

INTERNATIONAL CONFERENCE

Contested ACCESS TO LAND

in the Philippines and Indonesia

How can the Rural Poor (Re)gain Control?

February 16-17, 2015

**GT-Toyota Auditorium, Asian Center and University Hotel
University of the Philippines Diliman, Quezon City**



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CONFERENCE SYNTHESIS

Contested Access to Land in the Philippines and Indonesia: How Can the Rural Poor (Re)gain Control?

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GT-Toyota Asian Center Auditorium and the University Hotel
University of the Philippines
Diliman, Quezon City

On 16-17 February 2015, the University of the Philippines (UP) Third World Studies Center, the Amsterdam Institute for Social Science Research (AISSR) of the University of Amsterdam, and the UP Asian Center held the two-day conference, “Contested Access to Land in the Philippines and Indonesia: How Can the Rural Poor (Re)gain Control” at the GT-Toyota Asian Center Auditorium and the University Hotel at the University of the Philippines Diliman.

AIM AND SIGNIFICANCE OF THE CONFERENCE

The current “global land grab”—the “explosion of (trans)national commercial land transactions mainly revolving around the production and export of food, animal feed, biofuels, timber and minerals” (Borras and Franco 2012, 34)—has gained much attention from researchers and activists in recent years. So do other types of land investments that alienate poor land users from their land, including investments for the creation of Special Economic Zones and tourist zones. In the Philippines, a post-land reform “land grab” may be ongoing, with poor beneficiaries of the redistributive land reform program (the Comprehensive Agrarian Reform Program, or CARP) leasing out their land to more capitalized

entrepreneurs. These land deals are often contested by different parties involved (open or covert, collective or individual) concerning the rightfulness, methods, aims, terms, and conditions of the deals.

The vulnerability of the rural poor in these land-deal processes is a major concern of researchers and nongovernmental organization (NGO) activists. Many rural poor lack control over the decision-making processes in these investments, are faced with policies and practices that are biased against them, and have limited means to advance their interests in the face of current power structures. They need to work hard to get their voice heard.

At the same time, the experience of researchers and activists “on the ground” has shown the complexities of these processes. For example, different (and competing) interest groups among the rural poor may be involved (indigenous people, migrant farmers, small owners and landless workers, women and men, etc.). Diverse power constellations offer different opportunities for stronger bargaining positions. Perceptions among the rural poor on the value of their land and a farming life may contrast considerably. And activists and rural land users may speak different ideological languages.

The aim of this conference was to critically reflect on these experiences and these complexities, in order to better understand how the rural poor can “(re)gain control,” that is, (re)gain effective influence over the processes that affect their control over land.

PLENARY SESSION 1

Two keynote speakers addressed the conference during the first plenary session: Walden Bello, former Akbayan Partylist Representative, and Tania Li, Canada Research Chair in the Political Economy and Culture of Asia at the University of Toronto. Jely Galang, Third World Studies Center deputy director, chaired the session. Bello proposed a top-down approach to address the issue of agrarian reform in the Philippines while Li proposed a bottom-top approach to address the infrastructural violence in Indonesia’s oil palm plantations. Both speakers emphasized how the peasant and farmer sectors are disenfranchised of their own lands and how they are being displaced from their own communities.

Bello emphasized that genuine agrarian reform may be a way to address poverty in the Philippines. The poverty rate, which is among the highest in Asia, is around 28 percent and has been such since the 1980s.

According to Bello, then-President Ferdinand Marcos's ouster in 1986 represented an opportunity for the implementation of genuine agrarian reform, an opportunity that was wasted when landed political elites placed greater importance on personal gains rather than land distribution. As recent as 2015, landed elites still present resistance against land redistribution and over 250,000 hectares of land remain undistributed.

Under CARP (1988), the reform process and distribution of land were stalled and peasants were forced to sell the land they gained because of lack of support services. The Comprehensive Agrarian Reform Program Extension with Reforms (CARPER) in 2009 was meant to address the problems found in CARP. However, CARPER lacked support from then-President Benigno Aquino III's administration and its stipulated 30 June 2014 deadline was not met.

At the time of the conference, Bello was pushing for additional amendments to CARPER, which was facing opposition from lawmakers who feared the landed elite's withdrawal of support. He added that the liberal democratic politics in the Philippines did not help the realization of agrarian reform. A top-down approach via legislative work can be used to help the peasants and rural sector regain control over land.

Li talked about corporate land grabbing within the context of Indonesia's oil palm plantation system. Indonesia has one of the highest concentrations of massive plantations among Southeast Asian countries, with the state leaving the people's fate in the hands of corporate entities. Li argues that the infrastructural violence this brings about to communities contradicts the promise of wealth and infrastructure, and it is legitimized through the rhetoric of efficient production and the promise of development and equality.

There are several kinds of violence perpetrated in the plantation system. One is the spatial violence that happens when oil palm plantations reconfigure the space, affecting the livelihood and socio-political relations of the rural folk that used to live in the area. Another kind is labor violence where laborers are employed via short-term contracts, following a colonial model. Once work on the plantations starts, the laborers bring their families to artificial enclaves in an arrangement that Li refers to as "trapped labor" where there are no benefits or security. This set-up then engenders routine violence among all actors involved in the plantation system.

Li argues for a bottom-top approach to address infrastructural violence in Indonesia's plantation system by letting smallholders grow

oil palm under their own control and by fighting against further expansion of plantations.

DISCUSSION

Questions asked during the discussion centered on the role of NGOs, indigenous peoples, and civil society organizations (CSOs) in resisting the expansion of plantations and stopping infrastructural violence, the presence of armed violence vis-à-vis infrastructural violence, and cooperatives as an alternative to subcontracting of smallholders.

On NGO presence, Li stated that the Indonesian oil palm plantations may be considered as an abandoned arena where NGOs failed to advance the interests of smallholders and communities affected by the plantation expansion. She emphasized that indigenous peoples do not reject the crop. They reject the deals which they consider unfair. The smallholders are forced to engage in unfair business dealings in exchange for the promise of infrastructure development by the oil palm companies.

On cooperatives as alternatives, an audience member mentioned the success of such a set-up in Bohol. Li replied, however, that Indonesia's experience with cooperatives has not been positive since communities end up being co-opted by corporations.

The difficulty lies in the actors involved. A mafia system is in place where different people get a cut from each level. The government employs band-aid solutions. Li proposed that people need to veer away from the rhetoric of protection and empowerment and instead focus on alternative management regimes that harness the power that smallholders already have.

[Editor's Note: Bello left the venue before the floor was opened for discussion hence no points were clarified regarding his presentation.]

PANEL 1A—CHALLENGES AND DILEMMAS OF ADVOCACY: ADDRESSING CORPORATE LAND ACQUISITIONS (A)

Chair: Mary Ann Manahan, Focus on the Global South

Presenters: Riza Bernabe, Oxfam; Starjoan Villanueva, Alternate Forum for Research in Mindanao; Wolfram Dressler, Department of Resource Management and Geography, University of Melbourne; Ananeza Aban, Asia-Pacific Network for Food Sovereignty

The aim of Panel 1A was to explore and critically discuss two interrelated themes: a) the role of civil society and advocacy groups in addressing land acquisition by private sector investors and b) how they interact, negotiate, and respond to the challenges and dilemmas brought about by the various complexities in the social and political dynamics surrounding local communities. Common issues discussed in the panel revolved around how private corporations are slowly becoming agents of change. Manahan recognized this as an accepted reality but pointed out that as activists, researchers, and fellow citizens, we can control how we negotiate with this sector and that we must also discuss the role of the state in these interactions.

The main focus of Bernabe's presentation was the increasing involvement of the private sector in agriculture. She pointed out that the ASEAN region's population and demand for agricultural products continues to increase. To facilitate better exchanges and increase economic opportunities, many ASEAN countries have made investment deals and trade agreements focusing on food production with large countries. Bernabe added that food production has become challenging for local, rural communities because of greater corporate presence in agricultural lands.

Positive outcomes of these investments, which farmers themselves recognize, include additional capital earned, the development of new technologies, linkage with international markets, and employment generation. However, these investments also have negative consequences. Farmers are disadvantaged because land ownership is unregulated and local communities suffer from land grabbing, food insecurity, economic degradation and injustice, and displacement. Bernabe noted that there are instances where farmers have no other option but to engage in exploitative dealings because they have no choice and the government is not able to provide any solution.

Bernabe suggested that the upcoming ASEAN integration should include more engagements with farmers and come up with well-analyzed and clearly defined rules and regulations, arguing that a regional set of standards is better to avoid the "race to the bottom" approach where investors simply turn toward another country when farmers in one location turn down unscrupulous deals. At the end of her presentation, Bernabe introduced the idea of "upward harmonization" which seeks to a) aggregate existing policies and adjust them to the social and political developments experienced in the communities, b) use international guidelines as a base for developing and creating new policies, and c) encourage active participation of

stakeholders in the process of identifying what should and should not be done in private agricultural investments.

As a target of corporate land investments, the ancestral domains of indigenous peoples in Mindanao are vulnerable to aggression. Villanueva linked land grabbing to the conflict and violence between groups and clans in Mindanao, with mining groups further complicating the political dynamics and social complexities in the region. To make matters worse, the extent of the impact of land deals involving mining and oil remains unknown, and government development projects usually lack empirical data and contain unreliable figures. There are also questions regarding the readiness of the stakeholders, including the indigenous peoples.

Both the government and business sectors need to have a commitment to multi-stakeholder dialogues. More efforts to conduct research and organize media forums are also needed, with modules developed for capacity building in local communities to address risks and vulnerabilities. Villanueva added that another problem that needs to be addressed is the fragmentation of civil society response, with many different advocacies lacking a collective voice.

Villanueva ended her presentation with the discussion of the Extractive Industry Transparency Initiative (EITI) as a way to promote transparency in industries and to hold companies accountable for violations of human and land rights.

