



APPENDIX 1.9

FERDINAND E. MARCOS ON AGRARIAN REFORM

Marcos and his loyalists highlight Presidential Decree 2 and PD 27 repeatedly. The latter appears in books attributed to him such as the “popular edition” of *Revolution from the Center: How the Philippines Is Using Martial Law to Create a New Society* (1978) to more recent books such as *Let the Marcos Truth Prevail* (c2004). A copy of the decree is exhibited at the museum known as the Ferdinand E. Marcos Presidential Center in Batac, Ilocos Norte. In all of the aforementioned, the decree is shown to have been executed in Marcos’s own handwriting—remarkably error-free. It is the Marcosian decalogue (albeit the total number of [unnumbered] paragraphs in the decree is eleven). But while the prohibitions that were handed down on Mount Sinai were uniformly clear, some sections of PD 27 were sufficiently vague to allow various interpretations—up to when was “now” in “will now cultivate it”? Moreover, as shown by Eduardo Tadem, and others before him such as Benedict Kerkvliet (in *Sanidad* 1979, 335), since the law restricted agrarian reform to land “primarily devoted to rice and corn,” coconut, banana, and sugar plantations (which would later be monopolized by Marcos cronies) were excluded. PD 27 was further limited by Letter of Instruction No. 143, s. 1973, which in effect legitimized shareholding deals among certain “small landowners” (the majority, in fact, as per the letter of instruction itself) and their tenant(s), wherein profits would be divided based on their “participation.” Small wonder that that issuance is not featured at all in pro-Marcos propaganda.

Reference

Sanidad, Arno. 1979. “Facade Democracy: Martial Law and the Myth of Democracy.” *Philippine Law Journal* 54(3): 313–44.

MALACANAN PALACE
MANILA

By the President of the Philippines
Presidential Decree No. 27

Decreasing The Emancipation of Tenants From The
Bondage of The Land Thereby To Show The Ownership
of The Land They Till and Restoring The Instruments
of Possession Therefor.

Whereas in the old concept of land
ownership by a few has prevailed until now and
legitimate grievances that give rise to violent
conflict abound therein;

The redress of such legitimate grievances
being one of the fundamental objectives of The
New Society;

Such Reformation must start with the
emancipation of the tiller of the soil from
his bondage;

Now, therefore, I, Ferdinand E. Marcos,
President of the Philippines, by virtue of the powers
in me vested by the Constitution, as Commander in Chief
of the Armed Forces of the Philippines, and pursuant to
Proclamation No. 1081, dated September 21, 1972,
and Executive Order No. 1 dated September 22, 1972,
do hereby decree and order the emancipation
of all tenant farmers as of the day, October
21, 1972:

This shall apply to tenant farmers of
private agricultural lands primarily devoted to
rice and corn under a system of sharecrop
or lease-tenancy, whether classified as landed
estate or not;

The tenant farmer, whether in land classified
as landed estate or not, shall be deemed owner
of a portion constituting a family-size farm of
five (5) hectares if not irrigated and three (3)
hectares if irrigated;

In all cases, the landowner may retain an
area of not more than seven (7) hectares if said
landowner is cultivating said area or will now
cultivate it;

For the purpose of determining the cost of
the land to be transferred to the tenant, hereinon
sent to the Decree, the value of the land
shall be equivalent to two and one-half (2 1/2)
times the average harvest of three normal crop
years immediately preceding the promulgation of
the Decree.

The total cost of the land, including
interest at the rate of six (6) percent per
annum, shall be paid by the tenant in fifteen (15)
years of fifteen (15) equal annual amortizations;

In case of default, the amortizations due
shall be paid by the farmers' cooperative in
which the defaulting tenant-farmer is a member,
with the cooperative having a right of recourse
against him;

The government shall guarantee such am-
ortizations with shares of stock in government-
owned and government-controlled corporations;

In title to the land owned by the tenant-
farmer under the Decree shall be initially
granted to a tenant-farmer unless and until
the tenant-farmer has become a full-pledged
member of a duly recognized farmers' cooperative;

Title to land acquired pursuant to the
Decree in the Land Reform Program of the Government
shall not be transferrable except by hereditary
succession or to the Government in accordance with
the provisions of the Decree, the Code of Agrarian
Reforms and other existing laws and regulations;

The Department of Agrarian Reform
through its Secretary is hereby empowered
to promulgate rules and regulations for
the implementation of the Decree.


