
Land Reform: A Document Analysis on Sumilao Farmers’ Struggle for Land

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ABSTRACT

The study determines the impact of land reform in the Philippines by looking at the case of the Sumilao farmers in their struggle for land. It sought to determine the causes of the land dispute between the Sumilao farmers and the land owners, and identify the challenges they encountered along the course. The Sumilao farmers were known for their famous walk from Bukidnon to Malacañang Palace. It was their way of protest for what they perceived as a social injustice. The case of the Sumilao farmers is viewed as part of the social justice issues in the country, at least in the areas of land reform. The study uses document analysis as a method. The data were categorized and then analyzed to distill the facts about their case. The result of the study provides that the wide disparity of landownership initiates dispute between the landless and the landlords. Also opposition from the land owners, alongside with legal challenges and lack of political will on the part of the government were identified as hindrance for genuine success of agrarian reform in the Philippines.

KEYWORDS: *Land reform, Sumilao farmers, 1,700km walk, Philippines*

I. INTRODUCTION

Land problem in the Philippines is an age-old issue in the country beginning from the colonial time of Spanish regime in 1500s (Elvinia, n.d). Many attempts have been made to address the problem but were never enough. As it can be observed, the distribution of land was very slow despite the many laws enacted vis-à-vis land reform. The case of the Sumilao farmers is just one of the many cases of land disputes in the Philippines. They struggled for two (2) decades to regain the land which they believed rightfully belongs to them.

Bukidnon has a progressive agriculture-based economy and because of that many of the people depend mainly on the produce of the land. It is not surprising therefore for the people to fight for a piece of land at any cost. For the ordinary farmers like the Sumilao farmers, land is more than a bragging right; it's their life.

The Sumilao farmers belong to the indigenous Higaonon tribe in Bukidnon. They settled in the land now part of San Vicente, Sumilao, Bukidnon. As new settlers came and took ownership over the land, the Higaonons were made workers of the said land. The enactment of the Comprehensive Agrarian Reform Program (CARP) on June 10, 1988 intensified the existing agrarian reform programs in the country. However, it took two (2) decades before the farmers actually possessed the land.

The study intends to look into the case of the Sumilao farmers in their struggle towards attaining social justice, at least in the area of land reform. The study covers the entire period

of struggle of the Sumilao farmers from their application to CARP until the certificates of landownerships were finally awarded to them.

II. METHODOLOGY

This qualitative study was constructed using document analysis as a method concerning the Sumilao farmers in their struggle for land. Document analysis is a systematic method for reviewing or evaluating documents that includes printed and electronic materials. The procedure entails finding, selecting, appraising, and synthesizing data contained in documents. Whereas document analysis has served mostly as a complement to other research methods, it has also been used as a stand-alone method (Bowen, 2009).

A list of documents to be explored was made beforehand. These includes republic acts, resolutions, administrative orders, Supreme Court decisions, published interviews, position papers, books, news and articles. The documents examined were mainly downloaded from the internet. The laws and administrative orders such as RA 7160, RA 6657, RA9700 and AO 20 s.1992, were gathered from the official gazette of the Republic of the Philippines. News articles were gathered from the websites of the mainstream and local news agencies such as GMANetwork, ABS-CBN and Mindanews. Jurisprudences such as the case of Fortich v. Corona, and Buclasan v. CA, were gathered from the Supreme Court website. The documents were gathered, and then analyzed to distill the facts about the struggle of the Sumilao farmers for land. Facts taken from one document were corroborated to another to establish its reliability.

Content analysis were used in analyzing the data, by which information were organized into categories related to the central question of the research. Here, relevant passages of text or other data were identified and then separated from that which is not pertinent. Accounts or data gathered from one document were cross referenced to another to establish its reliability (e.g. claims according to published interviews were cross examined with the laws or jurisprudence). Concerning the 1,700 km walk, the narrative was constructed by tracing the route and the experiences of the farmers from the news updates.

