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9. ABSTRACT
The current (1970-71) Agricultural Land Reform Code in the Philippines was enacted in 1963. The law involves basic changes in the social, economic, and political structure of the Philippines. The current study is based on a review of the available literature on Philippine Land reform, as well as on personal experience and observation. Part I describes the social, economic and political characteristics of the program. Part II discusses in detail the policies and objectives of the Agricultural Land Reform Code which is aimed at improving rural living conditions through equitable distribution of land, tenure reforms, and provision of support services. It also describes the organization and functions of the numerous government agencies directly and indirectly responsible for implementation of the program. Under an operational model for this implementation 3 shifts are necessary to convert share tenants into full owners; conversion of share tenants into leaseholders, conversion of leaseholders into amortizing owners, conversion of amortizing owners into full owners. Part III analyzes the land reform unified administration. Part IV summarizes the objectives, criticisms, and proposals for improvement.

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LAND REFORM ADMINISTRATIVE PROCEDURES
IN THE PHILIPPINES: A CRITICAL ANALYSIS

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Land Reform Administrative Procedures in the Philippines:
A Critical Analysis

By

Lilia C. Panganiban*

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Springfield, VA. 22151

* This report is based on direct and prolonged contact with land reform administrative personnel at all levels, as well as clients of the program. Mrs. Panganiban is presently Chief Agrarian Program Officer, Home Management and Rural Youth Development Division, Department of Agrarian Reform, Diliman, Quezon City, Philippines.

All views, interpretations, recommendations and conclusions expressed in this paper are those of the author and not necessarily those of the supporting or cooperating organizations.

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	1
Purpose of the Study	1
Nature of the Study	4
 PART I: THE PHILIPPINES: AN OVERVIEW	 5
Size of Land Holdings	5
Tenurial Systems	7
 PART II: THE PHILIPPINE LAND REFORM PROGRAM: A RESUME	 9
Policies and Objectives	9
The Land Reform Project Administration (LRPA)	10
Land Authority (LA)	10
Land Bank (LB)	12
Agricultural Credit Administration (ACA)	12
Agricultural Productivity Commission (APC)	12
Office of the Agrarian Counsel (OTAC)	13
The National Land Reform Council (NLRC)	13
Secretariat	14
Plans and Programs Office (PPO)	14
Philippine Land Reform Center for Continuing Education (PLRCCE)	14
Field Organizations	15
Regional Land Reform Committee (RLRC)	15
Sub-regional or Branch Land Reform Committee (BLRC)	15
Land Reform Project Teams (LRPT)	15
Land Reform Cooperating Agencies	16
Land Reform Implementation	16
Operation I	17
Operation II	19
Land Reform Program Areas	21
Land Reform Areas	21
Outside Land Reform Areas	22
 PART III: ANALYSIS OF THE LAND REFORM UNIFIED ADMINISTRATION	 22
Organizational Structure	22
Administrative Control and Supervision	25
Office Supplies, Materials and Equipment	27
Personnel Administration	27
Recruitment of Personnel and Promotion	28
Assignment and Transfer of Personnel	30
Salary, Compensation and Allowances	30
Land Reform Support Services	31
Scope of Land Reform Operations	35

(Continued!)

	<u>Page</u>
PART IV: SUMMARY AND CONCLUSION	36
APPENDIX I	40
BIBLIOGRAPHY	41

CHARTS

I. Map of the Philippines and Its Regional Subdivision . . .	6
II. Land Reform Project Administration Organization Chart . .	11
III. Conceptual Model	18
IV. Support Functions	20
V. The Land Reform Project Administration (LRPA)-Flow Chart .	26

TABLES

I. Percentage Distribution of Farm Holdings According to Size or Area of Farm Operated	7
II. Percentage Distribution of Farm Operators and Area of Farm by all Types of Crops, Palay and Corn According to Types of Tenure	8
III. Total Land Reform Personnel by Agency and Committee Level	29
IV. Progress on Leasehold Conversion	32
V. Supervised Credit Assistance: Fiscal Year 1964-71	34
VI. Total Coverage of the Philippine Land Reform Program: Fiscal Year 1964-71	35

INTRODUCTION

Purpose of the Study

This study attempts to analyze the current (1970-71) land reform program in the Philippines. It seeks to understand the policies and objectives of Philippine land reform and assess how well these are being implemented through the centralized integrated administration stipulated by law. Hopefully this analysis will help land reform authorities to identify factors which affect or influence program implementation. Identification of these factors would provide a better understanding of obstacles to attaining land reform objectives, including constraints which have delayed adoption of projected changes. Identification of forces which stimulate and presumably hasten land reform program implementation is also important. Such knowledge could provide insight in understanding why and how certain factors influence the land reform implementation process. This knowledge could serve as the basis for the formulation and execution of future land reform legislation, policy and programs in the Philippines.

The present land reform program in the Philippines is an implementation of Republic Act. No. 3844, otherwise known as the Agricultural Land Reform Code. This act, approved by the legislative body and signed by the President on August 8, 1963, was one of the boldest decisions identified with any administration in the Philippines.

Among objective observers of Philippine society, the land reform law was viewed as long overdue. Intellectuals viewed the law as a

daring move on the part of its sponsors in the legislature, and admired their courage in pushing the bill through a legislative body dominated by the landed gentry. Politicians considered land reform a necessary evil which they could use as a major issue in political campaigns to win votes. The majority of citizens viewed the land reform law in varied ways depending on the manner in which the law would affect them. Some supported it, others opposed it,--in any event, the majority were skeptical about the government's ability to enforce the new law because of the magnitude and complexity of the changes envisioned.

Within the context of Philippine society, the code was too ambitious and far reaching. It involved basic changes in the very social structure, necessarily affecting basic economic and political structures as well. The new relationships, behavior patterns and practices envisioned by the new code necessarily cut across well-established traditions involving accepted social and moral values. Such changes are complicated, and hence land reform became one of the most controversial programs of the Philippine government.

As expected, general resistance to the land reform program came from the landed elites. Their reactions varied widely, ranging from outright acceptance and adoption to absolute rejection. Some landlords immediately agreed to shift from a share-cropping system to a leaseholding relationship, or offered to sell their lands. Others hesitated, but were prevailed upon to accept the change later. Some even questioned the validity or constitutionality of the land reform law. Others instituted various means of circumventing the law through pressure and other procedures.

Because the changes envisioned in the law meant the transfer of land ownership and the abolition of traditional landlord power and authority over tenant farmers, landlords' varied reactions and resistance were expected and normal. However, share tenants, the major beneficiaries of the envisioned changes, were expected to embrace such changes. Surprisingly however, tenant farmers in the proclaimed leasehold areas also reacted in various ways. Some tenant farmers readily took advantage of the law by initiating an immediate shift to leasehold arrangements or petitioning for the purchase of the land they were cultivating. Others desired to take advantage of the new law but for some reason were hesitant to do so. Many tenants preferred to observe in silence and some seemed indifferent or even hostile to any change.

In other areas, people became impatient and restless. After several years of land reform implementation, the program had not progressed as they had expected. The slow progress in implementing land reform, together with an increasing awareness among peasants of the contents of the code created discontent which led to organized peasant demonstrations. Increasing support came from students and private groups who rallied with the peasants.

All these reactions are significant to land reform program planners, administrators, supervisors and change agents charged with the responsibility of implementing the program. The government has the obligation to implement the laws of the land. If the law was intended to help farmers, land reform officials should know the reasons why some tenant farmers have resisted changes aimed at their benefit.

Nature of the Study

This study is based on an extensive review of available literature on land reform in the Philippines, as well as a prodigious amount of personal experience and observation of the actual program.

In Part I of this report the social, economic and political description relevant to the administration of the land reform program is reviewed. Part II presents the objectives, policies and programs of the present land reform in the Philippines, with emphasis on provisions relating to the administrative machinery for land reform. Part III describes the actual implementation of the program. It analyzes how policies and objectives are being implemented through the newly developed unified concept of administration. Relevant provisions of the code and NLRC* policies as well as pertinent executive orders are used as a frame of reference for an analysis of current administrative processes. The following areas in particular were selected for study:

1. Organizational Structure;
2. Administrative Control and Supervision;
 - Office Supplies, Materials and Equipments
3. Personnel Administration;
 - Recruitment of Personnel and Promotions
 - Assignment and Transfer of Personnel
 - Salary, Compensation and Allowances
4. Land Reform Supporting Services.

* NLRC stands for the National Land Reform Council, policy-making and coordinating body for land reform agencies. Henceforth, for explanation of acronyms of land reform agencies appearing in the text, please refer to the Appendix on p. 40.

