

A Struggle Through Generations

The Sabang Bao, Labrador, and San Jose Farmers Associations' Long Road to Triumph

For members of the Sabang Bao, Labrador, San Jose Farmers Association (SALASAFA), the road to obtaining what is rightfully theirs had been long and arduous. They have struggled to have lands of their own for more than 20 years. Despite being issued with Certificate of Land Ownership Awards (CLOAs) in 1994, these agrarian reform beneficiaries (ARBs) have been unable to occupy lands awarded to them due to various deterrent means employed by landowners. After several unsuccessful attempts, and two decades of struggling against landowner resistance, 72 ARBs have finally been installed on their awarded lots just last September 2017.

Four communities of farmers

Barangay Sabang Bao, Barangay Labrador, and Barangay San Jose are contiguous *barangays* in the City of Ormoc, Leyte Province. Sabang Bao sits to the right of the Bao River, bounded by *Barangays* Bayog and San Jose to its north, and by *Barangay* Labrador to its east. A few kilometers east of *Barangay* San Jose is *Barangay* Nasunogan, from which the newest members of SALASAFA hail. The four *barangays* are all classified as rural communities, home to a total of 9,182 individuals (Philippine Statistics Authority, 2010).

SALASAFA was established in 2016 and has been registered with the Department of Labor and Employment (DOLE) with the assistance of Kaisahan. The organization has more than

a hundred members composed of farmers and farmworkers from the three previously-mentioned *barangays*. These farmers have claims to a total of 700 hectares of sugarcane and rice fields. 72 of SALASAFAs members were identified as ARBs under the Comprehensive Agrarian Reform Program (CARP), while the rest have been lobbying for their inclusion in the program.

An unfair heir

The Rustico Capahi Sr. landholding is a 700-hectare field which spills over boundaries of several *barangays* in Ormoc City, Leyte. Fathers of SALASAFAs members and they themselves have worked on the landholding for more than 30 years. In 1987, 28 farmers entered into leasehold contracts with Rustico Capahi Sr., and hence were able to cultivate sugarcane, and eventually rice, on the landholding for three years.

When Capahi Sr. passed away in 1989, his son took over the management of landholding. The heir then ordered the lessees to vacate the land, for him to be able to convert the fields back into a sugarcane plantation. It appeared however, that Capahi Jr. evicted the farmers for him to be able to select and employ men of his own.

The farmers then filed a complaint to the Department of Agrarian Reform (DAR) against their forced ejection. A notice of reinstatement was later issued for 10 of the original 28 farmers. Initial attempts to re-occupy the parcels of land they used to cultivate were, however, thwarted, after men of Capahi Jr. uprooted crops planted by the reinstated farmers. In another instance, the farmers were able to successfully plant another set of crops, but these were later harvested by rival groups without giving the sowers a share of the proceeds.

The intimidation game

In 1994, DAR released a number of Certificate of Land Ownership Award (CLOAs) for 16 lots of the Capahi landholding, which accrued to a total of 145 hectares. Three years thereafter, now bearing titles, farmers once again attempted to install themselves onto the landholding. They were however blocked by two truckloads of the younger Capahi's men, who surrounded the farm with machetes in-hand. SALASAFSA President Nilo Jopia recounts how a military personnel pointed an ArmaLite rifle towards his father, a peasant-leader, while threatening to kill the ARBs should they pursue their occupation of the land. While members of the police were present that time, their force could not match that of the landlord's cronies.

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Terribly intimidated and fearing for their safety, many of the farmers had since refrained from returning to the landholding. They had already been tagged by the landowners as members of the insurgent New People's Army (NPA) and had been afraid to be seen on the farm, where a nearby military detachment may be found. Nilo shared that the gamble was too daunting for they would risk losing their lives for a small piece of land.

The CLOA-holders were up against a formidable foe. Not only do the Capahis have close family members in the military, they also have strong ties with large landowning families such as the Larrazabals and the Torreses. Since the release of the CLOAs, landowner resistance only intensified. The Capahis continued to employ a multitude of means to prevent ARBs from accessing the farm, among these: the use of rival farmer-claimants; testifying against the ARBs' and their fathers' history of being Capahi farmworkers; filing of petitions for the cancellation of the issued CLOAs;

commissioning military assistance; and, directing threats towards the ARBs.

Without their own land, the farmers worked as agricultural laborers on other smaller landholdings owned by friends or relatives. In return, they received a share of the crops for personal consumption and for trade.