All laws, executive orders, decrees and
rules and regulations, or parts thereof, in-
consistent with the Decree, are hereby repealed
and or modified accordingly.

Done in the City of Manila the 21st
day of October, in the Year of Our Lord,
nineteen hundred and seventy-two.

Tenant Emancipation Decree in Mr. Marcos' own handwriting, 1972.

Figure 1. A copy of Presidential Decree 27.

Source: Marcos, Ferdinand. 1978. *Revolution from the Center: How the Philippines Is Using Martial Law to Build a New Society*. 2nd/popular ed. Hong Kong: Raya Books.

Official  Gazette

Letter of Instruction No. 143, s. 1973

Signed on October 31, 1973

MALACAÑANG
MANILA

LETTER OF INSTRUCTIONS NO. 143

TO:	Secretary Alejandro Melchor Executive Secretary
	Secretary Conrado Estrella Department of Agrarian Reform
	Secretary Cesar Virata Department of Finance
	Secretary Arturo S. Tanco, Jr. Department of Agriculture & Natural Resources (The Director, Bureau of Agricultural Extension)
	Governor Gregorio Licaros Central Bank of the Philippines
	Mr. Basilio Estanislao President, Land Bank
	Secretary Jose Roño Department of Local Governments & Community Development
	(Undersecretary Orlando Sakay Undersecretary for Cooperatives
	Undersecretary Rosendo Marquez Undersecretary for Community Development)

WHEREAS, I have repeatedly given instructions for the speedy implementation of Presidential Decree No. 27, otherwise known as the Tenant's Emancipation Act, which extended land reform program to the small landholdings devoted principally to rice and corn and tilled by tenant-farmers;

WHEREAS, surveys undertaken by the government show that 95.4% of our landowners are among those holding less than 12 hectares and that 69.9% of our tenant-farmers are tillers in these small landholdings of less than 12 hectares;

WHEREAS, the government, although eager to implement a program of land reform by extending its operations to these small landholdings has been conscious as well of the fact that these landowners holding small parcels of land constitute part of the economic middle class, which we are trying to build and therefore deserve as much consideration as the tenants themselves;

WHEREAS, for this reason studies have been continuing in order not to create an economic dislocation whereby while we are helping the tenants we are impoverishing this particular group of landowners;

Figure 2. A screenshot from the *Official Gazette*.

Source: President of the Philippines. 1973. "Letter of Instruction No. 143, s. 1973." Republic of the Philippines. <http://www.officialgazette.gov.ph/1973/10/31/letter-of-instructions-no-143-s-1973>.

PRESIDENTIAL DECREE NO. 2

PLEASE RETURN WATER USE	
NO.	DATE

PROCLAIMING THE ENTIRE COUNTRY AS A LAND REFORM AREA.

WHEREAS, there is pressing need to accelerate the Agrarian Reform Program of the Government for the early attainment of the objectives set forth in Republic Act No. 3844, as amended;

WHEREAS, among such objectives is to achieve dignified existence for the small farmers free from the pernicious institutional restraints and practices which have not only retarded the agricultural development of the country but have also produced widespread discontent and unrest among our farmers, one of the causes of the existing national emergency; and

WHEREAS, it is believed that the lasting objectives of land reform may be sooner realized if the whole country is declared a land reform area;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, whereby I have assumed direction of the operation of the entire Government, do hereby proclaim the whole country as land reform area.

All agencies and offices of the Government are enjoined to extend full cooperation and assistance to the Department of Agrarian Reform to insure the successful prosecution of the Agrarian Reform Program.

The Agrarian Reform Coordinating Council created under Executive Order No. 347, series of 1971, is hereby directed to convene immediately to exercise its functions.

The Secretary of Agrarian Reform shall take the necessary steps for the prompt and effective implementation of this decree.

Done in the City of Manila, this 26th day of September in the year of Our Lord, nineteen hundred and seventy-two.

