

CASE STUDY

Sumilao, the Philippines



Twenty years of non-violent protest to benefit from the Comprehensive Agrarian Reform

In 1988, the Philippines embarked on a Comprehensive Agrarian Reform Program (CARP). A group of 137 indigenous Higaonon farmers applied through the CARP for access to 144 hectares of ancestral land from which they had been evicted 50 years earlier. When the government first awarded and then withdrew their land titles, the farmers waged a 13-year campaign of non-violent protest that included land occupation, camp-outs in front of the Supreme Court, hunger strikes, a 1700 km march, along with continuous dialogue with the private owners of their land. In 2010 they obtained the titles and a 2 million peso loan.



INTERNATIONAL
LAND
COALITION



PRINCIPAL ORGANISATIONS INVOLVED

Sumilao Multi-Purpose Cooperative (PANAW)
PAKISAMA
ARNow!

LOCATION

San Vicente, municipality of Sumilao, province of Bukidnon, Mindanao, the Philippines

TIMELINE

1990 - 2010

TARGET AUDIENCE

state entities implementing land reform,
farmers' organisations, campaigners

KEYWORDS

land reform, legal action, media campaign,
non-violent action, protest march

Good practices

towards making land governance more people-centred

this case study is part of the ILC's Database of Good Practices, an initiative that documents and systematises ILC members and partners' experience in promoting **people-centred land governance**, as defined in the Antigua Declaration of the ILC Assembly of Members. Further information at www.landcoalition.org/news/antigua-declaration-ilc-members

This case study supports people-centred land governance as it contributes to:

- Commitment 2 Ensure equitable land distribution and public investment that supports small-scale farming systems
- Commitment 8 Ensure transparency and accountability

Case description

Background issues

At the end of World War II, after four centuries of Spanish and American colonial rule, landownership in the Philippines was concentrated in feudal-style *haciendas* and large-scale plantations. Most of the original inhabitants of the islands were landless. San Vicente, a village in the municipality of Sumilao (province of Bukidnon, region of Mindanao), is a good example. In the 1940s the indigenous Higaonon farmers of San Vicente had been displaced from 244 hectares of their ancestral lands by settlers/investors, in order to make space for large commercial farms, and they became landless labourers on the farmlands they once controlled.

Following the 1986 revolution and approval of a new constitution, the Philippines embarked in 1988 on a Comprehensive Agrarian Reform Program (CARP), aimed to reform tenure of 8.1 million hectares of land. The Department of Agrarian Reform (DAR) took care of distributing private lands and the Department of Environment and Natural Resources (DENR) was in charge of redistributing public lands. The law set a ceiling of five hectares to private agricultural landownership. The surplus above this ceiling was to be redistributed or sold to landless poor.

The implementation of CARP was slow and cumbersome (Quizon, 2013). First, most of the land that was redistributed was public land, while private landowners mostly offered marginal lands for sale. Many large private landholdings remained intact. Second, besides resistance from landowners, the CARP also set landless workers against one another. Finally, the majority of new land owners was unable to benefit from governmental loans or extension services, since the Land Bank of the Philippines privileged farmers organised in associations or cooperatives.

“Nothing is impossible if only we make a stand and unite”.

Rene Penas, leader of the Sumilao farmers

Understanding these shortcomings, civil society organisations such as PhilDHRRA and PAKISAMA started organising and supporting landless communities – including the Higaonon community of San Vicente. In 1990, 137 landless Higaonons applied to the CARP to become owners of 144 hectares of the 244 hectares from which they had been evicted in the 1940s. The DAR issued their land ownership certificates in 1995. However, when the former owners appealed the decision, the Office of the President overruled the decision of the DAR and awarded the land back to the former landowners.

Solution

As a reaction, the 137 Higaonons waged a 13-year campaign of non-violent protest – based on land occupation, camp-outs in front of the Supreme Court, hunger strikes, and a 1700 km march – along with continued dialogue with the owners of their land.