PART I: THE PHILIPPINES: AN OVERVIEW

The Philippine archipelago lies along the southeast border of Asia. It consists of 7,100 islands which are mostly uninhabited. The total land area is about 115,600 square miles with a total coast line of 10,850 miles. Twelve islands account for 95 percent of the total land area. Luzon, and Mindanao are the biggest islands measuring about 40,814 and 34,906 square miles respectively. Many of the islands are mountainous and about one third of them are still covered by forest. [1]

The Bureau of Census and Statistics [10] estimated in 1960 a total population of 37 million with an annual increase of 3.2 percent. This is one of the highest in the world. Seventy five percent of the population lives in rural areas. It is estimated that 80 percent of the population is Roman Catholic, 10 percent Protestant, 5 percent Moslem and 5 percent other religious denominations. The people speak 86 local dialects. These factors considerably affect program implementation.

The Philippines is basically an agricultural country. Sixty five percent of the population lives on farms, and 61 percent of the total labor force is engaged in agriculture. However, agriculture contributes only 34 percent to the total gross national product. [12]

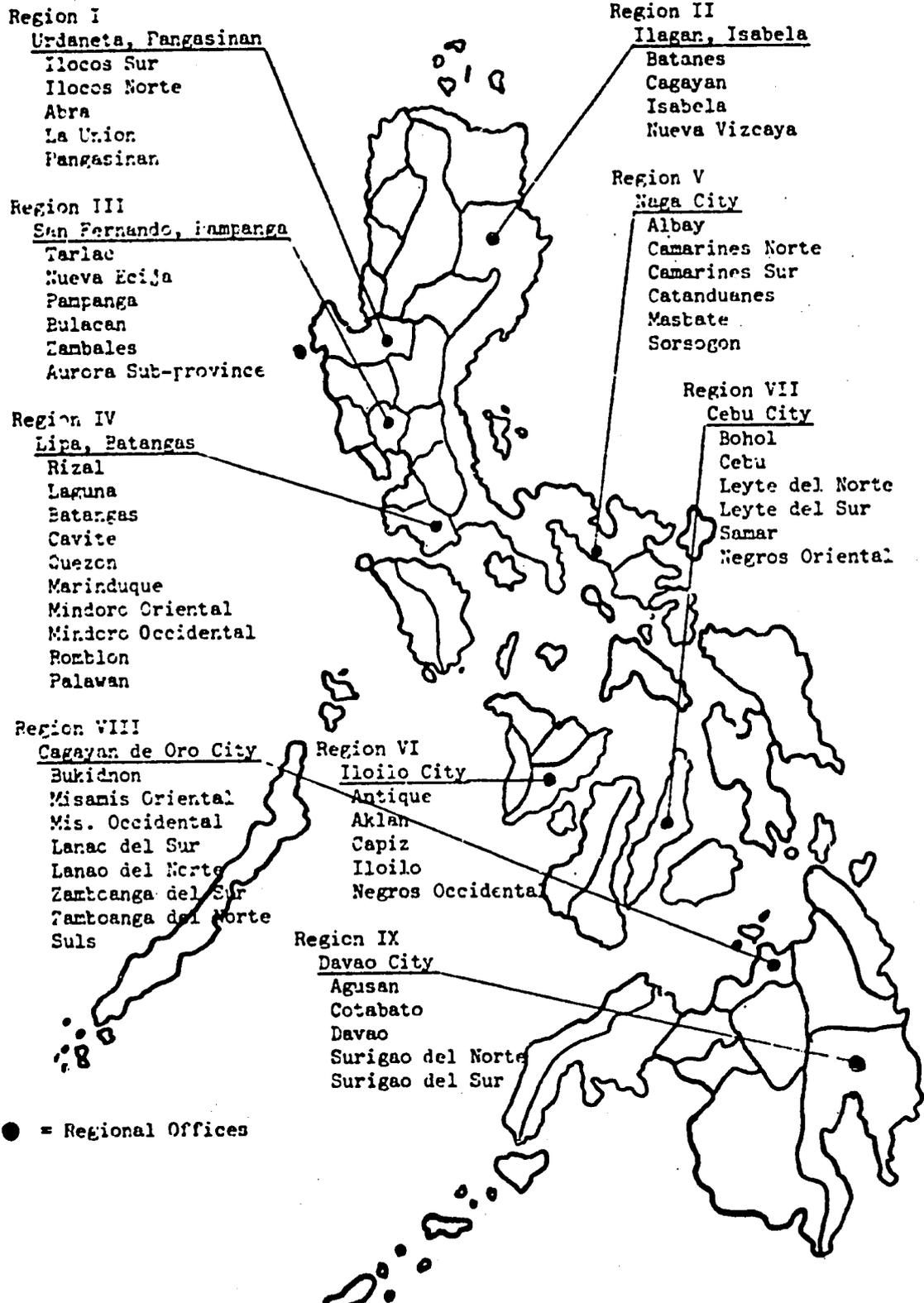
The country is subdivided into nine political regions. This subdivision is followed in the implementation of all land reform programs.

Size of Land Holdings: [10]

Land holdings per farmer in the Philippines vary widely, reflecting disparity in the distribution of land and income. The 1960 agricultural census shows there were 2,166,216 farms in the country covering an area of 7,772,484.6 hectares. The size of farms ranges from .2 hectares to more than 200 hectares. Table I shows that 11.5 percent of farmers work

CHART I

MAP OF THE PHILIPPINES



on 1.6 percent of the total farm area, operating on less than 1 hectare per farmer. On the opposite end of the continuum less than 1 percent of total farmers operate 14.08 percent of total farm area with 20 or more hectares each. More than half of the total farmers operate on 1 to 3 hectares and 36.6 percent have holdings ranging from 3 to 20 hectares.

TABLE I
PERCENTAGE DISTRIBUTION OF FARM HOLDINGS ACCORDING
TO SIZE OR AREA OF FARM OPERATED

<u>Area of farm Operated</u>	<u>Total Farmers Percentage</u>	<u>Farm Area Percentage</u>
Under 1 hectare	11.53	1.60
1.0 and under 2 hectares	29.64	10.23
2.0 " " 3 "	21.68	12.82
3.0 " " 4 "	11.55	10.25
4.0 " " 5 "	7.05	8.09
5.0 " " 10 "	13.37	23.74
10 " " 20 "	4.61	15.30
20 " " 50 "	.71	5.64
50 " " 100 "	.11	2.09
100 " " 200 "	.05	1.99
200 hectares and over	.04	4.36
Total Percentage	100.34	96.11
Total Basis	2,166,216 farmers	7,772,484.6 hectares

Tenurial Systems

In addition to uneven land distribution are tenurial differences in the relationship of the farmers to the land. Table II shows that 44.67 percent were full owners of the land they operate, while 14.35 percent were part-owners.* Thus, almost 40 percent of total farm operators work as tenants.

* Part-owners are farm operators who rent or lease part of the land they work on from persons who are not members of the same household.

TABLE II /10/

PERCENTAGE DISTRIBUTION OF FARM OPERATORS AND AREA
OF FARM BY ALL TYPES OF CROPS, PALAY AND
CORN ACCORDING TO TYPES OF TENURE

Types of Tenure	Total for All Crops (Hectares)		Palay (Hectares)		Corn (Hectares)	
	Farmers	Farm Area	Farmers	Farm Area	Farmers	Farm Area
Full Owners	44.67	53.18	36.97	43.36	36.06	50.07
Part Owners	14.35	14.67	15.79	16.97	12.62	15.23
Tenants All Types	39.91	25.72	45.99	35.00	50.61	31.93
Fixed Rent-leasee	2.23	1.79	2.95	2.39	.74	.66
Share Tenants	34.91	22.02	40.49	30.60	46.19	28.86
Others	2.76	1.91	2.55	1.99	3.67	2.40
Manager	.12	4.70	.07	1.59	.04	.78
Other Forms	.95	175.00	1.46	.64	.64	1.30
Total Percentage	100.00	100.00	99.99	98.38	99.97	99.31
Total Number	2,166,216	7,772,484.60	1,041,882	3,112,131.00	378,805	949,266.20

The staple crops are palay and corn. Forty eight percent of the total farmers raised palay on 40.4 percent of the total farm area. Forty six percent of these farmers were tenants. For corn, 17 percent of farmers raised corn on 12.2 percent of the total farm area; 50.61 percent of these farmers were tenants. Tenancy rates varied widely in the different provinces. In central Luzon, the major rice producing region, social unrest became prevalent due to high tenancy rates. This led to a series of legislative acts designed to ameliorate the condition of the farmers.

PART II: THE PHILIPPINE LAND REFORM PROGRAM: A RESUME

The Republic Act No. 3844, otherwise known as the Agricultural Land Reform Code, is entitled /187/:

"An Act to Ordain The Agricultural Land Reform Code And To Institute Land Reforms in The Philippines Including The Abolition Of Share Tenancy And The Channeling Of Capital Into Industry, Provide For The Necessary Implementating Agencies, Appropriate Funds Therefore And For Other Purposes".