III. RESULTS AND DISCUSSIONS

Background of the Sumilao farmers' struggle for land

The Sumilao farmers belong to the indigenous Higaonon tribe in Bukidnon. They were the original settlers of the two hundred forty four (244) hectare land, now part of San Vicente, Sumilao, Bukidnon (Banzuela,Brillante, Cherlet, 2015).In the 1930s the Angeles came evicting the Higaonons from the land and converted it into a cattle ranch which was later transferred to the Ilagans. The ancestral land was divided between two landowners in the 1970s: 99.885 hectares to Salvador Carlos while 144 hectares was transferred to Norberto Quisumbing. The Higaonons worked as farmworkers on the lands of Carlos and Quisumbing. On June 10, 1988 the Comprehensive Agrarian Reform Program was instituted that aim to intensify the existing agrarian reform programs to attain social justice for the landless farmers. The farmers applied to CARP to become beneficiaries of the 144-hectare land. It took two (2) decades before the farmers actually possessed the land.

1990-1999: Sumilao farmers-DAR vs. NQSRMDC-LGU

In 1990, 137 farmers of San Vicente, Sumilao, Bukidnon, all of Higaonon lineage, through Mapadayonong Panaghiusa sa mga Lumad Alang sa Damlag (MAPALAD), a farmer's cooperative, applied to become beneficiaries of the one hundred forty-four (144) hectare land owned by Norberto Quisumbing through the Norberto Quisumbing, Sr. Management and Development Corporation (NQSRMDC), also the owner of the Cebu based Yamaha Norkis Manufacturing. Quisumbing was also an owner of big tracts of land in Bulacan and Nueva Ecija in Luzon. The subject property was covered by a Transfer Certificate of Title (TCT) no. 14371 of the Registry of Deeds of the Province of Bukidnon. The land was under leasing agreement with the Philippine Packing Corporation now Del Monte Philippines, Inc. (DMPI) as a pineapple plantation since 1984 and was to expire in April 1994. In October 1991, during the existence of the lease and after the application of the farmers to become beneficiaries of CARP, the Department of Agrarian Reform (DAR) placed the entire one hundred forty-four (144) hectare land under compulsory acquisition and assessed the land value at 2.38 million.

NQSRMDC resisted the DAR's action placing the subject land under compulsory acquisition scheme in February 1992 by appealing to the Department of Agrarian Reform Adjudication Board (DARAB). In March 31, 1992, the DARAB granted the demand of NQSRMDC in DARAB Case no. X-576. Despite the said order, the DAR region X in May 21, 1992, directed the Land Bank to open a trust account for 2.38 million in the name of NQSRMDC and to conduct summary proceedings to determine the just compensation of the subject property. On June 9, 1992 NQSRMDC objected the DAR's move by filing an Omnibus Motion to enforce the DARAB order of March 31, 1992 and to nullify the summary proceedings undertaken by the DAR Region X and Land Bank. On October 22, 1992, the DARAB acted favorably on the Omnibus Motion and ordered the DAR Region X and Land Bank "to seriously comply with the terms of the order dated March 31, 1992".

In the meantime, in January 7, 1993, the Provincial Development Council of Bukidnon headed by Governor Carlos O. Fortich, passed resolution no. 6 designating certain areas along Bukidnon-Sayre highway as part of the Bukidnon Agro-Industrial Zones where the subject property is situated. No less than the CARP and the Local Government Code (RA 7160) allowed conversion of land from agricultural to non-agricultural, if it will serve the people better. Pursuant to RA 7160, on March 4, 1993, the Sangguniang Bayan of Sumilao Bukidnon enacted ordinance no. 24 converting the 144 hectares of land situated at San Vicente, Sumilao, Bukidnon owned by Norberto Quisumbing, Sr. Management Development Corporation from agricultural to Industrial/Institutional areas.

