

Walk for Sumilao Land , Walk for Justice Updates
21 October 2007

Even the Omnipotent Took Some Rest (19 October 2007)

God created the heaven and the earth... on the seventh day, he rested.

The whole day of the Sumilao Farmers' 10th day of walk was devoted for rest. They spent most of their time to attend to their personal stuff. They stayed in Sustainable Agriculture Center in Pagdaulan, Ampayon, Butuan City . They washed their dirty clothes and some even managed to have a reflexology session for them to feel better and be ready for yet another days' journey.

In the afternoon, they decided to have an evaluation and assessment on what had happened during the previous days, what were the challenges faced and will continue to encounter for the rest of their action, prospects available that can be maximized, and others.

As regards the three members of the marchers who were forced to go back to Sumilao, Bukidnon, though there was sadness on their faces, still, it was unanimously felt that it was just a matter of time. In fact, before they started the walk, even during the preparation stage, they found out some farmers who expressed their intention to join and participate the action, were at the very onset cannot be concluded physically fit to walk for the more than 1,500 miles. But the leaders still allowed them believing that they have the same cause, enough reason to join the walk and represent their loved ones in the struggle of the Sumilao Farmers.

During their discussion, they reviewed the reason why they are doing this kind of action.

To reminisce, those who took part during the 1997 28-day hunger strike that was simultaneously held in front of the Department of Agrarian Reform (DAR) National Office in Quezon City Circle and in Magsaysay Park, Cagayan de Oro City. Such peaceful action, which they learned from their Higaonon ancestors, received solidarity not only at the local level but likewise from abroad. Numerous civil society groups, media and legal practitioners helped in pressuring the government to have an immediate and favorable resolution of the plight of the MAPALAD Farmers. Other government institutions had also expressed their support. In the House of Representatives and other local governments, resolutions were passed supporting the MAPALAD Farmers and urging the National Government to resolve the farmers' issues.

It was then that the then President Fidel Ramos came up with a "win-win Solution" that the disputed 144-hectare landholding was to be divided to both opposing parties. 100 hectares are to be given and distributed to the farmers while the remaining 44 hectares are left to Quisumbing. The Sumilao Farmers were and still are not greedy, though clearly, as the law reveals, that the whole landholding should be given to the farmers, the Ramos' solution was still a victory on the part of the farmers. Eventually, the Supreme Court invalidated such solution and reaffirmed the rights of Quisumbing to own and possess the land.

There was in a sense an agreement between Quisumbing and the government that the former would develop the land into agro-industrial and commercial complex within five years. But instead, the land was sold to San Miguel Foods, Inc. (SMFI) and the latter will use the land for the building of a world-class piggery. This was a clear insult to the farmers and to the tribes of the Higaonon...

And to this day, the Sumilao farmers are asserting their rights and now claiming the ownership and possession of the land which in the first place is legally theirs.

Sumilao Farmers meet ABS CBN's The Correspondents (20 October 2007)

The following day, the farmers traveled another 31 kilometers from the City of Butuan to the municipalities of Tubay. The usual morning rituals were observed and they set their foot at exactly 4:00AM with a high spirit primarily because of the refreshment and rest they had the previous day.

The highlight for the day's journey was when the Sumilao Farmers met ABS CBN's The Correspondents. It lifted more the spirits of the marchers because they knew that it was from a national television and whatever will be the result of their discussion with the team will have an implication that it can be shown to whole country.

There were discussion and question and answer between the Correspondent's Team and the Sumilao Farmers. They comprehensively explained the history of their struggle, some important events took place as regards their plight, the 28-day hunger strike held simultaneously in front of the Department of Agrarian Reform in Quezon City Circle and in Magsaysay Park, Cagayan de Oro City, and the reason why they came up with the strategy to have a walk from Bukidnon to Malacanang.

Basically, what were discussed with the team of The Correspondents were the discussions of the marchers during the previous day. And with the media's visit, the farmers are hopeful that when their story is adopted and shown, it could lead to far-reaching implication as they intend to popularize the advocacy and educate the public as to the true situation of the farmers. Eventually, the media team assured the farmers that they will adopt the Sumilao Farmers' story.

Also, the team of The Correspondents joined some stretch of the march and slept in Jabonga Parish where the marchers spent the night.

