

Adriano, Lourdes S.

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Philippine Institute for Development Studies

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Lourdes S. Adriano

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The *PIDS Discussion Paper Series* constitutes studies that are preliminary and subject to further revisions. They are being circulated in a limited number of copies only for purposes of soliciting comments and suggestions for further refinements. The studies under the *Series* are unedited and unreviewed.

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August 1994

For comments, suggestions or further inquiries please contact:

The Research Information Staff, Philippine Institute for Development Studies
3rd Floor, NEDA sa Makati Building, 106 Amorsolo Street, Legaspi Village, Makati City, Philippines
Tel Nos: 8924059 and 8935705; Fax No: 8939589; E-mail: publications@pidsnet.pids.gov.ph
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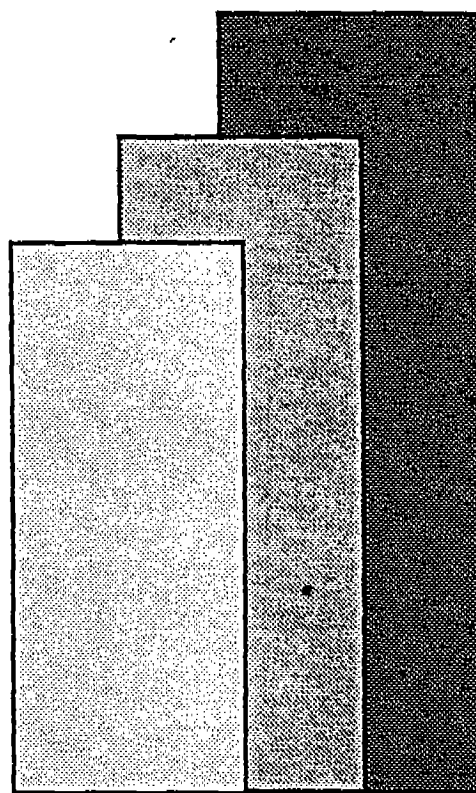
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For comments, suggestions or further inquiries please contact:

Dr. Mario B. Lamberte, Philippine Institute for Development Studies
3rd Floor, NEDA sa Makati Building, 106 Amorsolo Street, Legaspi Village, Makati 1229, Metro Manila, Philippines
Tel No: 8106261; Fax No: (632) 8161091

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Approaches to Land Acquisition
and Distribution**

by

LOURDES S. ADRIANO

18 March 1994

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I would like to dedicate this report in memory of my one and only daughter, *Sarah Katrina S. Adriano*. She once remarked that I am a sucker for agrarian reform. I guess she's right.

ABSTRACT

This study examines the land acquisition and distribution process of the Comprehensive Agrarian Reform Program by analyzing the nature and extent of participation of the various government agencies (i.e., the Departments of Agrarian Reform, and Environment and Natural Resources, Land Bank of the Philippines and The Registry of Deeds) as well as the affected parties (landowners and farmer-beneficiaries). Attempts were also made in identifying the areas where land reform can be hastened. While there are opportunities for change, the overall effect of those changes on land reform may not be as large in terms of area coverage, by mid-June 1998, the scheduled completion date of CARP. The overall picture is that too many agencies are involved in land reform work, too many documents are required, and too many check and balance systems have been instituted that tend to drag the land acquisition process. The land distribution process seems much faster in pace largely because of the minimal interplay of contending forces. However, the lack of attention accorded to the amortization scheme and the tendency of reformed lands to be further parcellized will have major implications during the post-land reform scenario.

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CHAPTER 1

INTRODUCTION:

THE NEOCLASSICAL POLITICAL ECONOMY APPROACH TO AGRARIAN REFORM

1.1. Is Land Reform Passé?

In recent years, the debate of whether or not agrarian reform still remains an integral component of rural development has greatly diminished. The declining interest on agrarian reform is not only prevalent in the country but also in most Third World economies. As Rashid (1993) observes,

"Today, ..., we find land reform to be a minority, if not minor, vision (among Third World countries) - largely restricted to anthropologists, sociologists and a handful of political economists. Were the earlier economic arguments for land reform incorrect or were they based on an inadequate understanding of the political process? Why have texts on economic development relegated land reform from being a major participant in the process to one of the 'also-ran's'? Has a deeper understanding of economic and political realities led to land reform becoming passe?" (p.1)

In the Philippines, the heyday of agrarian reform seems to be over. The once strong commitment and support that this policy enjoyed from scholars (e.g., APST, 1986) and politicians (e.g., Senate) alike, and which were fervently felt during the post-EDSA years has been replaced by disenchantment with this mode of redistributive reform. Now, many of them believe that agrarian reform has become irrelevant to the times considering that a rising number of landless rural workers can no longer be accommodated on the country's finite land resources whose frontiers have been reached as early as the 1960s.

A major setback for agrarian reform is the recent dissolution of the Congress for People's Agrarian Reform (CPAR). The organization was a coalition of NGOs and farmer groups representing a wide political spectrum. Formed in 1986, CPAR became the leading force in furthering the implementation of a comprehensive redistributive reform. With its demise, a vacuum especially in the advocacy for agrarian reform has emerged.

reform. With its demise, a vacuum especially in the advocacy for agrarian reform has emerged.

Much of the lack of interest on agrarian reform stemmed from the dismal failure of past and present governments to make significant progress especially in the area of land acquisition and distribution. This occurred despite the limited scope covered by land reform legislations. Even within this restricted coverage, performance has been a lackluster one, owing largely to the political discord that this reform managed to create. The reason for this is that post-EDSA policy makers have underestimated the influence of the landed elite in the political arena (Putzel, 1992). While landowners may have changed their forms (i.e., agribusiness corporations), they nevertheless, remain to be a strong contending force.

Because of the perceived stalemate in furthering agrarian reform alternative, several policy solutions have emerged. The first recommends the pursuance solely of growth-oriented policy measures. Following the Kuznet's (1955) inverted U-thesis¹, this recommendation contends that sustained growth while initially will heighten inequality, will reduce poverty and subsequently ensure a more egalitarian economy. The second policy alternative is a combination of growth-oriented and employment-generating policies; the former measures will address the efficiency objective while the latter will ensure equity (Balisacan, 1992). The third policy recommendation incorporates the second policy option as well as an aggressive implementation of agrarian reform until mid-1998, the scheduled completion of the program under the Comprehensive Agrarian Reform Law (CARL)².

This study operates within the purview of the third policy alternative. Contrary to the assertion that land reform has become passe, redistributive agrarian reform remains to be a relevant and an important policy measure in the Philippines. Removal of this measure in the development agenda will be politically de-stabilizing at this stage for as Putzel (1992:382) aptly puts it, "the peasants will keep redistributive agrarian reform on the agenda for as long as they continue to be confined to conditions of poverty and insecurity."

However, agrarian reform alone cannot solve the myriad of development problems faced by the Philippines. Demographic evolutions, social and economic transformations in the agricultural and non-agricultural sectors, the rising importance of ecological balance to ensure sustainable development and changing world market conditions, imply that the scenario of the 1990s are much more complicated than those existing in the 1960's. This necessitates a policy mix that addresses the pertinent issues on efficiency, equity, and sustainability³.

This policy option also implies that while agrarian reform shall be pursued, its implementation should also be time-bound. CARL provides this deadline and that is on June 15, 1998.

Between now and mid-1998, agrarian reform especially in the land acquisition and distribution aspect should be vigorously enforced. It is in this particular area which this study hopes to contribute.

The research aims to examine and analyze the processes and bottlenecks on land acquisition and distribution (LAD). It will look into the performance of land reform-related agencies at the municipal, provincial and national levels, and will account for differences in performance. The work will not only analyze government-dependent approaches to LAD, but will also look at the potentials of land reform implementation through private initiative, as in the case of Voluntary Land Transfer (VLT) or Direct Payment Scheme (DPS).

This chapter will first discuss the framework used in the research. It will then explain the sets of information that were gathered and employed in this study.

1.2. Land Reform: A Neoclassical Political Economy Framework

1.2.1. Land Reform and the State

Agrarian reform encompasses two components: one, the process of land acquisition and distribution (or land reform) and two, the provision of vital support services (e.g., credit) essential for production and distribution. However, when the Government's performance of this measure is evaluated, land reform becomes the single and most important barometer.

The implementation of the policy itself requires a series of steps, commencing with the acquisition of agricultural land from private and public landowners whose landholdings exceed the legal retention limit and culminating with the distribution of these lands to actual but landless tillers. The end result is twofold: (i) a change in the landownership, the latter comprising of a bundle of rights' such as the rights to use, possess, manage, income transfer, lend and sell; and (ii) a change in the distribution of landholdings, i.e, from a concentrated one to a more egalitarian mode (Hayami, et. al, 1990).

The implementation of land reform is influenced to a large extent by the state's action (or inaction). Many in fact have argued that the uninspiring record of this policy

is mainly due to the state's lack of "political will." However, as Chambers (1983:161) has observed, this type of rationalization is "a way of averting the eyes from ugly facts. It is a conveniently black box... (which) stops short of asking who gains and who loses what, when, where, and how."

In this report, it is asserted that the "political will" is manifested in the State's capacity. Specifically, capacity of the State to enforce land reform is related to (i) the capability of its bureaucratic machinery (institutions performing land reform, e.g., DAR and its attendant administrative, financial and technical resources), and (ii) the State's expertise in balancing the interests of affected parties. Viewed in this perspective, one could argue that land reform can still be realized, albeit, not as comprehensive especially in area coverage, if the state's capacity can be efficiently managed. In many respect, much of the dismal performance in land reform were the state's own doing; it is thus its responsibility to find solutions within its jurisdiction.

Mangahas (1987:139) argues the same point during one of the debates on agrarian reform:

"Today's great inequities in the distribution of land in the Philippines have been mainly the doing of the state. The root of the land distribution problem has been the abuse of state prerogatives over the centuries, to grant land and other natural resources to the meaningfully powerful and hence socially undeserving few"

To incorporate the land reform-state relation, the neoclassical political economy approach is employed.

1.2.2. A Definition of the Framework

While the orthodox neoclassical economic theory assumes political factors as ceteris paribus, the emerging neoclassical political economy (NPE) approach^{4/} incorporates the behavior of special interest groups in influencing the nature, pattern, and degree of government intervention in market-driven economic activities. The positivist view of this approach which explains the interest groups theory of government is based on the seminal works of Downs (1957) entitled, An Economic Theory of Democracy and of Olson (1965) entitled, The Logic of Collective Action. Briefly, these works argue that in a democratic regime, people with a common interest will organize and lobby for a policy as long as their net gains are maximized. The size of the coalition is however inversely related to the incentive for group action since larger groups face rising information, transactions and organizational costs (especially those accruing from the free rider problem). From the side of the government, the policy responses of

politicians are positively related on the degree of influence of these interest groups in generating the votes for their continued stay in office. The basic premises of this view are that firstly, individuals including politicians are rational beings who maximize their self-interests; and secondly, the government represented by politicians serves as a regulator in the competition between contending interests, and in the process, becomes a "broker" of wealth transfers (McCormick and Tollisan, 1981).

Restrictions on economic activity that stem from government regulations give rise to "contrived" rents, as opposed to the Ricardian definitions of rents (Hartle, 1983). Competition for these rents come in two forms: some are legal (e.g., investment in lobby tactics) while others are of the illicit type, such as corruption and bribery (Krueger, 1974). Krueger euphemistically termed this mode of activity as "rent-seeking" defined by Hartle (1983) as an act done "by individuals or groups (coalitions) of individuals with similar interests in the expectation of (i) obtaining an increase (avoiding a decrease) in their income wealth as a result of securing (reaching) changes in legal rights; or (ii) maximizing the benefit (minimizing the costs) of earlier policy changes that created non-exclusive rights."

The normative perspective of the NPE approach examines the welfare or distributional consequences of rent-seeking activities. Since these activities entail transactions costs, which arise partly from either the competition for the capture of these rents and/or from ensuring the benefits accruing from these rents (Hartle, 1983), such expenditures can be treated as resource outlays which could instead have been expended for the production of real goods and services. The income transfers or the distributional pattern resulting from their rent-seeking activities may become a welfare loss to society if it distorts adversely the income distributional structure of society.² Conversely, competition for these rents, if perfectly bidded out, could dissipate the rents in the process and thereby spread the benefits of these rents (cf., Cheung, 1974).

Research works applying the NPE framework have focused largely on trade policy issues^{3/}. Estimates of rents accruing from interest groups and the distributional effects of various trade regimes (e.g., imposition of quantitative restrictions, tariffs, or free trade scenarios) have been done, conceptually (e.g., Krueger, 1992; Quibra, 1989) and empirically (e.g., Anderson and Baldwin, 1981). The bottomline message of these studies is that government intervention affecting the markets especially of less developed economies is in large measure, a reflection of the competition of contending interest groups and that these regulations influenced the income distributional structure of society.

The succeeding two subsections explore the application of the framework in the legislation and implementation of land reform.

1.2.3. NPE and Land Reform Legislations: The Philippine Case

The research works of Balisacan (1990) on one hand and that of Hayami, Quisumbing and Adriano (1990; referred hereafter as HQA) on the other, have applied the NPE framework in explaining the nature of land reform legislations in the Philippines. Both studies likewise employed the framework to elucidate on the reasons why the successful East Asian models of land reform cannot be replicated in the country.

The two research works started their analysis by identifying the benefits and costs of collective action of individuals favoring or resisting land reform. Briefly, landowners will resist land reform legislation while landless agricultural workers will favor this type of regulation. The benefits of collective action from the vantage point of the landowners are the real incomes maintained or gained as a consequence of a less comprehensive land reform legislation; these are then weighed with the information, transactions and organizational costs of group action. From the perspective of landless cultivators, the benefits of a coalition are the real income transfers accruing from direct landownership whereas the costs entailed are the investments incurred in collective action. Maximization is attained when the net benefits are equal to the net costs. Mathematically, these imply the following:

$$B_i = f\{Y_i, \alpha\} \text{ where } B = \text{benefits, } i = \text{landowner (0) or landless cultivator (C),} \\ Y = \text{income transfers, and } \alpha = \text{other implicit benefits} \quad (1)$$

$$C_i = f\{I_i\} \text{ where } C = \text{costs to 0 or C; } I = \text{investment resources expended for} \\ \text{transactions, information and organization} \quad (2)$$

$$\text{Maximize at} \quad \begin{bmatrix} \delta B_i & \delta Y_i \\ \delta Y_i & \delta I_i \end{bmatrix} - \frac{\delta C_i}{\delta I_i} = 0 \quad (3)$$

Employing Olson's thesis (1965, 1982) on collective action, one would expect that landowners despite their few numbers vis-a-vis the landless workers, will be more organized and exert more political leverage than their contending group in lobbying for a less redistributive measure.

The effect of collective action on the land reform law is shown using the marginal revenue (MR) and marginal cost (MC) concepts (HQA, 1990) (Figure 1). The upward sloping and highly inelastic MC curve reflects the increasing cost to politicians of transferring income via the land reform path. Specifically, a more comprehensive land

reform can be supplied only at the expense of increased resistance from the landowners. In contrast, a downward sloping and highly elastic MR curve manifests lesser chances of costly revolts, insurgency or coups from arising in a situation where widespread land redistribution is attained. MR_0 and MC_0 reflect the political market scenario implicit in the formulation and legislation of land reform in the Philippines. The point of intersection of these two curves, i.e., point A, reflects the low reformed area (and hence lower real income transfers to landless workers) that will ensue from this measure⁶.

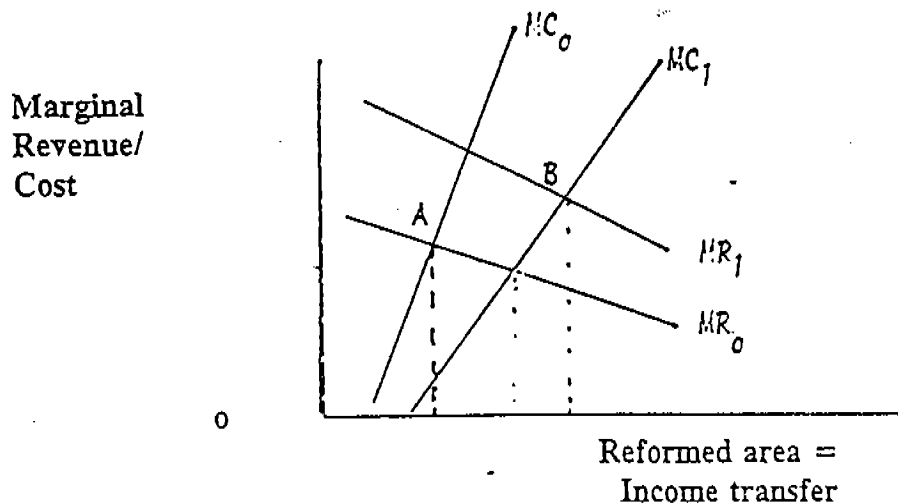


Figure 1

MR and MC curves for Different Political Market Situations

In contrast, the land reform models of Japan and Taiwan show a different political market situation. The tenants in these countries were highly organized and well-informed while the landlords were unorganized and mustered minimal resistance to a comprehensive land reform. Moreover, modes of productive organization in these countries were more or less homogeneous while in the Philippines, varied productive modes existed (e.g. plantations, small-sized farms, haciendas, etc.).⁷ Lastly, a highly confiscatory and regulatory approach to land distribution became possible in the East Asian context partly because of the huge financial support accorded by the US for this particular policy measure and partly due to the accurate landownership and land use data as well as the efficient bureaucracy in these countries. All these factors contributed for the swift passage and implementation of a comprehensive land reform measures.

In terms of graphical presentation, the East Asian model is reflected by MR_1 and MC_1 curves in the above figure. The point of intersection, i.e., B, implies that because of the interplay of these factors, a more effective redistributive measure could be enforced and higher real income transfers could be attained.

With this analysis in mind, Balisacan and HQA rationalized the limited past achievement of the Philippine land reform model. They argued that in a situation where landowners have a much stronger political and economic influence than the large number but poorly organized landless agricultural workers' group, the limited accomplishment in land transfer achieved by past land reform legislations was in effect, the highest one can attain under those political market regimes.

The two works differ slightly however in their conclusion. While Balisacan contends "that the nature of past land reform programs is politically optimal, given the prevailing political market", (p.2), HQA posit that past and even the present land reform legislations, while indeed achieving the highest possible accomplishment in land reform when the political economy configuration is factored in, could not be described as "optimal". The latter authors define this term as the "feasible yet effective means in reducing rural poverty and inequality by considering the existing political market conditions (p.4)." Operating under this definition, HQA hypothesize further the possibility of designing an optimal land reform paradigm appropriate for the country (p.13):

"To achieve the goal of reducing rural poverty and inequality, the new land reform design must be based on the hard calculations not only of economic but also of political and bureaucratic resource endowments in the country. The basic considerations for a successful land reform in the Philippines can be summarized as follows:

1. The rules of reform must be simple, transparent and uniform.
2. Regulations resulting in resource allocation distortions must be kept at a minimum.
3. Lastly, while political commitment is essential in the success of land reform programs, the reform must be designed that discretionary government involvement in the implementation is minimized ..."

1.2.4. NPE and Land Reform Implementation: The Philippine Case

While Balisacan and HQA used the NPE approach to explain the nature and form of land reform legislation in the Philippines, both studies merely made inferences on the effects of collective action on the extent of agricultural land that will be reformed. The basic assumptions of these works are that as in the policy formulation, (i) the government will function like a monolithic entity during the implementation phase; (ii) the landowners are well-organized and will resist as a unified group the administration of the policy; and (iii) the client groups, i.e., the landless cultivators, are unorganized.

This section also employs the NPE framework in (i) understanding the status of the present land reform and (ii) in exploring the options that may lead to an "optimal" implementation, defined ala HQA. Unlike the previous studies, a different set of premises will be used which are: (i) the present land reform legislation is still highly regulatory; (ii) various government personnel from different government agencies performing multifarious tasks are involved in the implementation; (iii) not all landowners are organized; and (iv) not all landless cultivators are unorganized. Each actor involved in or affected by land reform is assumed to be a rational being who maximizes his/her level of satisfaction.

1.2.4.1. Behavior of the Implementors and the Affected Parties

The implementation phase of land reform is defined in the study as the process commencing from the land acquisition and culminating in the actual distribution of the acquired land to the prospective beneficiaries (the succeeding sections refer to this whole process as LAD.) In the present design of land reform, the government is directly involved in the LAD. The Department of Agrarian Reform (DAR) oversees the whole process. It is assisted by different departments at various phases: the DENR for the surveys; the Land Bank for the valuation of the land and the subsequent compensation of the landowners; the ROD for the titles; and the Courts for the resolution of land-related cases. Landowners, whether private or public, are affected during the land acquisition process while the farmers are involved in the last phase basically as recipients of the land.

In order to situate the implication of the present implementation set-up of land reform one should bear in mind the following question: What are the net gains and costs of a faster or slower pace of LAD from the perspective of each party involved in or affected by the LAD?

Table 1.1 summarizes the perceived benefits obtained from a fast or slow implementation of LAD as well as the costs incurred from the vantage point of each actor involved in the process. The table also identifies the expected and actual output of each actor. A brief discussion of the results is presented below:

1. Local Officials of DAR: Under the present set-up, DAR officials from the municipal up to the regional levels have a stake at delaying LAD mainly because a prolonged existence of the land reform function will ensure their tenure and hence, secure their future income from the government. With employment opportunities becoming much more limited, the inverse relationship between expediting land reform and securing one's tenure becomes stronger. In terms of costs, the expenses incurred in the performance of duty are the finances expended from fieldwork (including transactions, information and costs arising from risks) as well as one's level of effort. While the expected output is reformed land as stipulated in the law, the actual output may range from a low to moderate LAD accomplishment to a distorted information about LAD performance.
2. Central DAR Officials: With the exception of the Secretary and his appointees, those who hold a similar tenurial profile as the lower ranks will act in a similar manner as their counterparts at the local level. Besides, their actual achievement will depend to a large degree on the performance of the municipal, provincial and regional DAR offices.
3. Land Management Office, DENR: Performance in land acquisition will be slow as no increase in real income is expected from this additional function. When the performance of this duty is not a priority task of the office and where positive costs are incurred in the process, the actual output will be a low rate in the production of survey documents.
4. Registry of Deeds: Like in the DENR, additional work is not commensurate with expected income and hence, is translated into low production of land titles.
5. Land Bank (LBP): While the LBP employees assigned in the land valuation are compensated for every level of effort expended, their perception of the task is often to the detriment of expediting LAD. In particular, LBP employees would consider it advantageous to the Bank if they value the land much lower than their actual market value as well as delay the compensation to the landowners.

6. Adjudication Offices: Where private incentives for fast-tracking land disputes are non-existent, rents can be extracted by delaying the decisions in these cases. The positive rents are weighed against the risks entailed in pursuing this illicit activity as well as the real incomes generated from other types of legal cases. The end-result will be a slower processing of land disputes.
7. Landowners: There are different types of landowners. Aside from distinguishing the landowner in terms of being public or private entities, the other most relevant classification for this analysis is the identification of landowners by land sizes. Small-sized landownership will include landowners whose land range from 5 to 24 hectares; middle-sized landownership includes land greater than 24 but less than or equal to 100 hectares; and large-sized landownership implies landowners owning land greater than 100 hectares. Because of the huge costs involved in enforcing land reform in large-sized farms, local DAR official (i.e., the MAROs and PAROs) will most likely monitor more effectively the operations of small and middle-sized farmowners. Moreover, farmowners belonging in the small and middle land-size categories, are larger in number (vis-a-vis the large ones), are more geographically dispersed, and belong to the middle or upper middle-income brackets. They are less likely to organize into lobby groups and are more susceptible to a voluntary offer to sell type of agreement so long as they are compensated fairly and quickly. For these types of landowners, they will prefer a faster implementation of land acquisition because once they voluntarily offer their land for redistribution a land acquisition process will mean greater foregone income. They will minimize their costs subject to receiving an income commensurate to their foregone income from the land.

Landowners who will most likely be organized and will strongly resist land reform are agribusiness corporations. For this type of landowners however, they will either opt for a land reform deferment or a corporate stock distribution scheme.

8. Farmer-beneficiaries: They have the most to gain from land reform. Not only will they own land at a time when the man-land ratio is already high but the cost of land acquisition is highly subsidized by the government. There is also a growing awareness among farmers for the need to and the advantages of lobbying for a faster implementation of land reform.

In conclusion, the above discussion detailing the net gains and costs and their subsequent effect on land reform implementation provides the

following observations. First, the marginal revenue and marginal cost curves in Figure 1 are the summation of the net benefits and costs from each actor involved in and affected by LAD. Second, despite this modification in definitions, MR_o and MC_o curves still roughly approximate the effect of the LAD process on reformed areas. The difference lies in the overall influence of landowners. Specifically, many landowners have accepted (although perhaps grudgingly) the consequences of land reform and it is to their advantage that land acquisition be expedited (so long as the price of land is fair) to minimize the foregone income. The low LAD performance may stem largely from the inefficiencies of bureaucracy and the highly regulatory approach to the implementation of this measure. And third, there are however, several options available to the government to enable a shift of the MR_o curve upward and/or the MC_o curve downward, thereby achieving larger reformed areas. Before discussing these options, let us first examine the other political market considerations.

1.2.4.2. Other Main Considerations in the Implementation of LAD

Crucially important in the implementation of land reform is the financial aspect. The stark reality at present is that the government is severely restricted in terms of its financial resources and options. This implies that a comprehensive land reform employing a largely confiscatory approach cannot be realistically attained. The limited funds available for this activity will therefore have to be frugally used until mid-1998, the year when the CARP is scheduled to expire, unless alternative finances can be tapped and/or market-oriented approaches to land reform are employed.

Moreover, recent discussions on development strategies appropriate for the Philippines have redefined the role of land reform in the context of poverty alleviation (e.g., de Dios, *et. al.*, 1992; Balisacan, 1992). Briefly stated, the emerging position on development is that the country's past strategies have failed to make a significant impact on the poverty issue because these approaches have not generated and ensured on a sustainable basis as much economic growth. According to this view, while skewed income distribution is perceived as one of the major sources of poverty, land redistribution as a measure of alleviating poverty may not be a sufficient policy for resolving this problem due to two reasons: (i) forms of wealth-holding assets have diversified from merely just landownership; and (ii) land reform cannot accommodate the majority and growing number of rural landless workers who comprise the bulk of the country's poor.

Lastly, the implementation of land reform should take into account the impact of this measure on the land market and in turn, the interlinkage of this market to other markets, particularly the labor and credit markets (Binswanger, *et. al.*, 1992). Since land reform restricts the free interplay of actors involved in the land market, unclear and inappropriate guidelines on its implementation can serve as a deterrent to agricultural investment and concomitantly, become an incentive for land use conversions (Adriano, 1992). Furthermore, regulations on land-labor arrangements could adversely affect the allocation and efficient use of resources as well as accessibility to vital inputs (Otsuka, 1988). Lastly, recent studies have shown the increased incidence of the pawning of cultivation rights in the land reformed areas; this practice arose largely as a stop gap measure to the legal prohibitions on share tenancy and a mechanism to capture the gains from technological advancement (Nagarajan, Quisumbing and Otsuka, 1991).

1.2.4.3. The Imperatives for Alternative Land Reform Approaches

The present complex political market conditions will make the implementation of a highly regulatory approach a difficult route. As the above discussions imply, the existing pressure for a limited LAD performance do not come largely from the affected parties but emanate mainly from the human and financial constraints faced by the government and its bureaucracy.

The pertinent question at this particular juncture is as follows: Are there alternative mechanisms to implementing land reform?

Several options for expanding the resources available for land reform implementation are explained below:

- Option 1.* In the short term, the Government can reallocate its limited resources by re-channeling allocated funds from non-land reform measures (e.g., provision of support services) to land reform activities. The additional resources for land reform could be used principally to provide fair valuation and compensation to landowners. Such a "goodwill" strategy may be justified on the grounds that it will have the potential of decreasing resistance to land reform. If alternative investment opportunities are clearly disseminated to the landowners, the compensation paid to landowners may be captured by society in terms of increased production in the future.

- Option 2.* The government can enhance its LAD performance by streamlining the LAD process. Simplification of the documentary requirements, concentration of LAD functions to DAR, and/or focusing of LAD in the provinces are some of the alternatives for increasing the efficiency of LAD without necessarily increasing its funds.
- Option 3.* The government can shift from a highly regulatory/confiscatory approach to land reform and adopt market - oriented approaches to land reform. The strategy is advantageous as (i) dependence on government funds is reduced and (ii) growth and equity objectives can be pursued simultaneously. Examples of these are the direct payment schemes and NGO assistance in LAD.
- Option 4.* Increase the amortization payment schedule of landless workers equivalent to land value plus cost of land transfer plus interest. The amount can be recycled to finance land reform.

This study will explore the potentials of these various options, validate the behavior of the implementors and those affected by land reform and their implications in the implementation phase.

1.3. The Sampling Design of the Study

1.3.1. *The Study Sites*

1.3.1.1. Provincial Samples

In the selection of the sample provinces, the SOP-NSOP^{8/} classification of the DAR was considered. In 1990, DAR selected 24 provinces called strategic operating provinces (SOPs) believed to be potential showcases of CARP implementation. DAR poured a greater amount of its resources on these provinces. The idea was to include in the sample of provinces the following: (1) a high- performing SOP, (2) a low- performing SOP, (3) a high- performing NSOP, and (4) a low- performing NSOP. Using such classifications, the researcher hoped to identify the key bottlenecks in LAD and to provide recommendations that will enhance land reform performance.

In addition to the SOP-NSOP criteria, a set of criteria was employed to assess the performance of the provinces. Foremost among the criteria was area

accomplishment or the number of hectares generated (i.e. lands with processed claim folders), registered (with the Register of Deeds) and distributed (to the beneficiaries). Since the essence of land reform is land transfer, the choice of area accomplishment as the primary criterion is justified.

The other criteria used in identifying the provincial sample included: (i) impact of CARP on the province, (ii) the types of land in the province, (iii) the presence of contact persons and institutions, and (iv) the attitudes of the people in the province.

Based on the above criteria, five (5) sample provinces were selected, to wit:

- (1) Occidental Mindoro⁹, a high-performing SOP in Luzon
- (2) Camarines Sur¹⁰, a low-performing SOP in Luzon
- (3) Palawan¹¹, a high-performing NSOP in Luzon
- (4) Iloilo¹², a low-performing NSOP in Visayas, and
- (5) Ilocos Sur¹³, a province with VLT cases

1.3.1.2. Municipal Samples

To determine the number of municipalities to be surveyed by province, a rough rule of thumb of 30 percent of total number of municipalities was adopted. However, in the case of Occidental Mindoro and Palawan, the percentage was much less due to inaccessibility of most municipalities.

The distribution of sample municipalities by province and level of accomplishment is shown in Table 1.2.

1.3.2. Respondents of the Study

The study's respondents were grouped into two broad classes. Government agencies comprised one class, while private individuals constituted the other. The government-agency class consisted of all agencies directly involved in land acquisition and distribution at the municipal, provincial, regional and national levels. The agencies include the Operations Divisions and Adjudication Boards of the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the Land Bank of the Philippines (LBP), the Land Registration Authority (LRA) and the Register of Deeds (ROD). On the other hand, private landowners and farmer-beneficiaries constitute the second respondent class.

Differentiated within classes and among levels, the respondents can be grouped into 16 types as listed in Table 1.3.

1.3.2.1. Landowners and Farmer-beneficiaries¹⁴

The sample size for landowner-respondents was fixed at 100. The total was distributed equally across the five provinces, giving each province 20 landowners.

For each of the five provinces, the allotment of 20 landowner-respondents was distributed across four modes of land acquisition and across the sample municipalities. The four modes are as follows: Operation Land Transfer (OLT), Voluntary Offer to Sell (VOS), Voluntary Land Transfer (VLT) and Compulsory Acquisition (CA).

The same principles were applied in the selection of FB- respondents. However, three more land types were added to the four modes. The three are as follows: landed estates; resettlements; and lands covered by Executive Order Numbers 407 and 448 (government-owned, foreclosed or sequestered). The sample of 100 beneficiaries was distributed among the seven land types.

The actual distribution of LOs and FBs across land types per province are shown in Table 1.4.

1.3.2.2. Government-Agency Respondents

The national or central offices involved in LAD were taken as given. The regional offices of these agencies, in which the five sample provinces are situated, were included as respondents. Likewise, all provincial government agency heads involved in LAD were surveyed. In the case of municipal officers, only those whose areas of jurisdiction coincided with the sample were covered.

1.3.2.3. Distribution of Respondents

Landowners and farmer beneficiaries - the two parties mainly affected by land reform - constituted two thirds of the total number of respondents. Close to half of the government agency respondents belong to the MARO group, the backbone of the LAD workforce. DENR offices covered 22 percent of all the government agency respondents or 64 percent of the non-DAR respondents. The LBP and the Register of Deeds (ROD) comprised 25 percent of the non-DAR respondents.

1.3.3. Development of Questionnaire¹⁵

Ten sets of questionnaires were developed for the sixteen types of respondents. A few respondent types were administered the same questionnaire. The ten sets are as follows:

Ten types of Questionnaires

- | | |
|----------------------|---------------|
| 1. MARO | 6. DENR |
| 2. PARO | 7. LBP |
| 3. RARO | 8. ROD |
| 4. DARAB/RARAD/PARAD | 9. Landowners |
| 5. Central Office | 10. FBs |

A combination of secondary and primary sets of information was generated from the DAR offices. Most of the secondary data focused on key features of land reform. Also whenever possible, secondary information were obtained from the other land reform-related agencies.

In the course of compiling the secondary data, DAR's Iloilo - and Camarines Sur-based offices failed to submit their respective information on land reform.

Data gathered by respondent are summarized below:

1. MARO, PARO, RARO, and DARCO: perceptions on the speed of LAD; the importance of documentary requirements for acquisition; costs incurred in LAD; major problems in inter-agency coordination; procedure in ARB identification; degree of landowner's resistance; time involved in documentation and NGOs/POs participation in LAD.
2. DARAB/RARAD/PARAD: status and subject of cases submitted for legal action; the complaints and grievances of LOs; issues and problems regarding jurisdiction, jurisprudence, judicial powers, resolution of cases, and execution of orders; and duration of summary administrative proceedings.
3. LBP: the land valuation process, modes of compensation and speed of claims processing.

4. ROD: problems in registration of Deeds of Transfer (DOTs) and Transfer Certificates of Title (TCT), EPs, and CLOAs as well as difficulties in coordination with other agencies.
5. DENR/CENRO/PENRO/RENRO: procedure, documentary requirements, and problems in boundary and subdivision surveys.
6. Landowners: causes of landowners' resistance; complaints in the land acquisition process; difficulties met in securing basic ownership documents; and the length of time and costs incurred (from application to compensation).
7. Farmer-beneficiaries: key problems prior to distribution; forms of resistance from the previous LO; problems in completing the documentary requirements, the length of time involved and costs incurred (from application to amortization).

1.4. Organization of the Study

The succeeding portions of the study are divided into six (6) parts. Chapter II provides an overview of the land acquisition and distribution (LAD) process as well as its status from 1987 to 1992. Chapter III assesses the LAD process within the DAR bureaucracy from the municipal and regional offices as well as the adjudication board. The next chapter evaluates the LAD process involving other government agencies. Chapters V and VI look at the perceptions of the affected parties, i.e., landowners, and farmer-beneficiaries. The last Chapter updates the LAD performance assessment, discusses the alternative mechanisms to implementing land reform, and provides a discussion of the prospects of land reform implementation.

NOTES

¹Kuznets (1955) hypothesized that sustained growth during the take-off stage will initially heighten inequality. In the long term however, poverty and inequality will be reduced. Many studies (e.g., Fields, 1993) validated the inverse relationship between growth and poverty and showed quite conclusively that even a slight growth rate results to a decline in poverty, albeit significantly small.

²Putting a time frame on the implementation of CARL will have significant repercussions on the bureaucracy of DAR. Recommendations for streamlining its bureaucracy as well as for focusing DAR's activities on LAD and land information data are elaborated in Adriano and Adriano (1993).

³Adelman's (1990) J-shaped thesis follows the same line of argument. Briefly stated, she asserts that trade-offs between growth and equity can be minimized or averted depending on the policy choices enforced by the state. In turn, appropriate policy mixes should take into account the economic, political and social milieu prevalent in the country. In particular, she posited that in situations where world market for labor-intensive manufacturers is depressed, export-led employment-enhancing strategy ala Singapore and Hongkong may not work for LDCs. Instead, under this global environment and if the economy is land dependent, land reform is an optimal policy choice.

⁴The neoclassical political economy approach should be distinguished from the Marxist's political economy framework in that the latter is premised on the unceasing struggle between economic classes of possessor versus non-processor. The ultimate goal of the struggle is to eliminate the former in order for the latter to have a chance of establishing the ideal society.

⁵The approach has also been used in agricultural policy analysis (see for example Anderson and Hayami, 1986).

⁶As Ledesma (1980) aptly noted, no class will annihilate itself.

⁷Quisumbing and Adriano (1988) observed not only a variety of modes of productive organization but also a spectrum of land-labor arrangements which in turn, reflect diverse agricultural classes.

⁸SOP stands for Strategic Operating Province while NSOP means Non-strategic Operating Province. The SOPs were selected on the basis of the following criteria: (i) large scope in terms of land reform area, (ii) availability of NGOs/POs in the province which can assist in agrarian reform, and (iii) unstable peace and order situation.

The 24 SOPs chosen then were:

1. Sorsogon
2. Batangas
3. Negros Occidental
4. Camarines Sur
5. Quezon
6. Pampanga
7. Leyte
8. Nueva Ecija
9. Bohol
10. Pangasinan
11. Negros Oriental
12. North Cotabato
13. Zamboanga del Sur
14. Maguindanao
15. Isabela
16. Bukidnon
17. Western Samar
18. Occ. Mindoro
19. Antique
20. Kalinga-Apayao
21. Agusan del Sur
22. Davao del Norte
23. Ifugao
24. South Cotabato

⁹Occidental Mindoro was chosen for the following reasons: (1) its area accomplishment is impressive; (2) Occidental Mindoro has a large CARP scope and a large portion of provincial area devoted to agriculture, and is a major rice producer; (3) DAR officials and personnel from the Regional Director down to the MAROs are very cooperative and accommodating; and (4) farmers are receptive to researchers and most landowners are willing to talk.

¹⁰**Camarines Sur** was selected due to its surprisingly low performance despite its SOP status. Other reasons are its large agricultural area and CARP scope. Also, the presence of coconut lands in the provinces will ensure representation for this land type. In addition, a more efficient implementation of CARP will surely benefit a great number of farmers in the province.

The province is also one of the three program areas where the Tripartite Partnership for Agrarian Reform and Rural Development (TriPARRD) actively participated in land tenure improvement, and social infrastructure building and strengthening. TRIPARRD in Camarines Sur (CSPARRD) in particular will be the subject of a case study on NGO-participation on LAD.

¹¹**Palawan** was chosen due to its impressive LAD performance despite its NSOP status. The province has large tracts of agricultural lands and a significant number of farmer-beneficiaries. A very cooperative PARO and the presence of non-governmental organizations are other strong points.

¹²**Iloilo** was included as a substitute for Negros Occidental. Negros Occidental would have been ideal due to its large agricultural area and CARP scope, the presence of vast tracts -sugarlands, the large number of actual and potential beneficiaries, and the presence of numerous non-government organizations. However, while the reputed resistance of Negros landowners is of research interest, such landowner's resistance is accompanied by uncooperativeness, a factor which may endanger the success of the survey-interview. Another reason is the fact that the area is overresearched. Iloilo is a good substitute since it has the same features as Negros Occidental minus the uncooperativeness of landowners and the aversion of farmers to further research, which they believe will not benefit them.

¹³**Ilocos Sur** was selected primarily for the prevalence of voluntary land transactions in the province. In addition, inclusion of Ilocos Sur ensured representation of Northern Luzon.

¹⁴In the text, farmer-beneficiaries (FBs) and agrarian reform beneficiaries (ARBs) are used interchangeably.

¹⁵Prior to actual formulation of questionnaires, data in the form of statistics, personnel lists, organizational charts, reports, publications, administrative orders, memorandum circulars, presidential decrees, and republic acts were

gathered, collated and examined. Subsequently, initial drafts of questionnaires were made. Implementing rules and procedures published by the Public Affairs Staff of DAR were very helpful in the writing of the first drafts.

These were then pre-tested in Pagsanjan, Laguna during one of DAR's workshop for its provincial staff; Occidental Mindoro, and Lucena City, Quezon.

Table 1.1. Gains and costs of a fast or slow LAD and expected and actual output of LAD by type of implementor and affected party.

=====							
ACTOR	EXPECTED	:	GAINS FROM		:	ACTUAL OUTPUT	
	OUTPUT FROM	:	FAST	SLOW	:		FROM LAD
=====							
1. DAR-Local	Scheduled LAD	:		Secured	:	effort (field-	low to moderate
	implementation	:		tenure	:	work), plus	LAD; or,
	as stipulated	:			:	transactions,	
	in RA 6657	:		regular	:	infrastructure	distorted LAD
		:		income from	:	and risk-	figures
2. DAR-Central (excl. Secretary	Scheduled LAD	:		Secured	:	monitoring and	depends on output
	implementation	:		tenure	:	supervision	of local DAR
	as stipulated	:			:	costs, infor-	
	in RA 6657	:		regular	:	mation costs;	
		:		income	:	effort	
3. DENR	Survey	:		disincentive as	:	effort (field-	low production of
	documents	:		same income for	:	work), plus	survey document
		:		increased level	:	transactions,	
		:		of effort	:	information	
		:			:	and risk-	
4. ROD	transfer of land	:		disincentive as	:	effort (field-	low production of
	titles from	:		same income for	:	work), plus	land titles
	landowners to	:		increased level	:	transactions,	
	farmers	:		of effort	:	information	
		:			:	costs	
5. Land Bank	land valuation	:	indifferent; higher income		:	effort (field-	low land valuation
		:	related to low land valuation		:	work), plus	
		:	and low landowners' compensation		:	transactions,	
	landowner's	:			:	information	slow payment of
	compensation	:			:	and risk-	landowners
6. Adjudication Courts	resolution of	:		no additional	:	effort (field-	accumulated land
	land disputes	:		income from	:	work), plus	cases
		:		performance of	:	transactions,	
		:		duty plus rent	:	information	
		:			:	and risk-	
	:			:	related costs		
	:			:			

Table 1.1. continued.....

ACTOR	EXPECTED OUTPUT FROM	GAINS FROM		COSTS	ACTUAL OUTPUT FROM LAD
		FAST IMPLEMENTATION	SLOW IMPLEMENTATION		
7. Landowners VOS for small and medium land sizes	fair valuation	maintain real		effort (field-	low valuation;
		income		work), plus	slow payment
	quick			transactions,	
	compensation			information	
				cost plus	
				limited income	
				options	
	Agribusiness	non-LAD	real incomes	unstable invest-	non-LAD schemes
	landowners	schemes	maintained	ment plus	
8. Farmer- beneficiaries	land	real income		no costs; fully	slow redistribution
	ownership	transfers		subsidized by	
				government	

Table 1.2. Distribution of sample municipalities across provinces and levels of accomplishment.

Level of Accomplishment	Ilocos Sur	Occidental: Mindoro	Palawan	Camarines Sur	Iloilo	Total
High Performing	5	1	3	2	3	14
Number	5	1	3	2	3	14
Percent of Sample	(50.0)	(33.3)	(60.0)	(18.2)	(21.4)	(32.5)
Middle Performing	2	0	1	2	1	6
Number	2	0	1	2	1	6
Percent of Sample	(20.0)	(0.0)	(20.0)	(18.2)	(7.1)	(14.0)
Low Performing	3	2	1	7	10	23
Number	3	2	1	7	10	23
Percent of Sample	(30.0)	(66.6)	(20.0)	(63.6)	(71.4)	(53.5)
Sample size	10	3	5	11	14	43
Total Municipalities	34	11	21	37	48	151
Percent of Total	(29.4)	(27.3)	(23.8)	(29.7)	(29.2)	(28.5)

Table 1.3. Number of respondents by type and by province, Philippines, 1992.

Type	Acronyms	Occ. Mindoro	Palawan	Iloilo	Camarines Sur	Ilocos Sur	Total	%
1. Private landowners	LOs	20	20	20	20	20	100	32.8
2. Farmer-beneficiaries	FBs	20	20	20	20	20	100	32.8
3. Municipal Agrarian Reform Offices	MAROs	3	5	14	11	10	43	14.1
4. Provincial Agrarian Reform Offices	PAROs	1	1	1	1	1	5	1.6
5. Regional Agrarian Reform Offices	RAROs	1		1	1	1	4	1.3
6. Provincial Agrarian Reform Adjudicators	PARADs	1	1	1	2	1	6	2.0
7. Regional Agrarian Reform Adjudicators	RARADs	1		1	1	1	4	1.3
8. DAR Adjudication Board	DARAB						1	0.3
9. DAR Central Office	DARCO						6	2.0
10. Community Environment and Natural Resources Offices	CENROs	1	4	3	3	2	13	4.3
11. Provincial Environment and Natural Resources Offices	PEHROs	1	1	1	1	1	5	1.6
12. Regional Environment and Natural Resources Offices	RENROs			1	1	1	4	1.3
13. DENR Central Offices	DENR						1	0.3
14. Register of Deeds	ROD	1	2	2	2	1	8	2.6
15. Land Registration Authority	LRA						1	0.3
16. Land Bank of the Philippines	LBP	1		1	1	1	4	1.3
							1	0.3
		52 (17)§	54 (17)	66 (21)	64 (21)	60 (19)	305	(100)

Table 1.4. Frequency and percentage distribution of landowners and farmer-beneficiaries interviewed by land type of acquisition by province, Philippines, 1992.

Land Type	Occ. Mindoro		Camarines Sur		Palawan		Iloilo		Ilocos Sur		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Landowner												
OLT	8	44.4	5	25.0	3	15.0	7	35.0	7	35.0	30	30.6
VOS	9	50.0	8	40.0	8	40.0	8	40.0	0	0.0	33	33.7
VLT	1	5.6	7	35.0	5	25.0	2	10.0	13	65.0	28	28.6
CA	0	0.0	0	0.0	4	20.0	3	15.0	0	0.0	7	7.1
Total	18	100	20	100	20	100	20	100	20	100	98	100
Farmer-Beneficiary												
OLT	8	40.0	5	25.0	4	20.0	5	25.0	10	50.0	32	32.0
VOS	5	25.0	4	20.0	4	20.0	5	25.0	0	0.0	18	18.0
VLT	0	0.0	3	15.0	4	20.0	3	15.0	10	50.0	20	20.0
CA	2	10.0	0	0.0	2	10.0	2	10.0	0	0.0	6	6.0
Landed Estate	3	15.0	4	20.0	0	0.0	0	0.0	0	0.0	7	7.0
E.O. 407	2	10.0	4	20.0	4	20.0	5	25.0	0	0.0	15	15.0
Settlement	0	0.0	0	0.0	2	10.0	0	0.0	0	0.0	2	2.0
Total	20	100	20	100	20	100	20	100	20	100	100	100

CHAPTER II

AN OVERVIEW OF THE LAND ACQUISITION AND DISTRIBUTION (LAD) PROCESS AND STATUS

2.1. Introduction

The legal basis for the LAD process is the Comprehensive Agrarian Reform Law. In turn, this is translated into procedural steps which involve various DAR offices based at the municipal, provincial, regional and central levels. Other government agencies input into the process at various stages. The succeeding sections discuss these processes and the role of various agencies and concerned parties affected by LAD.

The second part of the Chapter examines the status of LAD from 1988 until 1992. It then discusses the factors for the laggard performance in LAD.

2.2. The Legal Framework

Republic Act 6657, otherwise known as the Comprehensive Agrarian Reform Law (CARL), governs the land transfer component of the Comprehensive Agrarian Reform Program (CARP). Of CARL's fifteen chapters and 78 sections, four chapters (IV-VII) directly pertain to land acquisition and distribution. Supposedly, for most of the chapters and sections of CARL, implementing rules and guidelines will be made by the Department of Agrarian Reform, singularly or jointly with other CARP agencies. From the second half of 1988 to the end of 1991, 37 sections spread in 10 chapters were covered by as many as 61 implementing orders (Table 2.2)¹. Interestingly, about 40 percent (25 out of 61) of the orders concern land acquisition, compensation or land redistribution. Two possible explanations can be forwarded: either (i) the rules for the concerned subject areas are almost complete, or (ii) the past rules are unrealistic and the area problematic, rendering revisions inevitable.

Supplementary laws to RA 6657 are listed in Table 2.2. Notable among them are Executive Orders 407, 448 and 506 which mandate all government agencies and corporations to turn over their agricultural lands to DAR for redistribution, and EO 405 which transfers the task of valuation to LBP.

In a landmark case in 1990 pitting DAR versus the Small Landowners' Association of the Philippines, the Supreme Court ruled that landowners must be fully paid prior to the registration of EPs or CLOAs and the redistribution of

their lands to farmers. Although justified from the point of view of the landowners, the ruling has significantly set back the immediate transfer of land.

2.3. Institutional Environment

The Department of Agrarian Reform is the lead agency tasked with acquisition and redistribution of agricultural lands. At the national level, the Bureau of Land Acquisition and Distribution (BLAD) oversees the actual land transfer. At lower levels, the respective operation units handle LAD.

To implement LAD, the DAR Secretary has at his command 12 Regional Directors, 76 PAROs, and about 1,444 of MAROs. Although under their respective Regional Directors, the Presidentially-appointed PAROs enjoy a certain degree of autonomy since CARL mandates a province-by-province implementation strategy. Operationally, however, the MAROs are the backbone of LAD being the frontliners in the process.

Adjudication of cases arising from the implementation of LAD takes place at the central, regional and provincial adjudication boards. Administratively, the adjudicators are under their respective DAR offices, although judicially, they are independent.

At certain stages in land acquisition and distribution, DAR solicits help from the DENR, LBP and ROD. DAR requests the DENR to survey lands scheduled for government acquisition and subdivision among farmer-beneficiaries. Requests are usually made at the provincial level. Payments are sourced from the CARP Fund and channelled through the DENR Regional Office.

The Land Valuation Office of the LBP does the valuation of all land types in the region as well as the subsequent processing of landowner's claims for compensation. The LBP Land Valuation and Landowner's Compensation Office (LVLCO) is headed by a manager and is composed of two divisions (Land Valuation Division (LVD) and Claims Processing Division (CPD). The LVD houses a handful of geodetic engineers who perform ocular field inspection and preliminary valuation, while the CPD boasts of a number of personnel who compute the final land values and process claims.

At the provincial or city Registry of Deeds, there is a position for a CARP land examiner who specializes in CARP registration although it is rare that this is filled up. An item also exists for a Deputy Registrar of Deeds but just like the post of the principal Registrar, it is hardly occupied.

In principle, municipal, provincial and regional CARP implementing teams exist. Concerned department heads and local government officials meet regularly to discuss problems, formulate resolutions and synchronize targets. In actuality, however, coordination among agencies is problematic.

– 2.4. The Basic Process

Five fundamental phases compose the process: (1) identification, (2) valuation, (3) survey, (4) registration, and (5) awarding. DAR oversees the whole process and handles most documentation work. However, at specific phases, other government agencies take over: LBP in valuation, DENR in survey and ROD in registration.

The initial phase involves the identification of lands and landowners covered, the screening of potential beneficiaries and the investigation of land use and features. The DENR joins DAR in the field investigation, otherwise known as the perimeter and land use (PLU) or the boundary survey.

Valuation begins with an ocular inspection of the property by an LBP representative. Using land use and production data gathered, LBP computes land values. Valuation depends on a host of formulas, the actual choice of which depends on land type and data availability. Should the landowner oppose the computed value, he may file a case in an adjudication board. In the meantime, the LBP opens a trust account in the landowner's name equivalent to the computed value. Otherwise, the bank begins processing his claim for compensation. At this phase, the most that DAR can do is to comply with the LBP's requirements and employ moral suasion on the bank to accelerate the process.

Almost simultaneous with valuation is the survey. The survey assumes two forms. The segregation survey marks the actual areas deemed non-CARPable by DAR, DENR or LBP; while the subdivision survey delineates the boundaries separating the individual farm lots. Although DAR normally asks DENR to conduct the surveys, DAR sometimes resorts to privately-contracted surveys. In cases of collective or cooperative land ownership, no subdivision survey is needed.

Registration at the ROD involves checking for legal sufficiency of required documents, and the actual recording of the EP or CLOA in the registration books. Vital pre-registration requirements include the technical description contained in the Approved Survey Plan (ASP) and the Certificate of Full Payment to the Landowner from the LBP. The Land Registration Act, CARL and their respective implementing rules govern CARP registration.

Awarding of titles is normally done through mass distribution.

Adjudication enters at any point along the process from determination of CARP coverage to identification of beneficiaries. The most difficult area of adjudication, though, is valuation. Most landowners reject the computed value of their land on the grounds of being too low. The absence of a concrete and generally accepted definition of a fair land value confounds the problem.

2.5. Status of LAD under CARP

2.5.1. *Scope and Accomplishment: 1987-1992*

Under the CARP, a total of 10.3 M hectares is scheduled for distribution between 1988 and 1998. Of this total, 6.5 million hectares are classified as alienable and disposable (A & D) and Integrated Social Forestry Areas (ISF); these land types are to be distributed by the DENR. The remaining 3.8 million hectares comprising largely of privately-owned agricultural lands and resettlement areas are to be distributed by the DAR.

Table 2.3 shows the land reform performance of the two agencies for the period 1987 to 1992. A total of 2.2 million hectares, or a fifth of the total CARP coverage, has already been distributed to some 1.1 million farmer beneficiaries². DAR and DENR have distributed roughly an equal share of the total. Only about a fourth of the total reformed area for the years 1987 to 1992 were privately-owned agricultural lands while the larger bulk comprised mainly of government/public-owned land. Of the different land types, rice and corn lands have been the object of reform since the post-war years and most especially during the martial law period. Surprisingly, about 36.7 percent of this land type category has still to be distributed.

With barely three years to go before the scheduled deadline of CARP, the Government has still to distribute an estimated 7.2 million hectares. Much of these are within the DENR jurisdiction. While DAR may have accomplished about a third of its scope, the remaining reformed lands are however, the most problematic as they are largely privately-owned lands.

2.5.2. *Financing Agrarian Reform*

2.5.2.1. Sources of Funds

The basic source of fund for CARP implementation is the Agrarian Reform Fund (ARF). Created by Executive Order No. 229 (dated July 22, 1987), the ARF (Fund 158) has an initial amount of P50 billion to be sourced from the sale of APT assets and ill-gotten wealth recovered through PCGG. A Supplemental amount of P2.7 billion (also from APT and PCGG) is also appropriated. To augment the ARF, RA 6657 includes three other funding sources: (1) proceeds of sale of government properties abroad, (2) portions of official aid grants and loans, and (3) unappropriated government funds.

Official development assistance to CARP comes from numerous nations and agencies. Donor countries include Australia, Belgium, Canada, Denmark, France, Federal Republic of Germany, Italy, Japan, Netherlands, New Zealand, Spain, Sweden, Switzerland, and United States of America. On the other hand, international institutions include the World Bank, ADB, Commission of European Communities, UNDP, FAO, JICA, USAID, International Fund for Agricultural Development, and OPEC Fund for International Development. Funds from the source however, cannot be used as payment to landowners but rather as budget to organized support services.

DAR also gets regular funding to implement CARP through the General Appropriations Act of Congress. To a certain extent, private funds - whether internally or externally sourced - augment government.

2.5.2.2. Funds Generated

The amount of funds generated from the sale of APT assets was lower than expected. A total of 447 firms have been foreclosed by the government. However, only 384 firms were transferred to the APT. Of these, 266 have already been sold for a total of P35 billion (Philippine Daily Inquirer, January 5, 1993). However, as of December 1992, APT's remittances to the Bureau of Treasury totaled P18.583 billion only (Table 2.4). This amount is net of P180 million in advice of allotment (A/A) released to APT to reimburse the General Fund for APT's selling and custodianship expenses.

The PCGG's total remittances as of December 1992 amounted to P3.366 billion only while the USAID, the Bureau of Treasury's interest income and other sources contributed P4.935 billion.

Actual remittances by the APT and the PCGG to the Bureau of Treasury were way below the projection. From 1987 to 1991, APT remitted 78 percent of total projections while PCGG contributed a dismal 19 percent. Overall, actual remittances were only 53 percent of total projections (Table 2.5).

2.5.2.3. Status of the ARF

As of December 31, 1992, only P4.222 billion has remained of the P26.884 actual Agrarian Reform Fund (recall Table 2.4). Fund releases already reached P23.698 billion, or roughly P5.266 billion per year since July 1988. The difference between remittances and releases amounted to only P3.186. If reversible unobligated balance (P1.036 billion) were to be added to this difference, total funds left for CARP would add up to only P4.222 billion. Clearly, this figure is much less than the average annual expenditure.

A major area of concern has been the non-revolving nature of the ARF (Dar, May 1992:26). Specifically, CARL does not provide in its provisions the mechanisms for enhancing the ARF. Thus, even the amortization collectibles of the government from farmer-beneficiaries, interests on loans provided to the FBs using ARF, and other incomes generated by APT are not automatically resorted to this fund; instead, these sources are pooled in the government's general funds.

2.5.2.4. Utilization of Funds (1987 June 1992)

Historically, budget allocation for LAD never exceeded 45 percent. From 1989 to 1991, annual budget for LAD averaged 37.6 percent (Table 2.6). Budget allocation is clearly in favor of support services. Budget utilization tells a different story though. While most CARP expenditures went to LAD in 1987 and up to the first year of CARP, expenditure for LAD from 1989 thereon declined. In 1991, LAD accounted for only 17 percent of CARP expenditures (Table 2.7).

LAD expenditures are incurred by only four agencies, namely, DAR, LBP, DENR and LRA. For the period 1989-1992 (Table 2.8), DAR accounted for more than half of the LAD expenditures (55.3%); LBP, more than a third (38.5%); while the DENR and LRA shared the rest, 5.4 and 0.8 percent, respectively.

More than half of LAD expenditures from 1987-1992 was accounted for by maintenance and operating expenses (57.9%). Personnel services also captured a large chunk of the LAD expenditures (41.8%). Capital outlay, received only 0.2 percent expenditure share.

2.5.2.5. Projected Funding Requirements

The PARC has made expenditure projections for the period January 1993 to June 1998 (Table 2.9) based on land distribution targets and support services projects. DAR still has to distribute 2,517,513 hectares (2,432,515 hectares in compensable lands and 84,998 hectares in non-compensable lands). Total financial requirement for LAD for the period amounts to P107.560 B. This figure is based on the assumption that all non-compensable lands would have been distributed by 1993. As expected, landowner's compensation would require the greatest budget.

A total of P42.718 B is needed to finance support-services - whether support to FBs (P36.252 B) or to the implementing agencies (P6.466 B). Interestingly, the budget for support services (P42.718) is less than half that for LAD (P107.560 B). Past utilization of funds has generally been in favor of support services (recall Tables 2.6 and 2.7).

2.5.3. Other Factors for the Laggard LAD Performance

2.5.3.1. DENR's Land Survey Performance in LAD under CARP

While DENR's land survey performance in land types of which it has direct jurisdiction (i.e., A & D land and areas devoted for Integrated Social Forestry) was either on or above the target, its survey activities especially in privately-owned agricultural lands were on the average, 40 percent shy from the target (Table 2.10). Survey in government-owned lands was likewise more or less on schedule, implying less technical and administrative difficulty in these land types.

The laggard performance in privately-owned agricultural land was largely due to the delay in the release of funds for this activity and the unsynchronized pacing of survey-related activities between DAR and DENR. For instance, DENR's sluggish performance in 1992 was attributed to the untimely release of the funds.

2.5.3.2. LRA's Performance in LAD under CARP

The Land Registration Authority managed to register a fifth of all EPs generated by DAR as of December 1991 (Table 2.11); this means a backlog of one out of five generated EPs. In terms of area, LRA only registered 78.1 percent of a total of 424,584 hectares processed by DAR for the same year. These figures can be explained by the fact that many rice and corn lands still await final subdivision survey, rendering registration virtually impossible.

For CLOAs on the other hand, LRA registered a higher percentage of titles generated or prepared (85.5%). In terms of area, registration accomplishment is also high at 92.1 percent. The issuance of "Mother CLOAs" (i.e., collective titles) can perhaps explain this. Such CLOAs do away with the subdivision of lands into small parcels and the tedious registration of individual titles.

2.5.3.3. Slow and Low Landowner's Compensation

Another major bottleneck in LAD includes the slow processing of landowner's payment as well as the low compensation accorded to landowners.

Prior to 1990, it was DAR which determined the area to be reformed and the amount to be paid to the landowner. LBP merely served as the cashier. Because of the Garchitorena case however, the LBP was given more authority in determining the actual area that will be reformed and the compensation to be paid to the landowners (DAR E.O. # 405).

Partly as a consequence of this division of functions, backlogs in landowner's valuation and compensation occurred. By the end of 1992, claimfolders for landowners' payments which were transmitted by DAR to LBP amounted to 460,473 hectares (Table 2.12). Of this total, roughly three-fifths were approved for payment, 19 percent were returned to DAR for lack of supporting documents while the remaining one-fifth were still being processed.

Actual disbursement by LBP of funds allocated for landowner's compensation especially in terms of the cash component was unusually low between 1987 to 1990, averaging at 3.8 percent (Table 2.13). It picked up only in 1991 and 1992 when Executive Order No. 405 on land valuation effectively transferred this function to the Bank.

The slow release of the funds was accompanied by the low compensation accorded to landowners (Table 2.14). For rice and corn (QLT) lands, the average value per hectare for the period 1987 to 1992 was P5,511. For VOS lands which usually were greater than 20 hectares per landowner, the price for the same period averaged at P13,400. Rice and corn lands even witnessed declining values after 1987, reflecting possibly the downward bias of DAR's valuation formulas. A similar trend occurred for VOS land except in 1992 when it rose slightly from P12,374 in 1991 to P14,403 by 1992.

2.5.4. Administrative Orders

A major problem in the land acquisition and distribution process is the intermittent revisions in administrative orders. For instance, the VOS and CA modes have already undergone three procedural revisions. Accompanying these revisions are modifications in the number and nature of documentary requirements and forms. Often, claim folders are returned to the MARO or PARO due to additional documents or new forms required by a new order.

Aggravating the intermittent changes in orders is the cumbersomeness of the LAD procedures continued therein. Acquisition and distribution of lands require multi-agency coordination. Moreover, all claim folders must pass through at least three levels of processing (municipal, provincial, and regional or central).

Problems in LAD also vary by land type. A major bottleneck in the Operation Land Transfer is the subdivision survey. Many rice and corn lands still await partition into individual lots. VOS lands on the other hand are subject of many valuation disputes. Moreover, a number of these lands are yet to be inspected by the LBP. The most difficult task in the compulsory acquisition of lands is their documentation. Uncooperative landowners refuse to provide a copy of their title. In some cases, DAR even receives threats from the landowners.

The changing, cumbersome and complex nature of the various acquisition and distribution schemes is illustrated below:

2.5.4.1. Operation Land Transfer

The process begins with a preparation of a masterlist of landholdings by the MARO within 20 days. The MARO is compelled to gather basic ownership documents. After documentation, the MARO invites the landowner and beneficiaries concerned to a dialogue. During this dialogue, all parties present validate the Average Gross Production (AGP) data. At the same time, the MARO assists the potential beneficiaries in accomplishing the farmer's undertaking form.

The PARO reviews the documents in the claim folder and helps secure lacking documents. After evaluation, the PARO transmits the claim folder to the Land Transfer Claims Review Center (LTCRC), which is composed of the DAR, LBP and DENR.

As a member of the LTCRC, the DENR reconciles area per title and survey plan. The Department also ensures that no problem exists regarding the subject property.

The LBP through its field attorney reviews the claim folder for legal sufficiency. On the side, the field attorney answers the queries of landowners and beneficiaries related to LBP requirements.

The ARDO or the LTCRC Head does the final review of claim folder. Problems found during the review are discussed by LTCRC members. As soon as the folder is in order, the ARDO prepares the Department Order on Land Transfer Claim for LBP Payment for the approval and signature of the Regional Director.

The RARO approves and signs the Farmer's Understanding and the Order of Payment. These are forwarded to the LBP field office for proper action. The LBP Land Valuation Office conducts the final review of documents for completeness and consistency. After passing the review, the claim folder is processed for payment.

2.5.4.2. Voluntary Offer to Sell Under Sec. Juico³

The VOS scheme starts with the landowner filling up a letter of intent form and an information sheet. The landowner submits these to the MARO, who begins the preparation of claim folder.

