

# Land Rights for Filipino Women

## The View from Below

by Jeanne Frances I. Illo  
and Rosalinda Pineda-Ofreneo

*La lutte pour le droit à la terre des femmes de communautés rurales des*

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*Philippines est très récente et elle comprend des groupes très diversifiés qui travaillent parfois indépendamment l'un de l'autre. Cet article se penche sur deux de ces organismes de femmes qui, à cause de leurs efforts, ont obtenu une politique compréhensive de réformes agraires aux Philippines.*

The call for land rights for rural women is a fairly recent one, not even a decade old. It first reverberated within organizations of peasant women, and was echoed in the coalitions they formed together with peasant men. Women's equal rights to ownership of the land as well as to equal shares of the farm produce found recognition in the "people's agrarian reform program." Insistent pressure from nongovernmental organizations (NGOs) and people's organizations, resulted in Republic Act 6657 otherwise known as the *Comprehensive Agrarian Reform Law (CARL) of 1988*.

The struggle for rural women's land rights involved different groups, sometimes working independently from each other (Illo 1988). At the forefront have been peasant women's organizations—principally the *Katipunan ng Bagong Pilipina* (Association of the New Filipina) or KaBaPa, and *Amihan* (literally, Har-

vest Wind). A small group of women's rights advocates, with the help of allies in government, also lobbied the government for the protection of women's land rights in the uplands. Once the legal and implementation frameworks for land distribution had been set, groups like the government's National Commission on the Role of Filipino Women and the Women in Development focal points it organized in various de-

partments, including the Department of Agrarian Reform (DAR), came into the picture (Illo *et al.* 1994). This article focuses on the experiences of two women's organizations and some results of the implementation of the Philippine Comprehensive Agrarian Reform Policy.

### The peasant women's groups

The advocacy and struggle for women's land rights was led by KaBaPa and *Amihan*. KaBaPa emerged from the peasant movement based mainly in Central Luzon. It was founded by 2,000 grassroots women in 1975. Its goals are equality, development, and peace as enunciated by the United Nations. It currently has 28,000 members and remains mainly rural based. It has reorganized its membership into specific sectors depending on their tenurial status and livelihood source. One such sector is the *Katipunan ng Kababaihang Magbubukid* (Association of Peasant Women) where the issue of land rights is a strong point of advocacy. KaBaPa, after almost two decades of existence, has outstanding achievements in the field of education and training, community-based services and projects (including consumer and production cooperatives),

and networking nationally and internationally. Its president, Trinidad Domingo, is well-respected in the broad women's movement. She was nominated to be a sectoral representative in Congress by many women's groups. She currently sits as a Commissioner in the National Commission on the Role of Filipino Women and heads the National Peasant Council.

*Amihan* was established in late 1986. It called for genuine land reform and nationalist industrialization while focusing on specific peasant women's demands, namely: recognition of their right to own land, priority to widows and single mothers in land distribution programs, just wages for women agricultural workers, protection from sexual harassment, and extension of maternity benefits and day care services. Its attitude towards the state is indicated by the fact that *Amihan* has not actively sought affiliation and working relationships with government agencies, preferring to keep its independence and to encourage peasant women to harness their own resources for development (Taguiwalo and Miralao).

Both KaBaPa and *Amihan* were active in the Congress for a People's Agrarian Reform (CPAR), a broad coalition of peasant and rural workers' organizations which existed from 1987 to 1993. During its existence, CPAR was responsible for launching *The People's Agrarian Reform Program* which stipulated that:

All women members of the agricultural labour force must be guaranteed and assured equal rights to ownership of land, equal shares of the farm's produce, and representation in the people's councils and other decision-making bodies. (Chapter VII, Special Concerns, Section 1, Rural Women)

CPAR engaged in intensive lobbying coupled with mass mobilization for agrarian reform, establishing a campaign towards the legislation of an alternative *People's Agrarian Reform Code*. Unfortunately, the campaign did not prosper. There was not enough push from the ground. After several years of operations, CPAR folded up in 1993, its members agreeing to part ways amicably in recognition of irreconcilable differences in approach, principally as regards relations with government. Nevertheless, as individual organizations within and outside CPAR, both KaBaPa and Amihan have long experience in advocating and struggling for women's land rights.

### Experiences with the Agrarian Reform Program

Groups, like KaBaPa, that wish to engage the government in their struggle for women's rights can invoke legal provisions that seek to protect women's claims to land. The Philippine Constitution recognizes the fundamental equality of women and men before the law. The principle of gender equality is likewise affirmed in new codes and laws. After intensive lobbying by different women's groups, the *New Family Code* affirmed women's rights to own property and to contract employment and credit without their husbands' consent (Illo *et al.* 1994). Meanwhile, in the uplands, Administrative Order No. 4, Series 1991 of the Department of Environment and Natural Resources, grants stewardship certificates to land under the Integrated Social Forestry Program to both spouses, making wife and husband co-stewards of the land. A recent law, the *Women in Development and Nation-Building Act*, provides equal access to resources, including credit and training. These laws, however, have yet to be fully implemented.

