critical engagement with the state and better known as the *bibingka* strategy.⁹⁴ Borras developed the theoretical framework for this strategy in a book published in 1998.⁹⁵ Based on empirical evidence, he showed that land redistribution could be successful on contentious private landholdings when using a strategy which combines the pressure of peasant mobilization and social movement involvement from below with a positive interaction above with pro-reform members of the state implementing agency.⁹⁶ When this coalition is stronger than the one organized by the landowner and his own state allies, redistribution occurs. The combined involvement and positive interaction between peasants, civil society organizations, and state reformists in the land reform implementation is thus presented as the best strategy for achieving redistribution of contentious private landholdings under CARP.

In sum, the state-society-driven model of land reform requires peasants to participate actively in the implementation process in order to secure gains. Taking advantage of the political opportunity offered by this model means engaging, albeit in a critical way, with the state. To do so effectively, peasants also need to find allies among CSOs. Everyday forms of resistance will not provide the necessary peasant mobilization for implementation while the road of the revolution leads outside the legal framework and exposes peasants to repression and often times limited results. In this context, the *bibingka* strategy has proved to be the best way to ensure redistribution.

1.2.6 Limits of the Bibingka Strategy

The surprising results of the CARP and the unanticipated successes of many land reform struggles on contentious private landholdings in the Philippines have been partly explained by Borras. The *bibingka* strategy has achieved significant gains in terms of land redistribution, particularly during the Ramos presidency. However we do see two areas which would benefit from further research in order to deepen our understanding of the conditions under which land reform can be successfully implemented on contentious landholdings: the influence of local structural variables on the strength of landowner

resistance to land reform, and the interaction between structure and agency to explain the outcome of specific land struggles.

Borras argues that the pro-reform alliance created in the *bibingka* strategy must be stronger than the one organized by the landowner and his allies to achieve redistribution. He does not go into details however to describe what constitutes a contentious landholding or how much resistance should be expected in specific cases. In his book, he identifies two types of landholdings: the private landholdings which are *more contentious* and the public lands which are *less contentious*.⁹⁷ The rationale is that private landholdings are generally owned by powerful members of the traditional landed elite and that these owners are likely to put up strong resistance to the redistribution of their lands. The limit of the argument is that it puts all private landholdings on the same foot and does not allow for discrimination between different levels of contentiousness.

In his most recent work, Borras argues that the *bibingka* strategy was very effective under the progressive leadership of Garilao - the head of the DAR during Ramos' presidency - but that since Arroyo took over as President of the Philippines, the political opportunity for land reform gains has decreased significantly. Although we believe this to be true, we argue that the success of peasant strategies cannot be predicted solely on the basis of political opportunity at the national level. Land reform struggles face different local conditions which should be taken into account in assessing their chances of success.

1.3 Analytical Framework

1.3.1 Definition of Concepts

Some of the concepts we use in this thesis can be understood in different ways. To be sure, we are not suggesting that the definitions we give here are the only appropriate ones: our objective is merely to avoid misunderstandings and ensure clarity. The concepts which need to be defined here are those of agrarian and land reform; land distribution and redistribution; farmer and peasant; tenant and farmworker; structural feature and structural setting.

The terms *agrarian reform* and *land reform* are sometimes used indiscriminately although they refer to different concepts. Based on the definitions provided by Suarez, we refer to land reform as « a program which seeks to change landlord-tenant relationship with the end view of transferring the ownership and control of the agricultural land to the

actual tiller ».⁹⁸ In short, we understand land reform as being synonymous with land *redistribution*, i.e. land that is redistributed from a previous private owner to a new one through either state confiscatory power or market mechanisms. Land *distribution* on the other hand refers mainly to the distribution of public lands and is less contentious as it does not imply the confiscation of private property. *Agrarian reform* is a broader concept which refers to « land reform, coupled with a package of support services, price control, and government assistance (...) ».⁹⁹ Agrarian reform refers to the combination of land reform and the provision of services. Although much could be said about the provision of these services under the CARP in the Philippines, the scope of our research is limited to the land reform aspect of the program.

The use of the terms *farmers* and *peasants* can also lend themselves to misunderstandings. In this research, we refer to a farmer as a « person whose primary livelihood is cultivation of land or production of agricultural crops ».¹⁰⁰ *Farmer* is a large concept which can include big landowners, small owners, tenants and farmworkers. It encompasses both people who own land and people who do not, as long as the cultivation of land is their primary livelihood. The concept of *peasant* is different in that it refers more to a social condition than to a profession. It also has proven very difficult to define. Some like Bernstein prefer the term *simple commodity producer* while some among Marxist writers even reject it completely as an analytical concept.¹⁰¹ Wolf on the other hand refers to peasants as « populations that are existentially involved in cultivation and make autonomous decisions regarding the processes of cultivation ».¹⁰² His conception of the peasant includes small owners and tenants but not farmworkers. Because this thesis focuses on the struggle for land reform, the exclusion of farmworkers - who are potential beneficiaries of land reform - from the definition would be problematic; in particular since authors like Borras include them when speaking of *peasant* strategies. Therefore we will rely on a broader definition provided by Colburn, which refers to a peasant as someone who works in agriculture and who has a *subordinate* position in a hierarchical economic and political order.¹⁰³ In this research, the term *peasant* is meant to encompass tenants and farmworkers but not landowners. The ARBs involved in our case studies may thus be called peasants or farmers as they generally fit both definitions given above.

Another useful albeit easier distinction to make is between the concepts of *tenant* and *farmworker*. According once again to Suarez, a tenant is one who resides on and farms land owned by a landlord.¹⁰⁴ Depending on the contract, tenants pay the landowner a

fixed rent or share a percentage of their harvest. A farmworker is one who is employed by an agricultural enterprise or a farm on a permanent, recurrent, periodic, or intermittent basis to work as a labourer.¹⁰⁵ The tenants and the farmworkers are both potential beneficiaries of land reform but the distinction between them is particularly important since they imply different relations of production with the landowner.

In this thesis, the term *structural feature* refers to specific aspects of landholdings which can alter the power relations in the countryside between peasants and landowners. The two structural features referred to in this research are the type of crop and the tenurial status. Also, we refer to the term *structural setting* as the specific setting resulting from the structural features of a case and the strength of landowner resistance to CARP processes. The structural settings in this research are categorized as *highly*, *moderately* and *somewhat* contentious. In the next sections, we present our main research questions.

1.3.2 First Research Question

The first research question deals with the structural features which make land reform cases more or less contentious. We suggest that each case presents particular structural features which influence the strength of landowner resistance to key CARP processes of land reform. Because every case must involve the production of a crop and some arrangement between those who own the land and those who cultivate it, we chose the *type of crop* and the *tenurial status* as the two structural features of this research. These variables were also given considerable importance as factors of land reform success or failure in the literature.

Table 1.1. Key CARP Processes of Land Reform

CARP KEY PROCESSES	SHORT DESCRIPTION
Land coverage	This process involves gathering official documents regarding the land to be covered, issuing a Notice of Coverage (NOC) to the landowner, and conducting a survey of the land.
Identification of ARBs	This process involves a preliminary screening of potential ARBs, and the issuance of Certification of Qualified potential ARBs.
Land compensation	This process involves the determination of the land value, the acceptance/rejection of the valuation by the landowner and payment by the Land Bank.
Installation of ARBs	This process takes place after the ARBs have received their legal title and after the landowner received his compensation payment. It consists in the ARBs physically taking control of their land.

As we will explain in more details further, these two structural features influence key CARP processes of land reform. The general Land Acquisition and Distribution Process of the CARP is actually divided into four main phases and 21 steps. (See Annex 1) The four key processes which have the most influence on the implementation of land reform however are the following: land coverage; identification of ARBs; land compensation; and installation of ARBs. (See Table 1.1) It is these four key processes which are influenced by the type of crop and the tenurial status of peasants on a landholding.

The Type of Crop. The *type of crop* is our first structural feature and independent variable. The relevance of this variable has been demonstrated through the historical study of past land reform programs in the country. Before CARP, no land reform program had ever attempted to redistribute land planted with anything but subsistence crops. For example, Marcos' land reform from 1972 to 1986, known as PD 27, only covered rice and corn lands. Redistributing lands planted with a subsistence crop is less challenging in part because of the low value of their product compared to traditional (coconut, sugar, etc.) or non traditional (banana, pineapple, etc.) export crops. Here we use *corn land* and *sugar land* as the two possible variations of the variable because of their prevalence in the country in general and in the area where are located our case studies in particular.

Corn is essentially grown as a subsistence crop by farmers in areas which are not suitable for rice cultivation and has an even lower commercial value than rice. The fact that little profit can be made out of growing corn, that corn lands are usually divided in relatively small tenanted lots, and that PD 27 began the redistribution of these lands in 1972 (16 years prior to CARP) leaves fewer incentives for landowners to put up strong resistance. On the other hand, sugar lands in the Philippines are notorious for being difficult to distribute. When CARP was still being debated in Congress in 1988, landowners tried to have sugar crops totally exempted from coverage.¹⁰⁶ And although its price has collapsed in the world market in the 1980s, sugar has been - and is still - one of the main export crops of the Philippines. Thus land redistribution is expected to be more difficult on sugar lands than on corn lands because sugar lands generate more profit, giving landowners more incentives to resist CARP processes.

The influence of this structural feature can be seen in the landowner resistance to the process of *land coverage*, which is the initial phase of land reform. Owners of sugar lands often try to avoid CARP coverage on their land by filing petitions for exemption of

coverage while owners of corn land are less likely to do so since corn lands have been up for redistribution since the early 1970s. The influence of the type of crop can also be seen in the landowner resistance to the *land compensation* phase of land reform. Corn lands are generally covered under the OLT mechanism - a compulsory acquisition mode initiated under PD 27 - which leaves little room for negotiations. Sugar lands however are generally distributed through more ‘market-friendly’ mechanisms such as the Voluntary Land Transfer (VLT) and Voluntary Offers to Sell (VOS).¹⁰⁷ Owners of sugar lands are likely to put up strong resistance to the land compensation process in order to maximize their profit, either by obtaining a higher compensation than the one initially offered by the state or by delaying the implementation to reap the benefits of the land over a longer period of time. As land titles cannot be issued to ARBs as long as the former landowner has not been compensated by the Land Bank, it can significantly delay the implementation. Thus *corn land* is a facilitating variable in the implementation of land reform while *sugar land* is a constraining one. (See Table 1.2)

Table 1.2 Influence of the Type of Crop on Two Key CARP Processes

Type of Crop	Expected Landowner Resistance to the Process of Land Coverage	Expected Landowner Resistance to the Process of Land Compensation	Case Studies
Sugar	Strong	Strong	Manlayo and Dalag
Corn	Weak	Weak	Salacan and Kalimpak

Tenurial Status. The *tenurial status* is our second structural feature and independent variable. Aside from the fact that they generate less income for their landowner, rice and corn lands were targeted in previous land reform programs in part because of their high rate of tenancy. PD 27 for example focused exclusively on tenanted lands and did not include farmworkers as potential beneficiaries. Being a tenant facilitates land redistribution because it simplifies the process of *identification of the ARBs*, making it more difficult for landowners to oppose resistance. Tenants generally live on the lot they till while paying a fixed rent or engaging in formal or informal sharing arrangements with their landlord. Farmworkers however do not necessarily live on the land where they work. Hayami, Quisumbing and Adriano stress the difficulty of identifying farmworkers: « (...) unlike tenanted land, in which ‘tillers of the land’ can easily be identified, workers in plantations are typically organized into teams according to tasks and, thus, no specific plot of land is assigned to an individual worker ». ¹⁰⁸ The second process on which the tenurial status has an influence is the *installation of the ARBs*. Once a mother CLOA has

been issued, the installation of the farmworkers can more easily be delayed by the former landowner since unlike tenants they do not already live on the land and can be barred from entering. Thus *tenant* is a facilitating variable in the implementation of land reform while *farmworker* is a constraining one. (See Table 1.3)

Table 1.3 Influence of the Tenurial Status on Two Key CARP Processes

Tenurial Status	Expected Landowner Resistance to the Process of Identification of ARBs	Expected Landowner Resistance to the Process of Installation of ARBs	Case Studies
Farmworkers	Strong	Strong	Kalimpak and Dalag
Tenants	Weak	Weak	Salacan and Manlayo

Our first specific research question then reads as follows: how do the type of crop and the tenurial status of peasants influence the strength of landowner resistance to key CARP processes? Our first hypothesis is that landowner resistance will be strong to the processes of identification of land for coverage and land compensation in cases involving sugar while it will be weak in cases involving corn. Our second hypothesis is that landowner resistance will be strong to the processes of identification and installation of ARBs in cases involving tenants while it will be weak in cases involving tenants. (See Table 1.4)

Table 1.4 Conceptual Model A - Structural Features and the Four Key CARP Processes

Combination of structural features	Expected Landowner Resistance to Key CARP Processes				Case Studies
	Land Coverage	Identification of ARBs	Land Compensation	Installation of ARBs	
Sugar Farmworkers	Strong	Strong	Strong	Strong	Dalag
Sugar Tenants	Strong	Weak	Strong	Weak	Manlayo
Corn Farmworkers	Weak*	Strong	Weak	Strong	Kalimpak
Corn Tenants	Weak	Weak	Weak	Weak	Salacan

* In Kalimpak, landowner resistance was actually stronger than expected to the process of land coverage. We discuss this issue in details in Chapter Four.

1.3.3 Typology of Structural Settings based on Landowner's Resistance

This first research question, in addition to deal with the influence of structural features on landowner resistance to key CARP processes, allows us to create a typology of structural settings based on their level of contentiousness. Table 1.4 shows that our two structural

features can be combined in four different ways. The sugar-farmworkers combination is expected to lead to strong landowner resistance to four CARP processes, creating a *highly contentious* structural setting. The sugar-tenants and corn-farmworkers combinations are expected to lead to strong landowner resistance to two CARP processes, making them *moderately contentious*. And the corn-tenants combination is expected to lead to only weak landowner resistance to all four processes, making it only *somewhat contentious*. Structural settings are based on the number of processes to which landowners oppose strong resistance and are thus greatly influenced by structural features.

A typology based only on the combination of our two structural features however would be incomplete since it would not allow for the possibility of strong landowner resistance to either *one* or *three* CARP processes. Although we argue that the type of crop and the tenurial status are the two most influential structural features at the local level, we do not exclude the possibility that other structural features could also have an impact on landowner resistance to key CARP processes, altering the anticipated strength presented in Table 1.4 To ensure that our typology includes all possible variations, we will thus categorize the three structural settings based on the number of CARP processes to which landowners put up strong resistance rather than according to the combination of structural features. Therefore the structural setting of cases involving strong landowner resistance to three or four CARP processes are considered *highly contentious*; those involving strong landowner resistance to two CARP processes are considered *moderately contentious*; and those involving strong landowner resistance to none or one CARP process are considered *somewhat contentious*. (See Table 1.5) This typology allows for small variations in patterns of landowner resistance without compromising the relevance of structural settings as an independent variable to predict implementation outcomes. This is discussed in our second research question.

Table 1.5 Typology of Structural Settings based on Landowner Resistance

Structural Settings	Landowner Resistance	Case Studies
Highly Contentious	Strong resistance to 3 or 4 key CARP processes	Dalag and Kalimpak*
Moderately Contentious	Strong resistance to 2 key CARP processes	Manlayo
Somewhat Contentious	Strong resistance to 0 or 1 key CARP process	Salacan

* The strength of landowner resistance to key CARP processes in Kalimpak has been stronger than anticipated based on the combination of structural features of the case. The cause of this unanticipated result will be discussed in Chapter Four.

1.3.4 Second Research Question

Our second research question looks at how structural settings and peasant strategies combine to influence the implementation outcome of land reform under CARP. It involves a structural variable (the structural setting) and a process variable (the peasant strategy). The dependent variable in this question is the implementation outcome of land reform in a particular case. We suggest that the structural setting has a considerable influence on the implementation outcome of a case but that this outcome can also be altered by peasant strategies. To explain the rationale behind our second research question, we will thus look first at the influence of the structural setting on the implementation outcome of land reform. Then we will look at how peasant strategies can alter this outcome.

Structural Setting. In our discussion around the first research question, we presented a typology of three structural settings based on the strength of landowners' resistance to key CARP processes. (See Table 1.5). Here we argue that these structural settings influence the implementation outcome of specific land struggles. As shown in Table 1.6, we have identified three possible outcomes: *weak*, *partial* and *full* implementation. These outcomes vary in terms of the delay of implementation and the amount of land received by the peasants. We consider the delay of implementation to be reasonable when the installation of ARBs occurs within five years after the land has been identified for coverage. As for the amount of land received, we consider the outcome reasonable only if peasants receive the total amount of land they were entitled to at the beginning of the land redistribution process. When peasants receive less than what they were entitled to and are installed more than five years after the issuance of a Notice of Coverage (NOC), we consider the outcome to be a *weak implementation*. When peasants receive all the land they were entitled to and are installed within five years, we consider the outcome to be a *full implementation*. When only one of the two criteria is met, then we consider the outcome to be a *partial implementation*.

Thus in *highly contentious* structural settings, we expect the outcome to be a *weak implementation* because of the strong resistance of landowners to three or all four key CARP processes. In *moderately contentious* structural settings, the outcome is expected to be a *partial implementation* because of the strong resistance of landowners to two key CARP processes. Finally a *full implementation* is expected in *somewhat contentious* structural settings because of the weak resistance of landowners to most or all of the key

CARP processes. (See Table 1.6) But while structural settings influence the expected outcome of specific cases of land struggles, so do peasant strategies.

Table 1.6 Structural Settings and Expected Outcomes

Structural Settings	Expected Outcomes	Case Studies
Highly Contentious Strong landowner resistance to 3 or 4 CARP processes	Weak Implementation Installation delay of more than 5 years Land received is less than what peasants were entitled to	Dalag and Kalimpak
Moderately Contentious Strong landowner resistance to 2 CARP processes	Partial Implementation a) Installation delay of more than 5 years Land received is what peasants were entitled to b) Installation delay of less than 5 years Land received is less than what peasants were entitled	Manlayo
Somewhat Contentious Strong landowner resistance to 0 or 1 CARP process	Full Implementation Installation delay of less than 5 years Land received is less than what peasants were entitled	Salacan

Peasant Strategies. In the four case studies presented in this thesis, two peasant strategies have been used: the *bibingka* strategy in three cases (Dalag, Kalimpak, and Manlayo) and the risk avoidance strategy in one case (Salacan). We suggest here that the use of the *bibingka* strategy will strengthen the expected outcome of a land struggle while the risk avoidance strategy will weaken it. The rationale behind this hypothesis is that, as many authors have argued, in the Filipino state/society-driven model of land reform, peasant mobilization is *necessary* to ensure the success of land reform. Thus we consider peasant mobilization to be the basic condition for an implementation to proceed *as expected*, i.e. that the outcome of land struggle can be predicted from the structural setting in which it takes place without being altered by peasant strategies. The absence of mobilization in the risk avoidance strategy however will weaken the expected outcome while a strategy that goes beyond simple mobilization, as in the *bibingka* strategy, will strengthen the outcome. (See Table 1.7)

The second specific question of this research thus reads as follows: how do peasant strategies influence the implementation outcome of land reform in specific structural settings? The first independent variable is the structural setting which can be highly, moderately, or somewhat contentious. The dependent variable is the implementation outcome of land reform which can be weak, partial or full. The process variable, and

second independent variable, is the peasant strategy which can be the *bibingka* strategy or the risk avoidance strategy.

Table 1.7 Conceptual Model B – Structural Settings, Peasant Strategies and Outcomes

Structural Settings	Peasant Strategies	Implementation Outcome	Case Study
Highly Contentious	Bibingka Strategy	Partial	Dalag and Kalimpak
	Peasant Mobilization	Weak	
	Risk Avoidance	Weak	
Moderately Contentious	Bibingka Strategy	Full	Manlayo
	Peasant Mobilization	Partial	
	Risk Avoidance	Weak	
Somewhat Contentious	Bibingka Strategy	Full	Salacan
	Peasant Mobilization	Full	
	Risk Avoidance	Partial	

1.4 Methodology

1.4.1 Case Study Approach and Selection

This research is based on a case study approach which will provide in-depth information on a limited number of cases. Four communities were selected for the case studies, all of them located in the province of Cebu, Philippines. For each, we gathered substantial qualitative and quantitative data that provide details and texture to the understanding of the land reform implementation under CARP. The case study approach does not lend itself easily to generalizations however, and we are conscious of its limits. Our objective is not to discover irrefutable laws but to identify patterns and issues which could be further studied.

In finding case studies of land reform struggles in the Philippines, the first choice we had to make was to identify a specific region where we would encounter both corn lands and sugar lands, tenanted lands and lands cultivated by farmworkers. We were also looking to find an area which had not been well documented already. In the end, the choice of the province of Cebu fit all of our criteria. The province provided many ‘middle-range’ cases of land struggles which, while being contentious, had not reached ‘stardom’ status in the national media, like the MAPALAD farmers of Sumilao, Hacienda Luisita in Luzon, or the huge sugarcane plantations of Negros. Cases in Cebu are not ‘exceptional’ and we hoped they could provide us with a better understanding of CARP implementation in general.

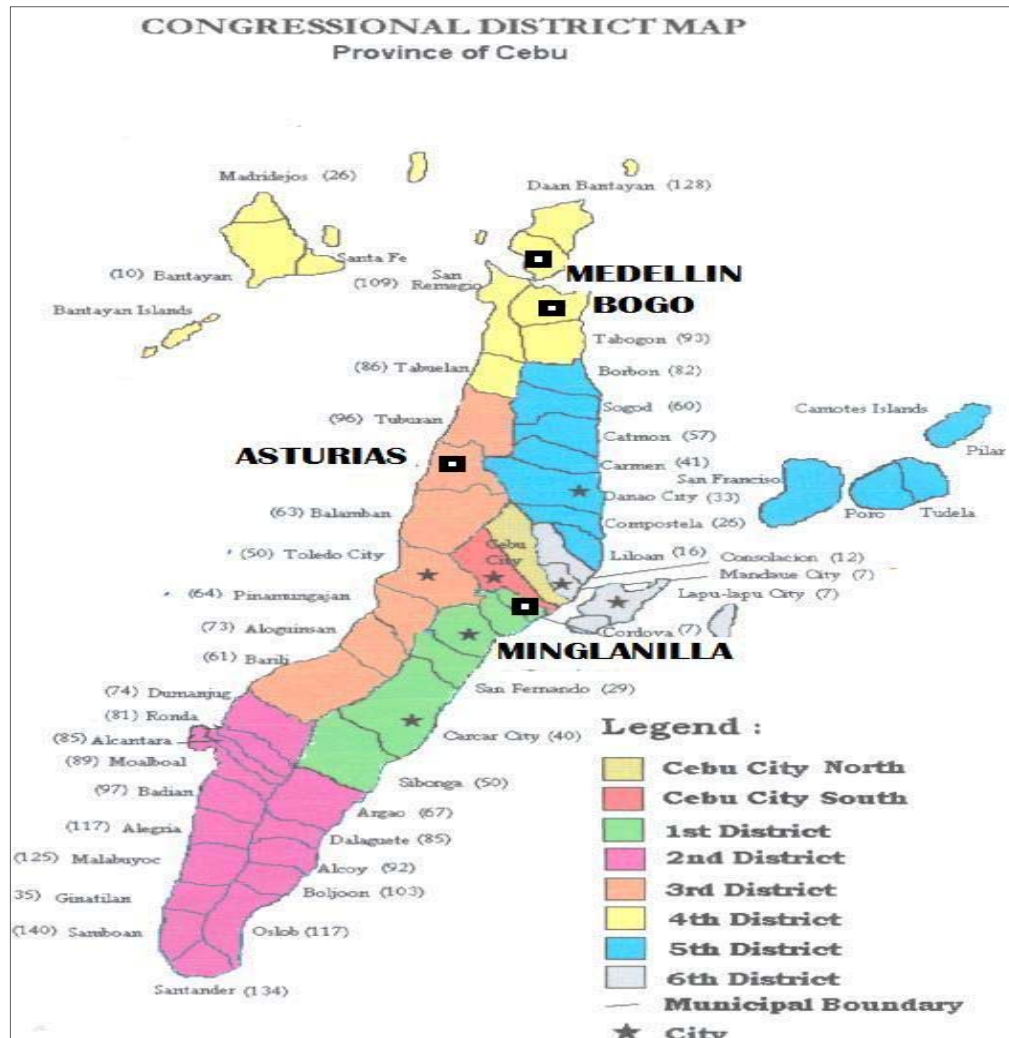
Map 1.2 Cebu in the Philippines



Source: Adapted from John Bresnan, ed. 1986. *Crisis in the Philippines: The Marcos Era and Beyond*. Princeton, NJ: Princeton University Press.

The specific case studies were identified following conversations with NGO members and DAR officials during the first two weeks after our arrival in Cebu in April 2008. In these conversations, about ten potential cases involving corn or sugar lands emerged. In the end, the four cases we picked for this research were those which presented the best access to peasants and documentation, and which allowed us to compare the influence of different types of crop, tenurial status, and peasant strategies. In these four cases, the first contact with the farmers was organized by either NGOs or DAR officials. Subsequent visits to the four areas were the same way but also sometimes through direct contact with local peasant leaders. Most of the peasants we interviewed spoke only Cebuano thus we often relied on the help of interpreters and translators during the research.

Map 1.3 The Four Case Studies in Cebu



Source: Department of Agrarian Reform (DAR). Province of Cebu. 2008.

The first case study is located in barangay Salacan, in the municipality of Asturias. The main crop grown in this barangay is corn and it involves a group of tenants. These tenants opted for a risk avoidance strategy in their land struggle. The second case study is located in barangay Kalimpak, in the municipality of Minglanilla. These peasants were farmworkers and mainly grew corn. They relied on the *bibingka* strategy during their struggle. The third case study is located in barangay Manlayo, in Bogo. In Manlayo, the peasants were tenants on a small area planted with sugarcane and they used the *bibingka* strategy. The fourth case study is located in barangay Dalag, in Medellin. These peasants were farmworkers on a sugarcane landholding. They also opted for the *bibingka* strategy during their struggle. The four cases are located on the map of Cebu. (See Map 1.3: The Case Studies are Highlighted in Bold)

1.4.2 Methods and Data Analysis

In the context of this case study approach, we address our research questions with a combination of two methods: within-case analysis and cross-case analysis. The purpose of the within-case analysis is to describe in details the influence of independent variables on the land reform processes and outcome in a specific case. To address our first research question, we will look at the influence of the type of crop on the strength of landowner resistance to the key CARP processes of land coverage and land compensation; and at the influence of the tenurial status on the key CARP processes of identification of ARBs and installation of ARBs. To address our second research question, we will analyze the influence of the structural setting and the peasant strategy on the implementation outcome of land reform struggles. The within-case analysis will be provided for each case study in Chapters Three (Salacan), Four (Kalimpak), Five (Manlayo), and Six (Dalag).

In Chapter Seven we use a cross-case analysis to push the analysis of our two research questions further. In relation to our first research question, we compare the strength of landowner resistance to the processes of land coverage and land compensation between corn and sugar lands; and the strength of landowner resistance to the processes of identification of ARBs and installation of ARBs between cases involving tenants and those involving farmworkers. In relation to our second research question, we compare the influence of the *bibingka* strategy and the risk avoidance strategy on the implementation outcomes; and also the influence of the structural setting in cases where peasants have all opted for the *bibingka* strategy but ended with different implementation outcomes.

1.4.3 Data Collection and Sources

The data gathering for the case studies took place mainly between April and August 2008. A total 45 informants were interviewed to provide information about the case studies and issues related to this research. Most of the respondents were peasants involved in the case studies. Other respondents included officials of the DAR from the municipal, provincial and regional levels in Cebu; members of PhilNet, a national NGO with a regional office in the Visayas; members of FARDEC, a peasant organization located in the Visayas and linked to KMP; members of KMP, a leftist organization advocating for genuine agrarian reform; as well as members of ANGOC, a regional NGO involved in land issues, and PHILDHARRA, an NGO involved in rural development.

Material sources of information include scientific books and articles, official documents and statistics provided by the DAR, NGO publications, and newspaper articles.¹⁰⁹

1.4.4 Division of the thesis

In this Introduction, we presented the literature review and the analytical framework of the thesis. The rest of the thesis is divided as follows. In Chapter Two, we present a contextual background which includes a short history of land reform in the Philippines, an overview of CARP processes and implementation, and a description of the particularities of the province of Cebu. The four subsequent chapters present the case studies: Chapter Three presents the case of Salacan; Chapter Four, the case of Kalimpak; Chapter Five, the case of Manlayo; and Chapter Six, the case of Dalag. Each case study provides an introduction and a contextual background, the story of the land struggle, the within-case analysis, and a summary. Chapter Seven will present a comparative analysis of the influence of structural features on key CARP processes of land reform, as well as a comparison of the influence of peasant strategies on the implementation outcome of land reform in particular structural settings. The Conclusion will present a summary of our main findings and locate the particular contribution of the thesis

CHAPTER 2:
HISTORY OF LAND REFORM IN THE PHILIPPINES AND THE
CONTEXTUAL BACKGROUND OF CEBU

2.1 History of Land Reform in the Philippines

2.1.1 Overview of Land Reform History Before Marcos

Before the arrival of the Spaniards in the 16th century, the people living in what is now known as the Philippines were dispersed on the coastal areas of a highly fragmented territory.¹¹⁰ The population was scarce, the land was abundant, and communities were small and independent.¹¹¹ The land was owned communally by the barangay and subdivided between families of the community who enjoyed usufruct rights.¹¹² Back then the source of wealth and power was not control over land but control over labour.

Things changed under Spanish colonization (1565-1898). Although Spain had little interest at first to develop agricultural production¹¹³, the introduction of the *encomienda* system - the Spanish colonial version of the feudal economy of medieval Europe - established property rights for the Spanish Crown over all lands in the country except those officially proved to be private or communal possessions. Under this system, vast tracks of land were dispensed by the Crown to those it favoured, such as the friars who acquired and accumulated large haciendas in that period.¹¹⁴ This change was significant because in pre-colonial Philippines, if the product of the land could be owned, the land itself could not.¹¹⁵ This shift from communal to private ownership is at the origin, for some, of the landlessness problem in the Philippines.¹¹⁶ In the late 18th century, the Spaniards also operated a shift towards the large-scale production of cash crops.¹¹⁷ This provided a strong incentive for the local elite to accumulate land, leading to the creation of a wealthy landowning class known as the *principalia*.¹¹⁸ Isolated peasant-based rebellions in the country eventually culminated with the 1896 Philippine Revolution and the end of the Spanish regime in 1898.¹¹⁹ The legacy of the Spaniards was the creation of a highly unequal system of land tenure dominated by a powerful landowning class.¹²⁰

The United States took over as colonial rulers of the Philippines in 1898.¹²¹ Through the Philippine Bill of 1902 and the Friars Land Act of 1903, the Americans bought several friar estates at commercial price only to resell them in the market. Without surprise, peasants did not have the means to purchase lands at market price and these ended up in the hands of the landed elite and American corporations.¹²² In 1913, the Americans

introduced the Torrens land-titling system which consisted in the systematization of private property ownership, and signed the Underwood-Simmons Act which lifted all prohibitions on the volume of sugar entering the U.S. market and initiated free trade between the two countries.¹²³ These initiatives led to wholesale land-grabbing and stimulated the rise of large sugar *haciendas*. As a result, tenancy incidence multiplied and the number of landless peasants increased.¹²⁴

In the 1930s, the Americans adopted more reforms¹²⁵ which, according to the DAR, further worsened the land ownership situation, concentrating even more landholdings in the hands of a few, and increasing tenancy.¹²⁶ Consequently peasant unrest grew around the country in the 1920s and 1930s and, although sporadic uprisings were suppressed easily by the police and the military¹²⁷, peasant movements started growing stronger.¹²⁸ In the end, the legacy of the Americans in the Philippines was the formation of a governance model replicating their own where a weak central authority is combined with a strong society in the hope of preventing tyranny.¹²⁹ In terms of agrarian issues, the Americans contributed to land concentration through the open market distribution of former friar estates, the introduction of the Torrens system, and free trade incentives.