The Fellowship Continues

And of course, their journey of more than a thousand miles is easier because of the unwavering support and solidarity from various organizations and support groups. For the past days, the ALTERDEV, a non-government organization based in Butuan City, SAC Butuan, SOFA-AGUSAN, PAKISAMA-AGUSAN, PAFASMA, KAMMPE, GAMACE, KAIBAN-FSUU, LSG-FSUU, St. Ann Parish, AGOFAFED, Tubay Environmentalist Association, MSM, and individuals provided comfort and other assistance to the Sumilao Farmers from the place where the marchers stayed, meals and to journeying the marchers to some leg of the walk.

(We are calling all support groups (individuals or organizations) to contribute to the everyday updates of the Sumilao Farmers. We might forget some significant

events or we might forget to acknowledge/include your organization in some writings that's why we would like to request, if you have comments or suggestions, please feel free to send those to balaodmindanaw@gmail.com. Thank you very much).

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**Walk for Sumilao land, Walk for Justice Updates
18 & 19 October 2007**

GMA Ignored the Sumilao Farmers in Butuan City

The Sumilao Farmers were happy and lively when they started their 9th day of walk at 4:00AM, negotiating the municipalities of Nasipit and Buenavista, Butuan City and barangays Kinabjangan, Ata-Atahon, Kubi-kubi, Sakol, Agong-ong, Arc Guimariz, Matabao, Tinago, Maab, Mapilan, Abilan, Alubijid, Manlangit, Bancasi, Pinamangkulan, Libertad, Bayanihan, Lapu-Lapu and Tandang Sora with a total of 29 kilometers.

The whole morning was just fine as usual. The farmers were peacefully conducting their pilgrimage all throughout their journey. They had their breakfast in Brgy. Manapa, Buenavista with rice, fried fish and fried chicken. They had various stop overs for the usual rest and snacks. For their lunch, a fully loaded and commercialized meal was served. Over discussions on various issues, they feasted with Greenwich value meals in Butuan City Public Plaza .

It was almost a perfect for the farmers until...

As what the farmers have expected, President Arroyo ignored the Sumilao farmers when she encountered them at Bancasi Airport at Butuan City at around 9:00 in the morning, yesterday, 18 October 2007 . What else can they expect, on the very first day of their walk, they were welcomed by the Office of the President with a decision dismissing the appeal of the farmers for not being the real parties in interest.

GMA was at Butuan City for the vice-mayor's league last October 17. She was on her way to Manila when she met the farmers who at the time were walking from Nasipit, Agusan del Norte. But GMA ignored the farmers despite their clear presence at the entrance in the airport.

Earlier, before arriving at the airport, the local police of Butuan City escorted the farmers and intentionally controlled the pace of their walk in order to avoid GMA meeting the farmers on the way.

The police met the marchers while they were eating their breakfast at around 8:00 in the morning somewhere in the Municipality of Nasipit , Agusan del Norte. Police officer 2 Alexi L. Ocmen asked the marchers to delay their walk at 9:00 or 10:00 because President Arroyo is leaving for Manila, saying that the walk of the farmers might put the Province of Agusan del Norte in bad light considering that GMA garnered high votes in said province.

When the farmers were approaching the airport, the police made another effort to persuade them to walk slowly. Some police officers, headed by Butuan City Director Josue, also talked to them worried that they will rally against GMA. It was, however, clearly explained to him that their walk was not connected with the departure of GMA, but would nevertheless seek to see and get her reaction.

Getting no reaction from GMA, the farmers proceeded to Butuan city where they were met with warm embrace, tap at the back, smiles, and words of encouragement from the support groups who were waiting at the city plaza.

At 1:30 in the afternoon, a short program prepared by the support groups was held. Among others, the support groups present were PAKISAMA-Agusan, Fr. Saturnino Urious University (FSSU)- College of Law, KAIBAN, Tubay Environmentalist Association, AGROFAFED, PAPASMA, and Social Service Action of Butuan City.

The program ended with the support groups and Sumilao farmers sing hand-in-hand the song "Buhay at Bukid" of Buklod.

To sustain their spiritual strength, the farmers attended 6:00PM mass at the cathedral.

The Fellowship of the 144 hectare landholding in Sumilao, Bukidnon

Amongst the members and leaders of both MAPALAD Multi-Purpose Cooperative and San Vicente Landless Farmers Association (SALFA), 50 of them decided to march going to Manila. Unlike Frodo Baggins in the film The Lord of the Rings, they do also carry a burden, but not in their necks, but in their hearts. A burden that keeps on haunting them down, justice and reclaiming the land that is legally theirs.