This Act, the result of extensive investigations into earlier land reform programs, was aimed at improving rural living conditions through equitable distribution of land, tenure reforms, and provision of support services. The need to coordinate different government services was clearly reflected in the provisions of the land reform law, as will be seen below.

Policies and Objectives /187/

The policy objectives of the Philippine land reform law are:

1. To establish owner-cultivatorship and the family farm as the basis of Philippine agriculture, and, as a consequence, to divert landlord capital in agriculture to industrial development;
2. To achieve a dignified existence for small farmers by freeing them from pernicious institutional restraints and practices;
3. To create a viable social and economic structure in agriculture conducive to greater productivity and higher farm income;
4. To apply all labor laws equally and without discrimination to both industrial and agricultural wage earners;
5. To provide a more vigorous and systematic land resettlement program and land distribution;
6. To make small farmers more independent, self-reliant and responsible citizens, and a source of genuine strength in our democratic society.

The above policy reflects a desire to establish owner-operators as the basis of Philippine agriculture. It is the congressional affirmation

of the principle that if a nation is to be strong, the farmers who form its backbone must be strengthened.

The code also expressed the intention to establish: /18/

1. An agricultural leasehold system to replace all existing share tenancy systems;
2. A declaration of rights for agricultural labor;
3. An authority for the acquisition and equitable distribution of agricultural lands;
4. An institution to finance the acquisition and distribution of agricultural lands;
5. A mechanism to extend credit and similar assistance to agriculture;
6. A mechanism to provide marketing, management and other technical services to agriculture;
7. A unified administration for formulating and implementing projects of land reform;
8. An expanded program of land capability survey, classification and registration;
9. A judicial system to decide issues arising under this code and other laws and regulations.

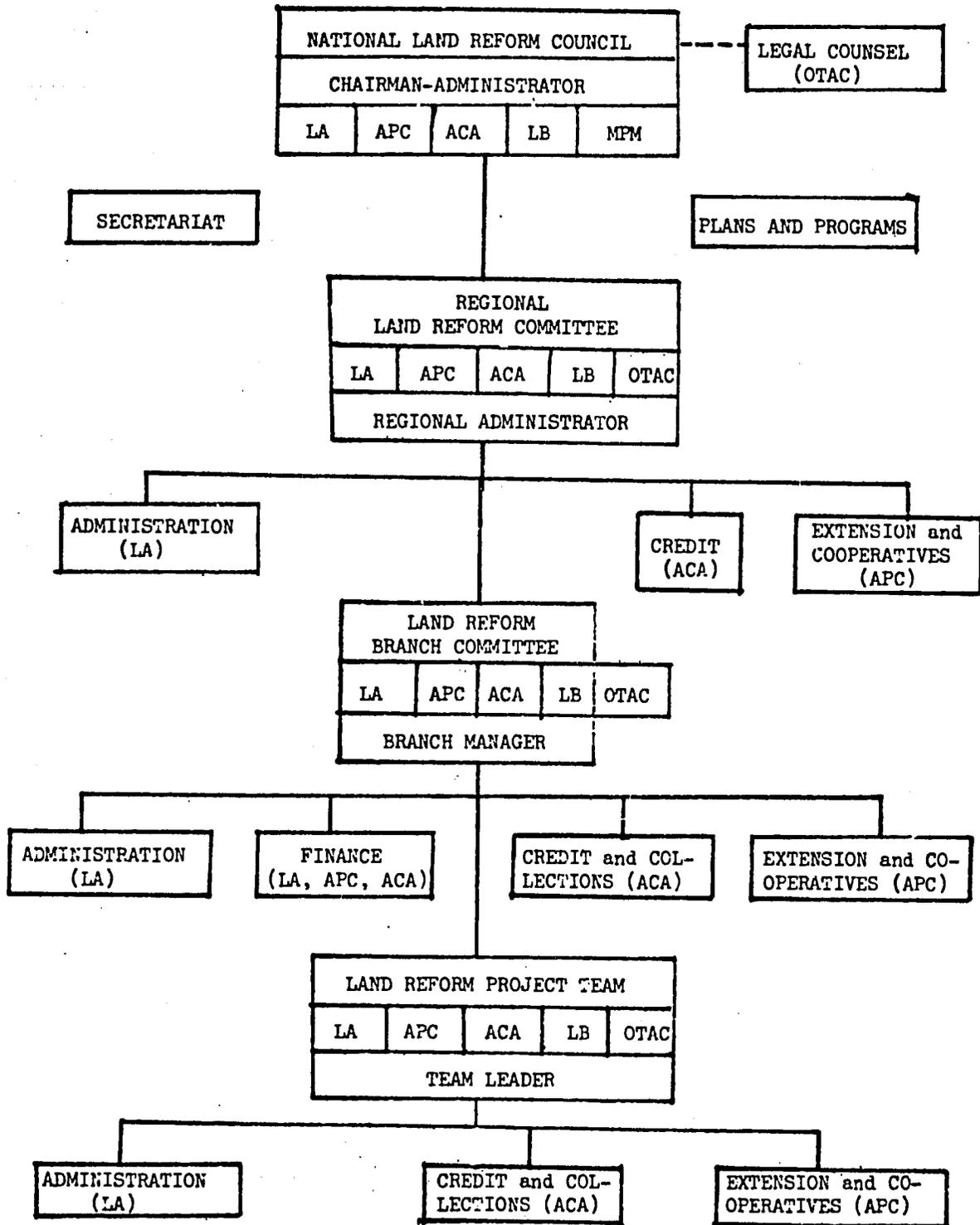
The Land Reform Project Administration (LRPA) /21/

The Agricultural Land Reform Code recognized that if land reform is to succeed, it must replace separate projects with a unified, centralized program. To implement the objectives enumerated above, several agencies with varied and specific functions were created, reorganized, renamed or abolished. Executive Order No. 75 created the Land Reform Project Administration. The LRPA integrates various land reform services and funnels them to agricultural sectors. The LRPA is composed of five member agencies, namely:

1. Land Authority (LA) The Land Authority was created to establish owner-cultivatorship and the family farm as the basis of Philippine

CHART II

LAND REFORM PROJECT ADMINISTRATION ORGANIZATION CHART



agriculture. LA is mainly responsible for land acquisition and distribution, land settlements, land capability surveys and overall coordination of land reform operations. This office is under the direct control and supervision of the President of the Philippines. It is headed by a Governor, assisted by two Deputy Governors appointed by the President (with the consent of the Commission on Appointments) for a term of five years.

2. Land Bank (LB) The LB was created to finance the purchase of private agricultural lands recommended for expropriation by LA and is subject to the rules and regulation of the Central Bank. Its business is directed, its powers exercised and its property managed by a Board of Trustees composed of a chairman and four members, with the Head of LA as an ex-officio member. The Board of Trustees is appointed by the President with the concurrence of the Commission on Appointments

3. Agricultural Credit Administration (ACA) The former Agricultural Credit and Cooperative and Financing Administration created by Republic Act No. 620 and 1285 was reorganized and renamed the Agricultural Credit Administration. Its main purpose is to provide credit facilities for agricultural production. ACA is headed by an Administrator appointed by the President and approved by the Commission on Appointments.

4. Agricultural Productivity Commission (APC) The Agricultural Productivity Commission is the former Agricultural Extension Bureau, now under the direct executive supervision of the President. Its purpose is to provide information on agricultural technology, home-making skills, the formation of cooperatives and the training of local leadership. APC aims to accelerate farm productivity and to strengthen existing agricultural extension services through the consolidation of all agricultural promotional, educational and informational activities. The agency is headed by a

Commissioner appointed by the President and approved by the Commission on Appointments.

5. Office of the Agrarian Counsel (OTAC) The former Tenancy Mediation Commission was expanded and renamed Office of Agrarian Counsel. Its purpose is to provide legal assistance to agricultural lessees and owner-cultivators. OTAC is under the direct supervision of the Secretary of Justice and is headed by an Agrarian Counsel who acts as legal advisor to NLRC. He is assisted by a Deputy Agrarian Counsel.

Under the unified concept of administration [21], these five member agencies which constitute LRPA are considered one single organization, with one personnel pool, subject only to civil service rules and regulations. This means that personnel from one agency may be freely assigned to positions in another agency within LRPA in spite of differing duties and responsibilities assigned to each agency. Each agency is thus envisioned as an organic part of an administrative whole organized through LRPA. There are also several field offices at different levels; i.e., the Regional Land Reform Committee, the Sub-regional or Branch Land Reform committee and the Land Reform Project Teams. (See LRPA organization chart on page 11.)