Following the country's independence in 1946, Philippine governments faced increasing rural unrest and initiated a series of unsuccessful land reforms aimed at stabilizing the countryside. The Huk rebellion, which peaked between 1949 and 1951, was fuelled by peasant grievances and pursued land reform through communist ideals.¹³⁰ From 1946 to 1965, the successive administrations of Presidents Roxas,¹³¹ Magsaysay,¹³² and Macapagal¹³³ adopted limited and inefficient land reforms which led to an increase in tenancy rates despite the country's high annual economic growth.¹³⁴ In this context, land reform was still a predominant issue, one which increasingly became the focus of organized protests by labour and student movements.¹³⁵

2.2.1 Marcos and PD 27

In his first term as President between 1965 and 1969, Marcos pursued economic liberalization¹³⁶ and relied on a rural strategy focused more on agricultural productivity than redistribution of land.¹³⁷ In his second term as elected President, between 1969 and 1972, Marcos saw the country's economic situation worsen and activism grow in urban and rural areas alike.¹³⁸ Student protests became frequent and, after a decade or so of silence following the Huk debacle, the communist movement started picking up steam

again through the active militancy of the Communist Party of the Philippines (CPP).¹³⁹ The CPP and its military arm, the New People's Army (NPA), would be at the center of much of the agrarian unrest which followed in the 1970s and 1980s.¹⁴⁰ In September 1972, confronted to growing discontent from the Left and the Right, Marcos declared a state of emergency and arrested thousands of opponents to his regime.¹⁴¹

Marcos initially justified the imposition of Martial Law by the need to address the communist threat posed by the CPP and the NPA; to take the state power away from the traditional landed elite; and to impose land reform.¹⁴² If many peasants at the time were optimistic that a genuine land reform might finally be forthcoming,¹⁴³ the Marcos era proved to be symbolic not of the state imposing its discipline on the economic elite but of a simple takeover of the state apparatus by a faction of that elite.

The new land reform program proposed by Marcos, known as PD 27, was meant to address the structural problems of the countryside and to free the peasants from the bondage of the soil. As of October 21, 1972, all tenant farmers were to be emancipated. Two mechanisms were put in place to achieve this objective. The first and most important mechanism was called Operation Land Transfer (OLT). Under OLT, all tenanted agricultural lands cultivated with rice or corn were to be divided in small lots (varying between 3 and 5 hectares), and their ownership was to be transferred to the tenants. The retention limit was set at seven hectares; joining a farmers' cooperative became mandatory; land titles were transferable by hereditary succession only; and amortizations were to be paid on a 15-year period. The second mechanism, Operation Leasehold, was designed to elevate the status of tenants from sharecropper to leaseholder on lands of seven hectares or less. Falling within the retention limit, these lands were not subjected to redistribution under the OLT mechanism.¹⁴⁴

Although it initially generated hope, PD 27 offered disappointing results. First, land reform was limited in scope to rice and corn lands only. This left export-crop plantations untouched and became an incentive for landowners to plant their lands to other crops to avoid coverage.¹⁴⁵ Second, even on the rice and corn lands, the land distribution was not significant.¹⁴⁶ Between 1972 and 1986, the reform benefited about 45,000 farmers and covered approximately 750,000 hectares of land. If we take into account that about one third of the beneficiaries never actually received their legal titles¹⁴⁷, PD 27 really benefited about 30,000 farmers and covered 500,000 hectares of land.¹⁴⁸

Past land reforms, from the market distribution of friar lands to PD 27, have in common that they were driven more by the necessity of preventing unrest in the countryside than by a concrete will to address peasants' needs. Ultimately, they resulted in both an increased number of landless farmers and a consolidation of land ownership in the hands of a few.¹⁴⁹ To be sure, in the late 1980s, 83% of all farms still belonged to only 5% of Filipino families.¹⁵⁰

2.2 The Comprehensive Agrarian Reform Program (1988-2008)

In this section, we look first at the origins, the objectives and the targets of the Comprehensive Agrarian Reform Program (CARP). Then we look at the processes of land reform under CARP by describing the official process of the DAR, the four key processes that we have identified for our thesis, and the distribution and redistribution mechanisms. Finally, we provide an overview of CARP implementation between 1988 and 2008 by looking at the performance of the four government administrations of Aquino, Ramos, Estrada, and Arroyo.

2.2.1 Origins, Objectives and Targets

In 1984-85, the Philippines were hit by an economic crisis which, combined with the loss of political credibility of the Marcos regime, led to the People Power Revolution of 1986 and a return to formal democracy under the government of Cory Aquino.¹⁵¹ Two years later, the CARP was enacted by President Aquino as the result of the struggle between the supporters of a liberal approach and a state-led model of implementation, and the supporters of a conservative approach and a market-led model of implementation. The final version of the program, while mainly reflecting the conservative approach of a landlord-dominated Congress in its reliance upon market mechanisms, also featured an aspect of the state-led model in its inclusion of a confiscatory mechanism. This hybrid model of land reform is best described as a state/society-driven model because, despite its loopholes and market orientation, it represents a change in the political opportunity structure and an unprecedented opening for peasants and their pro-reform allies to influence the implementation process.

CARP aims to promote social justice as well as rural development and industrialization based on the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.¹⁵² CARP is a program of *agrarian reform* which includes both the

redistribution of land to peasants (land reform) and the provision of support services. It is also *comprehensive* in that it covers all public and private agricultural lands regardless of tenurial arrangements and commodity produced.¹⁵³ The redistribution of land to peasants is based on the principle of just compensation, which means that landowners receive a financial compensation for their land based on market value.

The original target of the CARP was the redistribution of 11.28 million hectares of land in ten years. A first revision in 1996 brought the target down to 8 million hectares in 1996.¹⁵⁴ After undergoing more revisions, the latest official target was set at 9 million hectares.¹⁵⁵ The two main government agencies involved in the redistribution of land under CARP are the Department of Agrarian Reform (DAR) and the Department of Environment and Natural Resources (DENR). The DAR's mandate is mainly to redistribute private lands while the DENR distributes public lands. The DAR's target was set at 5.2 million hectares and the DENR's target was set at 3.8 million hectares.¹⁵⁶

2.2.2 Processes of Land Reform Implementation under CARP

Official DAR Process. The CARP is an agrarian reform program which includes the redistribution of land to landless or near landless farmers as well as the provision of support services. In this thesis, we focus specifically on land reform and thus on the *land acquisition and distribution process*. The official DAR process is divided in four phases: identification, documentation and survey; review and completion of documents; land valuation and compensation; and distribution. In the identification, documentation and survey phase, the land identified for coverage is surveyed by DAR personnel; the potential ARBs are screened; all the necessary documentation is put together in a Claim Folder (CF); and the landowner is notified of the land coverage through a Notice of Coverage (NOC). In the second phase, the CF is reviewed by DAR officials to ensure that all the documentation has been gathered and that nothing is missing. In the third phase, the CF is sent to the Land Bank; the land value is determined by the DAR; the landowner compensation is determined; and the Land Bank proceeds to the compensation payment to the landowner. In the fourth and final phase of the process, the DAR issues to the ARBs a collective legal title to the land called CLOA, and the ARBs are installed on the land.

Four Key CARP Processes. In this thesis, we will not look at all the 21 steps of land acquisition and distribution (See Annex 1) but only at the key processes which have the

greatest impact on the success or the failure of land reform implementation. In the Introduction, we identified these four key CARP processes: land coverage, identification of ARBs, land compensation, and installation of ARBs.

The process of land coverage refers to the initial phase of land reform when landholdings are identified for redistribution. Landowner resistance to land coverage may include petitions for exclusion from coverage and/or for the deferment of coverage, land conversions, asking or forcing the peasants to forfeit their rights to the land - sometimes in exchange for money - and intimidating peasants to have them leave the land without claiming their rights to ownership under CARP.

The process of identification of ARBs is the second key process of land reform and consists in identifying who are the legitimate beneficiaries of the land redistribution. Landowners can resist this process by providing alternative lists of potential beneficiaries or by including additional peasants on the list. Such strategies force the DAR to investigate and therefore delay the implementation. By including beneficiaries that are loyal to them and who have agreed to lease them back the land once the land reform implementation is completed, landowners can even use the process to regain their land. Landowners may also use intimidation tactics to convince potential beneficiaries not to register as ARBs.

The process of land compensation is the third key process and refers to the payment of a 'just' compensation to the landowner. When we speak of landowner resistance in this case, obviously we do not imply that landowners are trying to avoid being compensated. At this point of the implementation, avoiding coverage is unlikely. Thus resistance aims mainly at delaying the process and securing the highest possible financial compensation. This can be done by refusing the land valuation of the Land Bank and filing a petition for higher compensation. Because the land can only be redistributed to peasants after the Land Bank has made the compensation payment, the legal cases filed by the landowner may also delay the process long enough for him to continue reaping the benefits of the land for years.

The last key CARP process is the installation of ARBs. This is the process by which the ARBs take the physical control of the land and it comes after the issuance of the collective Certificate Land Ownership Award, commonly referred to as the *mother*

CLOA. In cases involving tenants, there is generally no landowner resistance to this process since the ARBs are already occupying the land. Often they have been cultivating the land and living on determined lots for generations. Landowner resistance to that process may be strong however when farmworkers are involved. Because farmworkers cultivate the land sporadically and have homes located outside of the landholding itself, they can be barred from entering the land by landowners despite owning legal titles. In such cases, resistance often takes extra-legal forms such as threats, intimidation and violence against the ARBs.

Mechanisms of Land Acquisition and Distribution. The DAR uses four types of mechanisms to distribute and redistribute land under CARP. The first mechanism involves the distribution of non private agricultural lands to qualified beneficiaries. In the case of the more contentious private agricultural lands (PALs), two types of mechanisms can be used. One is the Compulsory Acquisition (CA) mechanism which is described in Section 16 of RA 6657. Under the CA mechanism, once the land is identified and the ARBs are registered, the DAR sends a NOC to the landowner to inform him that his landholding has been placed under CARP coverage. The value of the land is then determined by the Land Bank and court procedures are often required to settle a final agreement if the landowner rejects the initial Land Bank offer. Once the payment is made by the Land Bank to the landowner, the land is officially acquired by the state and can be redistributed to ARBs. The other type of mechanism that can be used to redistribute PALs is market-based and can take two forms: Voluntary Offers to Sell (VOS) and Voluntary Land Transfer (VLT). The VOS is described in Section 19 of RA 6657 and represents an incentive for landowners to voluntarily sell their land in exchange for an additional 5% cash payment as part of the land compensation. The VLT is described in Section 20 of RA 657 and is an invitation to landowners and ARBs to negotiate the terms of the land redistribution between each other. The failure to use these market mechanisms will result in the land being placed under Compulsory Acquisition by the state. Finally a fourth type of mechanism of non-land transfer schemes has been developed specifically for retention areas and the redistribution of corporate farms. These include Stocks Distribution Option (SDO), Production and Profit Sharing (PPS) and Leasehold Operation.¹⁵⁷ The SDO is designed to offer ARBs the right to purchase capital stocks, equities or shares of the corporation instead of redistributing the land. The PPS is similar to the SDO mechanism but also gives peasants management rights in the corporation.¹⁵⁸ The Leasehold Operation applies to lands that fall under the retention limit of the landowners. It serves to ensure

tenure security of tenants and farmworkers on these lands and sets the sharing arrangement at 75-25 in favour of the peasants.¹⁵⁹

2.2.3 CARP Implementation by Administration

Administration of Cory Aquino (1988-1992). Under Cory Aquino, the political will to implement CARP thoroughly unfortunately did not match the political rhetoric. Bello notes that although « Aquino recognized the importance of land reform in correcting social inequalities, the economic and social policies told a different story ». ¹⁶⁰ The decision of Aquino to allow full-market value compensation and generous retention limits for landowners demonstrated from the start her commitment to the interests of the traditional landed elite to which she belonged.¹⁶¹ And the efforts she made to exempt from coverage her own 6,000 hectare family property of Hacienda Luisita only confirmed this impression and further emasculated CARP.¹⁶² Under pressure from the World Bank and the IMF to repay a largely illegitimate debt contracted under the military rule of Marcos, Aquino also made economic policy choices that crippled land reform. The earmarking of about half of the government's budget for debt servicing, coupled with the commitment to pay full market value to landowners, left the CARP with very limited funds to acquire lands.¹⁶³ The Aquino administration focused primarily on distributing non-contentious lands and the DAR, charged with redistributing the more contentious private lands, had redistributed only 16% of its 5.2 million hectare target by 1993.¹⁶⁴ The poor performance of President Aquino at the time seemed to validate CPAR's rejection of the program.¹⁶⁵

Administration of Fidel Ramos (1992-1998). The implementation of land reform really took off under the administration of Fidel Ramos. For many, the main explanation for this sudden change of pace was the presence of a new, progressive DAR Secretary in the person of Ernesto Garilao, an ex-director of a mainstream NGO. During his mandate, Garilao initiated a clean-up of both DAR data and DAR personnel. He reduced CARP's target for redistribution from ten to eight million hectares and introduced a significant number of pro-reform activists in the bureaucracy.¹⁶⁶ Garilao was also responsible for « setting a standard for collaboration among government agencies, nongovernment organizations (NGOs), and peasant organizations in expediting CARP implementation ». ¹⁶⁷ This context allowed the *bibingka* strategy to produce significant gains for the peasants. To be sure, within these six years, the Ramos administration redistributed a total of 4.5 million hectares of land (DAR and DENR combined).¹⁶⁸ The distribution of private

landholdings also increased significantly as the DAR under Garilao redistributed 1.9 million hectares - more than twice the amount redistributed under Aquino - and 37% of the total target of the DAR.¹⁶⁹ These impressive figures must however be nuanced for two reasons. The first one is that the statistics of successful distribution are padded: they include instances of double and triple titling, cases which are still pending in court, and cases where the actual installation of beneficiaries never occurred despite the issuance of a legal title.¹⁷⁰ The other reason is that most of the redistributed lands were considered non contentious landholdings.¹⁷¹ If numbers do not tell the whole story, it is safe to say that land reform had finally taken off. Therefore the program was extended for another ten years with the hope of achieving its target by 2008.

Administration of Joseph Estrada (1998-2001). When the Estrada administration took over in 1998, the DAR still had 2.3 million hectares left to redistribute, or 45% of its 5.1 million-hectare target.¹⁷² At the time, hopes for a swift implementation were high because Estrada committed himself to reach CARP's target in just four years, and also because he hired a highly qualified DAR secretary in Horacio Morales.¹⁷³ The promise of Estrada however would be far from fulfilled. Borrás and Franco argue that « to a large extent, the previously established pattern of reform-oriented state society interaction continued to exist » under the Estrada-Morales administration.¹⁷⁴ The two authors also note that Morales was responsible for important policy reforms, such as the inclusion of plantation farmworkers among CARP beneficiaries, and for some daring installations on landholdings held by despotic local landlords.¹⁷⁵ However, the administration had set an unrealistic target for itself. In the remaining balance of land to redistribute, 1.6 million hectares were considered contentious landholdings on which landowners would put up strong resistance in terms both of peasant harassment and legal manoeuvrings.¹⁷⁶ The administration was also unable to counter rampant land reversals and land conversions; it approved the cancellation of large numbers of land titles; and it championed a joint-ventured agreement model put forward by former Marcos crony Danding Cojuangco, as well as a World Bank-inspired model of market-assisted land reform which wanted to do away with the expropriation power of the Compulsory Acquisition mechanism.¹⁷⁷ In the end, Morales redistributed just a little more than 330,000 hectares, or 6% only of the DAR's total target, during the short-lived two-year rule of Estrada.¹⁷⁸

Administration of Gloria Macapagal Arroyo (2001-2008). The term 'Gloria Gridlock' has been used by Franco and Borrás to describe the state of land reform paralysis under

President Arroyo between 2001 and 2008.¹⁷⁹ Arroyo appointed a series of conservative and pro-landlord DAR Secretaries who approved numerous applications of land conversions, excluded hundreds of agrarian cases from CARP coverage, and made decisions which were blatantly favourable to landlords.¹⁸⁰ The administration also weakened CARP by misusing over US600\$ million which should have been allocated to land acquisition but were illegally disbursed on other projects.¹⁸¹ Under Arroyo, the market friendly mechanisms for land distribution were given a bigger role, the Compulsory Acquisition mechanism was sidelined, and the number of victorious land struggles radically decreased.¹⁸² In seven years, Arroyo redistributed about 18% of the DAR's total target, a poor performance similar to that of Aquino.¹⁸³

Table 2.1 DAR Land Distribution Accomplishment

Administrations	Years	Hectares	Percentage
Marcos*	1972-1986	70,178	2%
Aquino	1987-1993	848,515	16%
Ramos	1993-1998	1,900,039	37%
Estrada	1998-2000	333,389	6%
Arroyo	2001-2008	954,407	18%
Balance	-----	1,057,223	22%
Total Target	1972-2008	5,163,751	100%

* The rice and corn land covered under PD 27 were included under CARP and thus Marcos figures in this implementation list for his implementation of the program between 1972 and 1986.

** This table is based on the 2008 figures of the DAR. See Annex 2.

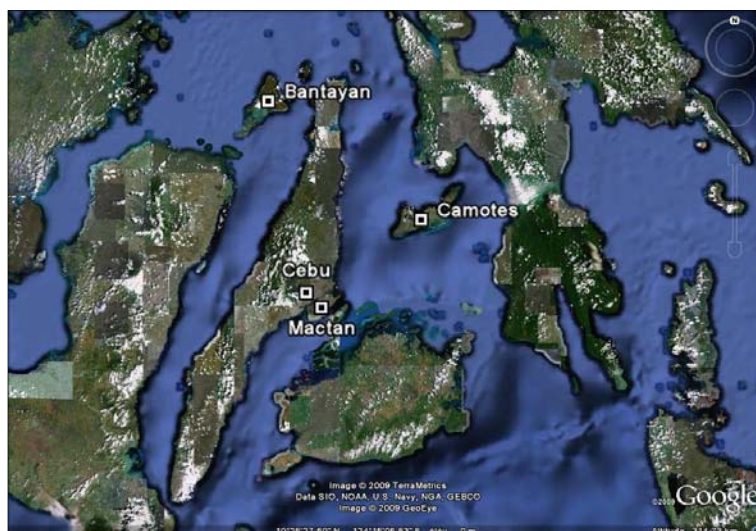
Thus after 20 years of implementation, a total of 7.4 million hectares of land out of the 9 million hectare scope has been redistributed under the CARP for an accomplishment rate of 82%. The DENR redistributed 3.3 million hectares of land, achieving 86% of its target, while the DAR redistributed 4.1 million hectares of land, achieving 80% of its target. (See Annex 2) In these 20 years, the bulk of the redistribution occurred under the administration of Fidel Ramos and his progressive DAR Secretary, Ernesto Garilao. In just five years under this administration, the DAR redistributed more land than in the combined Aquino and Arroyo administrations which ruled the country for more than 12 years. These numbers highlight the importance of political will and political opportunity to achieve successful land reform implementation in the Philippines. There is no doubt that the President and the DAR Secretary have a great influence over the implementation process. But despite a lack of political will at the national level since 2001, and weaker political opportunities for land reform as a result, some peasants still succeeded in forcing the implementation of the CARP in that period. With 1.6 million hectares of land still to redistribute and over 1.3 million peasants left to install, there is still a need to look at

other conditions which may influence the implementation outcomes of land reform.¹⁸⁴ In the third section of Chapter Two, we present the geographical context and the political dynamics of the province of Cebu where our case studies are located.

2.3 Cebu: Geographical and Political Context

The previous overview of land reform in the Philippines provided us with some historical background on the issue. This next section aims at further contextualizing our case studies by providing information on the specific geographic region in which our four cases are located, i.e. in the province of Cebu. The archipelagic nature of the Philippines contributes to the highly fragmented character not only of its territory but also of its people, making the contextualization of the local dynamics of Cebu, in which our case studies unfold, essential.

Map 2.1 The Province of Cebu: Cebu, Mactan, Camotes, and Bantayan Islands



Source: Google Earth

The term *Cebu* however refers to different geographical realities: an island, a province, a metropolitan area, and a city. More precisely *Cebu city* is part of the larger metropolitan area of *Metro Cebu*, which is located on the *island* of Cebu, and which is the capital of the *province* of Cebu. The province of Cebu, aside from the island of Cebu itself, also comprises the islands of Mactan, Bantayan, and Camotes. (See Map 2.1) The case studies discussed further are all located on the *island* of Cebu thus also in the *province* of Cebu. To avoid any confusion, we will use ‘Cebu’ to mean the province. Specific references to the island, the metropolitan area or the city will be indicated clearly. The first part of this

section presents the geographic characteristics of Cebu and of the wider Central Visayas region. The second part presents some of the main political dynamics and land reform actors in the province.

2.3.1 Geographical Context

The Central Visayas Region. The territory of the Philippines is physically divided into three main island groups: Luzon in the North, the Visayas in the center, and Mindanao in the South. Administratively the country is also subdivided in 17 regions, 81 provinces, 136 cities, 1,495 municipalities and 41, 995 barangays.¹⁸⁵ The province of Cebu is located in the Central Visayas, also known as Region VII, which also comprises the provinces of Negros Oriental, Bohol and Siquijor. (See Map 2.2) The Central Visayas region includes 16 cities, over 100 municipalities, and more than 3,000 barangays.¹⁸⁶ The Central Visayas covers close to 15,000 km², or 6% of the total land area of the Philippines.¹⁸⁷ The largest province, Negros Oriental, covers 36.1% of the region. It is followed by Cebu (34.1%), Bohol (27.5%) and Siquijor (2.3%).¹⁸⁸ The Central Visayas also has the fifth largest population of the country with over six million inhabitants.¹⁸⁹ More than 60% of the region's population lives in Cebu province while Negros Oriental and Bohol account each for 19% of the population. Only 2% live in Siquijor.¹⁹⁰

In the Philippines, deforestation is a serious problem. It is caused largely by demographic pressures, which resulted in the 'agrarian colonization' of the country - particularly since the late 1940s - and by the extensive use of the slash and burn technique. Between 1946 and 2000, the forest covered area of the country declined from 50% of the total land area to only 20%.¹⁹¹ The effects of that deforestation are particularly visible in the Central Visayas where soil erosion is causing a decline in agricultural production.¹⁹² The region is also the site of frequent typhoons combined with periods of drought which can last several months, generally between February and April.¹⁹³ For the farmers, these typhoons often jeopardize their livelihoods, destroying their crops and homes.

The Central Visayas are the second largest producer of sugarcane in the country. In 2007, the volume of production reached close to 3 million metric tons. This is seven times more than the region's second agricultural product in importance: coconut. The region also produces fairly large amounts of bananas, cassava, mangoes, and *camote* (sweet potatoes)¹⁹⁴ but it ranks last in the country for the production of rice.¹⁹⁵ The four provinces actually engage in quite different agricultural activities. Negros Oriental is

known for its sugarcane production which amounts to 88% of the region's total.¹⁹⁶ Cebu's main agriculture products are sugarcane and corn. It is the biggest corn producer of the region and its northern area produces yearly more than 300,000 mt of sugarcane, the other 12% of the region's total. Cebu also grows coconut, bananas, and mangoes.¹⁹⁷ Bohol is mainly known for its tourist attractions such as the Chocolate Hills and the tarsiers but it is also the biggest rice producer of the region.¹⁹⁸ Siquijor's agricultural production in general is quite small and is mainly focused on bananas and coconuts.¹⁹⁹

Map 2.2 Cebu in the Central Visayas



Source: Adapted from John Bresnan, ed. 1986. *Crisis in the Philippines: The Marcos Era and Beyond*. Princeton, NJ: Princeton University Press.

In sum, the Central Visayas is divided in four provinces: Negros Oriental, Cebu, Bohol, and Siquijor. The region is facing a decline in agricultural productivity because, in part, of deforestation. Typhoons are frequent and droughts often occur between February and April. The region is densely populated and most of its inhabitants live in Cebu. Sugarcane, which is mainly cultivated in Negros Oriental but also in northern Cebu, is the

main agricultural product of the region. In terms of subsistence crops, the Central Visayas in general and Cebu in particular rely heavily on corn.

The Province of Cebu. Long before the arrival of the Spaniards in the 16th century, Cebu city was already a central port of sea trade in the region. Thus it is no accident if the area was visited by Magellan in 1521 and if Spain made it its colonial capital between 1565 and 1571.²⁰⁰ Cebu city was the first city established in the Philippines and Metro Cebu is today the second largest metropolitan area of the country after Manila. It is the commercial, industrial, cultural, religious, and educational center of the Central Visayas and northern Mindanao.²⁰¹ The province of Cebu covers the whole Cebu island, as well as the adjacent islands of Mactan, Bantayan, and Camotes. (See Map 2.1) The province holds 6 cities, 44 municipalities and over 1,000 barangays.²⁰² It is divided into two main areas: a highly urbanized area called Metro Cebu, and a more rural countryside. Metro Cebu lies at heart of the whole Visayas and spreads around Cebu City, the biggest city and capital of the province. It is highly urbanized and has a population of about 800,000 inhabitants. Metro Cebu covers about 20% of the land area in the province and is host to more than 60% of its population. The development of industries around Metro Cebu is dynamic but insufficient to absorb the surplus of man power coming from the rural areas.

The island of Cebu stretches 220 kilometers long and only 41 kilometers large at its widest point, covering a land area of over 500,000 hectares. The province has a mountainous backbone running on 160 kilometers of its length²⁰³, surrounded by narrow coastal lowlands, a common characteristic of most Philippine islands.²⁰⁴ On the island the largest lowlands are located in the north, which explains why all of Cebu's sugar lands - which require extensive agriculture - are located in the area. The soil of coastal areas in Cebu is mainly made of limestone and is relatively fertile for most agricultural crops except rice.²⁰⁵ However, the degree of erosion caused by deforestation is severe on about 60% of the land.²⁰⁶ A large portion of the land under cultivation is also located on very steep slopes both because of the islands geographical features and population increase.²⁰⁷ The population distribution pattern in Cebu is essentially peripheral, with people settling mostly in the lowland coastal area rather than in the central mountainous region.²⁰⁸ Cebu is the country's most densely populated province and the population pressure has reached serious proportion.²⁰⁹

The droughty nature of the soil in Cebu makes it difficult to grow rice. Thus most Cebuanos favor the cultivation of corn, which is planted on more than 50% of the cultivated area even if its productivity is low.²¹⁰ In 2007, Cebu produced over 100,000 mt of corn compared to a little more than 14,000 mt of rice.²¹¹ This trend is particular to Cebu since rice production at the national level is almost three times higher than corn production.²¹² Cebu is also known for its sugarcane production in the north of the island²¹³, its export-quality mangoes and huge copra processing factories.²¹⁴

2.3.2 Political Context

DAR's Accomplishment in Cebu. The land distribution accomplishment of the DAR in the region of the Central Visayas in general and in the province of Cebu in particular may not tell the whole story of what is happening on the ground. These numbers however do indicate certain trends and patterns when compared geographically. Thus it is interesting to note that, while the DAR's rate of accomplishment at the national level was at 80% in December 2008, it was only at 64% in the Central Visayas.²¹⁵

The first explanation that comes to mind to explain this result is that the bulk of landholdings yet to redistribute in the region are the large and highly contentious sugar haciendas of Negros Oriental. In terms of hectares, this assumption is correct. In Negros Oriental, the balance of hectares to redistribute covers more than 40,000 hectares while it covers a little more than 30,000 hectares in Cebu, 10,000 hectares in Bohol, and less than 1,000 hectares in Siquijor.²¹⁶ In terms of percentage however, it is a different story. Negros Oriental actually has a 70% rate of accomplishment while Cebu's rate is only 44%: the third worst among the 81 provinces of the country.²¹⁷ This is not to say that the implementation of land reform faces less resistance in Negros Oriental than in Cebu. A closer look at the statistics shows that while legal titles have been issued for 70% of the lands covered by the CARP in Negros Oriental, the actual physical installation the ARBs has been problematic. The low accomplishment rate in Cebu however is a clear indication of strong landowner resistance in the province.

The Traditional Elite of Cebu. The ability of landowners to resist land reform generally stems from their economic and political power, and the traditional landed elite in the Philippines has dominated the economic sphere and controlled state power ever since the colonial days. As McCoy argues, the way politics unfold in the Philippines is largely the result of a « paradoxical relationship between a weak state and a strong society ».²¹⁸ The

fundamental role attributed to kinship in Filipino culture, combined with the development of a bureaucratic apparatus based on foreign (Spanish and American) laws and practices²¹⁹, created a system in which elite families often enjoy more legitimacy than the state, and in which they use the latter for their own profit and patronage.

Thus in Cebu, politics are dominated by the landed elite. This dominance is epitomized by the almost uninterrupted rule of the Osmeña family in the province ever since Sergio Osmeña Sr. won the Cebu governorship in 1906 and became President between 1944 and 1946.²²⁰ In 1961, Osmeña Sr. owned 1,700 hectares of land in Cebu.²²¹ But aside from the Osmeñas, other landed families have also traditionally dominated small-town politics around the province: the Escarios in Bantayan, the Pepitos in Consolacion, the Almagros in Dalaguete, the Ursals in San Remigio, the Gantuangcos in Carcar and Aloguinsan, etc.²²² According to Sidel, the preeminence of these landed dynasties in Cebu reflects the fact that, historically, the province has largely fell outside the control of the central state and was left in the hands of private capitalists with roots in Cebu City.²²³

Two of these landed families are represented in our case studies.²²⁴ In Salacan, the contentious landholding belonged to Vicente Cantong. Although not a politician himself, Cantong married in 1964 the daughter of José Briones, former provincial governor of Cebu and two time congressman, as well as a close ally of the Osmeñas.²²⁵ Cantong's father was also a congressman in Mindanao until 1992.²²⁶ The Cantongs diversified their interests over the years and now own an interisland shipping company, a paper mill, two fishing companies, a food-processing conglomerate, plantations, cattle ranches, prawn farms and piggeries in Cebu and Mindanao.²²⁷

In Dalag and Kalimpak, the land struggles described in our case studies took place on landholdings which belonged to Graciela Vergara. The Vergaras are a prominent family of Cebu and own land in several parts of the province, including in Toledo, Balamban, Minglanilla, Medellin, and Cebu City. Doña Graciela was the grand-daughter of Nicasio Chiong Veloso, one of the wealthiest Chinese residents of Cebu at the turn of the 20th century and a relative of Sergio Osmeña Sr., President of the Philippines.²²⁸ Her grandchildren have inherited her landholdings and two of them, Armando and Marisa, now operate a corporation named after her. Since 2006, this corporation has been involved in the development of an upscale residential project on a 214-hectare property inherited from Graciela near Cebu City.²²⁹

Landowner Resistance in the North. The north of the province of Cebu is host to vast tracks of land planted with sugarcane. The powerful landowners of this region are opposing strong resistance to the implementation of land reform by trying to have their landholdings exempted from CARP coverage or by delaying the process as much as they possibly can through legal and extra-legal means. Many of these landowners have even forged an unofficial alliance called the United Cebu Landowners Association (UCLA).²³⁰ In the political arena, they could also count on a Cebu Congressman, who was also the legal counsel of sugarcane planters' groups, to question the inclusion of sugar lands in the CARP through a petition to the Supreme Court. After the petition was rejected in 2007, the Congressman filed a Motion for Reconsideration and said he would campaign against the extension of the CARP after it expires in 2008.²³¹

Land Conversions. Another problem which constrains CARP implementation in Cebu, along with landowner resistance, is the issue of land conversions. Between 1991 and 2002 alone, Cebu lost about 10% of its total farm land - more than 15,000 hectares - largely as a result of these conversions.²³² And according to rural advocates in the region, the trend has been growing significantly in the last few years, in particular around Cebu City.²³³ The rapid industrialization of Cebu City and the enlargement of its urban area have led to numerous conversions of farm land into fancy subdivisions, golf courses and commercial areas. But although Metro Cebu is depicted as a rapidly industrializing region, the fact remains that most peasants of the province still relies on agricultural production for their subsistence. New commercial establishments and export-processing zones already fail to absorb the numerous landless peasants migrating to the city in search of employment, contributing to an increasing mass of urban poor. It is doubtful that more land conversion will remedy the situation.

Civil Society Organizations in Cebu. In their struggle for land reform, the Cebu peasants unfortunately have a limited number of resources to turn to. In the mid-1990s, when the government decided to put together the Task Force Sugarland to facilitate the implementation of land reform on sugar lands, a dozen CSOs were established in the northern part of Cebu. The government funding for these CSOs however lasted only one year and, consequently, most CSOs disappeared as quickly as the funds.²³⁴ Some of them also reoriented their work away from redistribution of land toward the provision of support services and credit for the farmers. Thus the only CSOs still involved in land

reform struggles to this day in Cebu are PhilNet and FARDEC. In the North, farmers have also created an alliance called ASUCAR.