From rivals to allies

The claimant-farmers and their families remained in possession of the farmland. They later organized themselves into the Capahi Farmers Association (CaFA) and are believed to have been under the protection and influence of the Capahis.

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The farmer-beneficiaries then began engaging in dialogues with the rival claimants, later earning their support. Most of the rival farmers eventually agreed to support SALASAFa members’ installation attempts, so long as they would also be provided with shares of the lots. From being at the forefront of barricades preventing other farmers’ access to the land, majority of the claimants are presently working together with their former rivals towards the fulfillment of their rights to the same land. After learning of this, landowners then increased the rental fees of the claimant-farmers under their employ. Claimants were also ordered to vacate their houses situated on the landholding.

SALASAFa members observe that apart from landowner resistance, the lack of support from DAR also contributed to the delaying of their installation. Had it not been for concerned civil society organizations (CSOs), the beneficiaries would not be aware of the importance of their CLOAs, much less of the processes required for securing

their land. As one of the SALASAFAs members expounds, “[DAR] did not bother to give any instructions. They did not give any information as to what [the CLOAs] held or how legitimate they were. They just distributed them. And, you know, most farmers are not educated, so they really did not know the CLOAs’ purpose, or how to make the claims.”

Towards a brighter future

With the help of Kaisahan, dialogues were continually conducted with the municipal and provincial DAR offices to fast-track the ARBs’ formal installation on the landholding. Various installation planning meetings have also been conducted with SALASAFAs, Kaisahan, DAR, and the Philippine National Police (PNP).

Finally, on 5 September 2017, amid legal contestations and continued landowner resistance, 72 ARBs from SALASAFAs have finally been installed on land they have claimed for more than 20 years.

ARBs are prepared to lease out some of their lands to farmer-claimants who worked under the younger Capahi. Although this might leave some of them with less than a hectare of land, the beneficiaries believe that what is most important is that all of them have access to land. As SALASAFAs member Regie expressed, “The important thing is that we have something. Even if they are small parcels, at least everyone has a share, everyone has land.”

The farmers along with Kaisahan continue to lobby to DAR for the recognition and inclusion of farmers initially excluded from the issued CLOAs. In order to make their newly-acquired land productive, SALASAFAs members also call on DAR to provide them with support services as mandated in the CARP. ■



One Step at a Time

The Long Road to Victory and Present Challenges Faced by the Sumangga United Farmers Association

Indeed, it may be draining to continually be faced with one hurdle after another over a long period of time. Yet fatigue may never be enough to dampen the spirits of those continually fighting for their rights. Such is the case of the Sumangga United Farmers Association (SUFA). First issued with Certificates of Land Ownership Awards (CLOAs) in 1997, it took two decades before members of SUFA were able to physically occupy the lands awarded to them. Despite this, farmers continue to face opposition from landowners, as well from rival groups claiming the same plots. Making their lands productive also remains a challenge in the absence of support services from the government.

SUFA in challenging terrain

SUFA was organized with the assistance of Kaisahan in 2015 to strengthen Sumangga ARBs' capacities to secure their right to land. In 2016, the organization was officially registered with the Department of Labor and Employment (DOLE). The organization is presently composed of 23 CLOA-holders (14 males and nine females). SUFA members are presently cultivating corn, cassava, and other vegetables on their newly-acquired plots.

SUFA's 35.56-hectare farm area is located in *Barangay* Sumangga, in the southwestern portion of Ormoc City, in the Leyte Province. *Barangay* Sumangga is a small rural

barangay with a recorded population of only 1,184 in 2010 (Philippine Statistics Authority, 2010). It is bounded by *Barangay Donghol* to its north, *Barangay Alta Vista* to its west, *Barangay Patag* to its east, and *Barangay Hugpa* to its south.

The landholding is located in a mostly highland *barangay* which sits alongside hills and slopes. Portions of Sumangga have been found to be suitable for growing coconut, rice, rubber, and sugarcane (Department of Agriculture Farmers Guide Map, n.d.).

The geographic and topographic details of the *barangay* also pose additional challenges for farmers. Ninety-three percent of Sumangga has been found to be highly vulnerable to landslides, erosions, droughts, and strong winds. Sourcing water for household consumption and for irrigation is also a primary concern. There is hardly any groundwater available in the farm area, and the construction of a water tank in the area has yet to be completed. SUFA ARBs have thus been gathering water from a river about a kilometer away from the installed farms. Moreover, farmers also have limited access to farm inputs, and the nearest farm-to-market road is rough and rocky.