The National Land Reform Council (NLRC) [16]

The NLRC is the coordinating body for land reform agencies. It is also the policy and decision-making body. All programs, plans, procedures, policies, projects and activities of land reform member agencies are subject to the direction, control and review of the NLRC. The NLRC is chaired by the head of LA, who thus is considered the Chief Administrator of LRPA, with the rank of a cabinet member. The members of the Council

consist of the heads of the four other agencies which form LRPA (LB, ACA, APAC, and OTAC). The head of OTAC acts as legal adviser to the NLRC. A sixth member of the Council is a representative of the party which received the second largest number of votes in the last election and is appointed by the President upon recommendation of the minority party head. The NLRC Chairman is assisted by two staff offices: The Secretariat and the Plans and Programs Office.

Secretariat: The Secretariat serves as the principal clearing house for all information on land reform operations, keeps records of all deliberations, decisions and resolutions of the NLRC, and provides assistance in establishing and implementing uniform administrative procedures, personnel, general administration, and budgeting. The Office of the Secretariat is composed of several units, namely: (1) Office of the Executive Director, (2) Administrative Staff, (3) Budget and Logistic Section, (4) Personnel Administration and Training, (5) Legal Section, and (6) Management Service.

Plans and Programs Office (PPO) The PPO provides assistance in the formulation of plans and programs. It reviews, evaluates and integrates projects, activities and programs submitted by member agencies for consideration of the NLRC. The PPO consist of: (1) Office of the Director, (2) Research and Statistics, (3) Project Analysis and Program Preparation, and (4) Program Performance Evaluation Units.

Philippine Land Reform Center for Continuing Education (PLRCCE)
The PLRCCE was established to help the Office of the Secretariat in providing intensive training for land reform personnel, peasant groups, land owners and lay leaders.

Field Organizations /21/

Regional Land Reform Committee (RLRC) All programs approved by the NLRC are administered through field units, divided into regional, branch and team offices. The RLRC is composed of representatives of the land reform member agencies and, like the NLRC, the LA representative acts as Chairman and Administrator of the Committee. The Chairman-Administrator is assisted by a staff which provides for administrative and general services. Representatives of the member agencies act as staff assistants who supervise extension, credit and cooperative development activities. Each RLRC is in charge of a geographic area comprising several provinces. It recommends projects within its jurisdiction to the NLRC.

Sub-regional or Branch Land Reform Committee /21/ (BLRC) The BLRC is also referred to as the Provincial Land Reform Office. It was created to facilitate the administration and supervision of land reform programs in the provinces. BLRC is likewise composed of the LA representative as the Chairman and Administrator. The "Branch Chairman Manager" is also assisted by an administrative staff and representatives of member agencies who provide technical supervision on field operations. The BLRC covers a geographic area of a province or sub-province and governs Land Reform Project Teams within its territorial boundaries.

Land Reform Project Teams (LRPT) /21/ Though it is the lowest administrative unit, the LRPT operation at the grass roots level is the most important one. It is a heterogeneous group headed by a team leader representing the LA who acts as team administrator. The team leader is assisted by an extension supervisor (from APC) and a credit officer (from ACA) in providing technical supervision to team members. Members include

a number of Farm Management Technicians, Home Management Technicians and Rural Youth Officers, generally BS or BSE graduates in Agriculture, Home Economics, or Extension Education. The LRPT also has officers to provide legal services to the farmers. Each team covers one or more municipalities.

Land Reform Cooperating Agencies /227

In order to tap the services and facilities of other related agencies for land reform, the President issued Executive Order Nos. 76 and 150 /237 which created the committee on non-member agencies for land reform. The committee is composed of heads of the following agencies:

1. Bureau of Soils;
2. " " Plant Industry;
3. " " Animal Industry;
4. " " Lands;
5. " " Forestry;
6. " " Agricultural Economics;
7. Fisheries Commission;
8. Land Registration Commission;
9. Presidential Arm on Community Development;
10. National Irrigation Administration;
11. Irrigation Service Unit;
12. Philippine Constabulary.

Their purpose is to coordinate the activities of their agencies with the land reform machinery described above. The Chairman of this Committee is the Chairman of the NLRC.

Land Reform Implementation /157

To implement the code, land reform planners conceived of an operational model which was approved and adopted by the NLRC. Under this model the program was divided into Operations I and II. Operation I is primarily concerned with the conversion of share tenants into leaseholders. Operation II is primarily concerned with the conversion of leaseholders into full owners. The model represents three shifts. The first shift projects

the conversion of share tenants into leaseholders; the second shift, represents the conversion of the leaseholders into amortizing owners; and the third shift represents the conversion of amortizing owners into full owners. The second shift marks the passage of Operation I to II and involves government acquisition of private agricultural lands and settlement projects on new lands. Some aspects of both Operations I and II are undertaken simultaneously.

Operation I --- The gradual shift from share tenancy to leasehold is viewed as a management training period so that when farmers become owner-cultivators they will be prepared to assume responsibilities for planning and executing farm operations.

Leasehold is effected by two methods: One, proclamation of an area as leasehold area; and two, voluntary leasehold. The determination of areas for leasehold operation is based on standards set by the NLRC 147 and includes:

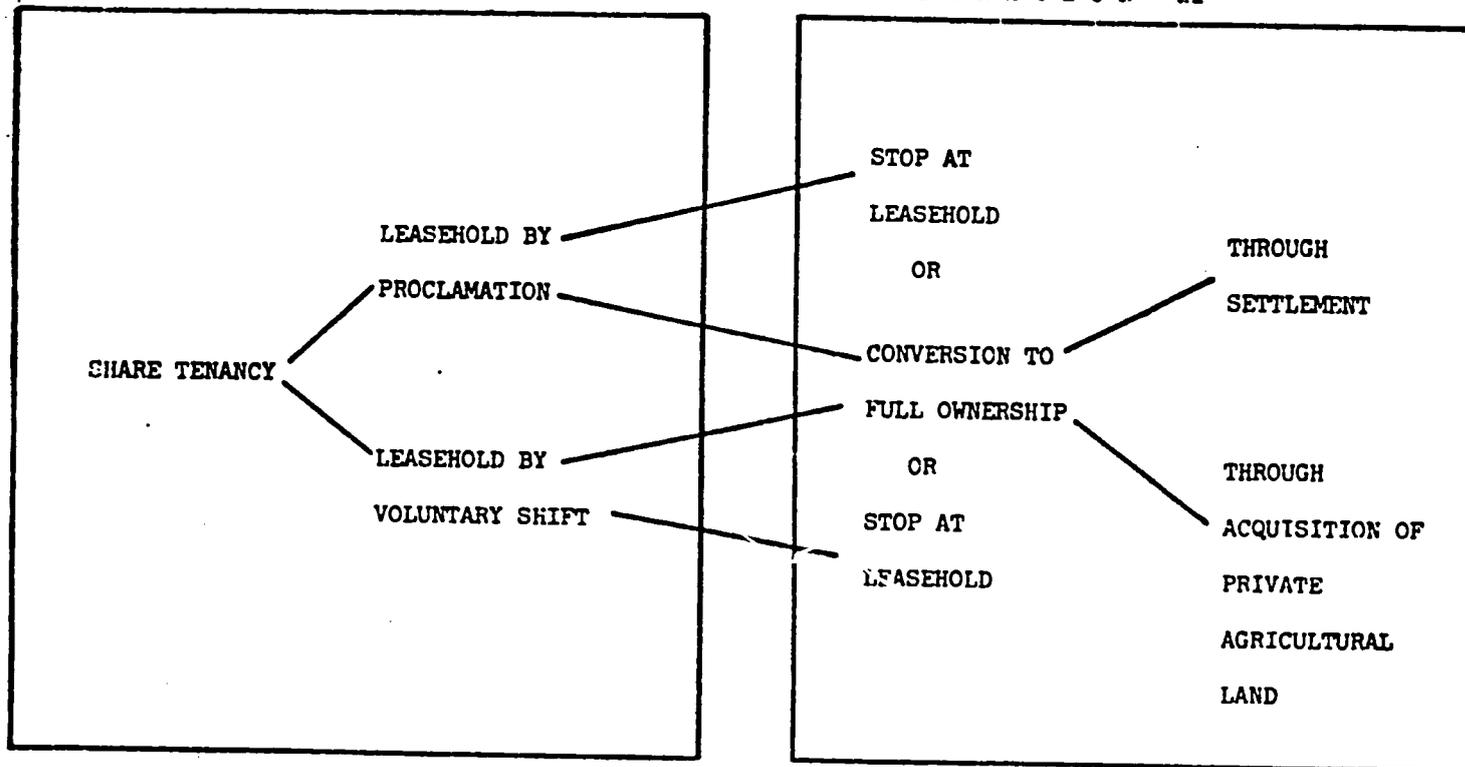
1. High tenancy density
2. Extent of cadastral survey
3. Farmers' attitude toward leasehold and land productivity
4. Irrigation facilities available
5. Availability of untapped land potential

Voluntary leasehold areas are effected by petition of the farmers in the area involved.