The post-Marcos years of the late 1980s saw an influx of “moral capital”—of donors and moral entrepreneurs. These groups made “intangible promises” to farmers, generated by moral entrepreneurship, which Dressler described as altruism for the marginalized. But as the number of donors and aid declined, a market-based funding arrangement emerged in the working operations of NGOs, who were then forced to develop projects that catered to the market.

Dressler examined how state and non-state actors used the concept of Reducing Emissions from Deforestation and Forest Degradation (REDD+) on Palawan to carry forward program interventions. Achieving this relied on NGOs drawing on their legacy of good standing—moral capital—to broker agreements with locals to implement REDD+. However, with limited funds and the speculative nature of REDD+ in the face of extractive industries, NGOs have had difficulties persuading all local and indigenous peoples to accept the intervention.

In an economy of expectations, many of NGOs' promises remain speculative, far removed from the immediate needs and concerns of local people, and are not aligned with local dynamics or contexts.

Aban discussed the intervention of international financial organizations in agriculture, specifically tackling the situation of the Asian Development Bank in the Carcanmadcarlan area (Carrascal, Cantilan, Madrid, Carmen, Lanuza) in Surigao del Sur in Mindanao. Beneficiaries of the Southern Philippines Irrigation Sector Project, a brainchild of the ADB, were farmers from Caraga and some parts of the Visayas. The Project's aim was to improve system performance to achieve agricultural production, but it was ineffective and ended up creating conditions that were conducive to private sector investments. The Project failed to contribute to the efficient delivery of irrigation water; it had unfinished infrastructure development, poor engineering design, and poor site investigation. All of this resulted in limited water supply that affected land preparation and rice production.

Aban cautioned against interventions by private investors, instead urging support for efforts to reclaim the commons and saying that water, air, and land resources should belong to the people.

DISCUSSION

During the discussion, Grizelda Mayo-Anda of the Environmental Legal Assistance Center raised the issue of self-determination—what if locals themselves decide to deal with private sector companies? Addressing Dressler, she argued that funding was not the only issue in civil society groups and that there have been many interventions in history even before NGOs and advocacy groups.

Another audience member, also addressing Dressler, pointed out that experiences vary across different areas and that the operations of one NGO cannot be equated with another in a different country. Dressler acknowledged this but insisted that there is still a need to observe and analyze the issues regarding the role of civil society groups, which can lead to unintended consequences and unexpected outcomes in local communities.

Though the EITI was complimented, there may be problems of distance and logistics when conducting research work in local communities, specifically in adhering to the standard data-gathering processes of the EITI. Villanueva agreed, stressing the importance of

EITI as a set of global standards and reiterating that data must be available and easily accessed.

Aban said that the government is mandated to undertake research and development but there will always be questions of credibility and reliability. Results of research must be science-based and scholars must continue the struggle for the benefit of local communities and the environment.

PANEL 1B—POST-CONFLICT LAND ACQUISITIONS AND LAND GOVERNANCE

Chair: Gerben Nooteboom, AISSR, University of Amsterdam

Presenters: Augusto Gatmaytan, Ateneo Institute of Anthropology, Ateneo de Davao University; Judy Gulane, Businessworld; Mohamad Shohibuddin, AISSR, University of Amsterdam

Panel 1B examined land acquisition and governance in post-conflict settings in the Philippines and Indonesia. When formal mechanisms to ensure access to land by the rural poor are ineffective, informal land markets may flourish to fill in the gap. Research about the perspectives of farmers and fishers in the Ligawasan Marsh regarding the role of the Moro Islamic Liberation Front (MILF) in post-conflict Maguindanao revealed the overlooked economic tensions between the elite and the rural poor, and underlined the importance of a fair and equitable system of land transfers to the peace process. Meanwhile, the experience of Aceh showed how a peace agreement that fails to transform power relations and address agrarian inequality will later on threaten peace in post-conflict communities.

Gulane's presentation, which focused on Maguindanao's informal land markets and their links to conflict, was based on research conducted by the peacebuilding NGO International Alert into informal markets. The research found that informal land markets facilitated the acquisition of land by farmers in the villages visited in Maguindanao—Kuya in South Upi and Ramcor in General S.K. Pendatun—amidst wars and corporate land acquisitions. These informal land markets were facilitated by clan leaders or strongmen, with transactions backed by written contracts between parties and covering mortgages and sales. In these informal land markets, prices often fell below the real value of the land and mortgages often turned into sales as debts increased.

In Kuya, most of the land is now held by Ilonggos, migrants from Central Visayas, because the local Teduray were forced to mortgage their land. In Ramcor, a local government leader ended up controlling huge portions of the plantation as a result of land transfers.

Informal markets flourished because of inefficient and uncoordinated government agencies. Though conducting land surveys before subdividing and titling land is critical, the Department of Environment and Natural Resources (DENR) failed to survey most of the Autonomous Region of Muslim Mindanao due to lack of funds. Further, the Department of Agrarian Reform was also slow in the distribution of private agricultural land and ownership certificates. In addition, because of the complexity of the formal land market, many people turned to the informal market. Land titling is an unnecessarily convoluted and expensive process. There are various prohibitions on the sale of titled land and the roles of different land administration agencies remain unclear.

However, the informal land market also has its disadvantages. Land is often priced below its real value, rules may not be followed especially for transactions without written contracts, transactions are susceptible to fraud, and clan leaders who oversee the transactions and promise to enforce the terms may become interested in the land themselves.

It is necessary to create a land commission to address the complex and fragmented nature of land governance, to provide support services, and to settle disputes.

In Maguindanao, Gatmaytan argued in his presentation, the notion of peace is also linked to concrete relationships embodied in tenurial land relations, and not only to aspirations such as political autonomy. In 2014, the Ligawasan Marsh Stakeholders Mapping Project was conducted as part of the preparations for the proposed Ligawasan Marsh Protected Area. Proponents of the protected area expressed concern about the Department of Environment and Natural Resources consultation process, which bypassed the views of farmers, fisherfolk, and other marginalized people living within the affected community in favor of the views of government officials. There were also geographical challenges in ensuring participation of the entire community in the consultation process.

Aside from the establishment of a protected area, the Ligawasan Marsh Stakeholders Mapping Project also explored alternative management frameworks, which considered turning the area into a

province controlled by the MILF or treating the area as the ancestral domain of the Maguindanao people.

The Ligawasan Marsh Stakeholders Mapping Project utilized an analytical framework that recognized the three-fold marginalization of Maguindanao farmers and fisherfolk—they were economically marginalized, politically marginalized because they were bypassed during the Department of Environment and Natural Resources consultations, and academically marginalized by the lack of academic literature that focuses on non-elite perspectives. Gatmaytan also asserted that there are significant differences between the viewpoints of Maguindanao leaders and followers.

Many respondents involved in the study responded positively to the idea of having the marsh titled as the Maguindanao people's ancestral territory. Many respondents also supported titling the marsh to help settle disputes between factions, with some arguing that the titling should be done on an individual rather than communal basis. There were calls for the active participation of the MILF in the management of the marsh as they were seen as protectors of the local people's rights and interests.

After ten years of peace in Aceh, Indonesia, a group of former rebels declared a rebellion against the Free Aceh Movement (Gerakan Aceh Merdeka, or GAM). During his presentation, Shohibuddin framed this as a reflection of the failure of socioeconomic reintegration efforts. Land has always been a key element in the Indonesian government's attempts to solve episodes of insurgency in Aceh and while a number of studies have been done on Aceh's peacebuilding, none have looked closely at land intervention. Shohibuddin addressed this gap in his paper.

Land was used during the 1959 Peace Agreement dealing with the Darul Islam insurgency, though land provision only covered the leaders of combatants and did not include the combatants themselves or victims of conflict. Land was also used to resolve the GAM insurgency in a process that had three distinct phases.

During the first phase (2003-2005), the government, in secrecy, offered land to induce conflict settlement with GAM leaders who rejected the "inducement approach" and instead insisted on a broader framework for reintegration. During the second phase (2005-2008), land was the main bargaining tool for reintegration. However, a number of problems arose—GAM refused to provide a list of combatants, GAM members who performed auxiliary functions and female

combatants were not taken into account, and the category of conflict victims became highly contested. New categories of beneficiaries were made but the huge increase in the number resulted in the removal of land provision from the reintegration agenda. During the third and final phase (2008–2011), land and agribusiness programs were used to “securitize” post-war boundary zones. Land provision was implemented as part of the oil palm and sugarcane agribusiness development. GAM commanders and militia leaders profited as contractors but pre-war former landholders were excluded and the category of conflict victims was once again contested. Ultimately, the implementation of the programs failed to fulfill land provision.

DISCUSSION

An audience member asked how conflicts were resolved in the villages of Kuya and Ramcor. Gulane explained that conflicts are first addressed at the barangay level before they are raised to the local government level. Filing of cases in court is avoided as much as possible.

Another audience member asked about the source of land titles in Ligawasan Marsh. Gatmaytan explained that the source of titles, or what constitutes a title, varies from place to place which leads to “legal pluralism.” As long as there are competing actors or laws, claimants and beneficiaries are bound to encounter difficulties in accessing land. The reactions of the local communities to post-conflict land classification were also questioned. According to Gatmaytan, local views and attitudes are mixed. While some want the marsh managed as a special zone, others want it declared an ancestral domain, and others want it to be recognized as a protected area. The locals’ acceptance of the plan is also conditional or qualified. It was pointed out that the Ligawasan Marsh impacts environmental protection, food security, and energy in communities outside of the marsh itself. Related to this, an audience member proposed the idea of commons in the management of the marsh. However, the idea of commons clashes with the view of people in the marsh who believe that it is their ancestral domain.

One theoretical question raised was whether or not it was possible to achieve peace without land transfers. The panel speakers emphasized the importance of land in resolving conflicts, saying that it is difficult to divorce the question of peace from the question of land. The way to mobilize people toward an agreement is to recognize the people’s access to land.