The Philippine Network of Rural Development Institutes, Inc. or PhilNet-RDI is a network of rural development NGOs and individuals working for rural democratization and development at the barangay, municipal, provincial, regional and national levels. Its original members are provincial rural development institutes (RDIs). PhiNet started its operations in 1997 and has received financial support through the years from international agencies such as the Interchurch Cooperation for Development Cooperation (ICCO), Christian Aid, Oxfam, and others.²³⁵ PhilNet focuses on self-determination for local communities, equity, ecological sustainability, gender equality, respect for human rights and cultures, as well as on the empowerment of marginalized rural sectors and peoples.²³⁶ PhilNet has a Regional Office in the Visayas, based in Cebu City, which is involved in land reform struggles. It is particularly active in the north, in sugar land areas.

The Central Visayas Farmers' Development Centre (FARDEC) was established in 1989 to act as the voice of poor farmers in the region. It has offices in Cebu, Bohol, and Negros Oriental. FARDEC is committed to complement and strengthen the collective efforts and capabilities of the peasantry to address local problems, protect their rights, uplift their socio-economic well-being, and sustain their political gains.²³⁷ The organization conducts a research and advocacy program on agriculture and is involved in land reform struggles. The focus of FARDEC is broader than land redistribution and includes issues of sustainable development and food security. The organization hosts two radio broadcasts aired in the Visayas and Mindanao, providing farmers with a tribune to discuss issues of concern. FARDEC works closely with the leftist organization KMP and believes in the necessity to engage DAR officials as part of their strategy to implement land reform.²³⁸ The organization is involved in land reform struggles in Cebu but not on the sugar lands.

The Alliance of Sugarland Communities of Agrarian Reform (ASUCAR) is an alliance of eight People Organizations representing farming communities in Bogo-Medellin, in the northern part of Cebu. ASUCAR was established in 1996 and has for mandate to provide technical help to its members, as well as help its CARP beneficiaries to prepare their installation. They are in close contact with PhilNet which provide them with legal and leadership training. Thus they are involved in both facilitating the implementation of land reform for their members and improving their livelihoods through various initiatives. In

2008 for example, ASUCAR launched the ASUCAR Savings and Credit Micro-Fund, a micro-credit initiative in Bogota-Medellin.²³⁹

2.3 Summary of Chapter Two

In summary, the issue of land reform in the Philippines has been on the agenda ever since the introduction of the *encomienda* system under Spanish colonization initiated a process of massive land concentration in the hands of a few. Free trade and the switch to an export-oriented agriculture created new incentives for land accumulation under the colonial regimes of both Spain and the United States. Since the country's independence, agrarian unrest continued to grow and successive administrations have failed to implement anything more than inefficient land reforms. Under Martial Law in the early 1970s, Marcos introduced the PD 27 land reform program which targeted the redistribution of rice and corn lands. The program did not live up to its expectations and was replaced by the CARP in 1988 after the ousting of Marcos and the return to democracy.

The CARP is an agrarian reform program which covers all lands regardless of crops and tenurial arrangements, and its objectives are to promote social justice and rural development through the redistribution of 9 million hectares of farm land to landless peasants. The land reform aspect of the program can be divided into four key processes: land coverage, identification of ARBs, land compensation, and installation of ARBs. Between 1988 and 2008, four administrations have been implementing the CARP and redistributed 82% of the target in hectares.

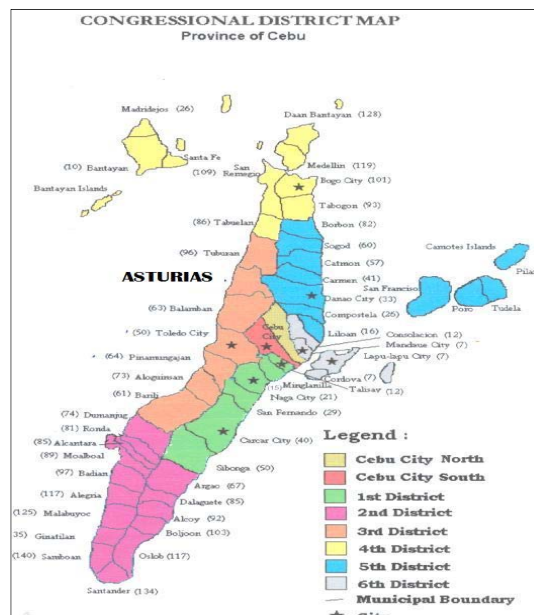
Cebu is a province located in the Central Visayas and it is geographically divided between a mountainous backbone and coastal areas. It is also divided between the industrialized area of Metro Cebu and the rural countryside where farmers grow mainly corn, all around the province, and sugar in the northern area. The DAR's land reform accomplishments in Cebu have been among the worst in the country, underscoring the strong opposition to land reform of the traditional landed elite of the province. In a state/society-driven land reform program such as CARP, this landowner resistance to key CARP processes in contentious structural settings can however be countered in part by peasants using the *bibingka* strategy. And in their struggle for land, the peasants of Cebu have been able to rely over the years on the help of PhilNet and FARDEC, two CSOs involved in land redistribution cases.

CHAPTER THREE: CASE STUDY OF SALACAN, ASTURIAS

This case study is the only one in which peasants have opted for a risk avoidance strategy during their land reform struggle. It shows that although a case involving a corn land and tenants may lead to only weak landowner resistance to all four key CARP processes of land reform, the use of a risk avoidance strategy weakens the expected implementation outcome. This reinforces the idea that peasant mobilization is a *necessary* condition for a full implementation of land reform, even in cases that are only somewhat contentious.

In Chapter Three, we present the case study of the Salacan farmers in Asturias. In Section 3.1, we introduce the case study by showing how it relates to our two research questions and by describing the contextual background of Salacan and Asturias. In Section 3.2, we tell the story of the peasants' struggle for land from the time of Martial Law and PD 27 under Marcos in the 1970s to the inclusion and installation of farmworkers from an adjacent landholding on the tenants' land in 2008. In Section 3.3, we address our two research questions through a within-case analysis by looking first at the influence of the type of crop and the tenurial status on the four key CARP processes of land reform; and second at the combined influence of the structural setting and the peasant strategy on the implementation outcome. In Section 3.4, we end with a .

Map 3.1 Asturias in the Province of Cebu



Source: Adapted from Department of Agrarian Reform (DAR). Province of Cebu. 2008.

3.1 Introduction to the Case Study

3.1.1 First Research Question

The case of Salacan features a group of 91 tenants and a 130-hectare corn land. The fact that farmers cultivate *corn*, which has little market value, is a facilitating structural feature. Therefore we expect landowner resistance to be *weak* during the processes of land coverage and land compensation. The presence of *tenants* is also a facilitating structural feature and is expected to lead to *weak* landowner resistance to the processes of ARB identification and ARB installation. (See Table 1.4) According to our typology of structural settings, when landowner resistance is weak to all four key CARP processes, the structural setting in which the land struggle takes place is considered only *somewhat contentious*. (See Table 1.5) This structural setting is then used as an independent variable in the second research question.

3.1.2 Second Research Question

In the somewhat structural setting of Salacan, our conceptual model predicts that a minimum of peasant mobilization will lead to a *full implementation* of land reform. The peasants of Salacan however have opted for a *risk avoidance* strategy by which they chose not to mobilize and not to seek allies among CSOs. Their decision not to get involved with CSOs was based on the peasant leaders' fear that it would create tensions with the landowner and thus delay the implementation further.²⁴⁰ The lack of peasant mobilization itself can be explained in two ways: most peasants of Salacan had very little knowledge of the details surrounding their own case, leaving their leaders responsible for dealing with the land reform implementation; and those peasant leaders chose to avoid any possible conflict with the landowner because they feared retribution. As a process variable, the peasant strategy affects the implementation outcome. In this specific case, because the minimum of peasant mobilization has not been met, the outcome of the land reform process is expected to be weakened. Thus rather than a *full* implementation, the outcome of the land struggle in Salacan is expected to be a *partial* implementation. (See Table 1.7)

3.1.3 Contextual Background

This case study is set in Salacan, a barangay that covers 575 hectares of agricultural land and a total land area of 822 hectares.²⁴¹ Salacan has a population of less than 3,000 inhabitants²⁴² and is one of the 27 barangays of Asturias, a municipality of about 40,000 people located in the northwest part of the island of Cebu.²⁴³ In Salacan, 186 farmers

were working as tenants or farmworkers on two adjacent landholdings. The first landholding covered 130 hectares and was tenanted by 91 farmers who planted corn as well as a few other vegetables on individual lots of one or two hectares. The second landholding covered 337 hectares of land classified as commercial and on which 95 farmworkers were planting different fruit crops (mangoes, coconuts, and pineapples) and/or working in the piggery. These two adjacent landholdings belonged to Vicente Cantong, president of an agro-food corporation and prominent member of Cebu's landed elite. The 130-hectare landholding was supposed to be covered under PD 27 since the 1970s and was put under CARP coverage because it had not been redistributed yet. The 337-hectare commercial landholding was to be put under CARP coverage but was granted a 10-year deferment because of its commercial status, making it available for coverage and redistribution in 1998. We include the 337-hectare in our discussion of the land struggle because it had a significant impact on the implementation outcome for the tenants of the corn land.

The tenants of the 130-hectare landholding practiced subsistence farming and grew mainly corn which they could plant three times a year and harvest after only 90 days.²⁴⁴ During the rainy season, around October and November, they planted vegetables such as *camote* (sweet potato), eggplants, okra and cassava instead because corn does not grow well with too much rain.²⁴⁵ They also grew *saging* (bananas) and other fruits. When there were surpluses, these were sold in the local market.²⁴⁶ But with individual lots of more or less one hectare, surpluses were rare.²⁴⁷ In fact, tenants often joined the farmworkers of the area – most of whom are their relatives – to look for part-time employment on the larger commercial landholding of Cantong, harvesting fruits or working in the piggery, to make a little extra income. Tenants and farmworkers alike also found part-time jobs on nearby farms or in carpentry.²⁴⁸

3.2 The Land Struggle of Salacan Peasants

Barangay Salacan is located about 7 km away from the Poblacion and the main road that goes around the island of Cebu. To reach the barangay from there, those who can afford it share a tricycle; others walk or use bicycles. But what can be a pleasant and bumpy ride on sunny days can rapidly turn into a muddy and dirty one when rain comes. In this peasant community however, people do not complain much about dirt or mud. Translating the words of Rodolfo Bardalosa - a peasant leader of Salacan - a DAR official had this to say about the farmer's expectations:

He just wants to be developed equally and normally. He doesn't need to be a millionaire: just to have a standard quality of life. That they can eat three times a day, two snacks and three meals. And the children can go to school. And the family will improve.²⁴⁹

It is the hope of Mr. Bardalosa but also of Timong Hernandez, Efen Tamayo, Joseph Caraig, Bartolome Signo, Felipe Sagoy, Emanuel Saladaga and the other new small owners of Salacan that CARP can help them fulfill these aspirations.²⁵⁰

In the 1970s, the 130-hectare corn land had already been targeted for land distribution under the OLT mechanism of Marcos' PD 27. As in many other cases however, the program fell short of redistributing the land during that period and the peasants remained tenants with a sharecropping arrangement under which they had to give 1/3 of their harvest to the landowner.²⁵¹ A first positive change brought about by the introduction of CARP in 1988 was the improvement of the sharecropping arrangement in favour of the farmers: tenants now had to give their landowner 1/4 of their harvest rather than 1/3. In 1989, farmers were told by DAR officials that their land would be covered under CARP.²⁵² However most peasants of Salacan did not follow the issue closely and the land was officially covered by the DAR only eleven years later.

Adjacent to the 130-hectare corn land was a much bigger 337-hectare land belonging to the landowner and which was also identified by the CARP as a landholding to be redistributed. Cantong however asked that it be exempted from coverage on the basis that it was a commercial farm. At the time, the 337-hectare was mainly planted with fruits crops but also comprised a 5-hectare piggery and a 20-hectare prawn farm.²⁵³ The 95 farmworkers who were employed on that land were mainly relatives of the corn tenants and would have qualified as ARBs under the terms of Section 22 of RA 6657.²⁵⁴ Due to a combination of legal procedures initiated by the landowner and the lack of mobilization of the farmworkers and tenants throughout the implementation however, that land was never redistributed.

In March 1990 the landowner secured an Order of Deferment of ten years from the DAR for the 337-hectare commercial lot, covering the period between 1988 and 1998.²⁵⁵ It should be noted that this was an Order of Deferment and not an Exemption from Coverage, which means that the 337 hectares were still supposed to be redistributed to the farmers of the area in 1998. Not satisfied with having his commercial land simply

deferred however, Cantong filed a Letter for Reconsideration with the DAR in June 1990 to have it completely exempted from CARP coverage. In November 1990, the Regional Director dismissed Cantong's claim for lack of merit. Cantong appealed the decision in January 1991 but the appeal was dismissed as well in February 1991 by the Regional Director: the Order of Deferment was officially affirmed but redistribution was to be enforced in 1998.²⁵⁶

Meanwhile in 1992, the corn tenants of Salacan created their own farmer organization, POMAG, to conform with CARP's requirements.²⁵⁷ POMAG initially included only the tenants and it is only years later, in 2007, that farmworkers like Joseph Caraig would join them.²⁵⁸ The organization was never very active in terms of peasant mobilization to push for land reform implementation however. It was used mainly by the DAR and the DA to convey information about the land distribution process, hold seminars, introduce farmers to organic fertilizers, and distribute seeds.²⁵⁹ It served as a vehicle for the government agencies to provide technical help to the farmers but not as an instrument of mobilization for land redistribution.

The absence of peasant mobilization was also accompanied by the farmers' rejection of CSO involvement in their case. In the 1990s, members of Anakpawis, a leftist political organization, protested against the deferment accorded to Cantong during their annual CARP-focused rallies in Cebu City and warned against an eventual exemption of the land.²⁶⁰ The farmers themselves however were not involved in these rallies and declined Anakpawis' offer to help them secure the redistribution not only of the 130-hectare corn land but also of the 337-hectare deferred commercial land.²⁶¹ Peasants thus followed the advice of DAR officials in the area not to involve Leftist organizations in the process as this could generate conflicts with the landowner and delay the redistribution process further. Asked what they did to ensure they would receive the land, Felipe Sagoy had this answer: « Nothing. When they said they will distribute it to us, we just accepted it. It's fine with us: we don't want chaos ».²⁶² Similar answers were given by other peasants, illustrating their lack of mobilization in the case, as well as their fear of getting involved with civil society groups which could bring 'chaos' to the area. As the implementing agency, the DAR was viewed by peasants as the only ally they needed.²⁶³ Thus the peasant leaders of Salacan consciously opted for a risk avoidance strategy.

In 1998, with the Order of Deferment coming to an end, Cantong renewed its legal efforts to avoid land coverage. In August 1998, he sent a letter to the Regional Director of Region VII to indicate his intention to apply for labour administration and profit sharing as an alternative to physical land distribution.²⁶⁴ This land reform mechanism is designed to avoid physical land distribution by offering ARBs equities and management rights in a corporation rather than the land itself. When the application was dismissed by the Regional Director in January 1999, Cantong filed a Motion for Reconsideration of that decision in April 1999. The motion was dismissed as well in November for lack of merit and an Order of Finality was issued in July 2002.²⁶⁵ The fact that Cantong applied for labour administration and profit sharing to avoid physical land redistribution was a tacit but strong acknowledgement that the commercial land was up for redistribution.²⁶⁶

In May 2000 the MARO of Asturias sent a NOC to Cantong, informing him that the 130-hectare corn land was covered under CARP and that the Land Bank was about to produce a Memorandum of Valuation for the land.²⁶⁷ It is not clear exactly what took so long for the corn land to finally be identified for coverage²⁶⁸ but the issuance of the NOC for the 130-hectare coincided with the end of the deferment period for the 337-hectare in 1998 and the dismissal of the landowner's application for the profit-sharing scheme in 1999. Thus there seemed to have been no resistance of the landowner to the land coverage process itself for the corn lot but the legal actions he took to have the 337-hectare exempted or deferred may have interfered with the process. After the reception of the NOC, Mr. Bardalosa said that Cantong expressed his will to place the corn lot under the VOS mechanism.²⁶⁹ By doing so, the landowner would see the cash portion of his compensation payment increased by 5%.

During the identification of the ARBs for the corn land, peasants said that far from interfering with the process, Cantong facilitated it by preparing the list and consulting with the tenants.²⁷⁰ There was no mention however of a list of ARBs for the 337-hectare landholding. Consistent with their risk avoidance strategy for some – or unaware of the issue for others - the Salacan peasants did not ask for ARBs to be listed for the redistribution of the commercial lot.

Regarding the land compensation process for the 130-hectare landholding, Cantong did put up some legal resistance by challenging the Land Bank's initial valuation of the land,

which was set at P8 million and filed a petition to increase the compensation payment.²⁷¹ The peasants had a dialogue with the landowner and tried, without success, to convince him to lower his price.²⁷² The case lingered until August 2006 when the Regional Adjudication Board of Region VII finally issued a decision setting the compensation price at P10 million.²⁷³ This legal manoeuvre delayed the process for six years. However, despite the fact that CARP regulations normally authorize the installation of ARBs only *after* the former landowner has been compensated by the Land Bank, Cantong did not use this delay to prevent the installation of the ARBs. The installation actually occurred three years before the final decision was made regarding the compensation. Thus although there was some resistance from the landowner to that process, it cannot be described as *strong*.

In August 2003, the mother CLOA was issued for the 91 tenants tilling the 130-hectare corn land, granting them ownership over a little more than a hectare each.²⁷⁴ Because they were already living on the land they tilled, the tenants were automatically installed, becoming small landowners and starting the amortization payments to the Land Bank. There was no resistance to this process by the landowner. On the other hand, the farmworkers of the adjacent 337-hectare remained landless. After complaining to the MARO and discussing the situation with the new smallholders, it was agreed that the former tenants would give away a part of their land to accommodate the farmworkers. Asked by the DAR if the farmworkers should remain excluded from the list of ARBs, a leader of the Salacan peasants had this reply: « I told them they can't do that. It will be a big chaos. There might even be killings. »²⁷⁵ Thus a procedure of inclusion was initiated to identify the potential ARBs among the farmworkers and a raffle was organized by the BARC Chairman to lead to the re-redistribution the 130 hectares between the 91 former tenants and 95 farmworkers.

Meanwhile Cantong was still trying to get his 337-hectare landholding exempted from coverage and filed a petition claiming an exemption from land coverage based on the following arguments: 206 hectares were used for the piggery, 39 hectares for cattle, 38 hectares for a residential area, 31 hectares for a prawn farm, and 23 hectares for an airport. A special committee was put together to examine Cantong's claims and, in June 2004, a team of DAR officials conducted an on-site investigation and an ocular inspection of the land.²⁷⁶ Their conclusion was clear: « Viewed from the foregoing, it can be clearly

inferred that applicant corporation has deliberately violated the Order of Deferment issued by the Regional Director on March 15, 1990. »²⁷⁷ The foregoing in question was the fact that Cantong had increased the size of his piggery from 5 to 206 hectares since 1988 and that he could not prove that he was into cattle-raising before that year.²⁷⁸ CARP regulations stipulate the following:

Any act of the landowner to change or convert his agricultural land to livestock, poultry and swine raising after 15 June 1988, with the intent to avoid application from RA No.6657 to his landholdings, shall be considered invalid and illegal and shall not affect the coverage of his landholding under CARP.²⁷⁹

In September 2004, following the recommendations of the special committee, the Regional Director thus decided to grant only a 40-hectare exemption to Cantong for his piggery - based on the number of pigs present before 1988 - and to examine the exact size of the prawn farm before granting the 31 hectare exemption that was applied for. All in all, between 40 and 71 hectares was to be exempted, leaving at least 266 hectares to be redistributed by CARP. The Regional Director also recommended that proper legal action be taken against Cantong for violating the terms of the Order of Deferment.

Cantong was not deterred and immediately filed a Motion for Reconsideration. Just a few months later, in February 2005, the Regional Director made a surprising move by reversing his own decision, granting the exemption for the whole 337 hectares to Cantong on the basis that the landholding « has never been tenanted or worked by any tenant, but only by season farmworkers ».²⁸⁰ The decision puzzled the legal division of the DAR which sent a letter to the Regional Director asking for explanation.²⁸¹ The argument of the Regional Director was illegitimate for two reasons. First, peasants do not need to be tenants or regular farmworkers to be eligible ARBs: seasonal farmworkers are clearly identified as potential ARBs under CARP. And even if there were no farmworkers, the law requires finding other potential ARBs living in the municipality.²⁸² Second, people in the legal office are questioning the jurisdiction of the Regional Director to issue an Order of Exemption on a landholding larger than 5 hectares.²⁸³ The issue has triggered an internal investigation and the Regional Director has since been transferred to Mindanao.²⁸⁴

The 186 ARBs who ended up sharing the corn land and individually owning a meagre 0.7 hectare of land²⁸⁵ would clearly have benefited from the redistribution of these 329

hectares. Added to the corn land and divided equally, it would have provided the smallholders with about 2.5 hectares each, just about enough land to ensure the subsistence of their families, and closer the three-hectare ceiling ARBs are entitled to individually. Instead, they are confined to their minuscule lots and forced to find second jobs. As of January 2006, there was still a window of opportunity for the peasants to seize as they could have appealed the decision which granted the 337-hectare exemption to Cantong. People within the DAR even said that they would have supported the peasants' appeal but that unfortunately they « didn't hear any complaints from the farmers in that area ». ²⁸⁶ Thus on May 15, 2006, because no appeal had been formulated after the decision of the Regional Director to exempt the 337-hectare landholding from CARP coverage, an Order of Finality was issued. ²⁸⁷ This order prevented any future appeal of the decision and sealed the deal for Cantong.

In August 2007, the PARCCOM ²⁸⁸ sent a letter to the Regional Director requesting a meeting to discuss the details of several cases of land redistribution, including the one of Salacan. The Regional Director did not bother to reply. ²⁸⁹ Members of the PARCCOM then decided to investigate the case themselves by going to Salacan in October 2007. Although they announced their visit, they found the DAR office closed and empty upon their arrival. They did not have more luck in their attempt to visit the 337-hectare landholding as they were refused access by the security guards. The PARCCOM members however did meet with a few farmers of the area and learned that many were not aware that the 337 hectares had been exempted from coverage and that an Order of Finality was issued in May 2006. ²⁹⁰

Still in October 2007, the PARCCOM's Chairman sent another letter to the Regional Director asking this time for written clarifications on the Salacan case, unconvinced that his decision to grant the exemption was legitimate. ²⁹¹ He also decided to write to the Presidential Agrarian Reform Council (PARC) ²⁹² to express his concerns about the persistent failure of the Regional Director to reply to the PARCCOM's inquiries and to request an investigation of this and several other contentious cases in Cebu. ²⁹³ Come December, neither the PARC nor the Regional Director had bothered to reply to the PARCCOM, prompting its Chairman to resign. ²⁹⁴

It is in 2008 that the farmworkers were finally installed on the 130-hectare corn land, five years after the tenants. Most of them still work for Cantong on his commercial landholding. Asked why they did not mobilize against the 337-hectare exemption, a peasant who knew about the issue had this reply: « No, we did not protest anymore. It should be the DAR: it's their job. They did not. »²⁹⁵ Their risk avoidance strategy and exclusive reliance on the DAR in the end might have cost them the extra hectares they needed to be able to support their families without having to find part-time jobs. They are not bitter though. Former tenants say that since they were granted ownership, their income has increased and they can now afford to send their children to high school.²⁹⁶ Lightheartedly, Mr. Bardalosa said they even expect to become millionaire now that they have legal titles.²⁹⁷ The reality is that these farmers still suffer from economic hardship despite the relative improvement of their situation.²⁹⁸ Now that their struggle for land redistribution is over however, they are hoping to receive the support services that they need to improve their condition. In the meantime, the Salacan farmers are developing a cooperative and have been recognized as a Special Agrarian Reform Community (ARC) in 2008.²⁹⁹ They are hopeful that this will help them secure foreign funding for their development projects.

3.3 Within-Case Analysis

In this section, we apply our two research questions to the case study of Salacan. The first question asks: how do the type of crop and the tenurial status influence key processes of CARP implementation? In Salacan, the presence of corn had an influence on the processes of land coverage and land compensation while the presence of tenants had an influence on the processes of identification of the ARBs and the installation of the ARBs. The second questions asks: how does the peasant strategy influence the outcome of CARP implementation in particular structural settings? In this case, we look at the influence of the risk avoidance strategy chosen by the Salacan peasants in a somewhat contentious structural setting.

3.3.1 Influence of Structural Features on Landowner Resistance.

In Salacan, the presence of corn as the type of crop led to weak landowner resistance to two key CARP processes: land coverage and land compensation. The tenant status of the peasants also led to weak landowner resistance to the processes of identification of ARBs and installation.

The Type of Crop and Landowner Resistance. The fact that the 130-hectare landholding was planted mainly with corn had a clear impact on the process of land coverage. When the DAR sent the NOC to Cantong in 2000, the landowner made no attempt to have it exempted from coverage, opting right away for a voluntary mechanism of redistribution, the VOS. There is some concern regarding the unusually long delay between the inauguration of CARP in 1988 and the issuance of a NOC in 2000 especially for a corn land that was already identified for redistribution under PD 27 in the 1970. The legal procedures initiated by the landowner to exempt his 337-hectare adjacent landholding seem to have delayed the beginning of the implementation process on the corn land although peasants and DAR officials did not confirm this assumption during the interviews. In any case, the strong landowner resistance was clearly directed at the land coverage process of the 337-hectare and not at that of the 130-hectare corn land. The decision of the landowner to place the corn landholding under the VOS mechanism, and the absence of a petition for exemption or deferment concerning that specific landholding, are signs of weak resistance on the part of the landowner to the land coverage process. This *weak* resistance is all the more obvious when compared to the energy deployed by Cantong to have the 337-hectare commercial landholding exempted from land coverage.

The presence of corn as the type of crop also had an influence on the land compensation process. The Land Bank of the Philippines produced a Memorandum of Valuation for the 130-hectare corn lot which established its value at P8 million. The immediate reaction of the landowner was to file a petition to increase the land compensation. Subsequent discussions between the peasant leaders of Salacan and the landowner failed to lead to an agreement on the value and the case lingered in court for six years. At first, this could be seen as strong resistance on the part of the landowner. However despite the legal challenge of Cantong regarding land compensation, the ARBs were installed in 2003, three years before the final court decision finally came and set the compensation at P10 million. Under CARP, a landholding can only be acquired and redistributed to the ARBs after the Land Bank has made the compensation payment to the former landowner. In this case, we argue that landowner resistance was weak because although the landowner could have delayed the implementation process while he was waiting for his compensation, he decided not to. This decision may have been made by the landowner because he is ‘a good man’, as Joseph Caraig believes. We would argue that the low value of the corn

landholding compared to the adjacent commercial landholding was the main incentive for the weak resistance. By using a voluntary mechanism for redistribution and helping the corn tenants with the implementation process, Cantong was able to project the image of 'a good man' and managed to avoid opposition from the peasants to the exemption of the 337-hectare.

The Tenurial Status and Landowner Resistance. The group of tenants faced no resistance from Cantong during the process of identification of the ARBs. The fact that these tenants had been cultivating and living on the same lots for years made the identification process an easy one. The relevance of the tenurial status as an independent variable which influences landowner resistance to the identification process can be seen in this case by looking at the situation of the farmworkers of the adjacent commercial landholding. These farmworkers were denied their right to the 337-hectare and were never identified as ARBs for that landholding. Instead, a procedure of inclusion was initiated to have them join the corn tenants on the 130-hectare landholding. An interesting feature of this case study is also that, according to the tenants themselves, the landowner not only opposed no resistance to their identification as ARBs but even helped them with the process. Considering that the landowner was trying to have his larger 337-hectare commercial landholding exempted from CARP coverage, facilitating the identification of the tenants and including the farmworkers on the corn lot may have been strategic: it gave a parcel of land to all potential ARBs of the area and left no one to claim rights over the commercial landholding.

Because the tenants were already living on the land they tilled, their installation was a simple formality after their mother CLOA was issued in 2003. This installation came three years after the NOC was sent to the landowner, a reasonable delay by CARP standards. After it was decided to include the farmworkers on the corn land as well, a procedure to subdivide the lots between the 186 ARBs was initiated and it is only in 2008 that everyone was installed for good. This however did not affect the ability of the former tenants to occupy the land and till it for their own benefit since 2003. There was no landowner resistance to that process.

3.3.2 Structural Setting, Peasant Strategy and Implementation Outcome

The Salacan case study took place in a *somewhat contentious* structural setting because it combined two facilitating variables for the implementation process of land reform - the corn land and the tenant status – which led the landowner to oppose only weak resistance to all four key processes of land redistribution under CARP. In this *somewhat contentious* structural setting, the expected outcome of land reform implementation, provided a minimum of peasant mobilization, would have been a *full implementation*. In this case however, peasants chose a risk avoidance strategy which, as a process variable, weakens the outcome to a *partial implementation*.

It took three years for the farmers of Salacan to receive their mother CLOA following the issuance of the NOC - a reasonable delay by CARP standards – and they were automatically installed upon its issuance in 2003. A full implementation however would have also meant the attribution of about 1.5 hectare of corn land per beneficiary: the amount to which they were entitled to when subdividing the 130 hectares between the 91 tenants. To be sure, this was already too small for self-sufficiency. But because they chose not to engage with CSOs or put pressure on the DAR through mobilization, agreeing without protest to have the farmworkers installed on their corn land, their lots were further reduced to a meagre 0.7 hectare in 2008. The result of the risk avoidance strategy in Salacan is that the outcome of the land struggle was a partial implementation, rather than a full one, the former tenants ending up with smaller lots than what they were entitled to.

The Salacan case study shows that although a case involving a corn land and tenants may lead to only weak landowner resistance to the four land reform processes aforementioned, the use of a risk avoidance strategy weakens the expected implementation outcome. As Jennifer Franco writes: « The avoidance of conflict is likely to result in poor claimants' dispossession of land resources coveted by elite claim makers. »³⁰⁰

The Choice of the Risk Avoidance Strategy. The support of tenants and farmworkers for that strategy was based on two things: the fear of clashes with Cantong for some, and the lack of information about the situation for others. Cantong has been described by certain DAR officials as a much more cooperative landowner than the majority.³⁰¹ To be sure, the farmers themselves speak highly of Cantong, partly because he did not oppose the

redistribution of the 122-hectare corn lot. Joseph Caraig said: « He is a good man. He donated the land to the farmers so he must be a good man ». ³⁰² Since the livelihood of peasants in the area - farmworkers but also tenants - also largely depends on being hired by Cantong to work on the commercial lot, putting up a fight seemed too risky for many. So while farmers only expressed good words for their landowners during the interviews, some from the NGO community argue that the real reason behind the peasants' lack of mobilization was the fear of retribution. ³⁰³ Other farmers simply had no knowledge that the 337-hectare land was covered by CARP and that they were entitled to it as ARBs. A DAR official admitted that the farmers learned about the exemption process for the commercial farm only a few years ago and were angry at the former MARO for not telling them about it. ³⁰⁴ Many of the farmers knew little about the land redistribution issue and seemed to rely on their peasant leaders rather than being involved themselves as these comments from two farmers show:

We don't know about that anymore. It's just them who did the negotiation...we don't know about it. ³⁰⁵

It's manong Roger and the others who received their lands earlier: they know about it. I just rely on them. They have more knowledge about it. ³⁰⁶

This lack of mobilization of the farmers and the absence of linkages with civil society allies seems all the more unfortunate that, as we mentioned earlier, their claim would have been supported by DAR officials. This suggests that, had farmers been informed, organized and willing to mobilize, an additional 258 hectares would have been distributed to them.