When Sumilao Farmers decided to walk to reclaim the 144 hectares of land, Balay Mindanaw Groups (BALAOD-Mindanaw, RCED, and BMFI), AR Now, PAKISAMA, KAISAHAN, SALIGAN, Alternative Law Groups (ALG), Inc., * and other organizations and advocates of agrarian reform joined the Sumilao farmers on their quest to Manila. From the start of the walk, PAKISAMA is represented. They even sent Agnes (one of their staff) to assist the Sumilao Farmers in their everyday documentation. In fact, even before the actual march, she has been living with the farmers and regularly monitored various developments in San Vicente, Sumilao, Bukidnon.

Traversing provinces, municipalities and barangays, NGOs, People's Organizations particularly farmers' organizations, Church and church-based organizations and even ordinary individuals from time to time joined and still joining the walk.

There too other groups who though not in the actual walk, but still extending whatever support and help they can give to the marchers. Some are into resource mobilizations,

education campaign, among others. Particularly, AR Now!, a coalition of various NGOs working on agrarian reform issues, is helping to popularize the fight of the Sumilao Farmers and elevating it to a wider arena. They too mobilize resources (human, financial and other resources) to sustain the journey.

Unfortunately, two marchers were forced to be sent back to Sumilao for their body can no longer succumb the hardship negotiating kilometers of roads and streets. Dote and Yayang became physically weak and advised to rest. They were escorted back to Sumilao, Bukidnon. Manong Paki, (husband of one of the marchers was brought to Cagayan de Oro Provincial Hospital for the urgent need of medical attention.

Among the 54 marchers, two have already left the march. Though emotionally and psychologically agitated to continue the long and tiring walk, they were forced to have a rest. Indeed, the journey of the Sumilao Farmers will still go on even without them. Nonetheless, their journey back to their home will guarantee to regain their strengths and do other tasks in support of the farmers.

The Burden

In the film Lord of the Rings, it was "the ring to rule them all" that Frodo Baggins were carrying during their quest into Mordor. For the 54 farmers/marchers, they are carrying with them the cause fighting for their legal rights to reclaim the 144 hectare of landholding in Sumilao, Bukidnon that is on the very onset is legally theirs. But it was forcibly taken from those who were and still are influential and in power.

From time immemorial, the disputed land clearly is owned by the Higaonon tribe. Eventually, in circumventing the law and legal system of the country, it was transferred to various families and clans. In effect, the Higaonon themselves were deprived of the rights to possess the land. The Sumilao farmers thought that this could be an opportunity for them to reclaim the land.

By the way, the Sumilao farmers consist of more than 165 farmers coming from two peasant organizations, namely, the *Mapadayonong Panaghiusa sa mga Lumad alang sa Damlag* (MAPALAD) and *San Vicente Landless Farmers* (SALFA), most of whom belong to the Higaonon Indigenous Communities. Their ancestors were the early settlers of a 855-hectare land in Sumilao, Bukidnon. A portion thereof, consisting of 243.8850 hectares, served as the Seat of Government of the Higaonons where the traditional "*paghusay*" (conflict resolution) and "*pamuhat*" (ritual) were conducted by the Higaonon tribal council led by Apo Manuagay Anlicao and Apo Mangganiahon Anlicao. "*Magbabaya*" (*Supreme Being*) gave this "*balaang yuta*" (holy land) to the Higaonon communities.

On 3 January 1990, the DAR issued a Notice of Coverage over the 144-hectare land owned by NQSRMDC. Three years after, NQSRMDC filed an application for conversion from agro-industrial use over a portion of land that includes the 144-hectare land area notwithstanding the fact that the 144 hectare land, being a prime agricultural land, is non-negotiable for conversion. Quisumbing proudly proposed the establishment of a Development Academy of Mindanao, cultural center, Institute for Livelihood Science, museum, library, golf course, Mindanao Sports Development Complex, Bukidnon Agro-Industrial Park, and Forest Development and Support Facilities including the construction of a 360-room hotel, restaurant and housing projects, among others.

Further, Quisumbing connived with the LGU of Sumilao which illegally passed *Resolution No. 24* allowing the conversion of the land despite the fact that LGUs have no power of conversion under the law as the same belongs to the DAR Secretary.