NQSRMDC the project proponent proudly presented its development plan that is supposed to have the following:

1. The Development Academy of Mindanao which constitutes the following: Institute for Continuing Higher Education; Institute for Livelihood Science (Vocational and Technical School); Institute for Agribusiness Research; Museum, Library, Cultural Center, and Mindanao Sports Development Complex which covers an area of 24 hectares;
2. Bukidnon Agro-Industrial Park which consists of corn processing for corn oil, corn starch, various corn products; rice processing for wine, rice-based snacks, exportable rice; cassava processing for starch, alcohol and food delicacies; processing plants,

fruits and fruit products such as juices; processing plants for vegetables processed and prepared for market; cold storage and ice plant; cannery system; commercial stores; public market; and abattoir needing about 67 hectares;

3. Forest development which includes open spaces and parks for recreation, horse-back riding, memorial and mini-zoo estimated to cover 33 hectares; and

4. Support facilities which comprise the construction of a 360-room hotel, restaurants, dormitories and a housing project covering an area of 20 hectares.(Fortich v. Corona, 1998)

The proposal was adopted by the Department of Trade and Industry (DTI), Bukidnon Provincial Office, as one of its flagship project. It was also favorably recommended by the Provincial Development Council of Bukidnon; the OIC Regional Director of the DAR Charlito Manlupig; the Regional Office (Region X) of the DENR; the Secretary of DILG; and Undersecretary of DECS Wilfredo D. Clemente. Also Mr. Julius S. Maquiling, Chief, Provincial Irrigation Office of National Irrigation Administration, Provincial Irrigation Office, Bagontaas Valencia, Bukidnon. Further, the Kisolon-San Vicente Irrigators Multi-Purpose Cooperative, San Vicente, Sumilao, Bukidnon, interposed no objection to the proposed conversion of the land in question.

The local DAR's decision to endorse the said conversion was a judgment call they took to transfer the battle to the national arena. This, after Secretary Garilao promised to deny the said application. This was according to DAR OIC Director Charlito Manlupig in a phone interview with Eddie L. Quitariano on March 13 and March 15, 1999. Notwithstanding the favorable recommendations The DAR thru then secretary Ernesto Garilao, issued an order on November 14, 1994 denying the application for conversion on the following grounds:

1. The area is considered as a prime agricultural land with irrigation facility;
2. The land has long been covered by a Notice of Compulsory Acquisition (NCA);
3. The existing policy on withdrawal or lifting on areas covered by NCA is not applicable;
4. There is no clear and tangible compensation package arrangement for the beneficiaries;
5. The procedures on how the area was identified and reclassified for agro-industrial project has no reference to Memo Circular No. 54, Series of 1993, E.O. No. 72, Series of 1993, and E.O. No. 124, Series of 1993. (Fortich v. Corona, 1998)

Governor Carlos Fortich appealed the order of denial to the Office of the President (OP) during the Presidency of Fidel Ramos and prayed for the conversion/reclassification of the subject land as the same would be more beneficial to the people of Bukidnon. In resolving the appeal, the office of the President, through then Executive Secretary Ruben D. Torres, issued a Decision in OP Case No. 96-C-6424 on March 29, 1996, reversing the DAR Secretary's decision denying the conversion and affirmed the power of the local government units to convert the land. Portion of the decision reads:

“...Nor can procedural lapses in the manner of identifying/reclassifying the subject property for agro-industrial purposes be allowed to defeat the very purpose of the law granting autonomy to local government units in the management of their local affairs. Stated more simply, the language of section

20 of RA 7160 is clear and affords no room for any interpretation. By unequivocal legal mandate, it grants local government units autonomy in their local affairs including the power to convert portions of their agricultural lands and provide for the manner of their utilization and disposition to enable them to attain their fullest developments as self-reliant communities...”(Fortich v. Corona, 1998)