A public hearing (conference) is held with the MARO, BARC, DENR, landowner and potential beneficiaries in attendance. During the conference, the MARO and DENR representative inspect the land; the farmers apply for beneficiary status; and the parties discuss production data and initial land value. After the conference, the MARO prepares an investigation report and a land valuation summary.

The PARO then evaluates the authenticity and completeness of the documents gathered by the MARO. The PARO also helps in gathering documents at the provincial level. After which, the PARO transmits the claim folder to the RARO.

The RARO is responsible for notifying the landowners of decision to acquire the land and the initial valuation. The RARO then sends the claim folder to BLAD (Central Office).

At the BLAD, another evaluation of documents takes place. As soon as the documents are in order, they are sent to the Land Bank - Compensation Coordinating Committee (LB-CCC). The committee recommends to the Secretary a compensation value and prepares the Order for Acquisition and the Deed of Transfer.

The Secretary approves the final land value and signs the Order of Acquisition and the Deed of Transfer. After which, the claim folder is returned to the CCC which prepares the transmittal letter to LBP.

The LBP President signs the Deed of Transfer. Subsequently, the ROD registers the deed. Soonafter, the LBP compensates the landowner. Finally, the PARO takes possession of the land.

2.5.4.3. Voluntary Offer to Sell Under Sec. Santiago⁴

The rules under Sec. Santiago are distinct from that under her predecessor in that time limits are set for specific activities. Such activities include claim folder generation by the MARO (30 days); evaluation, processing and transmittal of CF from PARO to DARCO (10 working days); evaluation and review of claim folder and determination of final value by DARCO (5 working days); and compensation of landowner by LBP (20 working days).

As in the previous procedure, the VOS mode begins with the landowner's offer. The MARO then prepares the claim folder, conducts an ocular investigation and a public conference, prepares summary reports, and transmits the folder to the PARO.

A special ocular inspection by the PARO is mandatory for properties with computed land value exceeding P500,000/estate. Moreover, the Regional Director is now granted the authority to recommend final land value and to prepare the Notice of Acquisition for lands 10-hectares or less. Both functions used to be part of the Central Office's activities.

The LBP evaluates the land value recommended by DAR. In case of disagreement a joint DAR-LBP committee is formed to determine the appropriate amount. However, it is still the Secretary who approves the final land value.

If the landowner reject the recommended land value, the DARAB conducts a summary administrative hearing. The Secretary uses DARAB's decision as basis for approving the final land value.

After settlement of land value, the Deed of Transfer is signed, registered and transmitted. Subsequently, the LBP compensates the landowner.

2.5.4.4. Voluntary Offer to Sell Under Sec. Leong⁵

A modification on VOS rules during Leong's time is the active participation of non-DAR agencies in field investigation. Land Bank's and DENR's participation ensures agreement from the outset on data to be used as basis of valuation and survey. It also fosters inter-agency coordination. The multi-party nature of the investigation has its drawbacks, though. For example, a lot of areas still await ocular inspection by LBP. The LBP cannot be fully blamed for the delay, however,

since it severely lacks field representatives. In Region IV for example, less than five field representatives cover the whole region.

A.O. 9 of Leong emphasizes decentralization by eliminating evaluation of documents at the central level. Implementation follows a three-tier structure with the MARO doing most of the documentation and investigation work; the PARO doing review and evaluation; and the RARO doing final review, decision, and approval, and correspondence with the LBP.

Also detailed in A.O. 9 is the mandate of E.O. 407 requiring the transfer of the primary valuation function from DAR to LBP. Such transfer is construed by many as an offshoot of the Garchitorena land valuation controversy.

2.5.4.5. Compulsory Acquisition Under Sec. Juico⁶

Upon identification of the land and its owners, qualified beneficiaries are screened. They are made to accomplish application forms. During the public hearing, the MARO determines encumbrances of the land, its suitability to agriculture, and its initial land value. The MARO then compiles all documents and transmits the claim folder to the PARO.

The PARO collates information on all agricultural lands in his area of jurisdiction. The information serves as basis for evaluating claim folders. Unlike in the VOS mode where the landowner himself cooperates with the MARO in producing the title, the CA scheme requires the PARO himself to secure a certified copy of the title from the Register of Deeds (ROD). After securing the title and arranging for the settlement of the encumbrances, the PARO transmits the claim folder to the RARO.

The RARO evaluates the folder, decides whether to acquire the land or not, and determines the land value. In case the landowner rejects the land value, the Legal Office conducts a summary administrative proceeding and recommends a final land value to the Secretary. The Secretary approves and signs the order for acquisition which contains the decision to acquire the land, and the amount of compensation.

Soon after, the LBP opens an account in the name of the landowner equivalent to the amount of compensation. The ROD then cancels the landowner's title and issues a new one in the name of the Republic of the Philippines.

2.5.4.6. Compulsory Acquisition Under Sec. Santiago⁷

The scheme compels the MARO to update the masterlist of agricultural lands in his area. Based on this masterlist, a claim folder is prepared for each landholding

subject to coverage. The claim folder contains among others an investigation report, beneficiaries' information and application sheets, and transmittal letters. The MARO sends a notice of meeting/conference to the landowner, prospective beneficiaries, the Barangay Agrarian Reform Committee (BARC), and an LBP representative.

The PARO computes the land value based on a specified formula. The PARO is required to make its own ocular inspection if the land has a computed land value exceeding P500,000/estate. From the PARO, the claim folder is forwarded to the DAR Central Office (BLAD).

Within 3 days from receipt of claim folder, BLAD must review, evaluate and determine final land value. The BLAD then prepares a Notice of Acquisition (containing the landholding, its area, and the just compensation for it) for signing by the Secretary.

If the landowner accepts the offered value, the Order of Acquisition is prepared and payment is sent to the landowner. Otherwise, the DARAB conducts a hearing to determine just compensation. Only upon payment to the landowner will the ROD cancel the landowner's title and issue a new one in favor of the Republic.

2.5.4.7. Compulsory Acquisition Under Sec. Leong⁸

Except for the absence of a letter offer from the landowner and slight variations in forms used, the CA scheme does not differ from the VOS procedures. In fact, rules for both schemes are contained in a single administrative order.

2.5.4.8. Voluntary Land Transfer⁹

The Voluntary Land Transfer/Direct Payment Scheme (VLT/DPS) starts with landowner's application. The MARO requires the landowner to submit the owner's copy of the title, a copy of the latest Tax Declaration, the Approved Survey Plan, a Real Estate Clearance or statement of tax delinquency, and most importantly the draft VLT agreement between him and the beneficiary.

The MARO reviews the application and documents. If they are found to be in order, the MARO posts a draft of the VLT agreement on a conspicuous place on the barangay and municipal hall. Simultaneous with the period of posting is the identification and verification of the land by the MARO and the BARC. Posting lasts for 15 days.

Immediately after posting, the MARO calls for a conference among the parties to formalize the contents of the VLT agreement. The MARO shall see to it

that the terms and conditions of the agreement shall not be less desirable than what will have been the terms had the land been compulsarily acquired or voluntarily offered. As soon as the MARO completes the documentation folder, the office passes the folder to the PARO.

The PARO evaluates the completeness and correctness of the folders. All folders in order are transmitted to the RARO, while the rest are sent back to the MARO for appropriate action.

Upon approval of the VLT agreement, the RARO issues a memorandum to the PARO instructing the latter to effect the (1) survey of the land, (2) execution of the VLT agreement, and (3) registration of the Deed of Voluntary Land Transfer and CLOA with the Register of Deeds. Except in extreme cases, the VLT/DPS agreement is deemed approved upon registration by the RARO unless this office issues a notice of disapproval within 30 days.

2.5.4.9. Distribution of Acquired Private Lands¹⁰

After the transfer of land to the Republic, the PARO assumes responsibility for the land. The office instructs the concerned MARO to conduct a general assembly of the potential beneficiaries under the subject landholding. During the general assembly, the qualified beneficiaries are formally recognized. They are asked the preferred scheme of ownership and are assisted in accomplishing the application for land title (CLOA). A land distribution folder (LDF) is prepared per title containing application forms, certification, copy of title and of the approved plan.

The scheme of ownership is then finalized. In case of collective ownership, formation or registration of the organization (cooperative) is required. Only a single title ("Mother CLOA") is prepared and registered in the name of the cooperative. Subdivision survey is usually not needed in this case. On the other hand, individual ownership necessitates the individual preparation of title and a subdivision survey by the DENR or the private contractors. Evaluation of the LDF and preparation of the CLOA are responsibilities of the PARO. Another LDF review is done at the RARO level. After which, the LDF is transmitted to the Central Office (BLAD).

BLAD does a final evaluation and forwards the CLOA for signing by the Secretary and affixation of DAR seal.

After the signing and stamping of seal the CLOA is sent to the RARO, for indexing and then forwarded to the PARO. The PARO registers the CLOA with ROD and delivers the registered CLOA to the MARO concerned for distribution.

However, actual distribution of CLOA's is usually done en masse and is administered by the PARO or the RARO.

2.5.4.10. Titling and Distribution of Lots in Landed Estates¹¹

The process begins with the physical inventory and verification of lots. The MARO assists the beneficiaries in accomplishing the application forms. A summary of beneficiaries is then made. This along with the LDF is transmitted to the PARO.

The PARO reviews the LDF, prepares the CLOA and sends it to the Office of the Secretary through BLAD. BLAD evaluates the LDF and CLOA prior to its approval and signing by the Secretary. The signed CLOA goes back to the PARO through BLAD. The PARO then sends the CLOA to the ROD for registration. After that, the titles are ready for distribution.

2.5.4.11. Titling and Distribution of Lots in Settlements¹²

As in the case of landed estates, titling starts with inventory and lot verification. If the lot is occupied, tenants are identified and prioritized. Otherwise, interested persons are asked to fill up beneficiary application forms. List of beneficiaries is consolidated by the PARO. All other procedures follow that for landed estates.

2.6. Conclusion

This Chapter started with a detailed discussion of the land acquisition and distribution process as stipulated in the implementing guidelines whose legal framework is embodied in the CARL. It then provided with an assessment of the government's accomplishment in land reform. The evaluation showed a dismal performance; with only a third of CARP period remaining, 7.2 million hectares (from the targetted scope of 10.3 M has.) has still to be reformed. CARP funds have also been depleted with bleak prospects of generating additional funds. Moreover, much of the available funds were used in non-LAD activities.

Aside from the lopsided utilization of funds, many other factors contributed to its laggard performance, to wit: (i) the slow pace in the land survey process; (ii) backlogs in land registration; (iii) lack of support from landowners largely because of the slow processing of and low payment for their land; and (iv) cumbersome LAD procedure for each land type.

The last factor was manifested in: (i) the numerous documents required in various phases; (ii) participation and consequently, the difficulty in the coordination of land reform-related activities by various agencies; and (iii) the multi-layered counter-check systems. These features in the LAD process were intended to discourage rent-seeking activities. What were sacrificed in the process were the speedy enforcement of land reform and the decentralization of the decision-making process. It should also be emphasized that a large portion of the process could have been shortened if accurate landownership and land use records were available.

NOTES

¹For a detailed matrix of the evaluation of the roles and guidelines implementing the various sections of CARL, refer to Annex A. As of mid-1992 (or four years after CARL was signed), three (3) chapters of this legislation are still awaiting specific implementing rules and guidelines. These are the chapters on special Areas of Concern (Chapter X), Judicial Review (Chapter XIII) and Financing (Chapter XIV). Major portions of Chapter XV or General Provisions, also require specific guidelines.

²The actual area accomplishment as reported by DAR is contested by many progressive blocs. For example, Bulatao (1991), after deducting reformed lands covered by pre-CARL laws (i.e., P.D. 27, RAs 1400, 3844, and 6389), came up with just 17,893 hectares. He argued that, only these lands which constitute a measly 1.7 percent of the total CARP scope, were reformed and distributed as a direct consequence of CARL

³Annex Figure B identifies in detail the steps and some of the documentary requirements in the VOS scheme enforced under former Secretary Juico. Briefly, it involves 16 steps with almost each step requiring several documents, participation of several agencies and different systems of counter-checking and evaluating previous steps.

⁴Annex Figure C itemizes the various steps in VOS as prepared and enforced during former Secretary Santiago's tenure. It involves on a minimum 19 steps with each phase requiring various documents as well as the participation of different agencies either singly or jointly and a myriad of mechanisms of evaluation.

⁵VOS procedure under the term of Secretary Leong necessitated a minimum of 23 steps to implement. Like its predecessor, it was supported by a variety of documents, agencies, and evaluation mechanisms (Annex Figure D).

⁶Annex Figure E is a flow chart of the procedure for compulsorily acquired lands during the tenure of Secretary Juico. A total of at least 27 steps had to be followed; numerous documents had to be gathered; participation of various agencies had to be ensured; and different validation and counter-check system were instituted.

⁷Annex Figure F details the compulsory acquisition procedure enforced by former Secretary Santiago. A minimum of 13 steps are spelled out in the administrative order together with the attendant supporting documents and participation of various agencies.

⁸Refer to Annex Figure D. Like its predecessors, complex steps were instituted but unlike them, the same LAD procedure applied for VOS and CA land types.

⁹Annex Figure G itemized the procedure for voluntary land transfer land types. While supposedly a faster land transfer scheme as both the landowners and tenants have arrived at a consensus on the price of land and the terms for payment, the procedural steps illustrated as in this Figure showed otherwise.

¹⁰Fifteen steps are followed in the distribution process of privately-owned agricultural lands (Annex Figure H) with various supporting documents required.

¹¹Annex Figure I illustrates the procedure for the titling and distribution of DAR's landed estates. About 16 steps are still followed before the FBs finally receive a CLOA.

¹²Annex Figure J shows the titling and distribution of lots in DAR settlement projects. About 18 steps are followed by DAR before the FBs receive their CLOAs.

Table 2.1. Number of implementing orders a/ by chapter of RA 6657 and by DAR Secretary.

Chapter Number	Description of Chapter	Secretary b/				Subtotal
		PEJ	MDS	FBA	BTL	
I	Preliminary chapter	-	-	-	-	-
II	Coverage	2	-	-	4	6
III	Implement of Tenurial and Labor Relations	3	-	-	1	4
IV	Registration	-	-	-	-	-
V	Land Acquisition	2	3	-	7	12
VI	Compensation	1	1	-	3	5
VII	Land Redistribution	-	-	-	8	8
VIII	Corporate Farms	4	1	-	1	6
IX	Support Services	-	-	-	2	2
X	Special Areas of Concern	-	-	-	-	-
XI	Program Implementation	1	-	-	8	8
XII	Administrative Adjudication	-	1	-	1	2
XIII	Judicial Review	-	-	-	-	-
XIV	Financing	-	-	-	-	-
XV	General Provisions	1	-	2	4	7
Total c/		14	6	2	39	61

a/ Includes Administrative Orders Memorandum Orders and Circulars;
refer to Annex A

b/ Letters denote initial of past DAR Secretaries

PEJ: Philip Ella Juico
MDS: Miriam Defensor Santiago
FBA: Florencio B. Abad
RTL: Benjamin T. Leong

c/ There is a very slight incidence of double-counting here since
a few orders cut across chapters.

Table 2.2. Supplementary Laws to RA 6657.

Law	Description
Proc. 131	Instituting a Comprehensive Agrarian Reform Program
PD 27	Emancipation of Tenant Farmers
EO 228	Declaring Full Ownership to Qualified Farmer Beneficiaries covered by PD 27
EO 129 129-A	Reorganizing and Strengthening the Department of Agrarian Reform and purposes
EO 405	Vesting in the LBP the Primary Responsibility to determine the land valuation and compensation for all lands covered by CARP
EO 406	Realigning the programs of certain Departments and Agencies with CARP; Accelerating Beneficiaries Development
EO 407 448 506	Accelerating the Acquisition and Distribution of public lands suitable for agriculture

c/ There is a very slight incidence of double-counting here since a few orders cut across chapters.

Table 2.3. Land Reform Performance by Land Type and Agency, July 1987 - 1992.

AGENCY/LAND TYPE	: July - Dec. 1987			: 1988			: 1989		
	: Target : Accomplishment			: Target : Accomplishment			: Target : Accomplishment		
	: (000 Has): ('000 Has): (%)			: (000 Has): ('000 Has): (%)			: (000 Has): ('000 Has): (%)		
DAR									
Rice & Corn (OLT)	22.5	25.5	113.33	98.0	100.9	103.0	196.0	201.3	102.7
Government-owned 1/ Settlements & Landed Estates	0.1	0.1	100	4.4	21.7	493.2	4.4	7.0	159.1
Private Aggie Lands 2/	1.2	1.2	100	37.5	11.3	30.1	75.0	37.1	49.5
				37.6	0.1	0.3	79.6	3.2	4.0
Sub-total	23.8	26.8	112.61	177.5	134.0	75.5	355.0	248.6	70.0
DENR									
Public A & D Lands	163.0	163.8	100.5	280.3	166.2	59.3	235.0	42.5	18.1
Integrated Social Forestry Areas	70.7	47.4	67.0	122.2	80.7	66.0	182.2	133.7	73.4
Sub-total	233.7	211.2	90.4	402.5	246.9	61.3	417.2	176.2	42.2
Total	257.5	238.0	92.4	580.0	380.9	65.7	772.2	424.8	55.0

1/ Include lands under EO 407/448, PCGG sequestered, MNCs & NDCs.

2/ Include VOS, VLT, CA, idle & abandoned lands.

Source: PARC Secretariat

Table 2.3 continued....

1990			1991			1992			Total		
Target	Accomplishment		Target	Accomplishment		Target	Accomplishment		Accomp	% of	% of
:(000 Has):('000 Has):	(%)		:(000 Has):('000 Has):	(%)		:(000 Has):('000 Has):	(%)		:(000 Has):	Target	Scope
192.1	83.7	43.6	98.3	34.8	35.4	52.2	14.6	28.0	460.8	69.91	63.31
10.1	54.4	538.6	106.1	127.0	119.7	63.1	19.4	30.7	229.6	122.00	298.91
65.4	148.6	227.2	87.8	85.9	97.8	86.9	18.7	21.5	302.8	85.59	63.24
137.2	6.6	4.8	155.4	52.4	33.7	125.3	41.7	33.3	104.0	19.44	4.10
404.8	293.3	72.5	447.6	300.1	67.0	327.5	94.4	28.8	1097.2	63.20	28.72
187.2	111.8	59.7	124.7	49.0	39.3	67.4	26.2	38.9	559.5	52.90	12.18
143.5	116.5	81.2	47.8	53.6	112.1	116.0	110.2	95.0	542.1	79.44	28.84
330.7	228.3	69.0	172.5	102.6	59.5	183.4	136.4	74.4	1101.6	63.31	17.01
735.5	521.6	70.9	620.1	402.7	64.9	510.9	230.8	45.2	2198.8	63.25	21.36

Table 2.4. Status of Agrarian Reform Fund as of December 31, 1992
(In Billion Pesos) (Preliminary)

	1987-1991	1992	TOTAL
A. Total Remittances to the BTr	24.011	2.873	26.884
APT	16.981	1.402	18.383
PCGG	3.162	0.204	3.366
Others	3.868	1.067	4.935
B. Releases by DBM to Agencies per Advice of Allotment	20.864	2.834	23.698
DAR	5.958	1.253	7.211
LBP	7.988	0.731	8.719
DENR	1.215	0.249	1.464
LRA	0.092	0.025	0.117
NIA	0.905	0.384	1.289
DA	2.469	0.133	2.602
DTI	0.349	0.056	0.405
DOLE	0.005	0.001	0.006
DPWH	1.618	---	1.618
TLRC	0.265	---	0.265
C. Balance	3.147	0.039	3.186
D. Reversion of Unobligated Balance	0.875	0.161	1.036
E. Funds Available For CARP	4.022	0.200	4.222

- 1/ Net of P180 million A/A released to APT to reimburse the General Fund for APT's selling and custodianship expenses
- 2/ Out of the P4.399 B indorsement (Total of the 10 agencies' differences due to rounding off.)

Source: PARC

Table 2.5. Projected and actual remittances of APT and PCGG to the Bureau of Treasury (in Billion Pesos)

Year	APT			PCGG			TOTAL		
	Proj	Actual	%	Proj	Actual	%	Proj	Actual	%
1987	1.85	1.19	64.00	0.25	---	0.00	2.10	1.19	57.00
1988	6.00	5.01	84.00	4.00	1.33	33.00	10.00	6.35	64.00
1989	7.00	3.89	56.00	8.00	0.34	4.00	15.00	4.24	28.00
1990	5.00	3.49	70.00	2.00	0.79	40.00	7.00	4.29	61.00
1991	2.00	3.37	169.00	2.00	0.58	34.00	4.00	4.05	101.00
TOTAL	21.85	16.98	78.00	16.25	3.16	19.00	38.00	20.14	53.00

Table 2.6. Budget allocation, LAD versus Non-LAD, 1987-1991.

Year	LAD (%)	Non-LAD (%)
1987	36	64
1988	33	67
1989	35	65
1990	40	60
1991	44	56
Ave	37.6	62.4

Source: PARC

Table 2.7. CARP expenditure ratio for LAD and Non-D 1987-1991.

Year	LAD (%)	Non-LAD (%)
1987	58	42
1988	37	63
1989	26	74
1990	17	83
1991	17	83
Ave	31	69

Source: PARC

Table 2.8. Breakdown of LAD expenditures, by agency and expense class, 1987-June 1992.

	DAR	LBP	DENR	LRA	TOTAL
PS	1,879.245	0.000	36.469	20.535	1,946.249
					(41.8)
MOE	686.732	1,792.160	213.288	4.500	2,696.680
					(57.9)
CO	7.678	0.000	0.000	3.946	11.624
					(0.3)
TOTAL	2,573.655	1,792.160	249.757	28.981	4,644.553
	(55.3)	(38.5)	(5.4)	(0.8)	(100)

N.B. = Numbers in parentheses are percentages.

Source: PARC

Table 2.9. CARP funding projections by activity (1993- June 1998).

ACTIVITY	1993		1994		1995	
	Area	Budget	Area	Budget	Area	Budget
Land distribution projection	350,000		481,600		481,600	
- Compensable	265,002					
- Non-compensable	84,998					
Funding Requirements (In thousand pesos)						
LAD	4,488,818		11,456,359		16,389,054	
Land survey (DAR<DENR)	280,978		471,343		517,414	
EP/CLOA generation (DAR)	211,750		320,505		352,555	
Claimfolder processing (DAR)	67,375		565,519		622,071	
Patent/CSC Issuance (DENR)	7,215		7,718		7,913	
EP Registration/ Titling (LRA)	38,500		58,274		64,101	
Landowner's Compensation	3,883,000		10,033,000		14,825,000	
SUPPORT SERVICES (Non-LAD)	5,361,182		7,538,750		8,087,969	
Support to FBs	4,494,821		6,596,202		7,064,813	
Support to Agency	866,361		942,548		1,023,156	
TOTAL	9,850,000		18,995,109		24,477,023	

Table 2.10. DENR's Land Survey Performance in LAD by Land Type, 1987-1992.

Land Type/Lot and Area	Mid 1987-1991			1992			Total (July 1987-1992)		
	Target	Accomplish:	(%)	Target	Accomplish:	(%)	Target	Accomplish:	(%)
		-ment			-ment			-ment	
1. Private Agric'l Land									
Lot (no. in 000)	681.3	485.7	71	89.6	40.9	46	770.9	526.6	68
Area (000 has.)	955.8	615.4	64	107.5	66.7	62	1,063.2	682.2	64
2. Gov't-owned Lands									
Area (000 has.)	405.9	376.6	93	12.1	23.1	191	418.0	399.7	96
3. A & D Land									
Lot (no. in 000)	705.6	896.2	127	70.8	123.4	174	776.4	1,019.6	131
Area (000 has.)	1,299.0	1,655.1	127	114.0	89.9	79	1,413.0	1,745.0	123
4. Integrated Social Forestry									
Area (000 has.)	372.7	376.3	101	123.3	113.6	92	496.0	489.9	99

Source: PARC (1993): Document materials for PARC 20th meeting.

Table 2.11. Summary of EP and CLOA accomplishment as of December 1991.

TITLE	Generated	% of C-74	Registered	% of Generators	Distributed	% of Registered
EPs						
Number	523,536		413,323	78.9	312,862	75.7
Area	424,584	58.3	331,667	78.1	259,946	78.4
CLOAs						
Number	92,042		78,678	85.5	64,624	82.1
Area	428,691	13.9	394,754	92.1	325,634	82.5

Source: Management Information Service (DAR)

Table 2.12. LBP's performance in terms of landowner's claimfolders transmitted by DAR and the Bank for payment, mid 1987-1992.

	No.	%
1. Total claim transmitted by DAR to LBP for payments (in terms of area (ha))-	460,473	100.0
o Claims approved for payment by LBP (ha.)	282,948	61.4
o Claims returned to DAR by LBP (ha.)	86,432	18.8
o Claims for LBP processing (ha.)	91,093	19.8
2. No. of landowners paid by LBP	5,870	
3. No. of farmer-beneficiaries	43,334	

Source: PARC (1993). Documents for the 23rd PARC meeting last March 2, 1993, Annex 1

Table 2.13. LBP's Target and Actual Utilization for
Landowner's Compensation, 1987-1992 (P M)

YEAR/FORM OF PAYMENT	TARGET (P M)	ACTUAL (P M)	UTILIZATION %
1987			
Cash	0.55	0.55	100.00
Bond Maturities	39.13	39.13	100.00
Bond Interest	43.48	43.48	100.00
Total	83.16	83.16	100.00
1988			
Cash	470.48	33.64	7.15
Bond Maturities	156.27	59.31	37.95
Bond Interest	177.02	160.84	90.86
Total	803.77	253.79	31.57
1989			
Cash	528.00	34.29	6.49
Bond Maturities	82.00	108.88	132.78
Bond Interest	246.00	159.93	65.01
Total	856.00	303.10	35.41
1990			
Cash	1,052.21	8.83	0.84
Bond Maturities	405.98	51.56	12.70
Bond Interest	1,205.72	201.49	16.71
Total	2,663.91	261.88	9.83
1991			
Cash	442.79	258.67	58.42
Bond Maturities	90.06	59.86	66.47
Bond Interest	1,116.86	199.85	17.89
Total	1,649.71	518.38	31.42
1992			
Cash	1,012.72	334.87	33.07
Bond Maturities	101.75	79.21	77.85
Bond Interest	254.21	307.61	121.01
Total	1,368.68	721.69	52.73
1987-1992			
Cash	3,506.75	670.85	19.13
Bond Maturities	875.19	397.95	45.47
Bond Interest	3,043.29	1,073.20	35.26
Total	7,425.23	2,142.00	100

1/ Target amount for landowners' compensation was set by PARC in 1987 & 1989. This was adjusted to lower figures by LBP in 1989-1992, equivalent to 250,000 hectares of compensable land. hectares of compensable land.

Source: PARC (1993), Data Files.

Table 2.14. Claimfolders approved for payment by the LRP by type of program, July 1987-Dec. 1992).

	DLT			VOS			Total		
YEAR	: Approved : Average :			: Approved : Average :			: Approved : Average :		
	: Land : Cost :			: Land : Cost :			: Land : Cost :		
	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	: Area : Value : Per Ha.:	
	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	: (ha) : (P M) : (P) :	
1987 Jul-Dec	2,761	28.30	10,250	-	-	-	2,761	28.30	10,250
1988	3,406	37.66	11,060	1,320	36.00	27,252	4,726	73.66	15,586
1989	6,591	42.08	6,384	1,763	36.17	20,516	8,354	78.25	9,367
1990	6,942	38.69	5,573	774	12.09	15,620	7,716	50.78	6,581
1991	20,121	90.75	4,510	125,156	1,548.70	12,374	145,277	1,639.45	11,285
1992	18,661	84.79	4,544	95,453	1,374.78	14,403	114,114	1,459.57	12,790
GRAND TOTAL	58,482	322.27	5,511	224,466	3,007.74	13,400	282,948	3,330.01	11,769

Source: PARC (1993, Document materials for the PARC 20th meeting.

CHAPTER III

DAR AND LAD

3.1. Introduction

This chapter looks at the empirical results obtained from the primary and secondary information gathered from DAR at the municipal, provincial and regional offices as well as the adjudication offices. Much of the secondary data assessed the LAD performance of the provinces and regions where the samples were taken. The primary data were used to examine the various perceptions of DAR personnel regarding the LAD process, their interrelation with other agencies and affected (landowners and ARBs) and concerned (NGO) parties. The nature and pace of resolution of land-related legal cases as reported in DAR's adjudication offices were likewise evaluated. The last section summarizes the findings.

3.2. Regional Samples: Secondary Data

3.2.1. *CARP Scope and Accomplishment*

Based on the data received from the RAROs of Regions I, V, and VI, the scope for the 10-year CARP is highest in Region V with around 750 thousand hectares and lowest in Region I with around 127 thousand hectares (Table 3.1). Area distributed ranged from 1,271 hectares in 1992 (Jan-March only) to 28,442 hectares in 1991 (the year when VLT cases were mostly instituted) for Region I; 4,950 hectares in 1992 (January and March only) to 30,285 hectares in 1991 for Region IV; 2,508 hectares in 1992 (Jan-March only) to 18,701 hectares in 1989 for Region V; and 1,749 in 1992 (Jan-March only) to 23,517 hectares in 1991 for Region VI. Region I consistently had the highest percentage attainment in reformed area from 1988 to 1991, accomplishing roughly 50 percent of the scope for the period 1988 to March 1992. The accomplishment for Regions V, VI and IV was merely 7.5 percent, 9.5 percent, and 20.3 percent, respectively during the same period. This means that under the present pace, it would take about 50, 40 and 20 years, respectively to accomplish the targetted scope in these three regions.

Table 3.2 presents the data on land reform area number of actual ARBs, for the years 1988 to 1992. Among the various land types, rice and corn lands had expectedly, the largest area distributed with the most number of ARBs for these land types coming from Regions I, V, and VI (as of March 1992).

A variety of land types are found in Regions IV, V and VI. Aside from rice and corn, the three regions are noted for their settlements and landed estates. There were also VOS and foreclosed reformed areas but the scope and accomplishment in these land types were insignificant. It was only in Region IV wherein the accomplishment in foreclosed areas registered a high 57 percent.

In terms of farmer beneficiaries, a total of 67,348 benefitted in Region I; 47,014 farmers in Region IV; 40,343 farmers in Region V; and 32,999 farmers in Region VI. Expectedly, most of these farmers were accorded rice and corn lands with only 7 percent in Region I, 18 percent in Region V, and 43 percent in Region VI benefitting from other land types. Fifty-four percent of the farmers in Region IV benefitted from the other land types.

The average area of farmers in Region I was less than a hectare while farmers in Regions V and VI were 1.70, 1.59 and 1.70 hectares, respectively (Table 3.3). It should be noted that the average farm sizes in the four regions fall below the targeted limit set by RA 6657 of 3 hectares.

Most of the farmer beneficiaries received emancipation patents (EPs) in Regions I, V, and VI, although there was an uptrend for CLOAs in these regions (Table 3.4). For the period 1988 till March 1992, more CLOAs were distributed than EPs in Region IV. A number of HP/municipal sales patents were distributed in Region VI. The latter two certificate modes are innovative mechanisms of reducing the problems and the delays due to subdivision survey which have been a major bottleneck prior to actual distribution.

3.2.2. Budget

Overall, the total budget allotment for CARP in Regions I, IV and V were, P497.6M, P812.2M and P183.7M, respectively, and growing at an average of 8.9, 15.6 and 32.6 percent per annum, for the period 1988 to 1992 (Table 3.5). Positive growth rates were noted from 1989 to 1991, ranging from 7 percent in 1990 to 21 percent in 1992, for Region I, and declining to 10 percent in 1992. For Region V, the annual increase in budget allotment was much higher varying from 10 percent in 1990 to 99 percent in 1989. Like in Region I, the budget allotment declined by almost a fifth in 1992. Annual growth rates in Region IV ranged from 33 percent in 1991 to 46 percent in 1990.

The budget allocation for LAD and non-LAD activities in the four regions shows that with the exception of 1989 in Region V, non-LAD budget exceeded the allotment for LAD. In the case of Region I, however, there was a tendency to increase the proportionate share of LAD to total budget allocation whereas Region V illustrated an erratic pattern.

The budget allotment for LAD was growing at an average of 41.4 percent per annum from 1988 to 1992 for Region I, 23.2 percent for Region IV, and 27.2 percent for Region V. For the same period, the average growth rate for the non-LAD budget allotment was only 0.2 percent for Region I, 3.3 percent for Region IV, and 37.4 percent for Region V.

3.2.3 Expenditure Pattern

Region V's expenditures exceeded its budget allotment by almost twofold for the years 1988 to 1991 whereas Region I's total expenses were averaging at four-fifths of its total budget for the same period (Table 3.6). Expenditures for Region IV were not available from 1988 to 1990. For the year 1991 and the first quarter of 1992, 98 percent and 76 percent, respectively of budget allotment were spent by Region IV. In all regions, actual spending was much more lopsided in favor of non-LAD rather than LAD activities. For Region I, the ratio of LAD to non-LAD was from 3 percent in 1988 to 65 percent in 1991 while in Region V, it ranged from 40 percent in 1989 to 87 percent in 1991. In Region IV, it was 56 percent in 1991 declining slightly to 47 percent in the first quarter of 1992¹.

Actual expenses of the DAR's regional offices in Regions I and V comprised mainly of personnel services, maintenance and operating costs, rent, and capital outlay (Table 3.7). The bulk of the expenditures was spent for personnel services, averaging at 70 and 64 percent for Regions I and V, respectively, between 1988 and 1991.

A breakdown of expenses for LAD and non-LAD activities showed that LAD expenses in the three regions for the years 1988 to 1991 were earmarked mostly for personnel services (Table 3.8). The share of this expense category to total LAD expenditure was 90, 99, and 50 for Regions I, IV, and V, respectively. Playing second to this expense item was costs in documentation which had an average share of 29 percent per annum. Other expenses included transportation, conferences, etc.

Non-LAD expenditures comprise of general administrative services, agrarian reform information and extension, agrarian legal assistance, land use management development, and agrarian reform beneficiaries development (Table 3.9). In the three Regions, expenditures were highest for general administrative services. Expenditures for the non-LAD activities were all higher in Region I than in Region V. The highest expenditures, though, was in Region IV.

Annual total expenditures per hectare varied from 3,615 pesos in 1991 to 14,615 pesos in 1992 for Region I and 3,048 pesos in 1988 to 8,905 pesos in 1991 for Region V (Table 3.10). It was P4,528 in 1991 and P6,667 in the first quarter of 1992 in Region IV. On the other hand, annual total LAD cost per hectare ranged from 320 pesos in 1988 to 7,682 pesos in 1992 for Region I and 856 pesos in 1988 to 3,718 pesos in 1992

for Region V. It was P1,635 in 1991 and P2,128 in the first quarter of 1992 in Region IV. Regions I and IV were more cost efficient in terms of total expenditures per farmer beneficiary and total LAD cost per FB than Region VI.

3.3 Provincial Samples: Secondary Data

3.3.1. *CARP Scope and Accomplishment*

Of the four (4) provinces surveyed², Camarines Sur had the largest CARP scope (236,232 has.) while Ilocos Sur had the smallest (10,202 has.) (Table 3.11). In terms of land reform accomplishment however, Camarines Sur registered the lowest performance; for the period 1988 - 1992 (January, March), only one-tenth of the targetted reform area in this province has been distributed to ARBs. The highest area accomplishment was in Occidental Mindoro where two-fifths of the scope had already been reformed. Ilocos Sur and Palawan covered a third apiece.

Much of the LAD accomplishment in the four (4) provinces were in rice and corn lands or the pre-CARL land types (Table 3.12). DAR's offices in Ilocos Sur and Occidental Mindoro have nearly completed their land reform in OLT types but in Camarines Sur, only close to half of the total rice and corn lands in the area have been covered.

Aside from rice and corn, the largest reformed land type for the 4 provinces are privately-owned land with sizes ranging from 5 to 25 hectares or those which are earmarked for the last quarter of CARP.

The remaining land types that await reform for all the provinces surveyed are mostly privately-owned, with the largest scope being located in Camarines Sur. The DAR offices in the sampled provinces have yet to commence the LAD in privately-owned lands especially those whose area exceed 50 hectares; these land types supposedly belong to the Phase 1 schedule for LAD as was stipulated in CARL.

While many landowners with landholdings in 5 to 25 hectare range have opted for VOS, many of them have also backtraced largely because of the deterring effect of LBP's low valuation and slow landowner's compensation. If DAR's laggard performance in VOS would serve as a barometer for its capacity in reforming private lands, it could be inferred that the prospects for a larger land reform area are bleak unless various schemes can be instituted which will win over landowners to the side of land reform. LAD will become more difficult over the years as the scheduled mid-1998 deadline approaches largely because of an increasing population pressure on finite land resources. It is thus important that innovative mechanisms on land acquisition be pursued to impact more positively on land reform.

The VLT scheme seems to be an appropriate move in this direction. E.O. 407 that instructed government-owned corporations with agricultural land to transfer the ownership to DAR has also been timely and effective, although so far, PCGG and foreclosed land types seem to be intransigent (Table 3.12).

3.3.2. Agrarian Reform Beneficiaries (ARBs)

Between the period 1988 and 1992 (January - March), a total of 46,698 ARBs were awarded agricultural land in the 4 provinces surveyed (Table 3.13). More than half of these ARBs were located in Camarines Sur.

The average farm size awarded to the ARBs was less than a hectare in Ilocos Sur and Camarines Sur. The largest hectarage per ARB was in Palawan at 3.44 hectares, slightly larger than the stipulated 3-hectare limit. In Occidental Mindoro, the average area of the ARBs was 1.43 hectares³.

Most of the landownership certificates awarded to the ARBs were of the CLOA type (Table 3.14). The number of EPs generated in the 4 provinces for the survey period was 13,877. CLOAs numbered at 8,121, with the bulk coming from Palawan. There seems to be an uptrend in CLOA generation because unlike individual certificates (i.e., EPs), CLOAs shorten the processing time for obtaining landownership papers as a CLOA covers a large number of ARBs.

3.3.3. Budget Allotment and Expenditure Pattern

With the exception of Palawan, the budget allotment for Ilocos Sur and Occidental Mindoro was on the uptrend for the years 1988 to 1992 (Table 3.15). Like in their respective regional offices, budget allocation favored LAD over non-LAD activities.

Actual expenditure pattern for Ilocos Sur and Occidental Mindoro revealed higher proportions for non-LAD than LAD activities (Table 3.16). However, this was not the case for DAR's Palawan office where more than three-fifths of its total expenditure were used for LAD activities.

On the average, about two-thirds of DAR's provincial expenses were earmarked for personnel services (Table 3.17). The same expenditure behavior of high personnel cost was reflected in the disbursement of funds for LAD activities (Table 3.18). This is expected as LAD work of DAR is quite labor-intensive; unfortunately, many of those employed at the municipal and provincial levels are not involved in direct field work.

3.3.4. *Explicit Costs of LAD on a Per Unit Basis*

Explicit costs⁴ of LAD refer to the provincial's actual expenditures expended for this type of activities. These were then divided on the total number of hectares reformed during the year to reflect the LAD cost on a per hectare basis. LAD costs per ARB were also estimated. In addition, LAD and non-LAD expenses per ARB were computed, as most of the latter expenditures are for the ARB's benefits. All the estimates are reflected in Table 3.19.

LAD costs on a per hectare and on a per farmer-beneficiary basis were in the thousands for DAR's offices in Ilocos Sur and Palawan. Inclusion of non-LAD expenses more than doubled the costs incurred by DAR for each ARB awarded with reformed lands.

It was only in Occidental Mindoro where DAR's LAD expenses on a per hectare and per ARB basis hardly reached P1,000. Thus, of the three (3) DAR provinces, Occidental Mindoro was cost efficient. It should be noted that this province is classified as a high performing province which implies that its high achievement may be partly the result of its being cost efficient.

Palawan is also a high-performing province in terms of land reform although compared to DAR's Occidental Mindoro, is less cost efficient. Ilocos Sur on the other hand, is on the middle level range in terms of land reform performance. What distinguished the latter provincial office is its increasing employment of the voluntary land transfer (VLT) scheme. The higher per ARB cost relative to the other provincial offices incurred in this province may be due to the higher transactions costs incurred by DAR personnel in supervising and monitoring a large number of VLT cases. Since this scheme enables the landowner and the other tenant to negotiate on the sale of land and the subsequent transfer of landownership, DAR provides more services in terms of assisting both parties in the negotiation process and providing other technical skills and supporting documents to the ARB during the negotiation process. Moreover, VLT cases in Ilocos Sur involve a large number of small landholdings.

3.4. Perceptions of DAR Personnel on LAD

3.4.1. *A Profile of the MAROs, PAROs, and RAROs*

A total of 43 MAROs, five PAROs, and four RAROs were interviewed. Of the total number of MAROs, 58 percent came from the low performing provinces (LPPs) composed of Camarines Sur and Iloilo and 42 percent from the high performing provinces (HPPs) comprising of Occidental Mindoro, Palawan and Ilocos Sur. There is a more or less equal distribution of the male and female MARO-respondents in the

HPPs and the LPPs. All the PAROs and the RAROs were, however, male (Tables 3.20 and 3.21).

All the MAROs were college graduates with most of them having earned a Bachelor of Science degree in Agriculture. Three MAROs in the LPPs and one in the HPPs had Masteral degrees. One HPP MARO had completed 16 units of MPA.

The two PAROs in the LPPs had each an LLB and a BSA degree. In the HPPs, one PARO had a BSA degree, another finished two courses, AB and LLB, while the other, a MPA.

All the three RAROs had Masteral degrees.

3.4.2. Pace of LAD by Land Type and by Provincial Priorities of DAR

The MAROs, PAROs, and RAROs were asked of the pace of LAD and the factors for the present LAD status in their respective jurisdiction. The pace of LAD process was classified as fast, moderate and slow; for each category, a set of probable factors/causes for the LAD status was enumerated. The responses were further classified into landownership, i.e., (a) privately-owned lands which include operation land transfer (OLT for rice and corn land), voluntary offer to sell (VOS), compulsorily acquired, idle and abandoned privately-owned lands, foreclosed, PCGG- acquired, and voluntary land transfer (VLT) (land types which in turn were divided by land sizes); and (b) government-owned or controlled lands (which are landed estates, resettlements, and government - owned lands). Frequency tables of the respondents' replies were prepared, classifying the answers in terms of high performing (HPP) and low performing (LPP) provinces.

Tables 3.22, 3.23, and 3.24 show the frequency and percentage distribution of MAROs, PARO's and RARO's responses with regard to the pace of LAD. The following observations were noted:

- (i) Overall, there was no significant difference in the perceived pace of LAD for MAROs located in HPPs and LPPs. As expected, the pace of LAD was slowest in privately-owned land especially in VOS, CA, idle and abandoned, and PCGG and foreclosed lands. MAROs in both provincial types also noted difficulty in the traditional land reformed areas, i.e., rice and corn lands, indicating probably that the remaining prospective reformed areas are where landowners offer greatest resistance.

Surprisingly, MAROs in LPP seemed to have fared better with VOS lands than their counterparts in HPPs. LAD in this land type was however largely hampered by the slow LBP valuation process, the cumbersome documentary

requirements and procedures, the low land values accorded by LBP, and the rejection for payment by LBP of VOS areas above 18 degrees slope.

- (ii) Much of the LAD delay, even in rice and corn lands, were attributed to the non-cooperation of landowners. These arise largely from the latter's objection to the low land valuation and slow processing of payment by the LBP. The other major problem involved technical issues in land survey, lack of coordination in the survey procedure between DENR and DAR, and delay in the approval of final survey returns. Another problem concerns the cumbersome documentary requirements. The slow LAD in idle and abandoned lands was apparently due to difficulties in identifying these lands, and in identifying and contacting the landowner. Of the reported LAD attempt in the PCGG-acquired land, the MARO indicated that it was quite hard to document the ownership of such land.
- (iii) LAD was fastest in government-owned and controlled lands as there were no private landowners to contend with and the technical documents were complete. LAD in these land types is hampered mainly by the documentary requirements and the numerous tillers who wish to become farmer-beneficiaries.
- (iv) The pace of LAD in both provincial types was fastest in government-owned lands, landed estates and resettlements and moderate (to slow) in foreclosed and VLT whose farm sizes range below 5 and 50 hectares.

3.4.3. Coordination Problem with other Agencies

- (i) The pace of LAD is hampered by the number of government agencies involved in the process. Much of the involvement reflect measures of counterchecking and validating activities already done by DAR at various levels (e.g., identification of reformed area is done by the MARO, the papers of which are checked by the PARO and RARO prior to submission to LBP; LBP goes back to the field to ascertain the reformed area). Where activities require specific technical skills (e.g., perimeter and segregation surveys), the LAD process competes for these services within the concerned agencies' numerous functions.

Another problem area is external to the LAD process but which directly impinge on the pace. This is the issue of peace and order, a problem that is most felt especially in municipalities characterized by rugged terrain and poor inland infrastructure.

- (ii) Characterization of provinces into HPP and LPP seemed to show no significant difference with respect to the problems encountered by DAR personnel in coordinating/ relating with other agencies. Similar pattern of problems arises with CARP-participating agencies.

- (iii) Specifically, a high percentage of the MAROs both in the HPPs and the LPPs noted that often, they had encountered problems with the LMS and the LMB, seldom with the LBP and the ROD, and never with the Mayor's Office, the PNP/AFP and the Regional Trial Courts (Table 3.25). In general, the RAROs and the PAROs had always or oftentimes had problems with the LBP, LMS, LMB, and ROD; and seldom or never with the Mayor's Office, PNP/AFP, and Regional Trial Courts (Table 3.26). This observation shows the potentials of decentralizing LAD to adjust to local conditions. General guidelines or terms of agreement should however be identified to minimize conflicting or redundant functions in land transfers.
- (iv) The most frequent problems cited by most of the DAR personnel interviewed from the RAROs down to the MAROs (whether located in the HPPs or the LPPs) in terms of coordination with other agencies were the slow land valuation and lack of limited presence of LBP representatives in the area; slow or delayed approval of survey returns and other land survey problems with the LMS; the non-availability of titles; too many documentary requirements; the slowness of discharging its function; limited personnel to handle registration and processing of CARP-related documents; inadequate training or orientation on the part of the ROD; and ineffective maintenance of peace and order as well as the non-participation in the interagency CARP Implementing Team meetings of the localized PNP/AF (Table 3:27 and 3.28). Other MAROs complained of the Treasurer's Office and Assessor's Office's slowness in answering the accumulated requests for Tax Declaration and Tax Payment Certification.
- (v) Most of the DAR personnel reason out that the problems arose partly because land reform-related activities are additional functions without sufficient logistical support to the agencies and partly due to the transactions and organizational costs entailed in collective action.

3.4.4 Landowners, ARBs, DAR, and CARP

Many MAROs contend that less resistance from landowners could greatly expedite the LAD process. Table 3.29 provides some features of landowners as perceived by DAR personnel, to wit:

- (i) Although three-fourths of the MARO respondents noted that landowners in their areas are not organized, it was apparent that there were more organized landowners in LPPs than HPPs.
- (ii) Most of the MAROs observed that a large proportion of the landowners attend or participate in the public hearings. In general, the landowners in the HPPs were found to be much more cooperative than those in the LPPs.

- (iii) According to the MAROs, the most common problems cited by landowners with regard to the land acquisition process were the low land valuation of the LBP, delay in payment by the LBP, too many documentary requirements, and the overall slow land acquisition process.

With regard to land distribution, the major problems identified by MAROs and PAROs are in Tables 3.30 and 3.31).

- (iv) The conduct of subdivision surveys is a key bottleneck prior to actual distribution and which was consistently observed to be a problem in both LPPs and HPPs. Aside from the technical backlog due to DENR delays in this activity, other contributory factors were (a) difficulty of consolidating titles in LAD through E.O. 407 and (b) the many number of ARB claimants, effecting miniscule parcellization of land.
- (v) A legal decision of the Supreme Court ensuring landowner's payment first prior to actual distribution has also adversely affected the pace of land distribution.
- (vi) While problems arise prior from actual distribution, sale of cultivation rights by EP holders is on the uptrend in both LPPs and HPPs (Table 3.32). Illicit transactions of cultivation rights occurred between current farmer beneficiaries on one hand and other EP holders, usurers, and traders on the other.

3.4.5. *Administrative Orders on LAD*

- (i) A high 79 percent of all the MAROs, 78 percent in the HPPs and 80 percent in the LPPs, were affected by the high rate of turnover of the DAR secretary (Table 3.33). Whereas all the RAROs were affected, only one PARO and two RAROs in the HPP and LPPs, respectively were actually affected by the change of DAR Secretary (Table 3.34). The effect was manifested mainly in terms of revisions of existing Administrative Orders, the implementation of additional Administrative Orders, changes in DAR personnel, and realignment in the budget.
- (ii) According to the MAROs and the PAROs, the numerous changes in the administrative orders have not addressed squarely the problems encountered in LAD (Tables 3.35 and 3.36). The most important of these is the issue on land valuation. In particular, they recommend that the land valuation formula used in P.D. 27 and R.A. 6657 be modified; land valuation and payment to landowners by the LBP be expedited; a greater budget be allocated for land valuation; and the land valuation task must be given back to DAR. On land surveys, they recommend that these should be conducted immediately and that DAR and LMS should be merged to solve the problem of the slow production of

subdivision surveys. They likewise suggested the simplification of implementing guidelines, especially those involving LAD of CA and OLT lands, and those affecting the quick resolution of legal disputes, should be done.

3.5 DAR's Role in LAD-Related Legal Issues

3.5.1. *DAR's Organizational Structure for LAD-Related Legal Issues*

DAR has two (2) substructures which respond to LAD and other agrarian reform-related legal issues. These are the Office of the Undersecretary for Legal Affairs and the Bureau of Agrarian Legal Assistance (BALA) on one hand and the DAR adjudication office on the other. The former has the following functions: (i) to provide legal and para-legal assistance most especially to ARBs; (ii) to review appeal cases and disputes regarding land and labor contracts; and (iii) to develop guidelines and plans relating to legal assistance.

The latter office was newly created by virtue of the CARL; the whole purpose for its establishment was to expedite the resolution of land reform related-legal issues. Although attached to DAR, it operates in principle, autonomously from its mother agency. The specific tasks of the office are: (i) to adjudicate and resolve disputes arising from land valuation and other criminal cases involving the implementation of CARP except those falling under the jurisdiction of the DENR, DA and the Special Agrarian Courts; (ii) to exercise quasi-judicial powers including the issuance of subpoenas, and enforcement of units and other legal machineries in the expedition of agrarian issues; and (iii) to adopt guidelines, rules and procedures in the governance of legal matters on agrarian reform.

In terms of organizational structure, the adjudication office comprises of: (i) an adjudication board (called DARAB) which is based at the Central Office and is directly under the Office of the Secretary; (ii) thirteen (13) regional agrarian reform adjudication offices (RARAD); and (iii) 76 provincial agrarian reform adjudication offices (PARADs). The BALA which is based at the Central Office, is divided into four (4) functional divisions: (i) claims and conflict division, (ii) litigation division, (iii) legal information counselling and documentation division, and (iv) the legislative research and statistics division. Legal assistance offices are also found at the regional and provincial levels.

In addition, Special Agrarian Reform Courts were established by the Supreme Court at the various Regional Trial Courts (RA 6657, Chapter XII, Section 56). The main function of these courts is to resolve petitions regarding the just compensation of landowner and the prosecution of other criminal offenses relating to the implementation of CARL. Aggrieved parties can also appeal or elevate their cases to the Court of Appeals and the Supreme Court.

3.5.2. Number of Personnel

Table 3.39 shows a breakdown of DAR personnel involved in agrarian reform-related legal matters. As of 1992, there were a total of 3,295 actual positions for adjudication work; most of the attorney positions in the regional and provincial adjudication offices have not been filled-up. Even if these were filled-up, the labor force in adjudication offices comprised only 12% of the total personnel involved in LAD legal affairs. Majority in the regional and provincial office are employed at the legal assistance offices. Close to half of its workforce are however, support staff members.

The study focused at the adjudication offices as these address mainly LAD-related concerns. A total of eight (8) personnel were interviewed: four (4) RARADs and four (4) PARADs, all of whom were based at the provincial samples.

Table 3.40 provides a breakdown of the respondents by location, sex and educational background. With the exception of one PARAD from Palawan, the rest are males. All of them are lawyers by profession with one RARAD pursuing a masteral degree in Business Administration.

As mentioned earlier, many of the adjudicator positions are still vacant partly because of low pay scale and partly because of the huge responsibility required by the positions (Tables 3.41 and 3.42).

3.5.3. Status of Legal Cases

Secondary data on the status of legal cases revealed that as of mid-1993, a total of 387,939 cases have been received by DAR's legal assistance and adjudication offices (Table 3.43). Of this total, more than nine-tenths are with the former office. Worth noting is the fact that a large number of cases have already been filed at the adjudication offices inspite the fact that many of the RARADs and PARADs have only been recently established.

The Legal Assistance Office has a backlog of 15 percent cases whereas the adjudication offices registered a much poorer performance as nearly half of the total cases received were unresolved. Prior to mid-1993, the Legal Assistance Offices did not assist the adjudication offices in the resolution of cases despite the similarity of LAD issues handled by both office. The accumulation of unresolved cases also occurred despite the 30-day limit imposed by DAR for deciding these cases.

A more dismal picture is presented in the surveyed PARAD and RARAD offices (Table 3.44 and 3.45). Pending cases constitute nearly half (in some regions, more than half) of the total number of received cases.

A variety of land reform legal issues were filed at the RARADs and PARADs (Table 3.46 and 3.47). No distinctive pattern of LAD cases showed any dominant trend. Only issues pertaining to rights and obligations of persons engaged in cultivation and use of agriculture land were prevalent in the four RARADs but at the provincial level, this was also not as prominent. What these tables imply is that land reform has the stigma for creating conflicts especially pronounced in a democratic setting where records on landownership and land use are non-existing, and where existing procedures for land reform are highly complicated.

3.5.4. Issues and Problems

A major area of concern relates to the issue of jurisdictional authority. At the provincial level, provincial courts have accepted and tried land reform related cases, causing conflict between these courts and the PARADs. Similarly, there is also an overlap on the jurisdictional boundary between the Special Agrarian Courts and the RARAD at the regional levels as both are legislated by CARL to handle LAD cases. In the process, varied interpretations of the agrarian reform law ensue.

An emerging tension seems to be unfolding between the LBP on one hand and the DARAB on the other. This pertains to the issue of who has ultimate prerogative in the valuation of land. Specifically, many cases were brought to the attention of the adjudication offices regarding the "fairness" of the value of the land as estimated by LBP. In some of them, DARAB decided in favor of the landowner-complainant and instructed the LBP to pay the landowners using the new higher land price. Unfortunately, LBP has not responded positively largely because DARAB has yet to demonstrate its juridical authority over agrarian reform matters.

Another area of concern is the lack of personnel and inadequate logistics support accorded to the adjudication offices. Ironically, this could be resolved if the legal assistance office (which had existed in the DAR structure even prior to CARL) and the adjudication office could be merged considering that both are performing similar functions.

Perhaps the most difficult and worrisome problem is the continuous uptrend in the number of land reform-related legal issues. The types of problems filed in the courts have become much more complicated and more varied. Because of the complex nature of the law and its implementing rules, different interpretations would naturally arise. Also, the longer the time frame of LAD, the most likely will the affected parties (especially the landowners) resort to delaying tactics so as to diffuse the impact of land reform. Unless these are resolved, as much as mechanisms for co-opting existing landowners are developed, and measures of expediting the organization of farmers into associations to serve as a countervailing force to the landowners are instituted - land reform implementation will be stalled further.

3.6. Conclusion: DAR and LAD in Perspective

State's capacity in enforcing land reform is to a certain extent, a function of DAR's capability. This agency is the lead and single entity legislated by CARL to oversee and direct government's efforts in the acquisition and distribution of large-sized landholdings. Its work is in principle, tailor-made and structured primarily to accomplish just one mission and that is to pursue vigorously this mode of redistributive reform.

The objective of providing essential support services and infrastructure to farmer beneficiaries, while an integral component of CARP and hence, also falls under its jurisdiction, already forms part of the functional mandate of other agencies such as the Departments of Agriculture (DA), Public Works and Highways (DPWH), etc. With prompt coordination, the operationalization of this role can be subsumed without much difficulty by these agencies.

Thus, to assess state's capacity in enforcing LAD implies an evaluation of DAR's performance. To a large degree, the justification for DAR's continued existence depends principally on whether or not it has gone far in discharging its LAD function.

The previous chapter discussed DAR's accomplishment in LAD at a national level and concluded that the department has made little progress in reforming privately-owned large-size landholdings. In this chapter, the regional and provincial sample followed very much closely the national trend. The HPP and LPP distinction did not matter much as the pattern in terms of LAD accomplishment for both provincial types was very much the same. Land reform accomplishment was highest in rice and corn lands, the subject of reform even before the pre-CARL years; and because of E.O. 45, it was also significant in government-owned lands. Progress in LAD for privately-owned lands whose landholdings ranged between 5 and 25 hectares showed initial promise under the VOS scheme but was hampered eventually due to the low valuation and pricing of land and the delay in landowner's compensation. As most, if not all, rice and corn lands as well as government-owned lands will be reformed, DAR will be left with privately-owned lands, the most difficult to subject to LAD. The most problematic as illustrated from DAR's four (4) year experience with CARP, are landholdings exceeding 50 hectares. Ironically, these are the lands that should have been one of the land types prioritized for immediate reform.

There is no doubt that many landless farmers have benefitted from this reform than from previous land reform measures. Worth highlighting however is not the growing number of ARBs but the increasingly dominant pattern of declining landholdings that each ARB received or will receive from CARP. In the near future, ownership of these reformed land will be transferred to the legal heirs of the ARBs. In the sampled case of FBs for instance, this will occur between two to three decades

from now (refer to Chapter VI). This implies that unless alternative land and labor contractual arrangements are introduced which can replace the conventional inheritance by sanguinity approach, we would expect further parcellization of lands. This may reduce the sizes of cultivable lands into uneconomically miniscule sizes that may render agricultural production unprofitable. The government should at this stage initiate steps that will encourage innovative property and land use rights responsive to the issue of increasing population pressure on the country's finite land resources.

Overall, DAR's sluggish performance in LAD was a consequence more of the slow development in the land acquisition process than in its performance in the distribution component. This chapter identified the factors for its laggard accomplishment in land acquisition as viewed from the perspective of DAR personnel who are directly involved in this process. Two (2) types of factors were observed, i.e., those which are internal and those which are external to DAR. A discussion of these factors is presented below.

3.6.1. Internal Factors: Problems within DAR

A major concern is the rapidly depleting funds for CARP. With the ARF fast drying up, we expect that budget earmarked for LAD will be severely constrained. This in turn, will have adverse repercussions especially on LAD activities performed at the municipal level.

The problem of limited funds is compounded by inefficient allocation of already scarce funds, i.e., higher appropriation and utilization for non-LAD than LAD activities and high personnel costs as a substantial amount of it go to paying workers who are employed in tasks tangential to LAD. If funds are not forthcoming in the foreseeable future, expenditure pattern should be drastically shifted in favor of LAD activities. Personnel staff will also have to be streamlined and re-aligned. As was illustrated above, a contributing factor to the high performance in LAD in DAR's Occidental Mindoro was its being cost efficient.

Another internal factor that hampered land acquisition and to a certain extent distribution is the tedious procedure applied in LAD which in turn varied across land types. The primary complaints were the long and cumbersome process; the many supporting documents required in each procedural rung; and the multi-layered check and balance systems instituted in the process. Implicit in these particular features of the LAD procedures is the risk-averse attitude of DAR management. Fearing the uptrend of graft and corruption among its workforce who are regularly in contact with rich and large landowners, DAR management established a complex procedural structure that will hopefully, discourage any resurgence of this problem. Thus, for every controversy involving DAR and which was widely publicized, DAR's management

responded by instituting more check and balance mechanisms. The end-result was a further delay in the LAD activity and a retrogression in CARP coverage.

DAR's problem of accumulating backlogs in agrarian reform legal-related matters is partly because of the lack of juridical authority of and inadequate experts in DARAB but more importantly, because of a major flaw in the country's judicial system. Specifically, the judiciary has consistently failed to function efficiently and effectively when performing its role as a mediator.

Like DAR, government legislators in responding to the increasing number of land reform related legal issues, created specialized legal institutions through CARL (i.e., adjudication offices housed in DAR and Special Agrarian Reform Courts within the Regional Trial Courts) instead of addressing squarely the problem of the country's judicial system. As long as these problems are not resolved, legal institutions like DARAB will encounter the same issues faced by its predecessors.

3.6.2. *External Factors*

The major bottlenecks in fast-tracking LAD emanate from the delay in (i) generating land surveys, (ii) estimating the values of the agricultural land and compensating the landowners, and (iii) in producing the revised land titles. All of these impediments are however, beyond the control of DAR as these fall under the jurisdiction of CARP-related agencies namely, DENR, LBP, and ROD⁶. Because LAD activities are tasks over and above their usual work in their respective departments and/or since LAD line of work conflicts with the attainment of the accomplishment indicators of these agencies (e.g., LBP's commercial operations), there does not seem to be any incentive nor any urgency for these agencies to hasten LAD implementation. Also, like DAR, these agencies have adopted a risk averse stance in performing their LAD duties. All of these factors only contribute to delaying LAD work.

Aside from these agencies, other private sector parties are affected by CARP. These are the landowners, prospective farmer beneficiaries, and NGOs/POs. Overall, landowners have been resistant to land reform, although there seems to be an increasing number of cooperative landowners (as was the experience of HPP). The changing attitude of landowners may be due to the growing awareness of the inevitability of small-sized farm landholdings as the predominant mode of productive organization (largely because of increasing population)⁷. Landless farmers are also becoming more knowledgeable of their tenurial and land rights⁸. They have thus intensified their participation in some of the LAD processes. Finally, NGOs/POs have helped constructively in LAD. However, it should be noted that the combined efforts of FBs, NGOs and POs are still insufficient to counter the downward pull and negative effects of the poor performance of DAR and CARP-related agencies as well as the resistance of landowners.

3.6.3. Innovative LAD Mechanisms: VLT and CLOAs

Two innovations introduced by DAR are the voluntary transfer scheme (VLT) and the collective landownership title for FBs (CLOAs). The former enables landowners and their tenants to negotiate and agree on the sale price of land, the mode of payment, and the terms for the transfer of ownership to tenants. The latter is a land title applicable for a number of prospective FBs. The VLT scheme immediately short cuts several processes in LAD especially those which have been most problematic (e.g., land valuation) while the generation of CLOAs limits the production of numerous individual titles. The first has been instrumental in increasing LAD in Ilocos Sur and the latter in hastening further the distribution component. The major drawback of the former scheme is that it has been applied mostly in small land size holdings while the CLOAs have yet to resolve the probability of breakaway FB claimants awarded with joint landownership.

There is a need to explore modified versions of VLT, this time involving large parties such as NGOs which can serve as intermediaries to prospective FBs. More schemes addressing LAD in privately-owned lands should be vigorously pursued.

There are also several areas where DAR can simplify the LAD procedures and resolve some problems in agency coordination. The discussion for this aspect is reserved for the next chapter.

Finally, the generation of CLOAs should be encouraged as it shows great potentials in hastening the land distribution process.

NOTES

¹No detailed allocation of expenditures was received from Region IV.

²DAR's office in Iloilo failed to submit its provincial accomplishment.

³The trend of small land sizes obtained by FBs specially those who were awarded less than a hectare is significant as these are the land sizes which will be available for transfer to their legal heirs. If the mode of transfer is equal subdivision of the lots, in the future, we would expect that landholdings will become more and more uneconomically small for profitable agricultural activity to take place. The government should at this stage, encourage the development of land and labor contracts that will promote land sizes for cultivation.

⁴This was reflected in the DAR's plantilla structure (DAR, 1993).

⁵To arrive at a complete costing figure for LAD estimates, implicit costs or the opportunity costs incurred in performing LAD vis-a-vis other functions, should have been included. These were not estimated because of lack of information.

⁶In-depth discussion of this aspect is reserved for Chapter 4.

⁷Landowners and their impact on LAD are discussed in Chapter 5. See also Putzel (1992:320) who argues a similar proposition.

⁸A discussion of FBs and LAD is explored in Chapter 6.

Table 3.1. Percent area accomplishment to total CARP scope for Regions, I, V, & VI, Philippines, 1988-1992.