The farmers also built strong legal and media relations to ensure that their case, protest actions, and progress in court (or lack of progress) were visible locally and internationally. This way the campaign appealed to national and international non-governmental organisations as well as international donor agencies.

Eventually, thanks to their campaign, the farmers obtained land ownership certificates of 213 hectares of agricultural land.

Activities

The Sumilao farmers undertook the following actions between 1990 and 2010:

Application to the Comprehensive Agrarian Reform Program

In 1990, the 137 farmers applied to the CARP to become beneficiaries of the 144-hectare Quisumbing Estate, which had been acquired by the DAR under the Compulsory Acquisition Scheme. In 1995, the DAR issued land ownership certificates to the 137 farmers. The Quisumbings, the former owners, appealed and the certificates were withdrawn. The Quisumbings filed a case against the farmers.

Occupation of the land

Surprised by the lawsuit, the 137 farmers and their families occupied the 144-hectare property on July 14, 1997. On July 17, 1997, the farmers were driven off the land by armed security guards.

Hunger strike during the Ramos administration

As a reaction to the violent intervention by the Quisumbings, 17 farmers waged a 28-day hunger strike in front of the DAR office in Quezon City and in Cagayan de Oro City. This earned national and international attention from the media, the public, the church, and politicians.

The Ramos administration created a task force to find a solution for the case of the Sumilao farmers. On November 5, 1997, the administration awarded 100 hectares of land to the farmers, while 44 hectares were classified as industrial land and remained property of the Quisumbings. The farmers accepted the compromise, but the DAR did not issue an order of installation. The fence of the estate remained electrified

and well guarded. The Supreme Court's second division reversed the decision and returned the 100 hectares to the Quisumbings.

Hunger strike during the Estrada administration

In June 1998, the farmers camped again in front of the DAR office. Under the spotlight of 34 local and international news agencies, they asked the newly elect president Estrada for help. The latter ordered the immediate action by the Office of the President to make representations to the Supreme Court. However, this never happened. Four months later, in October 1998, the farmers resorted again to a hunger strike. In a second meeting with the farmers, the president advised the farmers to go to the Supreme Court themselves.

Camp-out in front of the Supreme Court

The Sumilao farmers camped in front of the Supreme Court for 89 days. In August 1999, the Supreme Court took a final and executory decision, reaffirming that the 100 hectares had to be returned to the Quisumbings.

Highway protest

The suicide of one of the farmers immediately after the Supreme Court's decision caught again public attention and in September 1999 the farmers and their families blocked the Sayre Highway with their bodies. A case was filed against the farmer leaders Rene Penas and Linda Ligmon. They were eventually arrested and jailed on the eve of the nationwide *Jubilee March Against Hunger Campaign*, set to start on May 5.

Second application to the Comprehensive Agrarian Reform Program

In the meantime, the Sumilao farmers had made a second attempt to benefit from the CARP, applying to become owners of the 99-hectare Carlos estate. The Carlos family voluntarily offered the estate for sale. The farmers got 19 hectares of this estate under the Estrada administration in 1999 and another 47 hectares under the Arroyo administration in 2003.

Reporting land conversion violation

In August 2004, five years had lapsed after the conversion of the Quisumbing estate to industrial land, but in practice no conversion had taken place. In the meantime, the Quisumbings had sold their 144 hectares to the San Miguel Corporation. The farmers reported this violation of the Land Conversion Guidelines to the DAR. Two years later, the DAR replied that it had no jurisdiction over the case. The farmers filed their demand to the Office of the President in February 2007.

The "Walk for Land, Walk for Justice" march

In 2007, one year before the 10-year extension of the CARP was going to expire, PAKISAMA and its member organisations organised a 1,700 km march from San Vicente to Malacanang to catch the public and the President's attention. Fifty-five Sumilao farmers, one-third of which women, led the march. The march was set to leave on October 9, 2007, the tenth anniversary of the historic hunger strike.