A motion for reconsideration of the OP decision was filed On May 20, 1996 by Atty. Delfin Samson, Executive Director of Litigation, on behalf of the Department of Agrarian Reform, but was later denied on the ground that it was filed beyond the 15-day reglamentary period. In compliance with the OP decision, NQSRMDC on September 11, 1996 and the Department of Education Culture and Sports executed a Memorandum of Agreement whereby the former donated four (4) hectares from the subject land to the latter for the establishment of the NQSR High School. However, when NQSRMDC was about to transfer the title, it found out that during the pendency of both petition in the Court of Appeals and the Office of the President, the DAR without giving just compensation caused the cancellation of NQSRMDC’s title on August 11, 1995 and had it transferred in the name of the Republic of the Philippines under TCT No. T-50264 of the Registry of Deeds of Bukidnon. On September 25, 1995, DAR caused the issuance of the Certificate of Land Ownership Award (CLOA) No. 00240227 and registered it in the name of 137 farmer beneficiaries under TCT No. AT 3536 of the Registry of Deeds of Bukidnon. Upon knowing the said action of the DAR, NQSRMDC filed a complaint on April 10, 1997 with the Regional Trial Court of Malaybalay docketed as civil case no. 2687-97. The RTC then prohibited the DAR and 141 others from entering, occupying and /or wresting from NQSRMDC the possession of the subject land.

On October 9, 1997, eighteen (18) farmers supported by Agrarian Reform Now (AR Now), PAKISAMA and a PhilDRRA affiliated NGO staged a hunger strike in front of the DAR compound in Quezon City and Cagayan de Oro at the Golden Friendship Park, in front of Xavier University, simultaneously for twenty-eight (28) days to Protest the OP decision. President Fidel Ramos held a dialogue with the strikers and promised to resolve their grievances within the framework of the law. He created a Fact Finding Task Force to look into the controversy and recommend possible solutions to the problem.

On November 7, 1997, President Fidel Ramos resolved the strikers protest by issuing the so called “win-win” resolution penned by then Deputy Executive Secretary Renato C. Corona. The said decision modified the earlier decision among others stating that the conversion will be limited only to approximately forty-four (44) hectares and the remaining 100 hectares will be distributed to qualified farmer-beneficiaries in accordance with RA 6657 or CARP. On December 4, 1997 Governor Fortich of Bukidnon, Mayor Rey B. Baula of Sumilao Bukidnon and NQSRMDC filed a petition to the Supreme Court against then Deputy Executive Secretary Renato C. Corona and DAR Secretary Garilao concerning the win-win resolution.

The Supreme Court in resolving the case decided against the farmers, stating that the Torres Decision cannot be modified by the “win-win” resolution issued later by Fidel Ramos, a portion of which reads:

“Orderly administration of justice requires that the judgments/resolutions of a court or quasi-judicial body must reach a point of finality set by the law, rules and regulations. The noble purpose is to write finis to disputes once and for

all. This is a fundamental principle in our system, without which there would no end to litigations. Utmost respect and adherence to this principle must always be maintained by those who wield the power of adjudication. Any act which violates such principle must immediately be struck down.” .

In 1998 during the administration of Joseph Estrada, the farmers resorted again to a hunger strike to ask the new President to help them. During the protest, the farmers placed 12 hollow blocks on their campsite. In 1999, the Supreme Court took a final and executory decision after a motion for reconsideration, reaffirming its previous decision that the 100 hectares had to be returned to NQSRMDC rejecting the win-win resolution. The following months after the Supreme Court decision, the farmers again protested by blocking the Sayre highway, this time together with their families. The protest was headed by their respected leaders, Renato “Rene” Peñas and Linda Ligmon.

2000-2010: Sumilao Farmers-DAR vs. SMFI-NQSRMDC

Several years have passed since the Supreme Court decided in 1999 nullifying the win-win resolution issued by the executive department; the subject land remained idle and uncultivated when five years had passed in August 2004 despite the CARP provision stating that any property under land conversion should be developed within five (5) years.

Meanwhile in February 6, 2002 NQSRMDC sold the subject land to San Miguel Foods, Inc., a conglomerate owned by Danding Cojuangco evidenced by TCT No. T-80005 registered in the registry of deeds of Malaybalay City. A one hundred forty-four (144) hectare piggery with 162 buildings to house 4,400 female pigs and 44,000 piglets was set to put up by SMFI through its sister company Monterey Livestock Farm. Upon knowing about the sale, the farmers led by 78 MAPALAD farmers together with 90 San Vicente Landless Farmers Association (SALFA) landless farmers filed a petition for the cancellation of the Conversion order before the DAR on November 3 2004. The petitioners viewed the said sale as a violation of the Land Conversion Guidelines. The DAR however claimed that it has no jurisdiction over the case and thus denied the petition of the farmers.