Item	Region I	Region IV	Region V	Region VI
CARP Scope (Has.)	126,896	413,901	749,993	612,504
Area distributed (has.)				
1988	4,319	5,838	13,669	6,875
1989	16,501	16,563	18,701	11,086
1990	12,840	26,422	8,252	14,776
1991	28,442	30,285	13,207	23,517
1992 1/	1,271	4,950 2/	2,509	1,749
Total	63,373	84,058	56,337	58,003
% Accomplishment				
1988	3.4	1.4	1.8	1.1
1989	13.0	4.0	2.5	1.8
1990	10.1	6.4	1.1	2.4
1991	22.4	7.3	1.8	3.8
1992 1/	1.0	1.2	0.3	0.3
Total	49.9	20.3	7.5	9.5

1/ Jan.-Mar only

2/ Data given for the whole year of 1992 was divided by four to get area accomplishment for a one quarter period.

Table 3.2. Area distributed (has.), number of actual ARBs, and percent accomplishment by land type by region, Philippines, 1988-1992.

Land type/ Year	R e g i o n I				R e g i o n V				R e g i o n VI			
	Area	% of Scope	No.	% of Scope	Area	% of Scope	No.	% of Scope	Area	% of Scope	No.	% of Scope
A. Rice/corn												
Scope	36,252		36,796		70,758		36,319		39,141		18,825	
1988	4,319	12	5,003	14	12,254	17	9,305	26	6,414	16	4,558	
1989	16,499	46	20,550	56	18,033	25	15,371	44	10,477	27	7,832	
1990	10,074	28	14,191	39	6,793	10	8,511	19	5,918	15	4,352	
1991	23,300	64	20,529	56	724	1	677	2	2,306	6	1,780	
Jan-Mar 1992	1,134	3	2,254	6	187	0.3	169	0.5	295	0.8	303	
Total	55,326	153	62,527	170	37,991	54	33,033	91	25,410	65	18,825	
B. Total for all VOS												
Scope	6,647		226		73,984		1,346		58,218		1,527	
1988	0	-	0	-	0	-	0	-	0	-	0	
1989	0	-	0	-	294	0.4	108	10	0	-	0	
1990	5	0.08	4	2	358	0.5	181	17	546	0.9	267	
1991	196	3	160	71	1,291	2	673	64	1,105	2	637	
Jan-Mar 1992	17	0.3	11	5	176	0.2	84	8	734	1	623	
Total	218	3	175	77	2,119	3	1,446	180	2,385	4	1,527	
C. VLT												
Scope	N.A.		4,004		8		6		0		0	
1988	0	-	0	-	0	-	0	-	0	-	0	
1989	2	-	10	0.2	0	-	0	-	3	-	2	
1990	0	-	0	-	0	-	0	-	0	-	0	
1991	3,868		3,128	78	14	175	14	233	44		25	
Jan-Mar 1992	120		134	3	3	38	1	17	0		0	
Total	3,988		3,272	82	17	212	15	250	47		27	
D. Foreclosed												
Scope	2502		565		19,261		684		14,352		9,067	
1988	0	-	0	-	0	-	0	-	0	-	0	
1989	0	-	0	-	0	-	0	-	0	-	0	
1990	0	-	0	-	425	2	79	3	1,007	7	425	
1991	482	19	469	83	7,201	37	2,706	88	14,653	102	8,246	
Jan-Mar 1992	0	-	0	-	739	4	299	10	547	4	396	
Total	482	19	469	83	8,365	43	3,084	100	16,207	113	9,067	

Table 3.2. Continued.....

Land type/ Year	R e g i o n I				R e g i o n V				R e g i o n VI			
	Area	% of Scope	No.	% of Scope	Area	% of Scope	No.	% of Scope	Area	% of Scope	No.	% of Scope
E. PCGG												
Scope	7		0	-	13		0	-	2,374		0	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	0	-	0	-	0	-	0	-
Jan-Mar 1992	0	-	0	-	0	-	0	-	0	-	0	-
F. Government-Owned												
Scope	2,930		79	-	11,503		810	-	24,933		666	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	739	6	527	65	1,995	8	666	100
Jan-Mar 1992	0	-	0	-	472	4	283	35	0	-	0	-
Total					1,211	11	810	100	1,995	8	666	100
G. Idle/Abandoned												
Scope	1,682		0	-	3,112		0	-	5,350		0	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	0	-	0	-	0	-	0	-
Jan-Mar 1992	0	-	0	-	0	-	0	-	0	-	0	-
H. Landed Estates												
Scope	3,781		2,467	-	3,649		1,859	-	0		0	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	2,761	73	330	13	161	4	95	5	0	-	0	-
1991	596	16	575	23	1,339	37	1,040	56	0	-	0	-
Jan-Mar 1992	0	-	0	-	433	12	368	20	0	-	0	-
Total	3,357	89	905	37	1,933	53	1,503	81	0	-	0	-
I. Settlements												
Scope	0	-	0	-	17,325		1,591		18,122		2,852	
1988	0	-	0	-	1,415	8	180	11	461	3	88	3
1989	0	-	0	-	374	2	44	3	609	3	232	8
1990	0	-	0	-	515	3	66	4	7,302	40	1,546	54
1991	0	-	0	-	1,899	11	422	27	3,368	19	944	33
Jan-Mar 1992	0	-	0	-	498	3	140	9	173	10	42	1
Total					4,701	27	852	54	11,913	66	2,852	100

Table 3.2. Continued.....

Land type/ Year	R e g i o n I				R e g i o n V				R e g i o n VI			
	Area	% of Scope	No.	% of Scope	Area	% of Scope	No.	% of Scope	Area	% of Scope	No.	% of Scope
J. Private Lands												
Scope	7,836		0		321,384		0		138,752		0	
(5-24 has.)	0	-	0	-	0	-	0	-	0	-	0	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	0	-	0	-	0	-	0	-
Jan-Mar 1992	0	-	0	-	0	-	0	-	0	-	0	-
K. Private Lands												
Scope	50,035		0		107,388		0		85,834		0	
(24.1-50has.)	0	-	0	-	0	-	0	-	0	-	0	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	0	-	0	-	0	-	0	-
Jan-Mar 1992	0	-	0	-	0	-	0	-	0	-	0	-
Total	0		0		0		0		0		0	
L. Private Lands												
Scope	14,351		0		121,608		0		225,428		35	
(>50has.)	0	-	0	-	0	-	0	-	0	-	0	-
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	0	-	0	-	0	-	0	-
Jan-Mar 1992	0	-	0	-	0	-	0	-	0	-	0	-
M. Compulsory Acquisition												
1988	0	-	0	-	0	-	0	-	0	-	0	-
1989	0	-	0	-	0	-	0	-	0	-	0	-
1990	0	-	0	-	0	-	0	-	0	-	0	-
1991	0	-	0	-	0	-	0	-	46	-	35	-
Jan-Mar 1992	0	-	0	-	0	-	0	-	0	-	0	-
GRAND TOTAL	0		67,348				40,343				32,999	

Table 3.3. Average area awarded to ARBs by year, for Regions I, IV, V, & VI
Philippines, 1989-1992.

Year	Reg. I	Reg. IV	Reg. V	Reg. VI
Area distributed (has.)				
1989	16,501	16,563	18,701	11,086
1990	12,840	26,422	8,252	14,776
1991	28,442	30,285	13,207	23,517
1992 (Jan-Mar)	1,271	4,950	2,508	1,749
Number of ARBs				
1989	20,560	13,647	16,223	8,064
1990	14,525	13,563	7,232	6,592
1991	24,861	15,909	6,045	12,333
1992 (Jan-Mar)	2,399	3,010	1,344	1,364
Total	49,272	46,129	16,244	28,353
Ave. Area/ ARB (has.)				
1989	0.80	1.21	1.15	1.37
1990	0.88	1.95	1.14	2.24
1991	1.04	1.90	2.18	1.91
1992 (Jan-Mar)	0.53	1.64	1.90	1.28
	0.81	1.70	1.59	1.70

Table 3.4. Number of ARBs by type of certificate awarded by year by region, Philippines, 1988-1992.

Type of certificate and year	Reg. I	Reg. IV	Reg. V	Reg. VI
EP				
1988	4,690 a/	521	14,636	4,558
1989	20,550 a/	12109	25,321	7,832
1990	14,191 a/	6176	10,530	4,352
1991	36,391 a/	2595	953	1,780
1992 (Jan-Mar)	2,254 a/	326	196	303
CLOA				
1988	313	364	245	0
1989	10	1538	150	0
1990	445	7387	254	1,979
1991	1,611	13314	2,680	10,504
1992 (Jan-Mar)	145	2684	857	1,061
HP/Municipal Sales Patents				
1988	0	0	0	88
1989	0	0	0	232
1990	0	0	0	261
1991	0	0	0	49
1992 (Jan-Mar)	0	0	0	0

a/ Non-land transfer beneficiaries (contracts executed) included.

Table 3.5. Total budget allotment and allocation for LAD & non-LAD activities for Regions I, IV, & V, Philippines, 1988-1992.

Item	Region I (M P)	Annual Growth Rate	%	Region IV (M P)	Annual Growth Rate	%	Region V (M P)	Annual Growth Rate	%
Total budget allotment									
1988	75.4	-	100	106.6	-		16.9	-	100
1989	87.6	16	100	142.5	34		33.7	99	100
1990	93.7	7	100	207.8	46		37.0	10	100
1991	113.2	21	100	139.2	-33		47.6	29	100
1992	102.2	-10	100	172.9	24		39.0	-18	100
1992 (1st quarter)	25.6	-	100	43.2	-		9.7	-	100
1988-1992	497.6	8.9	100	812.2	15.6		183.9	32.6	100
Budget allotment for LAD a/									
1988	17.8	-	23.6	0.6	-		8.0	-	47.3
1989	30.4	71	34.7	16.2	156		26.4	229	78.3
1990	29.7	- 2	31.7	60.4	272		12.5	-53	33.8
1991	42.1	42	37.2	74.9	24		23.2	86	48.7
1992	47.2	12	46.2	86.0	15		16.7	-28	42.8
1992 (1st quarter)	11.8	-	46.1	21.5	-		4.2	-	43.3
1988-1992	178.9	41.4	36.6	265.4	23.2		90.9	27.2	49.1
Budget allotment for non-LAD activities a/									
1988	54.9	-	72.8	100.2	-		8.9	-	52.7
1989	34.6	-37	39.5	126.2	26		7.3	18	21.7
1990	52.5	52	56.0	147.4	17		24.6	235	66.5
1991	71.1	35	62.8	64.3	-56		24.4	0.5	51.3
1992	55.0	-23	53.8	86.9	35		22.2	- 9	56.9
1992 (1st quarter)	13.7	-	53.5	21.7	-		5.6	37.4	57.7
1988-1992	281.8	0.2	56.4	546.8	3.3		93.0		51.1

a/ Budget allotment for LAD & non-LAD does not add to total budget.

Table 3.6. Total expenditures for CARP activities and ratios of LAD to non-LAD expenses, LAD expenses over total expenditures, and non-LAD expenses over total expenditures for Regions, I, IV, & V, Philippines, 1988-1992.

Item	Region I (M P)	% of Total Expendi- tures	% of Budget	Region IV (M P)	% of Total Expendi- tures	% of Budget	Region V (M P)	% of Total Expendi- tures
Total expenditures								
1988	49.9	100	0.0	NA			41.7	100
1989	64.5	100	0.0	NA			79.2	100
1990	81.7	100	0.0	NA			49.2	100
1991	102.8	100	0.0	137.2	100	98.5	117.6	100
1992 (Jan.-Mar.)	18.6	100	0.0	33.0	100	76.3	17.8	100
LAD expenses								
1988	1.4	2.8	0.0	NA			11.7	28.06
1989	18.1	28.0	0.0	NA			21.9	27.65
1990	28.1	34.4	0.0	NA			14.3	29.07
1991	40.7	39.6	0.0	49.5	36.1	35.6	44.8	38.10
1992 (Jan.-Mar.)	9.8	52.7	0.0	10.5	31.9	24.4	9.3	52.25
Non-LAD expenses								
1988	45.5	91.2	0.0	NA			18.7	44.84
1989	45.9	71.2	0.0	NA			55.3	69.82
1990	47.6	58.3	0.0	NA			20.7	42.07
1991	62.2	60.5	0.0	87.6	63.9	62.9	51.5	43.79
1992 (Jan.-Mar.)	6.8	36.6	0.0	22.5	68.1	52.0	73.4	412.36
Ratio of LAD to non-LAD expenses								
1988		3.0		NA				63.00
1989		39.0		NA				40.00
1990		59.0		NA				69.00
1991		65.0		56.5				87.00
1992 (Jan.-Mar.)		111.0		46.9				127.00

Table 3.7. Actual expenditures of the RARD for Regions I, IV & V,
Philippines, 1988-1992.

Cost Item	Reg. I (M P)	% of Total Expenditures	Reg. IV (M P)	% of Total Expenditures	Reg. V (M P)	% of Total Expenditures
A. Personnel						
1988	32.8	0.00	NA		23.9	0.00
1989	45.6	0.00	NA		47.2	0.00
1990	58.0	0.00	NA		33.0	0.00
1991	72.6	0.00	NA		81.0	0.00
1992 (Jan-Mar)	14.3	0.00	NA		14.8	0.00
B. Maintenance/ Operating Cost						
1988	13.7	0.00	NA		14.5	0.00
1989	18.1	0.00	NA		31.8	0.00
1990	15.4	0.00	NA		11.8	0.00
1991	27.2	0.00	NA		36.6	0.00
1992 (Jan-Mar)	3.9	0.00	NA		3.0	0.00
C. Others						
Rent						
1988	0.4	0.00	NA		3.3	0.00
1989	0.3	0.00	NA		0.2	0.00
1990	2.3	0.00	NA		4.4	0.00
1991	3.0	0.00	NA		-	-
1992 (Jan-Mar)	0.4	0.00	NA		-	-
Capital Outlay						
1988	3.0	0.00	NA		0.0	-
1989	0.6	0.00	NA		0.0	-
1990	6.0	0.00	NA		0.0	-
1991	0.0	-	NA		0.0	-
1992 (Jan-Mar)	0.0	-	NA		0.0	-
D. Total						
1988	49.9	0.00	NA		41.7	100.00
1989	64.5	100.00	NA		79.2	100.00
1990	81.7	100.00	NA		49.2	100.00
1991	102.8	100.00	137.1		117.6	100.00
1992 (Jan-Mar)	18.6	100.00	330.0		17.8	100.00

Table 3.8. Actual expenditures on LAD at RARO by year for Regions, I, IV, & V, Philippines, 1988-1992.

Cost Item	Region I	%	Region IV	%	Region V	%
A. Personnel						
1988	0.2	14.29	NA	-	5.5	47.01
1989	10.7	59.12	NA	-	4.4	20.09
1990	24.0	85.41	NA	-	10.0	69.93
1991	29.5	72.48	49.5	100	26.9	60.04
1992 (Jan.-March)	8.4	85.71	9.9	93.69	8.0	86.02
B. Documentation						
1988	1.2	85.71	NA	-	-	-
1989	7.0	38.67	NA	-	-	-
1990	2.6	9.25	NA	-	-	-
1991	9.8	24.08	NA	-	-	-
1992 (Jan.-March)	1.4	14.29	0.5	4.86	-	-
C. Others						
1988	0.0	2.14	NA	-	6.2	52.99
1989	0.3	1.66	NA	-	17.5	79.91
1990	1.5	5.34	NA	-	4.4	30.77
1991	1.4	3.44	NA	-	17.9	39.96
1992 (Jan.-March)	0.0	0.00	0.1	1.45	1.3	13.98
D. Total						
1988	1.4	100	NA	-	11.7	100
1989	18.1	100	NA	-	21.9	100
1990	28.1	100	NA	-	14.3	100
1991	40.7	100	49.5	100	44.8	100
1992 (Jan.-March)	9.8	100	10.5	100	9.3	100
Total	98.0	100	60.0	100	102.0	100

Table 3.9. Actual expenditures on non-LAD activities at
RARD by year for Regions I, IV, & V,
Philippines, 1992.

Activity and Year	Reg. I (M P)	Reg. IV (M P)	%	Reg. V (P M)
A. Gen. Admin. Services				
1988	20.5	NA	-	10.0
1989	31.4	NA	-	41.3
1990	30.0	NA	-	12.1
1991	39.8	56.0	63.88	31.5
1992(Jan.-March)	5.4	14.6	64.89	4.9
B. Agrarian Reform Information and Extension				
1988	3.4	NA	-	1.2
1989	3.1	NA	-	2.9
1990	2.5	NA	-	1.7
1991	10.2	14.7	16.79	8.0
1992(Jan.-March)	0.9	28.0	12.66	0.6
C. Agrarian Legal Assistance				
1988	1.8	NA	-	3.3
1989	1.5	NA	-	3.4
1990	6.5	NA	-	3.2
1991	7.3	11.3	12.88	3.9
1992(Jan.-March)	0.9	21.1	9.14	1.0
D. Land Use Management Dev't				
1988	18.2	NA	-	0.0
1989	0.6	NA	-	0.7
1990	1.9	NA	-	1.0
1991	2.1	5.6	6.44	4.6
1992(Jan.-March)	0.8	0.9	4.09	0.4
E. Agrarian Reform Beneficiaries Dev				
1988	1.7	NA	-	4.2
1989	9.2	NA	-	7.0
1990	6.7	NA	-	2.6
1991	2.7	3.2	3.60	3.5
1992(Jan.-March)	0.8	0.2	0.92	0.4

Table 3.10. Total explicit cost of LAD per hectare, per farmer-beneficiary, for Regions I, IV, & V, Philippines, 1988-92.

Item	Region I	Region IV	Region V
LAD Cost per hectare			
1988	320	NA	856
1989	1,096	NA	1,171
1990	2,186	NA	1,736
1991	1,430	1,635	3,339
1992 (Jan.-Mar.)	7,682	2,128	3,718
LAD cost per FB			
1988	276	NA	1,233
1989	880	NA	1,350
1990	1,932	NA	1,981
1991	1,636	3,112	7,405
1992 (Jan.-Mar.)	4,070	3,499	6,938
Total expenditures per hectare			
1988	11,551	NA	3,048
1989	3,909	NA	4,235
1990	6,362	NA	5,957
1991	3,615	4,528	8,905
1992 (Jan.-Mar.)	14,615	6,667	7,100
Total expenditures per FB			
1988	9,972	NA	4,393
1989	3,137	NA	4,882
1990	5,624	NA	6,798
1991	4,136	8,620	19,459
1992 (Jan.-Mar.)	7,743	10,960	13,250

Table 3.11. Percent area accomplishment to total CARP scope by province 1/, Philippines, 1988-1992.

Item	Ilocos Sur	OCC. Mindoro	Palawan	Camarines Sur
CARP Scope (Has.)	10,202	39,708	60,092	236,232
Area distributed (Has.)				
1988	393	1,893	0	6,181
1989	499	4,293	2,742	6,409
1990	271	5,204	9,537	3,741
1991	1,857	4,189	5,010	3,311
1992 (Jan-Mar.)	50	211	566	1,253
Total	3,070	15,790	17,855	21,095
% Accomplishment				
1988	3.9	4.8	0.0	2.6
1989	4.9	10.8	4.6	2.7
1990	2.7	13.1	15.9	1.7
1991	18.2	10.5	8.3	1.4
1992 (Jan-Mar.)	0.5	0.5	0.9	0.5
Total	30.2	39.7	29.7	8.9

1/DAR's Iloilo-based office failed to submit their data.

Table 3.12. Scope and area accomplishment by land type by province 1/, Philippines, 1988-1992.

Land Type/Year	Ilocos Sur			Occidental Mindoro			Palawan			Camarines Sur		
	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.
CARP Scope	10,202			39,708			60,092			236,232		
A. Rice/Corn												
Scope	2,121	-		11,340	-		1,193	-		39,243	-	
1988	393	18.5	802	1,893	16.7	735	0	0.0	0	6,111	15.6	8,424
1989	499	23.5	1,230	4,293	37.9	3,471	664	55.7	311	6,147	15.7	8,246
1990	271	12.8	605	3,015	26.6	1,990	138	11.6	84	3,607	9.2	5,719
1991	638	30.1	1,672	1,509	13.3	1,196	3	0.3	4	150	0.4	146
1992 (Jan-Mar.)	2	0.1	37	0	0.0	0	0	0.0	0	86	0.2	64
Total	1,803	85.0	4,406	10,710	94.4	7,392	805	67.5	399	16,101	41.0	22,603
B. VOS												
Scope	161	-		3,208	-		5,158	-		26,826	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	9	0.03	7
1990	0	0.0	0	0	0.0	0	0	0.0	0	184	0.7	157
1991	0	0.0	0	481	15.9	410	341	6.6	150	141	0.5	137
1992 (Jan-Mar.)	0	0.0	0	62	2.0	50	429	8.3	187	96	0.4	37
Total	0	0.0	0	543	17.9	460	770	14.9	337	430	1.6	338
C. VLT												
Scope	3,304	-		0	0.0	0	596	-		5	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1990	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1991	1,219	36.3	632	0	0.0	0	157	26.3	70	0	0.0	0
1992 (Jan-Mar.)	48	1.5	22	0	0.0	0	0	0.0	0	3	60.0	1
Total	1,267	38.3	714	0	0.0	0	157	26.3	70	3	60.0	1
D. Foreclosed												
Scope	0	-	0	387	-	0	779	-		6,510	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1990	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1991	0	0.0	0	784	79.4	384	663	85.1	282	195	3.0	131
1992 (Jan-Mar.)	0	0.0	0	30	3.0	20	7	0.9	3	329	5.1	163
Total	0	0.0	0	814	82.5	404	670	86.0	285	524	8.0	294

Table 3.12. continued.....

Land Type/Year	Ilocos Sur			Occidental Mindoro			Palawan			Camarines Sur		
	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.
E. PCGS												
Scope	0	-		847	-		0	-		58	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1990	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1991	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1992 (Jan-Mar.)	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
Total	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
F. Government-owned												
Scope	35	-		0	-		2,460	-		1,465	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1990	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1991	0	0.0	0	0	0.0	410	1,871	76.1	879	0	0.0	0
1992 (Jan-Mar.)	0	0.0	0	0	0.0	50	69	2.3	35	0	0.0	0
Total	0	0.0	0	0	0.0	460	1,940	78.3	914	0	0.0	0
G. Idle/Abandoned												
Scope	49	-		229	-	0	989	-		690	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1990	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1991	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1992 (Jan-Mar.)	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
Total	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
H. Landed Estates												
Scope	0	-	0	3,806	-	0	0	-		3,649	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	2	0.1	12
1989	0	0.0	0	0	0.0	0	0	0.0	0	3	0.1	14
1990	0	0.0	0	2,189	57.5	1,551	0	0.0	0	134	3.7	148
1991	0	0.0	0	603	15.8	668	0	0.0	0	1,340	38.7	1,091
1992 (Jan-Mar.)	0	0.0	0	21	0.6	25	0	0.0	0	433	11.9	368
Total	0	0.0	0	2,813	73.9	2,244	0	0.0	0	1,912	52.4	1,633
I. Settlements												
Scope	0	-	0	0	-	0	18,682	-		10,923	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	68	0.6	9
1989	0	0.0	0	0	0.0	0	2,098	11.2	340	250	2.3	33
1990	0	0.0	0	0	0.0	0	9,399	50.3	2,224	16	0.1	2
1991	0	0.0	0	0	0.0	0	1,975	10.6	604	1,485	13.6	322
1992 (Jan-Mar.)	0	0.0	0	0	0.0	0	61	0.3	20	306	2.8	85
Total	0	0.0	0	0	0.0	0	13,533	72.4	3,188	2,125	19.5	451

Table 3.12. continued.....

Land Type/Year	Ilocos Sur			Occidental Mindoro			Palawan			Canarines Sur		
	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.	Area (Has.)	% of Slope	No.
J. Private Lands (5-24 has.)												
Scope	3,400			12,673			23,090			88,478	-	
1988	-	-	-	-	-	-	-	-	-	-	-	-
1989	-	-	-	-	-	-	-	-	-	-	-	-
1990	-	-	-	-	-	-	-	-	-	-	-	-
1991	-	-	-	-	-	-	-	-	-	-	-	-
1992 (Jan-Mar.)	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-	-	-
K. Private Lands (24.1-50 has.)												
Scope	908			2,273			2,779			24,017	-	
1988	-	-	-	-	-	-	-	-	-	-	-	-
1989	-	-	-	-	-	-	-	-	-	-	-	-
1990	-	-	-	-	-	-	-	-	-	-	-	-
1991	-	-	-	-	-	-	-	-	-	-	-	-
1992 (Jan-Mar.)	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-	-	-
L. Private Lands (50 has.)												
Scope	224			4,513			4,366			34,368	-	
1988	-	-	-	-	-	-	-	-	-	-	-	-
1989	-	-	-	-	-	-	-	-	-	-	-	-
1990	-	-	-	-	-	-	-	-	-	-	-	-
1991	-	-	-	-	-	-	-	-	-	-	-	-
1992 (Jan-Mar.)	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-	-	-
M. Compulsory Acquisition												
Scope	0	-	0	NA			0	-		0	-	
1988	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1989	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1990	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0	0
1991	0	0.0	0	812	-	470	0	0.0	0	0	0.0	0
1992 (Jan-Mar.)	0	0.0	0	98	-	95	0	0.0	0	0	0.0	0
Total	0	0.0	0	910	-	565	0	0.0	0	0	0.0	0

1/ DRR's Iloilo-based office failed to submit their secondary data.

2/ NA is not available

Table 3.14. Number of ARBs by type of certificate awarded
by year by province I/, Philippines, 1988-1992.

Type of Certificate and Year	Ilocos Sur	OCC. Mindoro	Palawan
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EP

1988	802	1,222	0
1989	1,290	3,993	303
1990	605	2,194	70
1991	1,672	1,430	4
1992 (Jan-Mar.)	37	253	0
Total	4,406	9,094	377

C.O.A

1988	0	0	0
1989	1	0	279
1990	0	0	2,125
1991	992	2,345	1,985
1992 (Jan-Mar.)	32	119	245
Total	1,025	2,464	4,634

Homestead Patent

1988	0	0	0
1989	0	0	61
1990	0	0	99
1991	0	0	0
1992 (Jan-Mar.)	0	0	0
Total	0	0	160

I/DAR's Iloilo-based office failed to submit its secondary data while these sets of data are not available in DAR's Camarines Sur.

Table 3.16. Total expenditures for CARP activities and ratios of LAD and Non-LAD expenses over total expenditures by province 1/, Philippines, 1988-1992.per hec2.

Item	Ilocos Sur		Mindoro Occidental		Palawan	
	P	% of Total Expenditures	P	% of Total Expenditures	P	% of Total Expenditures
Total Expenditures						
1988	NA		1,113,144	100	3,011,671	100
1989	7,393,748	100	2,334,338	100	7,553,671	100
1990	9,678,794	100	3,743,480	100	10,682,033	100
1991	15,889,796	100	2,810,932	100	12,284,710	100
1992 (Jan-Mar.)	7,495,609	100	NA	100	3,837,488	100
LAD Expenses						
1988	NA		NA		1,418,086	47.09
1989	NA		1,289,056	55.22	2,942,631	38.96
1990	3,989,213	41.22	1,209,181	32.30	6,655,870	62.31
1991	6,593,478	41.50	854,999	30.42	7,491,301	60.98
1992 (Jan-Mar.)	2,589,427	34.55	NA		2,545,438	56.33
Non-LAD Expenses						
1988	NA		NA		1,593,584	52.91
1989	NA		1,045,282	44.78	4,610,371	61.04
1990	5,689,581	58.78	2,534,299	67.70	4,026,163	37.69
1991	9,296,318	58.50	1,955,933	69.58	4,793,409	39.02
1992 (Jan-Mar.)	4,906,182	65.45	NA		1,292,050	33.67
Ratio of LAD to Non-LAD Expenses						
1988	NA		NA		89.0	
1989	NA		NA		63.8	
1990	70.1		123.7		165.3	
1991	70.9		47.7		156.3	
1992 (Jan-Mar.)	52.8		43.7		197.0	

1/DAR's Iloilo-based office failed to submit its secondary data while these sets of data are not available in DAR's Camarines Sur.

Table 3.17. Breakdown of CARP expenditures by province 1/, Philippines, 1988-1992.

Cost Item	Ilocos Sur		Occ. Mindoro		Palawan	
	P	%	P	%	P	%
A. Personnel						
1988	NA	NA	NA	NA	2,282,870	75.8
1989	6,011,482	81.3	577,878	26.8	5,750,212	74.9
1990	7,185,047	74.2	1,949,499	76.9	7,471,161	69.9
1991	10,369,955	65.3	2,633,280	92.7	9,304,710	75.7
1992 (Jan-Mar.)	3,374,466	76.2	NA	NA	3,307,911	83.3
B. Maintenance/ Operating Cost						
1988	NA	NA	NA	NA	722,801	24.0
1989	1,276,529	17.3	1,576,459	73.2	1,918,738	25.0
1990	2,026,700	20.9	584,800	23.1	3,202,372	30.0
1991	4,447,046	29.0	208,581	7.3	2,815,905	22.9
1992 (Jan-Mar.)	975,781	22.0	NA	NA	641,576	16.2
C. Others						
1988	NA	NA	NA	NA	6,000	0.2
1989	105,738	1.4	-	-	6,000	0.1
1990	467,047	4.8	-	-	8,102	0.1
1991	1,072,794	6.8	-	-	164,095	1.3
1992 (Jan-Mar.)	78,998	1.8	NA	NA	21,500	0.5
D. Total						
1988	NA	NA	NA	NA	3,011,671	100.0
1989	7,393,749	100.0	2,154,337	100.0	7,674,950	100.0
1990	9,678,794	100.0	2,534,299	100.0	10,681,635	100.0
1991	15,889,795	100.0	2,841,861	100.0	12,284,710	100.0
1992 (Jan-Mar.)	4,429,245	100.0	NA	NA	3,970,987	100.0

1/DAR's Iloilo-based office failed to submit its secondary data while these sets of data are not available in DAR's Camarines Sur.

Table 3.18. Breakdown of LAO expenditures by year and by province 1/, Philippines, 1988-1992.

Cost Item	Ilocos Sur		Occ. Mindoro		Palawan	
	P	%	P	%	P	%
A. Personnel						
1988	NA	NA	NA	NA	1,161,412	81.9
1989	NA	NA	1,036,713	80.4	2,407,072	81.8
1990	3,541,394	88.8	840,926	69.5	5,430,205	81.6
1991	4,471,119	67.8	703,350	82.3	6,137,776	81.9
1992 (Jan-Mar.)	2,236,116	86.4	NA	NA	2,266,091	89.0
B. Maintenance/ Operating Cost						
1988	NA	NA	NA	NA	256,674	18.1
1989	NA	NA	252,342	19.6	535,559	18.2
1990	447,819	11.2	368,255	30.5	1,225,664	18.4
1991	2,122,359	32.2	151,249	17.7	1,353,525	18.1
1992 (Jan-Mar.)	353,311	13.6	NA	NA	279,347	11.0
C. Total						
1988	NA	NA	NA	NA	1,418,086	100.0
1989	NA	NA	1,289,055	100.0	2,942,631	100.0
1990	3,989,213	100.0	1,209,181	100.0	6,655,869	100.0
1991	6,593,478	100.0	854,599	100.0	7,491,301	100.0
1992 (Jan-Mar.)	2,589,427	100.0	NA	NA	2,545,438	100.0

1/DAR's Iloilo-based office failed to submit its secondary data while these sets of data are not available in DAR's Camarines Sur.

Table 3.19. Estimates of total explicit cost of LAD on a per hectare and per ARB by province 1/, Philippines, 1988-1992.

	Ilocos Sur P	Occidental Mindoro P	Palawan P
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LAD cost per ha.

1988	NA	NA	
1989	NA	300	1,073
1990	14,720	232	698
1991	3,551	204	1,495
1992 (Jan-Mar.)2/	51,789	NA	4,497

LAD cost per ARB

1988	NA	NA	-
1989	NA	371	4,520
1990	6,594	341	2,884
1991	2,789	273	3,766
1992 (Jan-Mar.)2/	43,889	NA	10,390

Total LAD & non-LAD
expenditures per ARB

1988	NA	1,514	-
1989	5,732	673	11,789
1990	15,998	716	4,628
1991	6,722	909	6,176
1992 (Jan-Mar.)2/	75,072	NA	16,208

1/DAR's Iloilo-based office failed to submit its secondary data while these sets of data are not available in DAR's Camarines Sur.

2/The large sum may be explained by the fact that backlog expenses in LAD from the previous year were carried over during the first quarter of 1992.

Table 3.21. Distribution of RAROs interviewed by sex and educational attainment by region, Philippines, 1992.

ITEM	Region V	Region IV	Region VI	Region I	Total	
	No.	No.	No.	No.	No.	%
Sex						
Male	1	1	1	1	5	100
Educational Attainment						
BSA and MPA				1	1	25.0
LLB and MPA	1				1	25.0
No answer			1		1	25.0
MAS		1			1	25.0
	1	1	1	1	4	100

Table 3.22. Percentives of MAROS by pace of LAD by land type and corresponding reasons for such speed by province, Philippines, 1992.

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
A. Rice Land						
Fast	5	29.4	4	16.0	9	21.4
Easy land valuation formula	1	20.0	0	-	1	11.1
Direct payment	1	20.0	0	-	1	11.1
Automatic coverage	1	20.0	1	25.0	2	22.2
LOs and FRs cooperative	1	20.0	0	-	1	11.1
DAR personnel well-versed re:OLT	1	20.0	0	-	1	11.1
FRs were issued EPs even when LOs have not yet been paid by LBP	0	-	1	25.0	1	11.1
Clear guidelines	0	-	1	25.0	1	11.1
Less volume	0	-	1	25.0	1	11.1
Moderate	4	23.5	8	44.4	12	28.6
LO and FRs cooperative	0	-	1	12.5	1	8.3
LO not cooperative; hard to contact LO/FRs	0	-	1	12.5	1	8.3
P.O. 27 is mandatory	0	-	1	12.5	1	8.3
Delayed approval of final survey returns (FSR)	3	75.0	0	-	3	25.0
Conflict in technical description and LOs not yet paid by LBP	1	25.0	0	-	1	12.5
Slow registration process at ROD and slow approval of FSR	0	-	0	-	0	-
SOME TCTs/OCTs copies not available at ROD	0	-	1	12.5	1	12.5
Almost finished; recovered some titles	0	-	1	12.5	1	12.5
Some problems in preparation of documents and perimeter survey	0	-	1	12.5	1	12.5
LO request for retention/exclusion	0	-	1	12.5	1	12.5
E.O. 228	0	-	1	12.5	1	12.5

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Slow	8	47.1	13	52.0	21	50.0
LOs not cooperative/valuation not acceptable to LOs	2	25.0 ⁰⁰	5	38.5	7	33.3
Delayed approval of FSR	3	37.5	0	-	3	14.3
LOs resistance and FBs non-payment of amortization	1	12.5	0	-	1	4.8
Non-approval of FSR	1	12.5	0	-	1	4.8
No land valuation yet by LRP	1	12.5	0	-	1	4.8
Too many requirements	0	-	1	7.7	1	4.8
LOs protest and greater volume	0	-	1	7.7	1	4.8
LOs resistance and delayed resolution on exemption/retention applications	0	-	1	7.7	1	4.8
Low land valuation and long processing of documents	0	-	1	7.7	1	4.8
LO resistance and change in requirements	0	-	1	7.7	1	4.8
LO not cooperative; non-payment by LRP; and slow pace of survey	0	-	1	7.7	1	4.8
Changes in guidelines	0	-	1	7.7	1	4.8
LOs protest; non-payment of compensation to LO unnecessary documents required	0	-	1	7.7	1	4.8
Total no. reporting	17	100	25	100	42	100
B. Corn Land						
Fast	2	16.7	4	22.2	6	20.0
FBs were issued EPs even when LOs have not yet been paid by LRP	0	0.0	1	25.0	1	16.7
Program implemented with stronger political will under martial law	0	0.0	1	25.0	1	16.7
Clear guidelines	0	0.0	1	25.0	1	16.7
Less volume	0	0.0	1	25.0	1	16.7
Direct payment	1	50.0	0	0.0	1	16.7
LOs and FBs cooperative	1	50.0	0	0.0	1	16.7

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Moderate	3	25.0	5	27.8	8	26.7
Delayed approval of FSR	2	66.7	0	-	2	25.0
E.O. 228	0	-	1	20.0	1	12.5
Slow registration process CF at ROD and slow approval of FSR	1	33.3	0	-	1	12.5
Almost finished; recovered some titles	0	-	1	20.0	1	12.5
Some TCTs/OCTs not available at ROD	0	-	1	20.0	1	12.5
LO request for retention or exclusion	0	-	1	20.0	1	12.5
Some problems in preparation of documents and perimeter survey	0	-	1	20.0	1	12.5
Slow	7	58.3	9	50.0	16	53.3
LOs not cooperative/opposed valuation process	2	28.6	4	44.4	6	37.5
Non-cooperation of LOs; non-payment by LBP; and slow pace of survey	0	-	1	11.1	1	6.3
Changes in guidelines	0	-	1	11.1	1	6.3
LOs protest; non-payment of compensation to LO; unnecessary documents required	0	-	1	11.1	1	6.3
Too many requirements	0	-	1	11.1	1	6.3
Low land valuation and long processing of documents	0	-	1	11.1	1	6.3
LOs resistance and FBs non-payment of amortization	1	14.3	0	-	1	6.3
Non-approval of FSR	1	14.3	0	-	1	6.3
Slow approval of FSR	2	28.6	0	-	2	12.5
No land valuation yet by LBP	1	14.3	0	-	1	6.3
Total no. reporting	12	100	18	100	30	100
C. VOS of lands in excess of 50 has.						
Fast	1	14.3	3	18.8	4	17.4
Voluntarily offered/LO cooperative	1	100.0	2	66.7	3	75.0
Definite guidelines	0	-	1	33.3	1	25.0
Moderate	6	85.7	13	81.3	19	82.6
Clear guidelines	0	-	1	7.7	1	12.5
FBs not in agreement with each other	0	-	1	7.7	1	12.5
LO willing to cooperate	0	-	1	7.7	1	12.5
Delayed payment to LO by LBP; slow valuation process	2	28.6	1	7.7	3	37.5
Few LOs covered	0	-	1	7.7	1	12.5
Changing implementing guidelines; valuation given to LBP	1	14.3	0	-	1	12.5

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Slow	5	50.0	7	46.7	12	48.0
LOs complaints of very low valuation and LBP's rejection of areas above 18 slope	1	20.0	1	14.3	2	16.7
Problem of segregation of CARPable area	0	-	1	14.3	1	8.3
Valuation not acceptable to LO	1	20.0	1	14.3	2	16.7
Slow LBP land valuation and payment	1	20.0	1	14.3	2	16.7
Supreme Court ruling (CLOA will be issued only upon payment to LOs by LBP)	0	-	1	14.3	1	8.3
Slow LBP land valuation and payment; hard to secure documents from Bureau of Lands especially for untitled properties	0	-	1	14.3	1	8.3
Non-cooperation of LOs; non-payment by LBP; and slow pace of survey	1	20.0	1	14.3	2	16.7
Completion of required documents and low valuation by LBP not accepted by LO	1	20.0	0	-	1	8.3
Slow approval of FSR and defective survey returns			0	-	0	-
Total no. reporting	10	100	15	100	25	100
E. VOS of lands 24 has. and below						
Fast	2	16.7	5	29.4	7	41.2
Clear guidelines/easy documentation	0	-	3	60.0	3	42.9
Voluntarily offered/LO cooperative	2	100.00	1	20.0	3	42.9
With least problems	0	-	1	20.0	1	14.3
Moderate	5	41.7	4	23.5	9	52.9
Many requirement	0	-	1	25.0	1	11.1
LO willing to cooperate	0	-	2	50.0	2	22.2
Few LOs covered	1	20.0	1	25.0	2	22.2
No land valuation yet by LBP	1	20.0	0	-	1	11.1
Slow LBP land valuation and payment	2	40.0	0	-	2	22.2
Changing implementing guidelines; valuation given to LBP	1	20.0	0	-	1	11.1

Table 3.22. Continued.....

Face of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Slow	6	50.0	8	47.1	14	48.28
Land valuation not acceptable to LO	0	-	1	12.5	1	7.14
LOs complaints of very low valuation and LBP's rejection of areas above 18 slope	2	33.3	1	12.5	3	21.43
Slow LBP land valuation & payment	1	16.7	2	25.0	3	21.43
Supreme Court ruling (CLOA will be issued only upon payment to LOs by LBP)	0	-	1	12.5	1	7.14
Slow LBP land valuation and payment; hard to secure documents from Bureau of Lands especially for untitled properties	0	-	1	12.5	1	7.14
Non-cooperation of LOs; non-payment by LBP; slow survey pace	0	-	1	12.5	1	7.14
VOS land has adverse claimants; incomplete documents	0	-	1	12.5	1	7.14
Slow survey pace and slow approval of FSR	1	16.7	0	-	1	7.14
Too many requirements by LBP	1	16.7	0	-	1	7.14
Completion of required documents causes delay; low land valuation of LBP not accepted by LO	1	16.7	0	-	1	7.14
Total no. reporting	12	100	17	100	29	100
F. CA of lands in excess of 50 has.						
Fast	1	16.7	0	-	1	5.0
LO cooperative	1	100.00	0	-	1	100.00
Moderate	1	16.7	0	-	1	5.0
Slow payment by LBP to LO	1	100.00	0	-	1	100.00

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Slow	4	66.7	14	100.0	18	90.0
LOs resistance/opposed valuation process	2	50.0	7	50.0	9	50.0
Untitled lands	0	-	1	7.1	1	5.6
LOs resistance/low land valuation and too much requirements	1	25.0	1	7.1	2	11.1
Too many requirements; slow payment to LO; and low land valuation	0	-	1	7.1	1	5.6
Heirs of LO wanted to partition property (LO's death came before R.A. 6657); slow payment	0	-	1	7.1	1	5.6
Difficult in securing technical documents	0	-	2	14.3	2	7.1
Supreme Court ruling (CLOA will be issued only upon payment to			1	7.1	1	7.1
Slow payment to LO by LSP	1	25.0	0	-		
Total no. reporting	6	100	14	100.0	20	100
G. Idle and Abandoned Lands						
Slow	0	-	4	100.0	4	100
LO cannot be easily contacted	0	-	1	25.0		
Undetermined LO	0	-	1	25.0	1	25.0
Heirs of LO wanted to partition property and slow payment	0	-	1	25.0	1	25.0
Difficult to identify these lands and reluctance of barangay officials to certify	0	-	1	25.0	1	25.0
Total no. reporting	0	-	4	100	4	100
H. Foreclosed Lands						
Fast	2	22.2	7	73.9	9	33.3
Clear guidelines	0	-	2	28.6	2	22.2
LO/Bank cooperative	2	100.00	3	42.9	5	55.6
Documents are available	0	-	2	28.6	2	22.2

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Moderate	5	55.6	14	77.8	19	70.4
FBS competing for land						
Some properties not consolidated	2	50.0	7	50.0	9	50.0
in the name of GFI	0	-	1	7.1	1	5.6
Too many requirements						
Some properties cannot be identified in field	1	25.0	1	7.1	2	11.1
Bank manager cooperative						
Problem with survey	0	-	1	7.1	1	5.6
Changing implementing guidelines						
Slow valuation process						
Slow payment of LBP	0	-	1	7.1	1	5.6
No answer						
Slow	0	-	2	14.3	2	7.1
Interested parties other than actual tillers claiming the lands			1	7.1	1	7.1
GFI resistance; low land valuation	1	25.0	0	-		
Slow issuance of DOT and problem in completion of documents	6	100	14	100	20	7.1
Slow approval of FSR						
NO DOT from GFIs and need to segregate a portion of the land						
Total no. reporting	9	100	18	100	27	100
I. PCGG Lands						
Slow	0	-	1	100.0	1	25.0
Hard to document ownership						
	0	-	1	100.0	1	25.0
Total no. reporting						
J. Government-Owned Lands						
Fast	1	11.1	3	16.7	4	14.8
No problems	0	-	0	-	0	-
Document are complete	0	-	0	-	0	-
With deed of transfer	2	100	7	100	9	100
No payment on part of FBS	0	-	0	-	0	-

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Moderate	0	-	2	25.0	2	37.0
Agricultural in tax declaration but residential in use (cannot be touched)	0	-	1	50.0	1	10.0
Easy processing since transaction	0	-	1	50.0	1	10.0
Slow	0	-	2	25.0	2	29.6
Non-cooperation of entities involved	0	-	2	100.0	2	12.5
Total no. reporting	2	100	8	100	10	37.5
K. Landed Estates					0	
Fast	2	66.7	3	100.0	5	83.3
No more private LOs affected	0	-	1	16.7	1	12.5
Documents are complete			1	16.7	1	12.5
with RF title by R.A. 3844 as amended	0	-				
Issuance of O.A. No. 3, Series of 1990	1	50.0	1	16.7	2	25.0
Moderate	1	33.3	0	-	1	16.7
FRs not cooperative	1	100.0	0	-	1	100.0
Total no. reporting	3	100	3	100	6	100
L. Resettlements						
Fast	1	50	2	100	3	75.0
No more private LOs affected	0	-	2	100.0	2	-
Documents are complete	0	-	0	-	0	-
Land was surveyed and approved plan is available	1	100.0	0	-	1	33.3
Moderate	1	50	0	-	1	25.0
Processing of documents	1	100.0	0	-	1	100.0
Total no. reporting	2	100	2	100	4	100

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
M. VLT of Lands in Excess of 50 has.						
Fast	0	-	1	25.0	1	16.7
Less requirements to comply	0	-	1	100.0	1	100.0
Moderate	2	100	2	50.0	4	66.7
Delay in approval of FSR	0	-	1	50.0	1	25.0
Segregation/subdivision survey causes delay	1	50.0	1	50.0	2	50.0
Inability of some LOs to submit owner's duplicate of title for registration	1	50.0	0	-	1	25.0
Slow	0	-	1	25.0	1	25.0
No clear policy and guidelines	0	-	1	100.0	1	100.0
Total no. reporting	2	50	4	100	6	100
N. VLT of Lands Between 24.1 - 50 Has.						
Fast	1	20.0	0	-	1	12.5
No problem; few LOs	1	100.0	0	-	1	100.0
Moderate	2	40.0	2	66.7	4	50.0
Too many requirements	0	-	1	50.0	1	25.0
Residence of LOs far	1	50.0	0	-	1	25.0
Segregation/subdivision survey causes delay	0	-	1	50.0	1	25.0
Inability of some LOs to submit owner's duplicate of title for registration	1	50.0	0	-	1	25.0
Slow	2	40.0	1	33.3	3	37.5
LO out of the country	1	50.0	0	-	1	33.3
No clear policy guidelines	0	-	1	100.0	1	33.3
Too many documentary requirements and changing guidelines	1	50.0	0	-	1	33.3
Total no. reporting	5	100	3	100	8	100

Table 3.22. Continued.....

Face of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
O. VLT of Lands Between 5-24						
Fast	5	33.3	4	57.1	9	40.9
Clear guidelines	0	-	1	25.0	1	11.1
Complete documents	0	-	1	25.0	1	11.1
Direct payment	1	20.0	0	-	1	11.1
LO very accommodating	0	-	0	-	0	-
Titled property and tenants wanted collective CLOA (no subdivision survey needed)	1	20.0	0	-	1	11.1
LO and FB cooperative/agree on pricing of land	2	40.0	1	25.0	3	33.3
With subdivision survey and approved technical description of individual lot	0	-	1	25.0	1	11.1
Moderate	8	53.3	1	14.3	9	40.9
Delay in approval of FSR	0	-	1	100.0	1	11.1
Because of volume	1	12.5	0	-	1	11.1
Still looking for FBs	1	12.5	0	-	1	11.1
Residence of LOs is far	1	12.5	0	-	1	11.1
Difficulty in securing technical description	1	12.5	0	-	1	11.1
LO cooperative	1	12.5	0	-	1	11.1
Incomplete documents submitted by LO	2	25.0	0	-	2	22.2
LO and FBs agreed on land value	1	12.5	0	-	1	11.1
Slow	2	13.3	2	28.6	4	18.2
LO does not allow registration of EP unless FBs have fully paid	1	50.0	0	-	1	25.0
No clear policy and guidelines	0	-	1	50.0	1	25.0
Invalid transaction between LO and tenants (agreed that 2/3 of their cultivation will be surrendered to LO and 1/3 to be given free to tenants)	0	-	1	50.0	1	
Too many documentary requirements and changing guidelines	1	50.0	0	-	1	
Total no. reporting	15	100	7	100	22	

Table 3.22. Continued.....

Pace of LAD and Reasons	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
P. VLT of Lands Below 5 Has.						
Fast	3	42.9	1	50.0	4	44.4
Direct payment	1	33.3	0	-	1	25.0
LO very accommodating	1	33.3	0	-	1	25.0
Miniaized red tape	1	33.3	0	-	1	25.0
With subdivision survey and approved technical description of individual lot	0	-	1	100.0	1	25.0
Moderate	2	28.6	0	-	2	22.2
Needed subdivision survey	1	50.0	0	-	1	50.0
LO cooperative	1	50.0	0	-	1	50.0
Slow	2	28.6	1	50.0	3	33.3
Too many requirements	0	-	1	100.0	1	33.3
Slow processing of approved FSR	1	50.0	0	-	1	33.3
Difficulty in securing technical description	1	50.0	0	-	1	33.3
Total no. reporting	7	100	2	100	9	100

Table 3.23. continued.....

Speed of LAD and Reasons	High		Low			
	Performing		Performing			
	Province		Province		Total	
	No.	%	No.	%	No.	%
D. VOS of lands between 5-24 has.						
Fast	2	66.7	0	0.0	2	40.0
Cooperative LOs	1	50.0	0	ERR	1	ERR
Fast completion and processing of documents	1	50.0	0	0.0	1	50.0
Moderate	0	0.0	2	100	2	40.0
Changing guidelines and low land valuation	0	0.0	1	50.0	1	50.0
Takes time to complete documents, land valuation problems	0	0.0	1	50.0	1	50.0
Slow	1	33.3	0	0.0	1	20.0
Slow land valuation by LBP	1	100	0	ERR	1	ERR
Total no. reporting	3	100	2	100	5	100
E. CA of lands in excess of 50 has.						
Slow	3	100	2	100	5	100
LOs resistance	2	66.7	2	100	4	80.0
Slow land valuation by LBP	1	33.3	0	0.0	1	20.0
Total no. reporting	3	100	2	100	5	100
F. Idle and abandoned land						
Moderate	0	0.0	1	50.0	1	25.0
Preparation of documents; no FBs yet	0	0.0	1	50.0	1	100
Slow	2	100	1	50.0	3	75.0
No pertinent documents	0	0.0	1	100	1	33.3
LBP policy not to acquire lands without previous production data	1	50.0	0	0.0	1	33.3
Slow land valuation by LBP	1	50.0	0	0.0	1	33.3
Total no. reporting	2	100	2	100	4	100
G. Foreclosed lands						
Fast	1	50.0	1	50.0	2	50.0
GFI cooperative and no problem in processing of documents	0	0.0	1	100	1	50.0
Former LO willing to buy the landholding of GFI	1	100	0	ERR	1	ERR
Moderate	1	50.0	1	50.0	2	50.0
Slow survey returns	1	100	0	0.0	1	50.0
Consolidation/reinstitution problem	0	0.0	1	100	1	50.0
Total no. reporting	2	100	2	100	4	100

Table 3.23. continued.....

Speed of LAD and Reasons	: High		: Low			
	: Performing		: Performing			
	: Province		: Province		: Total	
	: No.	: %	: No.	: %	: No.	: %
Moderate	: 1	: 50.0	: 0	: ERR	: 111	: ERR
Slow submission of documents by LO	: 1	: 100	: 0	: ERR	: 111	: ERR
	:	:	:	:	:	:
Slow	: 0	: 0.0	: 1	: 50.0	: 1	: 25.0
Lack of repayment guarantee	: 0	: 0.0	: 1	: 100	: 1	: 100
Total no. reporting	: 2	: 100	: 2	: 100	: 4	: 100
	:	:	:	:	:	:
	:	:	:	:	:	:
M. VLT of lands between 24.1 - 50 has.	:	:	:	:	:	:
	:	:	:	:	:	:
Fast	: 2	: 66.7	: 1	: 50.0	: 3	: 60.0
LOs cooperative	: 1	: 50.0	: 1	: 100	: 2	: 66.7
Less red tape	: 1	: 50.0	: 0	: 0.0	: 1	: 33.3
	:	:	:	:	:	:
Moderate	: 1	: 33.3	: 0	: 0.0	: 1	: 20.0
Slow submission of documents by LO	: 1	: 100	: 0	: 0.0	: 1	: 100
	:	:	:	:	:	:
Slow	: 0	: 0.0	: 1	: 50.0	: 1	: 20.0
Lack of repayment guarantee	: 0	: 0.0	: 1	: 100	: 1	: 100
Total no. reporting	: 3	: 100	: 2	: 100	: 5	: 100
	:	:	:	:	:	:
	:	:	:	:	:	:
N. VLT of lands below 24 has.	:	:	:	:	:	:
	:	:	:	:	:	:
Fast	: 2	: 66.7	: 1	: 50.0	: 3	: 60.0
LOs cooperative	: 1	: 50.0	: 1	: 100	: 2	: 66.7
Less red tape	: 1	: 50.0	: 0	: 0.0	: 1	: 33.3
	:	:	:	:	:	:
Moderate	: 1	: 33.3	: 0	: 0.0	: 1	: 20.0
Slow submission of documents by LO	: 1	: 100	: 0	: 0.0	: 1	: 100
	:	:	:	:	:	:
Slow	: 0	: 0.0	: 1	: 50.0	: 1	: 20.0
Lack of repayment guarantee	: 0	: 0.0	: 1	: 100	: 1	: 100
Total no. reporting	: 3	: 100	: 2	: 100	: 5	: 100
	:	:	:	:	:	:

Table 3.24. Perceptions of RAROs by speed of LAD by land type and corresponding reasons for such speed, Philippines, 1992.

Speed of LAD and Reasons	Region V		Region IV		Region VI		Region I		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
<hr/>										
A. Rice Land										
Fast	1	100	0	0.0	0	0.0	1	100	2	50.0
No problem	1	100	0	0.0	0	0.0	1	100	2	100
Moderate	0	0.0	1	100	0	0.0	0	0.0	1	50.0
Fixed guidelines	0	0.0	1	100	0	0.0	0	0.0	1	50.0
Slow	0	0.0	0	0.0	1	100	0	0.0	1	25.0
LOs protest and no cadastral survey	0	0.0	0	0.0	1	100	0	0.0	1	100
Total no. reporting	1	100	1	100	1	100	1	100	4	100
B. Corn Land										
Fast	1	100	0	0.0	0	0.0	1	100	2	50.0
No answer	1	100	0	0.0	0	0.0	1	100	2	100
Moderate	0	0.0	1	100	0	0.0	0	0.0	1	50.0
Fixed guidelines	0	0.0	1	100	0	0.0	0	0.0	1	50.0
Slow	0	0.0	0	0.0	1	100	0	0.0	1	25.0
LOs protest and no cadastral survey	0	0.0	0	0.0	1	100	0	0.0	1	100
Total no. reporting	1	100	1	100	1	100	1	100	4	100
C. VOS of Lands in excess of 50 has. and between 24.1 - 50 has.										
Moderate	1	100	0	0.0	1	100	0	0.0	2	66.7
Hard to secure LBP requirements	1	100	0	0.0	0	0.0	0	0.0	1	50.0
Slow land valuation by LBP	0	0.0	0	0.0	1	100	0	0.0	1	50.0
Slow	0	0.0	0	0.0	0	0.0	1	100	1	33.3
No answer	0	0.0	0	0.0	0	0.0	1	100	1	33.3
Total no. reporting	1	100	0	0.0	1	100	1	100	3	100
D. VOS of lands between 5-24 has.										
Moderate	1	100	0	0.0	1	100	0	0.0	2	66.7
Hard to secure LBP requirements	1	100	0	0.0	0	0.0	0	0.0	1	50.0
Slow land valuation by LBP	0	0.0	0	0.0	1	100	0	0.0	1	50.0
Slow	0	0.0	0	0.0	0	0.0	1	100	1	33.3
No answer	0	0.0	0	0.0	0	0.0	1	100	1	100
Total no. reporting	1	100	0	0.0	1	100	1	100	3	100

Table 3.24. continued.....

Speed of LAD and Reasons	Region V		Region IV		Region VI		Region I		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
E. CA of lands in excess of 50 has.										
Moderate	1	100	1	100	0	0.0	0	0.0	2	50.0
Hard to secure LBP requirements	1	100	0	0.0	0	0.0	0	0.0	1	50.0
No answer			1	100	0	0.0	0	0.0	ERR	ERR
Slow			0	0.0	1	100	1	100	2	50.0
No answer			0	0.0	0	0.0	1	100	ERR	ERR
Not priority			0	0.0	1	100	0	0.0	1	50.0
Total no. reporting	1	100	1	100	1	100	1	100	4	100
F. Idle and abandoned land										
Moderate	1	100	1	100	1	100	0	0.0	3	100
Hard to secure LBP requirement	1	100	0	0.0	0	0.0	0	0.0	1	33.3
Big scope	0	0.0	0	0.0	1	100	0	0.0	1	33.3
No answer	0	0.0	1	100	0	0.0	0	0.0	1	33.3
Total no. reporting	1	100	1	100	1	100	0	0.0	3	100
G. Foreclosed lands										
Fast	1	100	0	0.0	0	0.0	0	0.0	1	25.0
Easy to comply requirements	1	100	0	0.0	0	0.0	0	0.0	1	100
Moderate	0	0.0	1	100	1	100	1	100	3	75.0
No answer	0	0.0	1	0.0	0	0.0	1	100	2	66.7
Consolidation problem	0	0.0	0	0.0	1	100	0	0.0	1	33.3
Total no. reporting	1	100	1	100	1	100	1	100	4	100
H. PCGG lands										
Fast	1	100	1	100	0	0.0	0	0.0	2	50.0
Requirements easy to comply	1	100	1	100	0	0.0	0	0.0	2	100
Moderate	0	0.0	0	0.0	1	100	0	0.0	1	25.0
On a few hectares	0	0.0	0	0.0	1	100	0	0.0	1	100
Slow	0	0.0	0	0.0	0	0.0	1	100	1	25.0
No answer	0	0.0	0	0.0	0	0.0	1	100	1	100
Total no. reporting	1	100	1	100	1	100	1	100	4	100
I. Government-owned land										
Fast	1	100	0	0.0	0	0.0	0	0.0	1	25.0
Requirements easy to comply	1	100	0	0.0	0	0.0	0	0.0	1	100
Moderate	0	0.0	1	100	1	100	0	0.0	2	50.0
Consolidation of title; defective title	0	0.0	0	0.0	1	100	0	0.0	1	50.0
No such complaints			1	100	0	0.0	0	0.0	1	50.0

Table 3.24. continued.....

Speed of LAD and Reasons	Region V		Region IV		Region VI		Region I		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Slow	0	0.0	0	0.0	0	0.0	1	100	1	25.0
No answer	0	0.0	0	0.0	0	0.0	1	100	1	100
Total no. reporting	1	100	1	100	1	100	1	100	4	100
J. Landed estate										
Fast	1	100	1	100	0	0.0	0	0.0	2	66.7
Requirements easy to comply	1	100	0	0.0	0	0.0	0	0.0	1	50.0
Titled and owned by government			1	100	0	0.0	0	0.0	1	50.0
Moderate	0	0.0	0	0.0	0	0.0	1	100	1	33.3
No answer	0	0.0	0	0.0	0	0.0	1	100	1	100
Total no. reporting	1	100	1	100	0	0.0	1	100	3	100
K. Resettlements										
Fast	1	100	1	100	1	100	0	0.0	3	100
Requirements easy to comply	1	100	0	0.0	0	0.0	0	0.0	1	33.3
No problem	0	0.0	0	0.0	1	100	0	0.0	1	33.3
Slight controversy with DENR	0	0.0	1	100	0	0.0	0	0.0	1	33.3
Total no. reporting	1	100	1	100	1	100	0	0.0	3	100
L. VLT of lands in excess of 50 has.										
Slow	1	100	0	0.0	0	0.0	1	100	2	50.0
Requirements and registration laws are strict and specific	1	100	0	0.0	0	0.0	0	0.0	1	50.0
No answer	0	0.0	0	0.0	0	0.0	1	100	1	50.0
Moderate	0	0.0	1	100	1	100	0	0.0	2	50.0
Unclear guidelines	0	0.0	0	0.0	1	100	0	0.0	1	50.0
No answer			1	100	0	0.0	0	0.0	ERR	ERR
Total no. reporting	1	100	1	100	1	100	1	100	4	100
M. VLT of lands between 24.1 - 50 has.										
Slow	1	100	0	0.0	0	0.0	1	100	2	66.7
Requirements of registration laws are strict and specific	1	100	0	0.0	0	0.0	0	0.0	1	50.0
No answer	0	0.0	0	0.0	0	0.0	1	100	1	50.0
Moderate	0	0.0	0	0.0	1	100	0	0.0	1	33.3
Unclear guidelines	0	0.0	0	0.0	1	100	0	0.0	1	100
Total no. reporting	1	100	0	0.0	1	100	1	100	3	100
N. VLT of lands below 24 has.										
Fast	0	0.0	0	0.0	0	0.0	1	100	1	33.3
No answer	0	0.0	0	0.0	0	0.0	1	100	1	100
Moderate	1	100	0	0.0	1	100	0	0.0	2	66.7
Requirements and registration laws are strict and specific	1	100	0	0.0	0	0.0	0	0.0	1	50.0
Unclear guidelines	0	0.0	0	0.0	1	100	0	0.0	1	50.0
Total no. reporting	1	100	0	0.0	1	100	1	100	3	100

Table 3.25. Perceptions of MAROs by frequency of problems encountered with other government agencies with regard to land acquisition and distribution by province, Philippines, 1992.

Frequency	:High Performing		:Low Performing		: Total	
	: Provinces		: Provinces		:	
	: No.	%	: No.	%	: No.	%
<hr/>						
Land Bank of the Philippines	:	:	:	:	:	:
(Regional Office)	:	:	:	:	:	:
Always	: 1	5.6	: 3	12.0	: 4	9.3
Often	: 2	11.1	: 6	24.0	: 8	18.6
Seldom	: 10	55.6	: 14	56.0	: 24	55.8
Never	: 3	16.7	: 2	8.0	: 5	11.6
Not applicable (all direct payment)	: 2	11.1	: 0	-	: 2	4.7
Total	: 18	100	: 25	100	: 43	100
<hr/>						
Land Management Sector	:	:	:	:	:	:
Always	: 1	5.6	: 4	16.0	: 5	11.6
Often	: 2	11.1	: 9	36.0	: 11	25.6
Seldom	: 10	55.6	: 9	36.0	: 19	44.2
Never	: 3	16.7	: 1	4.0	: 4	9.3
No answer	: 2	11.1	: 2	8.0	: 4	9.3
Total	: 18	100	: 25	100	: 43	100
<hr/>						
Land Management Bureau	:	:	:	:	:	:
Always	: 3	16.7	: 4	16.0	: 7	16.3
Often	: 9	50.0	: 12	48.0	: 21	48.8
Seldom	: 2	11.1	: 6	24.0	: 8	18.6
Never	: 4	22.2	: 1	4.0	: 5	11.6
No answer	: 0	-	: 2	8.0	: 2	4.7
Total	: 18	100	: 25	100	: 43	100
<hr/>						
Register of Deeds	:	:	:	:	:	:
Always	: 0	-	: 0	-	: 0	-
Often	: 0	-	: 9	36.0	: 9	20.9
Seldom	: 9	50.0	: 11	44.0	: 20	46.5
Never	: 9	50.0	: 4	16.0	: 13	30.2
No answer	: 0	-	: 1	4.0	: 1	2.3
Total	: 18	100	: 25	100	: 43	100
<hr/>						

Table 3.25. Continued.

Frequency	High Performing		Low Performing		Total	
	Provinces		Provinces			
	No.	%	No.	%	No.	%
Mayor's Office						
Always	0	-	0	-	0	-
Often	0	-	3	12.0	3	7.0
Seldom	3	16.7	7	28.0	10	23.3
Never	14	77.8	13	52.0	27	62.8
No answer	0	-	2	8.0	2	4.7
Not applicable	1	5.6	0	-	1	2.3
Total	18	100	25	100	43	100
PNP/AFP						
Always	0	-	0	-	0	-
Often	1	5.6	0	-	1	2.3
Seldom	5	27.8	10	40.0	15	34.9
Never	11	61.1	14	56.0	25	59.1
No answer	0	-	1	4.0	1	2.3
Not applicable	1	5.6	0	-	1	2.3
Total	18	100	25	100	43	100
Regional Trial Courts						
Always	0	-	0	-	0	-
Often	0	-	1	4.0	1	2.3
Seldom	3	16.7	10	40.0	13	30.2
Never	14	77.8	10	40.0	24	55.8
No answer	0	-	3	12.0	3	7.0
Not applicable	1	5.6	1	4.0	2	4.7
Total	18	100	25	100	43	100

Table 3.26. Frequency distribution of PAROs by frequency of problems encountered with other agencies with regard to land acquisition and distribution Philippines, 1992.