3.4 Summary of the Salacan Case Study

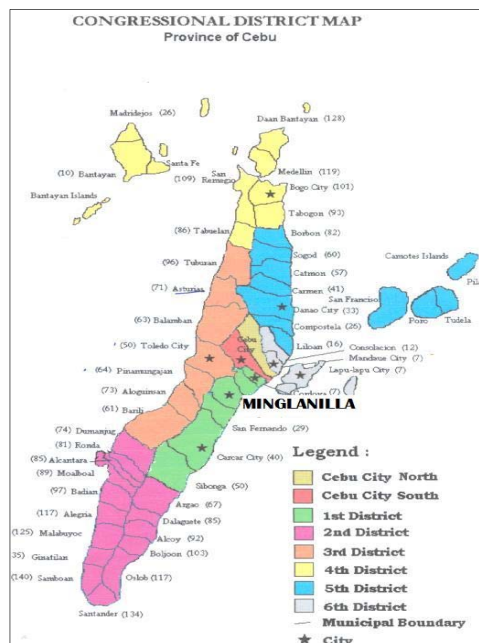
The Salacan case study showed that facilitating structural features such as the presence of a *corn* land and the *tenant* status of potential ARBs led, as expected, to only weak resistance from the landowner to all four key CARP processes. The presence of a land planted with a low-value subsistence crop such as corn led the landowner to voluntarily offer his landholding after it was covered by CARP and, although the landowner did try to secure the maximum profit from the sale of his landholding, he opposed only weak resistance to the land compensation process as well since he did not use the pending legal procedures to delay the implementation. The tenant status of the ARBs, on the other hand, made it very difficult for the landowner to oppose strong resistance to the processes of identification and installation of the ARBs as the farmers had been tilling and living on

the land for generations. Their installation was a formality and their identification was facilitated by the landowner. In the somewhat contentious case of Salacan, a minimum of peasant mobilization should have led to a full implementation of land reform. However, the peasants chose a risk avoidance strategy which in the end led to only a partial implementation in which each tenant received less than the 1.5 hectare they were entitled to initially. Because they were scared of the possible reaction of the landowner if they mobilized or involved a CSO in their case, the peasants relied solely on the DAR and were forced to accommodate the farmworkers of the adjacent commercial land, reducing the size of their individual lot to 0.7 hectare. The 337-hectare commercial landholding should have been redistributed to the farmworkers but the lack of peasant mobilization on both lands allowed the landowner to avoid land coverage and cost peasants the possibility of becoming self-sufficient.

CHAPTER FOUR: CASE STUDY OF KALIMPAK, MINGLANILLA

The case of Kalimpak shows that in a highly contentious structural setting where landowner resistance is strong to three of the four key CARP processes, the use of the *bibingka* strategy strengthens the implementation outcome of land reform. According to our conceptual model, in a highly contentious structural setting, simple peasant mobilization would have been expected to lead to a weak implementation. By using the *bibingka* strategy, peasants strengthened the implementation outcome which turned out to be a partial implementation. This case is the most challenging one for the conceptual model of our first research question because the landowner resistance has been stronger than expected to the process of land coverage. The presence of corn, according to our model, should have led to only weak resistance to that specific process. We argue that the unexpected strength of landowner resistance was caused by the prospect of land conversion which made this corn lot more valuable than it would have been under usual circumstances. This case underscores the need to take additional structural features into account in our model to predict the strength of landowner resistance.

Map 4.1 Minglanilla in the Province of Cebu



Source: Adapted from Department of Agrarian Reform (DAR). Province of Cebu.

In Chapter Four, we present the case study of the Kalimpak farmers in Minglanilla. The Introduction to the Case Study in Section 4.1 shows how our two research questions apply to this case, and provides a contextual background of Kalimpak and Minglanilla. We follow with the presentation of the peasants' land struggle story, in Section 4.2, starting in the 1950s when their land was grabbed until 2008 when the last ARBs were still waiting to be installed. Then in Section 4.3, we analyze our two research questions by looking first at the influence of the type of crop and the tenurial status on the four key CARP processes of land reform; and second at the combined influence of the structural setting in which the Kalimpak case takes place, and the peasant strategy used by peasants, on the implementation outcome. We conclude in Section 4.4. with a brief summary of our main findings.

4.1 Introduction to the Case Study

In this Introduction, we recall our two research questions and explain how our main hypotheses apply to this specific case. We also present the contextual background of Kalimpak and Minglanilla by providing some information about the geography, the demography and the economy of the area.

4.1.1 First Research Question

The case of the Kalimpak farmers concerns a 113-hectare landholding which is divided into two adjacent lots which we will refer to as Lot A (58 hectares) and Lot B (55 hectares). The land was planted mainly with corn and the peasants had a farmworker status. These farmworkers actually had an informal sharecropping arrangement with the landowner prior to CARP. For reasons that will be explained further, however, they were never granted the tenant status legally and thus fall into the farmworker category in the context of this research. The fact that the land was planted mainly with corn should lead, according to our conceptual model, to weak resistance from the landowner to the processes of land coverage and land compensation. The farmworker status of the peasants should lead to strong landowner resistance to the processes of identification of the ARBs and installation of the ARBs.

4.1.2 Second Research Question

The structural features (corn and farmworkers) identified in our first research question should lead, as mentioned above, to strong landowner resistance to two of the four key CARP processes of land reform. In this case however, the unexpected strength of

landowner resistance to the process of land coverage resulted in strong resistance to three key CARP processes rather than two, making the structural setting of Kalimpak *highly* contentious rather than *moderately* contentious. This is a challenge to the conceptual model we use for our first research question and an issue that will be discussed further in the within-case analysis (Section 4.3). As far as our second research question is concerned however, this does not represent a problem. As Table 1.5 shows, we identify the structural setting of a case based on the number of key CARP processes to which a landowner opposes strong resistance, and not in direct connection with the structural features.

In a highly contentious structural setting such as in Kalimpak, the expected outcome of land reform implementation –based on a minimum of mobilization on the part of the peasants - is a *weak implementation*. In this case however, the farmworkers chose to use the *bibingka* strategy in order to secure their rights over the 113-hectare landholding. The *bibingka* strategy involves the mobilization of peasants, the participation of a CSO - in this case FARDEC - and the engagement with DAR officials. As a process variable, the *bibingka* strategy used by the farmers should strengthen the expected implementation outcome. Thus rather than a *weak* implementation, the expected outcome of this case study should be a *partial* implementation in which beneficiaries should receive less land than entitled to or experience significant delay in their installation.

4.1.3 Contextual Background

This case study involves a land of 113 hectares, mainly planted with corn, located in the barangay of Kalimpak.³⁰⁷ In 2007, the population of Kalimpak was around 10,000 inhabitants.³⁰⁸ Although Kalimpak has been classified as an urban area by the National Statistical Coordination Board (NSCB), a significant number of peasants still live and practice agriculture in the surrounding mountains. Kalimpak is part of Minglanilla, a municipality renamed by Father Sanchez - the first priest of the area in 1858 - in honor of his home town in Spain.³⁰⁹ The municipality is part of the Metro Cebu area and is located only 15 kilometres south of Cebu City, with the Bohol Strait to its east side. Minglanilla has a population rising above 100,000 inhabitants, is divided between 19 barangays, and covers over 6,560 hectares.³¹⁰

On the economic level, Minglanilla benefits from Cebu City's industrialization and is mainly a mixture of small and medium scale industries geared towards the production of handicrafts and other products for the local and domestic markets. Its proximity to Cebu City and Mactan Island's international airport could help Minglanilla develop a tourism industry but for the moment only a few beach resorts cater to the local population and tourist facilities are non-existent. Because Metro Cebu's growth also translates into increased waste dumping in the Bohol Strait, the municipality aims to move its tourism activities towards its cool highlands where recreation and vacation activities could be developed.³¹¹

The municipality is mainly urbanized but some areas are still devoted to agriculture. Because of their geographical features these areas are difficult to farm. The region is mountainous and slopes of 25% or higher cover more than 85% of the land area. The terrain is generally rolling and hilly and, while this ensures that nearly 75% of the total land area is safe from flooding, it also makes the same area highly susceptible to soil erosion.³¹²

More than 100 families are currently living on the 113-hectare landholding.³¹³ And despite its mountainous location, its rocky soils, and its slopes the land has been made productive over the years by hard-working farmers. These farmers grow corn as well as a variety of fruits, vegetables and roots: coconut trees, *mani* (peanuts), pineapple, jackfruit, mangoes, *saging* (bananas), *ube* (a root crop), *camote* (sweet potato), cassava, *malungay* (small leaves), okra and others.³¹⁴ Because the area does not hold much water, planting rice on a large scale is not a viable option for the farmers.³¹⁵ Most of the products harvested are intended for family consumption but whatever surplus they have is sold in the local market. The little money that they make out of this trade is then used to purchase other basic necessities such as gas, salt, and dried fish.³¹⁶ The coconuts are mainly destined to be sold outside the barangay.³¹⁷ As Timoteo Sinag, the peasant leader of Kalimpak, sums it up: « We plant varieties of crops but corn is our number one priority ».³¹⁸

4.2 The Land Struggle of Kalimpak Peasants

Kalimpak sits in a mountainous area surrounded by hills, cliffs, slopes and tortuous roads. From the only *sari-sari* store³¹⁹ in the area, the coastline of the Bohol Strait is

visible between the coconut trees and the sparse houses of the farmers. The *sari-sari* is the local farmers main rendezvous point and, even more importantly for many, is host to the only *videoke* machine of the barangay. Timoteo Sinag, the owner of the *sari-sari* and long-time peasant leader of the area, owns a small house nearby which was being renovated during our visit, a sign that his financial situation had slightly improved since he became a small landowner. The peaceful surroundings of Kalimpak however do not echo only the hammering sounds of the farmers' financial progress and the cheerful performances of local singing 'stars': they also resonate with the harsh and sometimes violent land struggle of the farmers which started well before CARP and lasted over 50 years.

The older farmers of the area still remember a time when only a few families were scattered over this land, growing corn, a few fruits and vegetables. The land had no official owner and these families lived free and were self-sufficient, unaware of the evolving rules and regulations pertaining to land ownership.³²⁰ In the 1950s however, the sheriff of Talisay City, Vergilio Sutarez, learned about this 113-hectare land and the fact that no one had claimed it legally.³²¹ Working at the City Hall and aware of the legal procedures, he proceeded to claim the land title for himself. According to Manolita Alegria, a farmer, Sutarez easily fooled their grandparents who were 'innocent', 'illiterate' and 'ignorant'.³²² They protested in vain when they heard that ownership had been awarded to Sutarez and they became tenants on their own land.³²³ Farmers who remember Sutarez - or what their grandparents told them about him - said that he was a rich and oppressive landowner who had controlled over the farmers.³²⁴

After Sutarez died, the land was auctioned for sale to the highest bidder.³²⁵ Farmers were called to participate in the auction but having only farm products and no money, their chances of acquiring the land were less than good. The land was bought by Graciela Vergara and, for the second time, farmers were denied ownership of their land.³²⁶ With Vergara, farmers had an informal tenancy arrangement in which they were required to give her 1/3 of their harvest. This applied not only to corn but also to other crops such as *saging* and jackfruits.³²⁷ According to Damien Sinag, a farmer of Kalimpak, Vergara also forced the farmers to plant more profitable crops such as sugarcane, mangoes and coconuts.³²⁸ The farmers, instructed by Vergara's overseer, thus planted coconut trees and were paid a meager 10 centavos per tree planted, and only when it had grown.³²⁹ Timoteo

Sinag say they had to collect the coconuts by climbing in the trees and were not even given a share. Some were especially angered by the fact that the landowner always received her share of the harvests but never invested in the land or in the farmers.³³⁰

When PD 27 came along in the 1970s, the Vergaras feared they would lose the land if their farmers were identified as tenants of the corn land. They first tried to delay the process by presenting an alternative list of beneficiaries. As a member of FARDEC says:

There was another group being organized by another man who is very close to the landowner, to counter the legitimate farmers. So now the Land Bank was confused about whom, among these farmers who wanted to be beneficiaries, are the ones legitimately recognized by the Land Bank to have all their names be processed.³³¹

Then, Damien Sinag say the landowner made the farmers sign a document stating that they were paid to plant coconut trees and nothing more. The document could then be used legally to show that the farmers were farmworkers harvesting coconuts and not tenants of a corn land, making them ineligible beneficiaries under Marcos' land reform. To make sure farmers would not cause any problems by claiming their rights, the landowner also tried to scare them away from the land.³³² To do so, Vergara hired a former military man by the name of Amatorio Gutierrez to visit the area and harass the farmers. This even resulted in the death of a farmer.

And there is also a farmer who was killed by the hired goons of Aligato. I think it was also the tactics of the Villalon so that the farmers will be scared and driven away from the land. So the farmers became so frightened and they never could resist the harassment made by this military man, Aligato, they left their farm lands, leaving all their products behind. And then, they just lived in the periphery.³³³

Gutierrez would show up from time to time, accompanied by goons, and intimidated the farmers.³³⁴ This harassment was the most intense from the mid-1970s to the early 1980s.³³⁵ After a few years, the tactic worked so well that the farmers left their land and houses behind to find refuge in the surrounding mountains. From then on, they lived on the periphery and were scared away by Gutierrez and his men whenever they tried to till the land again.³³⁶ PD 27 being limited to tenanted land, the Vergaras did like many other landowners at the time and opted to keep their land idle rather than let tenants cultivate it by fear of losing their landholding if tenants could be identified.³³⁷

When CARP came along in 1988, the farmers who were entitled to benefit from the coverage and redistribution of the 113-hectare landholding were still hiding to avoid

Gutierrez's harassment and knew next to nothing about the new land reform program. The land was left unproductive. In the early 1990s, the peasants received visits from two CSOs: CREATE and KMP. CREATE was an NGO funded by the Philippine government to organize farmers and help them with the land reform process but it was active only for a short period of time due to lack of funding. KMP is the biggest farmer organization of the Philippines and pursues a *genuine* land reform program, often outside the legal framework of the CARP. It is also a member of the international peasant movement of *La Via Campesina*³³⁸ and is identified by the government as a leftist insurgent organization. KMP led an information campaign about CARP and the rights of the farmers under this program. In Kalimpak, farmers say that without KMP, they would not have known about CARP's existence and mechanisms.³³⁹

To avoid land coverage, the Vergaras carried on with their harassment tactics. The surprise attacks led by Gutierrez and his men made peasants uneasy about trying to till their land again and kept them at a safe distance from their old farms. Police forces have even been posted in the area for some time to prevent farmers to live or plant on Vergaras' land.³⁴⁰ The landowner legally recognized no tenants on the 113 hectares and thus successfully delayed the process of identification of ARBs.³⁴¹

While most of the peasants were scared and surely not about to engage in a struggle with the powerful landowner and her overseer at that time, a few leaders of the community sought advice from KMP on strategies to help them get their land back.³⁴² In the mid-1990s, the leadership from civil society actually came from FARDEC, an organization close to KMP, which joined the struggle and helped the farmers put together the legal requirements to process their claim to the land. FARDEC members first went door to door in the mountainous barangay to list the potential ARBs. Because farmers feared the landowner and the police, FARDEC had a lot of explaining and convincing to do. But eventually, farmers signed the official documents and applied as ARBs for the 113-hectare landholding.³⁴³ Aside from being identified as potential ARBs, peasants were also required to form their own organization before the DAR could survey the landholding to be covered. So in 1995, FARDEC helped peasants set-up an organization called the United Farmers of Kalimpak.³⁴⁴ Farmers say the PO helped them to have the land surveyed³⁴⁵, to gain knowledge about the CARP implementation processes³⁴⁶, and to be able to make collective claims to the DAR.³⁴⁷

In the late 1990s, with the help of FARDEC and KMP, the peasants presented their list of potential ARBs and had a PO which was growing in strength. They were more organized and were pushing forward the land reform process despite the non-recognition of the tenants by Vergara and the harassment of Gutierrez. The landowner however came up with another tactic to delay the process: presenting an alternative list of potential ARBs. This list was filled with names of peasants who had never worked on the contentious land and who were not legitimate ARBs. These people agreed to have their names listed by Gutierrez because they were promised that the landowner would buy back the land back from them after the redistribution, and that they would make an easy profit. Legally, the DAR had to take it into consideration and investigate. This further delayed the processing of the CLOA of the legitimate ARBs.³⁴⁸

To push the land reform process forward, FARDEC and KMP started to mobilize support in favour of the farmers: professionals and industry workers expressed their support publicly; seminary students came to the area and assisted the farmers in their work; and nuns even came with presents around Christmas time.³⁴⁹ FARDEC also spread information about the land struggle on its two radio stations in the Visayas and invited radio and TV journalists of the major networks in Cebu to cover the story and interview the farmers. This created a public opinion favourable to the demands of the farmers.³⁵⁰ Farmers themselves believe that the media attention forced the landowner and his allies to show some restraint and deterred them from resorting to harassment again.³⁵¹

Empowered by the support of FARDEC and KMP, half of the peasants participated in a land occupation in 1999, going back to their old farms and tilling the land again.³⁵² Having no official title to the land yet, some still feared harassment and would go back to their homes on the periphery at the end of the day.³⁵³ To pressure the DAR into avoiding further delays for the issuance of the CLOA, the peasants also mobilized by organizing a rally in front of the Regional Office of DAR in Cebu. This rally was important as it led the way to a direct encounter with the National Secretary of the DAR in 1998³⁵⁴ and to a series of dialogues between the DAR and FARDEC in 2000 and 2001.³⁵⁵

These dialogues concerning land redistribution involved the municipal, provincial, and regional offices of the DAR. So while FARDEC was engaging the DAR officials, the farmers mobilized to support the dialogues and to pressure the DAR at various levels.

Manolito Alegria described his involvement in the mobilization at the municipal level in these terms: « We almost lived in the municipal hall of Minglanilla just to ensure that we will be identified as tenants ». ³⁵⁶ At the provincial level, the farmers went to the DAR office during the dialogues with FARDEC, bringing along two sacks of rice and camping there to force the hands of the government officials. ³⁵⁷

A first mother CLOA was finally issued in 2001 for LOT A. A legal dispute over the ownership of the 55-hectare Lot B however was initiated by a businessman who claimed he had acquired it from the Vergaras and resulted in an additional implementation delay for the majority of peasants in Kalimpak. Although such a legal dispute cannot be identified as an act of resistance by the landowners, it shows once again the way in which DAR processes can impede land reform implementation. FARDEC argues that the fact that this protest was entertained well after the grace period within which such a complaint may be formulated had long expired is in itself suspicious. ³⁵⁸

The mother CLOA issued in 2001 allowed 27 beneficiaries and their families to settle permanently on the 58-hectare Lot A, and start building their houses. These 27 families are the children and grandchildren of the original farmers of the area, those who saw their land claimed by Sutarez in the late 1950s and bought by the Vergara family later on. The farmers were already physically on the land in 2001 because they had staged a land occupation since 1999.

However, the legal procedures were not over on Lot B as a petition for inclusion was made, which forced the MARO to survey the area and re-identify the eligible ARBs for the 55-hectare lot. ³⁵⁹ The DAR also had to wait for the court's decision regarding the ownership of the lot in order to proceed with the compensation payment. Under CARP, a private landholding cannot be redistributed as long as the just compensation payment has not been made by the Land Bank to the former owner. In 2005, FARDEC and many of the farmers of Lot B launched a new land occupation, this time on the 55-hectare lot. The farmers thus started tilling the land but continued to leave the farm at the end of the day to spend the night in the periphery. In 2008, they had not started to build their houses yet and used only *nipa* huts ³⁶⁰ to rest during the day. ³⁶¹ That year, it was ruled that the Vergaras were the legitimate owners of the lot and that they would be the ones to receive the compensation from the Land Bank. The MARO of Minglanilla was confident that the

mother CLOA would finally be emitted in 2009 for the 50 beneficiaries listed for the 55-hectare Lot B.³⁶² In August 2008, however, the revision of the list of ARBs had yet to be finalized.³⁶³

4.3 Within-Case Analysis

In this section, we analyze the case of Kalimpak through our two research questions to the case study of Kalimpak. The first question asks: how do the type of crop and the tenurial status influence key processes of CARP implementation? These structural features influence four key CARP processes: land coverage, identification of ARBs, land compensation, and installation of ARBs. The second question asks: how does the peasant strategy influence the outcome of CARP implementation in particular structural settings? This question allows us to see how the independent variable of structural setting interacts with the process variable of peasant strategy to influence the implementation outcome of the land reform struggle.

4.3.1 The Influence of Structural Features on Landowner Resistance

In Kalimpak, the presence of a corn land led, as anticipated, to weak landowner resistance to the process of land compensation. However it also led to *strong* resistance to the process of land coverage. This unexpectedly strong resistance may be linked to the prospect of land conversion which increased the potential value of the land. The presence of farmworkers in turn had an influence on the processes of identification of the ARBs and the installation of the ARBs which were strongly opposed by the landowner.

The Type of Crop and Landowner Resistance. The fact that the 113-hectare landholding was mainly planted with corn led as expected to only weak landowner resistance to the process of land compensation. The peasants, NGO members and DAR officials interviewed made no allusion to such resistance and the legal dispute over the ownership of the Lot B cannot be identified as resistance to this specific process because it was not initiated by the landowner the dispute was not initiated to secure a higher compensation but by a third-party to dispute ownership rights.

However the strong resistance put up by the Vergaras to avoid land for coverage under CARP runs counter to our hypothesis that cases involving corn lands should experience only weak resistance to this process. We believe that this can be explained in two ways.

The first argument we used to support our hypothesis for weak resistance rests on the fact that corn lands have often previously been identified under PD 27, which made it more difficult to seek an exemption from coverage under CARP. This argument does not hold in the Kalimpak case because the Vergaras had evicted their tenants from their landholding and were successful in avoiding coverage under the OLT mechanism of PD 27. The second argument we used to support our hypothesis is that the limited financial benefits which can be derived from a corn land provide only little incentive for the landowner to orchestrate strong resistance to the processes of land coverage and land compensation. This argument however has downplayed the possibility of land conversion. To be sure, we did not find evidence that the Vergaras were going to convert their 113-hectare to another use. But three elements suggest that the prospect of land conversion in that case was very real and that it most probably constituted a strong incentive to resist land coverage. First, the Vergaras did not hesitate to pressure the farmers into planting coconut trees and other more profitable crops in the 1960s and 1970s, and preferred to leave their land idle rather than have it cultivated with corn by tenants in the 1980s and early 1990s. In a nutshell, the landowner had already tried to change the crops cultivated on the landholding. Second, the location of the landholding within Metro Cebu - an area where fancy subdivisions are burgeoning and where the municipality explicitly expressed its desire to develop tourist facilities in its mountainous surrounding - considerably increases its potential value. Third, the Vergaras have been actively involved in recent years in developing upscale housing projects on some of their properties around Cebu City, suggesting that a similar project could have been envisaged in Kalimpak had they remained owners.

If the strong possibility of land conversion in this case increased the potential value of the land and, consequently, the strength of landowner resistance, why did the landowner oppose only weak resistance to the land compensation process? We would argue that while the land had great *potential* value in terms of development, the land compensation process was concerned with the value of the corn land, not with the hypothetical value of an eventual subdivision or golf course. Without an actual conversion, the compensation amount that the landowner could hope to receive would still be relatively small compared to lands planted with more profitable crops. This may explain the difference in the strength of landowner resistance to the processes of land coverage and land compensation. The land conversion issue however suggests that the integration of

additional structural features to our conceptual model could improve its ability to predict the strength of landowner resistance.

The Tenurial Status and Landowner Resistance. Although they had been tenants on the land since the 1950s, farmers were tricked by the landowner in the 1970s into signing a document which stated that they were paid as farmworkers to plant coconut trees. Being legally labelled as farmworkers rather than tenants has affected the ARB identification process. Resistance to that process had started before CARP when the landowner, in addition to having the farmers branded as farmworkers rather than tenants, also hired an overseer to harass, intimidate and chase the farmers away from the 113-hectare landholding. Under CARP, the harassment and intimidation continued, forcing the farmers to hide in the surrounding mountain areas and making the identification process extremely difficult. Even after FARDEC got involved and started listing the potential ARBs, the landowner continued to resist that process by submitting an alternative list of ARBs which the DAR was forced to investigate and which considerably delayed the implementation process. In this case, landowner resistance was strong.

Regarding the installation of ARBs, the resistance was strong as the harassment and intimidation tactics used by the overseer were specifically aimed at preventing the farmers from being physically installed on the land. These tactics even led to the murder of one of the peasants.³⁶⁴ In fact it took the orchestration of two land occupations, one in 1999 and one in 2005, as well as media coverage and public support to ensure that the extra-legal tactics would stop and that farmers could feel relatively safe to till the land and build their homes. In 2008, while the ARBs of Lot B were still waiting for their mother CLOA, many farmers still left at night for the surrounding mountain areas. This fear of harassment and violence that will not subside is a sign of the strength with which the landowner opposed the installation of the peasants on the land.

4.3.2 Structural Setting, Peasant Strategy and Implementation Outcome

The Kalimpak case study took place in a highly contentious structural setting because the landowner put up strong resistance to three land reform processes out of the four we focus on. The fact that the landholding was a corn land led to only weak resistance to the financial compensation process but the resistance to the identification of land for coverage was much stronger than what our hypothesis suggested. We have argued that

the strong possibility of a land conversion in that case may have distorted our expectations. As expected however, the farmworker status of the ARBs led to strong resistance to the processes of ARB identification and installation. Much of that resistance took an extra-legal form as the farmers were harassed and intimidated by the overseer of the 113-hectare. In terms of legal actions, the provision of an alternative list of ARBs by the landowner considerably delayed the process by forcing DAR to initiate revision procedures.

In such a structural setting, with a minimum of peasant mobilization, the implementation outcome should have been a weak implementation. However after avoiding any engagement and hiding in the mountains in the early years of CARP, the farmers opted for the *bibingka* strategy in the 1990s following the visits of members of KMP and FARDEC. To secure the redistribution of the 113-hectare corn landholding which belonged to the powerful Vergara family, peasants participated in strong collective actions such as rallies and land occupations. This mobilization was supported by FARDEC which provided them with information about their rights as potential ARBs, trained them in understanding CARP processes, strategized with them on the appropriate actions to take to speed up the implementation, and secured public support and media coverage for their case. FARDEC and peasant leaders also engaged in a dialogue with DAR officials at the municipal, provincial and national levels between 1998 and 2001. These dialogues were supported by the mobilization of the peasants who did not hesitate to camp in front of DAR offices to show their commitment.

As a process variable, the use of the *bibingka* strategy in this highly contentious structural setting strengthened the outcome of the land struggle and led to a partial implementation. This partial implementation was characterized by the ARBs receiving all the land which they were entitled to on one hand, and by significant implementation delays on the other hand. The landowner had officially been informed that the land was up for redistribution even before 1988 since they presented an alternative list of beneficiaries under PD 27 before forcing the farmers to leave by harassing them. This means that ARBs of Lot A had to wait more than 13 years to be installed while those of Lot B have been waiting for 20 years.

4.4 Summary of the Kalimpak Case Study

The case study of Kalimpak challenged the conceptual model of our first research question and highlighted its limits. While our model, based on the structural features of the landholding, has correctly predicted the landowner's strong resistance to the processes of identification and installation of ARBs, and the weak resistance to the process of land compensation, the strong resistance to the process of land coverage was unexpected. In our analysis, we have identified the issue of land conversion as the probable explanation for the unexpected variation and suggested that it might eventually be integrated in our conceptual model to improve its ability to predict the strength of landowner resistance in other cases. This issue of land conversion however did not have an influence on the resistance to the process of land compensation. In the highly contentious structural setting of Kalimpak, the decision of the peasants to rely on the *bibingka* strategy helped them improve the implementation outcome of their land struggle. In the end, they experienced long delays and suffered much hardship before their installation but they were able to own all the land they were entitled to. This was made possible by the involvement of FARDEC, which informed, trained, and guided the peasants in their land struggle against the powerful Vergara family. The mobilization of peasants, the involvement of FARDEC, and the dialogues initiated with DAR officials at the municipal, regional, and national level were key factors which allowed the peasants of Kalimpak to overcome the strong resistance of the Vergaras.

CHAPTER FIVE: CASE STUDY OF MANLAYO, BOGO

This case study shows that sugar lands are not necessarily highly contentious. In this case, the presence of tenants on the sugarcane landholding of Manlayo contributed to make the case less contentious because it led to weak landowner resistance to two of the key CARP processes of land reform. This case also shows that within a moderately contentious structural setting, the use of the *bibingka* strategy can lead to a full implementation. These farmers were the first batch of ARBs installed in the sugarcane area of northern Cebu and are often showcased by NGOs and DAR officials as the first success story of CARP implementation on sugar lands in the province.³⁶⁵

In Chapter Five, we present the case study of the Manlayo farmers of Bogo. We introduce the case study by showing how it relates to our two research questions and by describing the contextual background of Manlayo and Bogo. Then we tell the story of the peasants' struggle for land from their years as tenants of Hospicio San Miguel to their installation as smallholders on their sugar landholding. After the story, we address our two research questions through a within-case analysis by looking first at the influence of the type of crop and the tenorial status on the four key CARP processes of land reform; and second at the combined influence of the structural setting and the peasant strategy on the implementation outcome in Salacan. A brief summary of our findings will close the Chapter.

Map 5.1 Bogo in the Province of Cebu



Source: Adapted from Department of Agrarian Reform (DAR). Province of Cebu.

5.1 Introduction to the Case Study

In this Introduction to the Case Study of Manlayao, we recall our two research questions and we explain how our hypotheses apply to this specific case. Then we present the contextual background of Manlayao and Bogo.

5.1.1 First Research Question

The case of Manlayo involves 24 tenants involved in a struggle to secure ownership over a small 30-hectare sugarcane landholding in the northern part of Cebu. The type of crop produced in Salacan is a constraining variable or the implementation of land reform. Unlike corn, sugarcane can be a considerable source of profit for landowners who are expected to put up strong resistance to the processes of land coverage and land compensation. However, the unusual fact that the farmers of this sugarcane landholding are tenants rather than farmworkers is a facilitating variable.

The tenurial status of the Salacan farmers is expected to lead to weak resistance to the process of identification and installation of the ARBs. Thus overall, we expect strong landowner resistance to two of the four key CARP processes of land reform. In our typology our structural settings, this would make the case of Salacan moderately contentious.

5.1.2 Second Research Question

In a moderately contentious structural setting, we expect that a minimum of peasant mobilization should lead to a partial implementation of land reform where farmers will either receive a smaller amount of land than what they were entitled to or experience unreasonable delays of installation. The peasant strategy however acts as a process variable and can change the expected implementation outcome. In this case, the Manlayo farmers relied on the *bibingka* strategy to secure ownership of the 30-hectare sugarcane landholding. Because the use of this strategy is expected to deliver better results than peasant mobilization alone, the expected outcome in this case is a full implementation where ARBs will receive the land they were entitled to within reasonable delays.

5.1.3 Contextual Background

This 30-hectare landholding planted with sugarcane is located in barangay Manlayo, in the municipality of Bogo. Bogo was founded in 1890 and received its name from the

bogo tree which stood on the shore of its wharf. It is under that single tree - because of the shadow its leaves provided - that the locals would meet the sailors and exchange goods. It became a meeting point for merchants and traders, many of whom stayed and married local women.³⁶⁶ *Bogo* is located in the north of the island of Cebu and is part of the sugar haven of the province. Its population reached around 70,000 inhabitants in 2007 and its land area covers more than 10,000 hectares which are administratively divided in 29 barangays. The main products of the municipality are sugarcane, corn, and coconut.³⁶⁷

The barangay of Manlayo itself is located 7 km away from *Bogo* City. It covers 800 hectares, of which 560 hectares are identified as agricultural lands, and is home to a little more than 500 households and about 3,000 inhabitants.³⁶⁸ The 30-hectare sugarcane landholding is thus located within the realm of the rich and powerful landed families such as the Villalon, Martinez, Miranda, and others who own most of the sugarcane plantations of the area.³⁶⁹ The Manlayo case stands out however because its landholding did not directly belong to one of these prominent families. In fact, the small landholding belonged to Hospicio San Miguel, a Catholic Welfare institution which serves as a home for orphans, abandoned and special children, as well as elderly people. Founded in Manila in 1778, it was the first Social Welfare Agency in the Philippines.³⁷⁰ The farmers themselves have never met the people of Hospicio San Miguel but they say they used to come and visit the area during the time of their grandparents.³⁷¹ For as far as the farmers can remember, Hospicio San Miguel had been renting that land to different Cebu landowners: these were the people that the tenants made their arrangements with.

Being tenants rather than farmworkers also gave the farmers a little more control over what they planted. Thus in addition to the sugarcane, they also planted a little corn and a few vegetables for their own needs.