On February 2007, the farmers raised the petition for cancellation of the conversion order directly to the Office of the President this time under the presidency of Gloria Macapagal Arroyo to no avail. This led the farmers to the famous “walk for justice, walk for land” a 1,700km march from San Vicente, Sumilao Bukidnon to the Malacañang Palace to catch the public and the President’s attention. The march commenced on October 9, 2007, the tenth anniversary of the historic hunger strike.

Walk for Land: Walk for Justice: the 1700km walk

The plan was that the Sumilao farmers will march October 10 from Impasug-ong municipality to Cagayan de Oro, 56 kilometers away, then walk across Northern Mindanao to Surigao City, take the ferry across Visayas and hike towards Manila, according to Raul Socrates Banzuela (mindanews - october 9, 2007). The marchers left Sumilao at six in the morning and reached Barangay Bugo in Cagayan de Oro at 11 in the evening. There were meals in between—mostly donations from the parishes and barangays that they passed along the route. Aside from the farmers, there is a support group of five people, including one paramedic in two jeepneys with medicines, foodstuff, and lots of water (mindanews- october 15, 2007).

On the second day, the farmers marched from Barangay Bugo, Cagayan de Oro, to the Provincial Capital of Misamis Oriental in downtown Cagayan de Oro (20 km). The marchers left the Sacred Heart Parish in Bugo at six in the morning. The group then moved along the national highway which by then was already heavy with vehicular traffic. Considering the urban setting, the marchers arrived at the Capitol at 12:30 noon. Before they arrived at the Capitol, marcher Rene Penas, nearly collapsed at the Licuan junction, Velez St. Cagayan de Oro, only several meters away from the Capitol. From Cagayan de Oro, the group moved on to the municipalities of Tagoloan, Villanueva, Misamis Oriental where they were given a warm song and dance reception by the parishioners, and Jasaan on the third day. After covering almost a hundred kilometers, the pace of the marchers was already set at forty kilometers per day, with more or less ten hours of marching and three hours of rest (mindanews - october 15, 2007).

From the municipality of Jasaan, the marchers also moved to Balingasag, where they reached their one hundred kilometer mark. It was also in Balingasag that the marchers experienced being welcomed into households and given coffee and hard-boiled eggs by families out of their own volition. From Balingasag, the marchers then proceeded to the municipalities of Lagonglong and Salay. At the municipality of Binuangan, the contingent was met and joined by a group of Burmese lawyers and students who were visiting Cagayan de Oro. The marchers joined by the Burmese, marched on after having a snack at Binuangan. They arrived at the municipal hall of Sugbongcogon where they were given cold fruit juice and some local delicacies.

The marchers then went on to the next town-Kinoguitan, where they planned to spend the night. From Kinoguitan, the group moved on to the municipality of Balingoan. On the next town, Talisayan, the group was hit by a light rain. But that did not impede them from pursuing their goal for the day-the municipality of Medina where they proceeded to Poblacion church. The group then spent the night in the church.

On their 6th day the marchers left Medina, Misamis Oriental, after spending the night at the San Isidro de Labrador parish. The marchers started their walk at four in the morning. With an average speed of about four kilometers per hour, the farmers quickly made headway and reached the nearest center of human social activity-Gingoog City. Despite the excruciating blisters, sunburnt skin and thigh sores, the marchers remain incorruptible, persistent and jovial. The mood remains good and the marchers never fail to flash a smile at the jokes that they share among themselves as they continue on their march to Manila.

On November 1, 2007, All Saints Day, the Sumilao Farmers are currently negotiating the longest bridge in the Philippines, the San Juanico Bridge, as they head of to the Municipality of Sta. Rita. They will conduct a turnover event at the bridge. On the following day November 2, 2007, the, farmers marched another 33 kilometers from the Municipality of Sta. Rita to Hinabangan.