PANEL 2A—CHALLENGES AND DILEMMAS OF ADVOCACY: ADDRESSING CORPORATE LAND ACQUISITIONS (B)

Chair: Buenaventura Dargantes, Institute for Strategic Research and Development Studies, Visayas State University

Presenters: Grizelda Mayo-Anda, Executive Director, Environmental Legal Assistance Center; Ulrike Bergmann, Department of Anthropology, University of Frankfurt; Tania Salerno, AISSR, University of Amsterdam

This panel focused on issues surrounding land grabbing done by corporations and indirectly by financial institutions, and how this has been facilitated by the government. Audience members and speakers also discussed how the role of NGOs and CSOs can be improved in spite of the challenges they face.

Bergmann shared the initial results of her ongoing research. The paper presented the viewpoints of NGOs on change concepts and their roles and experiences in the transformation processes amidst land conflicts in Mindanao.

NGOs in Mindanao are confronted by conflicts over agricultural and forest lands that involve different stakeholders addressing different concerns on land status, historical injustice, violence, and governance. Four approaches that NGOs use to address land problems are a) rights-based community development that invokes international human rights and Philippine agrarian policies and laws, b) economic development, c) conflict resolution, and d) advocacy for structural change, which seeks to implement changes from the local to the national level. Bergmann then identified core aspects that NGOs need to consider in dealing with land disputes: a) land ownership versus control, b) power imbalances, c) heterogeneous interests within communities, d) legal pluralism, e) aging of the farmer population, f) ambivalent interrelations with government agencies, and g) influences of funding agencies.

The paper concludes that positive change does not rest in NGO's overt control of social changes from within, but lies in their being outside of the sphere of power that they would like to reshape. Specifically, NGOs' roles include empowering communities, initiating dialogue, and facilitating public discourse. Bergmann believes that NGOs can only influence the future of land disputes in Mindanao, not determine it.

Salerno's presentation was about the intersection between agriculture and finance, and how this intersection adversely affects the global agrarian movement. Because of the increasing global population, food insecurity, and changing eating habits, financial institutions find investing in agricultural lands and commodities profitable. This financialization of agriculture results in a) obscuring the already complex agricultural system by adding more actors and relations to the food system transactions, b) the disconnection of individuals from the food system by complicating the global trade chain, and c) the concealment of identities of financial actors, making it difficult to track investments and hold them accountable for their actions.

The distancing schemes of financial institutions prevents the mobilization of civil society, farmers, and concerned groups. For the rural poor to (re)gain control of their lands, the complexity of corporate land grabbing, especially in agriculture, must be fully understood by researchers and NGOs.

Mayo-Anda's presentation was about the issues and obstacles faced by local communities and activist groups in Palawan against the oil palm plantation expansion in the area. In 2002, the provincial government of Palawan initiated the conversion of forests and agricultural land into oil palm plantations, a move that raised the concerns of farmers, rural communities, indigenous peoples, and CSOs. The issues raised were the displacement of indigenous communities and lack of compensation for rural communities, the disruption of the natural ecological system in the area, and the disregard of laws protecting Palawan's biocultural diversity in favor of oil palm plantation expansion.

Despite multiple advocacies launched by rural communities and CSOs to draw the government's attention, there has been no response. CSOs are still looking for new ways to protect the Philippines' ecological frontier.

The paper presented the difficult challenges that NGOs face, especially when governments are involved in facilitating land acquisitions of agricultural corporations. It is clear that NGOs need to rethink their advocacy initiatives to make them effective enough to make the government understand their position.

DISCUSSION

An audience member asked Mayo-Anda if there were alternative models to retaining the oil palm industry in the Philippines, considering

the fact that it is a crop that is cheap and in-demand worldwide. Mayo-Anda responded that she is open to compromise in the form of 4,000 hectares for oil palm plantations in Palawan, provided that the impact of pursuing a monocrop industry in an ecologically valued region like Palawan will be studied thoroughly. She added that there will always be a more viable alternative livelihood for the people, which includes eco-tourism, honey production, and rattan craft-making.

An audience member suggested the “Thailand model,” which was claimed to be more environment-friendly. Another audience member asked Bergmann how she viewed the problem of massive land grabbing and the role of local people in communities as well as NGOs. Bergmann affirmed that local people are important because they are the owners of the change process. With regard to equating land title with land tenure, she emphasized that the challenge for NGOs is to work with communities beyond securing land titles for themselves. The more important action is to help communities figure out what to do next so that they would not lose control of their land.

The case of Bohol was shared where the expansion of oil palm plantations was stopped because a study showed how fertilizers used in the plantations contaminated the water in the area. In response, Mayo-Anda likened the struggle for environmental justice to brushing your teeth: you have to do it all the time. She reflected that Filipinos must always be resilient, innovative, and cautious of the global and local issues hounding the nation.

Salerno said that it is difficult to compare Indonesia and the Philippines when it comes to the expansion of oil palm industry since the Philippine response to the oil palm expansion is more organized compared to the response in Indonesia where the industry started much earlier.

PANEL 2B—INDIGENOUS PEOPLE AND COMMERCIAL LAND CLAIMS (A)

Chair: Mayo Buenafe, Leiden University

Presenters: Albert Alejo, Department of Sociology and Anthropology, Ateneo de Manila University; Emil Kleden, Yayasan Pusaka; Marvin Joseph Montefrio, Department of Political Science, De La Salle University

Kleden presented findings from over four years (2009–2013) of working in nine villages in Central Kalimantan, Indonesia, which have

been affected by the 1995 development of peatland in the Mega Rice Project. Out of this failed project, the REDD+ Demonstration Activity was developed. Along with the promotion of REDD+, there was also the development of large oil palm plantations. Kleden noted that there are four forces working against the local community: the state, the market, local dynamics, and globalization. The state ignored indigenous peoples' claims to traditional communal property and cooperated with the market, putting overwhelming priority on commodity production. Irrigated rice paddies were distributed to migrants from outside the traditional community, encouraging the growth of individually owned land. Indigenous peoples' communities also make use of global mechanisms—mainly the Internet—to access the market of their commodity.

The community is virtually given no choice but to follow the titling scheme promoted by the government. As such, Aliansi Masyarakat Adat Nusantara, the group fighting for indigenous people's rights, has made one of its highest priorities the legal recognition of customary communities and their communal claim to ownership of land. This is made difficult by the fact that individual ownership is lodged squarely within a property rights regime that is recognized by the Indonesian state and its local and foreign commercial partners.

Montefrio reported the findings from his fieldwork in Buri in Southern Palawan from 2011 to 2012, where he explored the green economy discourse of development that advocates sustainable economic development while reducing detrimental environmental effects. It has traditionally targeted culturally and economically marginalized people's groups in promoting inclusive growth. However, it was also in the name of green economy that developing countries rich in natural resources, such as the Philippines, have been plundered of its resources with little to no regard for affected local communities. Montefrio said that oil palm industries, the state, and non-indigenous people (outsiders) effectively exclude indigenous local communities from economic growth.

In the Philippines, biofuel crops, oil palm, and rubber are cultivated in frontiers, such as in Palawan, but locals in these exploited areas are almost always excluded from profit sharing. Oil palm growing in Palawan is projected to help lessen the effects of climate change and fight deforestation. However, oil palm plantations have displaced traditional swidden cultivation by the locals, a practice that is central to the lives of the members of the community. Ultimately, the only

options left to locals who are unwilling to leave their ancestral lands are either to sell their land or abandon swidden cultivation altogether.

Alejo recounted a journey he made to the Subic Bay and Clark Freeport Zones as part of a group composed of representatives from the Zamboanga Special Economic and Freeport Zone Authority, tribal leaders of the indigenous Subanons of Zamboanga City, representatives from the NGO Silsilah, the National Commission of Indigenous Peoples, and the Center for Community Extension Services, Ateneo de Zamboanga University. The purpose of the journey was to learn from the experiences in Subic and Clark where indigenous (Ayta) communities forged joint management agreements with the free port zone authorities, which recognized the ancestral domain titles of the Aytas, even though these overlapped with the free port zone territories. In Zamboanga, in contrast, there was a “decade-long tug of war” between the ZAMBOECOZONE and the indigenous Subanons concerning overlapping land claims. The journey brought contesting parties closer together and explored options to resolve the conflict.

DISCUSSION

The first question raised during the open forum was whether or not we can assume that indigenous peoples prefer common ownership of ancestral land. Related to that, the possibility of pursuing different types of land titling was also raised. In response, Kleden emphasized that the fundamental issue at the heart of his presentation is the abandonment of the criteria of common ownership of land as primary criteria for the legal recognition of Indonesia’s indigenous peoples as indigenous. If the status quo holds, only indigenous peoples living in Papua province would be legally recognized as indigenous. As such, there is a need to look at how social realities either flesh out or undermine concepts and to come up with categories that define groups in the most inclusive way possible. Alejo pointed out that Indonesia may learn some lessons from the Philippines, which has legally recognized differences between individual and common ownership of land by indigenous peoples, hence the distinction in the Indigenous Peoples Rights Act (IPRA) of 1997 between the concepts of “ancestral land” and “ancestral domain.”

The involvement of local officials in the negotiations between the Zamboanga Special Economic and Freeport Zone Authority and the Subanons was questioned. Alejo revealed that members of the board of trustees of the Zamboanga Special Economic and Freeport Zone

Authority were in fact also top local government officials. He underscored the need to not politicize the development of special economic zones, as they can help local communities. Alejo recommended delegating the actual work of hammering out a workable profit-sharing plan to a working group with technical expertise, and the strengthening of indigenous political structures, so that indigenous communities can decide on their own which sort of land ownership they would prefer pursuing.

It was pointed out that experiences in the economic zones in the Philippines generally have not been very good. Economic zones, despite being avowedly for the equitable sharing of profit for all stakeholders, are notorious for exploiting workers and for being union- and strike-free. Alejo responded that the main objective of the groups involved was to focus on the doable. Montefrio seconded the call to re-interrogate special economic zones, especially now that many of them are fashioning themselves as “ecological” economic zones in an attempt to legitimize exploitation.