Shifting from share tenancy to leasehold arrangements is a complicated process. Although the law provides for the abolition of share tenancy and the automatic conversion of all share tenants to leaseholders upon proclamation of an area, this has not occurred as planned. Several support services are needed to assist tenant farmers desiring to become lessees.

CHART III
CONCEPTUAL MODEL

TRANSITION FROM
OPERATION I TO OPERATION II



It has been conjectured that the moment the tenant farmers express a desire to shift from share tenancy to leasehold, the landlord immediately withdraws all assistance formerly given to the tenants. Since the farmers start without land and capital, the government must provide various services to support the tenant farmers during the interim period. OTAC enables tenant farmers to shift from share tenancy to leasehold by determining rental and contract arrangements. The Agricultural Credit Administration assumes the landlords' role and provides agricultural loans. Rental and loan costs assumed by the tenant created the need for technical and business advice (provided by the AFC) to enable farmers to meet payment schedules through increased productivity. Land reform cooperating agencies, such as the Bureau of Plant Industry, the Bureau of Animal Industry, the Presidential Arm on Community Development, etc., likewise assist the former tenant farmer when necessary. Legal, credit and extension services support both Operations I and II.

Operation II --- implements the conversion of lessees into owner-cultivators. Although leaseholding may be a terminal stage under the present program, conversion to full ownership is automatic if the area worked by the lessees meets the criteria for acquisition of private agricultural lands, and the owners are willing to sell. Lessees become owners by two methods:

1. Through settlement;
2. Through acquisition and redistribution of private agricultural lands.

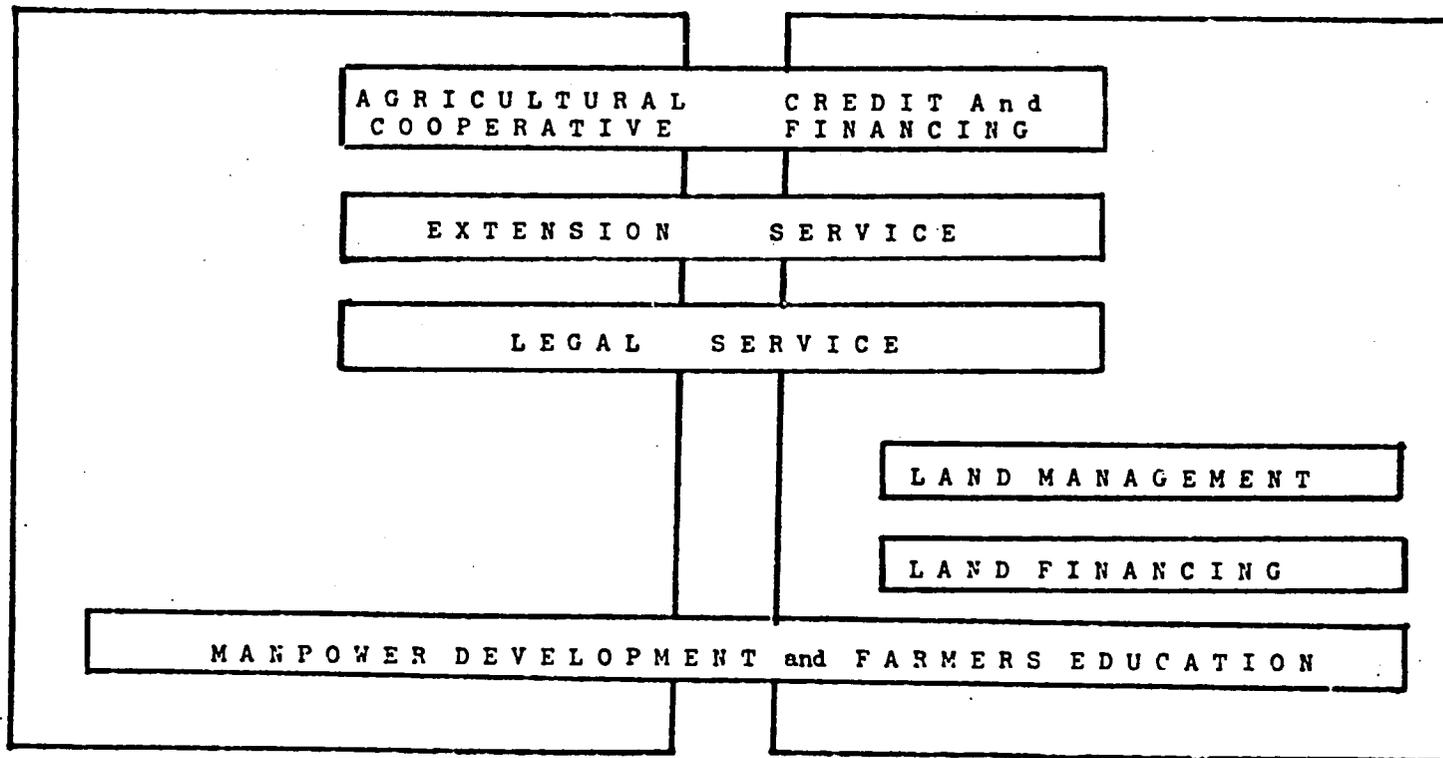
Under settlement projects, public agricultural lands are opened for distribution to landless cultivators willing to be resettled. In the second method, private haciendas or agricultural lands are acquired by

CHART IV

SUPPORT FUNCTIONS

OPERATION I

OPERATION II



the government for redistribution. Priorities for acquisition of private agricultural lands are set as follows: [15]

1. Idle or abandoned lands
2. Areas exceeding 1,024 hectares
3. Areas exceeding 500 hectares but not more than 1,024 hectares
4. Areas exceeding 144 hectares but not more than 500 hectares
5. Areas exceeding 75 but not more than 144 hectares.

Priority may also be given to voluntarily sold areas if there are no disputes between tenant and landowner. Tenants displaced by the acquisition of private agricultural lands who are willing to be resettled are converted to full owners under the resettlement scheme. Those selected as bona fide beneficiaries remain and become amortizing owners.

Operation II therefore deals mainly with land management and land financing. Major activities consist of land classification, cadastral surveys, land capability surveys, area development plans, capital resource development and project proposals for land acquisition.

All activities in both operations I and II are supported directly or indirectly by various training programs developed and implemented by the PLRCCE.

Land Reform Program Areas

The Land reform program is further categorized into Land Reform Areas and Outside Land Reform or Pre-Land Reform Areas.

Land Reform Areas consist of proclaimed leasehold areas and the voluntary leasehold areas. Based on the conceptual model adopted by the NLRC, these areas mainly fall into Operation I, which concentrates on leasehold activities. It is only within these areas where centralized and integrated operations are being implemented. The following analysis and evaluation of the administrative machinery described above is therefore based on these areas.

Outside Land Reform Areas consist of all areas outside proclaimed and voluntary leasehold areas. On-going operations of all land reform member agencies involving land management, land development, legal, extension and agricultural credit services are provided to these areas. However, the integrated approach or unified administration as stipulated in the code has not been effective in these areas, and hence will not be treated here.

PART III: ANALYSIS OF THE LAND REFORM UNIFIED ADMINISTRATION

The integrated administrative machinery set up by the land reform law will be analyzed in four major areas:

1. Organizational Structure;
2. Administrative Control and Supervision;
3. Personnel Management;
4. Support Services.

Organizational Structure:

The LRPA, as mentioned earlier, is composed of several agencies. With the exception of the Land Bank, the other agencies (LA, APC, ACA and the OTAC) were well-established independent agencies, each with a specific function, prior to the approval of the agricultural land reform code. By virtue of the land reform law, the agencies have been reorganized, renamed and integrated (under LRPA), but they have retained most of their respective functions, with some modification. In addition, each has maintained an independent system of budget and financing. Consequently, the only factor which binds these agencies together is the NLRC, which formulates policies and acts as the governing body of the LRPA. The mandate of the law is explicit: 18

"... Any resolution approved with a majority vote of the members ... shall be final and binding upon all members of the council and their respective agencies in so far as their functions, powers and duties required under the code are concerned ...

The above provision is easier said than done. As pointed out by Levy 167, the land reform did not signal a break with past tradition for the society as a whole, or even for the public administration. Many officials, particularly those occupying responsible positions, were holdovers from previous organizations and in most cases were men with up to 25 years of service. Besides, even new office holders had an essentially traditional view of their positions.