	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
LBP Regional Office						
Always	0	0.0	1	50.0	1	20.0
Often	2	66.7	1	50.0	3	60.0
Seldom	1	33.3	0	0.0	1	20.0
Total no. reporting	3	100	2	100	5	100
LNS						
Always	0	0.0	1	50.0	1	20.0
Often	3	100	1	50.0	4	80.0
Total no. reporting	3	100	2	100	5	100
LNR						
Always	0	0.0	1	50.0	1	20.0
Often	2	66.7	1	50.0	3	60.0
No return	1	33.3	0	0.0	1	20.0
Total no. reporting	3	100	2	100	5	100
ROD						
Always	0	0.0	1	50.0	1	20.0
Seldom	3	100	1	50.0	4	80.0
Total no. reporting	3	100	2	100	5	100
Mayor's Office						
Often	0	0.0	1	50.0	1	20.0
Seldom	0	0.0	1	50.0	1	20.0
Never	3	100	0	0.0	3	60.0
Total no. reporting	3	100	2	100	5	100
PNP/AFP						
Often	0	0.0	1	50.0	1	20.0
Seldom	0	0.0	1	50.0	1	20.0
Never	3	100	0	0.0	3	60.0
Total no. reporting	3	100	2	100	5	100
Regional Trial Courts						
Often	1	33.3	0	0.0	1	20.0
Seldom	0	0.0	2	100	2	40.0
Never	2	66.7	0	0.0	2	40.0
Total no. reporting	3	100	2	100	5	100

Table 3.27. Perceptions of MAROs responses on most frequent problems encountered in coordination with government agencies by province, Philippines, 1992.

Problems	:High Performing		:Low Performing		: Total	
	: Provinces		: Provinces		:	
	: No.	: %	: No.	: %	: No.	: %
With the Land Bank						
Delayed payment to LO	0	-	5	18.5	5	9.4
Lack/limited presence of LBP representative in the area	4	15.4	7	25.9	11	20.8
Non-payment by LBP to LO	1	3.8	1	3.7	2	3.8
Slow land valuation	8	30.8	3	11.1	11	20.8
Low land valuation	4	15.4	2	7.4	6	11.3
Too many documentary requirements	3	11.5	2	7.4	5	9.4
LBP not interested in small areas/parcellized areas	1	3.8	0	-	1	1.9
Unnecessary requirement of LBP E.O. 228 claimfolder	0	-	1	3.7	1	1.9
Large coverage of LBP	0	-	1	3.7	1	1.9
Constant change of requirements for P.D. 27 documentation	0	-	1	3.7	1	1.9
Slow issuance of LBP certification	2	7.7	0	-	2	3.8
Scheduling of public hearing/OC	2	7.7	1	3.7	3	5.7
Reimbursement of FBs advanced payment to LO thru LBP	1	3.8	0	-	1	1.9
Rejection of some areas (>18 slope) but suitable to agriculture	0	-	1	3.7	1	1.9
Collects from farmers even before paying LO	0	-	1	3.7	1	1.9
Based value of land on area in CLT previously issued, not on final survey	0	-	1	3.7	1	1.9
Total no. of responses	26	100	27	100	53	100
With the Land Management Sector						
Slow/delayed approval of survey returns	12	70.6	15	55.6	27	61.4
Lack of personnel to do surveys	2	11.8	4	14.8	6	13.6
LMS targets not synchronized with DAR targets	1	5.9	0	-	1	2.3
Difficult in securing technical description (some not available in Region)	1	5.9	1	3.7	2	4.5
Funding constraints	1	5.9	2	7.4	3	6.8
Erroneous survey	0	-	2	7.4	2	4.5
Delay in conducting surveys	0	-	2	7.4	2	4.5
No survey returns from survey done by contracted private surveyors	0	-	1	3.7	1	2.3
Total no. of responses	17	100	27	100	44	100

Table 3.27. Continued.....

Problems	High Performing		Low Performing		Total	
	Provinces		Provinces			
	No.	%	No.	%	No.	%
With Register of Deeds						
Slow in doing its job	1	33.3	3	25.0	4	26.7
No deputized Register of Deeds	2	66.7	0	-	2	13.3
Photocopying of documents not shouldered by the ROD but by SARPT/ARPT	0	-	1	8.3	1	6.7
Reconstitution of titles takes time	0	-	2	16.7	2	13.3
Titles cannot be found/no copies of titles available	0	-	5	41.7	5	33.3
Consolidation of foreclosed properties	0	-	1	8.3	1	6.7
Total no. of responses	3	100	12	100	15	100
With PNP/AFP						
Not cooperative in maintaining peace and order	1	33.3	2	40.0	3	37.5
Does not participate in interagency CARP implementing Team meeting	0	-	2	40.0	2	25.0
Harassment by military hired by LO	0	-	1	20.0	1	12.5
Mediating in agrarian cases without referring to MARO	1	33.3	0			
Some offices biased toward kin	1	33.3	0			
Total no. of responses	3	100	5			

Table 3.28. Frequency and percentage distribution of PAROs responses on most frequent problems encountered in coordination with government agencies, Philippines, 1992.

	: High Performing :		: Low Performing :		: Total :	
	: Provinces :		: Provinces :		: Total :	
	No.	%	No.	%	No.	%
<hr/>						
With the LBP						
Delayed payment to LO	1	33.3	0	0.0	1	16.7
Different vision for CARP implementation	0	0.0	1	33.3	1	16.7
Limited LBP personnel to conduct DCI	1	33.3	1	33.3	2	33.3
Slow land valuation	1	33.3	1	33.3	2	33.3
Total no. of responses	3	100	3	100	6	100
With the LMS						
Slow approval of final survey	1	50.0	0	0.0	1	16.7
Financial resources/funding	0	0.0	2	50.0	2	33.3
Disintegrated planning	0	0.0	1	25.0	1	16.7
Enormous survey	0	0.0	1	25.0	1	16.7
Slow in the conduct of final survey	1	50.0	0	0.0	1	16.7
Total no. of responses	2	100	4	100	6	100
With the ROD						
Too much reliance on DAR for material resources	0	0.0	0	0.0	0	0.0
Limited personnel to handle registration/processing of CARP-related functions	1	33.3	1	25.0	2	28.6
Too many requirements in the registration of Deed of VLT	1	33.3	1	25.0	2	28.6
None	1	33.3	2	50.0	3	42.9
Total no. of responses	3	100	4	100	7	100
With the Mayor's Office						
None	3	100	4	100	7	100
With the PNP/AFP						
"Palakasan" system	0	0.0	0	0.0	0	0.0
None	3	100	4	100	7	100
Total no. of responses	3	100	4	100	7	100

Table 3.29. Frequency and percentage distribution of MAROs by characteristics and degree of cooperation of LOs by CARP in the area, by province, Philippines, 1992.

Item	:High Performing		: Low Performing :		Total	
	: Provinces		: Provinces :			
	No.	%	No.	%	No.	%
<hr/>						
A. Are LOs organized						
Yes	1	12.5	7	28.0	8	24.2
No	7	87.5	18	72.0	25	75.8
Total	8	100	25	100	33	100
B. Percent of LOs who participate in the public hearing						
More than 50% participation (in percent)						
76-100	6	54.5	5	23.8	11	34.4
51-75	1	9.1	0	-	1	3.1
26-50	1	9.1	4	19.0	5	15.6
1-25	3	27.3	12	57.1	15	46.9
Total no. reporting	11	100	21	100	32	100
Between 30 and 50% participation (in percent)						
76-100	2	40.0	1	10.0	3	20.0
26-50	0	-	4	40.0	4	26.7
1-25	3	60.0	5	50.0	8	53.3
Total no. reporting	5	100	10	100	15	100
Less than 20% participation (in percent)						
76-100	5	62.5	2	14.3	7	31.8
51-75	0	-	3	21.4	3	13.6
26-50	0	-	3	21.4	3	13.6
1-25	3	37.5	6	42.9	9	40.9
Total no. reporting	8	100	14	100	22	100
Zero participation (in percent)						
76-100	0	-	0	-	0	-
51-75	4	50.0	2	50.0	6	50.0
26-50	0	-	0	-	0	-
1-25	4	50.0	2	50.0	6	50.0
Total no. reporting	8	100	4	100	12	100

Table 3.29. Continued.....

Item	:High Performing		:Low Performing		: Total	
	: Provinces		: Provinces		:	
	: No.	%	: No.	%	: No.	%
C. Characteristics of						
LOs covered by CARP						
in the area						
> 50% cooperative	13	72.2	3	12.0	16	37.2
30-40% cooperative	4	22.2	8	32.0	12	27.9
0-20% cooperative	1	5.6	14	56.0	15	34.9
Total	18	100	25	100	43	100
D. Common problems						
of LOs in the land						
acquisition process						
Too many documentary						
requirements	15	20.0	23	20.0	38	20.0
Costly transactions	6	8.0	11	9.6	17	8.9
Slow land acquisition						
process	13	17.3	20	17.4	33	17.4
Low land valuation of						
LBP	15	20.0	24	20.9	39	20.5
Non-agreement with						
area for retention						
limit	5	6.7	8	7.0	13	6.8
Delay in payment by						
LBP	14	18.7	25	21.7	39	20.5
Parcelized CARP; not						
contiguous	7	9.3	4	3.5	11	5.8
Total no. of responses:	75	100	115	100	190	100

Table 3.30. Major problems for slow distribution of lands to ARBs as reported by the MAROs by province, Philippines, 1992.

Problems	:High Performing		:Low Performing		: Total	
	: Provinces		: Provinces		:	
	: No.	: %	: No.	: %	: No.	: %
Supreme Court ruling in the case	:	:	:	:	:	:
"Association of Small LOs vs.	:	:	:	:	:	:
DAR"	:	:	:	:	:	:
Conduct of subdivision surveys	:	:	:	:	:	:
Consolidation of titles in LAD	:	:	:	:	:	:
through E.O. 407	:	:	:	:	:	:
Too many ARB claimants; too	:	:	:	:	:	:
small land covered by CARP	:	:	:	:	:	:
Double titling	:	:	:	:	:	:
Indecision of ARBs of whether	:	:	:	:	:	:
individual or collective	:	:	:	:	:	:
Change of heart of ARBs	:	:	:	:	:	:
Slow registration process	:	:	:	:	:	:
at ROO	:	:	:	:	:	:
Total	:	:	:	:	:	:

t multiple response

Table 3.31. Major problems for slow distribution of lands to ARBs as reported by the PAROs, Philippines, 1992.

Problems	: High Performing		: Low Performing		: Total	
	: Provinces		: Provinces		: No. %	
	: No	: %	: No	: %	: No.	: %
Supreme Court ruling in the case "Association of small landowners vs. DAR"	: 2	: 66.7	: 2	: 100	: 4	: 80.0
Conduct of subdivision surveys	: 3	: 100	: 2	: 100	: 5	: 100
Consolidation of titles in LAD through E.O. 407	: 2	: 66.7	: 1	: 50.0	: 3	: 60.0
Too many ARB claimants; too small land covered by CARP	: 2	: 66.7	: 1	: 50.0	: 3	: 60.0
Double titling	: 0	: 0.0	: 1	: 50.0	: 1	: 20.0
Slow registration process of ROD	: 1	: 33.3	: 2	: 100	: 3	: 60.0
Total no. reporting	: 3	: 100	: 2	: 100	: 5	: 100

Table 3.32. Perceptions of MAROs interviewed by number of EP holders who have sold their cultivation rights to others and people to whom they sold their rights by province, Philippines, 1992.

ITEM	High Performing		Low Performing		Total	
	Provinces		Provinces			
	No.	%	No.	%	No.	%
No. of EP Holders Who Have Sold Their Rights						
None	9	50.0	5	20.0	14	32.6
1-5	6	33.3	5	20.0	11	25.6
6-10	3	16.7	5	20.0	8	18.6
40-50	0	-	6	24.0	6	14.0
No answer	0	-	1	4.0	1	2.3
Don't know	0	-	3	12.0	3	7.0
Total	18	100	25	100	43	100
People To Whom They Sold Their Rights						
Original LO	0	-	3	9.1	3	6.3
Other EP holders	7	46.7	11	33.3	18	37.5
Usurers	3	20.0	10	30.3	13	27.1
Relatives	0	-	1	3.0	1	2.1
Traders	2	13.3	3	9.1	5	10.4
Son of EP holders	1	6.7	0	-	1	2.1
Adjacent LOs/tiller	1	6.7	0	-	1	2.1
Other barangay residents	1	6.7	1	3.0	2	4.2
Tenant-farmer	0	-	1	3.0	1	2.1
Businessmen	0	-	1	3.0	1	2.1
Overseas worker	0	-	1	3.0	1	2.1
Samahang Nayan member	0	-	1	3.0	1	2.1
Total	13	100	33	100	48	100

Table 3.33 . Perceptions of MAROs by effects in their performance of the changing of DAR Secretaries, Philippines, 1992.

Item	High Performing		Low Performing		Total	
	Provinces		Provinces			
	No.	%	No.	%	No.	%
MAROs affected	14	77.8	20	80.0	34	79.1
MAROs not affected	4	22.2	4	16.0	8	18.6
No comment	0	-	1	4.0	1	2.3
Total	18	100	25	100	43	100
Effect of Changing of DAR Secretaries						
Revision in existing A.Os	13	92.9	18	90.0	31	91.2
Changing in MARO personnel	5	35.7	8	40.0	13	38.2
Changes in provincial/regional personnel	6	42.9	10	50.0	16	47.1
Additional administrative orders	14	100.0	16	80.0	30	88.2
Changes in DAR central personnel	4	28.6	10	50.0	14	41.2
Budget allocation	8	57.1	12	60.0	20	58.8
Faster LAD of private lands	3	21.4	5	25.0	8	23.5
Slower LAD of public lands	3	21.4	1	5.0	4	11.8
Fast track in land valuation	4	28.6	7	35.0	11	32.4
Slow process in land valuation	11	78.6	16	80.0	27	79.4
Total	14		20		34	

Table 3.34. Perceptions of PAROs by effects in their performance of the changing of DAR Secretaries, Philippines, 1992.

Item	: High Performing:		: Low Performing:		: Total	
	: Provinces		: Provinces		: Provinces	
	: No.	%	: No.	%	: No.	%
PAROs affected	1	33.3	2	100	3	60.0
PAROs not affected	1	33.3	0	0.0	1	20.0
No comment	1	33.3	0	0.0	1	20.0
Total no. reporting	3	100	2	100	5	100
Effects of changing of DAR Secretaries						
Budget allocation	1	100	2	100	3	100
Faster LAD of private lands	1	100	0	0.0	1	33.3
Revisions in existing A.O.s	0	0.0	2	100	2	66.7
Changes in PARO Personnel	0	0.0	2	100	2	66.7
Changes in municipal/ regional Personnel	0	0.0	2	100	2	66.7
Additional A.O.s	0	0.0	2	100	2	66.7
Changes in DAR central personnel	0	0.0	2	100	2	66.7
Slow process in land valuation	0	0.0	2	100	2	66.7
Slower LAD of public lands	0	0.0	1	50.0	1	33.3
Total no. reporting	1	100	2	100	3	100

Table 3.35. Perceptions of MAROs responses on what administrative orders should be made to address problems encountered in LAD, by province, Philippines, 1992.

Needed Administrative Orders	:High Performing :		Low Performing :		Total	
	: Provinces :		Provinces :		:	
	: No.	% :	No.	% :	No.	% :
Modify land valuation formula for P.D. 27 lands (to increase value)	1	5.6 :	3	12.0 :	4	9.3
Land valuation should be fair/ reasonable for OLT and R.A. 6657	0	- :	2	8.0 :	2	4.7
Land valuation should be given back to DAR	1	5.6 :	1	4.0 :	2	4.7
Land valuation should be done at the provincial level	1	5.6 :	0	- :	1	2.3
Simplify all administrative orders	0	- :	2	8.0 :	2	4.7
Simplify LAD involving CA	0	- :	2	8.0 :	2	4.7
Simplify LAD involving OLT	1	5.6 :	2	8.0 :	3	7.0
Abolish LRA 29 Circular re: LBP certification of full payment	1	5.6 :	0	- :	1	2.3
Speed up land valuation	2	11.1 :	0	- :	2	4.7
Speed up payment by LBP to LOs who have accepted land valuation	0	- :	4	16.0 :	4	9.3
Speed up DARAB's hearing and deciding on cases re: LOs protest against LBP valuation	0	- :	1	4.0 :	1	2.3
Speed up land surveys	3	16.7 :	0	- :	3	7.0
Merge DAR and LMS to solve problem on subdivision surveys	1	6 :	0	- :	1	2.3
Do something about LOs (covered by CARRP): with armed security men	0	- :	1	4.0 :	1	2.3
Do something about VQS properties with adverse claimants and VQS properties (with houses) occupied by government/ private employees	0	- :	1	4.0 :	1	2.3
Imprisonment for LOs with strong physical resistance and for FBs for selling cultivation rights	0	- :	1	4.0 :	1	2.3
Give LO the right to choose area to be retained	0	- :	2	8.0 :	2	4.7
Allot greater budget for land valuation	0	- :	1	4.0 :	1	2.3
Address legal problems re: foreclosed lands	0	- :	1	4.0 :	1	2.3
Total	18	:	25	:	43	:

Table 3.36. Perceptions of PAROs responses on what administrative orders should be made to address problems encountered in LAO, Philippines, 1992.

Needed Administrative Orders	: High Performing		: Low Performing		: Total	
	: Provinces		: Provinces		: Total	
	: No.	%	: No.	%	: No.	%
Mode of distribution of foreclosed unexpired fishpond lease agreement	1	33.3	0	0.0	1	20.0
Amendment to land valuation for VOS/CA lands	0	0.0	1	50.0	1	20.0
Land surveys should be handled by DAR	0	0.0	1	50.0	1	20.0
Address the problem of reconstitution of title	0	0.0	1	50.0	1	20.0
Guidelines on acquisition and distribution of expired pasture lease	1	33.3	0	0.0	1	20.0
No more	1	33.3	0	0.0	1	20.0
Total no. reporting	3		2		5	100

Table 3.37. Perceptions of MAROs by type and assistance of NGOs/POs in land acquisition and distribution, Philippines, 1992.

Items	High Performing		Low Performing		Total	
	Provinces		Provinces			
	No.	%	No.	%	No.	%
<hr/>						
A. Types of NGOs/POs						
Farmers cooperative	8	44.4	12	48.0	20	46.5
Farmers associations	0	-	1	4.0	1	2.3
Farmers cooperatives and farmers associations	5	27.8	8	32.0	13	30.2
Barangay Pastoral Council	1	5.6	0	-	1	2.3
CSPARRD	0	-	3	12.0	3	7.0
None	4	22.2	1	4.0	5	11.6
Total	18	100	25	100	43	100
<hr/>						
B. NGOs/POs Preferred						
Task in LAD	8	57.1	3	13.6	11	30.6
Identify ARBs and assist in field investigation	2	14.3	7	31.8	9	25.0
Identify ARBs and landholdings and assist during surveys	0	-	2	9.1	2	5.6
Identify ARB, assist in field investigation and hear farmer complaints	0	-	1	4.5	1	2.8
Identify CARPable land	2	14.3	0	-	2	5.6
Identify LOs/landholdings and ARBs and delineate boundaries	2	14.3	4	18.2	6	16.7
Identify ARBs and assist in field investigation, community organizing and people empowerment	0	-	3	13.6	3	8.3
Identify ARBs and mediate on agrarian disputes	0	-	1	4.5	1	2.8
Certify ARBs membership in ARBA under E.O. 228 implementation	0	-	1	4.5	1	2.8
Total No. of NGOs/POs reporting	14	100	22	100	36	100
<hr/>						
C. Are NGOs/POs Useful in LAD						
Yes	15	83.3	16	64.0	31	72.1
No	3	16.7	7	28.0	10	23.3
No experience with NGOs/POs	0	-	2	8.0	2	4.7
Total	18	100	25	100	43	100

Table 3.37. Continued.....

Items	:High Performing :		Low Performing :		Total	
	: Provinces :		Provinces :		:	
	: No.	% :	: No.	% :	: No.	% :
D. Should NGOs/POs Help in Monitoring	:	:	:	:	:	:
LAD	:	:	:	:	:	:
Yes	15	83.3 :	18	72.0 :	33	76.7
No	3	16.7 :	5	20.0 :	8	18.6
No experience with NGOs/POs	0	- :	2	8.0 :	2	4.7
Total	18	100 :	25	100 :	43	100
E. Should NGOs/POs be Directly Involved:	:	:	:	:	:	:
in Land Acquisition	:	:	:	:	:	:
Yes	10	55.6 :	6	24.0 :	16	37.2
No	8	44.4 :	18	72.0 :	26	60.5
Maybe	0	- :	1	4.0 :	1	2.3
Total	18	100 :	25	100 :	43	100
F. Can NGOs/POs Expedite Land	:	:	:	:	:	:
Acquisition for:	:	:	:	:	:	:
VOS	:	:	:	:	:	:
Yes	8	44.4 :	6	24.0 :	14	32.6
No	6	33.3 :	9	36.0 :	15	34.9
Partly	0	- :	1	4.0 :	1	2.3
No answer/not applicable	4	22.2 :	9	36.0 :	13	30.2
Total	18	100 :	25	100 :	43	100
CA	:	:	:	:	:	:
Yes	3	16.7 :	4	16.0 :	7	16.3
No	3	16.7 :	8	32.0 :	11	25.6
Partly	0	- :	1	4.0 :	1	2.3
No answer/not applicable	12	66.7 :	12	48 :	24	55.8
Total	18	100 :	25	100 :	43	100
VLT	:	:	:	:	:	:
Yes	10	55.6 :	4	16.0 :	14	32.6
No	6	33.3 :	8	32.0 :	14	32.6
No answer/not applicable	2	11.1 :	13	52.0 :	15	34.9
Total	18	100 :	25	100 :	43	100

Table 3.37. Continued.....

Items	:High Performing :		Low Performing :		Total	
	: Provinces :		Provinces :		:	
	No.	%	No.	%	No.	%
Rice and Corn						
Yes	7	38.9	9	36.0	16	37.2
No	9	50.0	11	44.0	20	46.5
Partly	0	-	2	8.0	2	4.7
No answer/not applicable	2	11.1	3	12.0	5	11.6
Total	18	100	25	100	43	100
G. Can NGOs/POs Help in Field Investigation						
Yes	13	72.2	18	72.0	31	72.1
No	5	27.8	6	24.0	11	25.6
Not applicable	0	-	1	4.0	1	2.3
Total	18	100	25	100	43	100
H. Can NGOs/POs Help in ARB Identification						
Yes	16	88.9	20	80.0	36	83.7
No	2	11.1	4	16.0	6	14.0
Not applicable	0	-	1	4.0	1	2.3
Total	18	100	25	100	43	100
I. Can NGOs/POs Help LOs Gather Necessary Inputs/Data						
Yes	11	61.1	10	40.0	21	48.8
No	7	38.9	12	48.0	19	44.2
Don't know	0	-	3	12.0	3	7.0
Total	18	100	25	100	43	100

Table 3.38. Frequency distribution of PAROs responses on questions regarding NGOs/POs
Philippines, 1992.

Item	: High Performing		: Low Performing		: Total	
	: Provinces		: Provinces		: Total	
	: No.	%	: No.	%	: No.	%
Have encountered NGOs/POs during course of work						
Yes	3	100	1	50.0	4	80.0
No	0	0.0	1	50.0	1	20.0
Total no. reporting	3	100	2	100	5	100
Types of NGOs/POs						
Farmers organizations	1	33.3	0	0.0	1	25.0
CASAFI, REIA, FACE, SIO	0	0.0	1	100	1	25.0
NGO Network	1	33.3	0	0.0	1	25.0
BARC	1	33.3	0	0.0	1	25.0
Total no. reporting	3	100	1	100	4	100
Types of assistance of NGOs/POs						
Identification of LO and landholding	1	20.0	0	0.0	1	16.7
Identification of qualified FBs	1	20.0	1	100	2	33.3
Credit assistance to ARBs	1	20.0	0	0.0	1	16.7
Training of ARBs on farming technologies	1	20.0	0	0.0	1	16.7
Community organizing	1	20.0	0	0.0	1	16.7
Total no. of responses	5	100	1	100	6	100
Are NGOs useful or not						
Useful	3	100	0	0	3	75.0
No answer	0	0.0	1	100	1	25.0
Total no. reporting	3	100	1	100	4	100
Should NGOs/POs help in monitoring land acquisition/distribution						
Yes	3	100	0	0.0	3	60.0
No	0	0.0	1	50.0	1	20.0
No answer	0	0.0	1	50.0	1	20.0
Total no. reporting	3	100	2	100	5	100
Should NGOs/POs be directly involved in land acquisition						
Yes	1	33.3	1	50.0	2	40.0
Yes (for POs)	1	33.3	0	0.0	1	20.0
No	1	33.3	0	0.0	1	20.0
No answer	0	0.0	1	50.0	1	20.0
Total no. reporting	3	100	2	100	5	100
How can NGOs/POs facilitate implementation of LAD component of CARP						
Identification of LO and	1	33.3	0	0.0	1	25.0
Identification of FBs	3	100	0	0.0	3	75.0
Credit assistance to ARBs	1	33.3	0	0.0	1	25.0
Training of ARBs on farming technologies	1	33.3	0	0.0	1	25.0
Do research on technical description	0	0.0	1	100	1	25.0
Total no. reporting	3	100	1	100	4	100

Table 3.39. Distribution of PARADs and RARADs by location, sex and educational attainment, Philippines, 1992.

Item	Camarines Sur Region V		Palawan Region IV		Iloilo Region VI		Ilocos Sur Region I		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
RARAD										
Sex										
Male	1	100	1	100	1	100	1	100	4	100
Educational Attainment										
BA Political Science, BS Foreign Service, LLB, and 36 units of MS in BA	1	100	0	0.0	0	0.0	0	0.0	1	25.0
LLB	0	0.0	1	100	1	100	1	100	3	75.0
Total	1	100	1	100	1	100	1	100	4	100
PARAD										
Sex										
Male	1	100	0	0.0	1	100	1	100	3	75.0
Female	1	100	1	100	0	0.0	0	0.0	1	25.0
Total	1	100	1	100	1	100	1	100	4	100
Educational Attainment										
LLB	1	100	1	100	1	100	1	100	4	100
Total	1	100	1	100	1	100	1	100	4	100

Table 3.40. Distribution of PARADs and RARADs by location, sex and educational attainment, Philippines, 1992.

Item	Camarines Sur Region V		Palawan Region IV		Iloilo Region VI		Ilocos Sur Region I		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
RARAD										
Sex										
Male	1	100	1	100	1	100	1	100	4	100
Educational Attainment										
BA Political Science, BS Foreign Service, LLB, and 36 units of MS in BA	1	100	0	0.0	0	0.0	0	0.0	1	25.0
LLB	0	0.0	1	100	1	100	1	100	3	75.0
Total	1	100	1	100	1	100	1	100	4	100
PARAD										
Sex										
Male	1	100	0	0.0	1	100	1	100	3	75.0
Female	0	0.0	1	100	0	0.0	0	0.0	1	25.0
Total	1	100	1	100	1	100	1	100	4	100
Educational Attainment										
LLB	1	100	1	100	1	100	1	100	4	100
Total	1	100	1	100	1	100	1	100	4	100

Table 3.41. Number of personnel at the RARAD office.

Personnel/Year	Region V	Region IV	Region VI	Region I
Adjudicators				
1988	1	NA	NA	NA
1989	1	NA	1	NA
1990	1	NA	1	NA
1991	1	1	3	NA
1992	1	1	4	NA
Sheriffs				
1988	1	NA	NA	NA
1989	1	NA	0	NA
1990	1	NA	0	NA
1991	1	1	3	NA
1992	1	1	4	NA
Clerks and Stenographer				
1988	2	NA	NA	NA
1989	2	NA	3	NA
1990	2	NA	3	NA
1991	2	1	3	NA
1992	2	4	3	NA
Legal Researcher				
1988	1	NA	NA	NA
1989	1	NA	NA	NA
1990	1	NA	NA	NA
1991	1	NA	NA	NA
1992	1	NA	NA	NA
Messenger/ Utilityman				
1988	NA	NA	NA	NA
1989	NA	NA	NA	NA
1990	NA	NA	NA	NA
1991	NA	1	NA	NA
1992	NA	1	NA	NA

NA - no answer

Table 3.42. Number of personnel at the PARAD office.

Personnel/Year	NUMBER OF PERSONNEL			
	Camarines Sur	Palawan	Iloilo	Ilocos Sur
Adjudicators				
1988	1	NA	0	NA
1989	1	NA	1	NA
1990	1	NA	1	NA
1991	2	NA	3	NA
1992	2	NA	4	1
Sheriffs				
1988	0	NA	0	NA
1989	0	NA	0	NA
1990	0	NA	0	NA
1991	1	NA	1	NA
1992	1	NA	2	1
Clerks/Typist				
1988	1	NA	NA	NA
1989	1	NA	NA	NA
1990	2	NA	NA	NA
1991	1	NA	NA	NA
1992	1	NA	NA	1
Acting Clerk of Court				
1988	0	NA	NA	NA
1989	0	NA	NA	NA
1990	1	NA	NA	NA
1991	1	NA	NA	NA
1992	1	NA	NA	NA
Legal Researcher				
1988	0	NA	NA	NA
1989	0	NA	NA	NA
1990	0	NA	NA	NA
1991	1	NA	NA	NA
1992	1	NA	NA	1
Court Stenographer				
1988	1	NA	0	NA
1989	1	NA	0	NA
1990	1	NA	0	NA
1991	2	NA	0	NA
1992	2	NA	1	NA

Note: Ilocos Sur had also one docket officer and one janitor/messenger in 1992.
NA - no answer

Table 3.43. LAD-related legal cases by DAR office and by status,
1987-mid June 1993.

DAR Office/Status	No.	%
Legal Assistance		
Cases Received	366,454	100.0
Cases Resolved	312,304	85.2
Cases Pending	54,150	14.8
Adjudication		
Cases Received	21,485	100.0
Cases Resolved	11,339	52.8
Cases Pending	10,148	47.2

Source: DAR (1990). "Overall CARP Performance" reported by
Secretary Ernesto Garilao.

Table 3.44. Status of LAD cases at the RARAD office, 1988-March 1992.

Year	Region V	Region IV	Region VI	Region I
1988				
Submitted	73	NA	NA	NA
Pending	71	NA	NA	NA
Resolved	2	NA	NA	NA
1989				
Submitted	124	NA	424	NA
Pending	195	NA	377	NA
Resolved	36	NA	47	NA
1990				
Submitted	160	NA	265	NA
Pending	NA	NA	262	NA
Resolved	NA	NA	3	NA
1991				
Submitted	NA	70	376	NA
Pending	NA	15	235	NA
Resolved	NA	65	141	NA
1992				
Submitted	NA	550	148	1136 a/
Pending	NA	507	109	308 a/
Resolved	NA	43	39	828 a/

a/ as of July 1, 1992.

NA - not available

Table 3.45. Status of LAD cases at the PARAD office, 1988-March 1992.

Year	Region V	Region IV	Region VI	Region I
1988				
Submitted	19	NA	NA	2
Pending	17	NA	NA	2
Resolved	1	NA	NA	0
1989				
Submitted	69	NA	226	2
Pending	48	NA	196	2
Resolved	7	NA	30	0
1990				
Submitted	135	NA	105	4
Pending	93	NA	102	2
Resolved	14	NA	3	2
1991				
Submitted	107	NA	137	6
Pending	19	NA	73	4
Resolved	85	NA	64	1
1992				
Submitted	67	NA	41	1
Pending	27	NA	35	0
Resolved	40	NA	6	0

a/ Terminated

Table 3.46. Frequency of cases handled by the RARADs by region, Philippines, 1992.

Subject of Cases	FREQUENCY OF CASES 1/			
	Region V	Region IV	Region VI	Region I
A. Rights and obligations of persons engaged in cultivation and use of agricultural land	Many	Many	Many	Many
B. Financial Matters				
Land valuation	Few	Many	Several	Few
Compensation	Few	Many	Several	None
Amortization	None	Few	None	None
C. Annulment/cancellation of orders/decisions, lease contracts/deeds of sale	Many	Many	Several	Several
D. Membership or representation in complete farms, farmers' coops, and other farmers associations or organizations	None	None	None	None
E. Sale, alienation, mortgage, foreclosure, pre-emption and redemption of agricultural lands	Few	Many	Few	Several
F. Issuance of CLT, CLOA and HP	NAP	None	Several	Several
G. Any other cases referred by DAR Secretary	None	Several	None	Few
1/ Frequency	Region V	Region IV	Region VI	Region I
Few	1-10	below 10	10%	40
Several	11-20	11-30	40%	150
Many	>20	>30	50% & over	500

Table 3.47. Frequency of cases handled by the PARADs by province, Philippines, 1992.

Subject of Cases	FREQUENCY OF CASES 1/			
	Camarines Sur	Palawan	Iloilo	Ilocos Sur
A. Rights and obligations of persons engaged in cultivation and use of agricultural land	Many	Several	Several	Many NA
B. Financial Matters				
Land valuation	Several	No answer	Many	Few
Compensation	Several	Many	Several	Few
Amortization	Several	No answer	Few	Several
C. Annulment/cancellation of orders/decisions, lease contracts/deeds of sale	Few	Several	Many	Many
D. Membership or representation in complete farms, farmers' coops, and other farmers associations or organizations	Few	Few	Many	Few
E. Sale, alienation, mortgage, foreclosure, pre-emption and redemption of agricultural lands	Several	Few	Several	Many
F. Issuance of CLT, CLOA and HP	Several	Few	Many	Several
G. Any other cases referred by DAR Secretary	None	Several	Few	Few
1/ Frequency	Camarines Sur	Palawan	Iloilo	Ilocos Sur
Few	37	No answer	10	1-5
Several	100	No answer	100	5-10
Many	260	No answer	80	above 10

CHAPTER IV

LAND REFORM RELATED AGENCIES: PERFORMANCE AND PROBLEM AREAS

This section looks at the performance of the people tasked to assist in the land reform program in government agencies other than DAR. These agencies are the Department of Environment and Natural Resources (DENR), Land Bank of the Philippines (LBP), and the Registry of Deeds (ROD). The assessment will attempt to pinpoint the bottlenecks in implementing LAD and the alternative approaches to expediting LAD functions in their respective agencies. Provinces were classified as high performing (HPP) and low performing provinces (LPP). The answers of the sample were divided using these categories to verify if these provided meaningful insights into the pace of LAD.

4.1. Department of Environment and Natural Resources (DENR) and LAD

4.1.1. *Profile of DENR Personnel Sample*

A total of 22 DENR personnel were interviewed for the study: 4 Regional DENR officials; 5 provincial environmental resource officers (PENROs); and 13 community environment resource officers (CENROs). Of this total, only 2 were females - one was designated as a PENRO and the other was a CENRO (Tables 4.1 and 4.1a). All of the respondents were college graduates, most of whom completed science-related courses. About 6 have taken law-related courses and 5 are pursuing master's degrees.

4.1.2. *DENR's Involvement in Land Reform*

DENR participation in land reform is in the implementation of the Integrated Social Forestry Program (ISF), CARP's counterpart program for upland and mountainous but agriculturally suited areas, and in the survey of privately - and publicly-owned agricultural lands. Much of the succeeding discussions focused on the latter function as these directly influence the pace of the conventional land acquisition and distribution process.

With the exception of 2 CENROs who believed that CARP should not be prioritized over other DENR functions, majority of DENR respondents felt that it should be accorded top priority (Table 4.2). Most argue that DENR should indeed be involved in CARP work. However, in terms of time allocation between CARP and non-

CARP functions, DENR personnel especially at the municipal level (CENROs), are often required to perform both functions, although at varying degrees of performance depending upon the availability of funds for CARP, the urgency of the work, and manpower resources.

Between ISF and survey functions, DENR personnel tend to put more priority in the former than the latter role (Table 4.3). CENROs who are assigned to direct survey work at the field level accord more priority for ISF. This was especially noticeable for PENROs and CENROs located at LPP who placed occasional to least priority to survey rather than ISF work.

Seven (7) problems were identified during the pre-survey phase as the dominant issues faced by DENR in performing survey work (Table 4.4). When asked to rank these problems, the regional provincial personnel put most emphasis on lack of CARP funds or delay of its disbursement. This problem affected the mobility of the survey team at the field level as transportation allowances [a crucial expense in survey functions especially in large municipalities with poor infrastructural facilities (e.g., Occidental Mindoro)] were either drastically reduced or were unavailable during the critical months. Lack of technical expertise at the provincial and municipal levels as well as inadequate survey supplies and equipment, by-products of the first problem, ranked equally high especially at the field. While incomplete DAR documents presented as the most important problem at the regional level, this was one of the least concerns of the CENROs. Conflict with DENR functions likewise posed a problem, although for all of the 3 types of DENR personnel, this can be overcome. For CENROs, private contracting is viewed the least problematic considering that this mechanism provides them an alternative for front loading their survey work responsibility.

4.1.3. Survey Process in CARP and Extent of DENR Involvement

DENR involvement in the land acquisition and distribution process varies depending upon the land reform types. For VOS, CA, and OLT land types, the procedure followed by DENR includes the following steps:

- (i) A meeting is held at the municipality among concerned parties (ARBs and LOs) and other interested parties (e.g., BARC representative, LBP representative, etc.) to discuss the survey process;
- (ii) An initial field investigation participated by the survey team, MARO, LBP and BARC, is done: (a) to validate landholdings and landownership and determine land suitability as well as land use, and (b) to interview actual tillers/ARBs regarding the prevailing agricultural activities and tenurial arrangements. CARP forms no. 1 and 2 are used for these information;

- (iii) Conduct a boundary and subdivision survey delineating the following: OLT areas, retention areas, VOS/CA areas, infrastructure, and improvements;
- (iv) Jointly prepare with MARO and complete FR forms based on actual findings;
- (v) Ensure that FR forms are duly accomplished and signed by all concerned;
- (vi) Does special and isolated surveys upon request of DAR or any interested party;
- (vii) Conduct a segregation survey to separate the CARP from the non-CARP areas of DAR;
- (viii) Whiteprints and blueprints are made and approved by chief of survey division or chief of technical services; and,
- (ix) These are then verified by PENROs and the regional offices.

For VLT land types, a request from the PARO is required. Upon verification of this request the subsequent procedures are applied:

- (i) Receive claimfolder (CF) of landowners and review documents for completeness and consistency;
- (ii) Check/reconcile the area per title and EPS plan. If EPS plans have been changed, said changes should be validated by DAR;
- (iii) Verify that all areas under VLT are allocated for each prospective ARB;
- (iv) Sign certification that no existing problems exist involving subjected land; and,
- (v) Forward CF to LBP field attorney.

The succeeding discussions evaluate the key phases and survey processes.

4.1.3.1. Meetings

The MARO and the CENRO make it a point to hold dialogues in the municipalities of concerned parties before and after the surveys. The meeting before the survey briefs different parties of the technical processes and the purpose of the survey while the post-meeting informs the parties of the results of the survey. Often, only one meeting is prepared before and after the survey; however, in several cases, the MAROs and CENROs host additional meetings prior to the survey work especially when the concerned parties (either ARBs and/or landowners) are absent (Table 4.5). A distinguishing feature of the HPP is that majority of the MAROs/CENROs in these areas make sure that a post-survey dialogue of different parties is accomplished.

The meetings are well-attended. Not only are the FBs, landowners, and MAROs present but representatives from BARC (Barangay Agrarian Reform Council), LBP, local government units (LGU) and occasionally, from the DA, make it a point to attend. While these may be time consuming, the dialogues are constructive in the sense that much of the problems arising from the boundary, subdivision, and segregation surveys can be partially resolved.

4.1.3.2. Reconnaissance Survey

DENR located in the HPP areas usually perform a reconnaissance survey even if documents from DAR are incomplete (Table 4.6). Only a few DENR offices in LPP areas conduct this survey; often they are done on a case-to-case basis, i.e., when there is a sketch plan or other technical documents, or if the area is near the office and there is peace and order, etc. No standard questionnaire is used in the field investigation. There are however, standard concerns such as boundaries of adjoining lots, improvements or features of adjoining lots and their claimants or occupants.

In HPP areas, the survey for privately-owned lands usually take about 1 to 2 days. For LPP areas, the duration is longer from a minimum of 3 to 4 days to a maximum of a month.

4.1.3.3. Boundary Survey

Prior to engaging in the boundary for subdivision survey work, DENR usually requires a formal request from DAR. Overall, DAR provides a letter of request, often at the CENRO or municipal office but sometimes the request especially if it is marked as urgent, is channelled through the provincial (PENRO) or regional offices of DENR (Table 4.7). Nineteen of the 22 DENR respondents always or often received a request from DAR; only 3 said that the requests were seldom and all of these were found at LPP.

Most of the requests at the DENR regional office came from the MARO through their respective PARO and or RARO (Table 4.8). Requests addressed to the DENR provincial and municipal offices came mostly either from the PARO or the MARO.

Work for the boundary/subdivision survey cannot proceed unless this protocol is not observed. Where in some cases, this procedure may be waived, the normal procedure usually requires this request even if field investigations have already been accomplished. In many respect, the request becomes a supporting document.

In several cases, the request passes through various channels (MARO --> PARO --> RARO --> DENR Regional --> PENRO --> CENRO) or photocopies of the request are provided to higher officials (for example, if the MARO went straight to the CENRO, the latter sometimes requests permissions from higher level officials). These are time consuming, ranging from a minimum of a day to a month.

About 5 documents are required by DENR from DAR prior to the actual boundary/subdivision survey. These include: (i) copy of certified survey plan; (ii) sketch plan with vicinity map; (iii) DAR-proposed survey plan and/or DAR prepared sketch of property of the copy of certified survey or sketch plan when vicinity map is not available; (iv) photocopy of title (for titled properties); and (v) list of ARBs. Tables 4.9 and 4.10 reveal that on the average, DENR personnel receive incomplete documents from DAR. At the same time, DENR does not follow a standardized list of documents relevant for the survey. For example, 7 of the CENRO samples required a copy of certified survey plan and sketch plan with vicinity map; 1 said either one of the two documents would do; while the remaining 2 required only a copy of the certified survey plan.

The additional documents required by the DENR personnel also vary both at the provincial and municipal levels. As a consequence of a lack of standardized documentary requirements, most of the files are returned to DAR either at the MARO or PARO level and the survey work is further stalled. These problems occur in both HPP and LPP areas.

Worth emphasizing is the fact that these problems have not been corrected since CARL's implementation in 1988, despite their regular occurrence. When these arise, survey work can be postponed for a minimum of a week to as long as a month or longer, depending upon the availability of these data from the displaced landowners.

Survey work itself does not take long. On the average, it takes about a day to accomplish except when other technical problems arise during the survey. The most common problem is boundary conflict due to transfer or absence of boundary monuments (Table 4.11). CENRO in LPP faced a host of problems in the survey than their counterparts in HPP; the most important is the lack of peace and order in the subjected land.

An alternative to the present scheme is to subcontract the boundary/subdivision survey work to private contractors. DENR's regional office allows it when DENR staff are fully occupied; there is available funds; and there is an urgent request. Otherwise, this option is not often resorted to. In the case of the CENRO, only 3 out of 12 expressed approval of contracting the private sector especially because of DENR's lack of personnel and modern equipment (Table 4.12). Five do not agree to private contracting involvement partly because they are not satisfied with their work and partly due to the fact that they believe that DENR can do the task better. It is also a means of augmenting their income. Four agreed to this option on a case-to-case basis when there is lack of DENR technical personnel or equipment and/or the area involved is large.

4.1.3.4. Subdivision Survey

For the subdivision survey, DENR requires on the average about 8 documents from DAR. These are (i) subdivision scheme; (ii) technical documents; (iii) LRC approved survey; (iv) list of ARBs; (v) certification that the land was not surveyed before by DAR; (vi) certification as to whether or not the CARP lot is titled or not or with pending registration or application; (vii) copy of title and tax declaration or ownership documents; and (viii) certified survey plan.

Like in the boundary survey, DENR personnel overall, receive incomplete documents from DAR (Tables 4.13 and 4.14). This is more distinct in DENR offices located in LPP than in HPP. Also, documentary requirements essential for the survey vary across DENR offices; this seems to be a problem common to both HPP and LPP. Because of the incompleteness of data, the files are usually returned to DAR. Only in a few cases did DENR resolve the lacuna in data through its own initiative. Incomplete documents usually delay the subdivision survey work although the actual field investigation on the average takes about only a day to accomplish. Moreover, in many cases, problems also arise during the field survey. The most common problem concerns conflict in delineating the boundary (Table 4.15). More problems are encountered by the CENROs in the LPP than their counterparts in the HPP during the field survey.

4.1.3.5. Segregation Survey

DENR performs a segregation survey in the following cases: (i) when the CARP-designated area includes non-CARP areas (e.g., 18 degrees sloped lots, undeveloped areas, lots unsuitable for agricultural use, timberland areas, etc.); or (ii) when the area to be segregated for CARP forms part of a large tract of land. DENR personnel does the survey only when a formal written request from DAR (PARO level) to the Regional or Provincial Office is submitted.

Supporting documents required prior to survey work vary at the 3 DENR office levels (Table 4.16 and 4.17). As the tables reflect, there seem to be no standardized supporting documents required for the segregation survey. This has contributed to the delay in the approval of the survey results.

Another contributory factor for the delay in the survey is the presence of numerous parties with supposedly different interests during the actual survey itself (Table 4.18). Aside from the landowners, FBs, MARO, and CENRO, adjoining lot owners, BARC representative, DA representative, barangay officials, and other interested parties - participate in the actual field survey.

Clear technical measures which define the non-CARP areas are also lacking. For instance, majority of DENR personnel respondents do not consider all of the 18 degrees sloped areas as non-CARP areas (Table 4.19). Of the 13 CENROs who have a large say in determining the CARP from non-CARP areas, 9 of them designated some 18 degree sloped areas for CARP; these include those which they perceive as developed, those with actual cultivators, and those which they consider as suitable for agricultural use.

Aside from the difficulty of providing technical definitions clarifying the status of 18 degrees sloped areas in land reform, there are other qualifying conditions which exempt portions of CARP-designated areas from reform. These include forest lands, natural features, man-made infrastructure, and non-arable lands. Tables 4.20 and 4.21 show the extent of how different DENR personnel consider these factors in segregating the CARP from non-CARP areas.

Other problems also arise during the field survey (Table 4.22). These problems include conflict in boundary delineation; non-cooperation of landowners; absence of FBs; problem on who will actually do the survey; and absence of accurate point of reference on the grounds as monuments or markers were already lost. These factors have contributed in delaying the submission of results of the segregation survey and in turn has slowed LAD process.

4.1.3.6. Isolated Survey

The isolated survey is done upon request from DAR to delineate titled from untitled properties. A survey team of DENR usually performs the task. The team comprises of a geodetic engineer, cartographer and land investigator. Others present during the survey include the landowner, ARB, DAR representative, and BARC representative. Like in the other survey processes, several problems are encountered such as lack of peace and order, gaps in technical data, non-cooperation of lot claimants, and absence of inaccurate reference points.

4.1.3.7. Production of Whiteprints/Blueprints

Whiteprints or blueprints are the outputs of the survey. These are certified by either the survey division or chief of technical service or the records sections. On the average, certification takes about a day to a week to be accomplished.

4.1.3.8. Problems of Coordination With DAR

Coordination of land reform work between DAR and DENR personnel raises a number of problems (Table 4.23). The most common across DENR hierarchies concerns documentary requirements. As was pointed out in the previous discussion, most of the survey work are stalled partly due to lack of supporting documents from DAR and partly because of the non-standardized documentary requirements required by DENR for the completion of survey task. Synchronization of DENR and DAR's schedule is also a major problem area. The latter arises not because of complete disregard of the other responsibilities but most probably, because of the numerous functions that concerned agencies perform in their respective offices. These prevented them from ensuring a synchronized pacing of activities required by land reform.

4.2. Land Bank of the Philippines (LBP) and LAD

The participation of LBP in the LAD process initially focused on landowner's compensation and collection of amortized payment from the farmer-beneficiaries (FBs). The bank then was relegated the task of a cashier receiving instructions principally from the DAR on when to start processing and releasing the payment to the landowners and when to commence the amortization scheme for FBs.

However, the Garchitorena controversy in 1990 changed the configuration of roles played by the participating agencies involved in land acquisition. It was a graft and corruption case which involved key management officials of DAR who allegedly were scheduled to pay the said landowners an inflated price for large tracts of land most of which should have not been covered by CARP (i.e., land unsuitable for cultivation and were beyond the 18 degree slope limit). The result was the sacking of the incumbent Secretary, a litigation of the concerned parties, and more importantly, an additional step in the already much stratified LAD procedure.

E.O. number 405 instituted and enforced the additional measure in the LAD process. Briefly, it removed the task of valuing land from DAR and instead transferred it to LBP. The bank's role in the LAD was thus effectively enhanced from a mere cashier to becoming a lead player in LAD. DAR's and DENR's involvement in LAD

became supportive as they were relegated the tasks of compiling the documents essential for valuation and compensation.

The succeeding subsections discuss the role of LBP in valuation and compensation. Its role in the collection of FB's amortization is also briefly discussed although more of it are dealt in Chapter VI.

LBP personnel located at the regions where the provincial samples are situated, were likewise interviewed. Because LBP's LAD offices are based only in their regional centers, only four (4) respondents from LBP's regional offices representing the sampled provinces were requested to shed light on the activities of the agency in land valuation and compensation. Whenever relevant, the results of these interviews are presented below.

4.2.1. Valuation Process

The enforcement of E.O. 405 transferring the valuation function from DAR to LBP immediately created a backlog in the LAD process as DAR turned over to the bank approximately 9,000 landowner's claim folders (CF) involving some 127,000 hectares, for land valuation. Prior to 1989, Land Bank's countryside network comprised of 50 branches and 91 field offices (Table 4.24). These offices assisted DAR then in the landowner's compensation and the FB's amortization activities.

With its enlarged responsibility, LBP hurriedly created region-based field processing and valuation units called the Land Valuation and Landowner's Compensation Office (LVLCO). By the end of 1990, 12 offices were hastily established and staffing and training of their employees in these new offices were simultaneously done during this period.

At the field level, only the regional LVLCO was entrusted by LBP to address CARP's concern on land valuation and compensation. Headed by a manager, the office consists of four (4) divisions. These divisions and their corresponding tasks are as follows: (i) Accounting and Administrative Division (AAD) - handles the office's logistics, monitors/attends to queries regarding the status of claims/claim folders, and issues checks/bonds in payment of approved claims; (ii) Land Valuation Division (LVD) - conducts ocular inspection of offered properties, gathers data relevant to valuation, and computes a preliminary valuation; (iii) Claims Processing and Payment Division (CPPD) - reviews/evaluates documents and computes final valuation, prepares a payment release form, and processes/ evaluates requirements attached for payment of the approved claims; and, (iv) Legal Division (LD) - reviews documents in the CF to determine their legal sufficiency.

The specific activities done by the LBP in connection with land valuation are: (i) ocular inspection of the property, (ii) gathering of relevant data (e.g., FB's production data, landowners data, and industry data), (iii) accomplishment of field investigation report, (iv) computation of preliminary valuation, (v) preparation of a land valuation worksheet, (vi) review of the land valuation worksheet by CPPD, (vii) preparation of the claims processing form and an executive summary, (viii) legal review, (ix) approval by LBP central office of the amount for disbursement to the landowners, and (x) preparation of a memo of valuation for submission to the RARO. The valuation process is followed unilenearily meaning that each step must first be completed before proceeding to the subsequent procedure. The suggested time frame to complete the whole process is 6 weeks; in reality however, this was hardly met.

Ocular inspection was the most difficult for LBP personnel as it required both field and research work. Their activities include among others, the determination of the area to be covered and valued; segregation of area to be exempted or excluded from CARL such as the 18 degrees slope areas, eroded or unsuitable agriculture lands, etc.; and identification of factors that are relevant in valuing the lots being investigated. Among the data sources usually obtained are sworn statements in yield and production expenses from FBs, landowners and adjacent FBs; industry data; production history; and other sworn statements provided by other parties after verification of their authenticity. Finally, land improvements financed by landowners are appraised for structure and permanent crops and are valued on a per tree basis.

The numerous data requirements stem from the cumbersome formula developed by DAR in valuing agricultural land. Much of its cumbersomeness arise mainly from the numerous factors stipulated by CARL when estimating land value or the "just compensation" that should accrue to the landowner. These factors include: "(a) the cost of the land; (b) its nature, actual use and income; (c) the sworn valuation by the owner; (d) the assessment made by the government assessors; (e) the social and economic benefit contributed by the farmers, farmworkers and the government; and, (f) taxes and loans" (R.A. 6687, Sections 17 and 18).

DAR's interpretation of computing "just compensation" changed three (3) times between 1988 and 1992 with each variation becoming more complicated and ominous in terms of data requirements and estimation procedure (Table 4.25). The suggested formulas were based on a set of past productivity indices, value judgements on the weights of each land value index,² and current market prices deflated by using the regional price index.

At the field level, the LBP respondents stressed that in principle, the valuation formula should vary with land use types (Table 4.26). However, data on cost of farm operations were seldom available. Due to the unavailability or lacuna of these data, majority used a simple net income figure of 20 percent of gross sales. Aside from coconut which was assigned an income factor of 70 percent at its fruiting stage, the

other crops that merited estimation of special net income factors were mango, citrus, abaca, banana, coffee, rubber, and cacao. Prospective production value as well as the income potentials of a presently undeveloped land were not factored in the computation.

It should be noted that most of the information gathered by the LBP during its field investigation are the same data generated by the DENR and DAR. In principle, the collection and compilation of identical sets of information for each lot could have been avoided by the concerned parties if only one reconnaissance survey were done where all the LAD agencies are present and involved. Unfortunately, it was difficult for the various personnel to synchronize their schedule. Presumably, LBP personnel's schedule will be the most difficult to align with the other agencies' work schedule on LAD because of their highly limited staff.

An alternative would have been to share their information. While this is done by DAR, LBP does not often recognize these data. Moreover, LBP usually does not wait for DENR's survey results in estimating the value of the land. The bank does not also necessarily comply with the technical definitions employed by DENR and DAR³. This implies that while the latter agencies input into LBP's valuation function, the bank decides land value quite independently from the other LAD participating agencies. The inputs of the latter agencies become significant only in terms of the legal ownership documents, survey results delineating the exact boundaries of the land in question, and survey results delineating the subdivision of the lots.

Another factor that prolongs the valuation process is the incomplete documents of the landowner's claim folders as compiled by the DAR (Table 4.27). For the period of mid-1987 to 1992, a total of 36,799 claim folders involving 460,450 hectares were transmitted by DAR to the LBP for land valuation and landowner's compensation. Around 7,920 CFs or 21 percent were returned back to DAR for incomplete documents⁴; this involved close to a fifth of the total land that should have been due for valuation for that period. More than a third of the claim folders returned to DAR were VOS land types; the total area of these land types that should have been assessed for valuation was nearly one half.

LBP also returned landowner's CFs from various land types for the said period; thus, 2,180 CFs were OLT land types; 1,312 were compulsorily acquired and 1,341 were E.O. 407 land types.

The other reason for the delay in land valuation is the highly centralized structure of LBP in valuating and deciding the compensation amount. As was mentioned earlier, only the regional LVLCOs are empowered by the bank to perform the tasks of land valuation and landowner's compensation. But even these offices' powers are clipped as LBP pegged a valuation ceiling on the approval authority of the regions. For example, LBP's offices in Regions I and V could only approve land values of up to P3 million while for Region VI, the ceiling was P2 million for Panay and P5

million for Negros Occidental. Beyond this limit, the papers will have to be re-evaluated and finally decided upon at the bank's central office.

The limited LBP offices focusing on LAD work should be viewed in the context of the number of the bank's field-offices scattered all over the country (recall Table 4.24). In 1989, when LBP did not assess CARP land values, it had as many as 28 branches and 75 field offices. By 1992, the number of LBP branches had more than doubled while its field offices increased by 70 percent. In contrast, the 12 LVLCOs which were created by the end of 1990 remained constant in number despite the yearly increases in backlog activities in LAD functions. Not only were there a limited number of LBP offices devoted to land valuation and landowner's compensation but these offices are severely undermanned. For example, in 1992 the Ilocos Sur-based LVLCO had 18 staff members whose functions ranged from ocular inspection to data gathering to land valuation. They serviced four (4) provinces, i.e., Ilocos Norte, Ilocos Sur, La Union and Pangasinan, covering an estimated CARP scope of 152,577 hectares.

4.2.2. Problems and Issues in the Land Valuation Process

As was discussed above, a major problem concerns the limited number of LBP offices and manpower resources working on the functions of land valuation and landowners's compensation. That the LBP opted to create region-based valuation offices instead of relying on its existing network especially its field offices reflected largely the bank's preference to centralize land valuation activities. Learning from DAR's experience, the bank has become more cautious and took a risk averse stance by concentrating this activity at the regional level. For decisions in terms of final approval of landowner's compensation and land valuation exceeding specified amounts, the LBP Central Office takes a lead role.

The most significant repercussion of centralizing land valuation procedures and decision-making at the regional and central offices is in the pace of LAD. Specifically, we would expect that LAD will increasingly be delayed as the LBP will be severely constrained by its limited manpower resources.

Aside from the lack of LBP personnel, other factors impede the land valuation process itself. These include: (i) the lack of accurate information to assess the appropriate price value of the land while ensuring that the indices specified in CARL for valuation are met; (ii) the often incomplete documents provided by DAR; and, (iii) the various counter-check systems instituted within the bank to verify and validate the valuation.

Much of the delay in the overall LAD process have been due to the duplications and overlapping tasks and functions performed by DAR, LBP, and DENR. This is very evident in the various field investigations that each agency does in relation to LAD.

DAR initiates an ocular inspection to identify the landowners and prospective FBs as well as the area to be covered for reform, and gathers technical documents and other pertinent information relating to land such as production data. In turn, DENR has its own field investigation which is subsequently followed by a series of surveys: (i) to segregate the CARP and non-CARP areas; (ii) to delineate the specific boundaries of CARP land; and, (iii) to divide the land between the area that will be retained by the landowners and the lots of the prospective FBs. Finally, LBP does its own ocular inspection, assessing much of the same information gathered in the field surveys of DAR and DENR. Because of the difficulty of synchronizing the personnel's schedule in the various agencies, partly because of limited personnel and or because of untimely provision or lack of financial support for the surveys, many field inspections are unnecessarily performed.

Compounding this problem is the lack of standardized definitions of what should be covered for CARP, the unclear delineation of who has final prerogative in determining the land value (e.g., DARAB's decision of higher land value in favor of the landowner versus LBP's estimate), the numerous checks and balance mechanisms at inter - and intra-agency levels, and the differing documentary requirements needed by each agency.

The major stumbling block to the valuation process is expectedly, the landowner. Much of their dissatisfaction arise from the perceived low land value using DAR's formula. Indeed, a certain Judge Santiago, a landowner himself, has made it a crusade to contrast the values obtained from DAR's present formula with that stipulated under P.D. 27. His conclusion is that the latter provides a higher land value estimate.

Unless a compromise solution to the downward pull effect of the present land value formula on the land price estimate is evolved, landowners' resistance will become stronger over time. Their resistance will be reinforced if the valuation process itself proceeds at its present turtle pace.

4.2.3. Landowners' Compensation Process

Once the LBP has estimated the value of the land, the LBP issues a memo of valuation to DAR. The latter office in turn, starts the compensation proceedings by issuing a notice of land valuation to the landowner. Because of the Supreme Court Ruling that the DAR cannot distribute the subjected land until the landowner has been fully paid, DAR provides a waiting time of about four (4) weeks, pending the reply of the landowner. If the landowner accepts the offer, DAR prepares the deed of transfer (DOT) and the LBP pays the landowner; this whole process takes a minimum of about a week. If the landowner rejects the offer, DAR requests the LBP to open a trust deposit equivalent to the stipulated valuation offer; LBP also notifies the affected landowner of the trust account. Only when the Registry of Deeds (ROD) receives either

the DOT and/or certificate of payment to the landowner can the process for distribution to FBs commence.

If the landowner pursues an administrative proceeding regarding the valuation, DAR's adjudication offices entertain the complaints. For compensation values not exceeding P500 thousand, the PARAD conducts the proceedings. In cases where the compensation values range between P500 thousand and P2 million, the RARAD presides. Beyond P2 million, the DARAB at the central office takes over the case. As was shown in the previous chapter, the litigation proceedings take a long period of time.

Where the landowner accepts the LBPs offer, CARL provides four (4) modes of payment although full payment in cash is not one of the option (R.A. 6657, Section 18). Unfortunately, most landowners are not aware of these alternatives as the mode of compensation often afforded by LBP is the combination of cash and LBP bonds. The proportion of cash and LBP bonds varies by land type (i.e., if compulsorily acquired (CA) or VOS) and land sizes (Table 4.28). The cash portion ranges from a minimum of 10 percent (in the case of P.D. 27 or OLT land types) to a maximum of 40 percent (for VOS land types that are below 24 hectares). An additional five percent (5%) cash portion is provided for VOS land types regardless of land size holdings; presumably, the five percent (5%) will serve as an incentive to landowners who voluntarily offered their land to the government.

Payment to landowners has been slow as evidenced in Table 4.27. Of the total 36,799 landowner's claim folders (CFs) transmitted by DAR to LBP for the period mid-1987 to 1992, only half or 55% have been paid by the bank so far. This covered some 282,948 hectares and cost the bank P3.3 billion.

Of the 20,096 CFs that were approved by LBP for payment, two thirds were of the VOS, CA, and EO. 407 land types and the remaining one third were OLT land types. In terms of area coverage, only one fifth were OLT lands while the rest were of the VOS, CA, and E.O. 407 land types.

The landowner's CFs that were not approved for payment by the bank but which were transmitted by DAR to LBP reflect LBP's backlog in land valuation and compensation. These comprised of (i) CFs returned by the bank to DAR for incomplete documents and other various reasons and (ii) CFs which were still being evaluated by LBP. The former numbered some 7,920 CFs while the latter were 8,783 CFs; together they accounted for 45.4 percent of the total CFs transmitted by DAR to LBP for the years mid-1987 to 1992. In terms of area coverage, LBP's backlog for the period amounted to 177,524 hectares. Expectedly, the problematic land types were privately-owned, i.e., OLT, VOS, and CA.

4.2.4. LBP's Role as Conduit for FB's Amortization

The bank has been the collecting party for FB's amortization of OLT land types. While effectively it has been relegated by CARL to perform this function for CARP lands, it has yet to start the collection procedure as no mechanism has yet been established.

The LBP's field offices are currently in charge of collecting payments for OLT lands. Presumably, they will also take over the collection for CARP lands. While no data were released regarding the collection and payment rates, it was apparent from our interviews with LBP's field personnel that performance in both accounts was low. Moreover, we were informed that there was a rising trend of changing landownership as new landowners were paying the amortization of original FBs.

More discussion on amortization is reserved for Chapter VI.

4.3. Registry of Deeds (ROD) and LAD

The Registry of Deeds (ROD) plays a critical position in the LAD process as it provides the chain linking the final stage of the acquisition phase for private-owned and public-owned⁴ lands with the land distribution aspect. Specifically, the ROD provides the seal mark to the deed of transfer (DOT) document which legally relinquishes the ownership right of the original landowners in favor of the State. A transfer certificate of title (TCT) in RP's name is then issued upon the registration of DOT. The TCT serves as the final output culminating the land acquisition process; at the same time, it provides the go-signal for the land distribution phase. After the FBs have been properly identified by DAR for the subjected land which have a TCT, DAR instructs ROD to officially register the EPs and CLOAs in favor of the FBs. These are the legal title documents certifying the transfer of landownership right of parcels of land from the State to the FBs.

The succeeding subsections look at the specific procedures and regulations followed by ROD in LAD as well as its performance and problems encountered in land reform. The discussion was enriched by secondary and primary data gathered from the local ROD offices servicing the provincial samples of this study.

4.3.1. ROD Procedures and Regulations for LAD

In response to the huge number of title registration requirements for land reform, ROD created a separate division specifically designed to address these needs especially in agriculturally-dominated areas.

The registration of CARP lands by these offices was governed and guided by a set of laws, executive orders and memorandas. The most important of the agrarian reform laws are P.D. No. 27, affecting OLT land types and R.A. 6657, covering all other agricultural land types. The land titling and registration laws consist of P.D. 1529 or the property registration decree; R.A. 496 or the land registration act; R.A. 2259 which is called the cadastral act; and R.A. 3344, the registration procedure for untitled lands.