PANEL 2C—THE GENDER DIMENSION OF LAND DEALS

Chair: Mary Ann Manahan, Focus on the Global South

Presenters: Maria Lisa Alano, AISSR, University of Amsterdam; Elwira Baladad, Pambansang Koalisyon ng Kababaihan sa Kanayunan (National Rural Women Coalition Philippines); Bae Nena Rose Undag, Kagduma Ho mga Higaonaon Inc.

One common issue brought up by Panel 2C speakers was the fact that there is a clear gender dimension when land deals or land grabbing are concerned. Women in agricultural societies have roles to play in every step of food production, and thus have every right to be at the forefront of protecting their interests. Women need to be seen as active agents rather than passive victims. Gendered issues come with gendered responses, which address the specific and unique experiences of women in households and the community.

Baladad discussed the gains of and existing challenges to proactive participation by women farmers in regaining control of the land and seeking restitution from the government under CARP. Rural women have been involved substantively throughout the whole process of food

production which is why it should not come as a surprise to see women at the forefront of the struggle.

In any form of land deals, women are first to suffer because they are usually tied to the food production process. Baladad cited two cases where women were directly affected by the land dealings. The first case was about the women farmers of Sumalo in Hermosa, Bataan and the second was about the women of Macabud, Rodriguez, Rizal. During Baladad's presentation, Belinda Petinez from Barangay Sumalo and Fe Andulan, the president of the Samahan ng mga Nagkakaisang Kababaihan, represented the Sumalo rural women farmers. They gave personal and deeply-felt accounts of the hardships that the women in their groups have to bear in their untiring effort to have land of their own.

Alano's presentation focused on the effects of the bioethanol project in San Mariano, Isabela, the biggest of its kind in the Philippines. She argued that these massive land deals and new systems of production had profound implications that vary across gender and class lines.

The problem arises when the long lease contracts of land results in dispossession or expulsion of farming households. The common perceived solution to this problem is to grant individual private property rights to farmers. Organized farmers' groups see land deals and investments as some form of labor exploitation. Investors are not getting idle lands; instead, they get lands that have been tilled by farmers. The agrarian reform beneficiaries (ARBs) are the most affected by these land deals. Under the CARP regime, large landholdings are actually not distributed, and men are favored in the land distribution program despite the fact that women can co-own properties and land titles.

Lumandong talked about the issues concerning indigenous peoples and women farmers. He pointed out that while the IPRA is something to be celebrated, there are still statutory conflicts in terms of ownership and management of land resources that are considered ancestral domains.

Legislation has profound effects on the way of life of indigenous peoples and while the IPRA addresses these conflicts in existing laws, it does not take into consideration the gender dimension in the protection of the rights of indigenous peoples.

DISCUSSION

One question raised during the discussion was whether CARP made a difference in the lives of the beneficiaries. Alano was of the opinion that CARP made a difference the moment the farmers received a parcel of land and claimed it as their own. However, it has to be noted that support services are still lacking.

PLENARY SESSION 2

Myrna Safitri, from Pancasila University Law School, Jakarta, Indonesia, and Eduardo C. Tadem, from the UP Asian Center, were the keynote speakers of the second plenary session. Safitri talked about the legal gap in the recognition of customary land in Indonesia's forest areas while Tadem talked about Philippine agrarian reform in the twenty-first century and socialist alternatives to agrarian reforms.

Safitri said that the legal challenges faced by indigenous peoples in Indonesia in claiming customary lands stem from the 1999 Forestry Law and the absence of laws safeguarding the rights of indigenous peoples. Under the Forestry Law, there are two separate agencies that deal with individual and communal land rights in forest zones. The Ministry of Environment and Forestry, as the primary agency that implements the Forestry Law, has the exclusive jurisdiction and administration of land tenure in sixty five percent of the law-identified lands, while the National Land Agency regulates and manages the remaining thirty five percent. Customary forests are not under the jurisdiction of the National Land Agency for they are classified as state forests. Since the National Land Agency cannot issue titles based on the indigenous peoples' claims, indigenous peoples' rights over their indigenous lands that are classified as customary forests are compromised. Land ownership is inalienable unless mandated by the Ministry of Environment and Forestry. Although Ruling No. 35 by the Constitutional Court of Indonesia recognized customary forests as private forests and not state forests, indigenous peoples failed to reclaim customary lands due to varying responses by concerned government agencies. The local government units are also reluctant in recognizing the land rights of indigenous peoples.

Despite the sincerity of incumbent president Jokowi Widodo's government in recognizing and advancing the rights of indigenous peoples, the Legislative Plan of 2015 failed to finalize the Bill of Indigenous Peoples in its agenda. The absence of an Indigenous

People's Rights Law that lays down the ownership of customary lands in state forests and various contradictory regulations by different agencies exacerbate the struggle for recognition and protection of indigenous people's rights.

Tadem proposed a socialist alternative for a capitalist based agrarian reform in the twenty-first century, where issues of land conflicts are still prominent. The agrarian reform prototype law passed in 1988 had provisions that benefited the stakeholders (i.e., the peasant farmers) but the law contained pronounced and obvious loopholes that benefited the landed elite and real estate developers rather than the farmers. The stipulations of the law compromised the supposed intended goals for land distribution. For instance, retention limit was high, land acquisition and distribution was a slow and cumbersome process, land redistribution prioritized public land rather than private lands, and stock option distribution was also introduced.

Although CARPER included provisions to counter the loopholes in CARP, such as the indefeasibility of granted land titles, speeding up of the process of awarding lands, removal of stock distribution options, reinstating the compulsory acquisition of lands, and recognizing rural women as beneficiaries, it also included more objectionable loopholes: local government units were allowed to acquire agricultural lands, the provision for compensation to landlords was based on the market value of the land, and worst of all, the neglect of private land. CARPER made the redistribution of privately-controlled landholdings more unattainable.

National trends suggest that agrarian reform is being reversed. The counterproductive activities of revoking land grants, eviction or killing of farmers by their landlords, and intensified land grabbing for real estate development and mining are backed by politicians. Neoliberal policies espoused by the government (then led by Benigno Aquino III) also limited genuine agrarian reform. The president's policies were partly responsible for the uncontrollable land grabbing prevalent across the country. Under the Aquino regime, land redistribution records were among the worst since the seventies.

Tadem highlighted that the deeper cause of the backward trend in agrarian reform is its formulation and operation under the existing capitalist-inspired property relations. Genuine agrarian reform is not possible under a system of private property ownership. To be effective, it should be void of capitalist underpinnings that are intended to

benefit the interests of landowners and market forces. Tadem proposed an alternative paradigm: a socialist agrarian reform that stems from a historical perspective and the principles of political and economic empowerment. However, this paradigm cannot offer a unitary solution. Its viability needs to be tested in different contexts and milieus.

DISCUSSION

The questions during the open forum emphasized several issues mentioned by the keynote speakers. First, questions on the role of CSOs or NGOs in advocating the Indigenous People Bill of Rights in Indonesia and whether there are forces that support a socialist agrarian reform agenda in the Philippines were posted. Safitri highlighted the role of Aliansi Masyarakat Adat Nusantara in lobbying for the passage of the bill on the recognition of indigenous people's rights in the Indonesian parliament. Tadem stated that on the local level, support for the socialist paradigm is accorded by Manggagawang Sosyalista (Socialist Workers) composed of farmers and laborers. Internationally, Latin American countries like Bolivia, Nicaragua, and other countries with leftist governments try to develop their specific brand of socialism that is historically sound with their experiences. Tadem emphasized that advancing a socialist agrarian reform agenda will be a long and difficult process.

Second, on the issue of whether an agrarian reform agenda and indigenous peoples' rights over ancestral lands are contradictory to each other, Tadem argued that in both cases, the principle of social justice should prevail. The issue of ancestral lands and agrarian reform should both include the notion of identity. This is best exemplified by the peasantry in agrarian reform. The peasantry has long been studied as a subclass in the mode of production. However, the peasantry has a distinct mode of production. Identity is also an issue as far as the peasants are concerned. As such, agrarian laws should also be concerned with the class identity of the farmers. On the other hand, most indigenous people also belong to farming communities. Examples of these are the Aetas of Luzon, who are now moving to a more sedentary type of agricultural subsistence, growing crops on a more permanent basis. Subanon are also known to be lowland farmers before they were pushed back to the hinterlands by the incursions of Malays or Muslims in Southern Philippines. Although social and cultural dimensions are dominant in the ancestral land discourse, these should also be given

prominent attention in the agrarian reform discourse. Aside from the economic dimension, social, cultural, and political dimensions are also present in agrarian reform and these are all equally important.

The third issue was whether indigenous people themselves were involved in judicial advocacy. Safitri said indigenous people's organizations are very much involved in the advocacy for the passage of the bill on the recognition of indigenous people's rights in Indonesia. The government also expressed willingness to pass the bill with the parliament proposing a law that will address the rights and protection of indigenous peoples. However, this bill remains pending in the current parliament. Debate between the government and the parliament rests on the issue of which particular institution will empower the indigenous peoples. The bill is there. It is just a matter of polishing the details and pushing the parliament to include the bill in the legislative agenda.

The last issue raised was the advantages of having a socialist agrarian reform policy. Tadem emphasized the need to see agrarian reform as more than just a form of economic redistribution because it is also a social and political program. Beneficiaries should be empowered politically to realize social justice. Any agrarian reform agenda will definitely fail if agrarian reform does not include fundamental tenets that include political, economic, and sociocultural dimensions.

