



PoP 2010

Poolitikang Pinoy 2010

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Informed Engagement, Reformed Ballots

Information during elections is critical to all actors. The quality of the information provided to the public could spell the difference in the exercise of citizenship – from the casting of ballots to campaigning for a candidate to joining a political party. It has a considerable influence on voters' behavior, thereby, affecting the election turnout.

Poolitikang Pinoy 2010 or PoP 2010 is a data pooling initiative of the Ateneo School of Government (ASoG) that aims to arm the citizens with facts and data on selected critical issues relevant to the 2010 elections, which can facilitate and empower their engagement as political actors during elections. It aims to simplify and clarify the otherwise muddled-up issues by gathering important data and figures, and processing them into simple fact sheets that present crucial information that a citizen has to know in order to understand, engage and influence the development, evolution and outcome of election issues.

PoP 2010 engages four election issues that the ASoG's political democracy work is specializing on. First, through a segment entitled *Isyu-Sera*, PoP 2010 explores the reform agenda and campaign issues that should be considered in the upcoming elections. *Spotlight* highlights the candidates: who they are, what they stand for and how they run their campaigns. *Let's Party*, tackles the conduct of political parties, including the party-list groups, underscoring the significance of working parties in elections. Finally, *Beyond Pollwatching* delves into other critical areas in electoral administration where voters could be involved, thereby, introducing new forms of non-partisan electoral engagement other than poll-watching.

For its maiden issue, PoP 2010 features two articles that feature what is presented in *Isyu-Sera* as a critical campaign issue and is highlighted in *Spotlight's* profiling of the presidential candidates. This is the issue of the extension and reform of the Comprehensive Agrarian Reform or CARPER. Philippine is an agricultural country with a rich history of long unfinished struggle for land redistribution. The meaning of the upcoming elections could very well be defined by how the issue of agrarian reform is tackled by the key actors and players of elections.

Spotlight

Who wants to be President?



Ideally, anyone can aspire to be president of the country. In fact, our Constitution provides very minimal requirements for one to qualify for the post. He or she should be (1) a natural-born citizen; (2) at least 40 years old on election day; (3) a registered voter; (4) able to read and write; and (5) a resident of the Philippines for at least 10 years before the elections. To be president, one does not need a college degree. But of course, the COMELEC can still deny anyone of their presidential aspirations if he or she is deemed as a "nuisance candidate".

Being president, however, entails great power and responsibilities. The president, as well as the vice president, is sworn into office by means of an oath, which provides an overview of these responsibilities:

"I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as President (or Vice-President or Acting President) of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man, and consecrate myself to the service of the Nation. So help me God." (In case of affirmation, last sentence will be omitted.)

Furthermore, the Constitution lists the following duties and powers:

- **Executive powers.** Head the government and its day-to-day operations. The President acts as both head of state and head of government, presiding over the Cabinet and all executive departments. He or she also has supervisory powers over the local government units.
- **Executive privilege.** Give consent for (non) appearance of heads of the executive departments if summoned by Congress.
- **Executive clemency.** Grant reprieves, commutations and pardons, and remit fines and forfeitures, after conviction by final judgment. Under the Constitution, the President can pardon convicted criminals, albeit with limitations. The Arroyo administration has pardoned two high-profile convicts, former president Joseph "Erap" Estrada (convicted for plunder) and Claudio Teehankee, Jr. (convicted for murder).
- **Presidential Amnesty.** Grant amnesty with concurrence of majority of Congress, obliterating the person of the offense for which he or she was convicted.
- **Contract or guarantee foreign loans.** Has the authority to contract or guarantee foreign loans on behalf of the Republic of the Philippines. With the cooperation of the Monetary Board, the body that exercises the functions and duties of the Bangko Sentral ng Pilipinas (BSP), the President has the power to borrow money from foreign sources. Last year, according to the Department of Budget and Management (DBM), the government's funding requirement for 2009 was increased from PhP115.6 billion to PhP123.4 billion - more than half of which is provided by foreign bonds. From June to December 2008, the country's total short-term loans amounted to \$1.52 billion. This year, the DBM reported that government borrowing totaled PhP252.02 billion in the first two months alone - more than double what it had borrowed in the same period last year. By the end of March 2009, the national government owed foreign creditors PhP1.842 trillion.
- **Commit in treaty/international agreements.** Represent and decide on behalf of the country, again with the concurrence of at least two-thirds of the Senate. The highly controversial Japan-Philippines Economic Partnership Agreement (JPEPA) was signed by President Arroyo amidst resistance by various groups.
- **Power over purse.** Authorize release of the Priority Development Assistance Fund