In addition to these laws, a number of other regulations are specified by the executive branch, the judiciary, and the Land Registration Authority (LRA). For example, E.O. 407 provides the registration procedure for the transfer of ownership of government corporations' and other entities' land into the State to facilitate land reform. DAR's administrative orders (AOs) and their attendant revised AOs affecting LAD also modify the ROD's function in land registration. Further, the Supreme Court Ruling in 1990 instructing LBP and DAR to first fully compensate the landowners prior to land distribution has required an additional document from these concerned agencies prior to ROD's approval of the DOT. Finally, the Land Registration Authority (LRA) produced its own issuances with regard to the dispensation of ROD's role in LAD⁵.

All of these legal documents serve as the basis and guide for ROD's involvement in LAD.

4.3.2. ROD's Performance in Land Acquisition

Table 4.29 reflects the performance of ROD with regard generating TCTs for the CARP period, July 1987 to 1992. This involves three (3) land types, namely: VOS, CA, and E.O. 407. OLT land types were not included because of the unavailability of data.

TCTs were generated for a total of 4,193 landowner's claim folders initially prepared by DAR and covering about 70,255 hectares. Close to half of this area were of the VOS land types; 38 percent were E.O. 407 land types, and about a fifth were CA land types.

Before the ROD can issue a TCT, the landowner's claim folders still pass two stages of the land acquisition procedure, depending on whether or not he/she has accepted the LBP's valuation offer. In case the landowner accepted the land price of LBP, DAR issues the landowner a DOT and LBP pays him/her the corresponding amount in cash and LBP bonds. DAR then submits to the ROD all the technical documents required in issuing a TCT including the LBP certificate. If the landowner rejected the LBP's offer, the bank has to open a trust fund on behalf of the landowner. The ROD will only issue a TCT if all these documents are in order.

As the table illustrates, there is a large gap between the number of claim folders (and area coverage) that have been approved for payment by LBP and the number of claims (and area coverage) which were accorded TCTs. Only 27 percent of the claims with LBP approved payment for the years 1987 to 1992 have been provided with TCTs; this covers roughly 30 percent of the total area due for TCT. This implies that between the last two stages when LBP approves the payment and ROD issues the TCT, a backlog of as much as 73 percent of claim folders, or 70 percent of prospective land reform area, occurs. These last two stages of land acquisition involve principally just the LBP, DAR, and the ROD.

If we were to include the land valuation stage up till the generation of TCTs, the land acquisition performance reflects a much more dismal picture (Table 4.29). Claims transmitted by DAR for LBP valuation excluding OLT land types, numbered to 33,799 CFs for the same period; this involves some 427,891 hectares. Of this total, we noted 21 percent of the total CFs were returned to DAR for various reasons; 24 percent were being processed by LBP and only 55 percent were actually approved for payment. The proportion of claims with TCTs to total claims generated by DAR but still awaits valuation and compensation is only 12 percent, or 16 percent in terms of area.

4.3.3. ROD's Performance in Land Distribution

Once the lands have been acquired, the land distribution process commences. A key aspect of the latter process is the registration of the EPs and CLOAs by the ROD. Prior to their registration, the LRA-CARP land registration examiner⁷ evaluates the technical documents and sees if all the necessary documents are in proper order. Only after all the papers have been thoroughly examined will the Register of Deeds or his deputy imprint his signature on the titles.

Unlike in the ROD's inferior performance in the registration of TCTs under the land acquisition process, ROD's work pace in the registration of EPs and CLOAs has kept at pace with DAR's generation of the FB's land titles. This is reflected in the performance of the RODs servicing the five (5) provincial samples (Tables 4.30, 4.31, 4.32, 4.33, and 4.34). With the exception of Iloilo and Occidental Mindoro, a low and high performing province, respectively, where a few EPs and CLOAs were still pending for registration in 1991, the other provincial RODs showed no backlog in this activity. Majority of the pending cases were due to incomplete technical requirements that could be resolved easily by DAR; several however, were still awaiting LBP's certification of full payment to the landowner.

In all the five (5) provinces, there was a noticeable uptrend in the generation and registration of CLOAs and the tapering-off in the registration of EPs. The latter pattern was due partly because of the declining area of rice lands that are still awaiting land reform and partly because of the lower transaction costs involved in the production

of collective land ownership titles (i.e., CLOAs) than through individual land titles such as the EPs.

4.3.4. Problem Areas

Nine (9) provincial and city ROD personnel were interviewed to shed light into the problems and issues encountered by their office when performing LAD work (Table 4.35). Four (4) of them were located in the HPP while the remaining five (5) were based in the LPP; all of them performed key functions in LAD activities in their respective localities. With the exception of one who obtained a Social Science degree, the rest were law graduates.

The basic problems which they observed in relation to their LAD work were as follows:

- (i) Lack of personnel and inadequate technical training on LAD work were a major concern of the ROD respondents (Table 4.36). Because of this problem, majority of the personnel involved in CARP land registration also perform regular registration functions. This in part explains the delay especially in the land acquisition aspect which require more time in terms of evaluating the technical documents necessary prior to the registration of a TCT;
- (ii) The documentary requirements for the registration of EPs, CLOAs, and TCT include among others, DOT, approved survey plan, technical description, tax declaration, certificate of the tax payment, and LBP certification of full payment to the landowner. More difficulties in terms of compiling and examining the technical documents were encountered in the transfer of title from the landowner to the State than in the registration of the EPs and CLOAs. Some of the difficulties include the non-surrender of owner's duplicate copy of title; unreconstituted original copy of the title; and the withholding of the owner's duplicate copy of title by the LBP for inventory purposes.

The Supreme Court ruling that the land be fully paid prior to distribution was observed to be the major bottleneck in the registration of DOT especially in the LPPs (Table 4.37). Without the corresponding certificate from the LBP that the condition of full payment to the landowner has been satisfied, the ROD is legally bound not to register the TCT, thereby stalling the LAD considerably;

- (iii) Too many laws and orders govern the registration of EPs, CLOAs, and the TCT for CARP lands. These in turn, require specific procedural steps, supporting documents, and check and balance support systems. These have contributed in delaying the processing work at the ROD level. Moreover, because these are

over and above their regular tasks, they increase the office's transaction costs without a commensurate income for the ROD; and,

- (iv) Menial deficiencies in the technical documents such as the non-specification of area in words and figures, or the absence of date of generation, or simple clerical errors, are not resolved at the ROD level but instead, are returned to DAR for corrections. These ensure unnecessary delay in the LAD process.

What this problem highlights is that while much of the sub-activities in LAD are performed by DAR, the outputs for each major step in land acquisition (e.g., registration of land titles) are determined and influenced by its CARP-agency partners. Unfortunately, the performance of DAR is measured in terms of area acquired and distributed; most of the processes required in achieving this objective are however, beyond its control and jurisdiction.

4.4. Conclusion: Coordination in LAD - Theory and Practice

This chapter examined the specific functions and performance of the DENR, LBP and ROD in relation to LAD work. It also identified the problems encountered by these agencies when discharging their respective LAD tasks. As was noted above, the problems were sometimes internal to the office but most often, were due to the lack of coordination with DAR and the other CARP participating agencies.

A summary of the nature and mode of activities performed by DENR, LBP, and ROD in LAD; the types and number of documents required by each agency and the time expended in performing these activities, are shown in Table 4.38. Common to all these agencies are: (i) the activity of verifying and validating the documents provided by DAR; (ii) the need for formal requests from DAR officials (often, PARO or RARO level) to perform their LAD-related activities; (iii) where the technical documents were found to be wanting, the action of returning all the documents back to DAR and subsequently, not deciding on the subjected areas; and (iv) the numerous supporting documents required by and the long time duration before decisions are actually accorded for each sub-activity done by these agencies. The end-result of these duplicating, sometimes overlapping, and often redundant procedural steps is to stratify further the already bureaucratic LAD procedure. Compounding this problem is the requirement for many supporting documents as well as inadequate manpower and financial resources for LAD work. All of these bottlenecks ensure the delay of the LAD process.

Several solutions for removing some of the major impediments in the LAD process can be explored. These include (i) the subcontracting of DENR's survey work to private surveyors; (ii) the recognition by the LBP of DAR's and DENR's land use and ownership information and or the synchronization of the reconnaissance survey of DAR, DENR and LBP so that only one field survey will be required; and (iii) the need to employ the alternative modes of landowner's compensation which are more attractive than the one presently used. There is also a need to streamline the whole LAD process - removing the procedural steps which are redundant and reducing the areas where overlaps and duplication emerge. Except for the first option which is occasionally resorted to by DENR, the other alternatives have yet to be experimented.

In order to provide a perspective into the various results generated from this chapter, we should try to explain why there was a need to involve other agencies when R.A. 6657 entrusts DAR the sole authority and jurisdiction over agrarian reform activities and related matters. There are three (3) possible reasons that may have warranted the need for the participation of other agencies. The first concerns the absence of accurate and updated landownership records and land use information. If these data were readily available, then LAD work would not require the intensive land surveys of DENR, the LBP's research and field work on land use information for valuation purposes, and the ROD's numerous technical documentary requirements prior to registration. Because the data are non-existent however, LAD work had to include both land reform activities and the generation of land use/ownership data.

The second and perhaps the overriding reason that may have warranted their involvement in LAD at least from the vantage point of the government, is the potentials of rent-seeking activities that may ensue from LAD work. The numerous loopholes and ambiguities of CARL coupled with the fact that landowners are still a formidable political bloc to contend with in the countryside, provide ample opportunities for illicit forms of income-generating venues to emerge. With the participation of other agencies, it is hoped that each agency will serve as the counter-balance to the activities performed by the other government agencies.

And third, division and specialization of the multifarious tasks required by LAD would in principle, hasten the process. Thus, DAR can identify the landowners and FBs, prepare the paperwork, and monitor each procedural step. LBP, being a bank, can use its expertise on LAD's financial activities, i.e., land valuation, compensation, and amortization. DENR will focus on land surveys while ROD on the registration of land titles.

In actuality however, the involvement of many agencies in various stages of the LAD process has become a major stumbling block in hastening land reform. With the exception of DAR whose performance is measured primarily in terms of its land reform accomplishment, the other agencies have no incentive to speed up the implementation of land reform. The overall performance of DENR, LBP and ROD does not hinge on

their LAD activities but rather, on the attainment of other objectives. Thus, it was no surprise that for all the three (3) agencies, inadequate financial and manpower resources have been a dominant problem in increasing their LAD workpace. Since LAD activities compete with the agency's resources for their use in the agencies' regular functions and since LAD is an adjunct task, then these resources, unless provided by DAR through the ARF, will be allocated for the attainment of the agencies' primary tasks.

Moreover, the government's response of adding another procedural measure in the already complex LAD hierarchy, as a mechanism of reducing rent seeking activities in LAD work (e.g., land valuation was transferred to LBP) sacrificed in the end the faster implementation of LAD. The risk averse attitude of the government was also replicated by the LAD-participating agencies as each of these entities established a myriad of steps for evaluating, counterchecking, and monitoring the sub-activities in LAD performed by their respective agency and that of DAR's. In addition, numerous supporting documents and protocol request procedures were instituted which in turn, served as impediments to hastening LAD.

In theory, implementation of LAD would be much faster if the LAD participating agencies coordinated their activities. In practice however, coordination is difficult to achieve precisely because these agencies have different objectives to pursue. Moreover, there were no clear-cut delineation of the tasks that each one was required to do so that often, duplication of activities occur. Further, since resources for LAD are insufficient and because of the many roles that the personnel had to perform, synchronization of LAD work among the agencies could not be realistically achieved.

The end result of uncoordinated work among LAD-related agencies is the delay in land reform implementation. Adversely affected by these backlogs in LAD work are the FBs on one hand and DAR, on the other; the former because of the delay in land distribution and the latter because of lower accomplishment and hence, poor performance.

NOTES

¹While the research had attempted to enrich the discussion with secondary data from the LBP's regional offices, not much were gathered because of the strict regulations of the bank regarding the release of their data.

Thus, LBP evaluation relied on the data provided by LBP's central office (which were minimal), PARC's information on LBP's performance, and the insights provided by the four (4) LBP respondents from Regions I, IV, V, and VI. All the four (4) respondents were males and law graduates.

²In A.O. numbers 17 (1989) and 3 (1991), the figure for capitalized net income (CNI) had a weight of 0.4 while comparable sales (CS) and market value (MV) were each assigned a weighted index of 0.3. The premise in the choices of weights is that CNI approximates actual utilization of the subjected land than the CS and MV estimates. The land value as declared by the landowner in the LISTASAKA is applied only if it were lower than the computed value.

³For example, DENR provides qualifying exemptions to the definition of the 18 degree slope especially if it assesses that the subjected area is cultivable. On the other hand, LBP excludes such areas, regardless of whether or not they can be cultivated, as these are stipulated in CARL.

⁴LBP stated other reasons for returning back to DAR some of the landowner's claim folders: First, several areas included for reform by DAR should, according to LBP's interpretation of the law, be excluded from CARP; these are areas not suited to agriculture and are unproductive (stoney), eroded, or silted and those which are 18 degrees in slope. Second, the landowners and/or FBs opt for a different payment scheme. Third, the landowner decides to retain a portion of the affected area. Fourth, the VOS or compulsorily acquired lands are covered by P.D. 27 or E.O. 228 which in turn, are governed by different LAD and valuation procedures. Fifth, the offered properties cannot be located by the bank or the markers cannot be properly determined. And last, some of the lands covered by reform are in fact public lands which in turn form part of the special projects of the government.

⁵Public-owned lands refer to lands owned by public corporations and other entities. In the tables below, these are referred to as land types affected by E.O. 407 and whose ownership were transferred to the State for land reform.

⁶These include LRA circular numbers 29 and 29-A, which specify the documentary requirements in the registration of EPs and CLOAs; no. 3, or the regulations for provisional registration of pending reconstitution of titles; no. 22, which requires DAR clearance for registration; and no. 32, which covers EP registration of land whose area is 5 hectares.

⁷In the absence of the authorized examiner, it was either the Register of Deeds or the person duly authorized by the ROD to do the job such as the Deputy Register of Deeds or clerk, who assesses the technical documents.

Table 4.1. DENR personnel respondents by type of work, sex and educational attainment by region, Philippines, 1992.

Item					Total	
	Region I	Region IV	Region V	Region VI	No.	%
1. RENRO						
Sex						
Male	1	1	1	1	4	100
Educational Attainment						
AB, LLB, and MPA (no thesis yet)	0	0	1	0	1	12.5
Master's Degree in National Security Administration	0	0	0	1	1	12.5
BSEE	1	0	0	0	1	12.5
Associate in ARTs & LLS	0	1	0	0	1	12.5
Total no. reporting	1	1	1	1	4	100

Table 4.1a. Frequency distribution of DENR personnel respondents by sex and educational attainment, by province, Philippines, 1992.

Items	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
2. PENRO						
Sex						
Male	3	100	1	50.0	4	80.0
Female	0	0.0	1	50.0	1	20.0
Total no. reporting	3	100	2	100	5	100
Educational Attainment						
B.S. Forestry with some M.S. units	1	33.3	0	0.0	1	20.0
4th Year College of Law	0	0.0	1	50.0	1	20.0
B.S. Forestry	1	33.3	0	0.0	1	20.0
Bachelor of Laws	1	33.3	1	50.0	2	40.0
Total no. reporting	3	100	2	100	5	100
3. CENRO						
Sex						
Male	6	85.7	6	100	12	92.3
Female	1	14.3	0	0.0	1	7.7
Total no. reporting	7	100	6	100	13	100
Educational Attainment						
B.S. Civil Engineering	1	14.3	0	0.0	1	7.7
B.S. Forestry and M.S. in Forestry (no thesis yet)	0	0.0	1	16.7	1	7.7
Bachelor of Laws	0	0.0	1	16.7	1	7.7
B.S. Geology and Master of Management (30 units)	0	0.0	1	16.7	1	7.7
B.S.E. and LLB	1	14.3	0	0.0	1	7.7
B.S. Ag. Engineering	1	14.3	0	0.0	1	7.7
B.S. Forestry	2	28.6	1	16.7	3	23.1
M.S. (major in mining and geology)	1	14.3	0	0.0	1	7.7
College graduate	0	0.0	1	16.7	1	7.7
AB	0	0.0	1	16.7	1	7.7
Associate in Surveying	1	14.3	0	0.0	1	7.7
Total no. reporting	7	100	6	100	13	100

Table 4.2. DENR personnel-respondent's prioritization of CARP over other DENR functions.

Item	Always		No		Seldom		Most of the time		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
1. Priority of CARP over Other										
1.1 Regional	3	25.0					1	12.5	4	19.2
1.2 PENRO										
HPP	1	8.3					2	25.0	3	13.6
LPP	2	16.7							2	9.1
1.3 CENRO										
HPP	4	33.3			1	50.0	2	25.0	7	31.8
LPP	2	16.7			1	50.0	3	37.5	6	27.3
Total	12	100			2	100	8	100	22	100
2. DENR to do CARP Work										
2.1 Regional	1	8.3					1	20.0	2	10.0
2.2 PENRO										
HPP	2	16.7					1 a/	20.0	3	15.0
LPP	1	8.3					1	20.0	2	10.0
2.3 CENRO										
HPP	5	41.7			2	100			7	35.0
LPP	3	25.0	1	100			2	40.0	6	30.0
Total	12	100	1	100	2	100	5	100.0	20	100
3. Personnel working on CARP also do non-CARP functions										
3.1 Regional	1	50.0	1	33.3	1	10.0	1	12.5	4	17.4
3.2 PENRO										
HPP	-		-		2	20.0	2	25.0	4	17.4
LPP	1	50.0	1	33.3					2	9.7
3.3 CENRO										
HPP			1	33.3	3	30.0	3	37.5	7	30.4
LPP					4	40.0	2	25.0	6	26.1
Total	2	100	3	100	10	100	8	100.0	23	100

a/ Depends on availability of funds.

Table 4.3. Priority accorded by DENR respondents to CARP functions.

Item	Most Priority		Occasional Priority		Lowest Priority		Total	
	No.	%	No.	%	No.	%	No.	%
ISF								
1. Regional	1	7.1	2	33.3	1	100	4	19.0
2. PENRO								
HPP	3	21.4					3	14.3
LPP	2	14.3					2	9.5
3. CENRO								
HPP	4	28.6	3	50.0			7	33.3
LPP	4	28.6	1	16.7			5	23.9
Total	14	100	6	100	1	100	21	100
SURVEY								
1. Regional	4	40.0					4	20.0
2. PENRO								
HPP	2	20.0					2	10.0
LPP			1	14.3	1	33.3	2	10.0
3. CENRO								
HPP	2	20.0	2	28.6	2	66.7	6	30.0
LPP	2	20.0	4	57.1			6	30.0
Total	10	100	7	100	3	100	20	100

Table 4.4. Ranking of problems encountered in CARP-related activities.

	Ranking a/		
	Regional	PENRO	CENRO
1. Lack/delay of finances	1	1	2
2. Lack of personnel	3	2	3
3. Lack of survey supplies/ equipment	4	3	4
4. Incomplete DAR documents	2	4	6
5. Transportation problems	5	1	1
6. Conflict with DENR functions	5	6	5
7. Difficulty in private contracting	6	5	7

a/ Ranking was based on DENR personnel's responses on frequency of these problems. Problems which were always an issue ranked as no.1; higher ranking numbers meant lower level problems.

Table 4.5. Number of meetings and participants in the meetings held before and after the survey as report by CENRO.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
1. Number of meetings before survey						
0	0	0.0	1	16.7	1	7.7
1	4	57.1	3	50.0	7	53.8
2	2	28.6	1	16.7	3	23.1
3	1	14.3	1	16.7	2	15.4
Total no. reporting	7	100	6	100	13	100
2. Participants in the meeting aside from DENR personnel						
Potential farmer-beneficiaries	7	100	5	83.3	12	92.3
Landowners	7	100	5	83.3	12	92.3
BARC representative	7	100	5	83.3	12	92.3
DAR personnel	7	100	5	83.3	12	92.3
MARO or ART	5	71.4	3	50.0	8	61.5
ART	0	0.0	2	33.3	2	15.4
MARO	2	28.6	0	0.0	2	15.4
DA representative	0	0.0	3	50.0	3	23.1
LBP representative	0	0.0	3	50.0	3	23.1
Barangay officials	3	42.9	2	33.3	5	38.5
Total no. reporting	7	100	6	100	13	100
3. Number of meetings after the survey						
1	5	71.4	2	33.3	7	53.8
0	2	28.6	4	66.7	6	46.2
Total no. reporting	7	100	6	100	13	100
4. Participants in the meeting						
Potential farmer-beneficiaries	5	100	1	50.0	6	85.7
Landowners	5	100	2	100	7	100
BARC representative	5	100	1	50.0	6	85.7
DAR personnel	5	100	1	50.0	6	85.7
MARO or ART	4	80.0	1	50.0	5	71.4
MARO	1	20.0	0	0.0	1	14.3
Barangay officials	3	60.0	1	50.0	4	57.1
Total no. reporting	5	100	2	100	7	100

Table 4.6. Number of CENRO personnel by information about their conduct of reconnaissance survey by type of province.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Conducts the reconnaissance survey even if DAR documents are incomplete						
CENRO						
Yes	5	71.4	2	33	7	53.8
No	2	28.6	1	16.7	3	23.1
Case-to-case	0	0.0	3	50.0	3	23.1
As long as there is plan or other ownership documents	0	0.0	1	16.7	1	7.7
If the area is near and with peace & order	0	0.0	1	16.7	1	7.7
If LOs are consulted and the adjoining lot boundaries are known	0	0.0	1	16.7	1	7.7
Total no. reporting	7	100	6	100	13	100
Duration of reconnaissance survey per module						
Private-owned lands						
1-2 days	5	85.7	0	0.0	5	50.0
3-4 days	0	0.0	2	40.0	2	16.7
7 days	0	0.0	2	40.0	2	16.7
15 days	1	14.3	0	0.0	1	8.3
1 month	0	0.0	1	20.0	1	8.3
Total no. reporting	7	100	5	100	12	100

Table 4.7. Frequency distribution of DENR personnel by information about the written request by DAR for boundary/subdivision survey.

Item	Always		No		Seldom		Total	
	No.	%	No.	%	No.	%	No.	%
Regional	2	13.3	1	25.0	1	33.3	4	18.2
PENRO								
HPP	3	20.0					3	13.6
LPP	2	13.3					2	9.1
CENRO								
HPP	6	40.0	1	25.0	0	0.0	7	31.8
LPP	2	13.3	2	50.0	2	66.7	6	27.3
Total	15	100	4	100	3	100	22	100

Table 4.8. DAR personnel who provided a written request for boundary/subdivision survey by DENR personnel.

Item	DENR (NO.)			
	REGIONAL	PROVINCIAL		MUNICIPAL
		HPP	LPP	
MARO thru MARO & RARO	2			
MARO thru PARO	1			
RARO	1			
PARO			1	
PARO or MARO		3	1	7
				6

Table 4.9. Frequency distribution of DENR personnel by completeness of documents provided by DAR for boundary survey, by region, Philippines, 1992.

Item	Region V	Region IV	Region VI	Region I	Total	
					No.	%
Document provided by DAR for boundary survey						
Copy of certified survey plan						
Often incomplete	1	0	0	1	2	50.0
Seldom complete	0	0	1	0	1	25.0
Seldom incomplete	0	1	0	0	1	25.0
Total no. reporting	1	1	1	1	4	100
Sketch plan with vicinity map						
Always incomplete	1	0	0	0	1	25.0
Seldom complete	0	0	1	0	1	25.0
Seldom incomplete	0	1	0	0	1	25.0
Not provided by DAR	0	0	0	1	1	25.0
Total no. reporting	1	1	1	1	4	100
DAR-prepared survey plan if copy of certified survey plan and sketch plan with vicinity map are not available						
Not applicable	1	0	1	1	3	75.0
Seldom incomplete	0	1	0	0	1	25.0
Total no. reporting	1	1	1	1	4	100
DAR-prepared sketch plan of property if copy certified survey plan or sketch plan with vicinity map are not available						
Not applicable	1	0	1	1	3	75.0
Seldom incomplete	0	1	0	0	1	25.0
Total no. reporting	1	1	1	1	4	100

Table 4.9. continued.....

Item	Region V	Region IV	Region VI	Region I	Total	
					No.	%
Do you require both copy of certified survey plan and sketch plan with vicinity map						
Yes	0	1	0	0	1	25.0
Not applicable	1	0	1	1	3	75.0
Total no. reporting	1	1	1	1	4	100
Do you require both DAR-prepared survey and sketch plan if copy of certified survey plan and sketch plan with vicinity map are not available						
No	1	0	1	1	3	75.0
No; only DAR-prepared sketch plan	0	1	0	0	1	25.0
Total no. reporting	1	1	1	1	4	100
Other documents required from DAR						
Xerox copy of title	1	0	1	0	2	28.6
Old copy of plan	1	0	0	0	1	14.3
Lot description	0	0	1	1	2	28.6
Status of land whether or not titled	0	0	0	1	1	14.3
Depends on need	0	1	0	0	1	14.3
Total no. reporting	2	1	2	2	7	100
Action taken if documents required from DAR are not available						
Returned to DAR	0	1	1	1	3	50.0
RARO	0	1	0	0	1	33.3
PARO	0	0	1	0	1	33.3
RARO/PARO/RARO	0	0	0	1	1	33.3
Returned to other DENR Office (survey party)	0	0	0	1	1	20.0
DENR does the research	1	0	0	0	1	20.0
Total no. reporting	1	1	1	2	5	100

Table 4.10. Frequency distribution of DENR personnel by completeness of documents provided by DAR for boundary survey, by province, Philippines, 1992.

Items	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Documents provided by DAR for boundary survey						
Copy certified plan						
PENRO						
Always incomplete	0	0.0	1	33.3	1	20.0
Often complete	1	50.0	0	0.0	1	20.0
c/o CENRO	1	50.0	2	66.7	3	60.0
Total no. reporting	2	100	3	100	5	100
CENRO						
Always complete	2	28.6	1	16.7	3	23.1
Often complete	0	0.0	2	33.3	2	15.4
Often incomplete	0	0.0	2	33.3	2	15.4
Seldom complete	1	14.3	1	16.7	2	15.4
Seldom incomplete	1	14.3	0	0.0	1	7.7
Not applicable	3	42.9	0	0.0	3	23.1
Total no. reporting	7	100	6	100	13	100
Sketch plan with vicinity map						
PENRO						
Always incomplete	0	0.0	1	50.0	1	20.0
Often complete	1	50.0	0	0.0	1	20.0
c/o CENRO	2	66.7	1	50.0	3	60.0
Total no. reporting	3	100	2	100	5	100
CENRO						
Always complete	1	14.3	1	16.7	2	15.4
Often complete	0	0.0	1	16.7	1	7.7
Often incomplete	0	0.0	2	33.3	2	15.4
Seldom complete	0	0.0	1	16.7	1	7.7
Seldom incomplete	2	28.6	0	0.0	2	15.4
Not applicable (c/o DENR)	4	57.1	1	16.7	5	38.5
Total no. reporting	7	100	6	100	13	100

Table 4.10. continued.....

Items	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
DAR-prepared survey plan if copy of certified survey plan and sketch plan with vicinity map are not available						
PENRO						
c/o CENRO	2	66.7	1	50.0	3	20.0
Often incomplete	1	33.3	0	0.0	1	20.0
Not applicable	0	0.0	1	50.0	1	60.0
Total no. reporting	3	100	2	100	5	100
CENRO						
Always complete	0	0.0	1	16.7	1	7.7
Always incomplete	0	0.0	1	16.7	1	7.7
Often incomplete	0	0.0	1	16.7	1	7.7
Seldom complete	0	0.0	1	16.7	1	7.7
No	3	42.9	0	0.0	3	23.1
Yes	0	0.0	2	33.3	2	15.4
Not applicable	4	57.1	0	0.0	4	30.8
Total no. reporting	7	100	6	100	13	100
DAR-prepared sketch plan of property if copy of certified plan or sketch plan with vicinity map are not available						
PENRO						
Not provided by DAR	0	0.0	1	50.0	1	20.0
Often complete	1	33.3	0	0.0	1	20.0
c/o CENRO	2	66.7	1	50.0	3	60.0
Total no. reporting	3	100	2	100	5	100
CENRO						
Always complete	0	0.0	1	16.7	1	7.7
Often incomplete	0	0.0	1	16.7	1	7.7
Seldom complete	0	0.0	1	16.7	1	7.7
Not complete	7	100	1	16.7	8	61.5
Complete	0	0.0	2	33.3	2	15.4
Total no. reporting	7	100	6	100	13	100

Table 4.10. continued.....

Items	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Do you require both copy of certified survey plan and sketch plan with vicinity map						
PENRO						
Yes	0	0.0	1	50.0	1	20.0
No; either one of the two	1	33.3	0	0.0	1	20.0
c/o CENRO	2	66.7	1	50.0	3	60.0
Total no. reporting	3	100	2	100	5	100
CENRO						
Yes	2	28.6	5	83.3	7	53.8
No	3	42.9	0	0.0	3	23.1
No; either one of the two	1	14.3	0	0.0	1	7.7
No; only copy of certified survey plan	1	14.3	1	16.7	2	15.4
Total no. reporting	7	100	6	100	13	100
Do you require both DAR prepared survey and sketch plan if copy of certified survey plan and sketch plan with vicinity map are not available						
PENRO						
No; either survey plan or sketch plan	1	100	0	0.0	1	50.0
Not applicable	0	0.0	1	100	1	50.0
Total no. reporting	1	100	1	100	2	100
CENRO						
Yes	3	42.9	5	83.3	8	61.5
No	3	42.9	0	0.0	3	23.1
No; only DAR-prepared sketch plan	0	0.0	1	16.7	1	7.7
No; either DAR-prepared sketch plan or DAR-prepared survey plan	0	0.0	0	0.0	0	0.0
Total no. reporting	7	100	6	100	13	100

Table 4.10. continued.....

Items	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Other documents required from DAR						
PENRO						
Title and tax declaration	0	0.0	1	100	1	50.0
Title or approved technical description	1	100	0	0.0	1	50.0
Total no. reporting	1	100	1	100	2	100
CENRO						
Certified xerox copy of certificate of title	2	33.3	3	50.0	5	41.7
List of FBs	2	33.3	0	0.0	2	16.7
Certified machine machine copy of title and approved plans	0	0.0	2	33.3	2	16.7
Copy of title with technical description	0	0.0	1	16.7	1	8.3
Technical description	2	33.3	0	0.0	2	16.7
Total no. reporting	6	100	6	100	12	100
Action taken if documents required from DAR are not available						
PENRO						
Returned to DAR or DENR does the research	1	100	1	100	2	100
CENRO						
Returned to DAR	5	71.4	3	50.0	8	61.5
MARO	0	0.0	1	16.7	1	7.7
PARO	1	14.3	2	33.3	3	23.1
DENR does the research	1	14.3	0	0.0	1	7.7
Not applicable	1	14.3	0	0.0	1	7.7
Total no. reporting	7	100	6	100	13	100

Table 4.11. Types of problems encountered by CENRO in boundary survey.

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Boundary conflict on technical description due to transfer of boundary monuments	6	100	2	20.0	8	44.4
Peace and order	0	0.0	3	30.0	3	16.7
No existing old boundary monuments and common points	0	0.0	1	10.0	1	5.6
Absence of some claimants	1	100	1	10.0	2	11.1
No DAR ARTech in most cases	0	0.0	1	10.0	1	5.6
No subdivision scheme provided by DAR	0	0.0	1	10.0	1	5.6
Lost monuments	1	12.5	1	10.0	2	11.1
Total no. reporting	8	100	10	100	18	100

Table 4.12. CENRO sentiments over private contracts for boundary/subdivision survey.

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Yes	2	33.3	1	16.7	3	25.0
To give work to private contractors	0	0.0	1	16.7	1	8.3
Lack of geodetic engineers	1	50.0	0	0.0	1	8.3
Lack of personnel & modern equipment	1	50.0	0	0.0	1	8.3
No	2	33.3	3	50.0	5	41.7
For DENR people to augment their income from per diem	1	50.0	0	0.0	1	8.3
DENR people can do it	0	0.0	1	16.7	1	8.3
Not satisfied with work of contractors	1	50.0	2	33.3	3	25.0
Case-to-case	2	33.3	2	33.3	4	33.3
If there is lack of personnel/ equipment	0	0.0	1	16.7	1	8.3
Depends on availability of surveyors	1	50.0	0	0.0	1	8.3
Competence and efficiency of surveyors	1	50.0	0	0.0	1	8.3
Depends on area, no. of lots, and amount involved	0	0.0	1	16.7	1	8.3
Total no. reporting	6	100	6	100	12	100

Table 4.13. Number of Regional personnel of DAR by completeness of documents provided by DAR for subdivision survey.

Item	Region V	Region IV	Region VI	Region I	Total	
					No.	%
Documents provided by DAR for subdivision survey						
A. Subdivision scheme						
Seldom complete	0	0	1	0	1	25.0
Not provided by DAR	1	0	0	1	2	50.0
Seldom incomplete	0	1	0	0	1	25.0
Total no. of reporting	1	1	1	1	4	100
B. Technical documents						
Seldom incomplete for VOS and often incomplete for others	1	0	0	0	1	25.0
Seldom complete	0	0	1	1	2	50.0
Seldom incomplete	0	1	0	0	1	25.0
Total no. of reporting	1	1	1	1	4	100
C. LRC approved survey						
Always incomplete	1	0	0	0	1	25.0
Seldom complete	0	0	0	1	1	25.0
Not provided by DAR	0	0	1	0	1	25.0
Seldom incomplete	0	1	0	0	1	25.0
Total no. of reporting	1	1	1	1	4	100
Do you require both subdivision scheme and technical documents						
Yes	1	1	1	0	3	75.0
No; technical documents and LRC approved survey	0	0	0	1	1	25.0
Total no. of reporting	1	1	1	1	4	100
If LRC approved survey is lost, do you require a certification from concerned agency						
Yes	1	1	0	0	2	50.0
Not applicable	0	0	1	0	1	25.0
Case-to-case	0	0	0	1	1	25.0
Total no. of reporting	1	1	1	1	4	100

Table 4.13. Continued . . .

Item	Region V	Region IV	Region VI	Region I	Total	
					No.	%
If LRC approved survey is lost, is a resurvey undertaken						
Not applicable	0	0	1	0	1	25.0
Case-to-case	1	1	0	1	3	75.0
Total no. of reporting	1	1	1	1	4	100
Other documents required from DAR						
Technical description and listing of FBS	1	0	0	0	1	33.3
Certification that the land was not surveyed before by DAR	0	0	1	0	1	33.3
Certification as to whether or not the CARR lot is titled or not or with pending registration/application	0	0	0	1	1	33.3
Total no. of reporting	1	0	1	1	3	100
Action taken if documents required from DAR are not available						
Returned to DAR (PARO)	0	1	0	0	1	20.0
Returned to DAR (PARO) from CENRO thru PENROs	0	0	1	0	1	20.0
Referred to other DENR office	0	0	1	1	2	40.0
Central office or Land Mgt. Bureau	0	0	1	0	1	20.0
CENRO/PENRO/Survey Party	0	0	0	1	1	20.0
DENR does the research	1	0	0	0	1	20.0
Total no. of reporting	1	1	2	1	5	100

Table 4.14. Number of Provincial and Municipal Personnel of DENR by completeness of documents provided by DAR for subdivision survey by type of province.

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Documents provided by DAR for subdivision survey						
A. Subdivision Scheme						
PENRO						
Not provided by DAR	0	0.0	1	100	1	50.0
Always incomplete	1	100.0	0	0.0	1	50.0
Total no. reporting	1	100	1	100	2	100
CENRO						
Always complete	2	28.6	0	0.0	2	15.4
Often complete	0	0.0	1	16.7	1	7.7
Seldom complete	1	14.3	2	33.3	3	23.1
Seldom incomplete	1	14.3	1	16.7	2	15.4
Not applicable	3	42.9	2	33.3	5	38.5
Total no. reporting	7	100	6	100	13	100
B. Technical documents						
PENRO						
Always incomplete	1	100.0	0	0.0	1	50.0
Seldom complete	0	0.0	1	100	1	50.0
Total no. of reporting	1	100	1	100	2	100
CENRO						
Always complete	2	28.6	1	16.7	3	23.1
Often complete	1	14.3	2	33.3	3	23.1
Often incomplete	1	14.3	2	33.3	3	23.1
Seldom complete	0	0.0	1	16.7	1	7.7
Seldom incomplete	2	28.6	0	0.0	2	15.4
Not applicable	1	14.3	0	0.0	1	7.7
Total no. reporting	7	100	6	100	13	100

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
CENRO						
Always complete	2	28.6	1	16.7	3	23.1
Often complete	1	14.3	2	33.3	3	23.1
Often incomplete	1	14.3	2	33.3	3	23.1
Seldom complete	0	0.0	1	16.7	1	7.7
Seldom incomplete	2	28.6	0	0.0	2	15.4
Not applicable	1	14.3	0	0.0	1	7.7
Total no. reporting	7	100	6	100	13	100

C. LRC approved survey

PENRO

Always incomplete	0	0.0	1	100	1	50.0
Often complete	1	100.0	0	0.0	1	50.0
Total no. reporting	1	100	1	100	2	100

CENRO

Always complete	1	14.3	1	16.7	2	15.4
Seldom incomplete	2	28.6	4	66.7	6	46.2
Not applicable	4	57.1	1	16.7	5	38.5
Total no. reporting	7	100	6	100	13	100

Do you require both subdivision
scheme and technical documents

PENRO

Yes	0	0.0	1	100.0	1	50.0
No; either subdivision scheme, technical documents, or LRC approved survey	1	100	0	0.0	1	50.0
Total no. of reporting	1	100	1	100	2	100

CENRO

Yes	6	85.7	3	50.0	9	69.2
No; only technical documents	1	14.3	2	33.3	3	23.1
No; technical documents and LRC approved survey	0	0.0	1	16.7	1	7.7
Total no. of reporting	7	100	6	100	13	100

Table 4.14. continued.....

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
If LAC approved survey is lost, do you require a certification concerned agency						
PENRO						
Yes	0	0.0	1	100	1	50.0
No	1	100	0	0.0	1	50.0
Total no. reporting	1	100	1	100	2	100
CENRO						
Yes	3	42.9	4	66.7	7	53.8
No	0	0.0	1	16.7	1	7.7
Not applicable	3	42.9	0	0.0	3	23.1
Case-to-case	1	14.3	1	16.7	2	15.4
Total no. reporting	7	100	6	100	13	100
If LAC approved survey is lost, is a resurvey undertaken						
PENRO						
No	1	100	0	0.0	1	50.0
Case-to-case	0	0.0	1	100	1	50.0
Total no. reporting	1	100	1	100	2	100
CENRO						
Yes	3	42.9	2	33.3	5	38.5
No	1	14.3	0	0.0	1	7.7
Not applicable	0	0.0	4	66.7	4	30.8
Case-to-case	3	42.9	0	0.0	3	23.1
Total no. reporting	7	100	6	100	13	100
Other documents required from DAR						
PENRO						
Tax declaration	0	0.0	1	100	1	5
Copy of title	1	100	0	0.0	1	5
Total no. reporting	1	100	1	100	2	

Table 4.14. continued.....

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
CENRO						
Certified survey plan	1	14.3	0	0.0	1	7.7
Ownership documents	3	43	2	33.3	5	38.5
Status certification from						
DAR	0	0.0	1	16.7	1	7.7
None	3	42.9	3	50.0	6	46.2
Total no. reporting	7	100	6	100	13	100
Action taken if documents required from DAR are not available						
PENRO						
Returned to DAR (MARO Office)	0	0.0	1	100	1	50.0
Referred to other DENR Office (Regional Office or Land Mgt. Bureau) or returned to DAR	1	100	0	0.0	1	50.0
Total no. reporting	1	100	1	100	2	100
CENRO						
Returned to DAR	7	100	4	66.7	11	84.6
MARO	5	71.4	3	50.0	8	61.5
PARO	1	14.3	1	16.7	2	15.4
MARO/PARO	1	14.3	0	0.0	1	7.7
Request from LRC, LO or DOJ other documents	0	0.0	1	16.7	1	7.7
Referred to other DENR office LMS Survey Division	0	0.0	1	16.7	1	7.7
Total no. reporting	7	100	6	100	13	100

Table 4.16. Frequency distribution of DENR personnel by documents required before a segregation survey can be done by region.

Item					Total	
	Region V	Region IV	Region VI	Region I	No.	%
Guidelines in conducting the survey	1	0	0	0	1	25.0
Technical description and title/data	0	1	1	0	2	50.0
Survey plan and technical description; status of mother lot whether titled or not; name of owner/claimant	0	0	0	1	1	25.0
Total no. reporting	1	1	1	1	4	100

Table 4.15. Types of problems encountered by the CENRO in the subdivision survey.

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
CENRO						
Boundary conflict	5	50.0	3	30.0	8	40.0
Lack of technical personnel	0	0.0	1	10.0	1	5.0
Non-cooperation of LOs	0	0.0	1	10.0	1	5.0
Lack of funds	1	10.0	0	0.0	1	5
Delayed and inadequate travelling expenses	1	10.0	0	0.0	1	5.0
Absence of subdivision scheme	0	0.0	1	10.0	1	5.0
Absence of DAR ART	0	0.0	1	10.0	1	5.0
Non-appearance of farmers	0	0.0	2	20.0	2	10.0
Lost monuments	0	0.0	1	10.0	1	5.0
Lack of documents especially technical description	1	10.0	0	0.0	1	5.0
Polygon does not close	2	20.0	0	0.0	2	10.0
Total no. of reporting	10	100	10	100	20	100

Table 4.17. Frequency distribution of DENR personnel by documents required before a segregation can be done, by province.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
PENRO						
Title, LRC certification, approved	0	0.0	1	100	1	50.0
Title, approved plan, and technical description	1	100	0	0.0	1	50.0
Total no. reporting	1	100	1	100	2	100
GENRO						
Letter request	1	25.0	1	20.0	2	22.2
Survey authority	1	25.0	0	0.0	1	11.1
Ownership documents	3	75.0	4	80.0	7	77.8
Plan	0	0.0	1	20.0	1	11.1
Report to MARO on field investigation	0	0.0	1	20.0	1	11.1
Land use map	1	25.0	0	0.0	1	11.1
Total no. reporting	4	100	5	100	9	100

Table 4.18. Parties present during a segregation survey as reported by the CENRO.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
CENRO						
Landowner	3	75.0	4	80.0	7	77.8
Adjoining lot owners	0	0.0	1	20.0	1	11.1
DAR (MARG or ART)	3	75.0	5	100.0	8	88.9
BARC	1	25.0	0	0.0	1	11.1
Other interested parties	2	50.0	0	0.0	2	22.2
DA	0	0.0	1	20.0	1	11.1
FB/tenants	2	50.0	4	80.0	6	66.7
Barangay officials	0	0.0	2	40.0	2	22.2
Total no. reporting	4	100	5	100	9	100

Table 4.19. Number of DENR-personnel who classify 18 degrees sloped areas as CARP or non-CARP area.

DENR Personnel	CARP a/	Non-CARP
1. Regional	3	1
2. PENRD		
HPP	2	1
LPP	1	1
3. CENRD		
HPP	5	2
LPP	4	2
Total	15	7

Table 4.20. Number of DENR personnel-respondents by types of lands considered as non-CARP areas when surveying CARP lands by region, Philippines, 1992.

Item	Region V	Region IV	Region VI	Region I	Total	
					No.	%
Forest lands	1	1	1	1	4	100
18 degrees sloped areas	0	1	0	1	2	50.0
Natural features	0	1	0	1	2	50.0
Man-made infrastructure	1	1	0	1	3	50.0
Non-arable lands	1	1	0	1	3	75.0
Total no. reporting	1	1	1	1	4	100

Table 4.21. Number of DENR personnel-respondents by types of lands considered as non-CARP areas when surveying lands by province, Philippines, 1992.

Items	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
PENRO						
Forest lands	3	100	2	100	5	100
18 degrees sloped areas	3	100	1	50.0	4	80.0
Natural features	3	100	2	100	5	100
Man-made infrastructure	2	66.7	2	100	4	80.0
Non-arable lands	2	66.7	1	50.0	3	60.0
Total no. of reporting	3	100	2	100	5	100
CENRO						
Forest lands	6	85.7	5	83.3	11	84.6
18 degrees sloped areas	3	42.9	1	16.7	4	30.8
Natural features	5	71.4	3	50.0	8	61.5
Man-made infrastructure	5	71.4	3	50.0	8	61.5
Non-arable lands	5	71.4	2	33.3	7	53.8
Total no. of reporting	7	100	6	100	13	100

Table 4.22. Number of CENRO personnel by usual problems encountered in a segregation survey

Problems	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Boundary conflict	2	50.0	2	33.3	4	40.0
Non cooperation of LO	1	25.0	1	16.7	2	20.0
Who will do the survey	1	25.0	0	0.0	1	10.0
Non appearance of farmers	0	0.0	2	33.3	2	20.0
Lost monuments, no accurate point of reference in the area	0	0.0	1	16.7	1	10.0
Total no. reporting	4	100	6	100	10	100

Table 4.23. Frequency distribution of DENR personnel responses on problems usually encountered with the DAR by region, Philippines, 1992.

Item	Region V	Region IV	Region VI	Region I	Total	
					No.	%
Submission of incomplete documents	1	1	0	1	3	27.3
DAR personnel not present during the whole survey duration	1	0	0	1	2	18.2
Technical documentation	0	0	1	0	1	9.1
Schedule of operations at the field level/ineffective coordination	0	1	1	0	2	18.2
Failure to identify location of land in the locality	0	0	0	1	1	9.1
Issuance of EPs over unapproved survey plans	0	0	0	1	1	9.1
Potential work targets not physically identified	0	0	0	1	1	9.1
Total no. of reporting	2	2	2	5	11	100

Table 4.24. Landbank's countryside network, 1987-1992.

Year	Branches	Field Office Number	Land Valuation Offices
1987	25	36	0
1988	26	44	0
1989	28	75	0
1990	50	91	12
1991	66	108	12
1992	73	108	12

Source: LBP (1992) 'CAEP Accomplishments and Concerns'

Table 4.25. A comparison of the land valuation formulas, 1988-992.

Item	A.O. # 6 (1989)	A.O. # 17 (1989)	A.O. # 3 (1991)
1. Formula for Land Value (LV)	$LV1 = \frac{MV + AM + DV}{3} + I$	$LV2 = \frac{(CS * 0.3) + (CNI * 0.4) + (MV * 0.3)}{1}$	$LV3 = \frac{(CS * 0.3) + (CNI * 0.4) + (MV * 0.3)}{1}$
2. Definition of Terms	<p>MV - Market value</p> <p>AMV - Assessor's market value</p> <p>DV - Landowner's declared value</p> <p>I - Improvements on land provided by landowners</p>	<p>CS - Comparable sales</p> <p>CNI - Comparable net income</p>	

Table 4.25. continued....

Item	A.O. # 6 (1989)	A.O. # 17 (1989)	A.O. # 3 (1991)
3. Qualifying conditions	<ul style="list-style-type: none"> o For idle lands $LV = AMV + DV$ <div style="text-align: center;">----- 2</div> o $LV =$ agreed upon by DAR, LBP and landowners o $LV = DV$ if $< LV_1$ 	<ul style="list-style-type: none"> o For VOS as if 12/31/89 <ul style="list-style-type: none"> (i) If CS is N.A., $LV_{2a} = (CNI * .55) + (MV * .45)$ <div style="text-align: center;">+ 1</div> (ii) If CS & CNI and N.A., $LV_{2b} = (MV)2$ (iii) $LV = DV$ if $< LV_2$ o For CA land types <ul style="list-style-type: none"> (i) $LV_{2c} = CS + MV + DV$ <div style="text-align: center;">----- 3</div> s.t. $DV > CS + MV$ (ii) If CS is N.A. $LV_{2d} = (CN * .4) + (MV * .3) + (DV * .3)$ s.t. $DV > CNI + MV$ (iii) If DV is N.A., $LV_{2e} = (CS * .3) + (CNI * .4) + (MV * .3)$ (iv) If CS & DV are N.A., $LV_{2f} = (CNI * .55) + (MV * .45)$ (v) If only MV is available, $LV_{2g} = MV * 2h$ 	

Table 4.26. Number of BP personnel by information on the valuation formula used by region, Philippines, 1992.

Item	Region I	Region IV	Region V	Region VI	Total	
					No.	%
Valuation formula should vary with land use type						
Yes	1	0	1	1	3	75.0
No	0	1	0	0	1	25.0
Total no. reporting	1	1	1	1	4	100.0
Availability of data on cost of farm operations						
Seldom	0	1	1	1	3	75.0
Seldom for LO and often for FB	1	0	0	0	1	25.0
Total no. reporting	1	1	1	1	4	100
% of valuation cases using a net income figure of 20% of gross sales due to unavailability or unverifiability of costs of operation						
50%	1	1	0	0	2	50.0
75%	0	0	1	0	1	25.0
100%	0	0	0	1	1	25.0
Total no. reporting	1	1	1	1	4	100
Other crops with special net income factors (aside from coconut which had a net income factor of 70% at fruit-bearing stage)						
Mango and citrus	1	0	0	0	1	25.0
Abaca, banana, and permanent crops	0	1	0	0	1	25.0
Abaca, coffee and citrus	0	0	1	0	1	25.0
Mango, rubber, coffee, banana, cacao, citrus and other permanent crops	0	0	0	1	1	25.0
Total no. reporting	1	1	1	1	4	100
Production value computed in terms of potential earnings						
None	1	1	0	1	3	100

Table 4.29. Number of TCTs generated by RGD by number of claimfolders, area coverage, and by land type, July 1987-1992.

Item	Claimfolders		Area	
	No.	%	No.	%
OLT	N.A. 1/	N.A. 1/	N.A. 1/	N.A. 1/
VOS	2,186	50.1	20,132	41.9
CA	328	5.4	13,771	19.2
EO 407	1,779	42.4	16,580	37.5
Total	4,193	100	70,153	100
1. Between Compensation & RGD				
Claims approved for payment by LBP 1/	15,500		177,265	
% of RGD to claims with LBP approval		37.0		24.3
2. Between Validation & RGD				
Claims transmitted by DMS to LBP	30,979	100	417,861	100
i. Returned to GAR	7,901	25.5	32,474	7.8
ii. Approval for payment	16,000	48.7	177,131	42.4
iii. Still in LBP processing	16,500	50.0	184,122	44.0
% of claims with TCT to total claims generated by GAR		12.3		15.4

1/ N.A. = not available

Table 4.30. Summary of registered and pending EPs/CLOAs for Ilocos Sur, Philippines, 1988-1992.

Particulars	1988 (June-Dec)	1989	1990	1991	1992 (Jan-Mar)
I. EPs and CLOAs forwarded to ROD					
No. of EPs	1,250	2,085	1,135	2,168	39
Area (in has.) of EPs	341.50	479.72	704.93	672.39	1.95
No. of CLOAs	none	none	none	171	16
Area (in has.) of CLOAs	-	-	-	543.72	54.02
II. EPs and CLOAs Registered					
No. of EPs	1,132	2,170	1,135	2,168	39
Area (in has.) of EPs	341.22	507.27	704.93	672.39	1.95
No. of CLOAs	-	-	-	171	16
Area (in has.) of CLOAs	-	-	-	543.72	54.02
III. EPs and CLOAs pending Registration					
	none	none	none	none	none
IV. Returned for DAR's correction Proper action					
	118 EPs	none	none	none	none

Table 4.31. Summary of registered and pending EPs/CLOAs for Cagayan Sur, Philippines. 1988-1992.

Particulars	1988 (June-Dec)	1989	1990	1991	1992 (Jan-Mar)
I. EPs and CLOAs forwarded to RDD					
No. of EPs	2,543	6,361	4,742	1	0
Area (in has.) of EPs	3,477.32	4,623.01	3,172.67	0.36	-
No. of CLOAs	0	1	120	1406	102
Area (in has.) of CLOAs	0	8.69	162.47	2983.50	65.57
II. EPs and CLOAs Registered					
No. of EPs	2,543	6,361	4,742	1	-
Area (in has.) of EPs	3,477.32	4,623.01	3,172.67	0.36	-
No. of CLOAs	0	1	120	1406	102
Area (in has.) of CLOAs	0	8.69	162.47	2,983.50	65.57
III. EPs and CLOAs pending Registration					
	none	none	none	none	none

Table 4.32. Summary of registered and pending EPs/CLOAs for Iloilo, Philippines, 1988-1992.

Particulars	1988 (June-Dec)	1989	1990	1991	1992 (Jan-Mar)
I. EPs and CLOAs forwarded to ROD					
No. of EPs	3,923	2,139	2,197	515	26
Area (in has.) of EPs	3,889.81	1,987.89	1,557.79	475.97	36.68
No. of CLOAs				213	98
Area (in has.) of CLOAs				3,078.57	1,107.24
II. EPs and CLOAs Registered					
No. of EPs	3,923	2,139	2,324	461	10
Area (in has.) of EPs	3,889.81	1,967.89	1,497.53	341.12	13.36
No. of CLOAs				185	88
Area (in has.) of CLOAs				2,940.10	801.54
III. EPs and CLOAs pending Registration					
Registration	none	none			
No. of EPs	none	none	177	5	15
Area (in has.) of EPs	none	none	20.25 a/	2.11	13.72
Reasons:					
Reference title missing	-	-	177 EPs		
Defective Lot No.					5 EPs (14.52 has.)
No office file of title					11 EPs (8.20 has.)
No. of CLOAs				107	19
Area (in has.) of CLOAs				155.47	375.15
Reasons:					
Mother title cannot be located				10 CLOAs (4.78 has.)	
Mother title/city not yet transferred to RP		none	none	1 CLOA (11.10 has.)	9 CLOAs (20.34 has.)
Titles not yet consolidated				4 CLOAs (161.58 has.)	
No owner's copy of title				none	10 CLOAs (254.82 has.)
IV. Returned for DAR's correction					
	none	none	none	112 EPs (102.98 has.)	

a/ For 82 EPs only. Ninety-one EPs had no stated area.

Table 4.33. Summary of registered and pending EPs/CLOAs for Palawan, Philippines, 1988-1992.

Particulars	1988	1989	1990	1991	1992 (Jan-Mar)
I. EPs and CLOAs forwarded to RGD					
No. of EPs	160	153	101	none	none
Area (in has.) of EPs	345.46	249.87	128.47	none	-
No. of CLOAs	none	299	1,483	810	34
Area (in has.) of CLOAs	none	1,709.58	8,464.79	3,358.63	109.42
II. EPs and CLOAs Registered					
No. of EPs	160	153	101	none	none
Area (in has.) of EPs	345.46	249.87	128.47	none	none
No. of CLOAs	-	299	1,483	810	34
Area (in has.) of CLOAs	-	1,709.58	8,464.79	3,358.63	109.42
III. EPs and CLOAs pending Registration					
	none	none	none	none	none

Table 4.34. Summary of registered and pending EPs/CLOAs for Occ. Mindoro, Philippines, 1988-1992.

Particulars	1988 (June-Dec)	1989	1990	1991	1992 (Jan-Mar)
I. EPs and CLOAs forwarded to ROO					
No. of EPs	NA	NA	NA	552	226
Area (in has.) of EPs	NA	NA	NA	551.96	242.95
No. of CLOAs	NA	NA	NA	1,002	52
Area (in has.) of CLOAs	NA	NA	NA	900.85	35.90
II. EPs and CLOAs Registered					
No. of EPs	NA	NA	NA	375	213
Area (in has.) of EPs	NA	NA	NA	425.40	235.09
No. of CLOAs	NA	NA	NA	531	22
Area (in has.) of CLOAs	NA	NA	NA	745.63	71.00
III. EPs and CLOAs pending Registration					
No. of EPs	NA	NA	NA	67	15
Area (in has.) of EPs	NA	NA	NA	82.47	20.22

1/ Covers only the towns of San Jose, Nagasa-ay, Rizal and Talibao.

Table 4.37. ROO personnel-respondents affected by the Supreme Court ruling by province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
No. affected by Supreme Court ruling	2	50.0	4	75.0	6	66.7
Not affected	2	50.0	1	25.0	3	33.3
Total no. reporting	4	100	5	100	9	100

Table 4.38. Summary of nature of and type of problems encountered in LAD participation of CARP related agencies.

Agency/Tasks	Time to Accomplish/Task	Documentary Requirements No. &/or Issues	Problems	Alternatives
1. DENR				
1.1 Meetings	2-7 days	CF		
1.2 Reconnaissance	2 days & wks	CF	no standard questions incomplete documents from DAR	
1.3 Boundary	7 days-3 wks	about 5 documents	incomplete documents from DAR no standard doc. requirements	subcontract to private sector
1.4 Subdivision	1 day-3 wks	about 5	-ditto-	
1.5 Isolates	1 day-3 wks	about 5	-ditto-	
1.6 Whitepapers/certification approval	1 week wks	about 500	slow valuation before approval	
2. LBP				
2.1 Valuation similar to 10 steps	3 weeks yr.	CFs. DARF forms 110. also use data. technical docs. worksheets & oral valuation. all. 1991	LBP understaffed Field problems Difficult formulae highly centralized computer banking	recognize DAR/DENR data
2.2 Compensation need to DAR LBP approval for payment --- waiting time ---/ payment to LG	4 wks --- 1 yr --- many years	CFs. valuation need. certificates DARF forms. comp. approval. certificates	only 1 mode of payment is created	different compensation modes
3. ROD				
3.1 Acquisition - examine data - approval/no. - registration of TCT	1 wk - 6 mos.	CFs. DAR request, DOT &/ or LBP certificate, survey results	incomplete documents: clerical errors, etc. ----> return to DAR	
3.2 Distribution -examine data -TCT verified -EP/CLOA registration	7 days - 21 days	technical documents, TCT	-ditto-	

CHAPTER V

THE DISPLACED LANDOWNERS

5.1. Introduction

This chapter has a threefold purpose: first, to provide a profile of landowners and to explain their implications on the implementation of land reform; second, to identify and estimate the transactions costs incurred by landowners in the process of reform; and third, to pinpoint the areas for minimizing these transactions costs as well as the roles that DAR can perform during the transition and post CARL period.

Landowners were initially classified between high and low-performing provinces; but noting no significant differences in their responses, the succeeding sections do not distinguish them by provincial type. Whenever relevant however, these classifications were employed to highlight key points.

5.2. Demographic Features

5.2.1. Profile of Landowners (Table 5.1)

Of the 98 landowners who were interviewed, four-fifths belonged to the age bracket of 50 and above. About two-thirds were males with three-fourths of the sample married and close to a fifth were widowed.

More than half of the respondents are degree holders varying from applied sciences to business-related courses. About 22 percent have obtained high school education with 9 percent having obtained elementary certificates.

Less than a fifth of the landowner respondents have no children; 19 percent between one and two children; 31 percent with three to four kids; and 17 percent have five to six kids. These are all prospective beneficiaries of land reform.

5.3. Sources of Income

Most of the landowners who were eventually affected by CARP had multiple sources of income even before this measure was passed (Table 5.2). At the time of the survey, the reformed lands by the sample respondents were devoted to rice and corn production; only a few had engaged in cash crop production. Three landowners owned fishponds ranging from 5 to 7 hectares; another three had pasture leases of 16 to 33

hectares; and 3 had investments in livestock production. The latter types of land uses however, were not yet then subjected to agrarian reform.

More than a third of the landowner respondents were also engaged in non-agricultural activities (Table 5.3). These were mainly service-oriented and mostly under single proprietorship. Majority of these business ventures were established prior to the enforcement of CARP. Annual profits from these income sources were less than P100,000.

Other income sources of the landowner sampled were from wages (21 landowners), remittances (6 landowners) and pension (15 landowners).

5.4. Land Information Prior to Land Reform

To a large extent, implementation of land reform became doubly difficult because of the sentimental value attached to these lands. Of the 98 landowners who were surveyed, about nine-tenths of them either bought or inherited the land (Table 5.4). More than half obtained them three to four decades ago; the other one-third acquired their land between 1960 and 1980. For most of them, the land in question had been in the family for at least 1 to 2 generations.

In terms of economic value, prices of these lands have expectedly increased what with the continued rise and pressure of population on fix arable land. Moreover, reformed lands are near the town proper (averaging about 10 kms.); are accessible to the town because of transport facilities and proximity to paved roads; and have sources of water. Majority of the landowners have also invested on land improvement ranging from land levelling, paddy development, construction of irrigation canal and right of way (Table 5.5). Incurred costs for land improvements alone are estimated at P82,833.

In terms of labor arrangements, 68 of the 98 landowners respondents practised share tenancy with majority of them planting rice and corn (Table 5.6). More than half of the sample had 1 to 6 tenants; most of them are cultivating less than two hectares. The predominant sharing arrangement was the 50-50 (more than a third of the sample), followed by 75-25 (about one-fourth) and the 70-30 (less than a fourth). More than half of the landowners practised tenancy arrangements for more than a decade with only 32 percent of them providing homelots for their tenants and an insignificant number extending credit assistance to their tenants.

Only 9 landowners reported a lease arrangement while 21 engaged in various forms of wage employment (Table 5.7). In the lease arrangement, 5 of the landowners had 1 to 5 lessees while the rest had more than 5. The annual rent per hectare averaged at 12 cavans with the lessee cultivating approximately 1.6 hectares. Four of the landowners provided occasional credit and 6 of them allowed multi-cropping. Since

the implementation of CARP, 3 of the landowners experienced non-payment of rent from their lessees.

Five of the landowners employed regular wage workers numbering between 1 and 10. Wage per day ranged between P25 to P50 per day; additional benefits included sick leaves and retirement pay. About 19 landowners hired seasonal workers, remunerating them at less than P. 50 per day. Only 4 landowners accorded sick leaves and homelot areas to some of their workers.

Many of the landowners (63) claimed that they or their close relatives supervised their land; 22 hired farm managers or administrators while 13 had caretakers or their tenants providing the actual supervision (Table 5.8). Close to half of the landowners provided minimal supervision despite the fact that many of them reside in the same province where the reformed land is located.

5.5. CARP-designated Land

The 98 landowner respondents affected by CARP owned relatively small land sizes: 47 of them had agricultural area of less than 10 hectares; and 17 had areas between 10 and 20 hectares (Table 5.9). Only one-fifth had land sizes greater than 40 hectares. Most of these lands earmarked for agrarian reform are rice and corn land. Asked why these were not covered by PD 27, most argued that after deducting the legally retained area, the residual were less than the 7 hectare limit; it also reflected to a large extent the limited impact in terms of coverage of PD 27.

The above data may seem to indicate that landowners initially affected by the reform are small landowners who legally are supposed to be targeted in the last years of CARP. However, half of those interviewed in fact own agricultural land in other parts of the province and other provinces (Table 5.10). Like in the CARP area covered by this study, most of the land are less than 5 to 24 hectares; are planted to rice; and are either tenanted or are under wage system. Of the 68 respondents with other land parcels, only about one third claimed that their additional land have already been subjected to reform; the rest have been exempted as part of the retention area and land accorded to the landowner's children which are allowed by the present (RA 6655) and past (PD 27) agrarian reform laws. Because of the dearth in landownership data on a provincial and national scale as well as the uncoordinated monitoring and checking of landownership data with reformed lands under DAR, reformed lands in the CARP will inevitably be severely limited in coverage as landowners are able to retain portions of CARP land owned in various parts of the country. This may also partly explain why the resistance among landowners on the implementation of CARP is unexpectedly subdued.

Of the total land owned by the landowner respondents and covered by the study, 41 hectares are CARP-designated lands while the residual are exempted from reform (Table 5.11). Worth noting is the fact that a large proportion of the land are excluded from reform: 14 hectares are retained by the landowner for himself and heirs; 10 percent avail of the non-land transfer schemes; and the others are classified as not suited for agriculture or are beyond the 18 degree slope (Table 5.11). The latter categories are retained by landowners; with the exception of the 18 degree and timberland areas, the other marginal lands under present land use policies, can be made available for conversion for non-agricultural use.

Of the land designated for CARP, most are rice lands dependent on the natural forms of irrigation and are relatively far-off from the town proper (Table 5.12). This somehow validates the thesis that CARP lands have least production-enhancing facilities.

As noted from previous tables, CARP areas have many qualifying definitions. First, the law enables the landowners to retain as much as 7 hectares for rice and corn-cultivated lands and 5 hectares for non-grains land types. As shown above, this may turn-out to be a large area considering that CARP is applied on a municipal level regardless of whether or not landowners own other land in other areas. Moreover, landowners can avail of non-land transfer schemes. Of the 98 respondents, 11 opted for this option. It is interesting to note that land use conversion was not commonly availed of by the sampled landowner implying that conversion may be location-specific and not yet as widespread to be a major issue. Third, the law also exempts lands with 18 degree slopes or used for timberland purposes; since many agricultural lands are not levelled, many cases of non-CARP areas found within CARP-designated lands have been observed. In addition, the DAR and LBP exclude marginal and undeveloped lands. The ownership of these lands are retained by landowners.