5.2 The Land Struggle of Manlayo Peasants

The tenants of Manlayo had an unusual tenurial status for farmers working on a sugar landholding. The farmers themselves cannot quite explain how that arrangement came to be although the fact that the land belonged to a charitable organization such as Hospicio San Miguel rather than to one of the powerful landed families of the area probably played a role in that arrangement. Farmers simply say that their parents and grandparents were tenants and that when they became old enough to work on the land, they just became

tenants too. Those who live in Manlayo today never had any direct encounter with Hospicio San Miguel however. For a long time, the 30-hectare landholding was leased by Perliciana Villaluz, a woman for who farmers such as Lorena Legaspi had only good words: « She was good. She was good to the farmers ». ³⁷² Villaluz and the farmers had an agreement in which they shared the income derived from the sugarcane 50-50. ³⁷³

In 1995 however, Villaluz passed away and Hospicio San Miguel leased the 30-hectare landholding to two members of Cebu's landed elite: Mr. Escobar and Mr. Germano. Escobar leased the biggest share (24 hectares), while Germano was leasing only six hectares. Germano however already owned a much larger adjacent landholding and was entrusted by Escobar as the overseer for the whole 30-hectare. ³⁷⁴ The farmers knew about what happened to Villaluz but were unaware of the new arrangement of Hospicio San Miguel with Escobar and Germano. Meanwhile, 1995 also marked the year when the state began targeting the sugar lands for land distribution. Anticipating a difficult confrontation with the powerful sugar barons of the country, the DAR had called on the NGOs and their organizing capacities at the time to help them implement CARP on these contentious lands. This resulted in the creation nationwide of the Task Force Sugarland. ³⁷⁵ During that year, the DAR allocated funds to NGOs so that they would go to the sugar lands targeted for coverage by CARP to explain the program to the farmers, help them organize their PO and prepare them for ownership. Lorenan Legaspi said that as soon as Manlayo farmers heard about the land reform program, they went straight to the DAR office:

Through our struggle, we have known that there are laws about land reform. The workers of the hacienda became the immediate beneficiaries. So when we heard about that we came to the office of agrarian reform to consult with this law. ³⁷⁶

Thus in 1995, the land was identified for coverage by the DAR. The landowner, Hospicio San Miguel, did not contest the decision of the DAR to cover the 30-hectare under the Compulsory Acquisition scheme. ³⁷⁷ Legaspi, who was present during the hearings had this to say about the role of Hospicio San Miguel: « During the hearings, it seems they were reluctant at first. But when we showed them the receipts of our payments to DAR - because we gave them copies of it - it seems they have become ok. » ³⁷⁸ However the new lessees, Escobar and Germano, were not as agreeable and tried to resist the process of land coverage.

It was successful because the landowner was not really interested in the land. It was only the one who was leasing the area who was trying to block the implementation. But the landowner was Hospicio San Miguel, a religious group. But it was the one who had been renting the place who was trying to prevent the implementation.³⁷⁹

Their first tactic was to delay the process by filing a legal case, arguing that since they had just leased the land from Hospicio San Miguel, the transfer should not be effective until such time that their contract had expired.³⁸⁰ Another farmer, Rosalia Calipe, explained that Escobar then tried to have the farmers sign a paper stating that they would let him buy the land: the farmers refused.³⁸¹ Members of PhilNet described Escobar as a man carrying this old Spanish hacienda mentality where farmers are considered more like slaves than like tenants or farmworkers.³⁸² After the peaceful years that farmers enjoyed under Villaluz, the attitude of the new lessees was bound to create tensions and conflicts in the short-term.

In 1996, a quarrel over the price paid for the sugarcane and the profit sharing arrangement erupted between the farmers and Germano, who was representing Escobar as the overseer. The initial problem was that Germano tried to enforce a new sharing arrangement in which he would keep 75% of the profits derived from the sale of sugarcane while the farmers would keep only 25%.³⁸³ Accustomed to the 50-50 sharing arrangement they had with Villaluz, the farmers protested against this new scheme. Another problem erupted when Germano decided to give the farmers only P2.50 per *tonil* for their part of harvested sugarcane when farmers knew they would easily get twice as much if they sold it on the market themselves.³⁸⁴ Farmers asked Germano to be paid at least P3.00 per *tonil* but Germano stubbornly refused to increase their wage.³⁸⁵ When farmers said they would find another buyer, Germano threatened them: if they did not sell him the sugarcane at his own price, they would be fined and jailed.³⁸⁶

Many farmers were scared and sold their sugarcane to Germano for the price he wanted. Others however decided not to comply despite the threats. These 'unruly' farmers then went back to the field to harvest the sugarcane, looking to sell it to another buyer. But as the truck they had hired to pick up the sugarcane tried to enter the barangay, the police - alerted by Germano and Escobar- prevented it from entering.³⁸⁷ This happened twice.³⁸⁸ Escobar then turned to other tactics such as having the farmers pay checks frozen at the Central Office³⁸⁹, and filing a criminal case for theft in 1997 against the farmers who

were harvesting the sugarcane without his prior approval.³⁹⁰ These manoeuvres were aimed at evicting the tenants from the land.

In this increasingly hostile situation, the farmers took steps to strengthen their case for land reform. Because of the information they received from the DAR and NGOs of the Task Force Sugarland in 1995, they knew that the implementation process required them to create their own Peasant Organization (PO).³⁹¹ Thus in 1996, the farmers established an organization called the United Farmer Workers towards Agrarian Reform.³⁹² The attempt to change the sharing scheme, the freezing of the farmers pay checks, and the theft accusations eventually led the farmers' to mobilize against the Escobar and Germano. Shortly after the creation of their PO, the framers hired a lawyer to represent them in the cases filed by Escobar.³⁹³ The move was successful as the lawyer rapidly got the Central Office to release the farmers' pay checks.³⁹⁴

In 1997, the Manlayo farmers further solidified their position by seeking the help of PhilNet.³⁹⁵ PhilNet was a newly founded NGO at the time but the farmers had met its members when they were working within the Task Force Sugarland. Once the Task Force was disbanded and funding stopped coming from the national government, PhilNet was also the only NGO left who worked on land reform struggles in the sugar haven of Bogomolino.³⁹⁶ In the Visayas, their activities were concentrated in Negros Oriental, Negros Occidental, Ormoc and Cebu.³⁹⁷ PhilNet was able to strengthen the farmers through paralegal training and funding. They held seminars regarding the CARP implementation process and their rights as ARBs.³⁹⁸ They also offered leadership training and advocated to the farmers that they had to stand up for their rights to make land reform happen. PhilNet could assist them but it was up to the farmers in the end to assert their rights. On the legal side, PhilNet also secured funding to share the cost of the lawyer during the hearings.³⁹⁹ Legaspi said farmers were thankful for PhilNet's help:

They really helped a lot because once, during the times that we are still facing hearings, they gave us trainings. They have given us many training which made us stand for what we believe in because through trainings we've come to learn our rights as farmers. We've opened our eyes knowing we, as farmers, had the greatest responsibility in defending our rights. It's like we had been sleeping and they opened our eyes. They really have helped us a lot.⁴⁰⁰

The Manlayo case was actually the first case taken up by PhilNet and their first installation of a group of ARBs. It was part of PhilNet's strategy to concentrate first on 'soft targets'.⁴⁰¹

The Manlayo farmers, through their PO, also became members of a network of peasant organizations called the Alliance of Sugarland Community for Agrarian Reform (ASUCAR). ASUCAR helped the farmers by exposing their struggles in the media through multiple radio appearances and by contacting newspapers.⁴⁰² Thus the farmers were organized, they had their own PO, and they could count on the help of both PhilNet and ASUCAR in their struggle against Germano and Española. But although the resistance of Germano and Escobarto to the process of land coverage had been mainly of a legal nature until then, the use of intimidation tactics to chase tenants away from the land was on the rise. Legaspi recalls:

I could really say that the struggle we've been through wasn't really an easy one. There were even threats. They threatened that they would throw dynamites under our house. Whenever I would think of it, I could not sleep. Thinking of those now, I could say that was the most difficult part of our struggle.⁴⁰³

Legaspi was the leader of the PO and the lessees had previously attempted to bribe her into forfeiting the farmers claim to the landholding under CARP.⁴⁰⁴ After she refused, she was specifically targeted by some of the threats.⁴⁰⁵ Calipe says these were reported to the police by the people of the PO and fortunately never materialized, although they were successful in scaring many farmers away from the area.⁴⁰⁶ Due to their perseverance in resisting intimidation and to their mobilization behind their PO, the farmers won their case regarding the theft accusations made by Germano and Española and were declared innocent.⁴⁰⁷ As their attempt to have the land exempted from CARP coverage had failed, Germano and Escobar filed another legal case, this time to request a higher compensation for the land on which they were lessees.⁴⁰⁸ Just to be represented in court during all these legal manoeuvrings, the farmers paid more than P250,000 in litigation expenses and transportation.⁴⁰⁹

In 1999, PhilNet initiated a series of dialogues with the DAR, both at the municipal, regional and national level, which led to the installation of the farmers the same year.⁴¹⁰ The mother CLOA was issued to the 24 ARBs of Manlayo in November 1999.⁴¹¹ Three weeks later, the farmers were installed on the 30 hectares by Horacio Morales, the Secretary of the DAR at the time.⁴¹² The individual CLOAs, which always take a longer time to process, were finally distributed to the farmers in March 2007.⁴¹³

Since they became smallholders in 1999, the Manlayo farmers are bringing their sugarcane directly to the mill, and they reap all the benefits of their sales.⁴¹⁴ Their average annual income jumped from P5,000 in the late 1990s to P42,000 in 2001.⁴¹⁵ And despite the fact that they are entirely responsible now to pay for the fertilizers, the trucking and the milling, they still earn much more as small landowners than they did as tenants.⁴¹⁶ Alonita Bamparo, one of these new small landowners, says that now they even hire farmworkers to help them harvest the sugarcane.⁴¹⁷ For those who live in the area, the most visible improvement of the farmers' situation can be seen in their housing facilities as the *nipa huts* of their tenancy days have been replaced by bungalows made of concrete.⁴¹⁸ Many can also afford to send their children to school now.⁴¹⁹ And not to be totally dependent on the sale of sugarcane, the farmers have also started to intercrop with corn, mung beans, *saging* (bananas) and vegetables. Corn is only for the farmers' own consumption while the surpluses of other crops are sold in the market.⁴²⁰ So they now have their cash crop and their subsistence crop. Many have also stopped using chemical fertilizers, which are very expensive, and started to switch to sustainable agriculture. They are getting support services also from the Department of Labour and Employment (DLE) and they are working on ways to improve transportation of water to the barangay, and the transportation of their sugarcane to the market.⁴²¹ The farmers have also started paying their 30 years amortization of about P3,600 a year in 2000.⁴²² PhilNet continues to be involved with the farmers of Manlayo but has moved its focus on sustainable farming and the use of organic fertilizers.⁴²³

All is not great for the farmers though as new challenges relative to their small owner status have cropped up since 1999. The main challenge which the Manlayo farmers are facing now is capitalization: the lack of money to pay for fertilizers and to pay for planting 'equipment', such as *carabaos* and tractors. This is generally the argument that landowners use with the DAR in trying to avoid coverage of their plantations: the farmers do not have the necessary capital to make the land productive. Technically, the CARP includes provisions about support services that should be delivered to the farmers, such as credit facilities to buy equipment (find a reference). However because of a lack of funds, these support services often do not materialize. To palliate to the absence of support services coming from the DAR, two solutions were put forward by farmers and their allies. First, the move towards sustainable farming and the use of organic fertilizers is one solution which can counter the high price of chemical fertilizers. Second, ASUCAR and

Philnet launched in 2008 the ASUCAR Savings and Credit Micro-Fund project in Bogota-Medellin, a micro-finance project which aims to provide low interest loans to the farmers.⁴²⁴ On sugar lands, it is not enough to distribute land to the farmers: you also have to provide them with support services so that they can be able to reap the benefits of cultivating sugarcane. Otherwise, the land will just be sold back to the previous landowners.⁴²⁵

5.3 Within-Case Analysis

In this section, we apply our two research questions to the case study of Manlayo. The first question asks: how do the type of crop and the tenurial status influence key processes of CARP implementation? These structural features influence four key CARP processes: land coverage, identification of ARBs, land compensation, and installation of ARBs. The second question asks: how does the peasant strategy influence the outcome of CARP implementation in particular structural settings? This question allows us to see how the independent variable of structural setting interacts with the process variable of peasant strategy to influence the implementation outcome of the land reform struggle.

5.3.1 Influence of Structural Features on Landowner Resistance

In Manlayo, the cultivation of sugarcane led to strong landowner resistance to the processes of land coverage and land compensation. The tenant status of the peasants however led to only weak resistance from the landowner to the processes of identification and installation of the ARBs.

The Type of Crop and Landowner Resistance. One of our hypotheses concerning the type of crop variable is that when a case involves a landholding planted with sugarcane, resistance from the landowner and its allies to the processes of land coverage and land compensation is strong. That was certainly the case in Manlayo. However an unusual aspect of that case study is that the resistance did not come from the legitimate landowner, Hospicio San Miguel, but from the lessees of the 30-hectare landholding: MM. Germano and Escobar. The lessees tried to delay the land coverage process by filing a legal case, arguing that the land should not be redistributed until their contract with Hospicio San Miguel had not expired. Then they attempted to buy the land from the farmers and, when that did not work, they tried to bribe the leader of the PO into forfeiting the land rights of her members. When that did not work either, Germano and

Escobar resorted to threats and filed bogus theft cases against the farmers to try and chase them away from the land.

As for the process of land compensation, the lessees - despite not being the legitimate landowners - filed a legal case to demand higher compensation and changed the sharing arrangements they had with the farmers in an attempt to wring as much money as possible out of the landholding before its redistribution to the tenants in 1999. Thus although it did not come directly from the landowner, the resistance was strong to those two processes from the landowner's side.

The Tenurial Status and Landowner Resistance. The tenant status of the farmers in Manlayo led to only weak resistance from the landowners and its allies to the processes of ARB identification and installation. It is unusual for farmers to have a tenant status on sugar lands and this may well explain why the case has been showcased by NGOs and DAR officials of the province as an early success of CARP implementation. Even the lessees, who were so prompt in taking legal and extra-legal actions to have land exempted from coverage and to increase their financial compensation made no attempt at preventing the identification and the installation of ARBs in Manlayo. The identification process was greatly facilitated by the fact that tenants already had specific lots and that their families had been established there for generations. It was facilitated by the fact that farmers had official documents confirming their tenant status and describing the location of their lots.⁴²⁶ As for the installation process, it was a mere formality since the tenants already occupied specific lots. But the DAR Secretary himself came for an official installation ceremony three weeks after the mother CLOA had been issued. Members of PhilNet agreed that the farmers tenurial status did play an important role in making this case a successful one. Their argument was that the Manlayo farmers, because they were tenants rather than farmworkers, « were unique in the sense that they were not enslaved by their landowner unlike in other estates ».⁴²⁷

5.3.2 Structural Setting, Peasant Strategy and Implementation Outcome

The Manlayo case study was taking place in a *moderately contentious* structural setting because the landowner resistance was strong to two out of the four key CARP processes. The combination of a facilitating variable (tenant status) and a constraining variable

(sugar land) led that specific pattern of resistance in accordance with the conceptual model for our first research question.

In a moderately structural setting, a minimum of peasant implementation is expected to lead to a partial implementation of land reform in which farmers would receive less land than entitled or experience long delays in their installation. The Manlayo farmers however chose to rely on the *bibingka* strategy during their land struggle, strengthening the implementation outcome. They quickly mobilized after the threats made by Germano and Escobar by organizing their own PO, hiring a lawyer, and seeking help in the CSO community. PhilNet helped them increase their knowledge of the CARP processes through paralegal and leadership trainings while supporting them financially to defend themselves against the legal actions initiated by the lessees. As PhilNet members told the Manlayo farmers: « Your role is to assert. The NGO's role is only to assist. »⁴²⁸ PhilNet also initiated a series of dialogue with the DAR at the municipal, regional and national levels in 1999. The combined peasant mobilization, CSO involvement, and engagement with DAR officials in the end led to a swift implementation of the CARP in Manlayo. Acting as a process variable, the *bibingka* strategy changed the expected outcome of that particular land reform struggle to a *full implementation* where farmers received all the land they were entitled to in a timely manner.

Although it serves as a model of success for CARP implementation on sugar lands, the case of the Manlayo farmers should not be romanticized. In fact when we speak of peasant mobilization, it should be noted that not all the peasants participated in collective actions and many were afraid to stand up for their rights: it took the leadership of Lorena Legaspi and a handful of other peasants to push through with the land transfer.⁴²⁹ So although the *bibingka* strategy was chosen by these five or six farmers, and led to a very successful implementation, most peasants actually chose a strategy of risk avoidance. We believe it is legitimate to associate the Manlayo case to the *bibingka* strategy anyway because that is the strategy that led to the involvement of PhilNet and to subsequent dialogues with DAR officials. But peasants, even in a small landholding, should not be seen as an homogeneous group.

5.4 Summary of the Manlayo Case Study

The case of the Manlayo farmers is presented by DAR officials and the CSO community as a great success story. Indeed, CARP implementation on sugarcane landholdings are generally a lot more difficult. To be sure, the farmers did face some strong resistance from the landowner's side during the processes of land coverage and land compensation. This resistance came from the lessees, Escobar and Germano, rather than from the real landowner, Hospicio the San Jose. However the farmers have never dealt directly with Hospicio San Miguel in their lifetime and the fact that resistance came from the lessees did not make it easier for the farmers who were threatened and brought to court. What did help the farmers though was their tenurial status, and their decision to use the *bibingka* strategy. Tenants are rarely found on sugar lands and this case is interesting because it demonstrates that on these lands which are famous in the Philippines for being difficult to redistribute, structural features other than the type of crop need to be considered when assessing the contentiousness of a case. The tenant status of the farmers led to weak resistance to the processes of identification and installation of the ARBs and in the end had a major impact on the implementation outcome. The use of the *bibingka* strategy also helped the farmers to secure the best outcome possible within their moderately contentious structural setting: a full implementation.

CHAPTER SIX: CASE STUDY OF DALAG, MEDELLIN

The case of Dalag shows that a landholding planted with sugar and worked by farmworkers creates a highly contentious structural setting. The presence of sugar and farmworkers lead to strong landowner resistance to the four key CARP processes of land coverage, identification of ARBs, land compensation, and installation of ARBs. It also demonstrates that although using the *bibingka* strategy can strengthen the implementation outcome of land reform, the highly contentious structural setting of Dalag limits the potential success of that strategy to a partial implementation.

In Section 6.1, we introduce the case study of Dalag by describing how our two research questions and our hypotheses apply to this specific case, and by presenting the contextual information about the barangay and the municipality within which the land struggle takes place. Then in Section 6.2, we tell the story of the Dalag farmers from the inauguration of the CARP until their installation in 2008 and their new life as small owners. In Section 6.3 we proceed with the within-case analysis to see how the type of crop and the tenurial status influenced the strength of landowner resistance, and how the peasant strategy influenced the outcome of implementation. Finally, Section 6.4 presents a short summary of our main findings.

Map 6.1 Medellin in the Province of Cebu



Source: Adapted from Department of Agrarian Reform (DAR). Province of Cebu.

6.1 Introduction to the Case Study

This case study involves 34 farmworkers located on a 51-hectare landholding planted with sugarcane and located in the barangay of Dalag, in the municipality of Medellin. Because of the presence of sugar and farmworkers, the landowner resistance in this case was strong to all four key processes of land reform under CARP, creating a highly contentious structural setting. The peasants decided to use the *bibingka* strategy during their struggle and this strategy, within a highly contentious structural setting, led to a partial implementation of land reform.

6.1.1 First Research Question

The fact that the landholding is planted with sugarcane is likely to translate into strong landowner resistance to the processes of land coverage and land compensation. The farmworker status of the peasants is expected to lead to strong landowner resistance as well, this time to the processes of identification and installation of the ARBs. In our typology of structural settings, when landowner resistance is strong to all four key CARP processes, we are in the presence of a highly contentious structural setting. It is within this structural setting, used as an independent variable in the next research question, that agency comes into play.

6.1.2 Second Research Question

In a highly contentious structural setting, the expected outcome of land reform, with a minimum of peasant mobilization, is a weak implementation in which the ARBs will receive less land than what they were entitled to and will experience long delays before their installation. In this case, the farmers chose to rely on the *bibingka* strategy to secure their rights over the 51-hectare landholding. This peasant strategy is a process variable which can change the expected outcome of land reform implementation. In a highly contentious structural setting, which is the case of Dalag, the *bibingka* strategy is expected to lead to a partial implementation of land reform rather than a *weak* one. Our assumption within this framework is that even when using the best strategy available to force a successful implementation, cases involving highly contentious landholdings are unlikely to ever lead to a full implementation.

6.1.3 Contextual Background

The land struggle took place in the barangay of Dalag, which is located in the municipality of Medellin, in the northern part of Cebu province. The total land area of Medellin covers a little more than 7,300 hectares, including more than 6,000 hectares which are considered arable land. In the area, the land is generally flat and mostly planted with sugarcane. Medellin has a population of about 45,000 inhabitants and is divided between 19 barangays.⁴³⁰ The main products of the municipality, aside from sugarcane, are corn and coconut.

Dalag has the second smallest population among the barangays of Medellin with just a little over 1,000 inhabitants.⁴³¹ However it is part of the only Agrarian Reform Community (ARC) of Medellin, which was launched in 1994 and includes the adjacent barangay of Capuluan. Being granted ARC status gives more chance to the community of receiving services and investments. This ARC covers over 1,000 hectares of land, almost all of it agricultural, and is one of 13 ARCs in the province of Cebu.⁴³² When CARP came into being in 1988, the farmworkers of Dalag were paid 5 pesos per day of work on the sugar hacienda. Twenty years later - just before they became small owners – Felita Pruna, a Dalag farmer, said their daily salary was still below the Philippine minimum wage, at around 60 pesos a day.⁴³³

The 51-hectare landholding in Medellin, as well as a larger 152-hectare landholding in the adjacent barangay of Capuluan, belonged to the Vergara family. The Vergaras, as we mentioned in Chapter Two and in the Kalimpak case study, are a powerful landed family of the Cebu province. Graciela Vergara, the landowner, was a descendant of a powerful family of Chinese merchants, the Chiong Veloso, and a relative of the Osmeñas.

6.3 The Land Struggle of the Dalag Farmers

We left Cebu City early morning on that day of May 2008 to attend the installation ceremony of the Medellin farmers. Upon our arrival in the barangay, between the sugarcane and the coastal area, the leader of the local peasant organization was waiting for us and invited us to her house as the ceremony would start only a few hours later. In a large *bahay kubo* (a small hut where people sit to eat, drink, and chat), I sat with several farmers and NGO members, eating seaweed and other local *pulutan* (snacks) while women were preparing the food for the special meal to be served later in the afternoon. Although these farmers had already started

tilling the sugarcane they now owned following a land occupation staged a few months earlier, this installation organized by DAR officials was an official recognition of their right to the land, and a matter of pride. Pointing to a few fishermen unloading their small boat about 200 meters away, a farmer pointed out that people of his community generally had two or three different occupations, including fishing, doing whatever they had to in order to get by. Coming into their later years, the farmers did not expect their new sugarcane landholding to make them rich. But it could mean a little extra income and more time to rest.

The sugarcane landholding in Dalag was part of the larger estate of the Vergara family which also included an adjacent lot of 152 hectare in barangay Capuluan. The farmworkers hired by Vergara to plant and harvest the sugarcane came from the surrounding area. Some of them were actually tenants on other nearby estates, like the corn lot which belonged to F but had so little land that they needed to work on the Vergara estate as well to make a living.⁴³⁴ On their small tenanted lands, they planted corn, *saging* (banana), *cassava*, *kangkong*, *camote* (sweet potato), mungo beans and other vegetables.⁴³⁵ They generally plant corn in May and harvest it three months later while the sugarcane is planted on the other lot around January and harvested around November or December.⁴³⁶ Because the barangay is located close to the sea, some also practice fishing.⁴³⁷

In 1991-92, knowing that their landholding could soon be covered by CARP, the landowners tried to ensure that no farmworker would be recognized as a potential ARB for the 51-hectare, by temporarily securing the land with barbed wire and making it a 'No Trespassing Zone' where farmworkers were not allowed to enter.⁴³⁸ A first attempt to avoid land coverage.

According to a DAR official, it is in 1993 that Vergaras were sent a NOC for the sugarcane landholding of Dalag which was placed under the Compulsory Acquisition mechanism.⁴³⁹ The landowner was quick to react and asked their farmworkers to sign an agreement in which they would waive their right to the land as ARBs under CARP in exchange for P50,000. According to Marisa Calampang, a farmer of a nearby barangay who was involved in ASUCAR and knew about the Dalag case, many farmers agreed to those terms and signed the waiver, and those who did not were evicted.⁴⁴⁰ Dalag farmers such as Herman Linsangan however claim that they did not have any problem with the landowners but rather with the overseers of the land. About the landowner, a Linsangan said:

He had a nice attitude, good treatment. Like if you want to borrow money, he has no problem about that. He will ask: « How much? » I was afraid to have a big loan. I would just say: « Sir, can I borrow P1000? Because I will buy rice. » He would immediately give.⁴⁴¹

When the DAR tried to list the potential ARBs of the area in 1994, they were confronted to a peculiar problem. While some legitimate ARBs were evicted, others who were still working for Vergara actually refused to be listed:

There was questions regarding these farmer beneficiaries who were identified and now included in the 1994 CLOA. What happened there is that at that time, there was a lot of farmers who should have been included in the CLOA but they were afraid because of the so many years of loyalty to the previous landowner. And they didn't want this landowner to get mad at them because of the Filipino trait of loyalty to your so-called 'employer' because they provide the land for you to work. So this is what happened. There were many qualified farmers but during the posting, the invitation, the posting of the notices in the barangay asking them to apply, they didn't apply.⁴⁴²

Thus in addition to the landowner resistance itself, it seems like the particular social relation between some peasants of the area and the landowner acted as an impediment to the identification of ARBs.

In 1995, the farmworkers of Dalag who had applied to be listed as ARBs were issued a mother CLOA by the DAR for the 51-hectare landholding. However a procedural problem in the way the CLOA was issued led to its cancellation before the farmworkers could be installed. The normal process of the CARP is that after a landholding is identified for coverage, it is acquired by the state through the payment of a just compensation to the former landowner. Once the state owns the title to the land, it can issue a mother CLOA to redistribute that land to ARBs. In this case, it seems that the DAR skipped a step by not having it listed with the Register of Deeds and thus provided sufficient grounds for the landowner to have the CLOA cancelled and retain control over the land.⁴⁴³

During the legal process which led to the cancellation of the CLOA, the farmers had decided to assert their rights by staging a land occupation of the 51-hectare landholding. The landowner answered the move by sending their goons to the area. When the CLOA was cancelled, the farmers retreated since they knew they lacked the legal basis to back their claim to the land at that point.

To further delay the process, the landowner also opposed strong resistance to the identification of ARBs process. In the 1995 CLOA, the landowner had deliberately introduced the name of ARBs which came from other estates around Cebu province while taking off the list some of

the legitimate ARBs in order to create more legal problems and delays. The PO leader of Dalag, Nelia Macapar, said that these beneficiaries whom the landowner was trying to add to the list were from Minglanilla, and that some of them were not even farmers because « they do not have calluses in their hands ».⁴⁴⁴ She added that the landowner's tactics were clear: « Those people that were not included. They only registered now. It seems like a tactic to delay the process. »⁴⁴⁵ In addition to delaying the process, the inclusion of additional beneficiaries, who were loyal to the landowner, was a strategy aimed at reacquiring the land through leaseback after the redistribution. In the words of Macapar:

The landowner tried to have his people included [in the CLOA]. They really tried to have them included so that they would have the majority. When they have the majority, they would now campaign for a leaseback.⁴⁴⁶

In Dalag, the farmers have learned through their PO and through PhilNet what a leaseback would mean for them and decided not to discard the option. The PO leader explained the leaseback issue in these terms:

The beneficiaries won't even get a share of the rent because the landowner would pay it directly to Land Bank. That is a tactic they use with the beneficiaries. And there are beneficiaries who passionately try to trouble us. They do not think that this leaseback is to the detriment of the farmers. However the landowner has been taking care of those farmers and gave them jobs, presumably to confuse us. Anyway, we won't be bothered by it. We have already been organized. We already know the end of that. We know already the detriment it causes to the farmers.⁴⁴⁷

Conscious of the landowner's tactics, the farmers however did not protest against the absence from the list of some of their fellow farmworkers at that point because they did not want to have the process delayed further. The landowners thus decided to file a petition for inclusion with the DAR to have more of the farmers she favoured introduced on the list. The DAR then began a revision of the ARBs list, a move which according to some farmer leaders shows the connivance between the landowners and the state officials. Macapar described the landowners' attitude in these terms:

They attempted to form corporations and make the beneficiaries as members. They also tried to manipulate the list of beneficiaries. They put names of people who are not righteous awardees. They buy off the lands that were awarded to the ignorant beneficiaries who cannot afford to pay the monthly amortization. They fired other farmers who were vocal and active in the struggle. They made threats to the farmers and peasant leaders.⁴⁴⁸

Once the CLOA was cancelled however, the farmworkers decided to submit a petition in the name of the farmers that were absent from the 1995 list so that they would be added to the

ARB list of the adjacent 152-hectare landholding in Capuluan, which was also covered by CARP.

Farmers say that they received several threats, not from the landowner herself but from the people who worked for him.

We experienced several threats. We would not just be scared since we know we are on the right track of the law. We're not going against the law, in any case, since we only follow the law of the government. Most of the time there were threats during our PO meetings here. Some wanted to see who was attending and some would really try to disrupt the process. They wanted to break our organization. It was often done. Then someone would report immediately to their boss. If there were new people working in the *hacienda* seen participating in the meeting, they would immediately be fired. That's why the situation is really bitter here.⁴⁴⁹

The farmworkers of Dalag had been in touch with activists from different CSOs around 1995, when the Task Force Sugarland was launched. But it was only after a peasant leader of Dalag was told by Manlayo farmers about the help PhilNet was providing them in their land struggle that a meeting was organized with the NGO. PhilNet thus got involved with the farmers of Dalag in 1998, providing them with paralegal training and advice, building their capacity and leadership.⁴⁵⁰ Empowered and more aware of their rights, the farmers mobilized and sent petitions every year to pressure the DAR into delivering a new CLOA and installing them. PhilNet and the peasant leaders also initiated dialogues with DAR officials in 1999.⁴⁵¹

The farmers have only good words for the members of PhilNet who helped them in their struggle. Collaborating with NGOs however can also have a perverse effect sometimes. Due partly to the long history of communist insurgency in the Philippines, NGOs are sometimes identified by the government as Leftist organizations which create unrest in the countryside. The involvement of an NGO in land reform cases can thus raise suspicions on the government's side. In Dalag, Ramonlito Pedrezuela said that working with PhilNet, although it was worth the risk, raised such suspicions and led the state to send militaries to the area: « That's why we were targeted by the military: because we have lots of NGO people. But if they [PhilNet] weren't here, who would have accompanied us to where we're going? »⁴⁵²

On the importance of building an alliance to assert their rights, Pedrezuela added: « It's really important because you cannot own the land if you work alone: you need to have a group to strengthen your claim. »⁴⁵³ The farmers of Dalag and the members of PhilNet thus combined their efforts to ensure media coverage of their land struggle in the local media and scaled-up their dialogue efforts by speaking directly with the DAR's Undersecretary at the national level.

The PO of Dalag also became a member of ASUCAR upon its establishment in 1996. The strength and dedication of Dalag's farmers continued to grow over the years as they even participated in pickets organized at the DAR's regional office in Cebu City to support fellow farmworkers from Lamintak in their own struggle against a powerful landowner.

In 2003, a new CLOA had yet to be issued to the farmworkers of Dalag but the CARP implementation process was unfolding behind the scene: that year, the Land Bank of the Philippines made a full compensation payment to the landowner for the 51-hectare sugarcane landholding of Dalag. This signalled that the state had officially acquired the land and that it could be redistributed to the farmworkers. However, the farmers were not informed of that new development. By hiding the fact that the payment was made, the DAR paved the way for the continued control of the landowner over the land although he had already been compensated for it. It took two years before the word about that compensation payment came out. Two years during which the landowner continued to reap the profits from the land. Members of PhilNet - who exposed documented proof that the Land Bank had already paid in full the compensation to the landowner in 2003 - argued that this can only have been made possible by collusion between the landowner and DAR officials.⁴⁵⁴

In 2005, the new mother CLOA was finally issued by the DAR to the ARBs. Three years after the CLOA was issued however, the farmers had yet to be installed by the DAR and the farmers' patience was growing thin. Farmers spoke of the DAR in these terms:

Their organization is slow.⁴⁵⁵

They are my enemy.⁴⁵⁶

Honestly, I think there's a lot of red tape in DAR. They favour the landlords who give them money. They helped us in a little with give legal advices and seminars on the process of land reform. But most of the time, they just make it difficult for us. So we basically help ourselves with the aid of the NGO.⁴⁵⁷

With the help of PhilNet, they decided to take the matter into their own hands and they staged a land occupation of 51-hectare early in 2008. As the rightful owners of the land, they felt it was only legitimate that they could physically take possession of the area after waiting for so long. It was a few months later, in May 2008, that the DAR finally organized the 'official' installation of the landowners. At that point, the ARBs had already taken over the area *physically* and the installation was purely ceremonial. Despite that, the DAR had taken the

precaution to invite police officers to the event to ensure that the landowner would not be tempted to physically or intimidate the farmers as they did in the past.