SGD) FERDINAND E. MARCOS
President
Republic of the Philippines

PRESIDENTIAL DECREE NO. 27, s. 1972
DECREEING THE EMANCIPATION OF TENANTS FROM THE BONDAGE
OF THE SOIL, TRANSFERRING TO THEM THE OWNERSHIP OF THE
LAND THEY TILL AND PROVIDING THE INSTRUMENTS AND
MECHANISM THEREFOR

Signed on October 21, 1972

In as much as the old concept of land ownership by a few has spawned valid and legitimate grievances that gave rise to violent conflict and social tension,

The redress of such legitimate grievances being one of the fundamental objectives of the New Society,

Since Reformation must start with the emancipation of the tiller of the soil from his bondage,

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1 dated September 22, 1972, as amended do hereby decree and order the emancipation of all tenant farmers as of this day, October 21, 1972:

This shall apply to tenant farmers of private agricultural lands primarily devoted to rice and corn under a system of sharecrop or lease-tenancy, whether classified as landed estate or not;

The tenant farmer, whether in land classified as landed estate or not, shall be deemed owner of a portion constituting a family-size farm of five (5) hectares if not irrigated and three (3) hectares if irrigated;

In all cases, the landowner may retain an area of not more than seven (7) hectares if such landowner is cultivating such area or will now cultivate it;

For the purpose of determining the cost of the land to be transferred to the tenant-farmer pursuant to this Decree, the value of the land shall be equivalent to two and one-half (2 1/2) times the average harvest of three normal crop years immediately preceding the promulgation of this Decree;

The total cost of the land, including interest at the rate of six (6) per centum per annum, shall be paid by the tenant in fifteen (15) years of fifteen (15) equal annual amortizations; In case of default, the amortization due shall be paid by the farmers' cooperative in which the defaulting tenant-farmer is a member, with the cooperative having a right of recourse against him;

The government shall guaranty such amortizations with shares of stock in government-owned and government-controlled corporations;

No title to the land owned by the tenant-farmers under this Decree shall be actually issued to a tenant-farmer unless and until the tenant-farmer has become a full-fledged member of a duly recognized farmer's cooperative;

Title to land acquired pursuant to this Decree or the Land Reform Program of the Government shall not be transferable except by hereditary succession or to the Government in accordance with the provisions of this Decree, the Code of Agrarian Reforms and other existing laws and regulations;

The Department of Agrarian Reform through its Secretary is hereby empowered to promulgate rules and regulations for the implementation of this Decree.

All laws, executive orders, decrees and rules and regulations, or parts thereof, inconsistent with this Decree are hereby repealed and or modified accordingly.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and seventy-two.

FERDINAND E. MARCOS

LETTER OF INSTRUCTION NO. 143, s. 1973

Signed on October 31, 1973

Malacañang

Manila

To

Secretary Alejandro Melchor

Executive Secretary

Secretary Conrado Estrella

Department of Agrarian Reform

Secretary Cesar Virata

Department of Finance

Secretary Arturo S. Tanco, Jr.

Department of Agriculture & Natural Resources

(The Director, Bureau of Agricultural Extension)

Governor Gregorio Licaros
Central Bank of the Philippines

Mr. Basilio Estanislao
President, Land Bank

Secretary Jose Roño
Department of Local Governments & Community Development

(Undersecretary Orlando Sakay
Undersecretary for Cooperatives

Undersecretary Rosendo Marquez
Undersecretary for Community Development)

WHEREAS, I have repeatedly given instructions for the speedy implementation of Presidential Decree No. 27, otherwise known as the Tenant's Emancipation Act, which extended land reform program to the small landholdings devoted principally to rice and corn and tilled by tenant-farmers;

WHEREAS, surveys undertaken by the government show that 95.4% of our landowners are among those holding less than 12 hectares and that 69.9% of our tenant-farmers are tillers in these small landholdings of less than 12 hectares;

WHEREAS, the government, although eager to implement a program of land reform by extending its operations to these small landholdings has been conscious as well of the fact that these landowners holding small parcels of land constitute part of the economic middle class, which we are trying to build and therefore deserve as much consideration as the tenants themselves;

WHEREAS, for this reason studies have been continuing in order not to create an economic dislocation whereby while we are helping the tenants we are impoverishing this particular group of landowners;

WHEREAS, under Presidential Decree No. 27, the mode of payment specified calls for payment by the tenant-farmers to the landowners the total cost of the land, including interest at the rate of six (6) percentum per annum in fifteen (15) years in fifteen (15) equal annual amortizations;

WHEREAS, under Presidential Decree No. 251, other modes of payment have been provided, namely:

- “1. Cash payment of 10% and balance in 25-year tax- free 6% Land Bank bonds;
- “2. Payment of 30% in preferred shares of stock issued by the bank and balance in 25-year tax-free 6% Land Banks bonds;
- “3. Full guarantee on the payment of the fifteen (15) equal annual amortizations to be made by the tenant/farmer;
- “4. Payment through the establishment of annuities or pensions with insurance;
- “5. Exchange arrangement for government stocks in government-owned or controlled corporations or private corporations where the government has holdings;
- “6. Such other modes of settlement as may be further adopted by the Board of Directors and approved by the President of the Philippines.”