"Ms President,
had you listened
and implemented
the law, I should
not have been
here marching.
I should have
been in school."

Bajekjek Merida,
19 year old marcher

The preparation of the march included:

- creation of campaign centres in Cagayan/Bukidnon and Manila;
- organisation of legal and paralegal support;
- organisation of support groups and alliances along the route;
- production of information material, including position papers, leaflets, shirts, pins, DVDs, and short clips for television and you tube;
- daily press releases;
- a fund raising campaign and an online petition.

On December 4, 2007, the marchers stopped at the Senate to conduct an indigenous ritual and on December 6 they stopped at the Congress to call on the legislators to extend and reform the CARP. Some 3,000 supporters mobilised along the route, most prominently on December 17, when 800 supporters from religious congregations, parishes, and schools joined the marching farmers.

Agreement with San Miguel Corporation

Thanks to mediation by the church, the farmers and the San Miguel Corporation signed a settlement agreement on March 29, 2008. The day after, the farmers and their supporters settled on 50 hectares of the San Miguel Estate.

In 2009, both Houses of Congress approved a reform and a 5-year extension of the CARP, as well as a budget of 150 billion pesos for the acquisition and redistribution of large private landholdings.

It took another two years of dialogue and negotiation and a 2-month camp-out in front of the San Miguel Corporation property in San Vicente before the Sumilao farmers obtained ownership certificates of the remaining hectares. The certificates were handed over to the farmers' cooperative PANAW-Sumilao on October 10, 2010.

Importance of the case for people-centred land governance

Land reforms schemes can turn landless poor in successful smallholder farmers. However, land reform schemes need to be designed in such a way that they are as inclusive as possible – if not, they miss their target. This case study shows the difficulties that one group of landless farmers encountered to benefit from the CARP reform scheme in the Philippines. It took them twenty years of legal action and non-violent protest to benefit from the scheme and become landowners.

Changes

Baseline

Around 1990, 90 percent of the approximately 150 households of San Vicente were landless and around 90 percent of the approximately 250 adults worked as labourers on farming estates that were owned or leased by corporations such as Dole, del Monte, or San Miguel Corporation. A group of 137 Higaonon applied to the CARP, in order to obtain land ownership certificates for the lands that their ancestors once had controlled. In 1995, the government awarded them land titles but withdrew them as the former landowners appealed.

Achievements

Access to land. In 1999 and 2003, the farmers obtained 66 hectares from the Carlos Estate, while in 2008 and 2010 they obtained 147 hectares from the San Miguel Corporation. The DAR provided a production loan of two million pesos, while the church and Xavier University assisted the community with technologies and inputs.

Enactment of new legislations. The Sumilao campaign contributed to the enactment of new legislations on agrarian reform: an extension of the CARP in 1998 and a new reform program (CARPER) in 2009, with a government budget of respectively 50 and 150 billion pesos for the acquisition and redistribution of big private landholdings.

Increased public awareness. Their actions inspired other citizens, and in particular farmers, to stage similar protests against the faltering implementation of the CARP.

Lessons learned

Lessons for civil society

Lessons on non-violent protest

First, when landless farmers resort to protest to get access to land, they need to persevere in their non-violence. This will help them get support from powerful civil society institutions, including the church. In fact, the Sumilao farmers were well respected for the persistently non-violent character of their actions. According to a Social Weather Stations Survey, 46% of Filipino adults were aware of the 1997 hunger strike and 90% of them approved of the action.

Second, networks are important. The Sumilao farmers and their allies had broad national and international networks of dedicated lawyers, community organisers, media writers, and fundraisers. This network was essential in attracting further support from the church, academia, media, and even government institutions.

Third, from an economic point of view, the non-violent approach of the Sumilao farmers had a high return on investment. Seven years of intensive campaigning (i.e. 1990, 1997-1999, and 2007-2010) cost an estimated 8 million pesos (3 million pesos of funding and 5 million pesos of in-kind contributions), while it yielded land titles for 213 hectares.