PANEL 3A—CHALLENGES AND DILEMMAS OF ADVOCACY: ADDRESSING CORPORATE LAND ACQUISITIONS (C)

Chair: Rosanne Rutten, AISSR, University of Amsterdam

Presenters: Laksmi Savitri, Department of Anthropology, Universitas Gadjah Mada; and Nathaniel Don Marquez, Asian NGO Coalition for Agrarian Reform and Rural Development

Savitri argued that land control by state and non-state actors involves the use of ideologies, which enables them to “grip the mind of the masses.” This places the people's mind within an ideological struggle that enables or disables land deals. This was the case of the Marindanim, an indigenous people of Merauke, Papua, Indonesia, where land ownership is viewed as a central component of their cultural identity, which goes beyond the concept of rights. For them, the struggle for control over their land in the face of large-scale investors is not only

between modernity and *adat* (custom or tradition) but is also related to the concept of *Anim-ha* (“the real man” or “the owner of the land”). *Adat* has been differently interpreted by the Marind-anim due to the heterogeneity of the tribe. This heterogeneity resulted in the divergent articulations of land ownership and the disunity of the tribe in their fight to retain effective control of the land. Savitri said that these different articulations of land ownership resulted from the interventions of the state and NGOs. The state views ownership in legal terms with the investors (the companies) as the “good Other.” NGOs view corporate land investors as the “bad Other.” Both cultural brokers (state and corporation) and power brokers (NGOs) become pivotal in shaping and aligning the tribe’s ideological concepts of modernism and land ownership. Surfacing land ownership as both legally and culturally contested reveals how land deals are not mere products of transnational processes but also of political articulations and ideological struggles.

Marquez presented current cases of land grabbing in the Philippines and Indonesia and shared the outcome of cases in the Asian People’s Land Rights Tribunal. These case studies revealed that corporate land grabbing resulted in land conflict, landlessness, and decreased income for farmers. This also affects indigenous people who face insecurity of land tenure. The presentation showed the formation of the Asian People’s Land Rights Tribunal as an example of how civil society can act on issues of land grabbing in developing countries. The cases represent the kind of issues that activist groups and civil society face when dealing with corporate land grabbing.

DISCUSSION

A member of the audience expressed a different opinion on land deals not ending even after the signing of the contract. It was argued that, concerning Savitri’s point, the ambivalence of the Marind-anim is possibly because of their nature as hunter gatherers and their mode of production being tied to their forest. As the source of provision for their needs, they sought for alternatives when it was lost. Actors—whether the state or companies—replace the role of the forests as providers of sustenance so the Marind-anim turn to these actors as sources of livelihood. It is thus notable that the tribe does not blame the church or NGOs for their fate but the state. However, what the tribe wanted was the old, imagined forest that conflicted with the

aspiration to become “modern.” Companies would offer this to the tribe, which expected “modernity” alongside their customary forests.

The major challenges of NGOs in affected communities were discussed, especially organizing the members of the community. The campaign’s success is dependent on the community since NGOs can only provide options and alternatives. Another challenge involves the legal constraints and economic implications of land grabbing issues. There is the challenge of linking with different coalitions to popularize issues and concerns, which can be addressed through educational and capacity building workshops and facilitation of dialogues with the community. Savitri believes in dialogues between the community and NGOs to properly address the concerns of the community. The NGOs must learn how to listen to the grievances of the community and in turn, the community’s honest narratives must be vocalized.

PANEL 3B—THE ROLE OF STATES, POLICIES, AND THEIR OUTCOMES

Chair: Janus Nolasco, Asian Center, UP Diliman

Presenters: Dante B. Gatmaytan, College of Law, UP Diliman; Pujio Semedi, Department of Anthropology, Gadjah Mada University; John McCarthy, Crawford School of Public Policy, Australian National University

According to Gatmaytan, looking at the historical context of how the 1987 Philippine Constitution was framed, the ascendancy of Corazon Aquino paved the way for the return to power of old, landed oligarchs, most of whom were elected in Congress. Aquino’s thrust to give land to the landless was limited by the enactments of legislations by a Congress composed and dominated by large landowners who had vested interests to protect. Consequently, the agrarian reform law catered to the landed. Gatmaytan said that CARP “clearly fell short in alleviating widespread rural poverty” and the “legal scaffolding [was] always weak and designed to make reform difficult, if not impossible.”

The Supreme Court, through various interpretations of the Constitution’s provisions, also reinforced the law by protecting private landholdings. Nevertheless, the Constitution provides “alternatives” to the “traditional” legislative process of enacting laws. Gatmaytan cited the provisions on initiative and referendum and the party-list system. However, efforts to pass legislation via initiative and referendum never bore positive results. Pursuant to the Constitutional

mandate, Congress enacted RA 7941 that empowered any national, regional, or sectoral party to participate in the election of party-list representatives. Gatmaytan then discussed the Supreme Court's decisions on the matter by citing the case of *Ang Bagong Bayani vs. Comelec*. The Supreme Court empowered the marginalized and underrepresented sectors, organizations, and parties by allocating and reserving seats for them. However, in the subsequent case of *Atong Paglaum, Inc. vs. Comelec*, the Supreme Court reversed its decision by holding that the Constitution did not reserve seats solely for sectoral parties but rather encompassed any "national, regional, and sectoral party or organization"—this meant national or regional parties need not be organized along sectoral lines. It was never the intention to make the party-list system exclusively sectoral. Gatmaytan agreed that the *Atong Paglaum* case for the party-list system, as conceived by the framers of the 1987 Constitution, was not only limited to sectoral representations. Filipinos should address the issues that emerged from the conundrum whenever a constitutional amendment project is well underway.

Semedi sought to examine the farmers' cost-benefit evaluation of two major crops, oil palm and rubber, in the context of land grabbing done by big companies operating in West Kalimantan, Indonesia. He presented a map identifying the uneven distribution of oil palm from the estuary to the head water area and pointed out the predominance of rubber and swidden agriculture in the upriver area. Semedi's goal was to understand the pattern of a number of upriver farmers being involved in the oil palm nucleus estate scheme offered by big companies.

A primary motivation of smallholder farmers to participate in oil palm cultivation was the promise of new roads built by the plantation companies. However, upriver farmers were able to retain a big chunk of their farmlands that cultivate rubber. In turn, the maintenance of road networks by the big companies suffered because of the limited size of lands dedicated to the production of oil palm. In upriver areas, rubber and swidden farming are still very much practiced. In the case of rubber, Semedi cited three reasons: rubber goes hand in hand with swidden agriculture, the initial stage for rubber cultivation; easier transportation of rubber than oil palm fruit; and a pre-existing rubber trade network.

The resistance to the encroachment of big companies by the farmers was not as successful as the latter had planned. Farmers were reluctant to be separated from their lands and preferred to maintain their "old economic strategy of multicropping." Rubber was also deemed "better" than oil palm especially in areas where there are poor

road networks, but Semedi observed that local farmers preferred oil palm because of the income it generates.

The subject of McCarthy's study is the "conflicted nature of food policy choices" in the Indonesian context, with Kalimantan as case study. He noted Indonesia's "multifaceted" policy response through the introduction of "high profile policies" that created a "flurry of blueprints."

In the context of East and West Kalimantan, three salient approaches can be gleaned with respect to the Indonesian response: first, the use of extensification policies "to systematically expand the agricultural domain"; second, a policy response that involves intensification policies to "modernize agricultural practices"; and lastly, the "transformation of available 'forest' and lowland peat forests along with agroforest areas subject to swidden uses."

The approaches against "competing policy principles of food self-sufficiency, security, sovereignty and environmental sustainability" were evaluated. He suggested that despite the already-established "principles supporting food security, food sovereignty, and the right to food," there is still a need to have a "systematic analysis" of these in order to "assess the appropriateness of particular policy interventions." Such an approach, he says, "also opens up questions regarding the internal consistency of policy as well as its consistency with accepted, shared values set out in public debate." He suggested the search for "incremental successes" that accumulate over time instead of policymakers focusing on "large-scale solutions" that often fail because efficiency and scale remain critical.

DISCUSSION

Regarding Kalimantan's infrastructure quandary, the government's absence is caused by budgetary constraints and the inability to finance road projects, according to Semedi. Local farmers were interviewed and it was revealed that majority of the farmers were "very close to the company." In fact, the companies provided and built efficient health care services and infrastructure for the easy flow of transportation and traffic in the areas.

Semedi pointed out that while the relationships between farmers and companies were bumpy, there were dialogues and negotiations between them.

Gatmaytan emphasized the legal landscape that prevails in the Philippines, "for those who rely on the structure, the challenge has

become even bigger.” He was asked whether a socialist alternative for a capitalist based agrarian reform as discussed in Eduardo Tadem’s plenary lecture can be introduced in Congress. Gatmaytan echoed how working towards this alternative is a long process which would probably not be achieved in his lifetime.

PANEL 4A—POST-DISASTER LAND GRAB

Chair: Marvin Joseph Montefrio, De La Salle University Manila

Presenters: Buenaventura Dargantes, Institute for Social Research and Development Studies, Visayas State University; Maria Angelina Uson, International Institute of Social Studies, The Hague; Jerome Patrick Cruz, Department of Economics, Ateneo de Manila University; Hansley Juliano, Department of Political Science, Ateneo de Manila University; Enrico La Viña, Simbahang Lingkod ng Bayan

Dargantes said that the massive destruction to food and material production systems and livelihoods brought about by super typhoon Haiyan (2013) included fifteen million damaged and destroyed coconut trees. As coconut is the most cultivated crop in Eastern Visayas, the rehabilitation of coconut lands was key to the revival of the region’s economy. However, contestations regarding land ownership and tenancy remain an issue.

The post-disaster setting saw the rise of opportunities for landowners to remove tenants who lost tenure with the destruction of the coconut trees. While some affected farmers moved out of their communities to search for other livelihood options, others explored varieties of coconut products that might diversify the farmers’ use of coconut land and improve their income.

In Tolosa, Leyte, there were discussions among the local leaders to convert the coconut oil mill to an oil palm processing facility. Although concrete plans for the introduction of the new product in affected farms have yet to be presented, local government unit officials already see it as an alternative option and a new investment to be promoted.

Uson said that land grabbing is not new in post-disaster situations. She emphasized, however, that it gains certain particularities and interest when it happens within the current context of climate change policy initiatives and the global land rush. This complex interplay can

change the trajectory of land grabs and transform the nature of humanitarian institutions and climate change policies by camouflaging the power dynamics between the dominant elites and peasants involved in the land conflict. It obscures the line between land grabs and provisions for human security by producing a new set of actors and alliances, legitimizations, and mechanisms of dispossession.