WHEREAS, it is my earnest desire that the actual tillers of the land, the tenant-farmers, shall be the actual owners of the land tilled by them soonest, but at the same time the small landowners shall not be impoverished by depriving them of their land which may be their only source of income, and if deprived should receive the assistance of the government;

NOW, THEREFORE, and in view of my earnest desire to implement fully the Land Reform Program as set forth in Presidential Decree No. 27, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, hereby prescribe the following policies or guidelines in the implementation of land reform program, especially with respect to the small landholdings:

- (1) That as a basic policy, the actual tillers of the land, the tenant-farmers, in agricultural land principally devoted to rice and corn production, shall be the actual owners of the land tilled by them; subject to the following guidelines:

- (a) That in pursance of this policy the absentee landowners shall transfer to their tenants their landholdings regardless of area, no matter how small; and
 - (b) That the absentee landowners shall be compelled to do so if they (the absentee landowners) are found to have a source of income other than their landholdings or landholdings.
- (2) In determining who is an absentee landlord, the Department of Agrarian Reform shall ascertain if the absence of such landlord is on account of circumstances beyond his control such as having been driven from the land by fortuitous circumstances or forces beyond his control, services in the Armed Forces of the Philippines or other branches of the government.
- (a) If the absentee landowner falling under this category has been actually tilling the land before being compelled to abandon the tilling of the land as provided in the immediately preceding paragraph, then he shall not be considered an absentee landlord as referred to in this Letter of Instructions;
 - (b) If in the apportionment of the land according to Presidential Decree No. 27, which reserves 7 hectares for the landowner if he tills part of his landholdings or intends to till part thereof, and allocates an area not exceeding 5 hectares for the tenant-farmer, if the land is not irrigated, and 3 hectares if irrigated, there will not be enough land to be allocated to the tenant or tenants in the same landholding, the Government shall encourage the organization or establishment of a cooperative composed of both the landowner himself and his tenant or tenants with the income from said land apportioned by them in accordance with their respective participation in its cooperative effort.

In order to ensure immediate implementation of these policies and guidelines, I direct the Executive Secretary, the Secretary of the Department of Agrarian Reform, the Secretary of the Department of

Finance, the Secretary of Agriculture and Natural Resources, the Governor of the Central Bank, the President of the Land Bank, the Secretary of the Department of Local Governments and Community Development, the Undersecretary for Cooperatives and the Undersecretary for Community Development and all other agencies of the government whose cooperation is considered necessary by the Secretary of Agrarian Reform and the Agrarian Reform Fund Council to conduct an immediate survey which shall, among others, determine:

- (1) The absentee landowners as envisioned in this Letter of Instructions;
- (2) The absentee landowners with no other source of income and those with the other source of income;
- (3) The absentee landowners who have a history of tilling their own landholdings but were compelled to abandon their farming activities in view of circumstances beyond their control and as specified in this Letter of Instructions;
- (4) Those landholdings where the organization of a cooperative composed of the landowner and his tenant or tenants is the most feasible measure to resolve conflicting interests of landowner and tenant-farmer;
- (5) Those landholdings or portions thereof in which the landowner may have a strong emotional attachments for having been the site of his home or ancestral home of the landowner;
- (6) How many of these absentee landowners are in the government service;
- (7) How many of these landowners are retirees from the government service or from employment in private firms.

You will likewise ascertain:

- (1) Whether or not the 6% per annum income from agricultural rice and corn land as earlier reported is in fact the actual earning from these lands;
- (2) Whether or not there has been an increase in production in areas where the land reform program has been

implemented, in general, and specifically in the small landholdings.

The term “small landholdings” as used in this Letter of Instructions shall mean landholdings of 24 hectares and less than 24 hectares.

Pilot areas shall be established, preferably in one town in Nueva Ecija, one town in Pangasinan, one town in the Ilocos Region and in other municipalities in other provinces where the group may deem it necessary.

The Executive Secretary shall convene a meeting of the officials specified herein immediately to implement these instructions and a report will be submitted to me with the recommendations before the end of November, 1973.

DONE in the City of Manila, this 31st day of October, in the year of Our Lord, Nineteen Hundred and Seventy-Three.

(SGD.) FERDINAND E. MARCOS

President

Republic of the Philippines