On November 11, 2007 the Sumilao Farmers had their 2nd day of walk in the island of Luzon. They first set foot on the island on 9 November in the Municipality of Matnog. They traversed the whole stretch from the Municipality of Irosin to Sorsogon City, covering 37 kilometers. The following farmer organizations joined the Sumilao farmers toward Sorsogon city: PANGOPOD, BAP, LPKISCUPFI, CBTG and Coastal Core. These organizations have been waiting for the arrival of the Sumilao Farmers in Luzon for quite some time; they

wanted to show their support and solidarity with the marchers. They proceeded to Fatima Parish Church of Sorsogon City where Bishop. Arturo M. Bastes welcomed them.

The Sumilao Farmers marched again on November 12 to the Municipality of Putyaw, another 37 kilometers distance from Sorsogon City and then headed off to Daraga for a 23-kilometer walk. The following day, the Sumilao Farmers started walking at around 4:35AM negotiating the stretch of Naga City to Sta. Rosa, Pasacao with 30 kilometers. They had a stopover in the Municipality of San Fernando, Camarines Sur to have a breakfast with the Municipal Mayor Fermin Mabolo. They were welcomed by the good mayor with a simple meal that was prepared as a manifestation of his support to the marchers.

The farmers arrived in St. Rose Ublima, Brgy. Sta. Rosa del Norte, Camarines Sur at around 2:00PM. They were welcomed by the locals with a warm welcome party. The Sumilao Farmers got acquainted with the people who visited them. They got to know Ragay and Limbanan Farmers, Bicol Christian Life Community, LGU of San Fernando, DAR Province, Guardians Republicans, SALIGAN and Caseres Social Action Foundation Inc. A small program was likewise conducted where it was actively participated by the LGUs of San Fernando. To educate the public, Rene Peñas delivered a short message stressing the history of the Sumilao Farmers' struggle.

On Dec.7 the farmers had an early breakfast in Ateneo. And before embarking their walk to the House of Representatives and DAR Central Office, a Eucharistic celebration was offered by Fr. Primitivo Viray, Jr., SJ, Fr. Noel Vasquez, SJ, Fr. Bienvenido Nebres, SJ, and a diocesan priest sent by Bishop Honesto Pacana, SJ from Bukidnon. After the mass, the farmers were oriented on the route they will be taking for the day. By 9 am, the farmers started to walk from Ateneo to the House of Representatives. They passed at the University of the Philippines where other support groups waited for them. There was a very long stretch of marchers numbering more than 500. The farmers were welcomed in the House of Representatives and met with the Committee of Agrarian Reform chaired by Rep. Elias Bulut Jr. The farmers pressed their sentiment for the extension of CARP beyond 2008. There was no categorical commitment from the committee except for the usual reply of government that it will try to study the proposal.

On the same day, the farmers went to Malacañang. Upon reaching the Nagtahan Bridge, the policemen together with the ranking officers of the Philippine National Police blocked the farmers from walking further. Fr. Pascual of Caritas Manila helped negotiate with the police. After almost 2 hours of negotiation, the farmers were eventually permitted to proceed to Malacanang. There, Mr. Samuel Merida, Elgine Merida (Mr. Merida's daughter), Napoleon Merida, Jr., and Rene Penas delivered their speeches.

In their second attempt to have an audience with President Arroyo, the farmers were accompanied by church people from parishes all over the national capital, led by Manila Archbishop Gaudencio Cardinal Rosales. Rosales was Bishop of Bukidnon before he was named Bishop of Lipa, the post he served before becoming Archbishop of Manila. The protesting farmers will ask President Arroyo to reverse the status quo order issued by Agrarian Reform Secretary Nasser Pangandaman. Pangandaman's order told the farmers to respect the ownership of San Miguel Foods, Inc. (SMFI) over the land to allow the corporation to continue with its ongoing development activities.