Workers under a powerful clan

The 35.56 hectares of farmland in question formed part of a sugarcane plantation owned and operated by the Potenciano and Aniceto Larrazabal Economic Corporation (PALEC). Pablo Silva, chairperson of SUFA, is among the agrarian reform beneficiaries (ARBs) who had grown up on PALEC's land. According to him, the landholding was originally owned by a different family. His parents (and later himself) were under this family's employ until the *hacienda* went bankrupt in 1982. The farmland became idle for four years, until the Larrazabal family took over it in 1986. With incredible wealth and a number of friends in high places,

the Larrazabals are among the most powerful land-owing clans in Leyte and in the Philippines.

The farmers then toiled on PALEC's sugarcane plantation as agricultural laborers, beginning their day at five in the morning and ending at five in the afternoon. Their long 12-hour shift was compensated by a meager daily wage of PhP 70 which did not come with any food rations or medical benefits. Moreover, according to Pablo, they would not be given their full day's wage if they had worked on the plantation for less than 12 hours. Their yearly bonus also never went over PhP 150.

Tenacious resistance, denial of rights

In 1998, the farmers learned that 23 of them have been identified as ARBs under the Comprehensive Agrarian Reform Program (CARP). Moreover, they were made aware that CLOAs with their names had already been issued in the prior year. In 1999, these ARBs were scheduled for installation. Surveyors from the government along with an official from the Department of Agrarian Reform (DAR) met with Pablo Silva to explain that they were about to be installed into land that would now be their own.

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A member of the Larrazabal family then interfered and demanded that DAR officials go through the landowners’ office first. The DAR official and the surveyors obliged, but not without giving Pablo assurance that the ownership of the land would soon be transferred to the ARBs. This was, however, the last time they were to hear from DAR until 2014.

Despite being aware of the CLOAs awarded to the ARBs, PALEC continued to exercise control over the plantation and the farmworkers. Explaining why they did not assert



their right to the farmland, Pablo shared, “First, we did not have the capacity to fight them. Second, we were afraid we might lose our houses and jobs. Even if we were earning so small, we just worked on living in peace, without fear. We understood that it is risky to go against the rich and powerful.”

Moreover, according to Gilbert Negad, a Kaisahan area coordinator, from the issuance of the CLOAs in 1997, landowners along with their allies from the local DAR continued to block the farmers’ installation attempts with intimidation and threats directed towards the ARBs. “Blocking the installation is already a human rights violation because this deprives (the farmers) of livelihood and security,” Negad states. “Violation of land rights is a violation of human rights,” he adds.

In 2014, upon learning of their case, Kaisahan approached Pablo and the rest of the Sumangga farmers to offer

assistance. He was apprehensive at first, fearing threats from the Larrazabals and anxious about the materialization of their installation. The ARBs' confidence was eventually raised by their improved knowledge of land rights, acquired through seminars and paralegal workshops organized by Kaisahan.

The ARBs in cooperation with Kaisahan and the local DAR attempted to organize another installation in 2014. This was however postponed in order to safeguard the farmers who had been receiving threats from the landlords and their allies. Sometime during the preparatory phase for the installation, unidentified men claiming to be sent by a certain Baba Herrera went to Pablo's house and asked him to vacate his property. Knowing that lawful processes ought to be followed in cases of eviction, he refused to leave his home. The following day, the same men returned with a backhoe in hand, to ask Pablo to demolish his own house. Remaining sturdy, Pablo once again refused.

Some ARBs were also discharged from being agricultural laborers under PALEC, upon the accusation from the landowners that such farmers were not legitimate residents of Sumangga nor legitimate employees of PALEC. Exemplifying just how influential the Larrazabals are, the Sumangga *Barangay* Chairman then issued an official document certifying that the farmers in question were not residents of the *barangay*, in support of the landowners' false accusations. Speaking out on these absurd allegations, Pablo shared that his own mother was the local midwife who was called to assist with the birth of all the Chairman's children.

Opportunely, Pablo and other ARBs were able to secure official documents such as birth certificates and voter's IDs proving their residence in Sumangga. Some were also able to gather official receipts of payments made by PALEC to their Social Security System (SSS) accounts, thus verifying

their employment history under the Corporation. However, numerous ARBs and all of the women farmers could not produce such evidences, as they were not able to open SSS accounts during their time under PALEC.