Uson presented her study and analysis of the case of Sicogon Island that was severely affected by typhoon Haiyan. She narrated the age-old conflict between the more than one thousand fisherfolk families in the island and the local elite Sarrosa family which holds title to 70 percent of the island. The elite family wanted to evict the fisherfolk families from the island when the latter were about to secure titles to their agricultural land in the island through CARP. However, typhoon Haiyan changed the trajectory of the land struggle. The disaster opened the opportunity for the Sarrosa family, together with a powerful corporation, to execute their long-delayed investment plan in the island. Uson showed how this alliance of the local elite and powerful capitalists used the language, instruments, and principles of the humanitarian field to legitimize their operations and conceal, yet advance, their real intended purpose. After preventing relief goods from reaching the island, the alliance offered market payoffs to desperate fisherfolk families. In return, the fisherfolk had to sign an agreement stating the following: the family firm is the registered owner of the island, and the fisherfolks acknowledge that they have no right to stay on the island; they are waiving their rights to their land and all their cases against the landowner; they promise to destroy their house and permanently leave the island; they acknowledge that the market payoffs are the landowner's humanitarian support to their family; the household withdraws its CARP application; and the fisherfolk signed on its own volition and would not reclaim ownership of its property on the island. Market payoffs and humanitarian aid were thus perceived as similar. Despotic landlords and corporate elites became benefactors. International calls for "build back better" and "safe and secure settlements" were used by the elite alliance to legitimize their own presence and operations while intensifying the vulnerability of the fisherfolks. Just a year after the typhoon occurred, the four-decade old land conflict ended. Fractured but not weakened, the farmers were forced to negotiate on unfair grounds given the elites' political and economic power. These incidents show "how the humanitarian field has recast the politics of land conflicts" and how land conflicts recast

the humanitarian field. As a conclusion, she described the Sicogon case as a clear case of land grabbing that was made possible by the concession of the population under the exploitative conditions effected by the powerful forces to advance their claims on the lands.

Juliano and La Viña focused on the dynamics of land contention in the context of disaster recovery and rehabilitation, focusing on land grabbing in Casiguran, Aurora for the highly polarizing Aurora Pacific Economic Zone and Freeport Authority (popularly known as APECO).

In post-disaster situations, management and usage of limited resources complicate the relations of the state and society with the latter questioning the economic capital of the former. The conflict is aggravated by the creative destruction of natural areas that are utilized for the benefit of private interests. What made Casiguran a unique case was its diverse population, workforce, and infrastructure, which made it “less-receptive to imposed urbanization efforts.”

The aftermath of typhoon Labuyo showed APECO’s weaknesses in utilizing disaster capitalism because of the strong network of resistance among communities in Casiguran who engaged with each other for the joint defense of their land rights. A common tactic in the APECO’s land grabbing involved the forced compliance of the farmers and other members of the local community to the development goals and plans of particular projects.

Disasters can have “double-edged” implications on land grabbers. There are present opportunities for utilization of forces to exploit the conditions of the victims to grab lands. But the disasters may also signal the environmental vulnerabilities that turn investors away and stagnate the planned investment. Weaknesses of projects may also be revealed, such as the lack of feasibility studies and the unpreparedness for disaster response which may help in gathering support against the forceful imposition of power in the area.

DISCUSSION

The role and level of involvement of international NGOs in post-disaster rehabilitation, the effects of the Casiguran March and the overall lessons from the APECO struggle, and the resiliency of the farmers and indigenous people in the struggle were discussed in the open forum.

Most international NGOs were involved in the distribution of food and water and provision of temporary shelters; very few embark

on rehabilitation of livelihood immediately. The importance of long-term rebuilding of lives that goes beyond the distribution of relief goods was stressed in the discussion.

The original goal of the Casiguran March—to get then-President Benigno Aquino III to stop the APECO project—failed; however, it succeeded in creating awareness and support. International media outlets produced a documentary on the plight of the farmers, and CSOs and parish-based publications also gave their support.

The struggle for land has been very intense. Farmers have conducted long marches and hunger strikes for long periods of time just to get attention. CSOs have been crucial in the struggle, particularly by helping farmers strategize their protest actions.

PANEL 4B—INDIGENOUS PEOPLE AND COMMERCIAL LAND CLAIMS (B)

Chair: Maria Lisa Alano, AISSR, University of Amsterdam

Presenters: Marivic Bero, Coalition Against Land Grabbing; Mayo Buenafe, Institute of Cultural Anthropology and Development Sociology, Leiden University; Karl Gaspar, Academic Dean, St. Alphonsus Theological and Mission Institute, Davao City

Bero talked about the petition signed by more than 4,200 farmers and indigenous people impacted by oil palm cultivation, calling for a moratorium on oil palm expansion in Palawan. The main cause identified was the largely detrimental economic and ecological effects of the plantations to both indigenous and non-indigenous groups in Palawan. Palawan farmers, for example, get the worse end of the deal with oil palm companies Agumil Philippines Inc. and its sister company Palawan Palm & Vegetable Oil Mills. Agumil Philippines Inc. and the Land Bank of the Philippines failed to come up with estimates of the cost of production that reflected the reality on the ground. This led to cooperatives getting more loans at higher interest rates. Oil palm plantations also inflicted damage on Palawan's ecosystem: increased pests negatively affected the livelihoods of farming communities. The clearing of forest areas resulted in biodiversity loss, thus hampering the communities' self-sufficiency. Concerned local and national authorities are not overseeing oil palm plantations' expansion and massive land conversion. Expansion has also crept into

ancestral domains, without oil palm companies seeking the free, prior, and informed consent (FPIC) of the affected indigenous peoples. Land leases or rental rates paid to indigenous peoples are also below the standard rates.

Buenafe shared the findings of her study about Dinapigue Agtas' negotiations with GeoGen Mining Corporation in Dinapigue, Isabela and how the National Commission on Indigenous Peoples (NCIP) assisted in these negotiations. It was pointed out that the Mining Act of 1995 (RA 7942) runs contrary to the Indigenous Peoples' Rights Act of 1997. RA 7942 gives mining interests the right to enter private lands and concession areas, but IPRA clearly maintains that mining companies should first obtain the FPIC of indigenous peoples who will be affected by the companies' utilization of natural resources in indigenous peoples' ancestral domains. Obtaining an FPIC is facilitated by the NCIP.

It was revealed that mining companies and subcontractors operating in Dinapigue did not obtain an FPIC from the Agtas. Dinapigue Agtas, with the NCIP, filed a letter of complaint against GeoGen. NCIP's regional office promptly acted on the complaint, which resulted in a temporary restraining order halting GeoGen's operations in Dinapigue. Consequently, a community consultative assembly with an NCIP legal officer and legal representative from GeoGen was held. NCIP's legal officer presented the complaints and demands of the Agta while the legal representative discussed the requirements they obtained to operate and the benefits the Agta received.

As of October 2014, hearings between GeoGen and the NCIP are on-going, particularly focusing on the benefits that the Agtas will be receiving and how these benefits can be strictly made available for all. Provisions pertaining to the monitoring of environmental concerns in areas affected by mining operations within and outside the mining site were added to a new memorandum of agreement (MOA). Sub-contractors were also required to file a separate FPIC before operations. A new draft of the MOA will be presented to the Dinapigue Agtas for decision-making. It is an uncontested fact that the Agta community in Dinapigue is highly dependent on mining activities in their area for their livelihood. However, help from local government agencies, which they heavily rely on for legal assistance, has been inadequate and/or involved complicated and protracted processes. As such, there is a need to make available to the Dinapigue Agtas more accessible channels and

allies who can communicate with them, who are sympathetic to their cause, and who understand local perspectives.

Gaspar presented a bird's eye view of over a century-long history of contestations, characterized by dislocation, between Mindanao's indigenous peoples, the Lumads, and the American colonial state, the Philippine government, and foreign transnational companies. Lumads' displacement from their ancestral territories intensified with the coming of the American colonial government, which abolished customary laws to open Mindanao's vast lands to migrants from the northern regions of the Philippines and American investors. Since then, land in Mindanao has been increasingly appropriated for agribusiness plantations. Though the Lumads were resentful of their displacement, they could not match the colonizers' technology. There has been several instances of social unrest during the early years of the American colonial period, but no collaborative effort at Lumad resistance was made.

There has been little regard for Lumads' rights to their homeland until the passage of the IPRA in 1997. The Davao region was one of the most hotly contested areas, where Lumads were at odds with big firms and local migrants. Enormous wealth has been earned from the exploitation of natural resources in Mindanao, but most Lumads have been excluded from enjoying the benefits. Poverty indicators in Mindanao are higher than the national average. Lumads are completely disregarded by commercial interests, and FPICs are not always sought when agribusiness firms expand operations in Mindanao.

Mining has expanded rapidly, with more companies gunning for more and bigger mining sites in Mindanao. Military and paramilitary forces also quell opposition from the grassroots and from CSOs allied with Lumads fighting for their rights and control of land. However, the Sarangani Manobo in Davao Occidental (the Lumad population in focus in Gaspar's presentation) have very weak unity and little capability to push jointly for their rights.

DISCUSSION

A representative from an NGO offered to get Dinapigue Agtas in contact with the Philippine Rural Reconstruction Movement, which can help the Agtas negotiate with GeoGen. Buenafe revealed that the Dinapigue local government is pro-mining, but its recently elected mayor has also created an ad hoc monitoring team that meets monthly

to oversee mining operations within the locality to address the issue of Agtas being barred entry from particular areas of their ancestral domains where mining operations are taking place. The local government helped the Dinapigue Agtas obtain partial access, but the Agtas are insistent in gaining full access to their domains, without getting permission from GeoGen.