The hike lasted for almost two (2) months or fifty-five (55) days. They walk day and night under the heat of the sun and the coldness of the night. On December 18, 2007 then President Gloria Macapagal Arroyo, through Executive Secretary Eduardo Ermita, granted the petition for the cancellation and/or revocation of the conversion order covering 144 hectares of land at San Vicente, Sumilao, Bukidnon filed by MAPALAD as represented by Paterno Tuminhay. The order however was not implemented immediately as SMFI appealed to such decision. The palace urged the two parties (MAPALAD & SMFI) to come up with a compromise agreement.

In March 29, 2008, a settlement agreement was entered into between the Sumilao farmers and the San Miguel Corporation during a ceremony at the San Carlos Seminary in Guadalupe, Makati City. The signing of the MOA means that all cases related to the land dispute will be dropped: it includes the case filed by NQSRMDC to the Supreme Court concerning the decision of President Arroyo revoking the conversion order. The deal also means that President Arroyo's decision would no longer be in effect. The MOA sets out the implementing guidelines for the agreement entered into. Under the MOA SMC agreed to release 50 hectares to qualified beneficiaries by deed of donation and an additional 94 hectares outside the original estate will be acquired through a voluntary offer to sale (VOS) scheme of the Department of Agrarian Reform which will be distributed to the claimant farmers to complete the 144 hectares.

The day after the signing of the MOA, the farmers settled on the fifty (50) hectares of San Miguel Estate. The 94 hectares of the 144 hectares however were located a considerable distance which is about 10 to 15 kilometers away from their home in San Vicente, Sumilao. Not only that the lands were of considerable distance, those were subjects of legal disputes. One example is the 15 hectares covered by Mary Ann Baula, the then Sumilao Mayor that was leased to Del Monte Philippines Inc. and was still planted with pineapples. The said act was a clear violation of the MOA which provides that the land to be given is free of liens.

Several meetings were held between the Sumilao farmers, SMC, and DAR to discuss and follow up on the implementation of the MOA but the deadlines were not met. In September 2008, the farmers decided to accept DAR's offer of 94 hectares of land, even if said properties were located a considerable distance. Adding to the disappointment of the farmers, on November 24, 2009, only 15 hectares out of the 94 hectares have Certificate of Land Ownership. The remaining 79 hectares accordingly could not yet be processed because the DAR was still waiting for the certification from the Land Registration Authority (LRA) in Manila and that the process was taking a long time. It took another two (2) years of dialogue and negotiations and camp-outs in front of San Miguel Corporation property from the signing of the settlement agreement before the farmers obtained ownership certificates of the remaining hectares. Nevertheless, the farmers received the certificates through their cooperative (PANAW-Sumilao Farmers) in October 10, 2010.

IV. CONCLUSION

This study is centered on the Sumilao farmers' struggle for land. It provides a focused view on the micro level experiences vis-à-vis land reform in the Philippines. The study reveals that the land dispute between the Sumilao farmers and the land owners ensued because a big tract

of land in San Vicente, Sumilao is owned only by an individual (Norberto Quisumbing) leaving the people around (Sumilao farmers) as farmworkers for a long period of time. With the advent of the Comprehensive Agrarian Reform Program, the Sumilao farmers were able to have a chance to own a land of their own. CARP served as a vehicle for landless farmers like the Sumilao farmers to own directly or indirectly the land they till.

The wide disparity of land ownership initiated the land dispute between the farmers and the landowners. Land is a necessity for the people whose lives are tied to the soil. In the present case, the clamor of the Sumilao farmers for land can only be viewed as a natural recourse in a country whose wealth is concentrated in the few. Norberto Quisumbing was an owner of vast area of lands not only in Bukidnon but also in some areas in Luzon. Moreover, the San Miguel Food Inc. is also owned by renowned land lords in the country. The Sumilao farmers who had been a farmworkers in the disputed land, out of necessity, changed course from tilling land to battling out in the political arena.