The landowners however have not yet given up on the land. They have been proposing leaseback arrangements to the farmers, arguing that only *they* have the necessary capital and equipment to make the land productive. Thus they proposed to pay the farmers P5000/ha per year. PhilNet argued that this offer is a bad one for the farmers and has been encouraging farmers to decline it. So far, only three of the 34 farmers expressed interest in the scheme. PhilNet also blaming the MARO for campaigning in favour of the leaseback option without explaining to the farmers the details of such an arrangement.

The farmers are now free of harassment and free to cultivate the land how they want and they manage the landholding collectively through a cooperative. PhilNet and the DAR are now encouraging the ARBs to diversify their production to develop organic farming instead of using chemicals. They have already started intercropping with eggplants, mongo, bananas and corn and they sell some of their vegetables in the local market. Because the 51-hectare is near the sea coast, farmers also have public access to the water and they are trying to develop aquaculture as well.

6.3 Within-Case Analysis

In this section, we apply our two research questions to the case study of Dalag. The first question asks: how do the type of crop and the tenurial status influence key processes of CARP implementation? These structural features influence four key CARP processes: land coverage, identification of ARBs, land compensation, and installation of ARBs. The second question asks: how does the peasant strategy influence the outcome of CARP implementation in particular structural settings? This question allows us to see how the independent variable of structural setting interacts with the process variable of peasant strategy to influence the implementation outcome of the land reform struggle.

6.3.1 The Influence of Structural Features on Landowner Resistance

As expected, the presence of a land planted with sugar in Dalag led to strong landowner resistance to the processes of land coverage and land compensation. The presence of farmworkers also led to strong landowner resistance to the processes of identification of ARBs and installation of the ARBs.

The Type of Crop and Landowner Resistance. To the process of land coverage, the landowner was quick to orchestrate resistance by asking the farmworkers of the 51-hectare landholding to sign agreements in which they waived their rights to the land as ARBs in exchange for a sum of money. The farmers who did not agree to the scheme were then evicted by the landowner and forbidden to work on the land which was secured as a ‘No Trespassing Zone’.

In Dalag, Vergara was more than ‘justly’ compensated for the landholding. After filing legal cases to have its official financial compensation from the state increased, the landowner, in collusion with some DAR officials according to PhilNet, continued to reap the profits of the sugarcane landholding for more than two years after they had already been compensated for it. The landowner thus used this process not only to increase her financial compensation – with the legal delay this implies in terms of court procedures – but also to delay the installation of the ARBs. The landowner resistance to this process has thus been strong.

The Type of Tenurial Status and Landowner Resistance. The landowner was very active in opposing and delaying the process of identification of the ARBs. Evicting farmers who refused to sign a waiver agreement for the rights to the land was a clear attempt at impeding the process. The petition for inclusion in which the landowner listed as ARBs farmers from his other estates in the province – not legitimate ARBs by CARP’s provisions – was also a successful resistance strategy which delayed the issuance of the second CLOA until 2005.

The installation of the ARBs also saw strong landowner resistance. After the issuance of the first CLOA in 1995, the landowner sent hired thugs to the area to remove the ARBs from the landholding. Also it took three years after the second CLOA was issued for the farmers to be installed, mainly because they feared intimidation and harassment from the landowner. Moreover, the installation occurred through a land occupation staged in collaboration with PhilNet. And even then, when the DAR came and organized the official installation ceremony, they feared the landowner’s possible resistance enough to have police officers accompany them onsite. Thus the resistance was strong to both processes.

6.3.2 Structural Setting, Peasant Strategy and Implementation Outcome

The combination of two constraining variables – being farmworkers on a sugar land – made the Dalag case a highly contentious one. As we have shown, the presence of sugarcane led to strong resistance from the landowner’s side to the processes of land coverage and land compensation while the farmworker status of the ARBs led to strong resistance as well to the

processes of ARB identification and installation. In a highly contentious structural setting such as this one, the expected implementation outcome of land reform with a minimum of peasant mobilization is a *weak implementation*.

The Dalag farmers however chose to rely on the *bibingka* strategy to secure their rights over the 51-hectare landholding. They have mobilized by sending petitions to the DAR every year in order to receive their legal title and be installed, by participating in two land occupations, and by seeking the help of PhilNet. Their alliance with that NGO greatly contributed to their empowerment. They received from PhilNet paralegal training concerning the CARP's land reform processes and information about their own rights as ARBs. A series of dialogues initiated by PhilNet with DAR officials at the municipal and the national levels also contributed to strengthen the implementation outcome. A DAR official described in its own words the struggle between landowner resistance and peasants using the *bibingka* strategy on the sugar lands of Cebu:

I have observed that in the northern portion- because these are large tracts of lands owned by single persons- so there, the landowners are organized and they resist the coverage of the program. But we try really hard, the Office, to have these lands included under the program. Problems crop up because of the insistence of the landowners for their lands not to be covered. However, these are counter-acted by the presence of NGOs like Philnet, and the likes. They are also assisting the farmers to resist the actions of the landowners. So basically, in the northern portion of Cebu, this is the situation there.⁴⁵⁸

In the end, the implementation led to the full ownership of the farmers over the land they were entitled to although they experienced a significant delay before their installation. Since the land coverage process had been initiated in 1993, it means they had to wait for 15 years before they were installed. Thus the use of the *bibingka* strategy in Dalag led to a partial implementation of land reform.

6.4 Summary of the Dalag Case Study

The case of Dalag involved a sugar landholding and farmworkers. These two constraining structural features have led to strong landowner resistance to the four key CARP processes of land reform as predicted by the conceptual model of our first research question. In our typology of structural settings, because the landowner resistance was strong to all four key processes, the case of Dalag was identified as highly contentious. Within this structural setting, the peasants mobilized, collaborated with an NGO (PhilNet), and supported dialogues initiated by the NGO with DAR officials. The use of the *bibingka* strategy in the end led to a partial implementation in which farmers experienced significant delays before being installed

but received all the land they were entitled to. This case shows that land redistribution is possible even in highly contentious cases involving both sugar lands and farmworkers when using the bibingka strategy, but also that this structural setting does limit the possibility of a full implementation.

CHAPTER 7: COMPARATIVE ANALYSIS OF CASE STUDIES

In Chapters Three, Four, Five and Six we addressed our two research questions by analyzing them within the context of individual case studies. In Chapter Seven, we proceed to a series of comparisons to push our analysis of our research questions further. In Section 7.1, we look at our first research question and we compare the influence of the type of crop and tenurial status on landowner resistance to key processes of land reform. In Section 7.2, we look at our second research question and we compare the influence of the risk avoidance strategy and bibingka strategy on the implementation outcome of land reform, as well as the influence of the structural setting on the implementation outcome of cases in which peasants opted for the same strategy. In Section 7.3, we present a summary of our main findings.

7.1 First Research Question

Our first research question reads as follows: how do the type of crop and the tenurial status influence the strength of landowner resistance to key CARP processes? In the within-case analysis section of our four case studies, we showed that the type of crop had an influence on landowner resistance to the processes of land coverage and land compensation while the tenurial status had an influence on the processes of identification and installation of the ARBs. In this section, we first compare the strength of landowner resistance to the processes of land coverage and land compensation between two cases involving a corn land and two cases involving a sugar land. Then we compare the strength of landowner resistance to the processes of identification and installation of ARBs between two cases involving tenants and two cases involving farmworkers.

7.1.1 The Type of Crop

The first part of the question which we will address here is: how does the type of crop influence the strength of landowner resistance to key CARP processes? Our initial hypothesis was that crops which generate more profit would make cases more contentious by providing additional incentives for landowners to oppose strong resistance to CARP processes. We argued that this resistance would particularly affect two specific processes of the land reform implementation: the processes of land coverage and land compensation. To address this question, we chose two possible variations of our independent variable: *corn* lands and *sugar* lands. The choice of these two crops was based on the fact that sugar lands are more profitable than corn lands, an incentive for landowner resistance. We characterize the landowners'

resistance as either *weak* or *strong* based on the narrative of the case studies. The results are discussed further below.

The Influence of the Type of Crop on Land Coverage. The identification of a land for coverage is the first process in the implementation of land reform. The process consists in identifying a specific landholding to be covered by CARP and notifying both the landowner and the potential ARBs. Landowner resistance to this process can take legal forms, such as petitions for exemption from coverage or waiver agreements; or extra-legal forms, such as bribes, forced land evictions or harassment. In the case of corn lands, the resistance is expected to be minimal because most of these lands were already identified for coverage in the 1970s under the Operation Land Transfer (OLT) mechanism of PD 27. The land reform program of Marcos did not deliver many results but it did signify to landowners that redistribution might be forthcoming. Sugar lands however were granted a 10-year deferment from CARP and thus were up for redistribution only in 1998. This first deferment and the financial benefits derived from selling sugar - especially compared to corn which is mainly a subsistence crop – give landowners more incentives to have their landholdings exempted from coverage in the first place. The comparative results from the case studies tend to support our hypothesis that corn lands lead to weak landowner resistance while sugar lands lead to strong landowner resistance. One case however highlights the limits of our arguments.

Resistance to the Land Coverage Process: Sugar Lands versus Corn Lands. In the cases of Manlayo and Dalag, which involved sugar lands, the resistance was strong to the process of land coverage. In Manlayo, the two lessees who controlled the land tried to have the farmers sign an agreement waiving their rights over the land and letting the lessees purchase it. When they refused, the lessees filed a legal case to have the land redistribution delayed, tried to bribe the PO leader of Manlayo and in the end used threats to try to chase the farmers away from the land. In Dalag, the landowner also asked the farmers to sign a waiver. In this case, the strategy was partially successful as many farmers did forfeit their rights to the landholding. Those who refused however were also evicted from the land, as it was the case in Manlayo. By comparison, the landowner resistance on the corn land of Salacan was weak. The landowner offered no resistance to land coverage and even used a voluntary mechanism (VOS) to transfer the land, unlike the Manlayo and Dalag cases which had to be placed under the Compulsory Acquisition mechanism. The case of Kalimpak, which also involves a corn land, does not support our hypothesis and needs to be analyzed further.

The case of Kalimpak, although it involves a corn land, led to strong landowner resistance to the process of land coverage in contradiction of our hypothesis. The reason for this unexpected result is that our model did not take into account the possibility of land conversion. Our hypothesis that corn lands will lead to only weak resistance from the landowner to the process of land coverage is based on two arguments: 1) most corn lands in the country had already been identified for redistribution in the 1970s under PD27, making claims for exemption more difficult; and 2) little profit can be derived from corn, compared to sugar for example, providing less incentive for strong resistance on the part of the landowner. In the Kalimpak case, the landowner had already been successful in evicting the peasants and avoiding coverage under PD27. In addition to that, Kalimpak is located within Metro Cebu, an area known for its numerous land conversions. The prospect of converting a corn land into a housing project or tourist facility greatly increases the potential benefits that can be derived from the land. Thus both arguments supporting our hypothesis actually do not apply to the Kalimpak case and can explain why it doesn't fit our model.

The Influence of the Type of Crop on Land Compensation. The payment of a just compensation to the former landowner for the land that is to be redistributed is a process that must be completed *before* land titles can be transferred to ARBs. Delaying this process by filing a legal case to increase the compensation is a common strategy shared by owners of corn lands and sugar lands alike – although the compensation for a sugar land is more substantial. Thus in the case of financial compensation, we consider landowner resistance to be strong when it goes beyond the almost automatic legal case for compensation increase. This can include other legal processes initiated to delay redistribution and thus reap the benefits of the land over a longer period, as well as extra-legal means to wring the maximum benefit out of the land. Our hypothesis is that because they generate more benefits, sugar lands provide a bigger incentive than corn land for landowners to put up strong resistance. The comparative results from the case studies fully support our hypothesis.

Resistance to the Land Compensation Process: Sugar Lands versus Corn Lands. In the cases involving sugar lands, the landowners have put up strong resistance in order to increase their financial compensation. In Manlayo, the real owners of the landholding made no attempt at increasing their financial compensation. The land however was under the control of two lessees who did mount a strong resistance. Aside from the usual legal case to increase their compensation, the lessees also tried to have redistribution delayed until the end of their contract with the owner in order to profit from more years of exploitation. They even changed

the sharing arrangement that was in place with the tenants in order to increase their own share of the profits. In Dalag, the landowner filed a legal case to increase his compensation but also colluded with DAR officials to continue reaping the profits from the production of sugarcane more than two years after the Land bank had already financially compensated the landowner for his 'loss'. In the case of the corn lands, there was no resistance from the landowner aside from the expected legal case to increase compensation. In Salacan, the legal process to determine the just compensation of the landowner took several years to come to a close. However the farmers were installed on their land well before the end of that legal process. In Kalimpak, a legal battle took place between the owner and a businessman claiming his rights over part of the landholding but the case concerned ownership and not financial compensation per se.

Table 7.1 Type of Crop and Landowner Resistance in Case Studies

CARP Processes	Corn		Sugar	
	Salacan	Kalimpak	Manlayo	Dalag
Land Coverage	Weak no resistance to coverage; land was transferred through a voluntary mechanism	Strong* forced evictions; intimidation	Strong waiver agreement, bribe and forced evictions)	Strong waiver agreement; forced evictions
Land Compensation	Weak legal case filed to increase compensation but did not delay the installation process	Weak no legal case filed for increasing the compensation	Strong legal case to increase compensation; legal case to delay redistribution; change on the profit sharing arrangement with farmers	Strong legal case to increase compensation; collusion with state officials to benefit from the land two years after payment from the Land Bank

* The strong resistance in this case was not anticipated by our hypothesis

So how does the type of crop influence the implementation process of land reform? Our hypothesis was that landowner resistance on sugar lands would be stronger than on corn lands because sugar provides more incentives to landowners to resist the processes of land coverage and land compensation. Comparing the resistance of landowners on corn lands and sugar lands

showed that our hypothesis was sound and that the type of crop does have an influence on the implementation process of land reform. The data also underscored the importance of taking into account the possibility of land conversion as a factor which might increase the resistance expected from landowners on corn lands.

7.1.2 The Tenurial Status

The second part of the question which we will address here is: how does the tenurial status influence the strength of landowner resistance to key CARP processes? Our hypothesis is that being a farmworker, rather than a tenant, leads to stronger resistance of the landowners and their allies to the implementation of land reform. We argued that this resistance will particularly affect the processes of ARB identification and installation. To address this question, we chose two possible variations of our independent variable: *tenants* and *farmworkers*. The tenurial status makes a difference within these two processes because tenants, who have contracts with landowners and live on a determined lot located in the landholding, are easier to identify and install than farmworkers whose relationship with the landowner is based simply on wage labour, who live outside the landholding and who do not have a specific lot to till. Once again, we characterize the landowners' resistance as either *weak* or *strong* based on the narrative of the case studies. The results are discussed further below.

The Influence of the Tenurial Status on the Identification of ARBs. Once a landholding has been identified for coverage, the next important process in the implementation of land reform is the identification of the potential ARBs. The ARBs are identified by the DAR officials who consult with the farmers, the people living in the area and the landowner to establish a list. Resistance to that process on the part of the landowner may include such strategies as creating an alternative list of ARBs or filing a petition for inclusion of new ARBs in order to force DAR to revise the lists and thus significantly delay the process. The land title, or CLOA, cannot be issued to the farmers as long as the list of ARBs has not been finalized. In cases involving tenants, this process is expected to lead to only weak resistance as the farmers already live on the land and are easy to identify according to the specific lots they occupy. In cases involving farmworkers, the landowner resistance is expected to be strong because in absence of a formal contract and of a determined lot within the landholding, the farmers can more easily be excluded from the list or scared away by the landowners. The comparison between tenants and farmworkers fully supports our hypothesis that landowner resistance to

the process of identification of the ARBs is stronger when cases involve farmworkers than when they involve tenants.

Resistance to Identification of ARBs Process: Farmworkers versus Tenants. In the cases where tenants were involved, there was no resistance from the landowners to the process of identification of the ARBs. In Salacan, the farmers even said that the landowner helped them during that phase. And in Manlayo, while the two lessees obstructed the land reform implementation in many ways, they made no attempt to resist the identification of the ARBs. In the cases where farmworkers were involved however, it's a different story. In Kalimpak, the first obstacle to the identification of ARBs was the fact that through harassment and intimidation, the landowner had scared the farmers away from the land and forced them to hide in the surrounding mountains. When NGOs visited the farmers in the mountains to encourage them to add their names to the list of potential beneficiaries, most of them hesitated and took a long time to agree as they feared the reaction of the landowner and the overseer. And even once the process was well engaged and a CLOA was issued to the ARBs years later, the landowner submitted a new list of ARBs to be included in the CLOA which led the DAR to investigate and thus delay the process once again. In Dalag, the landowner introduced names of illegitimate ARBs in the first CLOA issued in 1995 to try and instill conflict within the farmers' community. When that did not work, the landowner filed a petition for inclusion to have more of his loyal farmers from other estates in the province listed as ARBs, prompting the DAR to investigate and thus delay the process. The forced eviction of farmers in 1988 and the waiver agreements signed by others further complicated the identification of legitimate ARBs.

The Influence of the Tenurial Status on the Installation of ARBs. The installation of the farmers is the last phase in the implementation of land reform. To be sure, the agrarian reform program doesn't end with the installation of the farmers: support services also need to be provided to the farmers afterwards. The installation phase is only the last phase of what we are concerned with in this thesis, which is the redistribution of land and refers to the farmers physically occupying the land and tilling it at their own will. The resistance to the installation process generally takes an extra-legal form. The reason is that once the landowners have received financial compensation from the Land Bank and the farmers have been issued the legal title to the land (CLOA), there remains no legal ground on which the landowner can oppose the installation of the ARBs. At that point then, the use of threats and violence remains the best way to keep the farmers off the land. This violence also does not have to occur specifically

after the issuance of the CLOA to be an impediment to the installation. Past episodes of harassment and intimidation are often sufficient to instil fear in the farmers' community and make them very cautious about entering the land again. In cases involving tenants, the resistance to the installation process is expected to be minimal as the farmers are already occupying the land and have been there for years, often generations. The farmworkers however require a real installation to start occupying the land. In their case, that installation can be prevented by the landowner's threats or intimidation, past or present. The comparison between tenants and farmworkers fully support our hypothesis that landowner resistance to the installation process is stronger when cases involve farmworkers than when they involve tenants.

Resistance to Installation of ARBs Process: Farmworkers versus Tenants. In the cases involving tenants, in Salacan and Manlayo, there was no resistance to the installation of the ARBs. In Salacan, the farmers were already living on specific family lots and thus were automatically 'installed' once they received their mother CLOA. In Manlayo, the families of the ARBs had been tilling the land for generations. Upon the issuance of the CLOA, their installation was also a simple formality. The ceremony organized with the DAR Secretary a few weeks later was simply a matter of protocol which didn't change anything for the farmers who were now occupying and tilling the land for their own profit. In the cases involving farmworkers, the installation was more tumultuous. In Dalag, the ARBs received their CLOA in 2005. Their installation however was far from automatic. The farmers were waiting for the DAR to organize a safe installation because they feared that the landowner would send their own private army to remove them. Two years passed however and there had been no sign of an imminent installation. Thus with the help of PhilNet, they staged a land occupation in 2008 to take possession of the land which had legally been theirs since 2005. When the DAR organized an 'official' installation in May 2008, although the farmer had already been there for a few months, they still came accompanied by police officers, fearing the reaction of the landowner. In the case of Kalimpak, the long history of harassment and intimidation organized by the landowner's side made the farmers fear from their safety. To force the hand of the DAR in delivering the CLOA for the 54-hectare lot of the landholding, the farmers and FARDEC staged a land occupation in 1999. Fearing the reaction of the landowner however, they had been careful to get media coverage and secure strong public support prior to their move. On the other part of the landholding, the 51-hectare lot, the issuance of the CLOA had been pending because of a legal dispute over ownership of the lot. Thus farmers and FARDEC also launched

a land occupation on that lot in 2005. As a result of past harassment and intimidation however, the farmers still went back to hide in the mountains after their work day on the land.

Table 7.2 Tenurial Status and Landowner Resistance in Case Studies

Landowner Resistance to CARP Processes	Tenants		Farmworkers	
	Salacan	Manlayo	Kalimpak	Dalag
Identification of ARBs	Weak No resistance; the landowner even helped	Weak No resistance	Strong Harassment; presentation of an alternative list of ARBs	Strong Inclusion of illegitimate ARBs in the CLOA by the landowner; Evictions
Installation of ARBs	Weak No resistance; installation was automatic upon reception of the CLOA	Weak No resistance; installation was automatic upon reception of the CLOA	Strong Harassment and fear kept many in the periphery; it took two land occupations to install the farmers	Strong Fear of harassment kept farmers away during three years after reception of the CLOA; It took a land occupation to install them

So how does the tenurial status influence the implementation process of land reform? Our hypothesis was that landowner resistance in cases involving farmworkers would be stronger than in those involving tenants because while tenants are easy to identify and install due to their previous contract agreements with the landowner and their occupation for years of a specific lot, the farmworkers are more difficult to identify as legitimate ARBs and easier to scare away. The comparison between cases involving tenants and those involving farmworkers supports our hypothesis. The process of ARB identification has been strongly resisted by landowners in cases involving farmworkers - through petitions for inclusion, alternative lists of

ARBs and evictions - while there was no sign of resistance in cases involving tenants. The installation process was also the site of stronger resistance in cases involving farmworkers than in cases involving tenants, relying on harassment, intimidation and fear to keep the farmers from entering the land.

7.2 Second Research Question

7.2.1 Three Structural Settings

Comparing the influence of the type of crop and tenurial status on the land reform implementation process stems from the need to evaluate the level of contentiousness of private landholdings covered by the CARP in order to anticipate the strength of landowner resistance and the expected implementation outcome. The previous comparisons showed that the type of crop and tenurial status variables could lead to weak or strong landowner resistance to four different processes of land reform: the land coverage, the identification of ARBs, the land compensation, and the installation of ARBs. We argue that the levels of contentiousness – what we call here *structural settings* - can be predicted by taking into account the expected landowner resistance resulting from the type of crop and tenurial status in a particular case. As we have showed previously, a case involving a sugar land and farmworkers is likely to induce strong landowner resistance to the four aforementioned processes of land reform, making the structural setting of that case a *highly contentious* one. A case combining either a sugar land and tenants or a corn land and farmworkers is likely to induce strong landowner resistance to two land reform processes, making the structural setting a *moderately contentious* one. Finally, a case involving a corn land and tenants should lead to only weak resistance from the landowners to all the processes, making the structural setting of that case a *somewhat contentious* one.

A rigid interpretation of the model however would fail to take into account some possible combinations of landowner resistance. In Table 1.4, we can see that the model would allow only for cases in which landowners put up strong resistance to zero, two, or four processes. This would leave out the possibility for landowners to put strong resistance to one or three of the processes. To include all possible variations in our model, we categorized the three structural settings according to the number of processes to which landowners put up strong resistance.

Thus we argue that the combinations of landowner resistance to the four different processes of land reform should be categorized as follows: strong resistance to three or four processes makes the case *highly contentious*; strong resistance to two processes makes the case *moderately contentious*; and strong resistance to one or none of the process makes the case *somewhat contentious*. We call these levels of contentiousness structural settings because they are elements which affect the patterns of behaviour of the landowners and their allies. According to our typology, two of our case studies (Dalag and Kalimpak) take place in a highly contentious; one (Manlayo) takes place in a moderately contentious structural setting; and one (Salacan) takes place in a somewhat contentious structural setting.

7.2.2 Structural Settings and Expected Implementation Outcomes

The type of crop and the tenurial status have an influence on the strength of landowner resistance to key CARP processes which results in different structural settings. These three structural settings in turn are helpful to predict the final outcome of land reform implementation in specific cases. We distinguish between three different final outcomes based on the amount of land attributed to the farmers and the delays to install them. A full implementation occurs when farmers receive all the land they were entitled and are installed within five years following the issuance of the NOC. A partial implementation is one where farmers either receive less land than what they were entitled to or experience long delays in their installation. A weak implementation is one where farmers receive less land than what they were entitled to and experience long delays in their installation.

It has been said before that within a state/society driven model of land reform, the participation of the farmers themselves is crucial to ensure the proper implementation of the program. Thus we argue that the final outcome of land reform implementation can be anticipated based on the structural setting of the case provided that there is a minimum of peasant mobilization. On that basis, we argue that a highly contentious setting will lead to a weak implementation; that a moderately contentious setting will lead to a partial implementation; and that a somewhat contentious setting will lead to a full implementation.

The rationale here is that the structural setting (our independent variable) influences the expected outcome (dependant variable) of land reform implementation. The peasant strategy however acts as an process variable which can alter the expected outcome (dependent variable). We have identified three possible variations of our process variable, or three different peasant strategies, as well as their impact on the expected outcome. The peasant

mobilization strategy is used as our ‘baseline scenario’. Using that strategy should not change the expected outcome because it is the minimum needed to ensure a ‘normal’ implementation. Another possible strategy, which has been used by farmers in one of our case studies (Salacan), is the risk avoidance strategy. By using this strategy, the peasants consciously make the choice of not mobilizing and not allying themselves to CSOs. Because that strategy does not involve the minimum of peasant mobilization, it should weaken the expected outcome of implementation. The third strategy is the bibingka strategy. This strategy relies not only on peasant mobilization but also on an alliance with CSOs and dialogue with DAR officials. This more integrated strategy should strengthen the expected outcome of implementation.

Four case studies are not enough to cover all the possibilities which are listed in our Conceptual Model A. (See Table 1.7) Our four case studies however allow us to proceed to two comparisons: comparing the impact of the bibingka strategy on the implementation outcome in two different structural settings; and comparing the impact of the bibingka strategy and risk avoidance strategy on the implementation outcome.

7.2.3 Structural Settings, Peasant Strategies, and Implementation Outcomes of the Four Case Studies

Comparing the Impact of the Bibingka Strategy on the Expected Implementation Outcome in Two Different Structural Settings. In three of our four case studies, peasants have opted for the bibingka strategy in order to secure their rights over the land they were entitled to under the land reform program. In two of these cases, Dalag and Kalimpak, the bibingka strategy was used within a highly contentious structural setting. In the other case, Manlayo, the same strategy was used but within a moderately contentious structural setting. Here we compare the implementation outcomes of the bibingka strategy according to the structural setting.

In all three cases, peasants have mobilized, they have allied themselves with CSOs, and they have supported dialogue with DAR officials. However in the cases taking place within a highly contentious setting, the bibingka strategy led to a partial implementation; in the moderately contentious structural setting, it led to a full implementation. Although all three groups of farmers in the end received all the land they were entitled to, the farmers of Dalag were installed 15 years after the issuance of the NOC, those of Kalimpak had to wait at least 13 years (Lot A) and 20 years (Lot B) and after Manlayo farmers only waited four years. The main difference in the implementation outcome thus is the delay of installation. The structural setting thus constrained the possibility of a full implementation in Dalag and Kalimpak.

This difference in the delay of implementation between the cases can be attributed mainly to the fact that the farmers of Dalag and Kalimpak were farmworkers and that those of Manlayo were tenants. The landowners' resistance to the process of identification of ARBs has been delaying the process significantly in Dalag where inclusion procedures initiated by the landowner slowed the implementation process between 1995 and 2005; as well as in Kalimpak where most of the farmers were still waiting for their mother CLOA in 2008. Being tenants facilitated that process for the Manlayo farmers.

Another important difference resulting from the tenurial status should be noted here in terms of strategies. In Dalag and Kalimpak, the peasants each staged two land occupations in order to pressure the process while no such strategy was used in Manlayo. Being farmworkers, the peasants of Dalag and Kalimpak faced stronger resistance to their installation and had to take stronger measures in order to enter the land. This and the unexpected resistance to land coverage in the case of Kalimpak suggest that the tenurial status variable may have more weight than the type of crop on the strength of landowner resistance. This is an issue that could be explored further in another study.

It is also interesting to note that while Dalag peasants were working with PhilNet and Kalimpak farmers were working with FARDEC, both groups used land occupation as a strategy to push forward the implementation process. Both groups also entered into dialogue with DAR officials at various levels. Thus the fact that FARDEC is identified as a more radical group than PhilNet made no difference between the groups in terms of strategy, unlike the type of structural setting. One again, this is an issue which would deserve further research.

Comparing the Impact of the Bibingka Strategy and of the Risk Avoidance Strategy on the Implementation Outcome. In three of our case studies, peasants have opted for the bibingka strategy. In the other case, they have opted for the risk avoidance strategy. Here we compare the different impact of both strategies on the expected implementation outcome. For this comparison, it is not the structural setting itself which we focus on but the *strengthening* or *weakening* of the expected outcome.

The three cases where peasants have opted for the bibingka strategy took place in two different structural settings. In a highly contentious setting, the bibingka strategy led to a partial implementation while in the moderately contentious setting, it led to a full implementation.

The important thing to note here is that in all three cases, the use of the bibingka strategy strengthened the expected outcome, turning an expected partial implementation into a full one in the moderately contentious setting of Manlayo, and turning an expected weak implementation into a partial one in Dalag and Kalimpak. These three case studies show that the bibingka strategy strengthens the expected outcome of land reform implementation, whatever the structural setting.

The only case where peasants have opted for the risk avoidance strategy took place in a somewhat contentious structural setting. In such a context, a minimum of peasant mobilization – which we use as our baseline scenario – should have led to a full implementation. However because the risk avoidance strategy does not meet the necessary requirement of peasant mobilization, it had a weakening effect on the implementation outcome: rather than a full implementation, the outcome of that particular case was a partial implementation where tenants received smaller lots than what they were entitled to.

The comparison between the outcomes of both strategies show that while we cannot predict the implementation outcome of a case based solely on the chosen peasant strategy, it is possible to anticipate the effect of that strategy on the expected outcome if we also take into consideration the structural setting within which the case it is taking place.

7.3 Summary of Chapter Seven

The comparisons to which we proceeded in Chapter Seven have led to several findings which have enriched our understanding of the links between the variables of our two main research questions. Regarding the first research question, we found that the strength of landowner resistance was *generally* stronger to the processes of land coverage and land compensation in cases involving sugar lands than in cases involving corn lands. The case of Kalimpak however – where landowner resistance was strong despite the presence of a corn land – illustrated the limits of our Conceptual Model A (Table 1.4) and indicated the need to take additional structural features into account, such as the possibility of land conversion, in order to increase our model's ability to predict landowner resistance. We also found that the landowner resistance to the processes of identification and installation of ARBs was stronger in cases involving farmworkers than in those involving tenants, this time without exception. As for our second main research question, we also addressed through two comparisons, The first one showed that we cannot predict the outcome of a land reform implementation only on the basis of the strategy used by peasants, In the three cases in which peasants relied on the bibingka

strategy, the two cases taking place in a highly contentious structural setting ended up in a partial implementation while the case taking place in a moderately contentious structural setting ended up as a full implementation. This suggests that the structural setting plays an important role in constraining the implementation outcome of land reform despite the use of the bibingka strategy. The second comparison was a complement of the previous one as it showed that the implementation outcome of land reform can also not be predicted by looking only at the structural setting. In the three cases in which it was used, the bibingka strategy strengthened the expected implementation outcome; and in the only case in which it was used, the risk avoidance strategy weakened the expected implementation outcome. The conclusion here is that it is only by taking into account the interaction between the independent variable of structural settings and the process variable of peasant strategies that we may succeed in anticipating the implementation outcome of specific cases of land reform.

CONCLUSION

Summary

The implementation of land reform under CARP in the Philippines has been more successful than what most observers had predicted at the outset in 1988. The state/society-driven model of implementation designed as a compromise between a liberal approach and a state-led model pushed by peasants and civil society on one side, and a conservative approach and market-led model advocated by the landed elite on the other made the success of implementation contingent upon the interactions between peasants, civil society organizations, state actors, and landowners. Author and activist Jun Borras explained that in such a state/society-driven model of land reform, the cases of successful redistribution on contentious landholdings could be attributed to the use of the *bibingka* strategy. This strategy rests on the combination of peasant mobilization, CSO involvement and positive interactions with state officials against landowner resistance. When the coalition of the pro-reform side is stronger than the coalition of the landowner's anti-reform side, then redistribution occurs. The *bibingka* strategy is said to have led to significant results in terms of redistributing contentious lands under the leadership of former DAR Secretary Ernesto Garilao, during the administration of President Fidel Ramos. Since then, the political opportunity for successful implementation has decreased, especially under the administration of President Arroyo.