Under the traditional system these agencies were thought of and behaved as separate independent empires, and the interference of one agency in the affairs of another was not tolerated. Each agency was responsible for defining and executing its own program; hence, consultation was kept to a minimum, and coordination was almost non-existent. The new organizational structure for land reform had to fit into a long-established administrative and social structure which, because of its vested interests, was resistant to change.

Authority and responsibility for operation of the LRPA is vested in the RLRC within the region, in the BLRC within the province, and in the LRPT within the city or municipality. At all these levels the representative of the LA is chairman and administrator; hence, representatives of all other agencies hold staff positions. Since under the traditional organization the agency representatives were the administrators of their respective agencies, the new structure was not really adopted. Agencies tended to retain their independence and identity as separate agencies, thus interfering with the smooth operations of the actual

regional, branch, and team working units. The functional definition and role expectation stipulated by law and the general operational policies [14] approved by NLRC were disregarded.

The chairman and members of the Committees (regional and branch, and team) should in principle [14] establish headquarters at the seat of the region, branch or team. In actuality only Region III in Central Luzon out of the nine regions physically complied with this provision because other regions lacked funds and facilities. It was only at the LRPT level that team leaders and member agencies resembled administrative unity as envisioned (the team leader was recognized as the administrator of the team by its members). However, it was at this level that the lack of coordination of the upper level agencies was most felt. Since the teams are the core of all land reform activities and the ultimate end of all policies and instructions, the inconsistencies and disregard for standard operating procedures by higher level authorities all ultimately disrupt team operations. The physical separation of land reform agency offices at higher levels of LRPA and the persistence of traditional attitudes in regard to agency independence caused confusion in the administration, supervision and management of land reform activities which will be discussed later.

In one instance in Laguna (a proclaimed leasehold area) an agency head reprimanded his personnel for using Land Reform name plates rather than agency name plates. This also occurred in land reform areas in Pampanga, Nueva Ecija and Zambales, clearly reflecting agencies' tendency to retain traditional organizational structure. Other aspects of land reform operations were also affected. Policies and standards already approved and adopted by the Council were often not enforced.

Administrative Control and Supervision

One of the most effective means of control in any program implementation is financial. As mentioned earlier, agencies under the LRPA had maintained absolute control of their respective budgets. Various chairman-administrators of the LRPA were charged with administering and supervising land reform operations, but the financial system outlined above favored individual control over agency personnel and was utilized by agency heads to retain traditional power and authority over personnel.

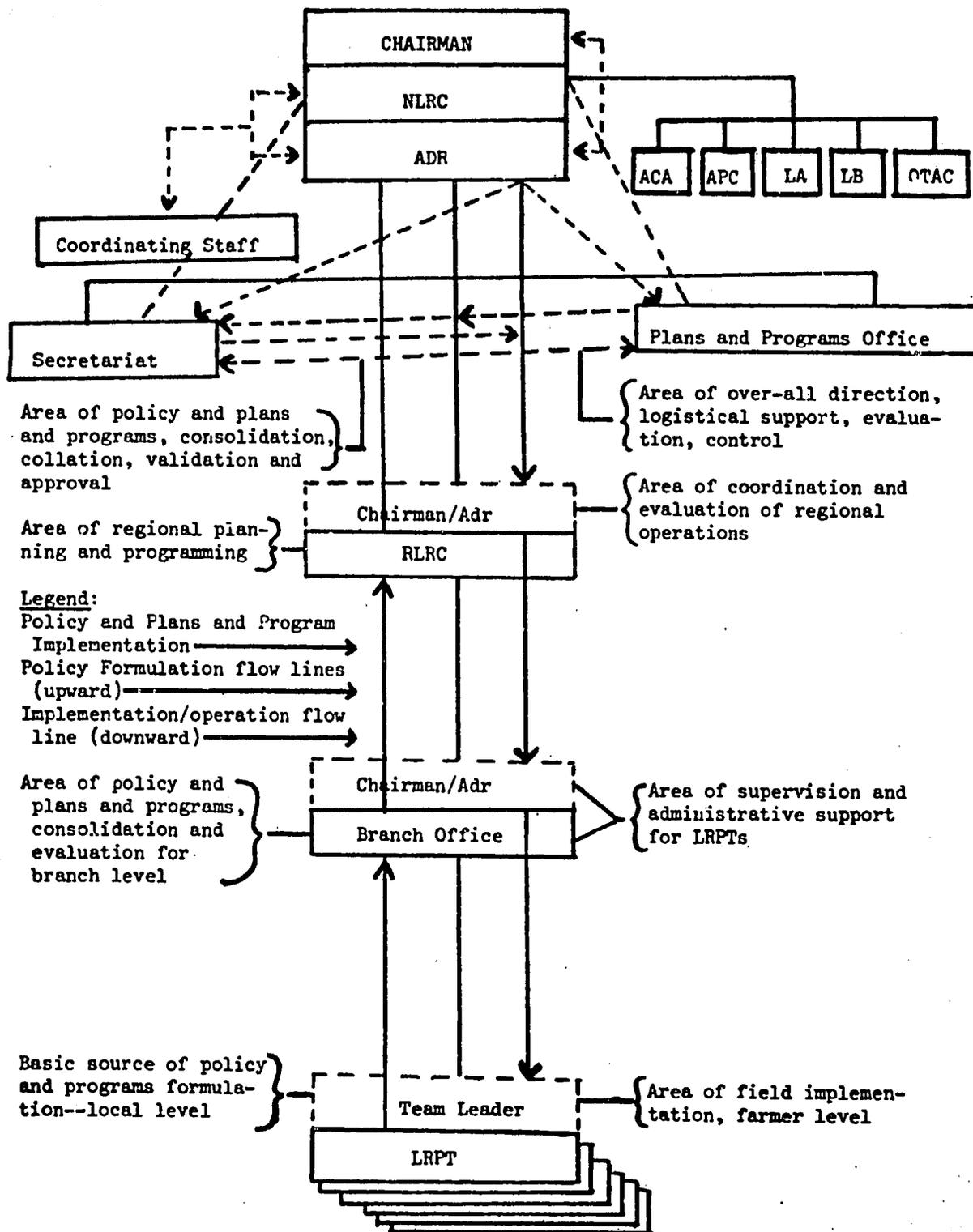
Chart V reflects the channels of communication established for the LRPA units. Responsibility for carrying out LRPA programs is vested in RLRC within a region, in BLRC within a province and in LRPTs within a municipality or district. The RLRC receives direction from and reports to NLRC, which in turn directs and receives reports from the BLRC. The LRPT, on the other hand, gets direction and reports to the BLRC. The representative of the LA at each level assumes administrative control in order to insure coordination on each project. This scheme of unified administration has faltered in actual program operation.

A survey [24] of 12 LRPT teams conducted by an evaluation group composed of division chiefs of the programs and evaluation officers from land reform member agencies revealed practices inconsistent with established policies.

Contrary to official policy, the findings showed that all teams received both verbal and written instructions from various land reform member agencies. Official channels of communication were ignored. Some of these unofficial instructions were inconsistent with programs approved by NLRC (the governing body of the LRPA), resulting in confusion at the team level.

CHART V

THE LAND REFORM PROJECT ADMINISTRATION (LRPA)-FLOW CHART



In the same survey it was revealed that LRPT's were required to submit many different reports, many of which were repetitious and wasted time, effort and materials already in short supply.

Office Supplies, Materials and Equipment

The unified administration which gave administrative responsibility to the LA apparently delegated responsibility without authority. This resulted in many problems. For example, each team in one district (the second district of Pampanga) was assigned one motor vehicle; however, the vehicles were not maintained because none of the member agencies was willing to shoulder the expenses for gasoline, spare parts and repair.

The same problem existed in the distribution of supplies and materials. For example, when teams were reprimanded for not completing required monthly reports, they usually cited the lack of report forms and essential office supplies (such as typewriters) in their defense.

Personnel Administration

One of the most important policies in the newly integrated administration regards personnel. Executive Order No. 75 [21] was explicit in its provision that the LRPA

...shall be considered a single organization and that the personnel complement of the member agencies including the legal officers of the office of the Agrarian Counsel ... shall be regarded as one personnel pool from which the requirements of the operations shall be drawn and subject only to civil service laws, rules and regulations, persons from one agency may be freely assigned within the LRPA when the interest of the service so demands.

Evidently, the above clause was intended to facilitate the integration of all personnel. This policy, however, was never carried out. Instead, by retaining budgetary control, agency administrators tended to increase power and authority over their personnel, encouraging loyalty to the mother agency rather than to the Committee (NLRC, RLRC, BLRC) as the law intended.