(PDAF) or pork barrel of Congressmen. Moreover, the Department of Budget and Management, under the Office of the President, is responsible for allocating the national government budget to the different departments. Last March 12, the President signed Republic Act 9524, which states that the total budget for 2009 is at PhP1.415 trillion.

- **Power over legislation.** After the Congress has voted to pass a certain bill, they must first send it to the President for his or her approval. The President then has the power to veto the bill, should he or she find something objectionable or questionable with it. If passed by Congress, the controversial Right of Reply Bill, introduced by Senator Aquilino Pimentel, Jr., would likely be vetoed by President Arroyo should there be evidence that the bill suppresses freedom of the press.
- **Power to appoint.** With the consent of the Commission on Appointments, the President has the power to appoint heads of executive departments, public ministers and consuls, members of the judicial and bar council, and military officers, among others. However, the Constitution stipulates that the President can not make appointments two months before the next elections, up to the end of his or her term.

There are currently 32 Cabinet members in the Arroyo administration, all of whom were appointed by the President. These

Cabinet members head a different executive department each and are all serving under the Office of the President.

- **Commander-in-chief of the armed forces.** As Commander-in-chief, the President may call on the armed forces as needed in a state of emergency to ensure the safety and well-being of the citizens due to lawless violence and rebellion. This also gives the President the right to declare martial law in case of invasion or rebellion, but such a declaration must be approved first by Congress, after the President submits a report within 48 hours of declaration. In addition, the President has the power to suspend the privilege of the writ of habeas corpus or the court order which protects a person from unlawful detention.

In 2000, then President Joseph "Erap" Estrada declared an all-out war against the Moro Islamic Liberation Front (MILF) after a series of terrorist attacks resulted in a negative image of the country, endangering the economy. The 3-month war led to the fall of the MILF headquarters, Camp Abubakar, and the surrender of more than 1,500 MILF soldiers.

In 2010, we will again elect a new president. It is necessary for voters to be reminded of the qualifications, powers and functions of the president before they make their choice. They must base their votes on: (1) who can best perform these duties and responsibilities, and (2) who can trusted with such enormous powers.

USING THE POWERS OF THE POOR

One of the most significant issues that has rocked the House of Representatives recently is the passage of the bill extending the Comprehensive Agrarian Reform Program (CARPER) for another five years. After immense lobbying by CARPER advocates and rallies by farmer groups, the Lower House finally passed the bill towards the end of their session last June 3. Although authored by the members of the legislative branch, the President still has a say in what happens to the bill. President Arroyo, having significant control over the budget, can direct the allocation of funds for the program. The President also has the responsibility to appoint the secretary of the Department of Agrarian Reform, the one who is tasked to implement the law. Being a chiefly agricultural country, the welfare of farmers and their families are central to the development of the Philippines as a nation and must remain a top priority of the President.

As such, we are presenting the 2010 presidential candidates and their stand on the CARPER issue. Who have signified or hinted their intentions to run for president? As this paper is being written, these are, in alphabetical order:



Jejomar "Jojo" Cabautan Binay (Mayor, Makati City). "While the implementation of CARP needs to be reviewed, the net effect should always be beneficial to the farmers. Congress should always look after the interest of the farmers, in keeping with the Constitution."