Although they may not be as numerous as they could or should be, successful cases of land reform implementation have also occurred under administrations other than that of Fidel Ramos and encourage us to look for other factors which may explain the outcome of particular land struggles. We have argued that improving our understanding of the way in which land struggles unfold requires to pay more attention to the particular structural setting of individual cases - and to the strength of landowner resistance they induce - as well as to the impact of peasant strategies on the implementation outcome. This thesis was thus organized around two main research question.

Our first research question asked: what is the influence of specific structural elements – namely the type of crop and the tenurial status of farmers – on the strength of landowner resistance to key CARP processes? We have showed through our four case studies that these two variables - the type of crop and tenurial status - had an influence on four specific processes of land reform.

Using corn lands and sugar lands to compare the influence of different types of crops, the data gathered from the case studies showed that cases involving corn lands led to weak landowner resistance to the processes of land coverage and land compensation while the presence of sugar lands led to strong resistance to the same processes. A first argument used to explain this observation is that corn lands had already been identified for redistribution in the 1970s under Marcos' PD 27 while sugar lands were so contentious that their redistribution was delayed until a second phase of CARP implementation in the 1990s. This provided less incentive for landowner resistance to land coverage on corn land than on sugar land. A second argument is that more financial benefits can be reaped from the production of sugar than from the production of corn, making the incentive to have the land exempted from coverage and to increase the financial compensation higher for owners of sugar lands than for owners of corn land. The comparisons between both types of crops generally confirmed our hypothesis that landowner resistance to land coverage and land compensation is stronger in cases involving sugar lands than in those involving corn lands. However one case study, the case of Kalimpak, reminded us of the limits of our Conceptual Model A and underscored the need to take more structural features into account in order to improve the model's ability to predict the strength of landowner resistance.

Using tenants and farmworkers as two possible variations of the tenurial status variable, we have shown through the case study that the presence of tenants led to weak landowner resistance to the processes of identification and installation of the ARBs while the presence of farmworkers led to strong landowner resistance to both processes. The arguments used to explain this observation is that because tenants have contract agreements with the landowners and because they have been occupying specific lots on the landholding for years, sometimes generations, they are much easier to identify as potential ARBs than the farmworkers who could more easily be dismissed by landowners or scared away from the land. The same arguments apply to the installation process as landowners can oppose more resistance to farmworkers attempting to enter the land than to tenants who have already been there for years. Comparing cases involving farmworkers with those involving tenants also supported our hypothesis which stated that cases involving farmworkers would lead to stronger resistance to the processes of identification and installation of ARBs than cases involving tenants.

Our second research question asked: how do peasant strategies influence the outcome of land reform implementation? In this question, the peasant strategy was used as an process variable altering the influence of the structural setting on the implementation outcome. The structural

setting, our independent variable, is the result of the different combinations of landowner resistance discussed in the analysis of our first research question. The strength of landowner resistance that can be expected to these four specific processes of land reform thus largely depends on the type of crop and tenurial status involved in a specific case. The strength of landowner resistance to these processes in turn is reflected in the level of contentiousness of the structural settings. The three structural settings which we have identified are the highly, moderately and somewhat contentious settings. These settings allow us to anticipate the outcome of land reform implementation in specific cases, based on the level of landowner resistance to the four specific processes of land reform.

We distinguished three possible implementation outcomes: full, partial and weak implementation. A full implementation is one where farmers receive all the land they are entitled to and are installed within five years of the issuance of the NOC. A partial implementation is one where one of these conditions is not met while a weak implementation means that none of the two conditions are met. In a highly contentious setting, the expected outcome is supposed to be a full implementation. In a moderately contentious setting, it is expected to be a common implementation and in a somewhat contentious setting, we expect a full implementation to occur. These outcomes however also depend on the type of peasant strategy used.

The baseline scenario for implementation to occur as expected according to the structural setting is that peasants rely on mobilization as their strategy to push for land reform. We have however identified three peasant strategies that can influence the implementation outcome of land struggles in specific structural settings. The first one, as we mentioned, is peasant mobilization alone. Because peasant mobilization is a minimum requirement for success in a state/society-driven model of land reform, it is not expected to change the implementation outcome associated with a particular structural setting. The risk avoidance strategy however was expected to weaken the implementation outcome. And the bibingka strategy, on the contrary, was expected to strengthen the expected outcome.

What our analyses showed was that independently, structural settings and peasant strategies cannot predict the implementation outcome of specific land struggles. The cases in which peasants used the bibingka strategy had different outcomes when taking place in different structural settings; and the expected outcome of the Salacan case was weakened by the use of the risk avoidance strategy while the bibingka strategy strengthened the implementation

outcome of the cases of Dalag, Kalimpak, and Manlayo. These findings underline the importance of taking into account both structure and agency, structural settings and peasant strategies, to understand and anticipate the implementation outcome of specific land struggles.

Limits of the Thesis

We mentioned on several occasions in this thesis that our conceptual model for our first research question was incomplete. The case of Kalimpak showed that we need to take into account additional structural features to be able to better predict the strength of landowner resistance to land reform. It has never been our pretention that this conceptual model was complete and that it exhausted all structural features. The type of crop and the tenurial status appeared to be the basic elements of a structural setting but other features such as the possibility of land conversion or the type of landowner (traditional elite, religious organizations, corporations, etc.) should definitely be taken into account in an eventual ‘upgrading’ of that model.

The criteria which we used to establish the ‘quality’ of an implementation outcome are also limited. The amount of land received and the delay of implementation may not be the most important elements for the farmers themselves who might attribute more value to a peaceful transition or security for example. This issue could also be explored further.

In general, our findings can also not be generalized to all the cases of land reform in the Philippines. Four cases do not constitute a large enough sample to make such generalizations. Although it has uncovered some interesting patterns, this thesis has taken into account a limited number of variables in what constitutes a very complex process.

Issues to Explore

Throughout the presentation of this thesis, issues that did not fit our analytical framework but would be potentially interesting to explore in further studies were numerous. For one, the similarity in the strategies used by PhilNet and FARDEC, such as land occupations and critical engagement with DAR officials, questions the relevance of the labels often applied to these two organizations. While PhilNet is considered a moderate organization which we expect to engage with DAR officials, the same engagement from a group close to KMP and associated with the radical Left is more surprising.

During our interviews and our analysis of the case studies, it became clear that in each case study, only a few peasants were actively involved in the land reform struggle. Many are only slightly aware of the land reform process and simply rely on what the leaders tell them. This underscores the important role that these leaders play in these communities in terms of decision-making regarding strategies to adopt to push for land reform.

Contribution of the Thesis

It is our hope that this thesis has been able to contribute to the literature on land reform in the Philippines in general and that it has provided useful data to partially fill in the gaps around the bibingka strategy. Through our first research question, we have shown the other side of the struggle for land reform, i.e. the landowner resistance to CARP processes and the structural features that influence the strength of that resistance. In addressing our second research question, we also showed that relying on agency and peasant strategies alone to anticipate the results or the outcome of particular land struggles is not sufficient: the context within which these cases take place, with their specific structural features, also play a determining role.

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Interviews

Interview #1 with Three CSO Members. Cebu City, Cebu. June 25, 2008.

Interview #2 with a DAR Official. Asturias, Cebu. June 26, 2008.

Interview #3 with a Farmer of Asturias. Asturias, Cebu. June 26, 2008.

Interview #4 with a Farmer of Asturias. Asturias, Cebu. June 26, 2008.

Interview #5 with a Peasant Leader of Bogo. Bogo City, Cebu. June 28, 2008.

Interview #6 with a CSO Member. Cebu City, Cebu. July 8, 2008.

Interview #7 with a Farmer of Minglanilla. Minglanilla, Cebu. July 11, 2008.

Interview #8 with a Farmer of Minglanilla. Minglanilla, Cebu. July 11, 2008.

Interview #9 with a Farmer of Minglanilla. Minglanilla, Cebu. July 11, 2008.

Interview #10 with a DAR Official. Bogo City, Cebu. July 16, 2008.

Interview #11 with Two farmers of Asturias. Asturias, Cebu. July 17, 2008.

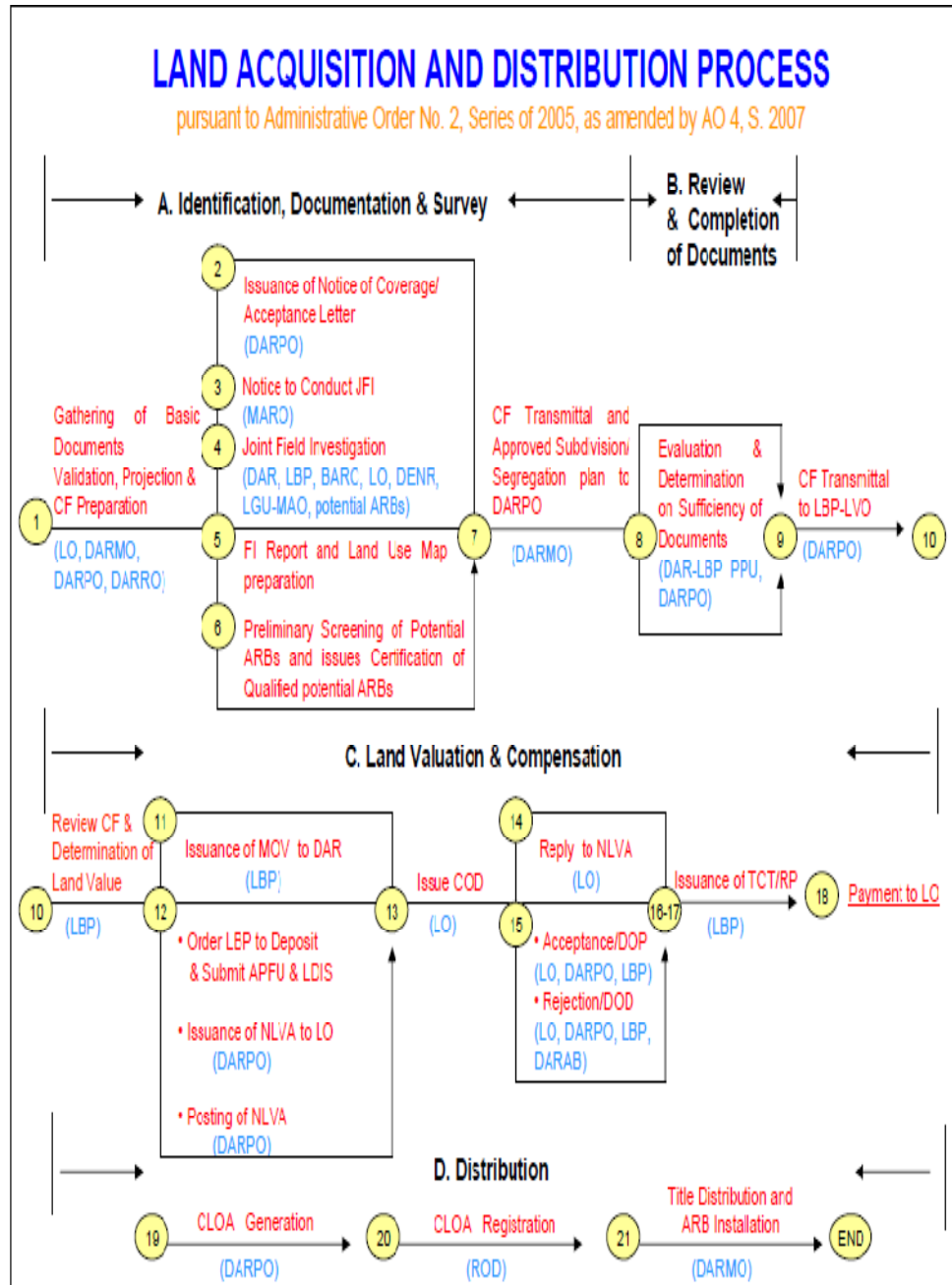
Interview #12 with Three farmers of Asturias. Asturias, Cebu. July 17, 2008.

Interview #13 with a DAR Official. Cebu City, Cebu. July (18-22), 2008.

- Interview #14 with a Farmer of Bogo. Bogo City, Cebu. July 23, 2008.
- Interview #15 with a Farmer of Bogo. Bogo City, Cebu. July 23, 2008.
- Interview #16 with a Farmer of Minglanilla. Minglanilla, Cebu. July 24, 2008.
- Interview #17 with a Farmer of Minglanilla. Minglanilla, Cebu. July 24, 2008.
- Interview #18 with a Farmer of Minglanilla. Minglanilla, Cebu. July 24, 2008.
- Interview #19 with a Farmer of Minglanilla. Minglanilla, Cebu. July 24, 2008.
- Interview #20 with a CSO Member. Cebu City, Cebu. July 25, 2008.
- Interview #21 with a Farmer of Bogo. Bogo, Cebu. July 26, 2008.
- Interview #22 with a Farmer of Bogo. Bogo, Cebu. July 26, 2008.
- Interview #23 with a Farmer of Bogo. Bogo, Cebu. July 26, 2008.
- Interview #24 with a DAR Official. Cebu City, Cebu. July (27 or 28), 2008.
- Interview #25 with a Farmer of Medellin. Medellin, Cebu. July 29, 2008.
- Interview #26 with a Two Farmers of Medellin. Medellin, Cebu. July 29, 2008.
- Interview #27 with Two Farmers of Medellin. Medellin, Cebu. July 29, 2008.
- Interview #28 with a Farmer of Medellin. Medellin, Cebu. July 29, 2008.
- Interview #29 with a DAR Official. Cebu City, Cebu. August 2008.
- Interview #30 with a DAR Official. Cebu City, Cebu. August 2008.
- Interview #31 with a DAR Official. Cebu City, Cebu. August 2008
- Interview #32 with a DAR Official. Cebu City, Cebu. August 2008
- Interview #33 with a CSO Member. Cebu City, Cebu. August 2008.
- Interview #34 with a DAR Official. Cebu City, Cebu. August 2008.
- Interview #35. Interview Conducted with a CSO Member. Cebu City, Cebu. August 2008.
- Interview #36. Interview Conducted with a CSO Member. Cebu City, Cebu. August 2008.
- Interview #37. Interview Conducted with a DAR Official. Cebu City, Cebu. August 2008.
- Interview #38 with a CSO Member. Cebu City, Cebu. August 2008.
- Interview #39 with a Farmer of Medellin. Bogo City, Cebu. July 2008.

ANNEX 1

CARP'S LAND ACQUISITION AND DISTRIBUTION PROCESS



ANNEX 2
CARP LAND DISTRIBUTION STATUS

CARP LAND DISTRIBUTION STATUS As of December 2008					
		SCOPE	ACCOMP.		BALANCE
	AREA (In Hectares)	5,163,751	4,106,528	80%	1,057,223
	NO. OF ARBs	3,017,254	2,387,479	79%	629,775
	AREA (In Hectares)	3,837,999	3,291,147	86%	546,852
	NO. OF ARBs	2,847,012	2,189,777	77%	657,235
TOTAL	AREA (In Hectares)	9,001 750	7,397,675	82%	1,604,075
CARP	NO. OF ARBs	5,864,266	4,577,256	78%	1,287,010

ENDNOTES

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- ² IBON Foundation, « Neoliberal Offensive: impact on Agrarian Reform in the Philippines », in Ujjani Halim, ed., *Neoliberal Subversion of Agrarian Reform* (Quezon City: Asia-Pacific Research Network and IBON Books, 2006), 94.
- ³ The DAR was reporting 80% and the DENR, 86%. The total CARP rate of accomplishment as 2008 was 82%. See DAR, *CARP Land Distribution Status as of December 2008* (Quezon City: Department of Agrarian Reform, Planning Service, 2009).
- ⁴ Section 24 of RA 6657 states: « The rights and responsibilities of the beneficiary shall commence from the time the DAR makes an award of the land to him (...) ».
- ⁵ In Section 27 of RA 6657 it is stated: « Lands acquired by beneficiaries under this Act may not be sold, transferred or conveyed except through hereditary succession, or to the government, or to the LBP, or to other qualified beneficiaries for a period of ten (10) years (...) ».
- ⁶ Rosario Bella Guzman, *Macroeconomic Benefits from Genuine Agrarian Reform* (Quezon City: IBON Foundation, 2009). This paper was presented on May 20, 2009 during the deliberation by the House of Representatives Committee on Agrarian Reform on House Bill No. 3059.
- ⁷ Walden Bello, Herbert Docena, Marissa De Guzman and Marylou Malig, *The Anti-Development State: The Political Economy of Permanent Crisis in the Philippines* (Quezon City: University of the Philippines and Focus on the Global South, 2005), 33.
- ⁸ Borras Jr., *The Bitingka Strategy in Land Reform Implementation*.
- ⁹ This thesis is part of a larger research project called ChATSEA or The Challenges of Agrarian Transition in Southeast Asia. This collaborative research initiative brings together established scholars and graduate students from Southeast Asia, Canada, Australia and Europe. It seeks innovative understandings of the agrarian transformation in Southeast Asia by developing a framework that moves beyond classical theories of the agrarian transition and reflects both current circumstances in Southeast Asian societies experiencing the transition, and new approaches to social theory.
- ¹⁰ To preserve the anonymity of the peasants who agreed to be interviewed for this thesis, we changed the name of the barangays as well the name of the peasants. The name of the municipalities however have not been changed.
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- ¹² World Bank, *Agriculture Investment Sourcebook: Agriculture and Rural Development* (Washington D.C.: World Bank, 2005), 386.
- ¹³ Victor T. King and William D. Wilder, *The Modern Anthropology of South-East Asia: an Introduction. Volume I* (London: Routledge, 2003), 256.
- ¹⁴ Massimo Salvadori, *Karl Kautsky and the Socialist Revolution, 1880-1938* (London: Verso Modern Classics, 1990), 58.
- ¹⁵ Robert D. Stevens, ed., *Tradition and Dynamics in Small-Farm Agriculture. Economic Studies in Asia, Africa, and Latin America* (Ames: Iowa State University Press, 1977), 17.
- ¹⁶ Michael Lipton, *The Family Farm in a Globalizing World: The Role of Crop Science in Alleviating Poverty* (Washington D.C.: International Food Policy Research Institute, 2005), 4.
- ¹⁷ King and Wilder, *The Modern Anthropology of South-East Asia*, 256.
- ¹⁸ Yujiro Hayami, Ma. Agnes R. Quisumbing, and Lourdes S. Adriano, *Toward an Alternative Land Reform Paradigm: A Philippine Perspective* (Quezon City: Ateneo de Manila Press University, 1993), 83-84.
- ¹⁹ Peter Rossett, Rajeev Patel, and Michael Courville, eds., *Promised Land: Competing Visions of Agrarian Reform* (Oakland: Food First Books, 2006), 7.
- ²⁰ Klaus Deininger and Julian May, *Can There be Growth with Equity* (Washington D.C.: World Bank, 2001), 1.
- ²¹ Hans P. Binswanger-Mkhize, Camille Bourguignon and Rogier Van Den Brink, eds., *Agricultural Land Redistribution: Towards Greater Consensus on the How Agriculture and Rural Development* (Washington D.C.: World Bank, 2009), 11.
- ²² Keith Griffin, *Land Concentration and Rural Poverty* (London: Macmillan Press, 1976), 7.
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- ²⁸ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 1.
- ²⁹ Dekker, *In Pursuit of Land Tenure Security*, 3.
- ³⁰ Henry Bernstein, « 'Changing Before Our Very Eyes': Agrarian Questions and the Politics of Land in Capitalism Today », *Journal of Agrarian Change* 4(2004), 194.
- ³¹ Bernstein, « 'Changing Before Our Very Eyes' », 199. Italics in the original.
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- ³⁴ A. Haroon Akram-Lodhi, A. Haroon, « Review Essay: Land Reform, Rural Social Relations and the Peasantry », *Journal of Agrarian Change* 7 (2007), 556.
- ³⁵ Borras Jr., *Competing Views and Strategies on Agrarian Reform. Volume I*, 9.
- ³⁶ *Ibid.*, 8.
- ³⁷ *Ibid.*, 9-10.
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- ³⁹ Eric Wolf, *Peasant Wars Of The Twentieth Century* (University of Oklahoma Press, 1999).
- ⁴⁰ Borras Jr., *Competing Views and Strategies on Agrarian Reform. Volume I: International Perspective*, 8.
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- ⁴² Jeffrey Riedinger, Wan-Ying Yang and Karen Brook , « Market-Based Land Reform: An Imperfect Solution » in Horacio Morales and James Putzel, eds., *Power in the Village: Agrarian Reform, Rural Politics, Institutional Change and Globalization* (Quezon City: University of the Philippines Press, 2001), 363.
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- ⁴⁴ Henry Bernstein and Terence J. Byres, "From Peasant Studies to Agrarian Change", *Journal of Agrarian Change* 1 (2004), 30.
- ⁴⁵ Borras Jr., *Competing Views and Strategies on Agrarian Reform. Volume I: International Perspective*, 8.
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- ⁴⁹ Jennifer C. Franco and Saturnino M. Borras Jr., « Struggles Over Land Resources in the Philippines », *Peace Review*, 19 (2007), 70.
- ⁵⁰ IFAD, *Rural Poverty Report 2001. The Challenge of Ending Rural Poverty* (Rome: International Fund for Agricultural Development, 2001), 75.
- ⁵¹ Klaus Deininger, « Land Access and Markets » in Horacio Morales and James Putzel, eds., *Power in the Village: Agrarian Reform, Rural Politics, Institutional Change and Globalization* (Quezon City: University of the Philippines Press, 2001), 354.
- ⁵² Franco and Borras Jr., « Struggles Over Land Resources in the Philippines », 74.
- ⁵³ Michael Courville and Raj Patel, « Introduction and Overview. The Resurgence of Agrarian Reform in the Twenty-First Century », 4.
- ⁵⁴ Riedinger, Yang and Brook , « Market-Based Land Reform: An Imperfect Solution », 366.
- ⁵⁵ *Ibid.*, 369.
- ⁵⁶ *Ibid.*, 366.
- ⁵⁷ Franco and Borras Jr., « Struggles Over Land Resources in the Philippines » , 74.
- ⁵⁸ Bernstein, « 'Changing Before Our Very Eyes' », 205.
- ⁵⁹ Riedinger, Yang and Brook , « Market-Based Land Reform: An Imperfect Solution », 364.
- ⁶⁰ Borras Jr., *Competing Views and Strategies on Agrarian Reform. Volume I: International Perspective*, 10.
- ⁶¹ *Ibid.*, 10-11.

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- ⁶² Barraclough, *Land Reform in Developing Countries: The Role of the State and Other Actors*, 36.
- ⁶³ Borrás Jr., *The Biting Strategy in Land Reform Implementation*, 22.
- ⁶⁴ *Ibid.*, 13.
- ⁶⁵ James Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 217.
- ⁶⁶ KMP stands for Kilusang Magbubukid ng Pilipinas. It was established in 1985.
- ⁶⁷ William J. Pomeroy, *The Philippines: Colonialism, Collaboration, and Resistance* (New York: Publisher International Publishers Co., 1992), 321.
- ⁶⁸ Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 218. See also Daniel B. Schirmer and Stephen Roskamm Shalom, *The Philippines Reader: A History of Colonialism, Neocolonialism, Dictatorship, and Resistance* (Cambridge, MA: South End Press, 1987), 379.
- ⁶⁹ PHILDHRRRA is a national network of NGOs seeking to build its members capacity to address agrarian reform and rural development. (See PHILDHRRRA's Website: <http://phildhrra.net/>) This coalition organized consultations at the village and the national levels which involved over 10,000 participants and culminated in a National Consultation on Agrarian Reform and Development in August 1986. These efforts were endorsed by the NGO Coalition for Agrarian Reform and Rural development (ANGOC) as well as by the Food and Agriculture Organization (FAO). See Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines* 1992: 217-218.
- ⁷⁰ Jennifer Franco, *Campaigning for Democracy: Grassroots Citizenship Movements, Less-than-Democratic Elections, and Regime Transition in the Philippines* (Quezon City: Institute for Popular Democracy, 2000), 281.
- ⁷¹ Gerard Clarke, *The politics of NGOs in South-East Asia: Participation and Protest in the Philippines* (London: Routledge, 1998), 124.
- ⁷² James Putzel, « Non-Governmental Organizations and Rural Poverty » in G. Sidney Silliman and Lela Garner Noble, eds., *Organizing for Democracy: NGOs, Civil Society, and the Philippine State* (Honolulu: University of Hawaii Press, 1998), 91.
- ⁷³ Clarke, *The politics of NGOs in South-East Asia: Participation and Protest in the Philippines*, 124.
- ⁷⁴ Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 246.
- ⁷⁵ Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*. See also Stuart S. Nagel and David Rosenblum, eds., *International Policy Studies: A Win-Win Curriculum* (New York: Nova Publishers, 2000), 140.
- ⁷⁶ Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*. See also Stuart S. Nagel and David Rosenblum, eds., *International Policy Studies: A Win-Win Curriculum*, 140. See also John Dixon and David Macarov, *Poverty: A Persistent Global Reality* (London: Taylor & Francis, 1998), 190.
- ⁷⁷ Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 276.
- ⁷⁸ Bello and al., *The Anti-Development State*, 33.
- ⁷⁹ Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 278.
- ⁸⁰ The market mechanisms on which CARP relies to redistribute land are the Voluntary Offer to Sell (VOS), the Voluntary Land Transfer (VLT), and the Stock Distribution Option (SDO). The confiscatory mechanisms are the Operation Land Transfer (OLT) inherited from Marcos PD27, and the Compulsory Acquisition (CA). See Chapter Two of this thesis for more information.
- ⁸¹ Dante Simbulan, *The Modern Principalia: The Historical Evolution of the Philippine Ruling Oligarchy* (Quezon City: The University of the Philippines Press, 2005), 14.
- ⁸² Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 43.
- ⁸³ Clarke, *The politics of NGOs in South-East Asia: Participation and Protest in the Philippines*, 74.
- ⁸⁴ Jennifer C. Franco, *Elections and democratization in the Philippines* (New York: Routledge, 2001), 83.
- ⁸⁵ Jennifer Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », *Journal of Development Studies*, 44 (2008), 1001.
- ⁸⁶ James Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines* (Quezon City: Ateneo De Manila University Press, 1992), 143.
- ⁸⁷ Bello and al., *The Anti-Development State*, 66.
- ⁸⁸ James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New haven, CT: Yale University Press, 1985).
- ⁸⁹ Henry Bernstein and Terence J. Byres, « From Peasant Studies to Agrarian Change », *Journal of Agrarian Change* 1 (2004), 33.
- ⁹⁰ Jennifer Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », 1002-03.
- ⁹¹ Franco and Borrás Jr., « Struggles Over Land Resources in the Philippines », 69.

⁹² Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », 1000-01.

⁹³ Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », 1001.

⁹⁴ In Tagalog, a bibingka is a cake that is baked in an oven at the same from above and from below. The bibingka thus represents the pressure from below and above that suggests the critical engagement strategy. The idea was inspired by Jonathan Fox's writing and image of the 'sandwich strategy'.

⁹⁵ Borras Jr., *The Bibingka Strategy in Land Reform Implementation*.

⁹⁶ In the case of private land redistribution, the implementing agency is the Department of Agrarian reform (DAR).

⁹⁷ Borras Jr., *The Bibingka Strategy in Land Reform Implementation*, 23.

⁹⁸ Suarez, *Agrarian Reform and Social Legislation*, 55.

⁹⁹ *Ibid.*, 55.

¹⁰⁰ Suarez, *Agrarian Reform and Social Legislation*, 59.

¹⁰¹ Esbern Friis-Hansen, Esbern, *Seeds for African Peasants: Peasants' Needs and Agricultural Research-The Case of Zimbabwe* (Uppsala: The Nordic Africa Institute, 1995), 16.

¹⁰² Eric Wolf, *Peasant Wars Of The Twentieth Century* (University of Oklahoma Press, 1999), xxii.

¹⁰³ Forrest D. Colburn, *Everyday Forms of Peasant Resistance* (London: M.E. Sharpe, 1989), ix.

¹⁰⁴ Suarez, *Agrarian Reform and Social Legislation*, 60.

¹⁰⁵ *Ibid.*

¹⁰⁶ Bello and al., *The Anti-Development State*, 37.

¹⁰⁷ The VLT mechanism is one which encourages landowners and beneficiaries to enter into a direct agreement regarding the transfer of the land. The VOS mechanism is one that offers landowners additional 5% cash payment compensation as an incentive to voluntarily sell their land. (Suarez 2001: 160-162)

¹⁰⁸ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 12.

¹⁰⁹ For their safety, we decided to preserve the anonymity the peasants involved in this research by changing their names, the name of the landowners, and the name of the barangays. The data has also been slightly modified to prevent direct identification.

¹¹⁰ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 34; Dante Simbulan, *The Modern Principalia*, 14.

¹¹¹ Simbulan, *The Modern Principalia*, 14.

¹¹² Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 34.

¹¹³ When Spain established its authority in Manila, it had very little interest in developing agricultural production in the archipelago. The main objective of the Spaniards at the time was to secure a naval base which would serve as a stop-over in the galleon trade between China and Mexico. The transformation of the Philippines under Spanish rule was slow for the first 200 years or so and Spain was careful not to disturb the traditional organization of the barangay communities, using the *datu* and other members of the local elite to rule the natives. See James Putzel, *A Captive Land: The Politics of Agrarian Reform in the Philippines*, 44. See also Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 34.

¹¹⁴ Joe R. Motheral, « Land Tenure in the Philippines », *Journal of Farm Economics* 38 (1956), 466. See also Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 34.

¹¹⁵ Patricio N. Abinales and Donna J. Amoroso, *State and Society in the Philippines* (Lanham: Anvil Publishing, 2005), 57.

¹¹⁶ IBON Foundation, « Neoliberal Offensive: Impact on Agrarian Reform in the Philippines », 63.

¹¹⁷ Cash crops in these days included sugar, tobacco, and indigo. See Abinales and Amoroso, *State and Society in the Philippines*, 75-76.

¹¹⁸ The *principalia* was the privileged class in the Philippines. It was constituted of the local officials who collaborated with Spain and progressively comprised as well the Spanish and Chinese *mestizos*. See Simbulan, *The Modern Principalia*, 20.

¹¹⁹ Saturnino M. Borras, *Competing Views and Strategies on Agrarian Reform. Volume II: Philippine Perspective* (Quezon City: Ateneo De Manila University Press, 2008), 3.

¹²⁰ Clark Neher and Ross Marlay, *Democracy and Development in Southeast Asia: The Winds of Change* (Boulder: Westview Press, 1995), 71.

¹²¹ On December 10, 1898, Spain signed the Treaty of Paris by which it agreed to withdraw from Cuba, and to sell Puerto Rico, Guam, and the Philippines to the United States While Filipino revolutionaries had promised to

nationalize the large landed estates of religious corporations, the American colonial government did not follow through. See Suarez, *Agrarian Reform and Social Legislation*, 4. See also Jennifer C. Franco and Saturnino M. Borras Jr., « Struggles Over Land Resources in the Philippines », *Peace Review* 19 (2007), 68.

¹²² Borras, *Competing Views and Strategies on Agrarian Reform. Volume II*, 3. See also Franco and Borras, « Struggles Over Land Resources in the Philippines », 69. See also Suarez, *Agrarian Reform and Social Legislation*, 4-5.

¹²³ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 37 and 41. See also Borras, *Competing Views and Strategies on Agrarian Reform. Volume II*, 4.

¹²⁴ Borras, *Competing Views and Strategies on Agrarian Reform. Volume II*, 4.

¹²⁵ These reforms include the Rice Tenancy Act of 1933 and the Sugar Tenancy Act of 1934 Act. On the Rice Tenancy Act see Suarez, *Agrarian Reform and Social Legislation*, 6; and also David Wurfel, « The Philippine Rice Share Tenancy Act », *Pacific Affairs* 27 (1954): 41. On the Sugar Tenancy Act, see Philippines. Department of Agrarian Reform (DAR), *AR History* (Quezon City: Bureau of Agrarian Reform Information and Education, 2006), 9; and also John A. Larkin, *Sugar and the Origins of Modern Philippine Society* (Berkeley: University of California Press, 1993), 230.

¹²⁵ On the Rice Tenancy Act,

¹²⁶ Philippines. Department of Agrarian Reform (DAR), *AR History* (Quezon City: Bureau of Agrarian Reform Information and Education, 2006), 10.