Finally, the 20-year campaign had many other positive effects for the community: improved organisational capacity, strong social cohesion, increased understanding of their rights, and increased access to various public and private goods and services.

Unfortunately, the success also came at a high human cost, as four people lost their lives: two lawyers of the Sumilao farmers died in a plane crash on their way to meet the farmers, one farmer committed suicide, and the farmer leader Renato Penas was assassinated.

Every protester should be able to tell the story and the objectives of the protest.

Lessons on non-violent protest techniques

Every hunger striker or protest marcher should be able to tell the story and the objectives of the hunger strike or protest march, and should be able to cite legal, technical and moral arguments to support their cause.

Although walking 1700 km was hard, the marchers enjoyed the experience: they had the unique opportunity to see different parts of the Philippines, appear in the media, eat better food, and meet people such as the President and the Cardinal.

Lessons on agrarian reform

The better a government understands the problems of (landless) farmers, the more effective the implementation of the reform will be. It is therefore important that the potential beneficiaries organise themselves and create a favourable environment for dialogue, in order to influence the design and implementation of the reform.

Lessons for policy makers

Agrarian reform is an imperative for national development, as demonstrated by the experience of Japan, South Korea, or China. However, implementing an agrarian reform in a democratic setting is bound to meet strong resistance from political and economic elites whose wealth is based on landownership. It is therefore important for democratic governments that embark on an agrarian reform programme to work with civil society organisations that can peacefully assemble the citizens, and to allow citizens to inform themselves and express their opinions.

Challenges

First, the long campaign required considerable funding. Only a combination of methods – such as grant seeking, income-generating activities, charity events, mobilisation of partner NGOs, churches and schools – could raise enough funds.

Second, the Sumilao farmers faced wealthy and powerful adversaries, aided by top lawyers. The farmers matched that power by allying with law groups and institutions from top universities and the Integrated Bar of the Philippines.

Finally, to withstand the influence of the San Miguel Corporation in mainstream television, radio, and print press, the group of farmers had to engage independent public opinion makers, young journalists, and social media.

Follow-up

Over the past 25 years, the Sumilao farmers have become an icon in the agrarian reform movement. Their story has inspired and continues to inspire many groups in the country, among them the Banasi and Calatagan farmers, who staged similar marches, some of which under the guidance of the Sumilao leaders.

Yet the struggle continues. According to official figures, the government still needs to redistribute 500,000 hectares of prime agricultural land (LBRMO, 2014). Civil society organisations claims that the figure is around 2-3 million hectares and campaign for an extension of the programme and the establishment of an audit commission. Leaders of the Congress promised to pass the proposed extension by June 2015.

Supporting material

References and further reading

LBRMO (Legislative Budget Research and Monitoring Office) (2014). 25 Years of CARP, *Budget Facts & Figures*, Vol 2(2). Available at: <http://goo.gl/O8Ntb7>

Quizon, A. B. (2013). *Land Governance in Asia. Understanding the debates on land tenure rights and land reforms in the Asian context*. Rome: ILC.

Available at: <http://www.landcoalition.org/en/publications/land-governance-asia>

Photos, videos

The Sumilao farmers' march, <http://www.youtube.com/watch?v=AVX9-rFEAac>

Last public speech of Renato Penas, leader of the Sumilao farmers,
<http://www.gmanetwork.com/news/story/164287/news/specialreports/slain-farmer-leader-s-last-speech-recorded-by-gmanews-tv>

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The [International Land Coalition \(ILC\)](#) is a global alliance of civil society and intergovernmental organisations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue and capacity building.

The opinions expressed in this brief are those of the authors and do not necessarily constitute an official position of the International Land Coalition, nor of its members or donors. Authors: Raul Socrates Banzuela (PAKISAMA), Anna Brillante (ILC Asia) and Jan Cherlet (ILC Secretariat)

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