Recruitment of Personnel and Promotions

Recruitment and selection of personnel was vested in the agency head when vacancies occurred. However, agency heads tended to base personnel decisions more on personal commitments than on program needs. Again, they were aided in this by their budgetary independence. Such practices were obviously inconsistent with the policy cited above establishing a single personnel pool. 217 Interference of other agency heads in personnel matters was not tolerated or encouraged.

Problems inherent in this system can be demonstrated by the following example. When the NLRC placed LRPTs in Central Luzon, there was a shortage of positions for team leaders and extension supervisors. Therefore, the NLRC, after some debate, selected field technicians as acting team leaders (normally under the supervision of LA) and acting extension supervisors (usually staffed through APC). These acting team leaders and extension supervisors continued to receive the lower salary of farm management technician as per their original appointment. When funding for these positions finally became available, the agency heads did not appoint incumbent personnel in the higher paying positions, positions which they were in fact already filling. Instead, they appointed newcomers to newly created LRPTs rather than give priority consideration in their budgets to the acting staff on old teams. This problem has arisen many times due to the limited managerial positions funded each year as compared to the number of LRPTs organized.

This experience resulted in the creation of an evaluation system for the selection and recruitment of personnel for specific positions. Written examinations and oral interviews were adopted by the NLRC along with evaluation units of member agencies for this purpose.

As of May 1971 the total fielded land reform personnel were as follows (Table III):

TABLE III 177
TOTAL LAND REFORM PERSONNEL BY AGENCY AND COMMITTEE LEVEL

Agency	Committee Levels			
	Region	Branch	LRPT	Total
Land Authority	78	95	188	361
Agricultural Productivity Commission	17	63	1,258	1,338
Agricultural Credit Administration	18	29	132	186
Office of the Agrarian Counsel	15	24	37	76
Total	128	211	1,615	1,961

The envisioned promotional system in Executive Order No. 75 likewise did not materialize. Again, agencies involved sought to retain their traditional structures and tended to limit ranking of personnel for promotion. The creation of LRPTs within the land reform areas provided opportunities for farm management technicians of APC to be promoted to the position of team leaders and extension supervisors, yet home management technicians and rural youth officers complained of being discriminated against by their own mother agencies for being assigned to LRPTs. This discrimination, which caused a growing concern among field technicians, created divisions between personnel who were promoted and those who were not. At several conferences LRPT personnel in Pampanga, Nueva Ecija, Bataan and Zambales complained about the lack of concern shown by their mother agency supervisors, particularly APC. The supervisors likewise claimed they were not recognized and welcomed by their own agency personnel during a conference held at the PPO-NLRC prior to the survey.

Assignment and Transfer of Personnel

Agency representatives are assigned to committees and teams by agency administrators who submit names for assignment and transfer to the NLRC. In practice these names were based on recommendations of provincial and regional administrators of various agencies who tended to submit names of personnel they disliked. The NLRC-LRPA Chairman-Administrator issued a special order concerning this practice, but the order has often been disregarded. Agency administrators at the provincial and regional level have continued to transfer and re-assign their personnel without sanction by the NLRC. In Samar and Pangasinan provinces, this abuse has led to complaints by team leaders. In other places (Nueva Ecija and Pampanga) some technicians did not comply with the special order but not one disciplinary measure was taken.

Salary, Compensation and Allowances

Although the integrated approach to the implementation of land reform is necessary to coordinate support functions needed to achieve the outlined objectives in the code, the close relationship of the members also has created an administrative problem, particularly at the team level. The physical closeness of the team members provided them with an opportunity to compare salaries, allowances and support received from the respective mother agencies. APC field technicians,* work horses of the entire LRPA organization and the most numerous and lowest paid personnel at the team level, became the most dissatisfied and demoralized group. A technician receives an average of ₱ 236.00 per month (a statistician receives

*Field technicians include farm management technicians, home management technicians, rural youth officers, and personnel who provide the extension education services.

₱ 286.00 per month). Among APC personnel the extension supervisor gets the highest salary of 386.00 pesos per month, still the lowest salary received by the ACA representative at the team level.

Differences in salary are further accentuated by extreme differences in allowances provided by the individual agencies. ACA has provided its personnel regularly with monthly travel allowances of at least ₱ 120.00 while LA and CTAC representatives were reimbursed only for very limited travel expenses. In a survey conducted among LRPTs, team leaders expressed concern over not being given sufficient travel allowances. The APC personnel were the most dissatisfied group, for in addition to very low salaries the agency has not provided its personnel with adequate travel allowances, even though APC functions mainly in the field with much travel from one area to another. Consequently, job performance has been affected.

ACA representatives also receive monthly living allowances. None of the other land reform agencies provides its personnel with such allowances; hence, ACA became an object of envy among field personnel. As a result, APC field technicians took every opportunity to seek transfer to positions under ACA. Because of this APC has lost its best personnel to other offices and has become only a training ground for new college graduates. Many APC personnel managed to get positions not only in ACA but in private firms as well.

Land Reform Support Services

Under the Land Reform law the LA provides for administrative personnel to support the land reform program. The independent budget system, however, has made this ineffective. Consolidation of land reform agencies has in practice been effective only at the team level, and even there

traditional influences have effectively neutralized administrative contributions of LA representatives.

In a survey conducted on 12 teams, team leaders were found to have no control of OTAC and ACA personnel assigned to the team. Control has been retained by the respective mother agency. OTAC in particular has assigned very few legal advisors to the teams despite numerous requests for legal services. As of May 1971 [17] there were only 37 legal officers assigned to LRPTs. Legal services have thus been extremely inadequate at the team level, with the result that tenants are afraid to initiate the shift from share tenancy to leasehold. Much of the slow progress in the conversion process can be attributed to this scarcity of legal personnel at the team level (see Table IV).

TABLE IV [17]
PROGRESS ON LEASEHOLD CONVERSION

	Fiscal Year 1964-1971				Total
	<u>1964-68</u>	<u>1968-69</u>	<u>1969-70</u>	<u>1970-71*</u>	
1. No. of Leasehold agreements registered	3,729	2,470	1,961	1,991	10,151
No. of Lessees involved.	3,229	2,403	1,920	2,404	9,956
2. No. of Leasehold agreements pending registration	1,219	2,044	1,242	171	4,676
No. of Lessees involved.	1,196	2,013	1,199	201	4,609
3. No. of Oral leasehold agreements.	5,414	8,318	4,931	13,700	32,363
No. of Lessees involved.	5,351	7,495	4,871	14,393	32,110
TOTAL Agreements	10,362	12,832	8,134	15,862	47,190
TOTAL Lessees.	9,776	11,911	7,990	16,998	46,675

*July, 1970 to March 1971.

In the process of conversion from share tenancy to leasehold, ACA should be able to assume the traditional landlord role of providing credit for all purposes. A penniless tenant farmer needs capital to operate the farm and to pay the fixed rental. However ACA was only authorized to provide for the production loan. Furthermore, ACA, like any organized credit agency, had numerous qualifying requirements. It could neither provide loans for all farmers nor assume a landlord role by providing the basic necessities of life for tenant families. ACA had to operate like any business enterprise so as to protect its investments. Even if bureaucratic obstacles were removed, the government could not meet all the credit needs of the farmers because of a lack of funds. These limitations, plus the red tape common to any bureaucratic organization and the LRPA administrative problems mentioned earlier, adversely affect the implementation of the program. Feelings of insecurity among farmers prevented many tenant farmers from shifting from share tenancy to leasehold. Tenant borrowers of ACA loans refrained from paying back their loans for fear of not being able to get another loan in time for their next crop. LRPT field technicians in Pampanga revealed to this writer that because of ACA's failure to release production loans on time, farmers had to secure short term loans from private money lenders. In some cases, field technicians purposefully withheld loan repayments submitted by farmer-borrowers to ensure that farmers would get the loans back in time for their next crop needs. The technicians were afraid of being blamed by the farmers if they failed to get the production loans on time. Thus, it is not surprising to find that together with expanding land reform operations, loan releases increased while loan repayments decreased from 1964 to 1971 (see Table V).

TABLE V /17/
SUPERVISED CREDIT ASSISTANCE

Fiscal Year 1964-1971

<u>Fiscal Year</u>	<u>Farmers Assisted</u>	<u>Area Involved (Hectares)</u>	<u>Total Loan Released</u>	<u>Total Repaid (pesos)</u>	<u>Percent Repaid</u>
1964-65	805	2,246.60	129,879.80	69,533.33	53.5
1965-66	4,539	13,546.35	805,526.57	563,191.20	70.0
1966-67	7,877	20,672.00	1,546,004.47	934,245.60	62.0
1967-68	11,328	32,647.10	4,104,996.95	1,736,854.35	42.4
1968-69	22,010	71,058.29	10,685,925.03	5,083,001.58	47.5
1969-70	40,488	133,140.71	19,995,109.15	8,326,508.58	41.7
1970-71	14,930	54,127.04	8,591,148.41	1,745,492.61	20.3
TOTAL	101,937	327,438.09	45,858,490.38	18,458,827.05	40.25

The average loan per farmer increased from ₱ 160.50 in 1964 to ₱ 575 in 1971.