In 2015, a petition for cancellation of the ARBs' CLOAs was filed by 14 supposed farmworkers of PALEC. Represented by Atty. Adelito Solibaga, Jr., these rival farmers claim to be the rightful beneficiaries of the lands awarded to Pablo Silva and other ARBs. Building on the landowners' contentions, these farmers also claim that the ARBs were not PALEC workers nor are they original residents of Sumangga. Pablo however claims that some of these counterclaimants are already CLOA-holders on a farmland in *Barangay Patag*. SUFA farmers therefore suspect, that these rival claimants are being used by the Larrazabals to regain control over the farmland.

A long-awaited triumph

The farmers continued planning for their installation. With the help of Kaisahan, the ARBs organized themselves into SUFA and attempted to occupy the farmland once again in June 2015. This time, the farmers brought with them a police force of around 10 to 12 men. They were taken aback however, by the number of people blocking their way. SUFA ARBs were confronted with PALEC's group of about 200 individuals. The police then advised the farmers to back down since they clearly would not be able to get past PALEC's group without resorting to violence.

Another year of planning for the installation ensued. This time, SUFA and Kaisahan sought the help of high-level officials from the Ombudsman's office, the Commission on Human Rights (CHR), the Philippine National Police (PNP), and other government agencies. One more installation attempt was made in February 2016 but was unsuccessful.

After several failed attempts and years of struggling against landowners and rival groups, the 23 ARBs were finally successfully installed into the farmland on 20 June 2016, with the assistance of around 300 policemen and DAR officials. They were also supported by staff members of Kaisahan, the Regional Director of the Commission on Human Rights, and farmers from the newly-organized Ormoc-Kananga Leyte Farmers Association (ORKALEFF).

During the day of the installation, the adjacent *Barangay Patag's* Chairman Joel Rubin came forward and introduced himself as a representative of PALEC. Attempting to stop the installation, the Chairman insisted that the land still belonged to PALEC.

Several individuals from the landowners' party were also present that day. Farmers claiming to be legitimate workers and thus supposed beneficiaries of PALEC's land also pitched tents within the farm areas to prevent SUFA members from working on the field. Accompanying these counter-claimants was their legal counsel, Atty. Solibaga. The lawyer asserted that the installation be postponed because the legitimacy of the ARBs claim to the land is still being contested. He further stated that his clients would not leave the area given the pending petition for cancellation they filed against SUFA ARBs. Lawyers of Kaisahan however countered that by law, only a temporary restraining order from the Supreme Court may be able to halt the installation of CLOA-holders.

SUFA farmers therefore proceeded to enter the farmland, slowly clearing the sugarcanes, despite the nearby presence of PALEC farmworkers and tractors sent by the Larrazabals. It was a victorious day for agrarian reform.

It took about a year however, before SUFA ARBs were able to have actual physical possession and control over the

land. After the installation, SUFA allowed PALEC to harvest the last of the sugarcanes cultivated before the transfer of ownership from the Corporation to the ARBs. And at last, in May 2017, the farmers began to plant their own crops on their own lands.

Just a few more stumbling blocks

The present situation of the ARBs on the former PALEC plantation is quite bittersweet. On one hand, the farmers are grateful for finally having physical control over land awarded to them twenty years ago. Pablo expounds, “There is a big difference now in our situation compared to before. We have our own land now. Although they no longer hired us—as we are now *hacenderos*, so to speak—we are in a better place.”

At the same time, even Pablo admits that they were better off *financially* when they were agricultural laborers under PALEC. As of writing, the ARBs have not yet been able to earn income from their crops. The little they have harvested since having actual possession of the land, they have used for personal consumption. To augment their incomes, farmers have asked for a bit of financial assistance from their children, while other ARBs have begun working as farm laborers under small landholders.

SUFA members plan on growing corn and upland rice on the farmland for household consumption. However, they would have to plow down the tough remnants of sugarcane planted deep into the soil for these crops to grow properly. This has been a tedious ordeal for the ARBs who lack agricultural machinery and have but one small tractor they use for uprooting the canes.

They also expect to face challenges in the sale of commercial crops. Aside from the farm-to-market roads being in bad

condition, they might not be able to access the (sugar) mills which are also operated by large landowners.

As previously mentioned, the insufficiency of the water supply for sustaining crops is another pressing concern for the ARBs. According to Pablo, the availability of water enables farming as well as raising livestock.

CSOs and ARBs are thus together in calling on DAR to implement the post-installation provisions of its agrarian reform program. In particular, SUFA members are urging DAR to provide them with support services in the form of irrigation, and the provision of farm inputs and heavy equipment. These support services would be of great value to struggling, newly-installed farmers that have yet to harvest their first yields as small landholders.■

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