¹²⁷ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 47.

¹²⁸ In 1922, the National Peasant Union (KPMP) was created to unionize tenants and agricultural workers. In 1930, the Communist Party of the Philippines (PKP) was established. PKP stands for Partido Komunista ng Pilipinas. And in 1934, a group promising to confiscate large landholdings for redistribution to landless peasants, called the Sakdalistas, participated in national elections. The peasant movement at the time pressed for state-led reforms rather than a peasant-led revolution. Generally non violent, it relied on tactics such as strikes, demonstrations, and attacks against landlord granaries. See Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 48.

¹²⁹ Bello and al., *The Anti-Development State*, 3-4.

¹³⁰ During the Second World War, the Philippines were occupied by the Japanese army. In 1942, a peasant-based resistance movement led by the PKP and called the People's Anti-Japanese Army, or Hukbalahap (Hukbo ng Bayan laban sa Hapon) was organized in Central Luzon to fight Japanese forces and the local landlords who collaborated with them. The Hukbalahap, or Huks, found a lot of support in the countryside and played a significant role in bringing down Japanese occupation. However once the war was over, the Huks were identified as a threat because of their communist ideals. Their members and supporters became the target of a government crackdown and the peasant movement turned into a violent rebellion which peaked between 1949 and 1951. See Suarez, *Agrarian Reform and Social Legislation*, 8; Benedict J. Kerkvliet, *The Huk Rebellion: A Study of Peasant Revolt in the Philippines* (Lanham: Rowman & Littlefield, 2002), 109; Kerkvliet, *The Huk Rebellion*, 110. See also Gin Ooi, *Southeast Asia*, 614.

¹³¹ In 1946, President Roxas instituted the Tenant Rice Share Law (RA 31) and proclaimed the effectivity of the 1933 Rice Tenancy Act. See IBON Foundation, « Neoliberal Offensive: Impact on Agrarian Reform in the Philippines », 69.

¹³² President Magsaysay passed the Agricultural Tenancy Act (RA 1199) and the Land Reform Act (RA 1400) in the early 1950s. The former limited rent at 30% and pegged interest rates at 8-10%. The Act however was not enforced and the sharecropping system remained unchanged. The latter guaranteed the expropriation of all tenanted estates of more than 300 hectares, if privately owned, and of more than 600 hectares, if owned by a corporation. Expropriation could occur only if a majority of peasants petitioned for it and because many were threatened, only 41 estates out of 300 were actually covered by the law between 1955 and 1966. See IBON Foundation, « Neoliberal Offensive: Impact on Agrarian Reform in the Philippines », 70.

¹³³ President Macapagal instituted the The Land Reform Code (RA 3844) in 1963. The two-phase program aimed to move peasants from share tenancy to a leasehold system, and then to transfer from leasehold to full ownership. The Land Reform Code failed to do much good because it focused on rent reduction rather than actual transfer of ownership, because it was limited in space to Central Luzon, and because it was limited in scope to rice and corn lands. See IBON Foundation, « Neoliberal Offensive: Impact on Agrarian Reform in the Philippines », 70-73.

¹³⁴ Between 1948 and 1961, tenancy rates increased from 37% to 50% despite the country's annual economic growth which often reached between 6% and 10%. See Walden Bello and al., *The Anti-Development State*, 9. See also IBON Foundation, « Neoliberal Offensive: Impact on Agrarian Reform in the Philippines », 71; and Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 49.

- ¹³⁵ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 49.
- ¹³⁶ Marcos initiated a shift from an import-substitution industrialization policy to an export-oriented one. See Abinales and Amoroso, *State and Society in the Philippines*, 196.
- ¹³⁷ *Ibid.*, 197.
- ¹³⁸ *Ibid.*, 197-99.
- ¹³⁹ A split occurred however in the communist movement in 1968 when the Maoists broke away from the PKP and established the Communist Party of the Philippines (CPP). Teaming up with former militants of the Huks in the countryside, the CPP also established its own military arm called the New People's Army (NPA). See Abinales and Amoroso, *State and Society in the Philippines*, 202.
- ¹⁴⁰ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 49.
- ¹⁴¹ Abinales and Amoroso, *State and Society in the Philippines*, 204-05.
- ¹⁴² Luis G. Igaya, «The Political Economy of the Philippine Democratic Transition » in Kristina N. Gaerlan, ed., *Transition to Democracy in East and Southeast Asia* (Quezon City: Institute for Popular Democracy, 1999), 11.
- ¹⁴³ Suarez, *Agrarian Reform and Social Legislation*, 11.
- ¹⁴⁴ *Ibid.*, 13-22.
- ¹⁴⁵ Hayami, Quisumbing, and Adriano, *Toward an Alternative Land Reform Paradigm*, 7.
- ¹⁴⁶ Borras, *Competing Views and Strategies on Agrarian Reform. Volume II*, 12.
- ¹⁴⁷ These legal titles were called Certificate of Land transfer (CLT).
- ¹⁴⁸ Suarez, *Agrarian Reform and Social Legislation*, 22.
- ¹⁴⁹ IBON Foundation, « Neoliberal Offensive: Impact on Agrarian Reform in the Philippines », 65.
- ¹⁵⁰ Jennifer Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », *Journal of Development Studies* 44 (2008): 992.
- ¹⁵¹ Arsenio Balisacan and Hal Hill, ed., *The Philippine Economy: Development, Policies, and Challenges* (Quezon City: Ateneo De Manila University Press, 2003), 314.
- ¹⁵² Philippines. *Comprehensive Agrarian Reform Program* (RA No. 6657), Chapter 1, Section 2.
- ¹⁵³ *Ibid.*, Chapter 2. Section 4.
- ¹⁵⁴ Borras, *Competing Views and Strategies on Agrarian Reform. Volume II*, 7.
- ¹⁵⁵ Philippines, Department of Agrarian Reform, Planning Service, *CARP Land Distribution Status as of December 2008* (Quezon City: Department of Agrarian Reform, 2009)
- ¹⁵⁶ *Ibid.*
- ¹⁵⁷ Department of Agrarian Reform (DAR), « Frequently Asked Questions », Online. www.dar.gov.ph/freqaqs.html (retrieved on December 26, 2009).
- ¹⁵⁸ *Ibid.*
- ¹⁵⁹ DARPO-Cebu, « Frequently Asked Questions », Online. www.dar.gov.ph/cebu/oprns_faqs.html (retrieved December 27, 2009).
- ¹⁶⁰ Bello and al., *The Anti-Development State*, 44.
- ¹⁶¹ Putzel, *A Captive Land*, 250.
- ¹⁶² Bello and al., *The Anti-Development State*, 34.
- ¹⁶³ *Ibid.*, 42-45.
- ¹⁶⁴ The area redistributed by the DAR under Aquino (1987-1993) is 848,515 hectares. See Philippines, DAR, Planning Service, *Land Distribution Accomplishment by Administration as of December 2008* (Quezon City: Department of Agrarian Reform, 2009).
- ¹⁶⁵ Saturnino M Borras Jr., *The Bitingka Strategy in Land Reform Implementation*, 45.
- ¹⁶⁶ Bello and al., *The Anti-Development State*, 46. See also Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », 995.
- ¹⁶⁷ Bello and al., *The Anti-Development State*, 34.
- ¹⁶⁸ *Ibid.*, 34.
- ¹⁶⁹ Philippines, Department of Agrarian Reform, Planning Service, *CARP Land Distribution Status as of December 2008* (Quezon City: Department of Agrarian Reform, 2009).
- ¹⁷⁰ Bello and al., *The Anti-Development State*, 46.
- ¹⁷¹ *Ibid.*, *The Anti-Development State*, 34.
- ¹⁷² This figure is based on the 2008 revised scope for the CARP, not on the smaller 1998 scope. We chose to use the 2008 numbers throughout the chapter in order to avoid any confusion. See DAR 2009, *CARP Land Distribution Status as of December 2008*.

- ¹⁷³ Morales is the former head of the Marxist underground movement of the National Democratic Front (NDF). See Bello and al., *The Anti-Development State*, 50. See also Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », 995.
- ¹⁷⁴ Saturnino M. Borras Jr., and Jenifer C. Franco, *On Just Grounds: Struggling for Agrarian Justice and Citizenship Rights in the Rural Philippines* (Quezon City: Institute for Popular Democracy, 2005), 268.
- ¹⁷⁵ Borras and Franco, *On Just Grounds*, 269.
- ¹⁷⁶ Bello and al., *The Anti-Development State*, 52.
- ¹⁷⁷ *Ibid.*, *The Anti-Development State*, 53-56.
- ¹⁷⁸ See DAR 2009, *Land Distribution Accomplishment by Administration as of December 2008*.
- ¹⁷⁹ Borras and Franco, *On Just Grounds*, 264.
- ¹⁸⁰ *Ibid.*, 271.
- ¹⁸¹ *Ibid.*, 274.
- ¹⁸² *Ibid.*, 270.
- ¹⁸³ See DAR 2009, *Land Distribution Accomplishment by Administration as of December 2008*.
- ¹⁸⁴ *Ibid.*
- ¹⁸⁵ Philippines, NSCB, *List of Regions* (Makati City: National Statistical Coordination Board, 2008); Philippines, NSCB, *List of Provinces* (Makati City: National Statistical Coordination Board, 2008); Philippines, NSCB, *List of Cities* (Makati City: National Statistical Coordination Board, 2008); Philippines, NSCB, *List of Municipalities* (Makati City: National Statistical Coordination Board, 2008).
- ¹⁸⁶ Philippines, NSCB, *Region VII (Central Visayas)* (Makati City: National Statistical Coordination Board, 2008).
- ¹⁸⁷ Rodolphe De Koninck., *L'Asie du Sud-Est* (Paris : Armand Colin, 2005), 108.
- ¹⁸⁸ Domingo C. Salita, *Philippine Encyclopedia of the Social Sciences* (Quezon City: The Philippine Social Science Council, 1998), 181.
- ¹⁸⁹ Philippines, NSO, *2007 Census of Population - By Region* (Quezon City: National Statistic Office).
- ¹⁹⁰ Philippines, NSO, *2007 Census of Population* (Quezon City: National Statistic Office, 2008).
- ¹⁹¹ Rodolphe De Koninck., *L'Asie du Sud-Est*, 115.
- ¹⁹² Domingo C. Salita, *Philippine Encyclopedia of the Social Sciences*, 186.
- ¹⁹³ Rodolphe De Koninck., *L'Asie du Sud-Est*, 109.
- ¹⁹⁴ The camote is a local variety of sweet potato.
- ¹⁹⁵ Philippines, BAS, *Volume of Cereals Production, 1994 to Q2.2008 by Cereal Type, Region/Province, Year and Period* (Quezon City: Bureau of Agricultural Statistics, 2008).
- ¹⁹⁶ Philippines, BAS, *Volume of Crop Production (Other than Palay and Corn), 1990-2007 by Crop, Region/Province and Year, Central Visayas* (Quezon City: Bureau of Agricultural Statistics., 2008)
- ¹⁹⁷ Philippines, BAS, *Volume of Cereals Production, 1994 to 2008 by Cereal Type, Region/Province, Year and Period, Central Visayas* (Quezon City: Bureau of Agricultural Statistics, 2008). See also Philippines, BAS, *Volume of Crop Production (Other than Palay and Corn), 1990-2007 by Crop, Region/Province and Year, Central Visayas* (Quezon City: Bureau of Agricultural Statistics., 2008).
- ¹⁹⁸ Philippines, BAS, *Volume of Cereals Production, 1994 to 2008 by Cereal Type, Region/Province, Year and Period, Central Visayas* (Quezon City: Bureau of Agricultural Statistics, 2008).
- ¹⁹⁹ Philippines, BAS, *Volume of Crop Production (Other than Palay and Corn), 1990-2007 by Crop, Region/Province and Year, Central Visayas* (Quezon City: Bureau of Agricultural Statistics, 2008).
- ²⁰⁰ Rodolphe De Koninck., *L'Asie du Sud-Est*, 129.
- ²⁰¹ Artemio R. Guillermo, and May Kyi Win, *Historical Dictionary of the Philippines* (Lanham, MD: Scarecrow Press, 2005), 92.
- ²⁰² Philippines, NCSB, *Province of Cebu. Municipalities and Cities* (Makati City: National Statistical Coordination Board, 2008).
- ²⁰³ Salita, *Philippine Encyclopedia of the Social Sciences*, 182.
- ²⁰⁴ Rodolphe De Koninck., *L'Asie du Sud-Est*, 109.
- ²⁰⁵ Salita, *Philippine Encyclopedia of the Social Sciences*, 185.
- ²⁰⁶ *Ibid.*, 186.
- ²⁰⁷ *Ibid.*, 189.
- ²⁰⁸ *Ibid.*, 189.
- ²⁰⁹ Artemio R. Guillermo, and May Kyi Win, *Historical Dictionary of the Philippines* (Lanham, MD: Scarecrow Press, 2005), 92.

- ²¹⁰ See Salita, *Philippine Encyclopedia of the Social Sciences*, 190. See also De Koninck., *L'Asie du Sud-Est*, 129.
- ²¹¹ Philippines, BAS, *Volume of Cereals Production, 1994 to 2008 by Cereal Type, Region/Province, Year and Period, Central Visayas* (Quezon City: Bureau of Agricultural Statistics, 2008).
- ²¹² Philippines, BAS, *Volume of Cereals Production in 2007 by Region* (Quezon City: Bureau of Agricultural Statistics, 2008).
- ²¹³ Salita, *Philippine Encyclopedia of the Social Sciences*, 191.
- ²¹⁴ Guillermo and Win, *Historical Dictionary of the Philippines*, 92.
- ²¹⁵ Philippines, DAR, Planning Service, *Land Distribution Accomplishment in Hectares by Land Type/Mode of Acquisition, By Region as of December 2008* (Quezon City: Department of Agrarian Reform, 2009).
- ²¹⁶ Philippines, DAR, Planning Service, *Table 3c. Cumulative Land Distribution Accomplishment, by Province, in Hectares. 1972-December 2008.* (Quezon City: Department of Agrarian Reform, 2009).
- ²¹⁷ *Ibid.*
- ²¹⁸ Alfred W. McCoy, « An Anarchy of Families: The Historiography of State and Family in the Philippines » in McCoy, Alfred W., ed., *An Anarchy of Families: State and Family in the Philippines* (Quezon City: Ateneo de Manila University Press, 1994), 11.
- ²¹⁹ *Ibid.*, 9.
- ²²⁰ To be sure, Osmeña's son, Sergio Osmeña Jr., was a senator and a contender in the 1969 presidential race against Marcos; his grand-daughter Minnie was touted as Laurel's vice-presidential running mate in 1986; and in the 1990s, his grandsons also held important offices in the province, Tomas as the mayor of Cebu City, John as a senator, and Emilio as Cebu governor. See Resil B. Mojares, « The Dream Goes On: Three Generations of the Osmeñas, 1906-1990 » in McCoy, Alfred W., ed., *An Anarchy of Families: State and Family in the Philippines* (Quezon City: Ateneo de Manila University Press, 1994), 311.
- ²²¹ John Thayer Sidel, *Capital, Coercion, and Crime: Bossism in the Philippines* (Stanford, CA: Stanford University Press, 1999), 130.
- ²²² John Thayer Sidel, *Capital, Coercion, and Crime: Bossism in the Philippines*, 85-90.
- ²²³ *Ibid.*, 86.
- ²²⁴ In order to protect the anonymity of the peasants who agreed to be interviewed for this thesis, we have changed the names of the landowners, as well the names of the peasants and barangays. These precautions were taken to prevent acts of retribution against the peasants.
- ²²⁵ Sidel, *Capital, Coercion, and Crime: Bossism in the Philippines*, 134.
- ²²⁶ *Ibid.*, 134.
- ²²⁷ *Ibid.*, 134.
- ²²⁸ *Ibid.*, 127.
- ²²⁹ Jaime Picornell, « Top Brokers in Cebu Get Awards », *Philippine Daily Inquirer* (Cebu), March 29, 2009. See also Sun Star Cebu, « Developer Bares Plan to Develop Vergara Lot », December 21, 2006.
- ²³⁰ See Interview #1.
- ²³¹ Carla, Gomez, Carla, « Sugarcane Planters Ask SC to Reconsider CARP Ruling », *Philippine Daily Inquirer* (Visayas), June 6, 2007.
- ²³² Philippines, DAR, *A Review of the Agriculture Sector in Central Visayas* (Quezon City: Department of Agrarian Reform, 2004).
- ²³³ Interview #6.
- ²³⁴ Interview #33.
- ²³⁵ PhilNet-RDI, « PhilNet-RDI Website », (2009) Online. <http://www.philnetrdi.org>. (retrieved on December 4th, 2009).
- ²³⁶ *Ibid.*
- ²³⁷ Philippine Network of Food Security Programmes (PNFSP), « FARDEC », (2008). Online. <http://www.pnfsp.org/members/fardec> (retrieved on November 29, 2009).
- ²³⁸ Interview #6.
- ²³⁹ Cebu Daily News, « Group Launches Microfund Project in Bogo-Medellin », *Cebu Daily News* (Cebu). March 30, 2008.
- ²⁴⁰ Interview #2.
- ²⁴¹ Philippines. Department of Agrarian Reform (DAR). 2008. *Barangay Profile of Salacan, Asturias, Cebu*. Cebu : Provincial Office of the Department of Agrarian Reform.
- ²⁴² Philippines. National Statistics Office (NSO). 2008. *Total Population of Cebu by Province, City, Municipality and Barangay*. Online. <Http://www.census.gov.ph/data/census2007/index.html> (retrieved February 24, 2009).

²⁴³ Philippines. National Statistics Office (NSO). 2008. *2007 Census of Population*. Online.

[Http://www.census.gov.ph/data/sectordata/2007/municipality.pdf](http://www.census.gov.ph/data/sectordata/2007/municipality.pdf) (retrieved February 24, 2009).

²⁴⁴ Interview #11.

²⁴⁵ Interview #11 and Interview #12.

²⁴⁷ Interview #12.

²⁴⁸ Interview #12.

²⁴⁹ Interview #3.

²⁵⁰ Interviews #3, 4, 11 and 12.

²⁵¹ Interview #2.

²⁵² Interview #11.

²⁵³ The information about that Order of Deferment can be found in Philippines. September 30, 2004. *Notice of Order Re: Application for Exemption from CARP Coverage Involving Landholdings Located in Asturias*. Cebu: Department of Agrarian Reform Regional Office No.VII.

²⁵⁴ RA 6657 is the Comprehensive Agrarian Reform Law (CARL) which describes the CARP.

²⁵⁵ *Ibid.*

²⁵⁶ *Ibid.*

²⁵⁷ POMAG stands for Pundok sa mga Mag-uuma, which means Group of Farmers in Visayan. See Interview # 12.

²⁵⁸ Interview #2 and #11.

²⁵⁹ Interview #2 and #11.

²⁶⁰ Interview #2.

²⁶¹ Interview #4.

²⁶² Interview #12.

²⁶³ Interview #3.

²⁶⁴ Mention of that application can be found in Philippines. September 30, 2004. *Notice of Order Re: Application for Exemption from CARP Coverage Involving Landholdings Located in Asturias*. Cebu: Department of Agrarian Reform Regional Office No.VII.

²⁶⁵ *Ibid.*

²⁶⁶ *Ibid.*

²⁶⁷ Philippines. May 16, 2000. *Notice of Coverage*. Asturias : Municipal Agrarian Reform Office (MARO).

²⁶⁸ The current MARO of Asturias was not working in this municipality in the 1990s and most peasants have little knowledge of the CARP implementation process. Thus none of the people we interviewed was able to tell us why the NOC was sent only in 2000 when the corn land should have been covered rapidly after the inauguration of CARP in 1988.

²⁶⁹ Interview #2.

²⁷⁰ Interview #11.

²⁷¹ Interview #3. See also Philippines. August 22, 2006. *Notice of Decision in Re: Determination of Just Compensation*. Cebu : Department of Agrarian Reform Regional Adjudication Board (DARAB).

²⁷² *Ibid.*

²⁷³ Philippines. August 22, 2006. *Notice of Decision in Re: Determination of Just Compensation*. Cebu : Department of Agrarian Reform Regional Adjudication Board (DARAB).

²⁷⁴ Philippines. August 21, 2003. *Collective Certificate of Land Ownership Award (CLOA)*. Quezon City : Department of Agrarian Reform (DAR).

²⁷⁵ Interview #11.

²⁷⁶ Philippines. September 30, 2004. *Notice of Order Re: Application for Exemption from CARP Coverage*. Cebu : Department of Agrarian Reform Regional Office No.VII.

²⁷⁷ *Ibid.*

²⁷⁸ *Ibid.*

²⁷⁹ The Administrative Order No.9, Series of 1993, Section III paragraph (c). See also Philippines. September 30, 2004. *Notice of Order Re: Application for Exemption from CARP Coverage*. Cebu : Department of Agrarian Reform Regional Office No.VII.

²⁸⁰ Philippines. February 16, 2005. *Notice of Order Re: Motion for Reconsideration of the September 30 2004 Order*. Cebu : Department of Agrarian Reform Regional Office No.VII.

²⁸¹ See Interview #32.

²⁸² Philippines RA 6657. Chapter VII Land Redistribution. Section 22. Qualified Beneficiaries. « The lands covered by the CARP shall be distributed as much as possible to landless residents of the same barangay, or in the absence thereof, landless resident of the same municipality in the following order of priority: a) agricultural lessees and share tenants; b) regular farmworkers; c) seasonal farmworkers; d) other farmworkers; e) actual tillers or occupants of public lands; f) collectives or cooperatives of the above beneficiaries; and g) others directly working on the land. »

²⁸³ Interview #32. Transcript of an Interview Conducted with a DAR Official. Cebu City, Cebu. August 2008.

²⁸⁴ *Ibid.*

²⁸⁵ Interview #3.

²⁸⁶ Interview #32.

²⁸⁷ Philippines. May 15, 2006. *Order of Finality*. Cebu : Department of Agrarian Reform Regional Office No.VII.

²⁸⁸ The PARCCOMs were created by Republic Act 7905 to strengthen the implementation of the CARP. They are basically multi-stakeholder committees comprised of government, farmer, landowner, and CSO representatives, which are mandated to monitor and coordinate the implementation of the CARP in a specific province. (RA 7905)

²⁸⁹ Philippines. August 3, 2007. *PARCCOM Letter to the Regional Director*. Cebu : Provincial Agrarian Reform Coordination Committee (PARCCOM).

²⁹⁰ Interview #33.

²⁹¹ Philippines. October 9, 2007. *PARCCOM Letter to the Regional Director*. Cebu : Provincial Agrarian Reform Coordinating Committee (PARCCOM).

²⁹² The PARC is chaired by the President of the Philippines and includes the Heads of multiple state agencies, including the Secretary of the DAR. Its mandate is to « coordinate the implementation of the CARP and to ensure the timely and effective delivery of the necessary support services ». See Section 18 of RA 6657.

²⁹³ Philippines. October 9, 2007. *PARCCOM Letter to the PARC*. Cebu : Provincial Agrarian Reform Coordinating Committee (PARCCOM).

²⁹⁴ Philippines. December 27, 2007. *Resignation Letter of PARCCOM Chairman to the PARC*. Cebu : Provincial Agrarian Reform Coordinating Committee (PARCCOM).

²⁹⁵ Interview #12.

²⁹⁶ Interview #3.

²⁹⁷ *Ibid.*

²⁹⁸ Interview #2.

²⁹⁹ Interview #2.

³⁰⁰ Franco, « Making Land Rights Accessible: Social Movements and Political-Legal Innovation in the Rural Philippines », 1015.

³⁰¹ Interview #11.

³⁰² *Ibid.*

³⁰³ Interview #33.

³⁰⁴ Interview #2.

³⁰⁵ Interview #12.

³⁰⁶ Interview #11.

³⁰⁷ In fact, the land also encroaches on parts of an adjacent barangay. Peasants however made no difference during the interviews between the people living on one barangay or the other as they were all part of the same land struggle. Thus to avoid confusion, we will only refer to the barangay of Kalimpak in this thesis.

³⁰⁸ The population figure includes Kalimpak and its adjacent barangay. See NSCB,

« Municipalities and Cities of the Province of Cebu », Online.

[http://www.nscb.gov.ph/activestats/psgc/province.asp?provCode=072200000&provName=CEBU®Code=07®Name=REGION%20VII%20\(Central%20Visayas\)](http://www.nscb.gov.ph/activestats/psgc/province.asp?provCode=072200000&provName=CEBU®Code=07®Name=REGION%20VII%20(Central%20Visayas)) (retrieved October 11, 2008).

³⁰⁹ E-LGU. 2008. « The Official Website of Minglanilla, Cebu ». Online.

<http://elgu.ncc.gov.ph/ecommunity/minglanilla-cebu> (retrieved August 15, 2008). See also NSCB,

« Municipalities and Cities of the Province of Cebu », Online.

[http://www.nscb.gov.ph/activestats/psgc/province.asp?provCode=072200000&provName=CEBU®Code=07®Name=REGION%20VII%20\(Central%20Visayas\)](http://www.nscb.gov.ph/activestats/psgc/province.asp?provCode=072200000&provName=CEBU®Code=07®Name=REGION%20VII%20(Central%20Visayas)) (retrieved October 11, 2008).

³¹¹ E-LGU, « The Official Website of Minglanilla, Cebu », (2008) Online.

<http://elgu.ncc.gov.ph/ecommunity/minglanilla-cebu> (retrieved August 15, 2008).

³¹² *Ibid.*

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- ³¹³ Find info on when and why this land was divided in two lots.
- ³¹⁴ Interview #20.
- ³¹⁵ Interview #30.
- ³¹⁶ Interview #9.
- ³¹⁷ Interview #16.
- ³¹⁸ Interview #7.
- ³¹⁹ The term *sari-sari* means ‘mixed’ in Tagalog and in this case refers to the small family owned and operated stores which are very common in the Philippines and where people can buy simple commodities.
- ³²⁰ Interview #20.
- ³²¹ In the 1950s, Minglanilla was an administrative part of the adjacent town of Talisay City.
- ³²² Interview #16.
- ³²³ Interview #20.
- ³²⁴ Interview #7 and #16.
- ³²⁵ Interview #20.
- ³²⁶ Interview #7 and #16.
- ³²⁷ Interview #8 and #18.
- ³²⁸ Interview #9.
- ³²⁹ Interview #7
- ³³⁰ Interview #16.
- ³³¹ Interview #20.
- ³³² Interview #7.
- ³³³ Interview #20.
- ³³⁴ Interview #19 and #20.
- ³³⁵ Interview #16.
- ³³⁶ Interview #20.
- ³³⁷ « Furthermore, the limitation of the reform programs to tenanted land induced some landowners to keep their land idle rather than let tenants cultivate them ». See Hayami and al, 7.
- ³³⁸ Frago and al, *Philippine Civil Society and the Globalization Discourse*, 85.
- ³³⁹ Interview #7.
- ³⁴⁰ Interview #16.
- ³⁴¹ Interview #8.
- ³⁴² Interview #6.
- ³⁴³ Interview #20.
- ³⁴⁴ NAMAKA stands for Nagkahiusang Mag-uuma sa Kalimpak. See Interview #9 and #19.
- ³⁴⁵ Interview #8.
- ³⁴⁶ Interview #7.
- ³⁴⁷ Interview #9.
- ³⁴⁸ Interview #20.
- ³⁴⁹ Interview #9 and #16.
- ³⁵⁰ Interview #20.
- ³⁵¹ Interview #7.
- ³⁵² Interview #6.
- ³⁵³ Interview #20.
- ³⁵⁴ Interview #16.
- ³⁵⁵ Interview #16.
- ³⁵⁶ *Ibid.*
- ³⁵⁷ *Ibid.*
- ³⁵⁸ Interview #6.
- ³⁵⁹ Interview #30.
- ³⁶⁰ Small huts made of bamboo.
- ³⁶¹ Interview #20.
- ³⁶² *Ibid.*
- ³⁶³ Interview #30.
- ³⁶⁴ Interview #20.
- ³⁶⁵ LAP. December 14, 2001. *Bogo Farmers Doing Well Under CARP*. Sun Star Cebu.

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- ³⁶⁶ Philippines. Department of Trade and Industry-Cebu Provincial Office. *Municipality of Bogo*. Online. http://www.dticebu.net.ph/mun_profile/bogo.htm (retrieved February 18, 2009)
- ³⁶⁷ Philippines. Department of Trade and Industry-Cebu Provincial Office. *Municipality of Bogo*. Online. http://www.dticebu.net.ph/mun_profile/bogo.htm (retrieved February 18, 2009). See also Philippines. National Statistics Office (NSO). 2008. *2007 Census of Population*. Online. <Http://www.census.gov.ph/data/census2007/index.html> (retrieved February 18, 2009).
- ³⁶⁸ Philippines. National Statistics Office (NSO). 2008. *2007 Census of Population*. Online. <Http://www.census.gov.ph/data/census2007/index.html> (retrieved February 18, 2009).
- ³⁶⁹ Interview #33.
- ³⁷⁰ The Roman Catholic Archdiocese of Manila. 2003. *Hospicio San Miguel*. Online. <Http://www.rcam.org/ministry/socialservices/hospicio.htm> (retrieved February 19, 2009).
- ³⁷¹ Interview #1 and #14.
- ³⁷³ Interview #21 and #23.
- ³⁷⁴ Interview #21.
- ³⁷⁵ Interview #33.
- ³⁷⁶ Interview #14.
- ³⁷⁷ October 28, 2007. *Bogo Farmers Get Land Titles*. Cebu Daily News.
- ³⁷⁸ *Ibid.*
- ³⁷⁹ Interview #33.
- ³⁸⁰ *Ibid.*
- ³⁸¹ Interview #15.
- ³⁸² Interview #1.
- ³⁸³ Interview #15.
- ³⁸⁴ Interview #14.
- ³⁸⁵ Interview #21 and #22.
- ³⁸⁶ Interview #14.
- ³⁸⁷ *Ibid.*
- ³⁸⁸ *Ibid.*
- ³⁸⁹ See Interview #14 and Interview #15.
- ³⁹⁰ *Ibid.*
- ³⁹¹ Interview #5.
- ³⁹² In Tagalog, the PO was called NAMMPRA, which stands for Nagkahiusang Mag-uumang Mamumuo Para sa Repormang Agraryo, See Interview #14.
- ³⁹³ Interview #14.
- ³⁹⁴ *Ibid.*
- ³⁹⁵ Interview #33.
- ³⁹⁶ *Ibid.*
- ³⁹⁷ *Ibid.*
- ³⁹⁸ Interview #15.
- ³⁹⁹ Interview #21.
- ⁴⁰⁰ Interview #14.
- ⁴⁰¹ Interview #1.
- ⁴⁰² Interview #5.
- ⁴⁰³ Interview #14.
- ⁴⁰⁴ Interview #33.
- ⁴⁰⁵ Interview #21.
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- ⁴⁰⁸ Interview #33.
- ⁴⁰⁹ LAP. December 14, 2001. *Bogo Farmers Doing Well Under CARP*. Sun Star Cebu.
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- ⁴¹⁷ Interview #21.
- ⁴¹⁸ Interview #5.
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- ⁴²⁰ Interview #23.
- ⁴²¹ Interview #1.
- ⁴²² Interview #14..
- ⁴²³ Interview #22.
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- ⁴²⁸ Interview #1.
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- ⁴³³ Interview #28.
- ⁴³⁴ Interview #39.
- ⁴³⁵ Interview #27, Interview #28 and Interview #39.
- ⁴³⁶ Interview #27
- ⁴³⁷ Interview #28.
- ⁴³⁸ Interview #1.
- ⁴³⁹ Interview #32.
- ⁴⁴⁰ Interview #5.
- ⁴⁴¹ Interview #27.
- ⁴⁴² Interview #32.
- ⁴⁴³ Interview #1.
- ⁴⁴⁴ Interview #27.
- ⁴⁴⁵ Interview #26.
- ⁴⁴⁶ *Ibid.*
- ⁴⁴⁷ *Ibid.*
- ⁴⁴⁸ Interview #39.
- ⁴⁴⁹ Interview #25
- ⁴⁵⁰ Interview #1.
- ⁴⁵¹ *Ibid.*
- ⁴⁵² Interview #25.
- ⁴⁵³ *Ibid.*
- ⁴⁵⁴ Interview#1.
- ⁴⁵⁵ Interview #27.
- ⁴⁵⁶ Interview #27.
- ⁴⁵⁷ Interview #39.
- ⁴⁵⁸ Interview #32.