5.6. Land Valuation

Most of the land were valued using comparable sales (25 landowners) and market value per tax declaration (15 landowners) (Table 5.13). Expectedly, landowners were not satisfied with the measurements of land value. Alternative land value indicators were provided by some landowners (Table 5.14). The most popular were current price of land and market value of adjacent land.

Of those who reported their compensation, VOS land types were paid higher values than OLT (Table 5.15). For the former type, land was valued between less than P 25,000 to P 50,000. Only 3 were paid an amount greater than P1 M. OLT lands, on the other hand, were valued at P 10,000 to P 20,000. A combination of cash and LBP bonds was the predominant mode of payment for VOS land while in OLT cases, different modes were used. As expected, landowners were not satisfied with the

computed values and modes of payment. Many believe that LBP bonds or stocks in government-owned and controlled corporations were not attractive (Table 5.15).

While many of the landowner-respondents did not agree to the land values of the government, only 11 of the 31 who were dissatisfied did file a complaint at the DARAB (Table 5.16). Landowners have aired their sentiments to get the reform done quickly at the least costs to them and possibly, at the highest possible land compensation.

The options for alternative investment from the perspective of landowners are limited (Table 5.17). Many have expressed interest in undertaking non-agricultural activities but with the restricted investment ventures in the countryside, these may not easily materialize. In the immediate term, an important venue would be formal financial institutions. With the liberalization of this sector, CARP may be expedited as landowners could foresee positive alternative options. Rural industrialization could also hasten land reform as landowners are provided alternatives for their cash payments from the program.

5.7. Landowner's Participation in CARP

In economics, the principle of Pareto optimality in policy implementation implies that a policy, once enforced, should make one person(s) better-off while ensuring that the aggrieved party does not become worse-off. Applied in the case of land reform, the Government in enforcing the policy, could either compensate the affected landowner equivalent to the market value of the land or minimize the costs of displacement.

The compensation option is not feasible on two (2) grounds: First, the real market value of agricultural land cannot be accurately estimated because by virtue of CARL, there is effectively no land market for agricultural use. Prevalent land prices will be artificially high for both agricultural and non-agricultural land uses to take into account the segmentation of land markets and the risks and transactions costs involved in selling agricultural land under a land reform environment.

The second reason why the compensation scheme is not viable is because of the huge financial requirements it entails on the government, the enforcer of this regulatory policy. If the landowner is allowed to set the price, his price will naturally be high and untenable on the part of the government. A bargaining option where both the landowners and the government negotiate on the agreed selling price will also be difficult to apply as the process itself will be time consuming and costly to support.

The option of minimizing the costs incurred by the landowner from his eventual displacement is a better alternative for the government, the landowner and the prospective beneficiaries. From the point of view of the landowner, this option would entail reducing the transactions costs from the transfer of landownership especially for

VOS land types, speedy payment of compensation, and provision of alternative attractive investment ventures. The government would also benefit from this approach because this could appease the aggrieved party and hasten implementation of agrarian reform. Finally, beneficiaries would gain as the process of their landownership is hastened.

This section looks at three (3) issues: (i) What are the explicit and implicit transactions costs of landowner?; (ii) How much do these entail?; and (iii) What are the areas where DAR can minimize these transactions costs?

5.7.1. Identification of Transactions Costs

Landowner's participation in the land reform process can be classified into five (5) phases: (i) certification or proofs verifying landownership; (ii) validation of land boundaries owned by the landowner; (iii) segregation of retention areas for landowner and qualified children and other non-CARP areas; (iv) valuation and compensation of land; and (v) if dissatisfied with the process, legal action.

In the first process, landowners would have to present several documents certifying the ownership of land supposedly covered by CARP. For titled properties, 8 documents are required whereas for untitled properties, 10 documents have to be presented (Table 5.18). The papers especially in the latter case are taken from various government agencies such as the Registry of Deeds, DENR, Bureau of Internal Revenue, Department of Justice, Land Registration Authority, and DAR. When asked how difficult it was to secure these documents, the answer, regardless of whether or not it was obtained from HPP or LPP, ranged from easy to very difficult. On the average, the documents for titled properties were easy to moderately difficult to obtain; presumably most of these documents were in the possession of the landowner. In the case of untitled properties, the answers were mostly on the moderate to difficult.

Aside from these documents, landowners are also required to fill in several CARP forms. Landowners who opted for VOS have to answer 2 forms while landowners who chose VLT have a set of 5 forms to produce. While most landowners claim that the forms are not difficult to answer, the procurement and compilation of these papers prior to compensation and distribution are on a whole, time consuming. The number of days for landowners to complete the documentary requirements vary (Table 5.19). For VOS land types, it took some landowners a minimum of a day to 2.5 years to accomplish; for VLT land types, it was shorter - from a day to 2 months.

All of these forms have to be secured by the landowner himself. DAR operates under the presumption that after it has identified the land parcels for agrarian reform, the burden of proof of landownership becomes solely the responsibility of the

landowners. Minimal assistance is accorded to the landowner in securing the documents and much less, in subsidizing his costs.

The second and third phases require landowner's presence in the survey process. On the average, three (3) to four (4) surveys are done for each land parcel. The first is the reconnaissance survey, the initial field investigation where pertinent data on land use, ownership and type are verified. The first formal survey is the boundary or perimeter survey which delineates the actual boundaries of the land in question. The other is the subdivision survey which divides the land to prospective beneficiaries including the landowner's and his legal heirs. Additional surveys such as isolation is done if these are untitled land. In the surveys, the DAR encourages the presence of the landowner. Because of the difficulty of getting all parties concerned in the actual survey, the activity is accomplished regardless of their presence. The last is the segregation survey wherein the lands to be retained by the landowner as well as the areas which are not covered by CARP (e.g., 18° slope; areas unsuitable for agricultural production, etc.), are identified.

Landowner respondents showed that more than a third witnessed the perimeter land survey; only 12 percent were present in the subdivision survey and a mere five percent (5%) attended the segregation survey (Table 5.20).

Survey contracts were done by one of three parties involved: DAR survey team, DENR survey team, or private contractor (Table 5.21). The survey team average at 2 to 8 people; the number of days to complete the actual surveys range from a minimum of 3 to a maximum of 60 days. Numerous problems are encountered in the process such as the failure of the polygon to close; incompleteness of technical documents; unclear land classification definitions, inadequate communication of survey procedures to landowners; and the time expended in certifying these surveys. Since most of the landowners do not reside on the farm, many fail to be present in the subsequent survey processes (i.e., segregation, isolation and subdivision surveys).

Aside from being physically present in the surveys, landowners also attend DAR-sponsored public hearings where the fate of their land is discussed. Of the 54 landowner respondents who were informed of these public meetings, more than three-fourth attended (Table 5.21). Often, the meetings are well-attended with almost a 1:1 ratio of landowners and prospective beneficiaries. Representatives from CARP-affiliated agencies are also present. Most of the discussion focus on land valuation, mode of payment and determination of land suitability - issues of which are major concerns of landowners.

Valuation and compensation were also an arduous and costly process for the landowners. The expenses incurred include follow-up calls to LBP, board and lodging, transportation costs, documentation, and other miscellaneous expenses. After several

attempts, most landowners abandoned following up LBP payments for their land because of mounting expenses.

Of the landowners who evaluated LBP in terms of their pace in performing their valuation and compensation functions, many landowners complained of the slowness of the Bank in performing their agrarian reform related tasks (Table 5.22). This was true for VOS, OLT and VLT land types. The Bank should have moved faster in VOS land types to serve as an incentive to landowners. This did not materialize as the Bank was perceived as consistently slow in the processing of the papers of VOS land. Many landowners contend that several reasons could explain the LBP's turtle pace repayment performance. These are: the distance of the LBP regional office which solely decides the valuation and compensation schemes; too many additional documentary requirements; lack of manpower and poor management; and delaying tactics by the Bank.

In the event that the payment does not satisfy the landowners or other impediments still arise, landowners file their complaints to the DARAB. Of the 98 landowner respondents, about 11 have filed charges to the DARAB. Expenses incurred include documentation, filing fees, transportation, and legal services.

5.7.2. *Estimation of Landowner's Costs*

The different transaction costs identified in the previous section were computed per land type and per lot owned. These exclude the inputted foregone income that the landowners could have earned if he were to employ the land at its highest and best use. Transactions costs of landowners came in two forms: (i) direct costs incurred during the whole land reform process, and (ii) the opportunity cost associated with the time expended in overseeing the whole land reform process. The first type of cost was monetized but the latter was evaluated in terms of days used up for each activity. The estimates certainly undervalue the total expenses of the landowner. While this is a constraint of the study, the outcome is nevertheless significant if only to indicate the areas where the government can assist the landowners.

Of the three land types, the most costly to the landowner in terms of amount expended and time spent is the VOS, followed by VLT, and lastly, by OLT (Table 5.23). The large transactions costs incurred by landowners who voluntarily offered their lands to sell and who opted for land transfer are unfortunate considering that resistance from these landowners is lowest relative to other types of landowners. In terms of cost proportions, activities involving valuation and compensation (mostly with LBP) and the signing and approval of the DOT and TCT are the largest expense for VOS landowner; the most time consuming were the documentation and the approval of DOT and TCT. For VLT cases, the survey and DOT/TCT processes are the most expensive. Like in the VOS, documentation and the DOT/TCT processes consume

substantial amount of time. Finally, for OLT cases, procurement of DOT/TCT as well as documentation are expensive while the survey procedure is the most time consuming.

5.7.3. Areas for Minimizing Transactions Costs

There is certainly a need to reduce the transactions costs incurred especially by landowners who have voluntarily offered their lands for sale or have opted for voluntary land transfer. The DAR can operate in two (2) specific areas which can have the overall effect of lessening both the financial transactions costs and the time expended by the landowners. The first is the reduction of supporting documents required by DAR but most especially, by the LBP during the valuation and compensation processes and by the Registry of Deeds for the approval of the DOT and TCT. Memorandas of Agreements which aim to reduce the documentary requirements will be in the right direction.

The second is in the provision of an assistance desk for landowners at the DAR municipal and provincial levels. The task of this division is to assist landowners in facilitating the processing of their papers and updating them of the status of their land. This form of assistance could also reduce the legal complaints filed by the affected landowners. At the same time, DAR could provide the foundation for the development of a landownership data base in the agriculture sector. The landowner's desk could at the start gather and compile existing data on landownership.

5.8. Prospects for Post-CARL Period

Aside from identifying the transactions costs incurred by landowners during the process of land reform, this chapter has also identified several areas of concern which will have repercussions after mid-1998, the scheduled completion of CARP. In the discussion of the landowner's profile, it was revealed that majority of landowners belong to the older age brackets; the natural consequence of this is that ownership of retained lands will be passed on to their legal heirs. Without the corresponding political and economic reforms in the countryside, these lands may not be used productively in the short and medium-term; this in turn may serve as an impediment to agriculture growth.

There is a need to assess the agricultural land market during the transition and post-reform phases. Specifically an environment conducive for the evolution of land and labor contract arrangements in the agricultural sector may be required to encourage the pre-reform landowners and their children to cultivate their land more intensively and to employ more labor in their respective farms. At the macro level, a movement toward a deregulated land market for agricultural use accompanied by land tax measures will have to be instituted to encourage investments into the sector and to ensure a more egalitarian ownership base.

Equally important is the need to provide access to alternative investment opportunities for affected landowners who obtained cash payments from land reform. In the immediate term, the government (through DTI and DA) could encourage agribusiness and business organizations (e.g., Philippine Chamber of Commerce and Industry [PCCI]) to initiate mechanisms that will tap landowner's resources to productive use; emphasis should however be on investment plowed back to the rural sector. The government could also hasten the liberalization of the banking sector. The above discussion showing the multiple income of affected landowners highlighted the fact that despite the low interest rates on savings, they still put premium in this investment opportunity.

The previous discussion likewise stressed the point that landowners are divesting their earnings away from a purely agricultural activity to other upstream activities. Unfortunately, the prospects for the latter business opportunities from their viewpoint are limited and will continue to be so if the essential rural infrastructures are not immediately put into place. Landowners displaced by agrarian reform can serve as the catalysts to rural industrialization because most of them prefer to stay in the countryside; have some resources to start the business; and have more or less accepted the inevitability of land reform (as evidenced by the large number of landowners who opted for VOS). Expansion of business and employment opportunities for aging landowners and their children in the countryside would expedite land reform implementation and provide the engine for rural industrialization.

Moreover, private lands excluded from reform by DENR and LBP (especially those with 18 degrees slope and classified as unsuited for agricultural use) are still retained by the affected landowners. These types of land may be appropriate for conversion into non-agricultural purposes so long as the environmental costs are inputted and their effects on adjacent agricultural land have been properly examined. This could be an area where prospective landowners could establish joint ventures with agribusiness and industrial sectors to initiate non-agricultural activities.

Lastly, the study has indicated the possibility of more limited reform as no systematic mechanism is being used to countercheck the extent of ownership of each landowner in different parts of the country. This finding gives credence to the proposition posited by Putzel (1993:28) that "typically, owners have holdings in many different barrios, municipalities and even provinces, but the (current) census provides no means of identifying these multiple holdings."

DAR can provide the groundwork for building pertinent landownership data in the agriculture sector. This could reduce the problem of limited land reform. More importantly, the data could serve as the basic information for future equity-oriented fiscal measures.

DAR's efforts have been focused on land reform and farmer-beneficiaries' development program, as well as the provision of support services. There may be need to streamline DAR's efforts further to just the land reform component and the establishment of a landownership data base. The latter function can easily be included in the role of DAR. Of all the different government agencies, it is this office which can presently generate this type of information.

Its capacity to shift its efforts into generation of landownership data was shown in 1988. In that year, DAR launched a LISTASAKA, a land registration program. It covered 80 percent of officially listed farm area. The initial reports of this project in fact reveal that landownership may be far more concentrated than what was previously believed (Putzel, 1993:28).

Table 5.1. Distribution of landowners by demographic characteristics by type of province, Philippines, 1992.

Item	No.	%
Age		
21-30	4	4.1
31-40	8	8.2
41-50	8	8.2
51-60	22	22.4
61-70	24	24.5
71-80	24	24.5
81 and above	8	8.2
Total	98	100
Mean	59	-
Sex		
Male	65	66.3
Female	33	33.7
Total	98	100
Civil Status		
No answer	3	3.1
Single	6	6.1
Married	72	73.5
Widowed	17	17.3
Total	98	100
Educational Attainment		
None/no answer	13	13.3
Grade I - Grade IV	9	9.2
1st Yr. - 4th Yr. HS	22	22.4
1st Yr. - 4th Yr. College	1	1.0
Completed college		
Did not specify field	10	10.2
Business (Commerce, Banking)	12	12.2
Education	5	5.1
Law	5	5.1
Applied Sciences (Engg., Agric., Medicine, Pharmacy)	15	15.3
Social Sciences (Economics, Political Science)	1	1.0
Arts	3	3.1
Tourism	2	2.0
Total	98	100
No. of Living Children		
None	18	18.4
1-2	19	19.4
3-4	30	30.6
5-6	17	17.3
7-8	9	9.2
9-10	4	4.1
10 and above	1	1.0
Total	98	100
Mean	4	-

Table 5.2. Income of LOs from crop production, wages, remittances, pension, pasture, and fishponds, 5 provinces surveyed, Philippines, 1992.

Sources of Income	Number Reporting	Mean
Crop Production		
Net Income		
Palay	68	27,182
Corn	14	14,582
Vegetable	1	2,000
Tobacco	11	15,580
Coconut	10	75,267
Copra	2	22,500
Cashew	2	1,000
Coffee	3	7,000
Sugarcane	4	7,700
Mango	1	80,000
Wages	21	99,764
Remittances	5	24,253
Pension	15	12,910
Pasture (net income)	3	194,000
Fishpond	7	430,667

Table 5.3. Frequency and percentage distribution of LOs by information on their non-agricultural activities as source of income, 5 provinces surveyed, Philippines, 1992.

Item	No.	%
Type of non-agricultural activity		
Store	10	71.4
Trucking	1	7.1
Gas station	3	21.4
Rice mill	5	35.7
Boarding house	1	7.1
Office space	1	7.1
Movie house	4	28.6
Beauty parlor	2	14.3
Nipa manufacture	1	7.1
Hardware	1	7.1
Other business	3	21.4
House rental	2	14.3
Real estate	1	7.1
Restaurant	1	7.1
Total no. of non-agricultural activity	14	100
Type of ownership		
Single proprietorship	25	72.2
Corporation	3	8.3
Family corporation	7	19.4
Total no. reporting	35	100
Year established		
Prior to 1951	3	8.3
1951-1960	2	5.6
1961-1970	6	16.7
1971-1980	11	30.6
1981-1990	10	27.8
1991	1	2.8
No answer	3	8.3
Total no. reporting	35	100
Annual profits		
< 50,000	14	39.9
50,001 - 100,000	6	16.7
100,001 - 150,000	1	2.8
150,001 - 200,000	1	2.8
200,001 - 250,000	1	2.8
300,001 - 350,000	1	2.8
1,000,000	1	2.8
No answer	11	30.6
Total no. reporting	36	100
Mean	106,913	

Table 5.4. Distribution of landowners by information on land acquisition, accessibility and source of water prior to land reform by type of province, Philippines, 1992.

Item	No.	%
Mode of land acquisition		
Bought	37	37.8
Inherited	48	49.0
Bought/Inherited	11	11.2
Donation	2	2.0
Total no. reporting	98	100
Cost of acquisition (if bought)		
25,000 and below	18	55.3
25,001 - 50,000	9	28.1
50,001 - 75,000	3	9.4
75,001 - 100,000	2	6.3
100,001 - 125,000	0	0.0
125,001 - 150,000	0	0.0
150,001 - 175,000	0	0.0
175,001 - 200,000	20	62.5
Total no. reporting	32	100
Mean		
Year acquired		
1950 and below	25	31.7
1951 - 1960	13	22.6
1961 - 1970	17	20.7
1971 - 1980	18	12.2
1981 - 1990	10	12.2
1991 and above	1	1.2
Total no. reporting	82	100
No. of generations the land was in the family		
1 - 2	66	79.5
3 - 4	15	18.1
5 - 6	2	2.4
Total no. reporting	83	100

Table 5.5. Distribution of landowners by improvement done on the land prior to land reform, Philippines, 1992.

Item	COST	
	Average Initial	Present Market Value
Irrigation canal	834	4,306
Land levelling	7,841	8,778
Paddy development	3,933	15,538
Shed	19,500	90,000
Warehouse	39,925	140,000
Right of way	4,500	20,571
Workers housing	6,000	15,778

Table 5.6. Distribution of landowners by information on
landowner-tenant relations by type of province,
Philippines, 1992.

Item	No.	%
Did have tenants in faro		
Yes	68	69.4
No	30	30.6
Total	98	100
No. of tenants		
1-2	14	20.6
3-4	10	14.7
5-6	11	16.2
7-8	6	8.8
9-10	6	8.8
11-15	7	10.5
16-50	11	16.2
90-250	3	4.4
Total no. reporting	68	100
Mean	16	
Crops grown		
Rice	26	47.3
Coconut	9	16.4
Rice and coconut	3	5.5
Coconut, citrus, rice rootcrops	1	1.8
Rice and banana	1	1.8
Coconut and cashew	1	1.8
Rice and vegetables	1	1.8
Rice and corn	3	5.5
Coconut and ipil-ipil	1	1.8
Sugarcane	2	3.6
Rice, coffee, corn, banana	1	1.8
Rice, tobacco, corn, peanut	1	1.8
Rice, corn, mango, peanut	1	1.8
Rice, corn, tobacco	1	1.8
Rice and tobacco	3	5.5
Total no. reporting	55	100

Table 3.6. Continued....

Item	No.	%
Average hectare/tenant		
2.00 and below	46	67.6
2.01-4.00	17	25.0
4.01-6.00	3	4.4
6.01-8.00	2	2.9
Total no. reporting	68	100
Mean	2.0	
Sharing arrangement		
75-25/25-75	16	23.5
50-50	24	35.3
20-80/80-20	5	7.4
70-30/30-70	15	22.1
67-33	1	1.5
40-60/60-40	6	8.8
Fixed	1	1.5
Total no. reporting	68	100
Average amount of credit assistance		
5,000 and below	6	75.0
5,001-10,000	1	12.5
10,001-20,000	1	12.5
Total no. reporting	8	100
Mean (P)	4,312	
Provision of houselot		
Yes	22	32.4
No	46	67.6
Total no. reporting	68	100
Average years of tenancy		
1-10	22	39.3
11-20	14	23
21-30	12	21.4
31-40	3	5.4
41-60	5	8.9
Total no. reporting	56	100
Mean	19.5	
Multi/intercropping practices		
Yes	16	23.5
No.no answer	52	76.5
Total no. reporting	68	100

Table 5.7. Distribution of landowners by no. of lessees, annual rent paid to LOs, and benefits provided to them by LOs prior to land reform, by type of province, Philippines, 1992.

Item	No.	%
Did have lessees in farm		
Yes	9	9.2
No	89	90.8
Total	98	100
No. of lessees		
1 - 5	5	62.5
6 - 10	1	12.5
11 - 15	1	12.5
16 - 20	1	12.5
Total no. reporting	8	100
Mean		
Average no. of has per lessee		
< 1.00	3	33.3
1.01 - 2.00	4	44.4
2.01 - 3.00	2	22.2
Total no. reporting	9	100
Mean		
Average annual rent per hectare		
12 cavans	1	100
Total no. reporting	1	100
Did provide houselot area to lessees		
Yes	3	33.3
No/no answer	6	66.7
Total no. reporting	9	100
Did lessees pay rent		
Yes	0	0.0
No	3	100
Total no. reporting	3	100
Did allow the lessee to inter or multicrop		
Yes	6	66.7
No/no answer	3	33.3
Total no. reporting	9	100

Table 5.7. continued.....

Item	No.	%
Arrangements re: inter or multicrops		
None	1	20.0
50-50 of harvest	1	20.0
Everything given to lessee	3	60.0
Same fixed rental	1	20.0
Total no. reporting	5	100
Did provide credit assistance to lessees		
Yes	4	44.4
No/no answer	5	55.6
Total no. reporting	9	100
Frequency of credit assistance to lessees		
Occasional	4	100
Total no. reporting	4	100

Table 5.8. Landowners responses re: person who supervised the land and number of times their fara was visited prior to land reform, by type of province, Philippines, 1992.

Item	No.	%
Who supervised the land		
Landowner/Relative	63	64.3
Fara manager/administrator	22	22.4
Caretaker/tenants	13	13.3
Total	98	100
No. of times fara was visited		
Everyday	12	12.2
3-5 times a week	3	3.1
Once or twice a week	19	19.4
Once or twice a month	19	19.4
Three times a month	1	1.0
3-4 times a year	7	7.1
Once or twice a year	27	27.6
Every harvest	5	5.1
Seldom	5	5.1
Total	98	100

Table 5.9. Distribution of landowners by area of landholding considered for CARP coverage by type acquisition, Philippines, 1992.

Area (has.)	VOS		CA		VLT		OLT		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
< 10.00	16	42.5	2	28.6	21	75.0	10	33.3	49	50.0
10.01 - 20.00	5	15.2	1	14.3	5	17.9	4	13.3	15	15.3
20.01 - 30.00	2	6.1	0	0.0	1	3.6	7	23.3	10	10.2
30.01 - 40.00	1	3.0	1	14.3	1	3.6	2	6.7	5	5.1
40.01 - 50.00	1	3.0	0	0.0	0	0.0	4	13.3	5	5.1
> 50.00	8	24.2	3	42.9	0	0.0	3	10.0	14	14.3
Total	33	100	7	100	28	100	30	100	98	100
Mean	20.18		177.22		7.94		39.37		56.00	

Table 5.10. Landowners responses re: by area, CARP status
and crops grown in LOs other agricultural lands
by type of province, Philippines, 1992.

Item	No.	%
Does have other agricultural lands		
Yes	49	50.0
No	49	50.0
Total	98	100
Location of other agricultural lands		
Within the province	46	93.9
Outside the province	3	6.1
Total no. reporting	49	100
Area (has)		
<5 has.	19	26.5
5.01-24 has.	37	54.4
24.1-50 has.	5	7.4
>50 has.	8	11.8
Total No. of lands	68	100
Mean	41	
CARP Status		
VOS	19	27.9
CA	4	5.9
Deferment	1	1.5
Exempted	11	16.2
Will be given to children	19	25.5
Leasehold	1	1.5
QLT	9	13.2
Not covered	1	1.5
None yet	1	1.5
Retention area under PD 27	1	1.5
VLT	2	2.9
Total no. of lands	68	100
If exempted, reasons		
Below retention limit	5	83.3
Retention of child	1	16.7
Total no. reporting	6	100

Table 5.10. continued....

Item	NO.	%
Crops grown		
Rice	27	51.9
Fruit trees	1	1.9
Coconut	8	15.4
Corn	2	3.8
Rice and Mango	1	1.9
Rice and Coconut	2	3.8
Mango	2	3.8
Rice and Corn	3	5.8
Rice, Mango and Cashew	1	1.9
Rice and Sugarcane	1	1.9
Coconut and Ipil-Ipil	1	1.9
Sugarcane	1	1.9
Rice and Tobacco	1	1.9
Cogon, Bamboo, Fuelwood	1	1.9
Total no. of lands	52	100
Land arrangement		
Tenanted	28	45.2
Leaseholder	10	16.1
Direct wage/management	24	38.7
Total no. of lands	62	100

Table 5.12. Features of CARPable land by number of landowner's responses, Philippines, 1992.

Item	No.	%
Land area considered CARPable (has.)		
5.00 and below	11	15.3
5.01-24.00	40	55.6
24.01-50.00	8	11.1
50.00 & above	13	18.1
Total no. reporting	72	100
Mean		
Crops grown		
Rice	26	47.3
Coconut	9	16.4
Rice and coconut	3	5.5
Coconut, citrus, rice		
rootcrops	1	1.8
Rice and banana	1	1.8
Coconut and cashew	1	1.8
Rice and vegetables	1	1.8
Rice and corn	3	5.5
Coconut and ipil-ipil	1	1.8
Sugarcane	2	3.6
Rice, coffee, corn, banana	1	1.8
Rice, tobacco, corn, peanut	1	1.8
Rice, corn, mango, peanut	1	1.8
Rice, corn, tobacco	1	1.8
Rice and tobacco	3	5.5
Total no. reporting	55	100
Source of water		
Irrigation	5	7.7
Deep-well	1	1.5
Rain	19	29.2
River/spring/rain	12	18.5
Irrigation/rain/river/spring	15	23.1
Deep-well/river/spring	2	3.1
Deep-well/rain	6	9.2
Deep-well/rain/river/spring	3	4.6
Irrigation, deep-well, rain	2	3.1
Total no. reporting	65	100

Table 5.12. continued....

Item	No.	%
Distance from the poblacion (kms.)		
2.00 and below	7	10.4
2.01-4.00	16	23.9
4.01-6.00	6	9.0
6.01-8.00	12	17.9
8.01-10.00	7	10.4
10.01-12.00	3	4.5
12.01 and above	16	23.9
Total no. reporting	67	100
Mean	10.76	

Table 5.13. Landowner's perceptions re: factors used in
land valuation and comments by type of province,
Philippines, 1992.

Item	No.	%
Comparable sales	24	24.5
Capitalized net incomes	7	7.1
Market value per tax declaration	15	15.3
Cost of acquisition	5	5.1
Market value per mortgage	3	3.1
Total no. reporting	98	100
Comments		
Comparable sales		
Not satisfied	4	57.1
Satisfied	2	28.6
Was not given much importance	1	14.3
Total no. reporting	7	100
Capitalized net income		
Alright	1	100
Total no. reporting	1	100
Market value per tax declaration		
Very low	3	42.9
Not reliable	2	28.6
Alright	2	28.6
Total no. reporting	7	100
Cost of acquisition		
Not reliable	2	66.7
Okay	1	33.3
Total no. reporting	3	100
Market value per mortgage		
Unfavorable	2	100
Total no. reporting	2	100

Table 5.14. Landowners by definition of a fair market value
by type of province, Philippines, 1992.

Area	No.	%
Current price of land/acquired value by banks	12	31.6
Current price of land	3	7.9
Should depend on land classification	1	2.6
Acceptable to LG, compensating previous expenses	7	18.4
Should be based on production yield	4	10.5
Same as market value of nearby land	10	26.7
LG tenants agree on the price	1	2.6
Total no. responding	48	100

Table 5.15. continued.....

Item	No.	%
Degree of attractiveness of LBP bonds		
Moderately attractive	2	22.2
Least attractive	1	11.1
Not attractive	6	66.7
Total no. reporting	9	100
B. QLT		
Value of land (P)		
< 10,000	6	28.6
10,001 - 20,000	9	42.9
20,001 - 30,000	3	14.3
30,001 - 40,000	1	4.8
40,001 - 50,000	1	4.8
50,001 - 60,000	1	4.8
60,001 - 70,000	1	4.8
70,001 - 80,000	1	4.8
80,001 - 90,000	1	4.8
90,001 - 100,000	1	4.8
100,001 - 110,000	1	4.8
110,001 - 120,000	1	4.8
120,001 - 130,000	1	4.8
130,001 - 140,000	1	4.8
140,001 - 150,000	1	4.8
150,001 - 160,000	1	4.8
160,001 - 170,000	1	4.8
170,001 - 180,000	1	4.8
180,001 - 190,000	1	4.8
190,001 - 200,000	1	4.8
200,001 - 210,000	1	4.8
210,001 - 220,000	1	4.8
220,001 - 230,000	1	4.8
230,001 - 240,000	1	4.8
240,001 - 250,000	1	4.8
250,001 - 260,000	1	4.8
260,001 - 270,000	1	4.8
270,001 - 280,000	1	4.8
280,001 - 290,000	1	4.8
290,001 - 300,000	1	4.8
300,001 - 310,000	1	4.8
310,001 - 320,000	1	4.8
320,001 - 330,000	1	4.8
330,001 - 340,000	1	4.8
340,001 - 350,000	1	4.8
350,001 - 360,000	1	4.8
360,001 - 370,000	1	4.8
370,001 - 380,000	1	4.8
380,001 - 390,000	1	4.8
390,001 - 400,000	1	4.8
400,001 - 410,000	1	4.8
410,001 - 420,000	1	4.8
420,001 - 430,000	1	4.8
430,001 - 440,000	1	4.8
440,001 - 450,000	1	4.8
450,001 - 460,000	1	4.8
460,001 - 470,000	1	4.8
470,001 - 480,000	1	4.8
480,001 - 490,000	1	4.8
490,001 - 500,000	1	4.8
500,001 - 510,000	1	4.8
510,001 - 520,000	1	4.8
520,001 - 530,000	1	4.8
530,001 - 540,000	1	4.8
540,001 - 550,000	1	4.8
550,001 - 560,000	1	4.8
560,001 - 570,000	1	4.8
570,001 - 580,000	1	4.8
580,001 - 590,000	1	4.8
590,001 - 600,000	1	4.8
600,001 - 610,000	1	4.8
610,001 - 620,000	1	4.8
620,001 - 630,000	1	4.8
630,001 - 640,000	1	4.8
640,001 - 650,000	1	4.8
650,001 - 660,000	1	4.8
660,001 - 670,000	1	4.8
670,001 - 680,000	1	4.8
680,001 - 690,000	1	4.8
690,001 - 700,000	1	4.8
700,001 - 710,000	1	4.8
710,001 - 720,000	1	4.8
720,001 - 730,000	1	4.8
730,001 - 740,000	1	4.8
740,001 - 750,000	1	4.8
750,001 - 760,000	1	4.8
760,001 - 770,000	1	4.8
770,001 - 780,000	1	4.8
780,001 - 790,000	1	4.8
790,001 - 800,000	1	4.8
800,001 - 810,000	1	4.8
810,001 - 820,000	1	4.8
820,001 - 830,000	1	4.8
830,001 - 840,000	1	4.8
840,001 - 850,000	1	4.8
850,001 - 860,000	1	4.8
860,001 - 870,000	1	4.8
870,001 - 880,000	1	4.8
880,001 - 890,000	1	4.8
890,001 - 900,000	1	4.8
900,001 - 910,000	1	4.8
910,001 - 920,000	1	4.8
920,001 - 930,000	1	4.8
930,001 - 940,000	1	4.8
940,001 - 950,000	1	4.8
950,001 - 960,000	1	4.8
960,001 - 970,000	1	4.8
970,001 - 980,000	1	4.8
980,001 - 990,000	1	4.8
990,001 - 1,000,000	1	4.8
Total no. reporting	21	100
Mean (P)	65,382	
Manner of payment by the gov't.		
Full payment	3	17.6
Installment	8	47.1
Not yet paid	5	29.4
One lot full payment, one installment and another not yet paid	1	5.9
Total no. reporting	17	100
Mode of payment		
In cash	8	57.3
LBP bank	2	15.3
Cash and LBP bonds	4	29.7
Direct payment	1	6.7
Total no. reporting	15	100
Satisfied with the estimated value of land		
Yes	12	42.9
No/No answer	16	57.1
Total no. reporting	28	100
Reasons why not satisfied		
Very low valuation	16	100
Total no. reporting	16	100
Satisfied with the mode of payment		
Yes	11	39.3
No/No answer	17	60.7
Total no. reporting	28	100

Table 5.15. continued.....

Item	No.	%
Preferred mode of payment		
Cash basis	13	100
Total no. reporting	13	100
Degree of attractiveness of LBP bonds		
Least attractive	2	15.4
Not attractive	11	84.6
Total no. reporting	13	100
Degree of attractiveness of stocks in government-owned or controlled cooperations		
Moderately attractive	1	16.7
Least attractive	2	33.3
Not attractive	3	50.0
Total no. reporting	6	100

Table 5.16. Landowner's perceptions on the offered value
for land by type of province, Philippines, 1992.

Item	No.	%
Did agree to the offered value of land contained in the notice of valuation		
Yes	32	43.2
No	42	56.8
Total no. reporting	74	100
If no, did refer case to the DARAB		
Yes	11	26.2
No	31	73.9
Total no. reporting	42	100
If yes, date case was referred to DARAB		
1991	5	45.5
1990	4	36.4
1989	2	18.2
Total no. reporting	11	100
DARAB's action		
Favorable to LO	2	66.7
No action	1	33.3
Total no. reporting	3	100

Table 5.17. Landowner's perceptions of alternative investment schemes they can think of, given the compensation for the land type of province, Philippines, 1992.

Item	No.	%
Business	15	44.4
Poultry raising	2	5.6
Time deposit/savings	3	12.2
Buy stocks of gov't corporations	2	5.6
Business/time deposit	2	5.6
Education	1	2.8
Farming	1	2.8
Agribusiness	1	2.8
Apartments/boarding houses	1	2.8
Real estate	1	2.8
Total no. reporting	33	100

Table 3.18. Landowner's responses by degree of difficulty in securing basic ownership documents by type of province, Philippines, 1992.

Item	No.	I
For Titled Property		
A. Copy of title (OCT/TCT)		
Very easy	28	41.2
Easy	16	23.5
Moderate	20	29.4
Difficult	2	2.9
Very difficult	2	2.9
Total no. reporting	68	100
B. Deed of sale		
Very easy	22	40.7
Easy	19	35.2
Moderate	12	22.2
Difficult	1	1.9
Total no. reporting	54	100
C. Deed of donation		
Very easy	13	45.4
Easy	4	14.3
Moderate	19	35.7
Difficult	1	3.6
Total no. reporting	37	100
D. Copy of tax declaration		
Very easy	24	37.5
Easy	21	32.8
Moderate	19	29.1
Difficult	1	1.6
Total no. reporting	64	100
E. Copy of approved survey plan		
Very easy	19	32.8
Easy	15	25.9
Moderate	18	31.0
Difficult	5	8.6
Very difficult	1	1.7
Total no. reporting	58	100

Table 5.18. continued.....

Item	No.	%
For Titled Property		
F. Copy of LISTASAKA I or II		
Very easy	22	42.3
Easy	21	40.4
Moderate	7	13.5
Difficult	2	3.8
Total no. reporting	52	100
G. Current residence certificate		
Very easy	29	45.9
Easy	24	39.3
Moderate	8	13.1
Difficult	1	1.6
Total no. reporting	61	100
H. Real estate taxes		
Very easy	21	42
Easy	14	28
Moderate	13	26
Difficult	2	4
Total no. reporting	50	100
For Untitled Property		
A. Photocopy of deed of sale/transfer certified by ROC		
Easy	4	44.4
Moderate	4	44.4
Very difficult	1	11.1
Total no. reporting	9	100
B. Copy of tax declaration		
Easy	12	75
Moderate	4	25.0
Total no. reporting	16	100

Table 5.18. continued.....

Item	No.	Z
For Untitled Property		
C. Approved survey plan and technical description		
Easy	6	46.2
Moderate	5	38.5
Difficult	1	7.7
Very difficult	1	7.7
Total no. reporting	13	100
D. Copy LISTASAKA I or II		
Very easy	1	11.1
Easy	5	55.6
Moderate	3	33.3
Total no. reporting	9	100
E. Affidavit of LO that property is not being claimed by third parties		
Easy	4	44.4
Moderate	3	33.3
Difficult	1	11.1
Very difficult	1	11.1
Total no. reporting	9	100
F. Certification of the clerk of court (for "legal clearance")		
Easy	2	28.6
Moderate	3	41.9
Difficult	1	14.3
Very difficult	1	14.3
Total no. reporting	7	100
H. Certification of the RDO and the Provincial Assessor (for clearance from liens and encumbrances)		
Easy	2	22.2
Moderate	5	55.6
Difficult	1	11.1
Very difficult	1	11.1
Total no. reporting	9	100

Table 5.18. continued.....

Item	No.	%
Additional Documents for VLT		
B. CARP Form 1.1		
Very easy	8	57.1
Easy	5	35.7
Moderate	1	7.1
Total no. reporting	14	100
C. CARP Form 3		
Very easy	8	57.1
Easy	5	35.7
Moderate	1	7.1
Total no. reporting	14	100
D. VLT/DPS Form 5		
Very easy	8	57.1
Easy	3	21.4
Moderate	3	21.4
Total no. reporting	14	100

Table 5.21. Distribution of landowners by number of land survey team members, duration of survey, and problems encountered, 5 provinces surveyed, Philippines, 1992.

Item	No.	%
A. Perimeter land use survey		
Surveyor		
GENP survey team	16	41.0
Private contractor	9	23.1
DAR survey team	17	33.3
Don't know	1	2.6
Total no. reporting	39	100
No. of DHR surveyors		
1	1	33.3
2	1	33.3
3	1	33.3
Total no. reporting	3	100
No. of private surveyors		
1	7	100
Total no. reporting	7	100
No. of DAR surveyors		
1	2	15.4
2	1	15.4
3	1	15.4
4	1	15.4
5	1	15.4
6	1	15.4
Total no. reporting	12	100
Duration of survey team (in days)		
1-3	1	100
Total no. reporting	1	100
Private contractor (in days)		
1-3	3	50.0
4-6	1	16.7
7-9	2	33.3
Total no. reporting	6	100
DAR survey team (in days)		
1-3	5	38.5
4-6	1	7.7
7-9	1	7.7
10-12	2	15.4
13-15	4	30.8
Total no. reporting	13	100

Table 5.21. continued.....

Item	No.	%
Documents required from the LO		
None	13	40.5
Title, sketch plan, tax declaration	22	59.5
Total no. reporting	35	100
Problems encountered		
None	28	87.5
LO was not informed about the survey	1	3.1
LO not present	1	3.1
Polygon will not close	1	3.1
Slow processing	1	3.1
Total no. reporting	32	100
6. Subdivision survey		
Surveyor		
DMF survey team	11	35.5
Private contractor	15	51.4
DAR/DMF survey team	1	3.2
DAR survey team	1	3.2
Total no. reporting	31	100
No. of DMF surveyors		
1	1	14.7
2	1	14.7
3	1	14.7
4	1	14.7
5	1	14.7
6	1	14.7
Total no. reporting	6	100
No. of private surveyors		
1	7	23.1
2	7	23.1
3	1	15.4
4	1	7.7
Total no. reporting	17	100
No. of DMF/DAR surveyors		
3	1	100
Total no. reporting	1	100
No. of DAR survey team		
5	2	66.7
2	1	33.3
Total no. reporting	3	100

Table S.21. continued.....

Item	No.	%
Duration of survey done by:		
DNR (in days)		
1	2	22.6
7	2	28.6
2	2	28.6
3	1	14.3
Total no. reporting	7	100
Private contractor (in days)		
1	2	10.3
2	2	33.3
3	2	26.0
7	1	6.7
9	1	6.7
30	2	20.0
Total no. reporting	15	100
DAR survey team (in days)		
1	1	22.7
2	1	33.3
Total no. reporting	2	100
Documents required from the LR		
Title, tax declaration, tax clearance	21	87.5
None	3	12.5
Total no. reporting	24	100
Problems encountered		
None	23	95.8
Land classification used not explained to LR	1	4.2
LVI problems	1	4.2
Total no. reporting	25	100
C. Segregation survey		
Surveyor		
Private contractor	2	40.0
DAR survey team	3	60.0
Total no. reporting	5	100
No. of private surveyors		
2	1	50.0
5	1	50.0
Total no. reporting	2	100
No. of DAR surveyor		
4	1	33.3
2	1	33.3
5	1	33.3
Total no. reporting	3	100

Table 5.22. Distribution of landowners by information on public hearings/meetings held regarding the land acquisition process by type of province, Philippines, 1992.

Item	No.	%
Were there a public hearing/meeting		
Yes	54	53.1
No	41	44.9
Total no. reporting	95	100
Did LO attend hearing/meeting		
Yes	43	83.3
No	8	16.7
Total no. reporting	51	100
Venue		
DAR office	35	74.5
Other government office	1	2.1
LOs residence	2	4.3
Barangay hall	8	17.0
DAR office barangay hall	1	2.1
Total no. reporting	47	100
Participants		
Landowner	47	87.0
FRs	30	61.3
NGRO	44	91.3
BARO representative	14	29.2
DEHA representative	11	20.4
DA representative	1	2.1
LOF representative	3	6.1
Total no. reporting	54	100
What was discussed		
Land valuation and mode of payment	35	77.3
Rules/Regulation of PD 27	1	2.1
Land suitability, production data and topography	4	8.2
No. of tenants/area planted by tenants	3	6.1
Land survey	2	4.1
Total no. reporting	45	100
Comments about the public hearing/meeting		
None	28	62.2
Okay	12	26.7
Time consuming	1	2.2
DAR team on tenant side	2	4.4
Tenants were happy	1	2.2
Land value debated too much	1	2.2
Total no. reporting	45	100

Table 5.22. Distribution of landowners by information on public hearings/meetings held regarding the land acquisition process by type of province, Philippines, 1992.

Item	No.	%
Were there a public hearing/meeting		
Yes	54	55.1
No	44	44.9
Total no. reporting	98	100
Did LO attend hearing/meeting		
Yes	45	63.3
No	53	36.7
Total no. reporting	98	100
Venue		
DAR office	35	74.5
Other government office	1	2.1
LOs residence	2	4.3
Barangay hall	5	17.0
DAR office barangay hall	1	2.1
Total no. reporting	44	100
Participants		
Landowner	47	87.0
FDPs	30	55.6
MRFs	44	81.8
BARC representative	19	35.2
DEMR representative	11	20.4
DA representative	2	3.7
LEP representative	3	5.5
Total no. reporting	54	100
What was discussed		
Land valuation and mode of payment	35	77.8
Rules/Regulation of PD 37	2	4.1
Land suitability, production data and topography	4	8.2
No. of tenants/area planted by tenants	3	6.1
Land survey	2	4.1
Total no. reporting	45	100
Comments about the public hearing/meeting		
None	28	62.2
Okay	12	26.7
Time consuming	1	2.2
DAR team on tenant side	2	4.4
Tenants were happy	1	2.2
Land value debated too much	1	2.2
Total no. reporting	45	100

Table 5.23. continued.....

Land Type/Transaction Cost	Range		I	
	Minimum	Maximum		
C. OLT				
Documentation				
P	10	6,000	13.9	71.1
Days	1	100	14.3	67.6
Survey				
P	10	360	13.9	4.3
Hours	4	24	37.1	12.2
Deed of Transfer/TCT				
P	50	2,000	33.6	22.7
Days	10	90	-	-
Public Hearing/Meeting				
P	1	60	2.6	3.9
Days	1	24	18.6	16.1
Total				
P	70	8,440	100	100
Days	-	140	100	100

Table 5.24. Costs incurred by landowners in the land acquisition process of land reform by type of province, Philippines, 1992.

Costs Incurred	HIGH PERFORMING PROVINCES				LOW PERFORMING PROVINCES			
	No. Reporting	Highest	Lowest	Mean	No. Reporting	Highest	Lowest	Mean
A. VOS								
Filing of case to DARAB								
Transport cost	1	3,200	3,200	3,200	0	-	-	-
Documentation	1	200	200	200	0	-	-	-
Total cost	1	3,400	3,400	3,400	0	-	-	-
Time spent by LO (hrs.)	1	6	6	6	0	-	-	-
Filing/attending other legal cases pertaining to land								
Transport cost	0	-	-	-	1	24	24	24
Documentation	0	-	-	-	0	-	-	-
Other fees	0	-	-	-	0	-	-	-
Total cost	0	-	-	-	1	24	24	24
Time spent by LO	0	-	-	-	1	8	8	8
Public hearing/seeing								
Transport cost	0	-	-	-	8	300	18	70
Total cost	0	-	-	-	8	300	18	70
Time spent by LO	0	-	-	-	8	24	3	6
Land surveys								
Transport cost	0	-	-	-	5	600	11	133
Documentation	0	-	-	-	1	20	20	20
Total cost	0	-	-	-	5	600	11	133
Time spent by LO	0	-	-	-	5	8	1	5
For DDT and TCT								
Transport cost	1	9,000	9,000	9,000	5	300	10	130
Documentation	1	100	100	100	2	400	200	300
Other fees	0	-	-	-	1	300	300	300
Total cost	1	9,100	9,100	9,100	5	600	10	292
Time spent by LO	1	3	3	3	6	148	3	33
B. VLT								
FBs and LO negotiations and other meetings with DAR								
Transport cost	2	80	56	0	1	12	12	12
Documentation	1	25	25	25	0	-	-	-
Total cost	2	81	60	20	1	12	12	12
Time spent by LO (hrs.)	2	20	16	18	1	4	4	4

Table 5.24. continued.....

Costs Incurred	HIGH PERFORMING PROVINCES				LOW PERFORMING PROVINCES			
	No. Reporting	Highest	Lowest	Mean	No. Reporting	Highest	Lowest	Mean
Land surveys								
Transport cost	2	100	18	59	0	-	-	-
Documentation	1	50	50	50	0	-	-	-
Other fees	3	400	14	221	0	-	-	-
Total cost	3	468	14	277	0	-	-	-
Time spent by LO	3	6	2	5	0	-	-	-
For DOT and TCT								
Transport cost	1	120	120	120	1	500	500	500
Documentation	2	120	50	85	0	-	-	-
Total cost	2	170	120	145	1	500	500	500
Time spent by LO	2	12	8	10	1	16	16	16
C. QLT								
Filing of case to DARAB								
Transport cost	1	2,000	2,000	2,000	1	2,000	120	2520
Documentation	0	-	-	-	2	2,000	70	3035
Other fees	1	500	500	500	0	-	-	-
Total cost	1	2,500	2,500	2,500	2	11,000	190	5555
Time spent by LO (hrs.)	2	1	1	1	2	60	48	54
Filing/attending other legal cases pertaining to land								
Transport cost	1	2,000	2,000	2,000	1	600	600	600
Documentation	0	-	-	-	1	70	70	70
Total cost	1	2,000	2,000	2,000	1	670	670	670
Time spent by LO	1	4	4	4	1	16	16	16
Public hearing/meeting								
Transport cost	7	20	2	48	2	20	5	12
Documentation	1	11	11	11	1	10	10	10
Total cost	7	50	2	47	2	30	5	18
Time spent by LO	7	10	2	5	2	24	4	14
Land surveys								
Transport cost	2	360	20	190	2	25	10	18
Documentation	0	-	-	-	1	20	20	20
Total cost	2	360	20	190	2	45	10	28
Time spent by LO	2	16	4	10	2	24	16	20
For DOT and TCT								
Transport cost	0	-	-	-	2	2,000	50	
Total cost	0	-	-	-	2	2,000	50	1,025
Time spent by LO	0	-	-	-	2	NA	NA	

CHAPTER 6

FARMER BENEFICIARIES AND LAD

6.1. Introduction

The beneficiaries of land reform are the landless agricultural workers. It is they who patiently await for the agricultural lands to be acquired from the landowners and for DAR to accomplish the distribution process. The waiting time varies depending on the land type to be acquired, the completeness of supporting documents, the processing period of LAD-related agencies, and the nature of landowner's response. Overall however, one would expect that the transition phase prior to full-pledged landownership would be longest in privately-owned large-sized landholdings and relatively shorter in public lands. The difficulty of prolonged waiting time from the vantage point of the landless farmers is that competition among landless tillers will heighten over time as more landless agricultural workers aspire for landownership.

This chapter discusses the features of FBs and the mechanisms by which they have helped in expediting the LAD process and hence reducing their waiting time. The study also attempts to estimate the financial costs incurred and the time expended by FBs in the land distribution component. Both discussions will contribute in exploring the areas where FBs can be useful in hastening the LAD process.

6.2. Profile of the FBs

6.2.1 *Demographic Features*

A total of 100 FBs spread across the 5 provincial samples were interviewed (Table 6.1). They were divided into HPP and LPP to verify if this classification provided any meaningful insights. About 60 FBs were located in the HPP while the remaining resided in the LPP.

Majority of the FBs are middle-aged with a mean age ranging between 48 and 50 years old. More than four-fifths are males and 16 were female FBs. In terms of educational attainment, more than half of the respondents have some elementary background; 28 reached high school level; 17 went to College but only 4 became college degree holders.

Four-fifths of the total respondents are married: 8 were either widowed or separated and only 6 are single. Of those who were married, barely one fourth had spouses who were employed.

FBs had generally large families. Household members numbered between 3 and 10 with most of them having 5 and 6 household members.

Majority of the FBs were born on the province where they ultimately obtained landownership (Table 6.2). Only a third were migrants. Most of the migrants transferred residency during the period 1951 to 1980 with about half moving to the said province to seek better employment.

Only 10 of the FBs had other family members who were tillers as well (Table 6.3). One of them was cultivating lands outside the said province. Eight were either tenants or lessees and 2 owned the land. On the average, the area of the land cultivated by these household members did not exceed 2 hectares, and were grown principally to rice and corn.

6.3. Pre-CARP Status

6.3.1. *Land Features and Cultivating Practices*

Majority of the FB respondents became actual tillers between 1951 and 1980 (Table 6.4). More than half were tenants; 10 were lessees; 11 were squatters but actual tillers; and the rest had other types of tenurial status. The dominant sharing arrangement for the previous tenants was 50-50 and 75-25. For the lessees, their average annual rent was about 10 cavans per annum.

Farmer tenants receive some benefits from the landlord (Table 6.5). Most of them were provided with a houselot and were allowed to do inter - or multi-cropping, some at 50-50 sharing of the secondary crops but most did not share their produce. Only a few obtained other benefits such as production/consumption credit, sharing of production costs, and employment for other household members.

Most of the FB respondents produced rice and/or corn (Table 6.6). Only 32 practiced intercropping and 20 had some multicropping.

Land cultivated by the FBs were not so far from the poblacion and market, as about half of these farms were less than 5 kilometers (Table 6.7). Only about 28 of them enjoyed irrigation facilities; the rest relied on natural water sources. More than half of the pre-CARP lands cultivated by the FBs had access to road and local transport; about three-fourths of these lands had likewise right of way.

Half of the FB respondents had houselot areas between 100 and 600 square meters (Table 6.8). Most of their houses are located near the farm. More than a third of them owned the houselot, and another third were owned by their previous landowner.

6.3.2. Forms of Harassment Prior to Landownership

About 10 of the FB respondents experienced some forms of harassment from previous landowners whose lands were compulsorily acquired (Table 6.9). These were mostly in the form of threats from previous landowners, his hired men, or military men. Two FBs reported some land grabbing incidents.

This may imply that landowners in general are not totally averse to land reform. Aggressive forms of resistance such as the above incidences, may not be the norm of the landowner's manifestation of their displeasure on land reform. This could imply that with the increase in population coupled with the rising awareness of landless agricultural members of their rights (see Section 6.5.1) as well as the overall changing economic and political environment, there are now probably more mechanisms acceptable and available to landowners for their co-optation to this particular reform measure.

6.4 Post CARP: Land Features

6.4.1. Size and Location of Awarded Lands

Some 59 FB respondents were awarded lands whose sizes ranged between 0.1 to and 2 hectares with a greater proportion of them located in the HPP (Table 6.10). Another one-third of the FBs interviewed obtained landholdings between 2 and 4 has. Surprisingly, 6 FBs reported that they were awarded lots between 4 and 10 has., land sizes exceeding the limits specified in CARL.

More than four-fifths were awarded landholdings within the respondent's barangay residence. About 10 received agricultural lots in the same town but different barangay and only 6 were accorded reformed lands in the adjacent town. Nine-tenths of the FB respondents obtained the land which they previously cultivated.

The generally small size farm lots awarded to FBs and the relatively large household member sizes of the FBs highlight the possibility of further parcellization into miniscule and uneconomical land sizes if the conventional land transfer by sanguinity approach is pursued by the FBs two to three decades from now¹. There is a need for

the government to encourage innovative land and labor contract arrangements that will encourage intensive cultivation of economically sized landholdings.

6.4.2. Land Types and Ownership Schemes

More than a third of the FB respondents were recipients of operation land transfer (OLT) scheme, or pre-CARL land reform measures (Table 6.11). Close to half came from LPP. Another one third (35 FBs) were awarded privately-owned land types (CARL coverage) and 15 obtained previously government-owned land. The rest benefitted from landed estates (6 FBs), settlements (2 FBs), and A & D public land (1 FB).

Of the 79 FB respondents who reported their mode of landownership 46 (or 60 percent) received CLOAS, 29 (37 percent) were EP holders, and 4 (5 percent) obtained CLT's (Table 6.12).

When asked whether or not they were satisfied with the lands that they obtained, about two thirds had no complaints (Table 6.13). Of the one third who complained, more than half contended that the land parcel they received were too small to sufficiently provide for their food and other requirements.

6.4.3. Land Features

More than four-fifths of the FB respondents cultivated rice and/or corn in their farmlots (Table 6.14). Most of the farms were located near the poblacion and market (between 1 and 10 kms.). A third of the FBs enjoyed some irrigation facilities; the remaining FBs relied mainly on natural sources of water. Three-fourths of the FBs obtained lands that were accessible to the road and local transport as well as a right of way.

The above discussion highlights the importance in the provision of support services including technical expertise especially during the immediate years after ownership. Expansion of irrigation facilities is likewise paramount to enhance productivity.

While DAR presently provides allocation for support services through the CARP-participating agencies, and in its past had focused on social infrastructure, these funds are insufficient to meet the needs of FBs. Moreover, various agencies such as the DA, have their respective production and infrastructural programmes which in principle, should be accessed by these new landowners. There is thus a need for the government (especially the DA and DPWH) to identify the appropriate intervention schemes which can be enforced prior to and immediately after the farmers have become landowners.

Whenever possible, DAR's efforts should be concentrated in LAD. DAR could assist the abovementioned agencies by providing them of the list of prospective FBs.

6.4.4. Farmlot Provision and Mortgaging Practices

FBs are also ensured of a houselot. Of the FBs interviewed, majority of them obtained a houselot area between 100 and 600 square meters (Table 6.15). Many of the houselots are located in the farm and are accessible to the nearby poblacion.

6.4.5. Mortgaging of Cultivation Rights

So far, the incidence of mortgaging cultivation rights is insignificant. In the study, only 3 FBs pawned their cultivation rights: 1 in the HPP and the other 2 are from the LPP (Table 6.16). Interestingly, the mortgagors were varied: one was a relative; the other was a co-FB; and the last was a bank. The practice was to borrow an amount of money payable within a short period of time, usually two croppings. The FB borrower promised to pay through the produce from his farm.

Although many FBs have expressed their commitment not to mortgage their property or property rights, a few consider it as an option especially during emergency purposes, albeit with difficulty.

What this table highlights is the potential problems that may ensue because of CARL's provisions prohibiting FBs from disposing of their lands except to the state. As the experience of the 3 FBs in the table demonstrated, illicit land transactions will be encouraged such as illegal sale for land use conversion² and mortgage of cultivation rights at depressed values. Since FBs cannot use their land as collateral, this also limits their access to large capital. The only legal activities which they can do with the land are to cultivate them and/or to transfer the ownership to the FB's legal heirs. The latter recourse will result to subdivision of already small farm lots.

These require the need for the government to develop land and labor contracts that will widen the land use choices available to existing FBs. One possibility is to deregulate land contracts after mid-1998; this alternative requires however, accurate land ownership data so that the retention ceiling for landholdings can be maintained and the reversion to large landholdings will not ensue. The other option is to allow share tenancy so that FBs who do not wish to continue being farmers, can sub-contract landless farmers. What is thus important at this stage is to prepare for mechanisms that will widen the land utilization alternatives of present and prospective FBs.

6.5. FBs and CARL

6.5.1. Awareness Level of CARL

Unlike in the past, farmers are more well-informed especially on laws pertaining to their well being. Of the 100 FBs surveyed, nine-tenths of them fully comprehended the implications of CARL and a large number were able to distinguish CARL from P.D. 27 (Table 6.17). Awareness of this law came mostly from DAR personnel based at the municipal level, although a rising number became more knowledgeable of this legislation through various sources such as the media, local government, NGOs and POs.

FB's perception of what land types must be prioritized for land reform is quite unequivocal as illustrated in Table 6.18. According to FBs, privately-owned lands exceeding 50 has. should be reformed first (at 96 percent); plantations ranked second at 87 percent followed closely by public-owned lands (85 percent); and lastly, by private-owned lands between 24 and 50 has. (83 percent). FBs however, were undecided with privately-owned lands ranging from 5 to 24 has.

FBs likewise understood the selection process involved in identifying the appropriate benefactors (Table 6.19). For most of them, they were chosen because they were landless tillers usually tenants or lessees, residing in the same barangay where the CARP land is located.

6.5.2. FB Involvement in LAD

FBs were not passive receptors to the CARP program. In particular, they lent support to DAR at various phases of the land acquisition process, i.e., during land surveys, field investigation, and public hearings.

Majority of the FBs attended the consultation meetings on land surveys (Table 6.20). Often, they were the largest number of participant delegates in the meetings which ranged between 1 and 3. The matters that were raised were usually concerns of the landowners. DAR and DENR personnel also made certain that FBs were consulted.

Most of them were involved in the field investigations and actual land survey (Table 6.21). Their participation was mostly focused in terms of assistance in the ocular inspection and area identification. Around 15 of the FB respondents experienced disputes during the subdivision survey, mostly involving inadequate boundary markers and some among the FB themselves who disagreed with the lot allocations.

A noticeable trend in the previous tables is the significant participation of FBs in HPPs than FBs in LPPs. What this may imply is that FBs could contribute in facilitating the LAD.

6.6. Amortization Scheme

6.6.1. CARL's Provision

One area where FBs can positively contribute is in financing LAD. Specifically, by paying regularly their amortization dues, the funds collected, although not as large, could help in defraying LAD expenses.

The basis for the FB amortization is stipulated in CARL, Chapter VII Section 26³. Its basic features are: (i) FBs shall pay in thirty (30) annual payments to the LBP the principal plus six (6) percent interest rate; (ii) payments for the first three (3) years may be reduced as per instruction of PARC; (iii) first five (5) years of payment shall not exceed five (5) percent of the value of gross production; (iv) if the scheduled annual payment after the fifth (5) year is in excess of the ten (10) percent annual gross production, and the FB experienced crop failure because of force majeure, the LBP may restructure the interest rate or reduce the principal obligation to approximate the FB's "affordable" capability; (v) LBP may forfeit FB's land ownership after failure to pay his/her due for three (3) aggregate years; and, (vi) DAR, after being informed by LBP of the foreclosure, will award the forfeited land to other prospective FBs. As of to date, DAR has yet to spell out the implementing rules and guidelines for the amortization; in the meantime, many of the CARP beneficiaries have not commenced their annual dues.

The legal provision on amortization is replete with ambiguities and is heavily in favor of the FB. First, it seems to imply that the principal land value will approximate the value of annual gross production but as to what shall be the basis for estimating the latter was not directly specified. Should it be based on the average of past production or shall it be computed using the potential earnings that can be generated from the land? Second, it does not seem to be linked to the crop insurance scheme of the government where this mechanism enables the farmers to access funds in cases of force majeure. And third, the "affordability" concept as used in the legislation presumes that farmers will remain perpetually poor and hence, cannot afford the commensurate dues. The presumption seems invalid if we take into account the fact that farmers can pay the credit which they borrowed from informal financial institutions that charge double bank rates (Abiad and Llanto, 1989). The latter experience demonstrates the capacity of farmers to pay.

responds to this problem swiftly, then the same problems which occurred during the pre-CARL years (see for example, Table 6.21) will re-emerge, this time at a larger scale because of the bigger CARP coverage.

6.7. FBs and NGOs/POs

Only 10 of the FBs surveyed mentioned that they obtained some assistance from NGOs/POs (Table 6.23). Six (6) of the FB respondents were located at the HPPs and the assistance came from various sources, i.e., cooperatives, TRIPARD/PHILDRA (NGO), farmer's organization and religious associations. The major mode of assistance was credit and seminars on community organizing and cooperative building. Only a third of the FB respondents believed that NGOs play a role in CARP, especially in the areas of identifying CARP lands and evaluating and monitoring CARP activities.

An increasing number of FBs were affiliates of various organizations (Table 6.24). Close to three-fourths of them are members of some associations and most of them are cooperative members.

6.8. FB Costs on LAD

An attempt was made to identify the costs incurred and the time expended by FBs who obtained a CLOA. This is reflected in Table 6.25.

The activities of the FBs in land distribution included (i) filling of applications as beneficiary, (ii) attendance to public hearings, (iii) presence in field investigation, (iv) application for purchasing the land, and (v) application for CLOA certificate. Expenses incurred for each activities were (i) transportation costs, (ii) documentation costs, (iii) other fees; (iv) food expenses.

Much of the documentation expenditures of the FB were shouldered by DAR. The largest form of expense were food allowances and transportation costs.

On the average, FBs spent P238 in HPPs and spent 64 days while FBs in LPP incurred P132 and consumed 47 days. Relative to the displaced landowners, the cost of FBs are much lower and the difficulties they encounter are also less problematic.

6.9. FBs as New Landowners: Directions and Prospects of Post Reform

The implementation of land reform is producing a new breed of landowners whose distinctive feature is their small-sized landholdings. Since the nature of its

implementation was heavily focused on the acquisition and distribution component, not much effort were directed in influencing the transition phase after distribution, i.e., the adjustment years of the FBs as they adopt to their new role as landowners.

This chapter generated meaningful insights from the purview of FBs which in turn have important implications on the post reform era especially during the FB's adjustment period. The first concerns the appropriate and timely delivery of support services and infrastructure essential in enhancing the FB's productivity performance. While the DAR has attempted to allocate CARP funds for this purpose, it was apparent that (i) the funds are insufficient to meet the requirements of FBs and (ii) the dispensation of this activity competed with DAR's LAD function. Other departments principally, the DA and DPWH, can effectively and more efficiently perform this function as it has the resources as well as the mandate. For example, DA has various programmes addressing productivity; these include, *inter alia*, the Grains Productivity Enhancement Program (GPEP), the Comprehensive Agricultural Loan Fund (CALF), and its various irrigation projects.

What is important is to package an intervention scheme that will develop small farms into profitable business ventures. A package of assistance should be designed that will increase small farm's productivity but at the same time, will not make these new landowners dependent on these modes of interventions. It is also paramount that the institution of macro and structural reforms conducive for the growth of the agricultural sector be put in place in the medium term. The most crucial of these reforms are the construction of rural infrastructure (irrigation, roads and bridges, communication and electric facilities) and the liberalization of trade and monetary policies.

Second, the size of landholdings awarded to the FBs is on the average, below the 3 hectare land ceiling stipulated in CARL. Presumably, landholdings that will accrue to prospective FBs will become smaller the longer it takes DAR to enforce land reform in large-sized farms. Since FBs are prohibited by the law to dispose of their lands except through the state and because the only available mode of legal land transfer is through hereditary succession, then one would expect further parcellization of these reformed lands. This will eventually make land sizes too small for profitable cultivation.