A lot of indigenous peoples have expressed their refusal to be included in the projected Bangsamoro political entity in Mindanao under the Bangsamoro Basic Law. Gaspar pointed out that this stance is in fact reminiscent of how CSOs and indigenous groups very strongly advocated for the exclusion of Lumad territories within the old Autonomous Region of Muslim Mindanao. Traditionally, the MILF has denied the relevance and importance of IPRA within the Lumads' territories. For now, it is advisable to sustain the struggle to exclude indigenous peoples from the Bangsamoro and to make sure that IPRA will be respected within indigenous peoples' territories.

With regard to the peoples' struggle of stopping the expansion of oil palm plantations in Palawan, there is still hope that local government will pass an ordinance or resolution declaring a moratorium for the expansion of oil palm plantations. When all non-legal remedies are exhausted, anti-oil palm plantation campaigns will be expanded beyond Palawan.

PANEL 4C—WHO CONTROLS THE LAND AFTER LAND REFORM?

Chair: Joel Ariate Jr., Third World Studies Center, UP Diliman

Presenters: Mary Ann Manahan, Focus on the Global South; Rosanne Rutten, AISSR, University of Amsterdam

Manahan said that land reform is the recognition of small farm holders as the basis of agriculture. High poverty incidence is seen in provinces with low redistribution of agricultural land, which stresses the effectiveness of land redistribution rather than dole outs or conditional cash transfers. Land reform can be seen as a poverty-reducing measure in its components of land transfer, land tenure improvement, program beneficiaries' development, and agrarian justice delivery. Land reform programs must also recognize the rights of women and provide equal access to land. Support services such as access to credit, infrastructure support, and other capability-building measures especially when a

former farm worker is transitioning to being a land owner must also be provided.

When talking about land control, who gets to control and who decides the use of the land must be considered. Management and power are essential in the control of land. For most farmers, land control is a necessary tool for meeting basic needs such as feeding the family and putting a roof over their heads.

The Philippines' land reform policy is unstable because there is little other support given to farmers after being granted ownership of land. Giving out land titles is not enough if farmers do not have control over their land. It is important that power and control be transferred to the beneficiaries as well. There is yet to be a systematic study that shows small family farming as a viable livelihood, which might result in development alternatives and public investments in agricultural reform to capacitate the farmers.

Rutten continued with the discussion on CARP. In the sugarcane haciendas of Negros Occidental that she studied, former plantation worker families now own the land as agrarian reform beneficiaries (ARBs). However, many of these families resort to leasing out their land to large and small sugarcane planters because of flaws in existing laws and their implementation, aggravated by policies that are generally biased against small farmers. Researched families receive a lump sum for their lease once every three years which risks long term leasing or even permanent loss of control. They also acquire personal debts and then agree to extend the duration of their lease. Many members of these families are contracted as laborers by the sugarcane planters who lease their land.

Not all families consider leasing out their land as a problem, though, such as those that have sufficient off-farm income, or that consist of elderly pensioned workers, or that favor a secure cash income for investing in the education of the children. Rutten distinguished several types of household economies among the ARBs, specifying characteristics that allow some ARBs to become independent small farmers and characteristics that push other ARBs to lease out their land.

The large category of lessor households among the ARBs is an unintended outcome of the CARP program, which aims for a population of independent small farmers. The interests of these lessor-ARBs are not represented by the government, NGOs nor farmers' movements. Their hold on their land is tenuous in the long run. To prevent

dispossession, labor and land must be pooled. However, cases of fragmented plantation communities with histories of collective actions that turned divisive, suggest considerable constraints. Moreover, cooperatives may fail because of the domino effect of ARBs pulling out and leasing out their lands to private investors when problems set in.

DISCUSSION

In the context of agrarian reform, the shift from a dependent farmer or farm worker to a landowner is a difficult process. However, since livelihood options have diversified and since some households have consistent income streams from overseas migrant work, people are becoming less dependent on land. Farmers often find it difficult increasing their income and making their land more profitable. On the diversification of livelihood options, there are different types of household economies of lessors, showing that leasing out the land could also be income generating and advantageous for the households.

Audience members raised concerns on the issue of aging and the generation gap. The government's neglect of agriculture has dissuaded the youth to go into farming, which may affect the stream of production. Another concern was the lack of farm land to be passed on to the younger generation. Manahan remarked that the youth have different concerns and different ways of thinking; conversations and dialogues with the youth should also be prioritized. The effects of agrarian reform on women were also brought up.

PANEL 5A—THE PAST AND FUTURE OF RESOURCE EXTRACTION AND AGRARIAN ISSUES

Chair: Ricardo Jose, Third World Studies Center, UP Diliman

Presenters: Rene Escalante, Department of History, De La Salle University; Karl Poblador, Department of History, UP Diliman; Arturo Boquiren, Department of Economics and Political Science, UP Baguio

Escalante traced the history of agrarian unrest in the colonial Philippines by looking at four events that spanned four centuries: the 1603 Quiapo Uprising, the Tagalog Uprising of 1745, the Calamba Unrest of 1891, and the Friar Lands Controversy of 1903.

“Agrarian unrest” only began during Spanish colonization. In pre-colonial times, the population of the islands was relatively small and there were more than enough vacant lands. The “agrarian landscape” was only re-shaped when the Spanish introduced their own concept of land ownership and the number of the native population began to shoot up. The first recorded land dispute occurred in 1603 when residents of Quiapo, including the heirs of Rajah Soliman, complained against the Jesuits. Finding merit in the case, the archbishop at the time ruled in favor of the locals.

More than a century later, another unrest ensued in Tagalog provinces. Residents of Cavite and Laguna rose to question the actions of the Dominicans in said provinces. They complained before the Juez Composicion de Terras about the “strict implementation of property rights” by the Dominicans and the questionable size of the friar estates. Several uprisings took place in Cavite, Laguna, Pasig, Tondo, Bulacan, and Batangas. In order to avoid bloodshed, the Spanish colonial government intervened by sending Pedro Calderon Enriquez to quell the uprisings. Amnesty was granted to all rebels and the friars were asked to return the unconscionable rents to the tenants.

In the late nineteenth century, another agrarian unrest took place, this time in the town of Calamba. Taking advantage of a directive of the governor general to determine whether friar estates were exacting fair rent, the residents of Calamba, including the Rizal family, complained against the excessive impositions of the Dominicans. The Court of First Instance however ruled in favor of the friars and issued eviction orders.

Escalante noted that many tenants participated in the Philippine Revolution on the promise of economic benefits and on the declaration of local leaders to redistribute land. The revolution did not bear the expected fruits. Spain ceded control over the islands to the US. William Howard Taft, as civil governor, had to grapple with the issue of friar estates. Two issues arose at this time: the value of land and the estates to be sold by the friars. The negotiation process had a rough start but two developments sealed the deal: one, Taft was about to leave for the United States; and two, the imposition of taxes by the Municipal Board of Manila.

By tracing the history of agrarian unrest in Luzon, Escalante found that the issues were “similar and recurring.” He noted that land grabbing and land disputes were very persistent. Moreover, despite the passage of a land registration law, he said that Filipinos were discouraged

to apply because of red tape and exorbitant fees. In the end, he said that only the rich benefited from the law.

Escalante also emphasized the role of the government during agrarian unrest. He said that the government was able to act “proactively and judiciously” in the 1603 Quiapo and 1902 friar lands controversies. However, the 1891 Calamba unrest turned violent because of the government’s partiality to the friars. Escalante concluded that the “outcome of an agrarian unrest depends on how the government handles it.” Furthermore, rather than seeing agrarian unrest as merely a peace and order problem, he suggested to look beyond and consider the economic and social impact of land. In the end, he said that land redistribution is not enough as the local tenants and farmers should be empowered “so that they would no longer be dependent on the government and the landlords.”

Poblador talked about his paper began his discussion by citing a portion of a speech delivered by American Senator Albert J. Beveridge before an audience of 1,200 Americans. At the time, Beveridge was a supporter of the annexation of the Philippines, which he believed had vast mineral resources. Poblador then traced the “major turning points in the legal context” of the mining industry. He noted that Act 253, which created the Bureau of Non-Christian Tribes and which was one of the very first laws passed under American rule, “effectively disenfranchised the indigenous peoples from the political process.” The Philippine Bill of 1902, he said, “only partially resolved” the property rights issue (of American miners) as it “defined the policy of allocation for the allocation of mineral resources.” A “major shift” on the mining policy only started with the passage of the Tydings-McDuffie Act, which “set the stage for the withdrawal of the United States from the Philippines.” Poblador opined that the environment that existed, even after the ratification of the 1935 Constitution, was dominated by the dynamics between the State and large mining companies to the detriment of the indigenous peoples in the Mountain Province. This is evidenced by the Philippine Mining Act of 1936 that “upheld the property rights” of big mining companies such as Benguet Consolidated Mining Company and Antamok Goldfield in exchange for higher tax revenues.

Poblador also focused on the impact of the implementation of mining laws on the indigenous people. He cited the case of *Fianza vs. Reavis* to demonstrate legal issues involving mining. He also mentioned an incident in 1933 when an Igorot woman found herself in a dispute

with a prospector. The woman's entire village supported her to the point that then Governor General Frank Murphy had to issue a ban on certain mining areas. Poblador also commented that the Commonwealth was "not sympathetic towards the upholding of property rights of the indigenous peoples."

The current mining law and the IPRA reveal that "only two stakeholders are party to all transactions—big corporations and the State"—as was the case during American rule and the Commonwealth period. As for the indigenous peoples, as long as they are "outside the transactional environment" they would always find themselves at a disadvantage.

Boquiren reviewed the current debates on resource valuation. Nongovernment organizations have set their eyes on resource valuation to "promote farmer's access to land and resources" and to serve as an "important tool to review the validity of national government policies to convert large areas to mining."

Boquiren argues that conventional resource valuation tends to "undervalue resources." Two key methods have contributed to this undervaluation: stump valuation and contingent valuation. Stump valuation "assumes that the function of a forest is limited" (e.g., production of timber) while contingent valuation (based on willingness-to-pay) is "inherently defective."