Under the Comprehensive Agrarian Reform Policy, a total of 10.3 million hectares of land is programmed for distribution over a ten year period. This consists of 6.5 mil-

lion hectares of public alienable and disposable lands as well as Integrated Social Forestry Program areas to be distributed by the Department of Environment and Natural Resources. In addition, 3.8 million hectares of private agricultural lands and resettlement areas are to be distributed by DAR. Between 1987 and 1992, DAR has, in fact, already distributed a total of 1.07 million hectares, or 28 per cent of its scope.

Two land-ownership instruments are distributed by DAR under the agrarian reform program: emancipation patents and certificate of land ownership agreements. As of 1992, DAR had distributed about 363,277 hectares of agricultural land only ten per cent of which have gone to women. This land distribution is covered by 270,096 emancipation patents, eleven per cent of which have been issued to women beneficiaries. With 18 per cent of all certificate of land ownership agreements being awarded to women, relatively greater numbers of women have benefitted from these agreements than from emancipation patents. Nonetheless, women continue to receive a lower share of total land distributed.

Despite claims to gender equality, therefore, laws have been unable to protect or promote women's rights to land. KaBaPa has pointed to a disabling provision that limits women

women in decision-making bodies, such as the Provincial Agrarian Reform Coordinating Committee, has likewise imperiled women's chances of gaining control over land. The experience of *Amihan* with local DAR offices underscores this point.

... *Amihan* members in Mindoro attempted to occupy 110 hectares of abandoned land, hoping to make it productive. But right away, women were given the runaround by government officials when they tried to get data about the land they occupied. The women were even asked to present video documentation that they really were farmers.

In the Boncoc Peninsula, on the other hand, tenant farmers belonging to an *Amihan* chapter are still trying to have a 166-hectare hacienda tilled in their names under the CARP compulsory acquisition scheme. Here again, government officials have not been fully cooperative. When the hacienda was declared eligible for compulsory acquisition and redistribution to farmers, members of the *Amihan* trooped to the Municipal Agrarian Reform Office to be registered as beneficiaries. An amazed officer queried: "Where are your husbands?" The women angrily re-

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beneficiaries only to "qualified women members of the agricultural labour force," a phrase that has been interpreted to mean actual tillers. Trinidad Domingo asks: what about the women who manage and do farm work other than tilling? This and similar questions continue to plague women's land rights activists.

The low level of representation of

plied: "What's the matter, aren't we entitled to benefit from land reform? We work on the land ourselves, and shoulder a major part of the burden when expenses have to be paid." So far, only two *Amihan* members—both widows—have been allowed to register under the program. (Oliveros 1991)

KaBaPa has had one test case for claiming women's land rights. This involves some 350 hectares of former sugarcane land in Lubao, Pampanga, which was abandoned by absentee landlords who had gone abroad. The former sugar workers cultivated the land, planted vegetables, corn, and finally rice. They were harassed by the military, and some peasant leaders were killed or tortured. The men began to lie low. It was the women who pursued the struggle to claim the land which reached a high point in 1988. The women leaders held dialogues with DAR officials and were even referred to the Department of National Defense, then headed by the current President Fidel Ramos. Both the DAR central office and the Supreme Court decided in the women's favour, saying they should be recognized as leaseholders who have first claim to the land. The problem was that the landowners refused to give the women this recognition. They were thus forced to deposit their share of the harvest in the bank. The women are confident, however, that they will finally get the land and when they do, they will make sure that women's names will appear as owners, either jointly or separately.

The problems concerning land rights do not reside only with the state and/or its functionaries. Some are rooted in gender relations within the family. *Amihan* has pointed out that the call for recognition of the women's right to land must be complemented by a call to democratize the family (Oliveros 1991). Husbands' resistance, monopoly over decision-making, and sometimes even violent assertion of male power through wife beating, constitute formidable obstacles to women's empowerment.

*Amihan* leaders believe that the key is organizing and raising the awareness of men as well as women. Sometimes, they complain, organized men feel threatened and prevent women organizers from doing their work. They also have differences with male-dominated peasant organizations over how land will be distributed because

some male leaders still insist on family-based distribution through the male head of household (Oliveros 1994).

As the stories of the two peasant women's groups show, the struggle goes on in many arenas. In claiming their share of the land, rural women not only have to deal with landowners and the state, but also with the men who refuse to recognize their rights. Depending on the context, tactics can range from confrontation to negotiation and persuasion. At all times, however, vigilance is required. Vigilance does not stop with writing women's right to land into law, but continues with ensuring that women's rights to land translate to deeds and effective control of the land.

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