CARL inhibits the land use choices of FBs. Because of the implicit zero collateral value of reformed lands, FBs are prevented from accessing large capital. Conversion of agricultural lands into non-agricultural use is not legally possible until five (5) years have elapsed after the award and/or the FB has paid in full his financial obligations. Moreover, FBs cannot sell their cultivation rights or hire tenants in cases when the FBs have lost interest in direct cultivation.

Due to the limited land use rights as well as land and labor contractual arrangements available to the FBs, these constraints would serve as disincentives to

enhancing agricultural production and widening the options for employment of the numerous landless farm workers who will not be accommodated by land reform. In the medium term, such an environment may create tension among FBs on one hand and landless rural workers on the other.

This highlights the need for the government at this early stage to develop alternative property as well as land and labor arrangements that will encourage FBs to utilize their lands to the highest and best use. This will however, certainly require some amendments on CARL.

Corollary to the need for evolving new modes of property rights, the development and extensive use of CLOAS as a means of expediting land distribution is moving toward the direction of this suggested change. Collective property rights can in principle, resolve the problems of subdivision of lots into unproductive units and provide the owners the option of contiguous large-sized landholdings that can be available for the cultivation of plantation crops. The major drawback is the delineation of property and use rights of each farm owner. However, this problem does not seem to pose an insurmountable barrier to finding appropriate solutions.

An important area where LAD activities of DAR can contribute and which have not been exploited at all is in the development of land-ownership and land use data. DAR's LAD work would have been facilitated if it had access to these types of information. Unfortunately, past governments have not invested in the establishment of a system and a mechanism for generating and updating land-related data.

DAR's work in LAD inevitably incorporates as one of its functions the generation of land ownership and land use sets of data. The LISTASAKA project in 1988, while replete with technical difficulties, served as the basis for identifying existing landowners; this information is continually being validated and verified by DAR as its land acquisition functions are becoming more concentrated on private-owned lands. At the same time, DAR has data on the new sets of landowners who benefitted from CARL. In addition, its field investigations together with the ocular inspection work of DENR and LBP generate land use information.

Unfortunately, all these valuable information are not being systematically collated and compiled to develop a land ownership and land use data that will be useful for future redistributive measures (such as land and income taxes) and land use policies. There is thus a need to look into this area to enable prospective policy makers in formulating efficient land-related policies.

Another important insight generated from the FB's interview is related to mechanisms of hastening LAD work. FBs have positively contributed in the field surveys by assisting LAD-participating agencies in identifying and delineating the land parcels and determining the land use patterns.

More significantly, the ambivalent attitude of FBs whether or not to include landholdings between 5 and 24 hectares for land reform may provide the direction where DAR can focus its acquisition efforts. Specifically, DAR could concentrate LAD in privately-owned lands exceeding 24 hectares. At any rate, natural forces of population increases will in the future, serve as the regulator for landholdings below this land ceiling.

The sixth issue pertains to the observation of developing appropriate mechanisms that will operationalize an efficient collection and payment of the FB's financial obligation. The present provision in CARL presumes that the ability to pay of prospective farmers will always be low and hence the proposed amortization schedule was heavily subsidized by the government. It also entrusts the LBP to collect the dues without commensurating the bank's transactions costs.

This paper recommends that the amount to be paid by the FB should at least incorporate (i) the scarcity feature of agricultural land, (ii) its potential earnings, (iii) the transactions costs that will be incurred by the collecting entity, and (iv) the crop insurance programmes available to farmers. Amortized values may be reduced during the first three (3) years to enable the FBs to adjust to its new role and to provide the intervention schemes accorded by the government to take effect in the FB's farm productivity levels. Interest rates could also approximate GSIS or Pag-ibig rates for property loans. Finally, NGOs/POs could serve as collecting conduits.

The basic premise of the recommendations is that farmers are already efficient but are presently hampered because of the inaccessibility of vital productive resources such as land and infrastructure (Lipton, 1974). After land reform and with the government's commitment to follow through the timely delivery of appropriate support services during the post reform phase, then small-sized farms will become profitable economic activities and the FB's income will increase.

The first two factors recommended for valuing land will encourage FBs to become efficient in the use of scarce land while the third factor will serve as an incentive to the collecting agent. The last factor provides a fallback mechanism to FBs during incidences of force majeure.

An efficient amortization scheme for FBs can finance partly the requirements of the government in LAD activities and partly the essential infrastructural needs of the countryside. But the real essence of an amortization scheme that should be religiously paid by the FBs is to inculcate them the principle that landownership is no longer a right but a privilege that carries with it a social responsibility. With the increasing population on very finite land resources, utilization of land should be intensive and efficient.

The final issue pertains to the need for FBs to organize into viable organizations. While the movement for institutional development at the grassroots levels is much stronger now than in the past decades, its evolution has still been relatively slow. Previous efforts of the government to directly intervene in the developmental phase (e.g. Samahang Nasyon of martial law years), while briefly leading to the proliferation of these organizations also resulted to their quick demise. Weak organizational base and leadership coupled with lack of management and financial expertise have contributed to the insolvency of many cooperatives.

The lesson that the public sector has no comparative advantage in organizing cooperatives has at least been realized by the government. The task of institutional development has been relegated to NGOs and POs. The latter have taken the challenge; some have made headways (e.g., POs in Mindanao) but overall, the multiplier effects have not been significant. Much of the delay stem from the over-emphasis in the formative phase of cooperative development. While this stage is important, NGO/POs should attempt to fast-track the process of involving FB organizations into economic undertakings. Linkage with agribusiness entities and agricultural traders should be explored to expand the FB's production activities horizontally and vertically. NGOs serving as conduits for the collection and monitoring of FB's amortization can also be experimented.

In other words, these are many areas where NGOs/POs can assist and work hand in hand with the FBs for the latter's development. What is important is that this coordinative work should move in the direction of developing the small farms of the FBs into profitable economic ventures. In the final analysis, the success of land reform is not in the large coverage of the LAD activity. The success hinges on what happens after reform when FBs became landowners themselves.

NOTES

¹This is the current problem encountered by the farmer beneficiaries of Taiwan's and Japan's land reform. Partly because of the scale of mechanization in farming, their land size holdings have become uneconomically small to take advantage of the economies of scale ensuing from mechanization (Thisenhausen, 1990). There are present attempts to re-consolidate the landholdings into large-sized production units.

²Conversion by circumventing the laws is always an option available to the FBs but this alternative is quite costly. However, considering the weak policing role of the government in preventing illegal conversions and because of the huge financial remuneration offered to FBs usually by real estate investors, the cost of being caught and penalized seems insignificant especially to FBs who have never in their life handled large sums of amount.

³The basis of this provision was E.O. 229 Chapter II, Section 12. This order which was signed by former President C. Aquino and became one of the working documents used by the legislators in drafting CARL.

This provision on amortization has some basic differences with CARL provision, to wit: (i) it specified that the first amortization of the FB will commence on the second year after the government has formally awarded the land to the FB; and (ii) it provided for a two (2) percent rebate for amortization exceeding ten (10) percent of the land's annual value of gross production.

Table 6.1. Distribution of FBS by demographic characteristics by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Age						
21-30	5	9.3	2	5.0	7	7.0
31-40	15	25.0	10	25.0	25	25.0
41-50	13	23.0	5	20.0	23	23.0
51-60	12	33.0	8	20.0	26	26.0
61-70	6	19.0	11	27.5	17	17.0
71-80	1	1.7	1	2.5	2	2.0
Total	60	100	40	100	100	100
Mean	48		50		49	
Sex						
Male	54	90.0	30	75.0	84	84.0
Female	6	10.0	10	25.0	16	16.0
Total	60	100	40	100	100	100
Educational Attainment						
None	0	0.0	0	0.0	0	0.0
Grade I - Grade IV	10	16.7	9	22.5	19	19.0
Grade V - Grade VI	21	35.0	15	37.5	36	36.0
1st Yr. HS - 2nd Yr. HS	5	8.3	2	5.0	7	7.0
3rd Yr. HS - 4th Yr. HS	17	28.3	8	20.0	25	25.0
1st - 2nd Yr. College	4	6.7	1	2.5	5	5.0
3rd - 5th Yr. College	5	8.3	3	7.5	8	8.0
College Graduate	2	3.3	2	5.0	4	4.0
Total	60	100	40	100	100	100
Civil Status						
Single	4	6.7	2	5.0	6	6.0
Married	51	85.0	35	87.5	86	86.0
Widowed	4	6.7	3	7.5	7	7.0
Separated	1	1.7	0	0.0	1	1.0
Total	60	100	40	100	100	100

Table 6.1 Continued.....

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Occupation of Spouse						
Housekeeper	40	78.4	27	79.4	67	78.8
Businessman	3	5.9	1	2.9	4	4.7
Teacher	2	3.9	0	0.0	2	2.4
Farmer	3	5.9	2	5.9	5	5.9
Employee	3	5.9	3	8.8	6	7.1
Seaman	0	0.0	1	2.9	1	1.2
Total no. reporting	51	100	34	100	85	100
No. of FBs Household Members						
1 - 2	6	10.0	6	15.0	12	12.0
3 - 4	15	25.0	8	20.0	23	25.0
5 - 6	21	35.0	10	25.0	31	31.0
7 - 8	8	13.3	9	22.5	17	17.0
9 - 10	8	13.3	5	12.5	13	13.0
11 - 12	1	1.7	1	2.5	2	2.0
13 - 14	1	1.7	0	0.0	1	1.0
15 - 16	0	0.0	1	2.5	1	1.0
Total	60	100	40	100	100	100
Average	5		6		6	

Table 6.2 Number of FBs by place of birth and residence and by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Place of Birth						
Same barangay	19	31.7	20	50.0	39	39.0
Same town, other barangay	7	11.7	8	20.0	15	15.0
Same province	5	8.3	9	22.5	14	14.0
Manila	0	0.0	0	0.0	0	0.0
Other province	29	48.3	3	7.5	32	32.0
Total	60	100	40	100	100	100
Year Moved to Present Residence						
1921 - 1930	1	2.6	1	5.9	1	1.8
1931 - 1940	0	0.0	1	5.9	1	1.8
1941 - 1950	4	10.5	2	11.8	6	10.9
1951 - 1960	10	26.3	5	29.4	15	27.3
1961 - 1970	8	21.1	3	17.5	11	20.0
1971 - 1980	8	21.1	5	29.4	13	23.6
1981 - 1985	3	7.9	0	0.0	3	5.5
1986 - 1990	4	10.5	0	0.0	4	7.3
Total no. reporting	38	100	17	100	55	100
Reasons for Transfer of Residency						
For livelihood purposes	19	50.0	9	52.9	28	50.9
Followed/lived with parents	5	13.2	3	17.6	8	14.5
Has land of his own	8	21.1	0	0.0	8	14.5
To forget the death of his father	1	2.6	0	0.0	1	1.8
Marriage	5	13.2	5	29.4	10	18.2
Total no. reporting	38	100	17	100	55	100

Table 6.3. Number of FBs with family members cultivating other farmlots and features of these farms by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Number	8	80.0	2	20.0	10	100
Location of farms of other family members						
In the same province	7	87.5	2	100	9	90.0
In the other province	1	12.5	0	0.0	1	10.0
Total no. reporting	8	100	2	100	10	100
Tenurial arrangement						
Owner	2	25.0	0	0.0	2	20.0
Tenant/Lessee	6	75.0	2	100	8	80.0
Total no. reporting	8	100	2	100	10	100
Area of lands cultivated (has.)						
< 1.00	2	25.0	1	50.0	3	30.0
1.01 - 2.00	6	75.0	1	50.0	7	70.0
Total no. reporting	8	100	2	100	10	100
Crops grown						
Rice	6	75.0	2	100	8	80.0
Corn	2	25.0	0	0.0	2	20.0
Total no. reporting	8	100	2	100	10	100

Table 6.4. Land and tenurial characteristics prior to becoming FB by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Year started cultivating the land						
1931 - 1940	1	1.7	2	5.0	3	3.0
1941 - 1950	2	3.3	3	7.5	5	5.0
1951 - 1960	12	20.0	6	15.0	18	18.0
1961 - 1970	13	21.7	6	15.0	19	19.0
1971 - 1980	15	25.0	12	30.0	27	27.0
1981 - 1985	6	10.0	4	10.0	10	10.0
1986 - 1990	7	11.7	6	15.0	13	13.0
1991	1	1.7	0	0.0	1	1.0
No answer	3	4.0	1	2.5	4	4.0
Total	60	99	40	100	100	100
Previous tenurial status						
Tenant	30	50.0	25	62.5	55	55.0
Lessee	6	10.0	1	5.0	7	7.0
Regular farmworker	1	1.7	1	2.5	2	2.0
Actual tiller or occupant of nearby public land	2	3.3	4	10.0	6	6.0
Cultivation rights given by previous tiller and have not been giving anything to LD	7	11.7	0	0.0	7	7.0
Squatter but actual tiller	6	10.0	5	12.5	11	11.0
Former LD	1	1.7	0	0.0	1	1.0
Settlers	1	1.7	0	0.0	1	1.0
Land purchased thru VLT	1	1.7	0	0.0	1	1.0
Other farmworker	1	1.7	0	0.0	1	1.0
No answer/Not applicable	2	3.3	3	7.5	5	5.0
Total	60	100	40	100	100	100

Table 6.4. Continued.....

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
If tenant, sharing arrangement						
50-50	15	50.0	7	28.0	22	40.0
60-40 (LO-FB)	0	0.0	1	4.0	1	1.8
80-20 (FB-LO)	0	0.0	2	8.0	2	3.6
75-25 (FB-LO)	4	13.3	6	24.0	10	18.2
55-45	1	3.3	0	0.0	1	1.8
25-75 (FB-LO)	2	6.7	1	4.0	3	5.5
2:1	1	3.3	0	0.0	1	1.8
30-70 (FB-LO)	2	6.7	6	24.0	8	14.5
70-30 (FB-LO)	5	16.7	2	8.0	7	12.7
No answer	0	0.0	0	0.0	0	0.0
Total no. reporting	30	100	25	100	55	100
If lessee, annual rent/ha/yr and reference year						
3 cavs./yr (1970-1979)	1	12.5	0	0.0	1	10.0
4 cavs./yr (1966-1992)	0	0.0	1	50.0	1	10.0
8 cavs./yr (1962-1988)	1	12.5	0	0.0	1	10.0
10 cavs/yr (1964-1989)	5	62.5	1	50.0	6	60.0
12 cavs/yr (1977-1987)	1	12.5	0	0.0	1	10.0
Total no. reporting	8	100	2	100	10	100

Table 6.5. Number of FBs by benefits received from previous landowner, by type of province, Philippines, 1992.

Benefits	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Production credit	6	54.5	5	45.5	11	100
Consumption/emergency credit	3	50.0	3	50.0	6	100
Sharing of production costs	2	16.7	10	83.3	12	100
Provision of houselot area	17	40.4	28	59.6	47	100
Employment for other household members	4	80.0	1	20.0	5	100
Allows inter or multicropping	17	54.8	14	45.2	31	100
Sharing arrangement for multi-crops						
50 - 50	10	58.8	3	21.4	13	41.9
75 - 25	1	5.9	1	7.1	2	6.5
67 - 33	1	5.9	0	0.0	1	3.2
70 - 30	1	5.9	0	0.0	1	3.2
None/produce goes to FB	4	23.5	10	71.4	14	45.2
Total	17	100	14	100	31	100

Table 6.6. Pre-CARP features of crops grown by FBs by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Crops Grown						
Rice	42	70.0	27	67.5	69	69.0
Corn	4	6.7	3	7.5	7	7.0
Rice and Corn	6	10.0	4	10.0	10	10.0
Fruit trees	2	3.3	0	0.0	2	2.0
Coconut	0	0.0	1	2.5	1	1.0
Abaca	0	0.0	1	2.5	1	1.0
Coffee	0	0.0	1	2.5	1	1.0
Mango	0	0.0	1	2.5	1	1.0
Coconut and Rice	0	0.0	1	2.5	1	1.0
No answer	6	10.0	1	2.5	7	7.0
Total	60	100	40	100	100	100
Practice Intercropping	18	30.0	14	35.0	32	32.0
Practice Multicropping	13	21.7	7	17.5	20	20.0

Table 6.7. Pre-CARP features of land cultivated and tenurial arrangements by FBs by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Distance of lands cultivated to the poblacion (kms.)						
< 5.00	33	55.0	26	65.0	59	59.0
5.01 - 10.00	15	25.0	10	25.0	25	25.0
10.01 - 15.00	7	11.7	4	10.0	11	11.0
15.01 - 20.00	1	1.7	0	0.0	1	1.0
20.01 - 25.00	2	3.3	0	0.0	2	2.0
25.01 - 30.00	2	3.3	0	0.0	2	2.0
> 30.00						
Total	60	100	40	100	100	100
Mean	7		4		6	
Distance of lands cultivated to the market (kms.)						
< 5.00	29	48.3	23	57.5	51	51.0
5.01 - 10.00	16	26.7	12	30.0	28	28.0
10.01 - 15.00	5	8.3	5	12.5	10	10.0
15.01 - 20.00	3	5.0	0	0.0	3	3.0
20.01 - 25.00	1	1.7	0	0.0	1	1.0
25.01 - 30.00	3	5.0	0	0.0	3	3.0
> 30.00	1	1.7	0	0.0	1	1.0
Total	60	100	40	100	100	100
Mean	7		6		8	
With irrigation facilities	20	33.3	3	7.5	23	23.0
Near a creek, river or other natural water facilities	35	58.3	23	57.5	58	58.0
With access to roads	41	68.3	26	65.0	67	67.0
With access to local transportation	43	71.7	24	60.0	67	67.0
With right of way	42	70.0	29	72.5	71	71.0

Table 6.8. Houselot information prior to becoming a beneficiary by type of province, Philippines, 1992.

Houselot Information	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Houselot area (sq.m.)						
< 50	4	6.9	5	12.5	9	9.2
51 - 100	6	10.3	6	15.0	12	12.2
101 - 300	13	22.4	12	30.0	25	25.5
301 - 600	12	31.0	14	35.0	32	32.7
601 - 900	8	13.8	1	2.5	9	9.2
901 - 1200	7	12.1	1	2.5	8	8.2
>1200	2	3.4	1	2.5	3	3.1
Total no. reporting	58	100	40	100	98	100
Mean	511		515		1027	
Location of houselot from farm						
0	15	25.4	9	22.5	24	24.2
0.01 - 0.50	12	32.2	12	47.5	38	38.4
0.51 - 1.00	10	15.9	8	20.0	18	18.2
1.01 - 1.50	5	8.5	1	2.5	6	6.1
1.51 - 2.00	3	5.1	0	0.0	3	3.0
2.01 - 2.50	1	1.7	0	0.0	1	1.0
2.51 - 3.00	1	1.7	3	7.5	4	4.0
>3.00	5	8.5	0	0.0	5	5.1
Total no. reporting	58	100	40	100	98	100
Mean	1.19		0.56		1.74	
Owner of houselot						
FB	21	33.0	17	42.5	38	38.0
Previous landowner	15	25.0	17	42.5	32	32.0
Private individual other than LD	13	26.7	3	7.5	19	19.0
Relatives	2	3.3	0	0.0	2	2.0
Parents -in law	6	10.0	1	2.5	7	7.0
Government	0	0.0	1	2.5	1	1.0
Roman catholic church	0	0.0	1	2.5	1	1.0
Total	60	100	40	100	100	100

Table 6.9. Modes of harassment encountered by some FBs by type of province
Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Harassment by landlord and his men	1	25.0	1	16.7	2	20.0
Harassment by landlord thru military men	1	25.0	1	16.7	2	20.0
Land grabbing	1	25.0	1	16.7	2	20.0
Threats from landlords	1	25.0	3	50.0	4	40.0
Total	4	100	6	100	10	100

Table 6.10. Size and location features of Awarded Lands by number of FBs by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
No. of hectares awarded by DAR						
.01 - 2.00	34	57.6	25	64.1	59	60.2
2.01 - 4.00	19	32.2	13	33.3	32	32.7
4.01 - 6.00	3	5.1	1	2.5	4	4.1
6.01 - 8.00	2	3.4	0	0.0	2	2.0
8.01 - 10.00	1	1.7	0	0.0	1	1.0
Total	59	100	39	100	98	100
Mean	2.22		1.96		2.05	
Location of farms awarded by DAR						
Same barangay as R's residence	44	77.2	37	92.5	81	83.5
Same town but different barangay from R's residence	7	12.3	3	7.5	10	10.3
Different town	6	10.5	0	0.0	6	6.2
Total no. reporting	57	100	40	100	97	100

Table 6.11. Distribution of FBs by type of land awarded and by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Tenanted rice/corn land	22	37.3	15	39.5	37	38.1
Landed estate	3	5.1	3	7.9	6	6.2
Settlement	2	3.4	0	0.0	2	2.1
Government-owned land	7	11.9	8	21.1	15	15.5
Privately-owned agricultural land	23	39.0	12	31.6	35	36.1
A and D public agricultural land	1	1.7	0	0.0	1	1.0
Unspecified land type	1	1.7	0	0.0	1	1.0
Total no. reporting	59	100	38	100	97	100

Table 6.12. Number of FBs by award certificate received by type of payment.

Award Certificate	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Certificate of Land Transfer (CLT)	0	0.0	4	13.3	4	5.1
CLT/Emancipation Patent	22	44.9	7	23.3	29	36.7
Certificate of Land Ownership Award	27	55.1	19	63.3	46	58.2
Total no. reporting	49	100	30	100	79	100

Table 6.13. Perceptions of FBs of whether or not they were satisfied with the parcel of land received, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Satisfied with the parcel received	35	58.3	26	65.0	61	61.0
Not satisfied	25	41.7	14	35.0	39	39.0
Total	60	100	40	100	100	100
Reasons for dissatisfaction						
Production not enough for the family	10	40.0	12	85.7	22	56.4
Wants to acquire more land	14	56.0	2	14.3	16	41.0
Land always flooded	1	4.0	0	0.0	1	2.6
Total no. reporting	25	100	14	100	39	100

Table 6.14. Post - CARP land features by FBs and by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Crops grown						
Rice	44	73.3	26	65.0	70	70.0
Corn	3	5.0	5	12.5	8	8.0
Rice and corn	7	11.7	3	7.5	10	10.0
Peanut	1	1.7	0	0.0	1	1.0
Anahaw	0	0.0	1	2.5	1	1.0
Coconut	0	0.0	1	2.5	1	1.0
No answer	5	8.3	4	10.0	9	9.0
Total	60	100	40	100	100	100
Distance of lands cultivated to the poblacion (kms.)						
0	1	1.7	0	0.0	1	1.0
0.01 - 5.00	30	50.0	27	67.5	57	57.0
5.01 - 10.00	16	26.7	9	22.5	25	25.0
10.01 - 15.00	7	11.7	4	10.0	11	11.0
15.01 - 20.00	1	1.7	0	0.0	1	1.0
20.01 - 25.00	3	5.0	0	0.0	3	3.0
30.01 - 35.00	1	1.7	0	0.0	1	1.0
35.01 - 40.00	1	1.7	0	0.0	1	1.0
Total	60	100	40	100	100	100
Mean	7.18		4.70		6.17	
Distance of lands cultivated to the market (kms.)						
0	2	3.3	0	0.0	2	2.0
0.01 - 5.00	27	45.0	23	57.5	50	50.0
5.01 - 10.00	16	26.7	12	30.0	28	28.0
10.01 - 15.00	5	8.3	5	12.5	10	10.0
15.01 - 20.00	2	3.3	0	0.0	2	2.0
20.01 - 25.00	1	1.7	0	0.0	1	1.0
25.01 - 30.00	6	10.0	0	0.0	6	6.0
35.01 - 40.00	1	1.7	0	0.0	1	1.0
Total	60	100	40	100	100	100
Mean	8.65		5.71		6.59	

Table 6.14. continued.....

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
With irrigation facilities	24	72.7	9	27.3	33	100.0
Near a creek, river or other natural water facilities	38	64.4	21	35.6	59	100.0
With access to roads	46	63.9	26	36.1	72	100.0
Accessibility to local transportation	44	74.6	26	45.0	70	70.7
Not accessible	15	25.4	14	35.0	29	29.3
Total	59	100	40	100	99	100
With right of way	45	76.3	28	70.0	73	73.7
No right of way	14	23.7	12	30.0	26	26.3
Total	59	100	40	100	99	100

Table 6.15. Distribution of FBs by area and location of houselot after becoming a beneficiary by type of province, Philippines, 1992.

Houselot Information	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Houselot area (sq. meters)						
< 200	17	29.3	18	47.4	35	38.5
201 - 400	10	17.2	11	28.9	21	23.1
401 - 600	12	20.7	6	15.8	18	19.8
601 - 800	8	13.8	0	0.0	8	8.8
801 - 1000	6	10.3	3	7.9	9	9.9
> 1000	5	8.6	0	0.0	0	0.0
Total	58	100	38	100	96	100
Mean	562		309			
Location of houselot						
Within the farmlot	32	55.3	13	46.4	45	51.1
In the poblacion	4	6.7	1	3.6	5	5.7
Within the farm and in the poblacion	23	39.3	14	50.0	37	42.0
Others	1	1.7	0	0.0	1	1.1
Total no. reporting	50	100	28	100	78	100

Table 6.16. Number of FBs who mortgaged their cultivation rights and FBs who have not.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Number	1	1.7	2	5.0	3	3.0
No	59	98.3	38	95.0	97	97.0
Total no. reporting	60	100	40	100	100	100
To whom cultivation rights was mortgaged						
Agrarian Reform Beneficiary	0	0.0	1	50.0	1	33.3
Relative	0	0.0	1	50.0	1	33.3
Bank	1	100	0	0.0	1	33.3
Total	1	100	2	100	3	100
Reasons why cultivation rights was mortgaged						
Inadequate farm capital	1	100	1	50.0	2	66.7
Emergency needs	0	0.0	1	50.0	1	33.3
Total no. reporting	1	100	2	100	3	100
Arrangements with mortgagor						
Would settle everything after 2nd cropping	1	100	1	50.0	2	66.7
FB remains the tiller	0	0.0	1	50.0	1	33.3
Total no. reporting	1	100	2	100	3	100
If cultivation rights has not been mortgaged yet, does FB plan to mortgage rights in the future						
Yes	4	6.9	1	50.0	5	8.2
No	55	93.2	1	50.0	56	91.8
Total no. reporting	59	100	2	100	61	100
If yes, why						
In case of emergency	4	100	3	100	7	100
If no, why						
Only property	16	38.1	8	30.8	24	35.3
Source of income	20	47.6	7	26.9	27	39.7
Against the law	6	14.3	9	34.6	15	22.1
Can still cultivate land	0	0.0	1	3.8	1	1.5
Land not yet fully paid	0	0.0	1	3.8	1	1.5
Total	42	100	26	100	68	100

Table 6.19. Awareness rate of FBs of the criteria used in selecting FBs, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Awareness rate						
Aware	35	58.3	26	65.0	61	61.0
Not aware	25	41.7	14	35.0	39	39.0
Total	60	100	40	100	100	100
Reasons why farmer was chosen as beneficiary						
Landless resident living in the same barangay where the CARP land is located	45	75.0	27	67.5	72	72.0
Landless resident living in same municipality where CARP land is located	8	13.3	9	22.5	17	17.0
Agricultural lessee	8	13.3	2	5.0	10	10.0
Share tenant	23	45.7	25	62.5	53	53.0
Regular farmworker	2	3.3	7	17.5	9	9.0
Actual tiller or occupant of nearby public land	2	3.3	9	22.5	11	11.0
Member of farmers' cooperative	16	30.0	4	10.0	22	22.0
Total no. reporting	60	100	40	100	100	100

Table 6.21. Distribution of FBs by involvement in field investigation and boundary disputes experienced during the subdivision survey, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
No. of FBs involved in the field investigation conducted by the NARC	49	81.7	30	75.0	79	79.0
Not involved	11	18.3	10	25.0	21	21.0
Total no. reporting	60	100	40	100	100	100
Nature of participation in field investigation						
Assist in ocular inspection	29	59.2	11	36.7	40	50.6
Area identification	20	40.8	19	63.3	39	49.4
Total no. reporting	49	100	30	100	79	100
No. of FBs with experience on boundary disputes during the subdivision survey	24	40.0	13	32.5	37	37.0
No experience	36	60.0	27	67.5	63	63.0
Total no. reporting	60	100	40	100	100	100
Nature of boundary disputes						
Monuments could not be found	1	50.0	7	53.8	8	53.3
Each FB did not agree on the allotted lots	1	50.0	8	61.5	9	40.0
Adverse claimants for lot occupied	0	0.0	1	7.7	1	6.7
Total no. reporting	2	100	15	100	17	100

Table 6.22. Distribution of FBs by information on amortization payments by land type by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
OLT						
No. of years to pay						
1-5	7	70.0	1	12.5	8	44.4
11-15	2	20.0	5	62.5	7	38.9
16-20	1	10.0	0	0.0	1	5.6
21-25	0	0.0	2	25.0	2	11.1
Total	10	100	8	100	18	100
Mean	7		11		9	
Interest rate per annum						
6%	4	80.0	4	80.0	8	80.0
8%	1	20.0	0	0.0	1	10.0
10%	0	0.0	1	20.0	1	10.0
Total	5	100	5	100	10	100
Where FB pays amortization						
Direct to LG	11	57.9	3	37.5	14	51.9
LBP	6	31.6	4	50.0	10	37.0
LG and LBP	2	10.5	0	0.0	2	7.4
DAR collector	0	0.0	1	12.5	1	3.7
Total	19	100	8	100	27	100
Mode of payment						
Yearly	11	64.7	4	44.4	15	57.7
After harvest	3	17.6	1	11.1	4	15.4
Quarterly	1	5.3	0	0.0	1	3.8
Monthly	0	0.0	4	44.4	4	15.4
Wherever he has money	1	5.3	0	0.0	1	3.8
Full payment	1	5.3	0	0.0	1	3.8
Total	17	100	9	100	26	100
Satisfied with the mode of payment	10	100	5	100	15	100
VOS						
Number of years to pay						
30	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100
Interest rate per annum						
6%	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100

Table 22. continued.....

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Where FB pays amortization						
LBP	0	0.0	1	50.0	1	50.0
LO and LBP	0	0.0	1	50.0	1	50.0
Total	0	0.0	2	100	2	100
Mode of payment						
Yearly	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100
Satisfied with the mode of payment	0	0.0	2	100	2	100
VLT						
No. of years to pay						
1	4	57.1	3	100	7	70.0
2	1	14.3	0	0.0	1	10.0
5	2	28.6	0	0.0	2	20.0
Total	7	100	3	100	10	100
Interest rate per annum						
0	7	100	3	100	10	100
Total	7	100	3	100	10	100
Where FB pays amortization						
LO	12	92.3	3	100	15	93.8
Rural Bank	1	7.7	0	0.0	1	6.2
Total	13	100	3	100	16	100
Mode of payment						
Full payment	8	61.5	1	100	9	54.3
Yearly	4	30.8	0	0.0	4	28.6
Not definite (whenever he has money)	1	7.7	0	0.0	1	7.1
Total	13	100	1	100	14	100
Satisfied with the mode of payment	13	100	1	100	14	100
E.O. 407						
No. of years to pay						
30	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100

Table 6.22. continued.....

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Interest rate per annum						
6%	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100
Where FB pays amortization						
LBP	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100
Mode of payment						
Yearly	0	0.0	2	100	2	100
Total	0	0.0	2	100	2	100
Satisfied with the mode of payment	0	0.0	2	100	2	100
Landed Estate						
No. of years to pay						
25	0	0.0	4	100	4	100
Total	0	0.0	4	100	4	100
Interest rate per annum						
6%	0	0.0	4	100	4	100
Total	0	0.0	4	100	4	100
Where FB pays amortization						
DAR collector	0	0.0	4	100	4	100
Total	0	0.0	4	100	4	100
Mode of payment						
Yearly	0	0.0	4	100	4	100
Total	0	0.0	4	100	4	100
Satisfied with the mode of payment	0	0.0	4	100	4	100

Table 6.23. Number of FBs assisted by NGO/PO.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
With assistance from NGO/PO	6	10.0	4	10.0	10	10.0
No assistance	54	90.0	36	90.0	90	90.0
Total no. reporting	60	100	40	100	100	100
Type of NGO/PO who gave assistance						
Cooperative	4	66.7	0	0.0	4	40.0
Religious organization	1	16.7	0	0.0	1	10.0
TRIPARD/PHILORA	0	0.0	4	100	4	40.0
Other farmers organizations	1	17	0	0.0	1	10.0
Total	6	100	4	100	10	100
Form of NGOs/POs assistance						
Extended loan to FBs and identified land to be covered by CARP	6	100	0	0.0	6	60.0
Giving seminars	0	0.0	1	25.0	1	10.0
Assisted in forming a cooperative	0	0.0	3	75.0	3	30.0
Total no. reporting	6	100	4	100	10	100
No. of FBs who think NGOs/POs helped in facilitating land reform program implementation						
	29	48.3	10	25.0	39	39.0
Not helpful	31	51.7	30	75.0	61	61.0
Total no. reporting	60	100	40	100	100	100
Type of NGOs/POs assistance in implementing CARP						
By giving loans/grants to FBs	2	6.9	0	0.0	2	5.1
By identifying areas for CARP	12	41.4	0	0.0	12	30.8
By identifying of tillers and LOs	3	10.3	1	10.0	4	10.3
Linkage between FBs and CARP related agencies	0	0.0	5	50.0	5	12.8
By giving of seminars/disseminate information on CARP	3	10.3	1	10.0	4	10.3
Evaluate and monitor CARP activities	9	31.0	3	30.0	12	30.8
Total no. reporting	29	100	10	100	39	100

Table 6.24. Distribution of FBs by membership in organizations and types of assistance in CARP by these organizations by type of province, Philippines, 1992.

Item	High Performing Provinces		Low Performing Provinces		Total	
	No.	%	No.	%	No.	%
Organizations						
Cooperative/farmers' organization	24	60.0	10	33.3	34	48.6
Agrarian Reform Beneficiaries Association (ARBA)	2	5.0	1	3.3	3	4.3
BARC	2	5.0	4	13.3	6	8.6
Civic organization	1	2.5	5	16.7	6	8.6
Religious organization	2	5.0	1	3.3	3	4.3
BARC and cooperative	4	10.0	3	10.0	7	10.0
ARBA and other farmers' organizations	2	5.0	0	0.0	2	2.9
BARC and ARBA	0	0.0	2	6.7	2	2.9
Religious and farmers' organization	1	2.5	0	0.0	1	1.4
Civic organization and coop. farmers' organization	1	2.5	3	10.0	4	5.7
Religious organization and cooperative	1	2.5	0	0.0	1	1.4
Barangay council and cooperative	0	0.0	1	3.3	1	1.4
Total no. reporting	40	100	30	100	70	100

Table 6.25. Costs incurred and time spent by FBs from the time the farmer was identified as CARP beneficiary till the time he received a CLOA.

Item	No. of Reporting	HIGH PERFORMING PROVINCES			No. of Reporting	LOW PERFORMING PROVINCES		
		Highest	Lowest	Mean		Highest	Lowest	Mean
Application as beneficiary								
Transport cost (pesos)	26	140	4	42	11	3	24	11
Documentation cost (pesos)	60	0	0	0	40	0	0	0
Food served/gifts (pesos)	60	0	0	0	40	0	0	0
Other fees/cost (pesos)	60	0	0	0	40	0	0	0
Time spent (hrs.)	31	960	4	473	22	12	5	336
Public hearing								
Transport cost (pesos)	5	42	6	18	6	32	1	13
Documentation cost (pesos)	60	0	0	0	40	0	0	0
Food served/gifts (pesos)	3	300	50	133	2	100	20	50
Other fees/cost (pesos)	60	0	0	0	40	0	0	0
Time spent (hrs.)	4	6	2	5	11	8	1	5
Field investigation								
Transport cost (pesos)	5	28	5	17	40	0	0	0
Documentation cost (pesos)	60	0	0	0	40	0	0	0
Food served/gifts (pesos)	16	1000	20	148	1	20	20	20
Other fees/cost (pesos)	60	0	0	0	40	0	0	0
Time spent (hrs.)	24	40	3	14	17	24	2	13
Application to purchase								
Transport cost (pesos)	7	48	6	16	3	15	5	11
Documentation cost (pesos)	60	0	0	0	40	0	0	0
Food served/gifts (pesos)	60	0	0	0	40	0	0	0
Other fees/cost (pesos)	60	0	0	0	40	0	0	0
Time spent (hrs.)	7	6	1	3	14	10	1	6
Application for CLOA/Award Certificate								
Transport cost (pesos)	8	20	6	10	5	15	5	10
Documentation cost (pesos)	60	0	0	0	40	0	0	0
Food served/gifts (pesos)	60	0	0	0	40	0	0	0
Other fees/cost (pesos)	60	0	0	0	40	0	0	0
Time spent (hrs.)	13	8	1	6	12	24	1	6
Others								
Transport cost (pesos)	3	28	6	18	2	14	3	8
Documentation cost (pesos)	2	10	6	8		0	0	0
Food served/gifts (pesos)	7	1000	20	188	4	520	50	205
Other fees/cost (pesos)		0	0	0		0	0	0
Time spent (hrs.)	16	40	4	11	1	6	6	6

CHAPTER 7

LAND REFORM: AN AGENDA FOR ACTION

This Chapter is divided into two (2) sections. The first part will summarize the findings of the study particularly (i) in the areas where LAD implementation can be improved and can positively ensure a faster pace in the land reform enforcement and (ii) the policy matters that will need to be addressed to pave the way for an efficient and equitable post-reform scenario.

The second part of this Chapter deals with a fundamental question to wit. With barely 4.5 years before the scheduled termination of CARP, will reforms in LAD implementation make a difference? Corollary to this issue is the viability of pursuing land reform at this particular political and economic juncture of the country.

7.1. LAD Implementation. Directions for Change

7.1.1. DAR. The study has shown that much of the slow pace in LAD implementation can be attributed to the inefficiency of the state bureaucracy particularly those directly involved in the LAD process.

In the case of DAR, the lead agency tasked to oversee the enforcement of land reform, the research identified the areas where reforms will matter. These are:

- (i) Focusing its manpower and financial resources primarily on the implementation of land acquisition and distribution. At present, DAR is working on two (2) functions; the first is LAD and the other is the provision of support services to its FBs. There may be a need for DAR to concentrate on just LAD activities and relegate the second function to other agencies such as the DA and the DPWH.
- (ii) Re-aligning LAD efforts toward realistic CARP area targets. Its past experience demonstrated DAR's positive accomplishment in public-owned lands. Land reform will have to put most if not all of the public-owned agricultural lands to land reform.

In addition, the study showed that VOS occurred mostly in land size holdings beyond 24 hectares; compulsory acquisition, albeit with more difficulty, was possible for large sized farms, and that FBs are not totally averse to including from reform landholdings between 5 and 24 hectares. This implies that land acquisition efforts affecting privately-owned lands should concentrate in landholdings exceeding 24 hectares. At any rate, the natural forces of

increasing population pressure will have a demand full effort on land sizes below 24 hectares; and,

- (iii) Addressing efficiency issues on non-CARP areas. It was observed that many landowners availed of their right to retain a portion of the CARP-designated land for their children and, that many of them had lands that were exempted by CARL from reform (i.e., 18 degrees sloped areas; lands unsuited for agricultural use, etc.). DAR should establish mechanisms whereby landowners can widen their land use options for non-CARP areas. For example, uncultivable land can be converted to non-agricultural use subject to meeting environmental conditions. In turn, 18 degrees sloped areas that are suitable for agricultural use could be targetted for reform for prospective FBs to cultivate.
- (iv) Streamlining DAR's decision-making in LAD. Within DAR's hierarchy, papers pertaining to LAD are assessed and re-evaluated from the municipal, provincial, regional and central offices. There is a need to decentralize the decision-making process in LAD. Many of these decisions can in fact be done at the provincial level and that many of the LAD activities performed at the regional offices are quite redundant. Removing the LAD role of the regional offices will not adversely affect LAD implementation; on the contrary, paperwork will be hastened.
- (v) Developing a landownership and land use data base. The study corroborated the proposition that landowners own non-contiguous landholdings so that after reform, many landowners will still retain large landholdings. The research also showed that because of the unavailability of landownership records, DAR has to reconstruct this data base for use in the LAD process.

The study suggested that DAR has the machinery to establish the landownership and land use data base. The regional offices of DAR can serve as the regional centers for compiling these information and re-validating landownership holdings.

- (vi) Financing LAD. With the ARF fast drying up, we expect that the budget earmarked for LAD will be severely constrained. The problem of limited funds is compounded by inefficient allocation of already scarce funds, i.e., higher appropriation and utilization for non-LAD than LAD activities.

If funds are not forthcoming in the foreseeable future, expenditure pattern should be drastically shifted in favor of LAD activities. Personnel staff will also have to be streamlined and re-aligned. The issue of non-revolving nature of ARF will also have to be resolved. For example, amortized funds of FBs, interest earnings of the ARF and incomes generated by APT could be tapped for LAD.

- (vii) Simplifying documentary requirements and procedures. Delays in LAD can be reduced if simple and standardized supporting documents are developed and the LAD procedure is further streamlined.
- (viii) Fast-tracking adjudication cases. As was pointed in the study, DAR's problem of accumulating backlogs in agrarian reform legal-related matters is partly because of the lack of juridical authority of and inadequate experts in DARAB but more importantly, because of a major flaw in the country's judicial system. While the latter will be difficult to reform, DAR can influence its adjudication offices. In particular, DAR's legal assistance office should work hand in hand with the adjudication offices in sharing legal experts and expediting the resolution of legal cases.
- (ix) Enhancing innovative LAD mechanisms such as VLT and CLOAS. The first is a modified land market system while the second scheme expedites the distribution aspect.

There is a need to expand VLT operations, this time involving other parties such as NGOs which can serve as intermediaries to prospective FBs. More schemes addressing LAD in privately-owned lands should be vigorously pursued.

Moreover, the generation of CLOAS should be encouraged as it shows great potentials in hastening the LAD process.

In large measure, LAD as it is implemented in the country has become a labyrinth involving not just DAR but other agencies notably, DENR, LBP and ROD. Each agency has established its own bureaucratic network to respond to land reform issues. Simplifying this complicated network with the end-in-view of reducing the procedural rungs on LAD could improve the government's LAD performance.

7.1.2. DENR. In the case of DENR involvement in LAD, there are three (3) possible options of fast-tracking its survey work. The first is subcontracting more private surveys in the CARP areas. The next option is to revert the survey function back to DAR and the last alternative, is the possibility of combining any of the above options.

The first hinges on the availability of funds; with limited funds available for LAD, the scheme of relying solely on private contractors may be too costly. The plus factor for the second option is that DAR will not have to depend on and wait for DENR to perform survey work; DENR can merely validate the technical efficiency of DAR's survey work. The only hitch on this second option is if DAR has sufficient technical

experts to perform this job. The last option provides the opportunity of accessing the scheme that could quickly respond to the survey requirements of specific localities.

Whatever option is availed of, it is clear that the present scheme of DENR having the sole jurisdiction on performing survey work has contributed in delaying LAD process. If alternative and more efficient mechanisms of expediting survey work for LAD can be explored without ensuring additional bottlenecks, then this could hasten LAD work. What is important is for DAR to have the final say in determining which options it can avail of.

7.1.3. LBP. The research has likewise shown that much of the delay in the land acquisition process were due to the slow process of land valuation and low compensation accorded to landowners by the LBP. While one option is to return the valuation task back to DAR, this is not realistic at this stage as it will only disrupt the present procedure, produce unnecessary backlogs during the transition phase; and heighten landowner's dissatisfaction with the system. The more pragmatic approach is to identify the areas where the procedures and decision-making in valuation and compensation can be simplified and where the bank can appease more landowners.

- (i) Ocular inspection has been pinpointed as a major bottleneck in speeding land valuation. Because of the limited staff of the LBP, it may be more realistic if the bank allows DAR to gather the pertinent data for estimating the price of the land.
- (ii) Simplifying the formulas for computing the land value should also be explained. With its experience at the field level, the bank and DAR are now in a better position in gauging which factors are most reliable in approximating land price.
- (iii) It is important that a mechanism should be instituted where the DAR and the landowners can input in the valuation process. Relying solely on the bank to determine its value has resulted to an uptrend in landowner's rejection of the stipulated price, thereby prolonging the LAD process. Moreover, involving these two (2) parties will result to less pressure on the bank for the need to institute procedural steps that mainly re-validate previous valuation and compensation processes.
- (iv) The LBP should use its financial expertise in providing more attractive payment/compensation schemes to the landowners than the ones presently employed. These options could lessen financial outlays for compensation while simultaneously providing the landowners opportunities for widening their business horizons.

7.1.4 ROD. Reduction of paper documents required prior to the registration of DOT/TCT and EPs/CLOAS will ease LAD delay.

7.1.5 Affected Parties: Landowners and FBs

- (i) Schemes addressing compensation and slow valuation process will reduce the transaction costs incurred by landowners. Additional incentives shall be established to attract landowners into VOS.
- (ii) A landowner's desk to help landowners in following up their claims from LBP or assisting LAD in general would also be a positive move toward reducing transactions costs.
- (iii) The study also showed how FBs can help expedite LAD.
- (iv) One important area where FBs can help is in their payment of their amortization. Mechanisms should be developed at instituting amortization schemes that encourage efficient use of scarce land.
- (v) Lastly, NGOs can help in LAD but more so, in organizing FBs into cooperatives or associations undertaking economic activities.

7.2. Policy Directions for Post-Reform Scenario

7.2.1. In the immediate term, there is a need to package an intervention scheme that will develop small farms into profitable business ventures. Inclusive in the package is the construction of rural infrastructure vital to enhancing farmer's productivity.

7.2.2. There is a need for the government to develop alternative property as well as land and labor arrangements that will encourage FBs and landowners who retained a portion of their land to utilize this resource to its highest and best use. Expanding the modes of productive organizations will widen their options for land use and at the same time, provide the opportunities for large-sized cultivation. Collective property rights such as CLOAS are attempts toward this direction. Its major drawback is the delineation of property and use rights of each farm user.

7.2.3 Serious steps toward establishing a data base on landownership and land use records should be developed. While this activity could be attached to the present LAD, in the medium term, it will require a more systematic mechanism for data generation.

7.2.4. From the land ownership records, equity measures such as the land tax can be developed.

7.2.5. The prospects of the land market after land reform should be assessed. If the government decides on deregulating the market, appropriate measures inhibiting the reversion of large-sized farm ownership should be developed.

7.3. Changes in LAD Implementation. Will it matter?

The change of Secretary at the DAR last mid-1992 provides us an opportunity to evaluate the effects of reforms in LAD implementation on the overall CARP area and farmer-beneficiaries. The new management at DAR introduced several changes, mostly in the direction of what were suggested above. These are summarized in Table 7.1.

7.3.1 *LAD Accomplishment for 1993*

The effect of these reforms are reflected in large measure on DAR's performance in LAD (Table 7.2). For the period January 16 to November 30, 1993, a total of 377.8 thousand has. of land were distributed to 172 thousand FBs. The total area distributed in this 10.5 months surpassed the 1991 area accomplishment, the highest achieved for the period mid-1987 to 1992. It was also a 40 percent increase from the LAD achievement in 1992.

Close to half of the total land distributed for 1993 were government-owned lands, a large portion of which were the so-called KKK land types¹ (Table 7.3). Significant progress in LAD for privately-owned lands was also noticeable as it comprised more than one third (if OLT land types are included) of the total area distributed. LAD achievement for OLT, settlements and real estates have tapered-off implying that land types of these categories and subject for reform are in their completion stage.

Among the privately-owned agricultural land types, the largest LAD achievement was in VOS which was 12.5 percent of the total reformed area for 1993. This was higher than the area accomplishments for OLT land types.

Major headways in VLT land types were achieved for 1993 as it accounted for about 9 percent of the total reformed area. While Region I had the highest area performance in VLT, a substantial number of VLT cases are found in the Mindanao area.

Expectedly, LAD through the confiscatory route (i.e. CA) registered the lowest area accomplishment for privately-owned land. Region IV had the highest area of CA land types while CAR had no CA land cases.

The cumulative LAD accomplishment of DAR for the period mid-1987 to 1992 is 1.5 M has. Assuming a CARP scope of 4.4 M has.², the remaining balance between 1994 - mid-1998 is 2.9 M has. The 1994 LAD target is 600 thousand hectares, or double the 1993 LAD achievement. If this is the yearly target until 1998 and assuming this is achieved, the government would have distributed a total of 2.7 M has., or an aggregate of 4.2 M has. for the whole CARP period. This will just be 200 thousand shy from the whole CARP scope.

Assuming a more realistic annual target of 300 thousand has., the LAD accomplishment by 1998 will be a total of 2.85 M has., or 65 percent of the total CARP scope allocated for DAR. This will still be a significant number and will be a major achievement for the country as no other economy in the world (except probably China and Cuba) would have accomplished as much in land reform.

7.3.2 Cost Efficiency

It should be emphasized that the high LAD accomplishment for 1993 was achieved on a shoestring budget of P1.04 B; this was 50 percent lower than the 1992 budget. Despite this limited amount, the present administration streamlined its cost outlays so that on the average, it was spending P4,754 for each hectare distributed, net of landowner's compensation (Table 7.4). It was highly cost efficient as it was able to slash its expenditure on a per hectare basis by close to half when compared to the previous year's cost pattern. Between 1988 and 1993, the latter year registered the second lowest expense on a per hectare basis on current amount values; in real terms however, the expense would actually be the lowest figure.

Estimates of fund and manpower utilization on a regional basis for 1993 are illustrated in Table 7.5. The cost per FB averaged at P77,011, the lowest cost outlay being at CAR and the highest being at Region VII. Each DAR personnel involved in LAD distributed about 29 hectares on the average; the highest performance in area distributed by LAD staff was in Region XII and the lowest was in CAR.

7.3.3 CARP Budgetary Requirement

CARP budget requirement for 1993 to mid-1998 is estimated at P103.8 billion (Table 7.6). Unlike in the past, the present DAR management puts higher priority on LAD activities as it has allocated 65 percent of its fund requirement for this purpose. Its non-LAD budget outlay also reflect a different pattern from previous financial

trends. Specifically, support services accorded to FBs are mostly for institutional development (and in particular, in the establishment of the Barangay Agrarian Reform Councils (BARC); support to other agencies (e.g. DA and DPWH) was removed (recall Table 7.1).

More interestingly, a budgetary support for landowner's assistance was included in line with the establishment of a landowner's desk in strategic provincial areas. As was mentioned in Chapter 5, an assistance support system for landowners especially in activities which could reduce their transactions costs, could lessen landowner's resistance to this redistributive reform.

7.3.4 Land Reform Accomplishment of LAD Related Agencies.

The new DAR management who were installed in mid-1992 introduced major reforms with regard the LAD function performed by DENR, LBP and ROD (recall Table 7.1). The principal objectives of these reforms were to re-assert the authority of DAR over major LAD activities and subsequently, facilitate the LAD process.

Specifically, DAR took over the survey function initially relegated to DENR and frontloaded the release of budget for this activity. It likewise revised the land valuation formula by upgrading the per unit price of agricultural land (AO #6, 1993) and ensured that the land value was consensually arrived at by DAR, LBP and the landowners (AO #1, 1993). Lastly, DAR signed a Memorandum of Agreement with the Land Registration Authority³ specifying operational mechanisms that will expedite land registration and titling.

While it may still be premature to gauge the overall effects of these reforms on the LAD process, the initial results showed however positive potentials for enhancing land reform accomplishment (Table 7.7). Potential reformed area by end of 1993 was 410.3 thousand hectares. Two thirds of this area were in the survey stage; more than one-fourth were in the valuation phase; one-eighth were due for compensation; and one-fifth were up for EP/CLOA titling. In all the four (4) LAD activities (survey, valuation, compensation, and EP/CLOA titling), DAR at present has more control in terms of actual field work and decision-making than in previous years. Thus, of the total prospective area for reform, 66 percent are directly within DAR's responsibility. These are broken down as follows: 205.3 thousand has. scheduled for or are currently undergoing survey; 16.7 thousand has. are follow-through with respect to landowner's response on the valuation; 14.8 thousand are for DOT/TCT titling; 23.1 thousand has. for EP/CLOA generation; and 12.1 thousand has. are for distribution. Overall, the load of LAD work in the other agencies has been reduced. This is especially noticeable in the case of DENR and ROD. Expectedly, much of the backlog are still in the valuation phase assigned to LBP's regional offices.

As illustrated above, LAD accomplishment for 1992 was registered at 377.8 thousand has., a 40 percent growth from the previous year's accomplishment (recall Table 7.2). The recent DAR results showed that between December 1 and 15 of 1993, an additional 33.6 thousand has. were distributed. We would expect that this additional reformed area comprised part of the prospective reformed land identified in Table 7.7. In terms of proportion, the LAD achievement for those 15 days was 8 percent of the prospective reformed area. This was a significant accomplishment that may be attributed to the positive effects of the policy reforms influencing DAR's relations with the other LAD participatory agencies. Worth emphasizing is the fact that the 15-day LAD achievement was even much higher than the 1987 LAD accomplishment, the year when land reform should have benefitted from the euphoria of the 1986 political events.

7.3.5 VLT Schemes

As was noted above, DAR has not only relied on the conventional land reform measure where the sole buyer of the land is the state but has also resorted to direct land market transaction schemes between the pre-CARL landowners and his tenants and lessees under the VLT scheme (recall Table 7.3). Of the total 377.8 thousand has. distributed to FBs lat 1993, close to 10 percent were processed and more than a third of the total privately-owned lands distributed in that year.

Its employment, while still pronounced in Region I, is becoming quite popular in Mindanao. Unlike in Region I, where small landownership is more predominant, landholdings in Mindanao, the designated plantation island during the Martial Law regime, are much larger. More research work should be done on VLT schemes to examine its potentials as an alternative to the conventional land reform mode.

7.3.6 Resolution of Agrarian Cases

The new DAR management also initiated a number of measures that will hopefully improve the performance of its adjudication offices (recall Table 7.1). As of November 30, 1992, DAR's legal arm was able to resolve 7,700 cases. This is 65 percent higher than the 1992 accomplishment of 4,600 resolved cases (DAR, 1994).

The total direct cost incurred by DAR for adjudication and legal assistance in 1993 amounted to P114 M. On the average, DAR spent P14,871 for each resolved case; this was 12 percent lower than the average cost for the resolution of one case in 1992.

7.3.7 Agrarian Reform Communities (ARCs)

An innovation introduced by DAR management is the agrarian reform community (ARC) concept. Reminiscent of the integrated area development approach, the ARC is aimed at coordinating public and private efforts in a contiguous area (in this case characterized by predominantly agrarian reform lands) to develop agricultural projects that will enhance the FB's productivity in particular and the community's economic development in general (see inset box below).

As of 1993, 264 ARCs were established nationwide. By 1998, DAR hopes to have developed 1000 ARC models. The Department has been able to generate foreign funds for its ARC projects. Of the total P828 M financed by foreign agencies, the major bulk of it are earmarked for the ARCs.

ARC MODEL

A good way to understand the ARC concept is to look at one of the five ARC development models proposed by the Department. The five models are found in Isabela, Samar, North Cotabato and Bukidnon. These ARC models are actual agrarian reform areas where the majority of lands has been distributed and where initial investments in support services have been provided. Further investments, both by the public and the private sector, are expected to propel their growth to sustainable levels. (The DAR has already prepared a detailed portfolio of ARC-oriented investment opportunities for every province in the country.)

Sadiri, in Concepcion Luna, Isabela, is a pilot ARC where an Integrated Post-Harvest Facility cum Wholesale Agri-Inputs Trading will be pursued. The ARC has a total CARP scope of 620 hectares covering 145 farmer-beneficiaries. This ARC has potential for agro-industrial development because of the presence of sufficient sources of raw material and markets for integrated livestock and feed mill production.

With the coming of land reform in 1975, about 75% of the lands here were distributed, with 5% placed under leasehold. The community had all-weather roads, and a Bailey bridge that connected it to other barangays. Projects introduced in the area under CARP were a few farm operation machinery, irrigation facilities and several minor post-harvest facilities. The community lacked adequate support facilities. In addition the farmers were not organized and lacked the technical capability to increase their productivity. Average income of farmers was only P2,144 per month, derived mostly from farm and non-farm sources.

At present, with continued support under CARP, land distribution has reached 99% with 45% under leasehold. The bridge leading to the agrarian reform areas has been improved. Roads are being maintained and several new projects are being implemented. These include swine production, *tilapia* breeding, two multi-purpose pavements, four small industries and one post harvest facility. Mechanized farming also has been introduced and a commercial input trading service established. A cooperative has been organized with 127 agrarian reform beneficiaries and some small landowners as members. This cooperative operates the irrigation facility and other cooperative enterprises. The average income is now P5,112.59 per month.

The future scenario for the ARC in Sadiri is one of sustainable economic growth. Further assistance will be extended in the medium-term so that by 1996, lands would have been 100% distributed, two additional bridges and several farm-to-market roads constructed, a feed mill installed, and input trading expanded to adjacent barangays. By 1996, the Sadiri ARC is expected to be engaged in intensified swine and poultry production, using the output of the feed mill. A confederation of cooperatives would have been formed with non-members encouraged to venture into livelihood projects. Based on these interventions, the average farmer income is projected to increase to P7,668 per month.

Two issues pertaining land reform will need to be addressed. These are: First, are the reforms too late considering that barely 4.5 years are left before CARP's completion date? The answer is no because as the above rough calculations show, LAD accomplishment will be large by mid 1998, assuming that more reforms toward

streamlining the LAD process are put into place, alternative financial schemes can be instituted that will shoulder the bulk of LAD expenditure, and that implementation on VLT modes of land reform can be enhanced further.

The second issue goes as follows: Considering the costs it would require to enforce land reform, shouldn't the government abandon the reform and implement (i) other types of redistribution reform and/or (ii) employment generating activities? on the first recommendation, it is politically de-stabilizing to remove land reform in the political agenda. So long as the Communist Party of the Philippines (CPP) and its military arm (i.e., the New People's Army (NPA) remain a strong contending force, land reform will continue to be a primary issue. In fact, a vigorous implementation of this reform is an important and viable political strategy for generating government support.

Moreover, the huge transactions costs entailed in establishing redistribution reform (e.g., land tax) can be a deterrent factor. Land taxation can be effectively developed if landownership records are accurate; without these data, rent-seeking activities will be on the upsurge. With land reform however, the government has incurred substantial investment in implementing it; and as earlier pointed out, the government can build its land use records while accomplishing land reform. These could serve as the groundwork for the future land tax system.

On the recommendation of pursuing employment - generating activities, the implementation of land reform is an employment enhancing measure. Many studies (e.g. Hayami, et.al 1990) have demonstrated that small farms are labor-intensive and land-using. If accompanied with deregulated labor contractual arrangement (e.g. share tenancy), small farmholdings will attract more labor usage and will ensure intensive utilization of scarce land.

More significantly, if innovative schemes are developed that will harness the potentials and capital of pre-CARL landowners to rural industrialization, the landowners can serve as catalysts for rural development because most of them prefer to stay in the countryside; had some resources to start rural-based business enterprises; have more or less accepted the inevitability of small-sized landholdings; and have the lands to spare for rural industries.

In conclusion, land reform, if properly managed, is an appropriate employment - generating activity for the countryside.

Table 7.1. Policy referas associated in 1992-1993 by type of issues and problems

Issues/Problems	Measures Adopted
1. Land Acquisition and Distribution	
1.1. Resistance of landowner	<ul style="list-style-type: none"> - Issuance of A.G. No. 8 - Establishment of LIs desks - Provision of alternative investment assistance to LIs
1.2. Survey Bottlenecks	<ul style="list-style-type: none"> - Front-loading the release of budget for land survey - Transferring DLR's survey functions to DAR
1.3. Delay in Land Title Registration	<ul style="list-style-type: none"> - Signing of MOA between DAR and LRA to facilitate land registration and titling
1.4. Delay in the Settlement of Agrarian Justice Cases	<ul style="list-style-type: none"> - Inventory and prioritization of land reclamation cases - Hiring of trained lawyers and para-legal officers - Setting of targets for case resolution
1.5. Incomplete Database	<ul style="list-style-type: none"> - DLR scope validation - Enhancement of accurate database
1.6. Technical Problems and Procedures	<ul style="list-style-type: none"> - Revitalize LRA procedures and AD's terms of ref.
2. In the Department of Budget Services	
2.1. Uncoordinated Department of Budget Services	<ul style="list-style-type: none"> - Location of DLR's offices to DAR's implementation - Forging of linkages with LRA's NGOs/POs - Regular convening of coordinative bodies (e.g., PARC and CITE)
2.2. Lack of Organized Private Organizations	<ul style="list-style-type: none"> - Partnership building
3. Maintaining Financial Base	
	<ul style="list-style-type: none"> - Exploring alternative financing schemes (e.g., asset acquisition assistance to LUs, use of MERALCO shares for LO compensation) - Inclusion of support services components into the regular budget programs of concerned agencies

Table 7.2. Land reform performance of DAR.

Year	Philippines	OLT	S.O.	S/LE	PAL
1987 %	26.8	25.5	0.1	1.2	-
1988 %	134.0	100.9	21.7	11.3	0.1
1989 %	248.6	201.3	7.0	37.1	3.2
1990 %	293.3	83.7	54.4	149.6	6.6
1991 %	300.1	34.9	117.0	95.9	55.4
1992 %	251.9	31.7	39.0	55.2	95.7
1993 I %	377.8	30.0	133.8	87.2	131.7
II %	130.0	7.9	45.4	16.7	25.3

19 Jan. 88 - Nov. 90, 1993.

Table 7.4. Cost efficiency in LAD performance (P/nA.), 1988-1993.

Year	Cost 1/ /nA (P)
1988	4,197.29
1989	7,411.82
1990	7,417.39
1991	6,541.97
1992	7,327.85
1993	4,734.00

1. Expenditure index includes cost for personnel services, operating expenses for LAD.

2. Index Jan. 1988 = 100.00.

Table 7.5. Fund and manpower utilization by region. Jan. 16 - Oct. 31, 1993

Region	Cost/ha. : Cost/ha. : Cost/FB : Cost/FB : Ha. Dist./Personnel				
	(LAD)	(LAD + : (LAD) :	(LAD + :	(LAD + :	(LAD)
	:	LAD) :	:	LAD) :	
CAR	12,001	17,316	24,126	3,700	4.35
I	4,162	2,872	3,230	2,344	12.59
II	2,367	2,022	6,457	5,514	30.97
III	4,093	3,324	4,507	3,733	14.85
IV	6,936	3,928	9,009	6,529	11.16
V	4,636	3,045	9,053	7,350	14.17
VI	2,192	1,490	3,914	2,237	42.27
VII	7,251	5,835	11,302	4,160	11.45
VIII	3,722	1,864	5,510	3,630	18.54
IX	1,473	1,041	3,515	2,476	47.00
X	7,376	1,375	2,475	3,035	46.63
XI	3,713	1,413	5,650	3,118	51.36
XII	3,366	1,490	3,240	3,418	70.00
Average	4,754	3,236	7,711	4,732	29.34

Source: 3rd FARD Assembly, 2-4 December 1993, Legassol City.

Table 7.6 CARP budgetary requirement, 1993 - 1998. (in Million Pesos).

Activity	Total	1993	1994	1995	1996	1997	1998
Land acquisition and distribution	67,489	3,078	5,903	8,581	13,602	17,484	18,841
Support Services	20,945	658	4,546	5,153	4,772	3,692	2,123
a. Support to FBS	20,691	658	4,511	5,067	4,711	3,656	2,088
b. Support to LGs	254	0	36	86	61	36	35
Operational Support	13,327	1,259	2,420	2,769	2,993	3,304	2,563
Research and Development	23	5	9	9	0	0	0
Total requirement	103,794	5,000	12,878	16,510	21,368	24,480	23,546

Table 7.7. Land reform accomplishment of LAD related agencies,
as of Nov. 30, 1993.

LAO Activity	'000 Has.	% of Total	% of Sub-activity
1. Survey	283.3	69.0	100.0
1.1 For survey	109.9	26.8	38.8
1.2 On-going survey	173.4	42.3	61.2
1.2.1 DAR	95.4	23.2	33.7
1.2.2 Bureau of Lands	20.4	5.0	7.2
1.2.3 Approval by LMSRO	57.6	14.0	20.3
2. Valuation	113.4	27.6	100.0
2.1 LBP central	21.9	5.2	19.0
2.2 LVOLCO regional	75.2	18.3	66.3
2.3 Awaiting LO's response	16.7	4.1	14.7
3. Compensation	48.8	11.9	100.0
3.1 Trust account	34.0	8.3	69.7
3.2 For RP titling	14.8	3.6	30.3
4. EP/CLOA Titling	74.6	18.2	100.0
4.1 For generation	23.1	5.6	31.0
4.2 For registration	39.3	9.6	52.7
4.3 For distribution	12.1	2.9	16.3
5. TOTAL	410.3	100.0	
5.1 Area & % under DAR	272.0	66.3	
5.2 Area & % under DENR	78.0	19.0	
5.3 Area & % under LBP	130.7	31.9	
5.4 Area & % under ROD	39.3	9.6	

Table 7.8. 1994 local resource mobilization target
for 1993 launched ARCs.