Noli "Kabayan" de Castro (Vice President). Believes that faster and more effective agrarian reforms will give hope to millions of struggling farmers who wish to gain ownership of the land they are tilling.



Jose Marcelo Ejercito a.k.a. Joseph Ejercito "Erap" Estrada (Former President). CARP was slowly implemented under his government since he has only distributed 108,907 hectares of land, a low amount compared to President Ramos' government wherein 210,000 were distributed and President Aquino's government, which distributed 111,700 hectares.



Francis Joseph "Chiz" Guevara Escudero (Senator). Favors CARP, but it was "conditional on Congress buckling down ... and passing meaningful legislation ... correcting the shortfalls of the existing program ... [which] has not improved the quality of life of our people, particularly the beneficiaries of this program."



Bayani "BF" Fernando (Chair, Metro Manila Development Authority). He was present during the meeting called by President Arroyo, with Makati Rep. Teodoro Locsin Jr. of the Philippine Free Press, to support the extension of the Comprehensive Agrarian Reform Law (CARL) which lapsed on December 2008.



Richard "Dick" Juico Gordon (Senator). He was one of the senators who voted in favor for Senate Bill 2666, an act strengthening the Comprehensive Agrarian Reform Program (CARP), amending certain provisions of Republic Act No. 6657 otherwise known as the Comprehensive Agrarian Reform Law of 1988.



Loren Bautista Legarda (Senator). Filed Senate Resolution 449 to determine remedial measures to reform CARP. She called for a complete assessment of CARP – how much land was distributed, the government's ability to provide for the landowners' compensation and if the beneficiaries were indeed emancipated from poverty. She also urged an audit of agricultural expenditures and monitoring of the agricultural fisheries modernization program.



Eddie "Among Ed" Tongol Panlilio (Governor, Pampanga). Released a statement last December with fellow Kaya Natin! co-founders and local government officials supporting the farmers and CARPER.



Mar Araneta Roxas (Senator). "First, nobody paid the beneficiaries. Second, people sold the lands or used these lands to pay for loans. Eventually, the land is in the previous owner's possession again. The people don't have the capital needed. Even if the land title hasn't been formally settled yet, the land is long gone. We've seen how unsuccessful the program was so it's important we learn from the mistakes."



Gilbert "Gibo" Cojuanco Teodoro (Secretary, Department of National Defense). Wanted to claim the 3,100-hectare land in Laur, Nueva Ecija for Mt. Pinatubo victims so that they would be able to live and cultivate the land. CARP eventually awarded this land to farmers through the Certificate of Land Ownership Awards (CLOA).



Manuel "Manny" Bamba Villar (Senator). Supported Agrarian Reform Secretary Nasser Pangandaman's advocacy of sustaining the gains of CARP and its continued relevance to rural growth and development.

Who wants to be president? Many, obviously. But how will they fair in responding to important campaign issues? This column will hopefully help voters probe deeper into the credentials and profiles of these presidential candidates.

Positions on CARP taken from <http://www.dlsu.edu.ph/offices/cosca/2010/carp.htm>, except for Sen. Dick Gordon and Gov. Ed Panlilio.

10 REASONS WHY CARP SHOULD BE A CAMPAIGN ISSUE

On the last session day of the House of Representatives before it went on sine die adjournment, House Bill 4077 or the bill extending the Comprehensive Agrarian Reform Program (CARP) for another five years passed the third and final reading, with a vote of 211 congressmen in favor, 13 against and 2 abstentions. The Senate also did the same, passing Senate Bill 2666, with 12 senators voting in favor and 2 abstentions.

The original CARP, which was supposed to be completed in 10 years, was not completed by 1998, and was re-funded and extended for another 10 years until June 2008. Experts say that under-funding on the part of the legislature, lack of commitment on the part of the executive, and delaying tactics on the part of landowners led to another extension of six months until December 2008, after which there was another six-month extension up to June 2009.