A case study of the B'laans of Tampakan, South Cotabato was presented. Boquiren found that this indigenous group has a valuation framework that goes "beyond monetization." There is a "need to refine valuation methods" such that "issues like intangible or non-monetizable values, perspective and invaluable cultural values are considered." Lastly, he emphasized the "crucial step" in the "demarkation of no-go and conditional no-go zones" for resource extraction.

DISCUSSION

In the open forum, one audience member agreed with Boquiren's suggestions that valuation methods should be improved and that monetization is not the only way for gauging the value of resources. Contingent valuation is not only about the "willingness-to-pay" but also the "willingness-to-forego." Boquiren emphasized the use of conventional and "alternative" methods to make the valuation complete. Whether the methodology is highly discursive and politicized, Boquiren cited Richard Musgrave that cost and benefit analysis is indeed a political act.

In the case of indigenous elites, particularly in Baguio City, who benefited and had access to lands? The indigenous people in Baguio were cooperative to the mining companies but in certain areas such as Bontoc the dynamics became more complex.

Escalante said that there was an attempt on the part of the friar orders to put up private corporations but this was swept over by the tides of the 1896 Revolution. He cited one friar corporation that was incorporated in London, headed by a secular British citizen. He also mentioned that there was a problem in valuation as far as the sale of haciendas was concerned during American rule. From his end, Poblador said that the drive to amass gold, like silver in South America, was evident in the early beginnings of Spanish colonialism. He described how the Spaniards wanted to penetrate the Cordilleras for the extraction of gold and other mineral products but they were hampered by the Galleon trade, the mountainous terrain of the region, and the frequent pressures from the Muslims in the South.

One audience member asked whether Dean Worcester's appointment in government had any implications on the indigenous peoples. He also wondered how the Igorots in the 1930s came to learn the notion of acid rains, considering that the idea of environmentalism was pioneered by Rachel Carson at a much later date. Poblador noted that the Bureau of Non-Christian Tribes was patterned after the American experience, except that land rights were not transplanted to the Philippines. He also added that, in his readings, one reason why a zoologist (Worcester) was appointed in said instrumentality is to showcase American exceptionalism (e.g., St. Louis Exposition). With respect to the question on acid run-offs, Poblador speculates that the indigenous people were able to observe the operations of the large mining companies in the area. Escalante added that Worcester had already been in the Philippines in the late nineteenth century even prior to his appointment in the bureau and was arguably the best person to have sat in the Philippine commission because of his prior scientific observations of the colony.

PANEL 5B—ALTERNATIVE MODELS OF SMALL-SCALE FARMING AND LAND OWNERSHIP

Chair: Eduardo C. Tadem, Asian Center, UP Diliman

Presenters: Ben White, Professor Emeritus of Rural Sociology, International Institute of Social Studies, The Hague; Romeo Royandoyan, Centro Saka Inc.

White's presentation addressed the objectives of the conference by challenging the dominant forms of land tenure pursued by governments and peasant movements. He questioned prevalent assumptions of individual and customary land tenure and argued that alternative forms of land tenure, such as collective ownership with individual use rights, are needed in order to promote equality, tenure security, flexibility, and the rights of women and youth among others.

Drawing from the case of Indonesia, White's paper explored alternatives to prevalent forms of ownership in order to give smallholders relatively egalitarian rights that also respect the rights of youth and women to land. These forms of tenure also need to protect communities from the misbehavior of their own elites. He first noted that Indonesian land laws provide a fine vision of land distribution and secure tenure for smallholders, but the reality is one of widespread landlessness and insecurity of tenure. This is why the prevalent forms of ownership—corporate, customary, and private tenure—in Indonesia must be critically examined.

Corporate tenure and large-scale farming have a poor record of employment provision and productivity, compared to smallholder farming. In the smallholder sector, policymakers and peasant movements support both individual ownership titles, and recognition and protection of customary rights to land. White argued that customary land rights, which allocate land rights based on a person's identity rather than his/her need or capacity to use the land, run counter to basic principles of agrarian reform; they also tend to disadvantage women and youth. On the other hand, private property rights encourage land speculation and concentration, erode the rights of women through titling that privileges the "head of household," and lacks provision for future generation to acquire land rights.

Given these problems of both corporate, customary, and private tenure, White listed criteria for an alternative land tenure regime. It must curb land speculation, deal with generational tension by promoting land access for young farmers, provide land users with secure tenure, provide equal land rights for women, and be flexible to local conditions, among others.

From this, it was proposed that collective ownership with individual use rights can be an alternative to the dominant forms of land ownership. In collective ownership with individual use rights, neglected lands are, for instance, converted to "village social land banks" with individual use rights that are subject to periodic reallocation. In this

way, revenues from the leasing of collectively owned land become community income rather than falling into the pockets of landlords and speculators.

In conclusion, White posed the question: can we imagine a large scale farm unit that is low-input, mixed-crop, earth-cooling, labour-intensive (employment/livelihoods enhancing), water-saving, maintaining dignity, food security, and food sovereignty for those who work on it, and that is sustainable, just, and the basis for a “living” community of active rural citizens? He suggested that it is possible to imagine a large-size farm production unit that is based on the characteristic features of small-scale farming, but it is hard to imagine that a socially-responsible large farm unit of this type would be based on corporate capital, rather than collective or cooperative ownership.

Royandoyan’s paper talks about the challenges facing the development and sustainability of small farms in the country. The presentation was focused first, on defining the features of small farms; second on the role of government policy in developing these small farms; and third, the experiences in sustaining small farms in the Philippines.

Royandoyan introduced small farms as the backbone of Philippine agriculture. In the data presented, there has been an increase in small farms nationwide; hence the need to create policy promoting it. Three types of small farmers were identified: a) independent farmers who have capital and are independent from financiers; b) tied-up farmers who own the land but have no capital, thus becoming dependent on external support of traders and financiers; and c) semi-tied up and semi-independent farmers who equally depend on both capital and government support.

From the data gathered, it was revealed that the maximum size of small farms in the Philippines is two hectares and the main crops in these farms are rice, corn, and coconut. It was also pointed out that despite the increase in the number of small farms in the Philippines, the government is hardly giving farmers credit support. It was revealed from Royandoyan’s data that 44 percent of small farmers rely totally on private financiers while only 2 percent rely on government financial support.

The reason for this dwindling state support, Royandoyan explained, is that the government abandoned subsidies for farmers in compliance with the World Trade Organization as well as other agrarian policies implemented in some areas. With the government advocating small

farms, it is still evident, based on an expert review on its implementation that rural poverty has not declined and has not spurred global competitiveness in agriculture.

Royandoyan urged that instead of relying on government for support, we must instead build a critical mass. This means that we must create a league that will gather all small farmers for support. Building strong organizations means building alliances and cooperation among small farm holders. In ending his presentation, Royandoyan posed a question on whether we can sustain small farming under a liberal-capitalist government.

DISCUSSION

The first three questions were all addressed to White. A member of the audience asked whether civil society can control the power of the center so White's proposed scheme will be applied. In response to this, White said that democratic societies can influence the exercise of power of the center when progressive movements from below ally themselves with reform-minded elements in the power elite.

Two Indonesian members of the audience raised questions about White's assumptions and examples from small farm holders in Indonesia. The first asked why White used Tanah Bengkok (village-owned land allocated to village officials in lieu of salary, usually the best-quality irrigated land) as an example of successful small-scale farming when it faced a lot of issues in Indonesia. White defended the principle of village-owned land; while local power-holders can misbehave regarding its allocation, democratic village decision-making is needed to ensure fair allocation of use rights and to combat malpractice.

The issue of youth's reluctance to engage in agriculture, and therefore whether smallholder farming would be sustainable in future generations, was brought up. White said that young people's aspirations are not a reliable guide to their actual careers; research shows not only that many young people leave the countryside, but also that many return later to take over the family farm.

The role of the state in sustaining small farming was addressed to Royandoyan. The audience member mentioned that the cases of the Philippines and Indonesia on the issue of land tenure are incomparable given the different land masses. The audience member also believes that an "enlightened government" is crucial to sustaining small farms.

Royandoyan expressed that an enlightened government will never happen in this country. The situation in the Philippines is that rural banks are collapsing and overseas migrant workers do not buy land for agriculture but for personal use. He evoked the role of enlightened students and intellectuals instead to lobby for reforms on land rights. The disinterest of young Filipinos in farming is also prompted by easier professional alternatives.

The question of how small farm holders are in relation to crops with different economic scale requirements was also raised. Royandoyan defined small farms as when owners do not hire extra labor for farm work. White agreed, adding that smallholder farming involves the use mainly of family labor, but not excluding use of hired labor at peak seasons.

Royandoyan revealed that mechanization is being pushed because labor costs in rice production account for 40 percent of total costs, resulting in massive displacement of workers. The government and society must then choose their priorities: people or machine. White, on the other hand, responded that the issue of mechanization in small farming is basically an issue of timing: if (and only if) small farmers face serious labor shortages and rapid labor wage hikes due to out-migration to other sectors, then it is time to consider investing in selective mechanisation.

One member of the audience agreed with Royandoyan and suggested that an enlightened social movement, not enlightened technocrats, is important in enhancing Philippine agriculture. According to Royandoyan, private sectors and political groups (e.g., Alyansang Agrikultura or Agricultural Alliance) have been pushing for policy changes and have been successful. This is also the reason why mass action needs to be built and support gathered from the ground.✿

ACKNOWLEDGEMENT

This conference synthesis is drawn from the rapporteurs' reports on each panel. The following served as rapporteurs during the conference: JP Asong, Jonathan Baldoza, Emerald Flaviano, Raya Manalo, Seneca Pellano, Jillian Roque, and Alleson Villota. For the full rapporteur's reports, conference papers, and photo documentation, please visit the conference website: <http://calpi.up.edu.ph>. The conference organizers are thankful to the following sponsors: the Netherland Organization for Scientific Research (NWO) WOTRO Science for Global

Development Programme, the UP Office of International Linkages, and the UP Asian Center.

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