Region	Number of:		Target (P'M)	
	Provinces:	ARCs :	Low	High
CAR	5	8	48	80
I	4	16	108	180
II	5	14	84	140
III	6	21	132	210
IV	12	34	204	340
V	6	20	120	200
VI	6	22	132	220
VII	4	20	120	200
VIII	6	21	126	210
IX	6	17	102	170
X	7	18	108	180
XI	7	21	126	210
XII	6	18	108	180
Total	76	214	1,334	2,140

ANNEX A. Administrative Orders by Section of RA 6657 and by DAR Secretary (1988-1991)

Nature/Title	Chapter	Juico	Santiago	Abad	Loong
1. Title	I Preliminary Chapter				
2. Declaration of Principles & Policies					
3. Definitions					
4. Scope					DAR-DENR AO # 7 1991 (V)
5. Schedule of Implementation					AO # 4 April 26, 1991 (V)
6. Retention Limits					AO # 11 Aug. 30, 1990 (IV)
7. Priorities	II Coverage				
8. Multinational Corporations		AO # 11 Aug. 16, 1988 (I)			
9. Ancestral Lands					AO # 13 Aug. 30, 1990 (IV)
10. Exemptions and Exclusions					
11. Commercial Farming		AO # 16 Jan. 3, 1989 (I)			
12. Determination of Lease Rentals	III	AO # 4 March 2, 1989 (II)			AO # 9 Sept. 2, 1991 (V)
13. Production Sharing Plan	Improvement of Formal Land Labor Relations	AO # 8 Sept. 30, 1989 a/ (I)			
		AO # 9 Sept. 30, 1989 b/ (I)			
14. Registration of Landowners	IV				AO # 12 Nov. 21, 1991 (V)
15. Registration of Beneficiaries	Registration				Memo Aug 5, 1991(V)
					AO # 10 1991 (V)
					Gen. Memo Order # 4 March 12, 1991(V)
					DENR-DAR Circ. July 24, 1991
					AO # 12 Aug. 30, 1991 (V)
					AO # 9 Aug. 30, 1990 (IV)
16. Procedure for Acquisition of Private Land	V Land Acquisition	AO # 3 Feb. 20, 1989 (II)	AO # 19 Nov. 6, 1989 (III)		
		AO # 2 Jan. 4, 1989 (II)	AO # 14 Nov. 6, 1989 (III)		
			AO # 12 July 26, 1989 (III)		
17. Determination of Just Compensation		AO # 6 March 8, 1989 (II)	AO # 17 1989 (III)		AO # 3 April 25, 1991 (V)
18. Valuation and Mode of Compensation		AO # 6 March 8, 1989 (II)	AO # 17 1989 (III)		AO # 3 April 25, 1991 (V)
19. Incentives of Voluntary Offers for Sale	VI Compensation				AO # 13 Nov. 21, 1991 (V)
20. Voluntary Land Transfer					AO # 13 Nov. 21, 1991 (V)
21. Payment of Compensation by Beneficiaries Under Voluntary Land Transfer					

ANNEX A. continued.....

Nature/Title	Chapter	Juico	Santiago	Abad	Leong
22. Qualified Beneficiaries					DHC # 1 4 May 10, 1991 (V)
23. Distribution Limit					AO # 10 Aug. 30, 1990 (IV)
24. Award to Beneficiaries	VII Land Redistribution				DHC # 1 4 May 10, 1991 (V)
25. Award Ceilings for Beneficiaries					AO # 10 Aug. 30, 1990 (IV)
26. Payment by Beneficiaries					DHC # 1 4 May 10, 1991 (V)
27. Transferability of Awarded Lands					AO # 10 Aug. 30, 1990 (IV)
28. Standing Crops at the time of Acquisition					DHC # 1 4 May 10, 1991 (V)
					AO # 10 Aug. 30, 1990 (IV)
					DHC # 1 4 May 10, 1991 (V)
					AO # 10 Aug. 30, 1990 (IV)
					DHC # 1 4 May 10, 1991 (V)
					AO # 10 Aug. 30, 1990 (IV)
					DHC # 1 4 May 10, 1991 (V)
					AO # 10 Aug. 30, 1990 (IV)
					DAR-DA # 5 June 1991 (V)
					AO # 12 Nov. 21, 1991 (V)
					LRA Circ. # 32 Feb. 15, 1991 (V)
					LRA Circ. # 32-A Feb. 15, 1991 (V)
					AO # 11 Oct. 2, 1991 (V)
29. Farms owned and Operated by Corporation or Other Business Association					
30. Homelots and Farmlots for Members of Cooperatives					
31. Corporate Landowners	VIII Corporate Farms				AO # 10 Oct. 13, 1988 (I)
32. Production Sharing					AO # 1 Sept. 3, 1988 a/ (I)
					AO # 1 Sept. 3, 1988 b/ (I)
33. Payment of Shares of Cooperatives or Associations					
34. Valuation of Lands					
					AO # 6 March 8, 1989 (II)
					AO # 17 1989 (III)
					AO # 3 April 25, 1991 (V)

ANNEX A. continued.....

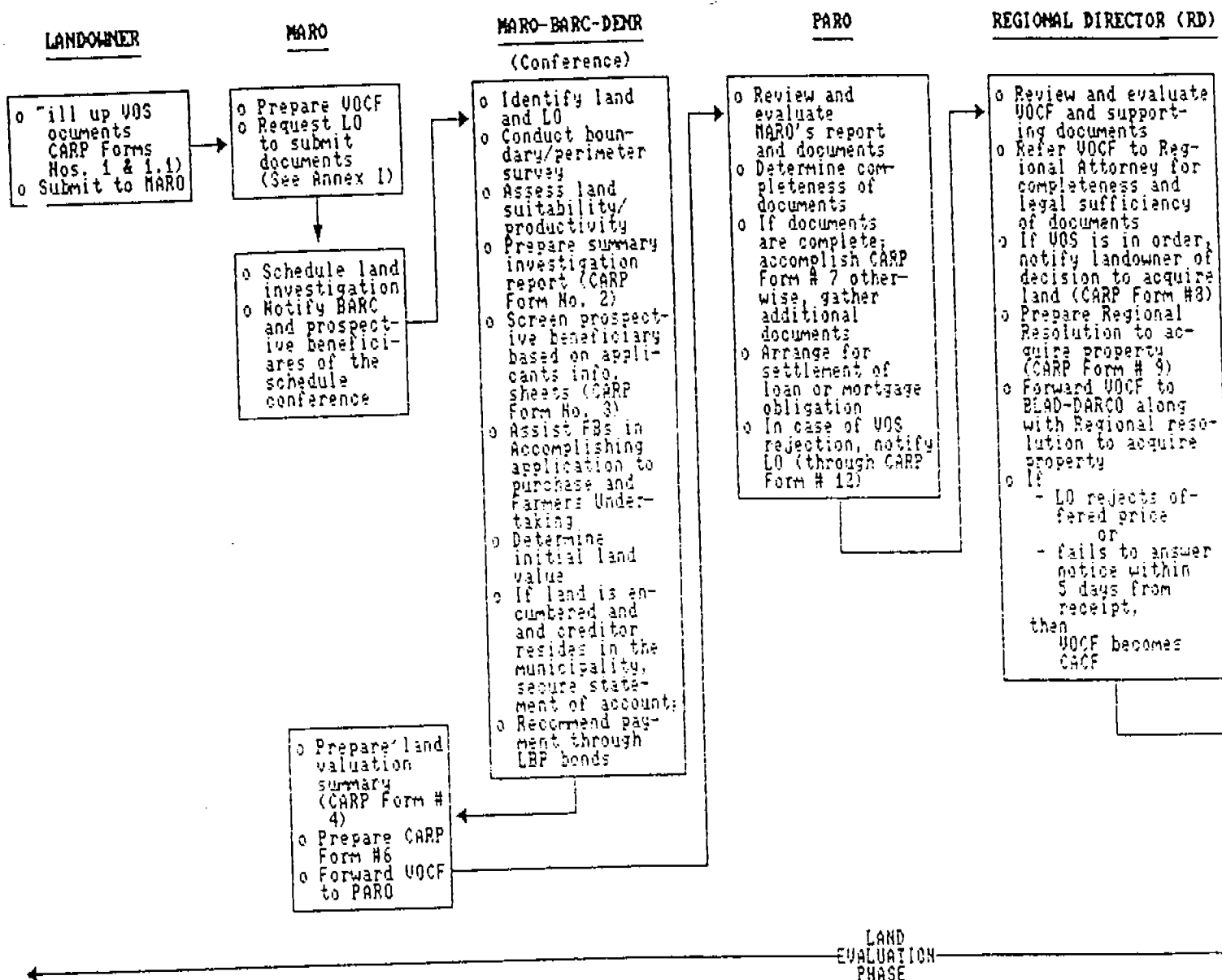
Nature/Title	Chapter	Juico	Santiago	Abad	Leong
35. Creation of Support Services Office					Gen. Memo Order # 4 March 12, 1991 (V)
36. Funding of Support Services	IX				Gen. Memo Order # 4 March 12, 1991
37. Support Services to the Beneficiaries	Support Services				Gen. Memo Order # 4 March 12, 1991 (V) AO # 6 June 15, 1990 (IV)
38. Support Services to Landowners					
39. Land Consolidation					
40. Special Areas of Concern					
41. The Presidential Agrarian Reform Council					DENR AO # 58 1991 (V)
42. Executive Committee					DENR AO # 58 1991 (V) AO # 7 July 27, 1990 (IV) AO # 5 1990 (V) AO # 4 May 31 1990 (IV)
43. Secretariat	XI				DENR AO # 58 1991 (V)
44. PARCOM (Provincial Agrarian Reform Coordinating Committee)	Programs Implementations	AO # 5 March 3, 1989 (II)			Gen. Memo Order # 8 Oct. 29, 1991 (V)
45. Province-by-Province Implementation					DENR AO # 58 1991 (V) Gen. Memo Order # 8 Oct. 29, 1991 (V) AO # 10 1990 (V) AO # 14 Aug. 3, 1990 (IV)
46. Barangay Agrarian Reform Committee (BARC)		AO # 5 March 3, 1989 (II)			AO # 14 Aug. 3, 1990 (IV)
47. Functions of the BARC		AO # 5 March 3, 1989 (II)			
48. Legal Assistance					
49. Rules and Regulations					
50. Quasi-Judicial Powers of the DAR	XII Administrative Adjudication		AO # 13 Nov. 8, 1989 (III)		AO # 8 July 31, 1991 (V) AO # 8 July 31,
51. Finality of the Determination					
52. Frivolous Appeals					
53. Certification of the BARC					
54. Certiorari					
55. No Restraining Order or Preliminary Injunction					
56. Special agrarian Court	XIII				
57. Special Jurisdiction	Judicial Review				
58. Appointment of Commissioners					
59. Orders of the Special Agrarian Courts					
60. Appeals					
61. Procedure on Review					
62. Preferential Attentions in Courts					

ANNEX A. Administrative Orders by Section of RA 6657 and by DAH Secretary (1988-1991)

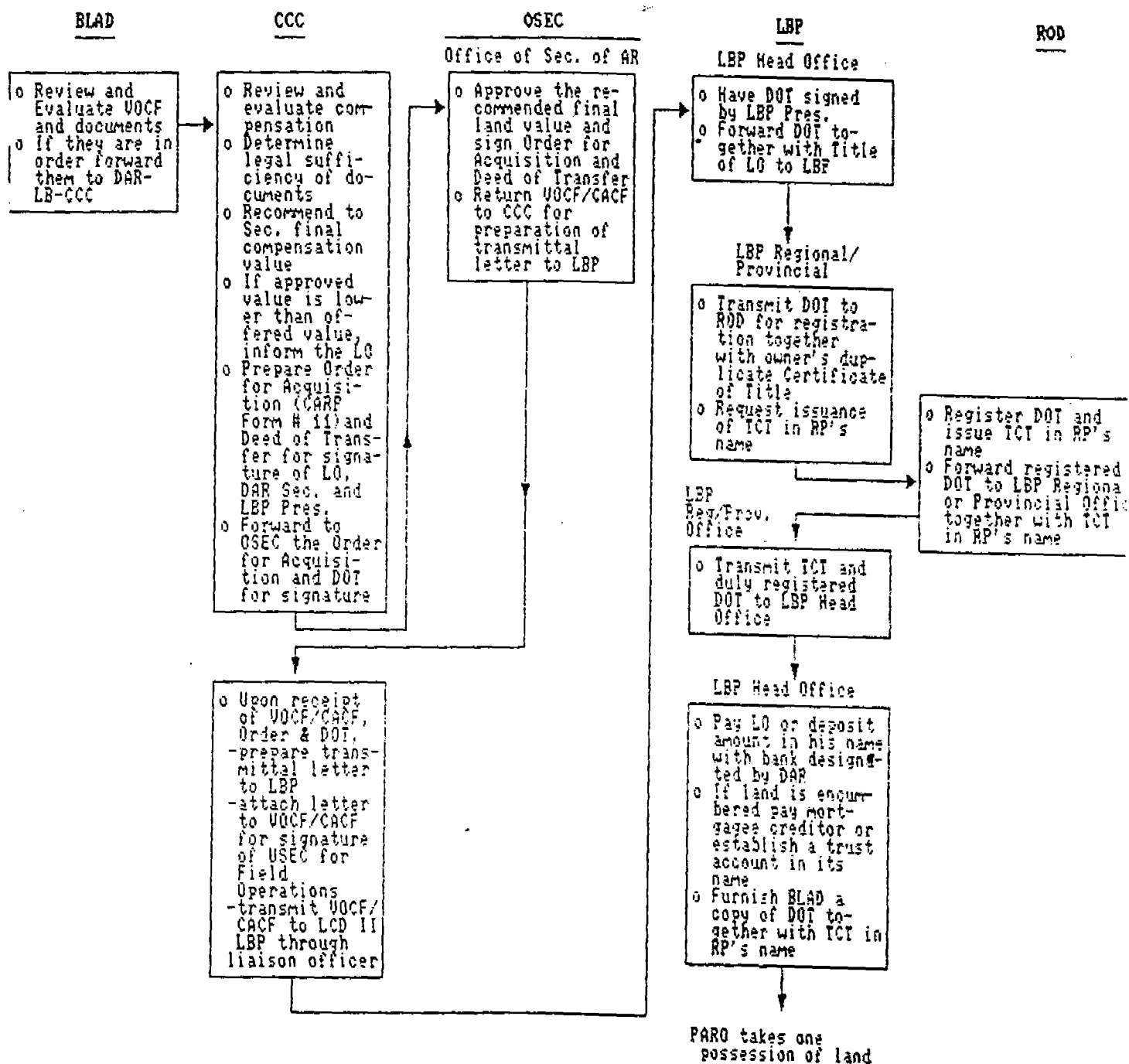
Nature/Title	Chapter	Juico	Santiago	Abad	Leong
1. Title	I				
2. Declaration of Principles & Policies	Preliminary				
3. Definitions	Chapter				
4. Scope					DAR-DENR AO # 7 1991 (V)
5. Schedule of Implementation					
6. Retention Limits					AO # 4 April 26, 1991 (V) AO # 11 Aug. 30, 1990 (IV)
7. Priorities	II				
8. Multinational Corporations	Coverage	AO # 11 Aug. 16, 1988 (I)			
9. Ancestral Lands					
10. Exceptions and Exclusions					AO # 13 Aug. 30, 1990 (IV)
11. Commercial Farming		AO # 16 Jan. 3, 1989 (I)			
12. Determination of Lease Rentals	III	AO # 4 March 2, 1989 (II)			AO # 9 Sept. 2, 1991 (V)
13. Production Sharing Plan	Improvement of Tenurial Land Labor Relations	AO # 8 Sept. 30, 1989 a/ (I) AO # 9 Sept. 30, 1988 b/ (I)			
14. Registration of Landowners	IV				AO # 12 Nov. 21, 1991 (V)
15. Registration of Beneficiaries	Registration				Mass Aug 5, 1991 AO # 10 1991 (V) Gen. Mass Order March 12, 1991 DENR-DAR Circ. July 14, 1991 AO # 12 Aug. 30, 1991 (V) AO # 9 Aug. 30, 1990 (IV)
16. Procedure for Acquisition of Private Land	Land Acquisition	AO # 3 Feb. 20, 1989 (II) AO # 2 Jan. 4, 1989 (II)	AO # 19 Nov. 2, 1989 (III) AO # 14 Nov. 6, 1989 (III) AO # 12 July 26, 1989 (III)		
17. Determination of Just Compensation		AO # 6 March 8, 1989 (II)	AO # 17 1989 (III)		AO # 3 April 2 1991 (V)
18. Valuation and Mode of Compensation		AO # 6 March 8, 1989 (II)	AO # 17 1989 (III)		AO # 3 April 2 1991 (V)
19. Incentives of Voluntary Offers for Sale	VI				
20. Voluntary Land Transfer	Compensation				AO # 13 Nov. 2 1991 (V)
21. Payment of Compensation by Beneficiaries					AO # 13 Nov. 2 1991 (V)
Under Voluntary Land Transfer					

ANNEX FIGURE B

VOLUNTARY
AO No. 3 Series of
Under Sec. Philip

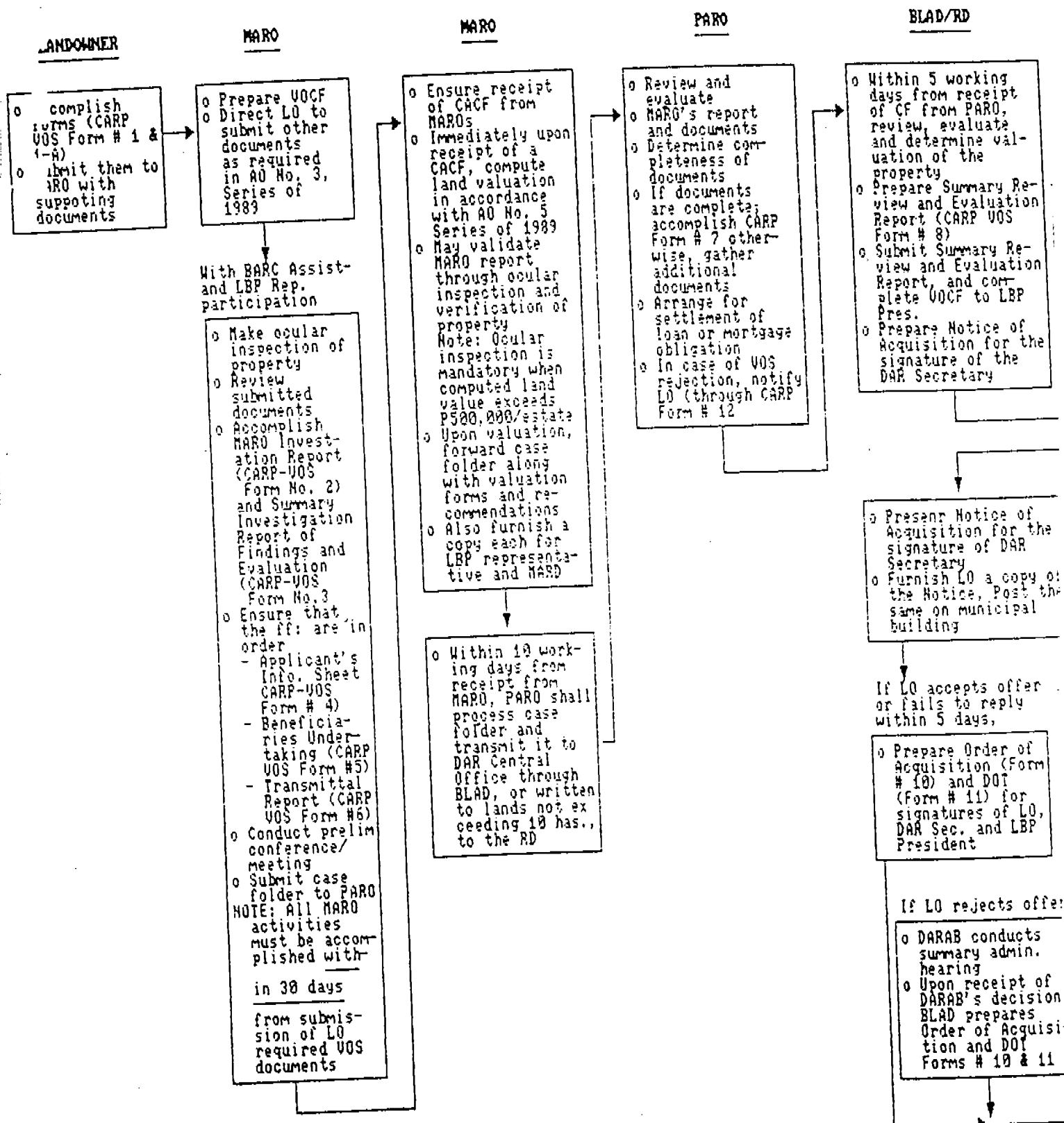


OFFER TO SELL
 139 (Land Acquisition Process)
 Ella Juico - Feb. 28, 1989

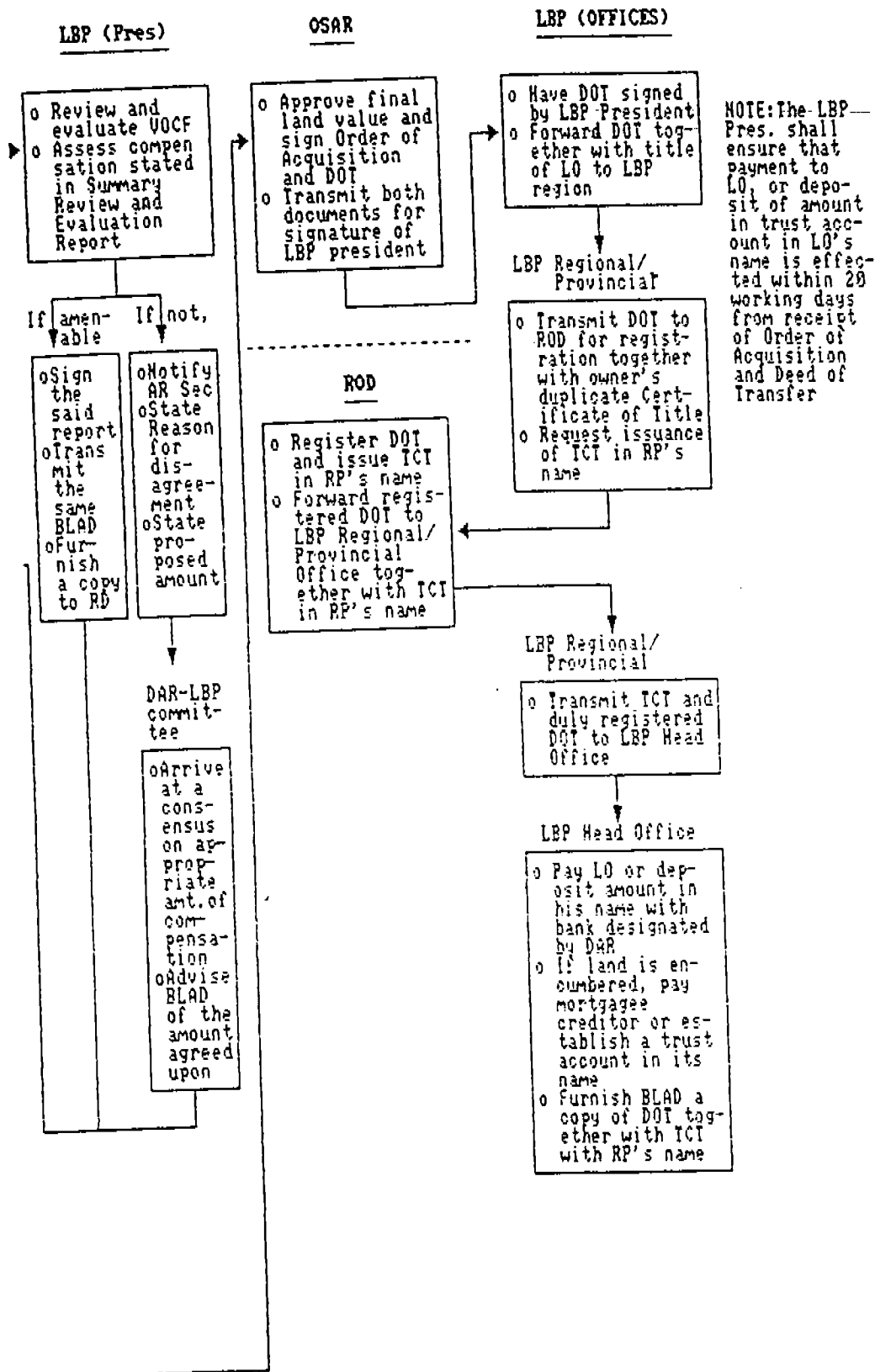


ANNEX FIGURE C

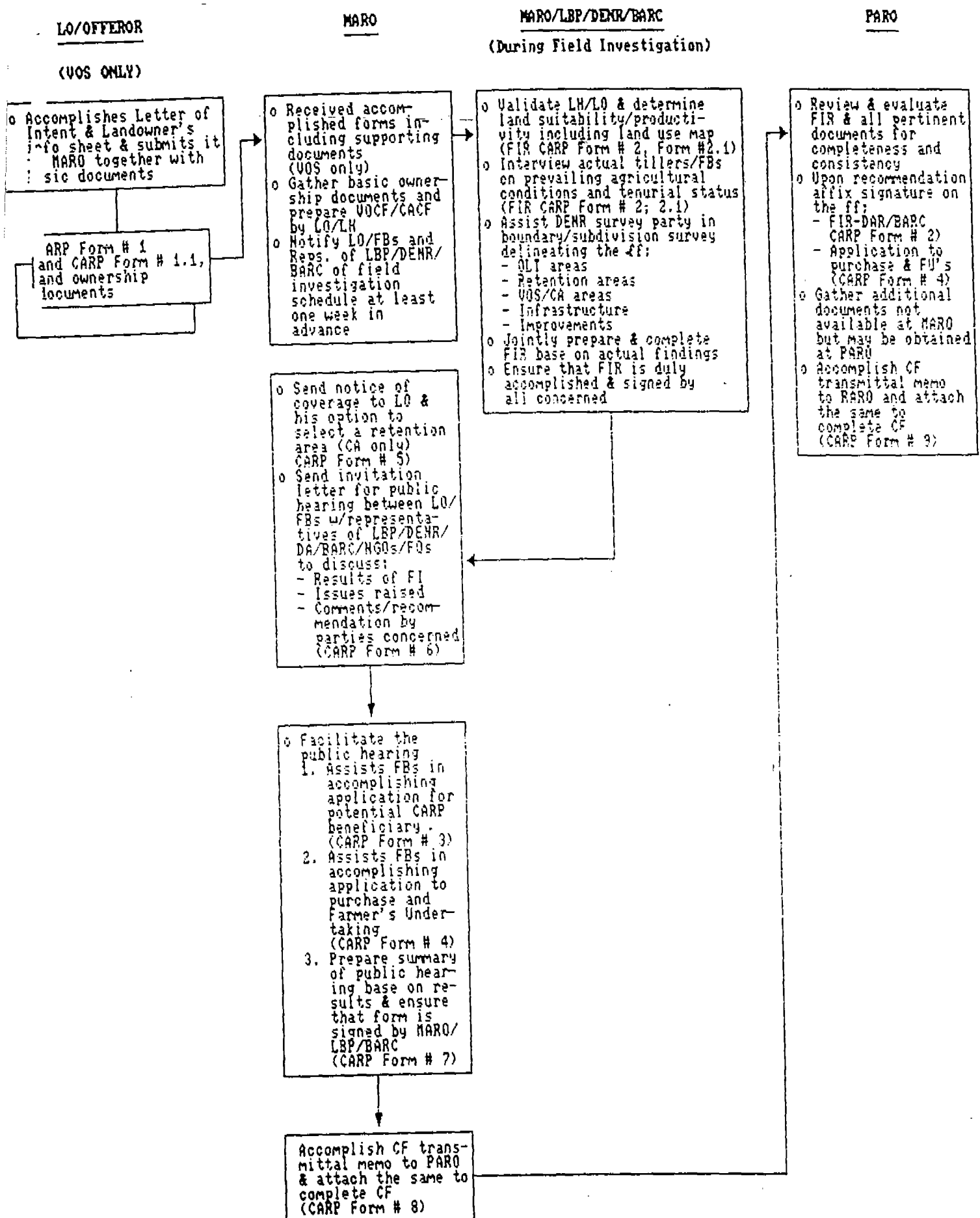
VOLUNTARY
AO No. 14
Under Sec. Miriam



OFFER TO SELL
 -A Series of 1989
 D. Santiago - Nov. 8, 1989



ANNEX FIGURE D



RAROLBP RegionPARADRARO

o Review documents for completeness/consistency & approve/sign the FIR (CARP Form # 2)
 Accomplish the notice of acquisition to LO without land valuation and send to LO (CARP Form #10-CA, CARP Form #11-UOS)
 Copy furnish the same to LBP/PARO/DARCO-BLAD
 Accomplish DAR memo to value land and attach the same to complete CF and forward to LBP regional (CARP Form # 12)
 Copy furnish the same to LO/PARO/DARCO-BLAD

Issue notice of land valuation to LO using CARP Form # 13) with attached documents:

1. Memo of valuation from LBP (CARP Form # 12)
 2. Approved CF profile and valuation summary (CARP Form # 13)
- Copy furnish PARO/LBP Regional

o Review/evaluate documents for completeness and consistency
 o Gather additional document for det. of appropriate land valuation in accordance with applicable guidelines
 o Review findings on CARP Form # 2.1; CARP Form # 7) and accomplish CF profile and valuation summary (CARP Form # 13)
 o Forward the same to the approving officers of LBP
 o Notify RARO of land valuation using memo of valuation & attach a copy of approved CF profile and valuation summary (CARP Form #13)
 o Copy furnish the same to PARAD/DARAS/DARCO/BLAD

o Upon receipt of advice from RARO, conduct SAP & within 30 days render decision and inform parties concerned

o Within 15 days after receipt of PARAD's decision favorable to DAR's valuation,
 1. Request LBP to prepare DOI for LO's signature (CARP Form # 15)
 2. Ensure that LBP transmits a copy of signed DOI by LO to ROD
 o If not favorable to DAR's valuation,
 1. Request LBP to adjust trust deposit to conform with PARAD's decision
 2. Inform LO accordingly
 3. Ensure that LBP transmits a copy of signed DOI by LO to ROD

o Within one week, post at the bulletin boards of provincial-municipal-barangay, the following documents:
 1. Notice of land valuation to LO
 2. Memo of valuation from LBP
 3. Approved CF profile and valuation summary from LBP

o Receives memo to prepare DOI & request LO to sign DOI

or
 o Receives memo to open trust account in LO's Name and issues trust deposit in LO's name

o Upon LO's acceptance of land valuation, send the following documents to LBP:
 1. Memo to prepare DOI/to pay LO (CARP Form # 14)
 2. Landowner's DOI for LO's compliance and signature (CARP Form # 15)
 Copy furnish PARO

o Upon failure of LO to reply within 30 days or LO's rejection of land valuation, RARO shall:
 1. Send memo to LBP to open trust account in LO's name (CARP Form # 16)
 Copy furnish: LO/PARO/PARAD
 2. Advise PARAD to conduct SAP and decide within 30 days
 If LO disagrees with PARAD's decision, LO appeals to SAC

o Upon receipt from LBP of proof of trust deposit in LO's name,
 Accomplish memo to ROD to issue ICT in RP's name (CARP Form # 17)
 Copy furnish LO/LBP/PARO

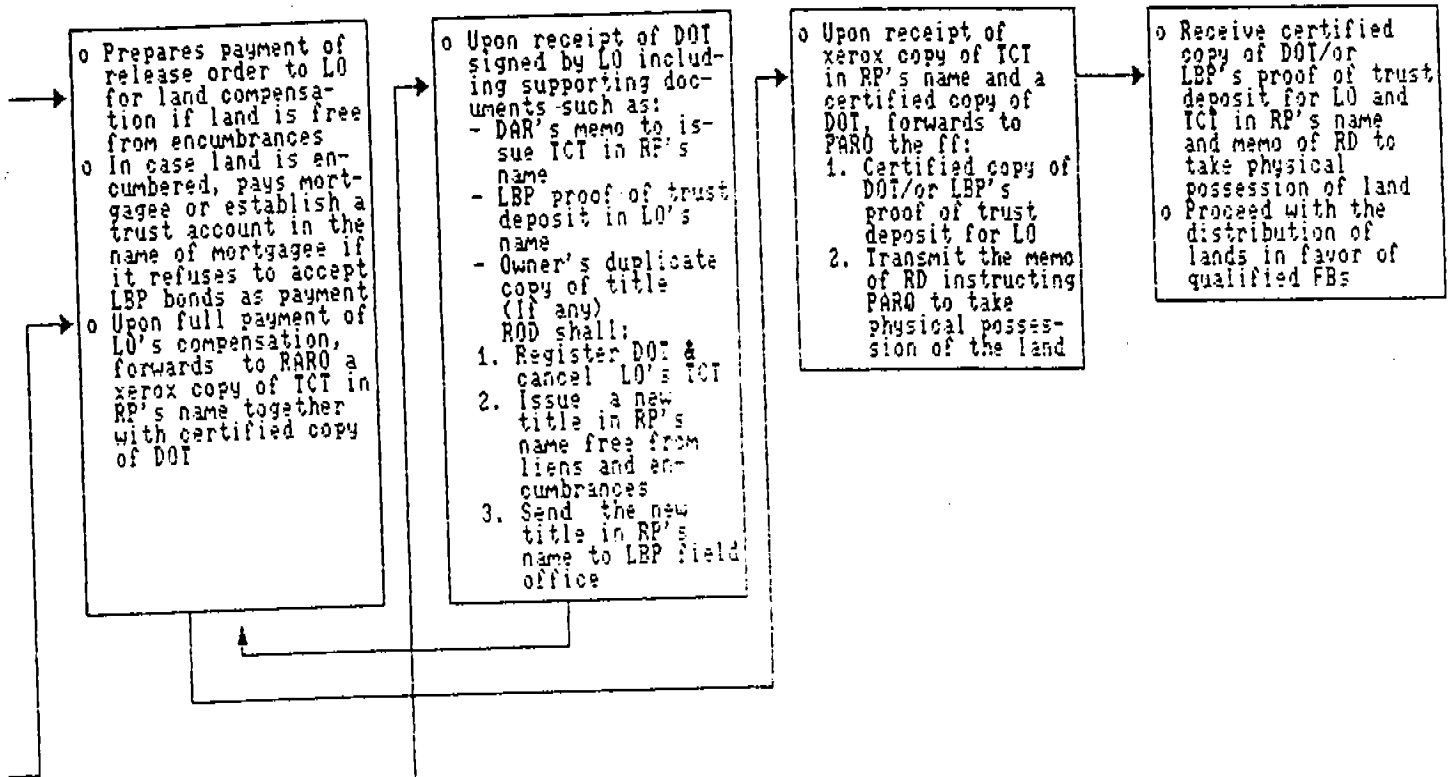
o Attach supporting documents to ROD
 1. Proof of the trust deposit in LO's name
 2. Owner's duplicate copy of title (if any)

LBP Region

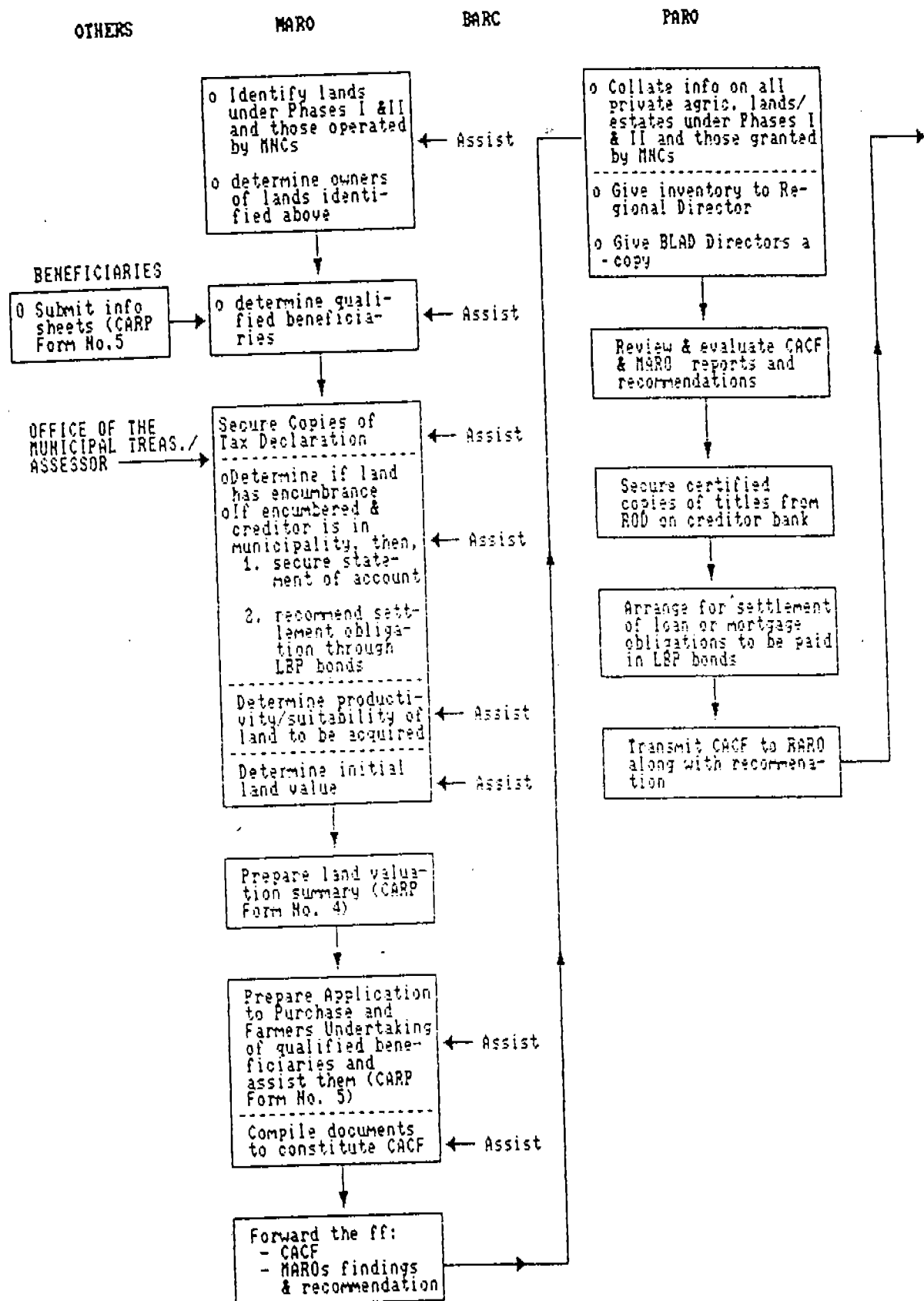
ROD

RARO

RARO



COMPULSARY ACQUISITION OF PRIVATE AND AO 2 of 1989 (Under Sec. Philip Ella Juico) Jan. 4, 1989



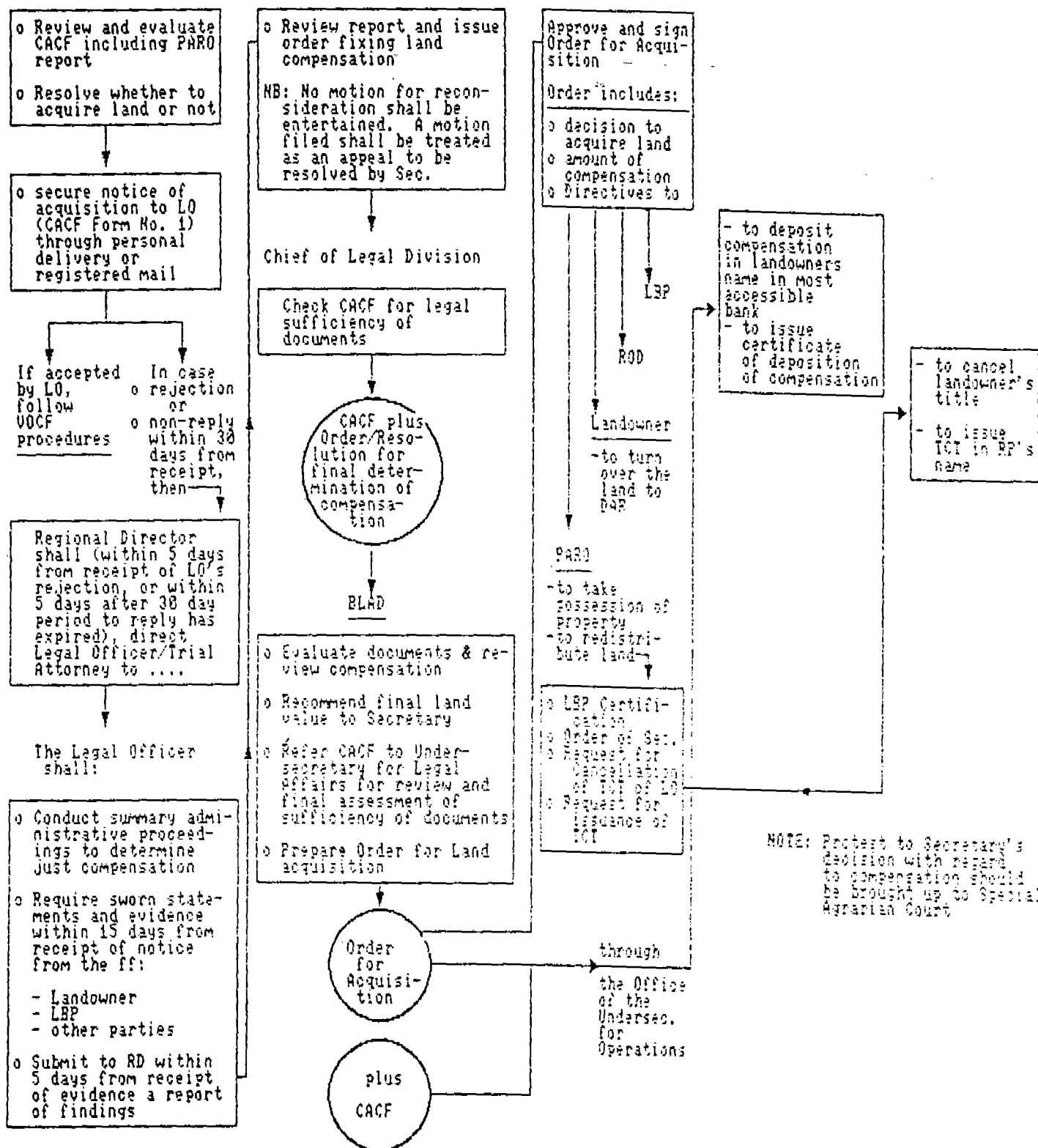
GOVERNMENT-OWNED AGRICULTURAL LANDS

R A R O

OSEC

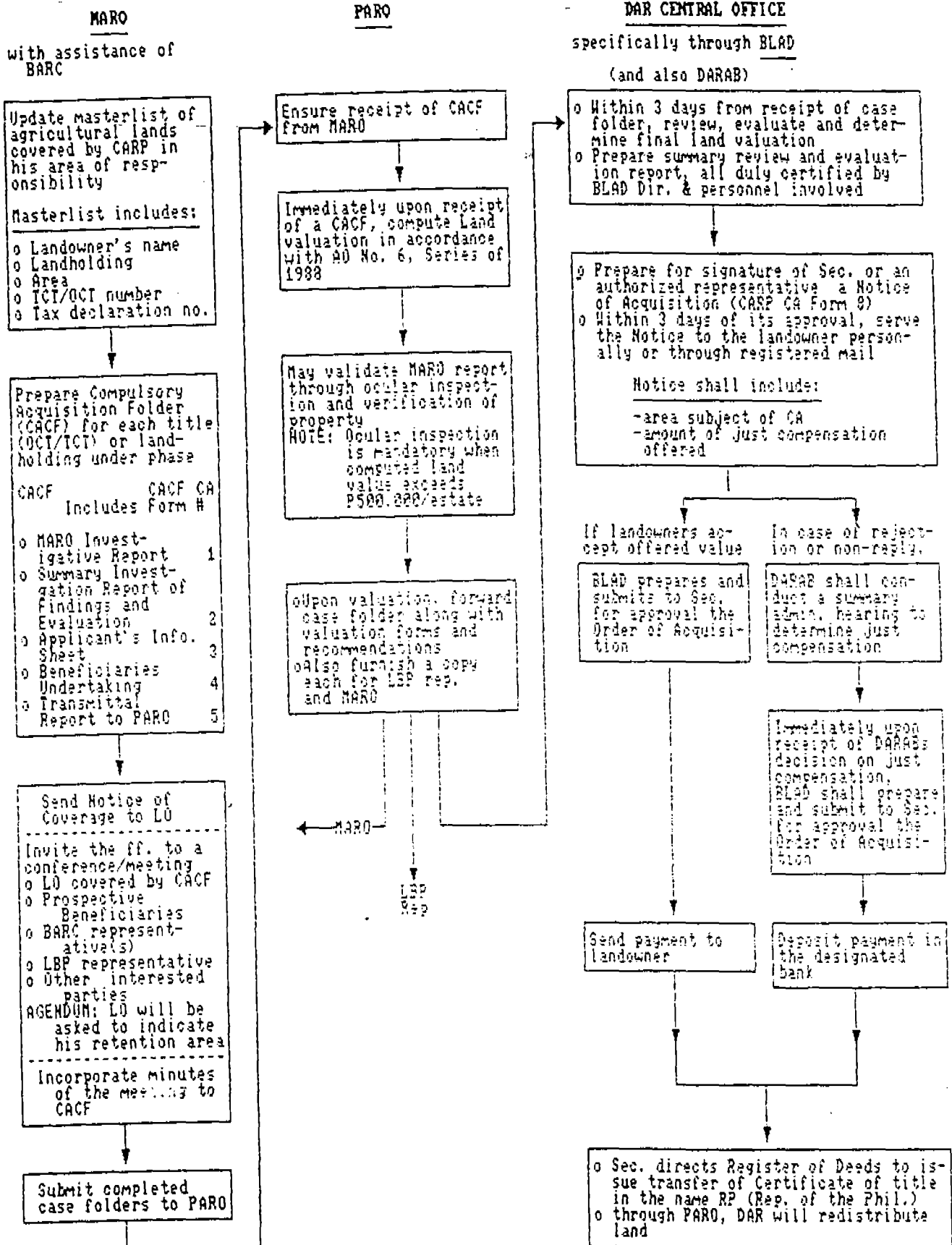
LBP

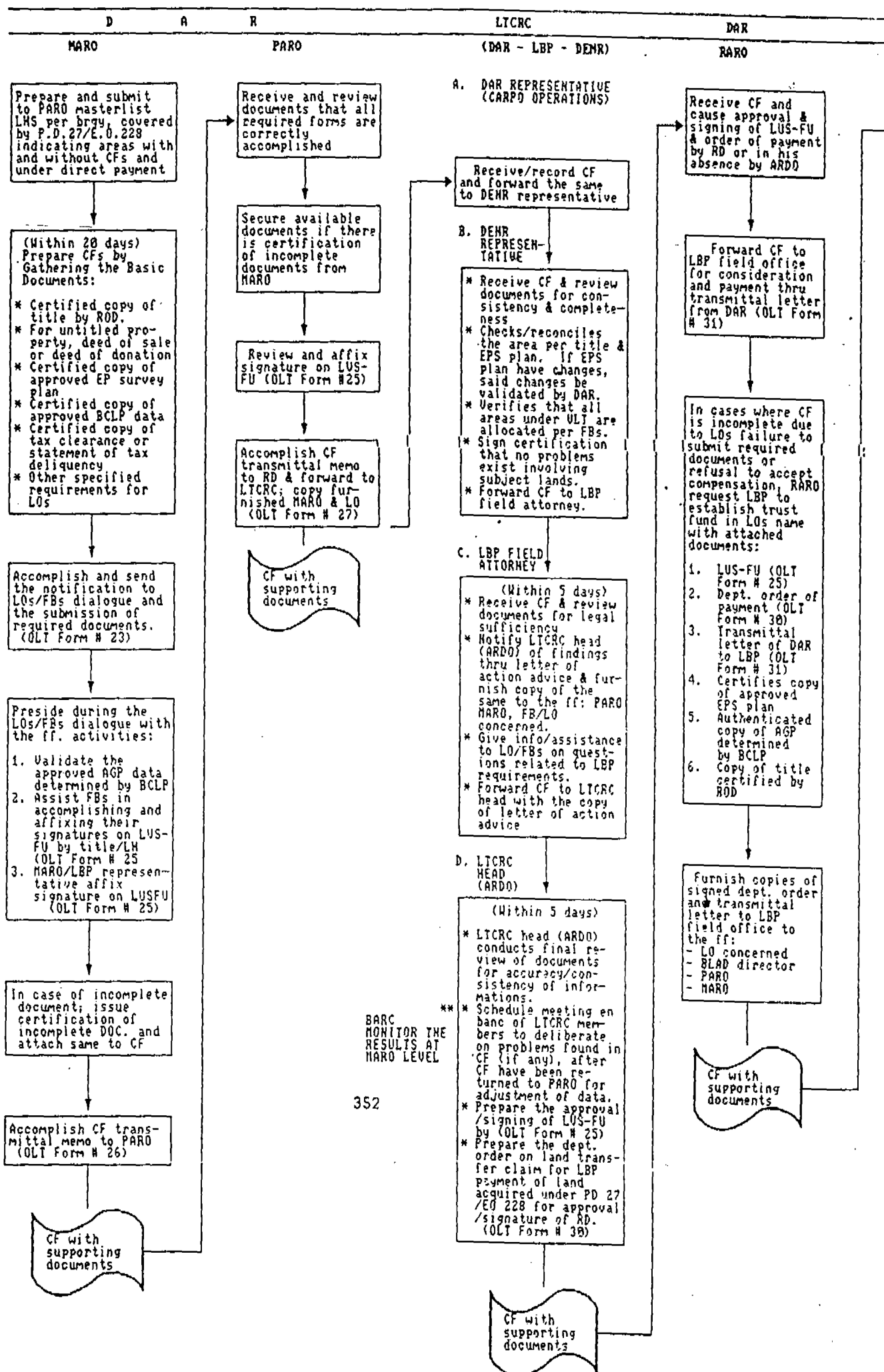
ROD



COMPULSORY ACQUISITION OF AGRICULTURAL LANDS

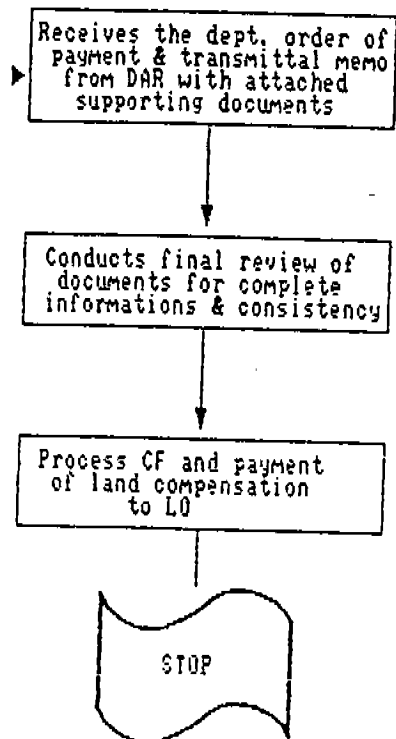
AO No. 12 Series of 1989
Under Sec. Miriam D. Defensor
July 26, 1989





L B P

LAND VALUATION & LANDOWNERS
COMPENSATION OFFICE (LUO)

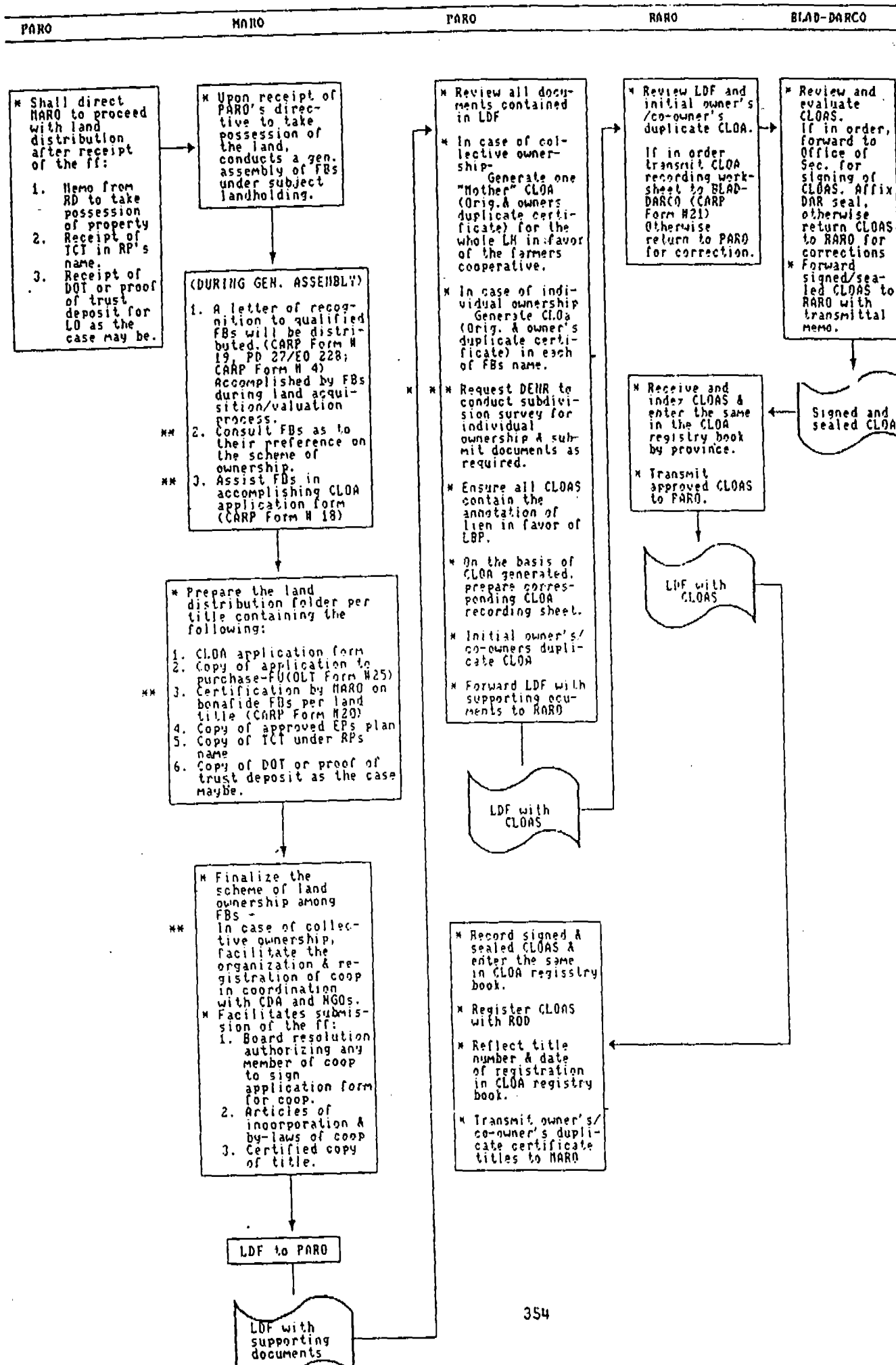


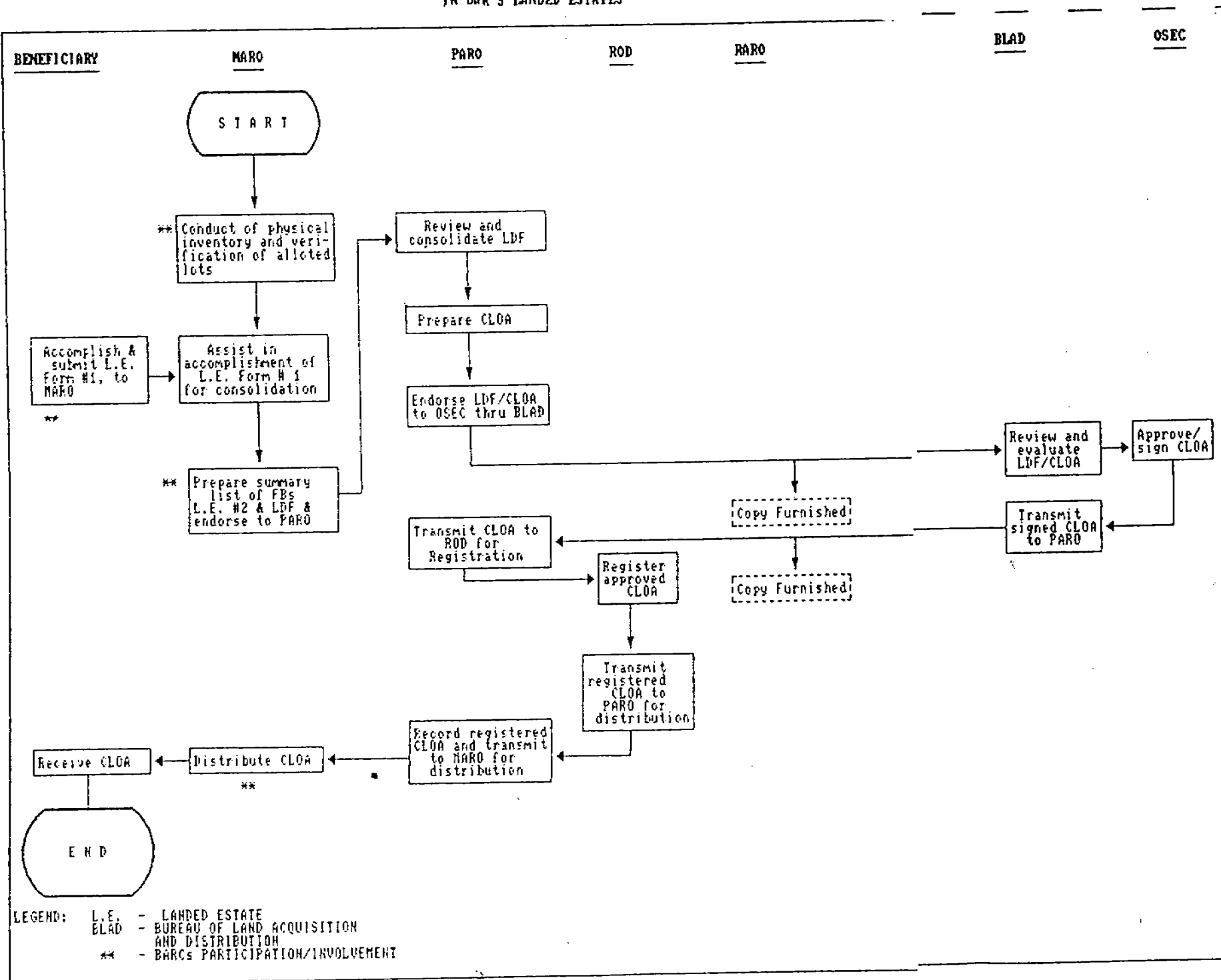
LEGEND:

- CF - CLAIM FOLDER
- BCLP - BARANGAY COMMITTEE ON LAND PRODUCTION
- LVS-FU - LAND VALUATION SUMMARY - FARMERS UNDERTAKING
- LICRC - LAND TRANSFER CLAIMS REVIEW CENTER
- EPS - EMANCIPATION PATENT SURVEY
- ULT - VOLUNTARY LAND TRANSFER
- LHS - LANDHOLDINGS
- ROD - REGISTER OF DEEDS
- AGP - AVERAGE GROSS PRODUCTION
- BARCs - BARANGAY PARTICIPATION/INVOLVEMENT

SOURCE:

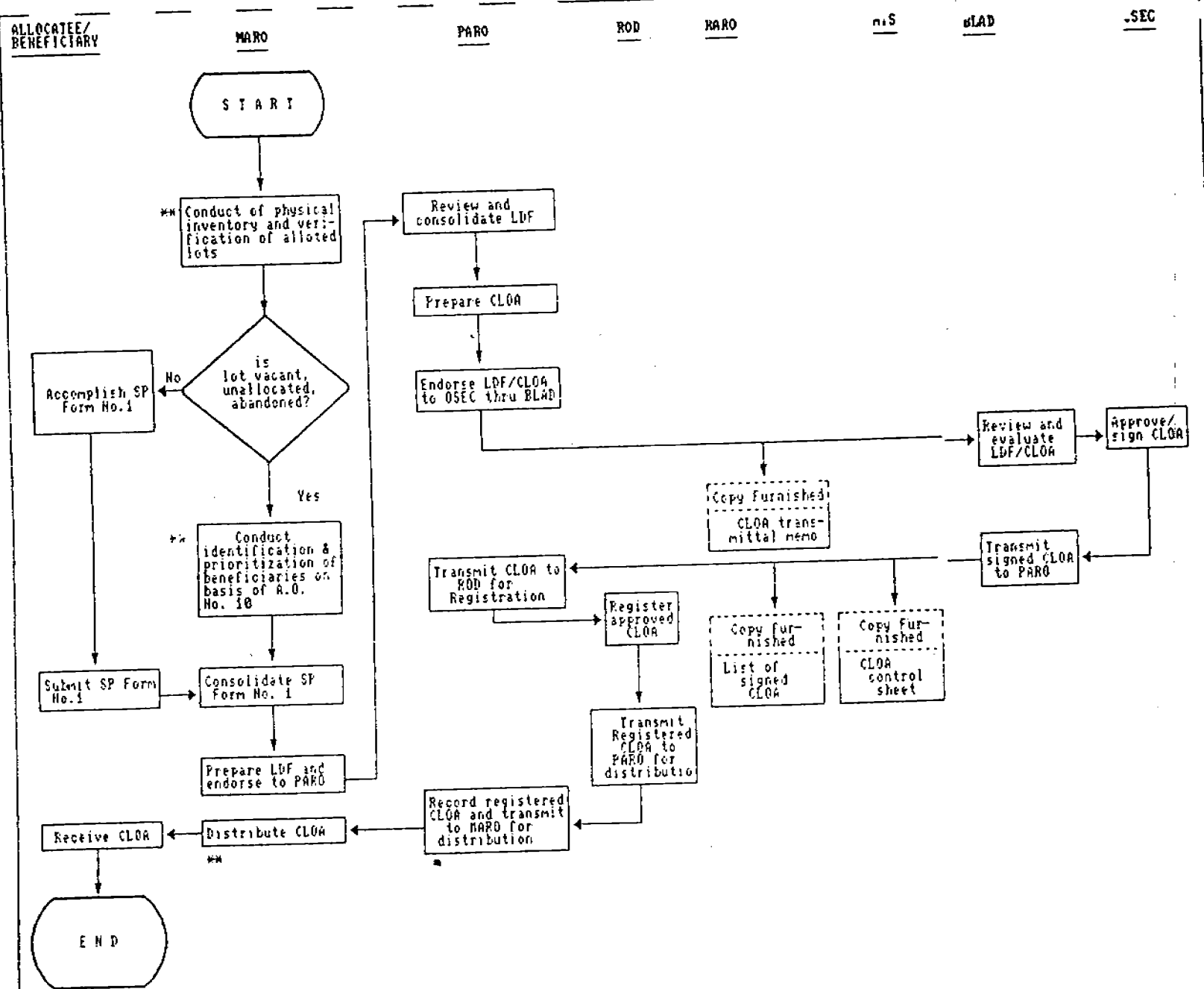
1. A.O. No. 2 Series 1987
Policy Guidelines and Procedures
in the implementation of
E.O. No. 228
2. Joint Memo Circular of DAR, LBP,
DENR, 25 July 1998
RE: Guidelines in the
Decentralization of Processing
and Payment of Land Transfer
Claims under PD 27 and EO 228
at the Regional/Field Officers





ANNEX FIGURE J

IN BAR SETTLEMENT PROJECTS



LEGEND: S.P. - SETTLEMENT PROJECT
LDF - LAND DISTRIBUTION FOLDER
BLAD - BUREAU OF LAND ACQUISITION AND DISTRIBUTION
NIS - MANAGEMENT INFORMATION SYSTEM
** - BARCs PARTICIPATION/INVOLVEMENT

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