Aside from extending the program for five more years, the proposed CARPER (CARP with Extension and Reforms) Law restores the provision that allows the “compulsory acquisition of lands” and allocates budget for land acquisition and distribution, support services, agrarian justice delivery and other funding requirements. The Senate bill allocates a budget of PhP147 billion to fund the extended five-year program, while the House version allocates only PhP 100 billion. As of press time, both chambers of Congress still has to agree on the final version of the bill.

CARP is an important issue that needs to be raised to the aspiring candidates for the 2010 elections. Strong commitment from the next administration and political will are required to pursue its proper implementation in the next five years. Below are at least ten reasons why CARP should be a campaign issue.

1. The Philippines, like many Southeast Asian countries, is an agricultural country. Out of its 30 million hectare land area, 47% is agricultural, with 13 million hectares being used for cultivating rice, corn, coconut, sugarcane, industrial crops, root crops, fruits and other products that are of value for local consumption and trade.

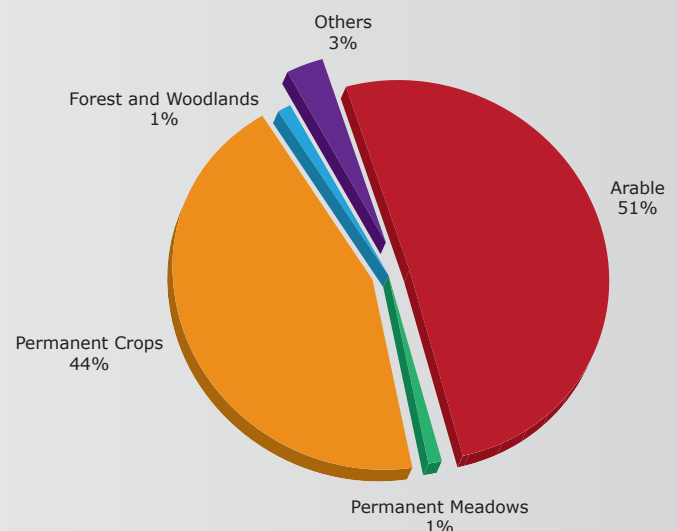
2. With a large agricultural sector, our national government does make substantial investments in our rural economy, as shown by the expenditures from 2005 to 2007. According to a World Bank study on Philippine agricultural public spending, our public spending for agriculture pales in comparison to those of our Asian neighbors such as China, India, Indonesia and Thailand.

3. Agricultural productivity needs to be raised. Agriculture accounts for only 19.7% of the total GDP for the first quarter of 2009. This is small considering the large labor force in the agricultural sector as well as the land area devoted to agricultural crops.

4. Land balances need to be accomplished. Data from the Department of Agrarian Reform (DAR) indicate that as of December 2008, DAR has distributed 80% or 4.1 million hectares of land out of the 5.1 million hectares for distribution; 1 million hectares remain undistributed. The Department of Environment and Natural Resources (DENR), on the other hand, has reported an 80.9% accomplishment in land distribution as of December 2006, distributing 3.05 out of 3.77 million hectares of land.

5. Land distribution should be intensified. On the average, less than 100 hectares of land per year were distributed from 2001 to 2006. With this slow distribution rate, another five years is not enough to give out the remaining land balances, amounting to more than 1 million hectares of land.

Distribution of Agricultural Area by Type of Utilization



Source: Bureau of Agricultural Statistics

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For comments and suggestions email political_democracy@yahoo.com.

Expenditures in National Government and Agriculture Philippines, 2005-2007

Item	2005	2006	2007
NATIONAL GOVERNMENT (million pesos)	947,554	1,044,827	1,126,139
AGRICULTURE (million pesos)	25,939	38,711	35,553
AGRICULTURE TO NATIONAL GOVERNMENT RATIO (%)	2.74	3.71	3.16

Description: For the past years, less than 4% of the central government's budget is spent on agriculture.

