

A reaction paper on the calatagan farmer assignment



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That's why President Marco's implemented the PDP 27 or The Land Reform Program of the Government, enacted on October 21, 1972, tells that restricted land reform scope to tenanted rice and corn lands and set the retention limit at 7 hectares. The intention of President Marco's is to free the tenant farmer from the bondage of landlords. When this law was implemented tenants are so glad because owning a piece of land is a lifelong dream achievement for them. Like in the case of the 318 tenants in Bah and Taliban Callaghan Municipality, Baticoras Province where 818 land titles were issued to them covering a total of 507 hectares.

The Callaghan farmers were promised to have the land if they can successfully cultivate and prosper it for 10 years under the land reform program of PDP 27. The 507.87 hectares that should be distributed to the 318 tenant farmers of Barraging Bah and Taliban Callaghan Baticoras, met the qualifications in acquiring it. After 10 years, they were able to pay the land amortization to the government and able to send their children to school and feed their families. In effect, the 318 farmers should be the legal owners of the land.

But in 1995, the heir of Coffering Accuse ignored the fact that the land had already been distributed to the farmer beneficiaries and sold it to the Austria Industries, a mining firm, which was given a mining permission, the so-called Mineral Production Sharing Agreement for an area, including the land in concern. As a result, the land was reclassified from agricultural to mineral, and the same government agency which distributed the land to the tenants has cancelled the earlier land titles. The Austria industries offer the farmers 90 hectares of mostly mountainous land in Taliban and lands in

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Barraging Lay and Incarnation which are mostly not arable. They wanted to get the whole Bah for mining and their cement plant and to get the seashore for their industrial and costumers plans. Also, they are planning to build a formula 1 race track and hotels in the land. The farmers were bribed, threatened and sued to give up their lands just because they are against it. And what makes it more painful is that the Austria prayed on the miseries of the farmers, waiting for them to get sick or have a family emergency or any situation that renders the farmers in deep financial need.

Disguised as financial assistance, Austria managed to purchase lands from the farmers who are in deep financial need. Claiming that the land has become " mineralizes" and therefore " exempted" from agrarian reform, they seek to take away the gains Of the farmersj three decades Of struggle. Using every influence and power at their disposal Austria is seeking to undo what social justice has bestowed. II. Conflicts In the case of Callaghan farmers, the farmers have been fighting for their right over their lands against Austria Industries.

The farmers argued that the armbands are legally and rightfully theirs and the deed of sale between Coffering Accuse and Austria Industries is invalid because the lands were distributed to them through the Operation Land Reform Law in 1990. Also, most of them have fully paid the land amortization and have been issued emancipation patents. On the other hand, Austria Industries claimed that the land was erroneously distributed since it was never planted to rice and corn and the former land owner did not recognize any tenancy arrangement.

They also claimed that based on the Bureau of Mines Geological investigation n 1 965, the land being claimed by the farmers has always been classified not as agricultural but mineral land and the 507-hectare disputed property was acquired with the court's consent. The Department of Agrarian Reform, on the basis of a mere study of the Bureau of Mines and an ocular inspection that is 1 0 years too late has decided to nullify the coverage of the land that awarded them the lands they now own.

The Department of the Environment and Natural Resources has prioritize mining over food production and has given more weight to the claims of AUSTRIA INDUSTRIES rather than the sights of agrarian reform beneficiaries. The Office of the President has chosen to side uphold the convoluted and distorted decision of the DARE. The Supreme Court has chosen to interpret the laws according to the distorted and biased view of the Department of Agrarian Reform. Biased government agencies and the legal system that favors the rich took the chance of the farmers to own the lands.

There was a reclassification of land and then a cancellation of the certificate of land ownership award given to the agricultural reform beneficiaries. The government took back what they've already given and they've bended the facts and the law against the farmers. Those acts of betrayal caused the issue of injustice. 2 III. Effects Of Conflicts The direct effect of the Callaghan land dispute that is most visible and superficial in our critical thinking is the mere fact that most of the farmers engaged with this became unproductive and somewhat idle.

Idle in the sense that they were discouraged to continue enhancing the resources of the land because of the unjust result released by EDEN and DARE. Aside from that, they are considered unproductive because, instead of tilling the lands, maintaining the production and utilizing more resources, they are there in Metro Manila having their march, rally and others expressing their unexpressed feeling regarding this issue of land distribution. In the other hand, the Austria Industries was in big dilemma.

Assuming speaking, the stocks and big stockholders decreased in number in effect to the declination of corporate trust brought by this land dispute spread in national television and other media. It is because of the reason that no entrepreneur would like to engage in such malicious business. There is also an expend of a lot of time in both riveter and public institution. Atone De Manila community, the Kinsman partiality, Supreme Court took this matter attentively even though there are still more serious agrarian reform problems like the Hacienda Lawsuit which then result into horrifying massacre.

However, true enough that most of the effects are somewhat negative, we can't deny the fact that there is still a glimpse of bright light. In totality, this issue became an eye opener to show the reality of what our farmers are facing right now. To deploy the truth of how these people treat and outsmarted (victim of law manipulation and robbery). Blessing in disguise, this might be the way to solve and to improve hidden blunder of CARP. 3 IV.

Recommendations/Denouement There is no doubt that the farmers of Callaghan should be given social justice on the case, it will be hard but the government must set right this wrong.

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Give the farmers their lands back and create a better Agrarian Reform program which should truly look out for justice for our producers and the staples of our economy. The Callaghan Farmers case has already been decided by the Supreme Court. The classification Of the Austria Property as mineral land as settled by the Supreme Court in the case entitled ' Danni Anion et al vs.. Austria Chemical Industries Inc. Which became final and executors on Novo. 08, 2005. We cannot easily suggest or recommend the re-opening of the case or even to reclassify the disputed land to agricultural again.

There is no further action to be done to the case, but prior to Callaghan Farmers case there must have been social justice if the EDEN classified the land truthfully and with further explorations not merely on ocular exploration. The EDEN should have had prioritize the food production, which is the primary evildoer of the residents there, over the mining that could destroy our environment. The DARE should also have had considered the changes that could happen in the 10 years of ownership of the land beneficiaries of the Land Reform Program under P. D. 7 since the beneficiaries have already the privileges and the right to choose which crop other than rice and corn is best to plant to uplift the standard of their living.

4 V. Conclusion The Land Reform Program under Presidential Decree 27 of the late president Ferdinand E. Marco's gave agricultural lands to deserving infirmaries in coordination with the Department of Agricultural Reform (DARE) in 1972. The beneficiaries tilled and cultivated the land for ten (10) years, within those years they were able to fully pay the land amortization to the government.

After this 10-year span the heirs of the land formerly named Caffeine Accuse sold the lands to the Austria industries, this started the malice between the “Land owners” and farmers from Callaghan. The land was legally sold to the Austria industries according to the decision of the Supreme Court in 2005 which favored the Austria industries, taking the lands away from the farmers who improved it and fully paid their amortization. The DARE and EDEN including the Register of Deeds of Battings- which mysteriously failed to annotate the distribution of the land in the land title, teamed up for a total suits of the law.