In 1994, the Honorable DAR Secretary Ernesto Garilao issued an order denying the land use conversion application. In 1995, the farmer-beneficiaries were given with Certificates of Land Ownership Award (CLOA) pursuant to the Comprehensive Agrarian Reform Program. However, on appeal to the Office of the President, Executive Secretary Ruben Torres issued the infamous Torres Resolution approving the application for conversion despite its patent illegality.

Left with no more recourse, the Sumilao farmers decided to do the only non-violent and peaceful means their forefathers taught them during unpeaceful times – a Hunger Strike.

Beginning October 9, 1997, the Sumilao farmers subsisted on nothing but water in front of the DAR Central Office in Quezon City which lasted for 28 days. Simultaneous mobilizations were also conducted in Cagayan de Oro City. Their peaceful protest caught the interest of the public, both local and international. Then Manila Archbishop Jaime Cardinal Sin, and presidential aspirants Joseph Estrada, Renato De Villa, and several senatoriables, frequented the hunger strike.

At this time, several peasant organizations having the same circumstances with the Sumilao farmers came out and joined them. Policies regarding the implementation of agrarian reform in the country were also brought in the open. The Sumilao farmers became the symbol of hope for the whole peasantry.

Due to huge public pressure, President Ramos through Deputy Executive Secretary Renato Corona, issued the so-called "Win-win Resolution" wherein 100 hectares were to be given to the farmers while 44 hectares remained with Quisumbing. It was a pleasant victory for the Sumilao farmers and the whole peasant sector.

However, their victory was shortlived. Quisumbing was infuriated with the decision and brought the same before the Supreme Court. The Sumilao farmers, as farmer beneficiaries of the 144-hectare land, intervened in the case and raised novel questions regarding the validity *Resolution No. 24* converting prime agricultural lands, the power of reclassification of LGUs vis-à-vis DAR's authority to approve conversions, and the constitutionality of the Comprehensive Agrarian Reform Law itself.

Unexpectedly, the Supreme Court evaded the resolution of the substantial issues of the case and found one perfect excuse: reglementary periods. The Supreme Court refused to answer the constitutional issues and asserted that the DAR failed to question the Torres Conversion Order on time. The Supreme Court invalidated President Ramos's "Win-win Resolution" while it reinstated the Torres Conversion Order approving the conversion of the 144 hectare land to agro-industrial. In effect, the Supreme Court skirted merits and yielded to technicalities.

Several years have passed since the Supreme Court decision in 1999 yet the 144 hectare land remain idle and uncultivated. Not one of the plans proposed by Quisumbing ever materialized. The "promises" of economic vitality, employment and increase in income remain "castles in the air". In 2002, the Quisumbings have once more fooled the MAPALAD farmers by selling the 144 hectare ancestral land to San Miguel Foods, Inc. (SMFI), the biggest conglomerate in the country owned by Danding

Cojuangco. SMFI plans to put up a piggery farm on the 144 hectare ancestral land knowing fully that such transaction is a violation of the conversion order as it substantially changed its use.

Hence, the Sumilao farmers filed a Petition for the Cancellation of the Conversion Order against Quisumbing and/or SMFI before the DAR. The Sumilao farmers maintain that more than 5 years have passed since the Conversion Order yet they failed to initiate any development work on the land. Further, SMFI has grossly violated the conditions of the Conversion Order by changing its use to hog farm. Both actions were made in violation of DAR Administrative Orders 1 and 2, Series of 1990 and other pertinent laws on conversion.

For certain, the cancellation of the Conversion Order will bring hope and abundance not only to the present families of the Sumilao farmers but as well to their future generations. Notably, the Comprehensive Agrarian Reform Program budget is about to end in 2008, yet, the fruits thereof remain to be seen. Moreover, the absence of a clear land use policy results to massive conversions of agricultural land thereby threatening the problem of food security.

The real issue in the case is the right of the Sumilao farmers to regain their long lost ancestral land. The Sumilao farmers have been robbed by unscrupulous landlords who have transformed their ancestral land into cattle ranches, pineapple plantations and now, piggery farms – the very same land on which the Higaonons perform their sacred rituals and prayer offerings to "*Magbabaya*". The Sumilao farmers await the final resting of their ancestral land.

In sum, the Sumilao farmers demand for the following:

1. Restore the Dignity of the Sumilao farmers!
2. Revoke the Conversion Order!
3. Reclaim the Land!
4. Reform and extend CARP!
5. Recognize the need for National Land Use Law!

These are the reasons why the farmers are now in streets traversing 1,500 kilometers road from Bukidnon to Manila.

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