Source: DBM

Gross Domestic Product Share by Sector at Constant Prices

INDUSTRY/INDUSTRY GROUP	Q1 2008	Q1 2009	Growth Rate (%)
AGRI.FISHERY,FORESTRY	64,401	65,784	2.1
INDUSTRY SECTOR	104,152	101,941	-2.1
SERVICE SECTOR	164,337	166,651	1.4
GROSS DOMESTIC PRODUCT	332,890	334,376	0.4

Source: National Statistical Coordinating Board

LAND DISTRIBUTION AND LAND BALANCE

Land Acquisition and Distribution from January 2001 to June 2006 (Area in Hectares)	456,549
Average land distribution per year from January 2001 to June 2006* (Area in Hectares)	84,234
Land Balance (Lands haven't been distributed)	1,057,217

*5 years and 5 months

Source: Table of Land Acquisition and Distribution by Region and Administration (Area in Hectares) and Table of Lands Distributed by Region (in Hectares), Department of Agrarian Reform Website (www.dar.gov.ph)

6. As previously mentioned, millions of Filipinos earn their keep by doing agricultural work. The 2002 Scenario of the Agriculture Sector in the Philippines Survey released by the National Statistics Office (NSO) in March 2005 estimates that of the country's total population, 5.5 million household members are engaged in agricultural activities. Similarly, the 2009 Labor Force Survey (LFS) of the NSO released last January reveals that out of the 34.3 million persons employed, 11.9 million are in the agriculture sector.

7. Completion of land distribution will benefit more people. With the roughly 4.1 million hectares of land distributed so far (as per DAR figures), there has been a total of 2,385,130 agrarian reform beneficiaries (ARBs). Distributing the remaining land balance will increase the number of ARBs, thereby providing better life to more farmers.

NUMBER OF AGRARIAN REFORM BENEFICIARIES 1972 to December 2008

1972 – 1998*	1,583,324
1999 – 2000	166,786
2001 – 2008	635,020
TOTAL**	2,385,130

* Adjusted figures

** For validation

Source: Land Distribution, Number of Farmer-Beneficiaries by Region, Department of Agrarian Reform Website (www.dar.gov.ph)

8. CARP is part of the solution to poverty. Several empirical studies show that when properly implemented (i.e. when land acquisition and distribution is accompanied with the delivery of quality support services), CARP has positive impacts on its beneficiaries such as reduced poverty incidence, greater productivity, higher incomes and more livelihood opportunities.

9. There is still a significant number of landless workers. According to a study, the number of workers without a land of their own has been increasing over the years, from 2.16 million in 1988 to 2.84 million in 2006. 8% to 10% of these landless workers work in agriculture.

10. Out of 22,160 victims of agrarian reform and human rights violations from 2001 to 2009, 55 farmer-leaders, agrarian reform petitioners and beneficiaries have been summarily executed, the latest being Ka Rene Peñas of Sumilao, Bukidnon. According to the Partnership for Agrarian Reform and Rural Development Services Inc. (PARRDS), most of these cases, if not all, remain unresolved or unpunished.

PERCENTAGE BREAKDOWN OF THE ESTIMATED 34.3M EMPLOYED PER- SONS AS OF JANUARY 2009, PER SECTOR

Services Sector	51.2%
Agriculture Sector	34.6%
Industry Sector	14.2%
TOTAL	100%

Source: National Statistics Office (NSO) Labor Force Survey, January 2009. Accessed through www.pinoypress.net

NUMBER OF LANDLESS WORKERS, 1988 and 2006

YEAR	NUMBER OF LANDLESS WORKERS	PERCENTAGE OF LANDLESS WORKERS IN AGRICULTURE	NUMBER OF LANDLESS WORKERS IN AGRICULTURE
1988	2,155,754	9.68	208,677
2006	2,837,655	8.55	242,620

Source: Access to Land and Rural Development in the Philippines by Carlos O. Abad Santos, Center on Integrated Rural Development for Asia and the Pacific (CIRDAP). Author estimates from the NSO Labor Force Survey