The link between government and peasant is the field technician, who provides for extension services. In the farmers' struggle for ultimate land ownership, they need many support services to enable them to shift through subsequent stages. To enable farmers to pay for rental and the production loans provided by ACA and improve their standard of living, farmers must increase production and income. Later the farmer will have to pay for land amortization, when expropriation and redistribution occur. Throughout this process farmers are dependent on field technicians' guidance in farming and home practices. Thus, the educational role of extension services in land reform operations cannot be underestimated. Extension activities, however, have been seriously affected by inadequate salaries, travel allowances, office supplies and materials, personnel training, and generally low morale.

Scope of Land Reform Operations Proclaimed leasehold areas were centered primarily in palay (unhulled rice grain) and corn tenanted farms. These priority areas for leasehold operations were areas where continuous peasant restlessness prevailed even during the early 1930s. In addition, the land reform code specifically excludes export crops, which are governed by separate laws. The scope of land reform operations since 1964 is shown in Table VI below.

TABLE VI [17]

TOTAL COVERAGE OF THE PHILIPPINE LAND REFORM PROGRAM

Fiscal Year 1964-71

<u>Fiscal Year</u>	<u>Province</u>	<u>Municipalities</u>	<u>No. of Palay Farmers</u>	<u>Palay Area Hectares</u>	<u>No. of Palay Farmers who are Tenants</u>	<u>Area in Hectares Operated by Tenants</u>
Philippines	66	1,506	1,041,882	3,112,131.0	421,946	952,578.5
1964-65	7	12	14,514	35,253.8	10,626	27,653.4
1965-66	9	14	16,790	37,926.1	11,562	28,790.8
1966-67	10	26	32,941	84,831.7	22,436	59,912.8
1967-68	10	48	74,819	194,127.0	54,134	140,201.2
1968-69	12	133	165,749	377,989.7	112,935	258,257.8
1969-70	16	154	195,188	457,770.0	125,352	286,741.9
1970-71	20	234	292,469	718,912.5	173,568	385,252.5
Percent	30.30	15.67	28.07	23.66	40.13	40.88

Corn Farm Coverage

<u>Fiscal Year</u>	<u>No. of Corn Farmers</u>	<u>Corn Area (Hectares)</u>	<u>No. of Corn Farmers who are Tenants</u>	<u>Area in Hectares Operated by Tenants</u>
Philippines	378,807	949,266.2	174,999	273,974.1
1964-65	67	138.4	38	72.3
1965-66	154	304.5	77	150.5
1966-67	254	361.5	154	315.7
1967-68	1,017	2,485.4	552	1,058.7
1968-69	2,051	4,540.4	1,125	2,222.5
1969-70	18,363	58,484.9	6,952	20,186.6
1970-71	22,363	69,139.4	8,635	23,025.3
Percent	5.90	7.25	4.95	8.39

As of the 1970-71 fiscal year, leasehold proclaimed areas covered only 20 provinces, or 30 percent of the total number of provinces in the country. Of course, leasehold operations do not cover entire provinces, but only specific municipalities. Those covered by leasehold proclamations in 1970-71 number 236 out of a total of 1,506 municipalities.

According to the Philippine census 1960 107, 53.15 percent of all farmers are palay farmers; their land constitutes 40.40 percent of the total farm area. A total of 40.57 percent of these palay farmers are share tenants working on 30.60 percent of the palay farm area. Current proclaimed leasehold areas cover 40.13 percent of palay share tenants and 40.88 percent of the area they farm.

Corn farmers represent 17 percent of all farmers. Their land represents 12.2 percent of the total farm area for all crops. A total of 46.19 percent of corn farmers are share tenants, working on 28.86 percent of the corn farm area. Present leasehold operations cover only 4.95 percent of corn share tenants and 8.39 percent of the area they farm. The limited land reform operations in corn areas compared to palay areas is attributed to the priority given to areas where peasant unrest has existed.

PART IV: SUMMARY AND CONCLUSION

Agrarian problems in the Philippines, characterized by the concentration of land ownership in the hands of the few, developed during colonial rule and later via land policies which encouraged land grabbing and exploitation of those who did not understand the law. Out of this situation, a power structure developed. A small group of people with social and economic advantages maintained their leadership role. Since

only this group could afford to educate their children, they were able to perpetuate their power, authority and control over the people.

This authority permeated all aspects of Philippine society. As big land owners, the elites controlled the legislative body, and thus influenced land reform laws. This explains the weak land reform policies in the Philippines.

The objectives of the present land reform program in the Philippines are not limited to changes in land ownership nor regulation of tenurial relationships. They also provide for related measures essential to the successful implementation of the land reform program. Essentially, these measures provide a unified and centralized administration to formulate policies, and implement programs and projects. The law created, reorganized, and renamed agencies to provide support services such as legal, credit, extension, cooperative development and financing. Each agency was also provided with the necessary administrative services.

At present the critical factor in the land reform program is program administration. The integrated, unified administration under LRPA is composed of several agencies, each with specified functions and separate, independent budgets. The complex interaction between these agencies as envisioned by the law has yet to be attained. The Land Reform Project Administration Chairman-Administrator has referred to this problem, as has the Plans and Programs Office and the NLRC. PPO criticisms of the existing program include the following:

1. A unified program implementation has been slow because agencies have retained their independence over their respective resources. In addition, many land reform agencies also serve other programs, thus weakening their efforts on behalf of land reform;

2. Program planning and project preparation has often not been effective because LRPTs, the lowest field units, are not able to initiate programs;

3. There is an inadequate number of OTAC legal officers to handle leasehold rentals.

It can be concluded that there has been a widening gap between the declared policies of the law and its actual implementation. This conclusion is in accordance with the Joint FAO/ECAFE ILO Seminar Report on land reform implementation in Asia and Far East, which stated:

...This has been due in some cases to a lack of political will to support its implementation, but has been due as often to an inadequate appreciation of the complex and sensitive nature of the program, and a constant failure to fashion administrative organizations and procedures as well as adequate supporting institutions and services for its effective implementation...

The resources for land reform have always been limited, but even with present available resources program implementation could be further accelerated by a more effective administrative machinery.

In this study several hypotheses have been presented aimed at effective administrative implementation of the Philippine land reform program. These include:

1. Land reform agencies should be reorganized and placed under a single authority in a comprehensive department. This recommendation had been proposed for legislative action.

2. The secretary or head of the Department of Agrarian Reform should have administrative control and supervision over all land reform agencies. Personnel assuming delegated responsibility should be provided with corresponding authority and support.

3. An efficient personnel system with a goal of maximum personnel efficiency and satisfaction must be developed and applied to all land reform personnel without discrimination.

4. Efficient coordination of all support services is a basic necessity in effective implementation of any land reform program. The failure of even one agency to perform its function adequately affects the entire program.

APPENDIX I

ALPHABETICAL LIST OF LAND REFORM AGENCY ACRONYMS

- ACA Agricultural Credit Administration. Member agency of LRPA. Provides credit facilities for agricultural production.
- APC Agricultural Productivity Commission. Member agency of LRPA. Provides information on agricultural technology, home-making skills, formation of cooperatives, and training of local leadership.
- BLRC Branch Land Reform Committee. Supervises land reform operations on a provincial or sub-provincial level. Governs LRPT units within its jurisdiction.
- LA Land Authority. Member agency of LRPA. Responsible for land acquisition and distribution.
- LB Land Bank. Member agency of LRPA. Finances purchase of private agricultural land recommended for expropriation by LA.
- LRPA Land Reform Project Administration. Funnel services to agricultural sectors. Consists of five member agencies (LA, LB, ACA, APC, and OTAC).
- LRPT Land Reform Project Team. The lowest administrative unit. Carries out land reform operations in the field.
- NLRC National Land Reform Council. Governing body of LRPA. Sets and coordinates policy.
- OTAC Office of the Agrarian Counsel. Member agency of LRPA. Acts as legal counsel to the NLRC. Provides legal assistance to agricultural lessees and owner-cultivators.
- PLRCCE Philippine Land Reform Center for Continuing Education. Assists the NLRC Secretariat in its training programs for land reform personnel, peasant groups, and landowners.
- PPO Plans and Programs Office. A staff office assisting NLRC.
- RLRC Regional Land Reform Committee. Supervises regional (multi-province) land reform operations.

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