Drbohlay, Svitalek, Hejkrlik, (2017) pointed out that opposition from the land owner is the primary reason of the delay of the distribution of land to the farmers. The same is true in the present case. The consistent appeals and filing of cases of NQSRMDC to counter the application of the Sumilao farmers manifest its unwillingness to subject its land on the CARP. The unwillingness of NQSRMDC resulted to decades of struggle of the Sumilao farmers. The delay hampered the achievement of social equilibrium, as it is said that “justice delayed is justice denied”.

Alongside the opposition from the landowner, legal challenges also posed a challenge to the Sumilao farmers. Legal challenges take a form of conflicting provisions of the laws such as the conflicting provision of the local government code and the CARP. The local government code allowed LGUs to convert certain areas of lands from agriculture to non-agriculture provided that it will serve the people better. The CARP on the other hand gave the DAR Secretary the power to approve or disapprove the applications for conversions. In the present case, the provisions offered different interpretations that somehow delayed the processes of land distribution. Questions over jurisdiction of cases also posed a challenge as it delayed the processes waiting for the issue to be resolved. Those legal impediments were serious challenges for the farmers because needless to say, it is quite foreign to them. Fortunately, there were concerned individuals who were knowledgeable of the law who extended their helping hands.

Aside from the opposition from the landowner and the legal challenges, another crucial challenge experienced by the Sumilao farmers was the lack of political commitment by no less than the government. For instance, had President Fidel Ramos been firm with its decisions the farmers could not have hold on to an empty hope. The win-win resolution although a heroic decision in its face value, is a clear manifestation of his lack of strong political will on matters concerning land reform. The President could have not wait for a dramatic protest, public pressure and upcoming election in order for him to issue a decision favoring the underprivileged farmers. Or he could have not issued the controversial “win-win” resolution at all if he for himself is convinced that his prior decision stated in the Torres decision was issued in good faith.

It took the Sumilao farmers decades before they actually owned the land they fought for. They battled out the identified challenges through any possible means within the bounds of

the law. The Sumilao farmers did not fail to utilize all possible legal measures. The Philippines embraced the well founded principle of exhaustion of legal remedies. The doctrine prevents any litigants from seeking a remedy to another court or jurisdiction until available remedies are exhausted. The principle can be observed in the present case. The farmers sought the help of the DAR, which is the proper body to carry out their best interests. They also filed their complaints and defense in the proper courts. When exhaustion of legal remedies was not enough, the farmers brought their case to the streets. By pressuring the government and the public to support their cause, they were able to overcome the struggle. The case of the Sumilao farmers showed the vital role of civic organizations and supports from concerned individual in attaining social justice, at least in this case, in the areas of land reform.

Acquiring a piece of land may not be an absolute solution to poverty, or may not really alleviate the lives of the farmers, but a piece of soil is better than a gold that is not at hand. Industrialization could offer an extent of development that simple land distribution could not, but what good it can do if it is not materialized? In the framework of social justice, when in reasonable doubt, the scale of justice should tilt in favor of the underprivileged. In the present case, the scale may have tilt in the Sumilao farmers' favor, but the end did not justify the means.

The long struggle paid off, the Sumilao farmers are no longer landless unlike before, though most of the land they owned were not the same land which they exerted considerable amount of efforts, money, and lives. Nevertheless, the Sumilao farmers did more than for themselves; they opened the eyes of the public on the realities of land problem in the Philippines. Indeed the Sumilao farmers are an epitome of struggle for land, a struggle for social justice.

V. RECOMMENDATIONS

Although attempts have been made in this study to come up with a concrete narrative of the case of the Sumilao farmers base from available documents, some important information are still lacking. Nevertheless, the study served its purpose. After completing the study and in view of its limitations, the following recommendations can be made for future research and for its valuable use.

1. To fill the gap in the present study it is recommended that future researchers will go beyond document analysis. Future researchers may interview the study farmer-participants or their relatives to get their personal stance on the event.
2. Use the study as a supplement to future researches concerning agrarian reform in the Philippines.
3. Look for another concept or theories than can offer another viewpoint about the surrounding circumstances on the Sumilao farmers' struggle for land.

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