



Coverage for Final:

- Land and Agrarian Reform Policies
- The Philippine Constitutions of 1899, 1935, 1973 and 1987
- Taxation

LAND AND AGRARIAN REFORM IN THE PHILIPPINES

Discussed by Prof. E. Ramos

Land Reform

- Refers to a wide variety of programs and measures usually by the government to bring about more effective control and use of land for the benefit of the community.
- Generally comprise the takeover of land by state from big land lords with compensation, and transfer it to small farmers or landless workers. It is aimed at changing the agrarian structure to bring equity and to increase productivity. The structure includes both the relationship of man to his land, and man's relationship with others (tenant and landlord).

Agrarian Reform

- This is more complex. Along with land reform, it also includes measures to modernize the agricultural practices and improving the living conditions of everyone within the entire agrarian community.
- It includes various supports to agricultural education, the establishment of cooperatives, development of institutions to provide agricultural credit and other inputs, processing and marketing of agricultural produce, and establishment of agro-based industries, and others.

Importance of Land Reform

- The desire to obtain social justice and full development of the dignity of man within given situations of land reform has gained great importance across the years in many countries of the world especially in agricultural countries.

Problem of Land Reform

- One of the effects of colonizing periods was the concentration of landholdings in the hands of the law. These few people whom they call as landlords or "caciques" have yielded tremendous influence in the social and economic life of the nation that they had been able to dictate to their dependents (the tenants and their families) to such matters as to whom to vote for in political elections. They have also influenced political action in various ways in order to maintain the status quo.

History of Land Reform in the Philippines

Pre-Spanish Era (900-1565)

- Before the Spaniards came to the Philippines, the Filipino social system was feudal. Like the feudalistic system in the medieval Europe, a warrior class existed bound by fealty to a warlord. This class lived on the labor of the serfs and slaves but in exchange, this warrior class protected them and exercised a ready through rough kind of justice.
- Within the Filipino social structure, the **datus (chiefs)** comprised the nobility (**maharlikas**). Then there are the **timawas (freemen)**, followed by the **slipping namamahay (serfs)** and **slipping sagasgalid (slaves)**.

- The freeborn did not pay tributes or taxes to the datu, but were bound to follow him to war. They provided their own weapons and gears, manned the cars when they set sail, built their houses, and planted their rice fields.
- The serfs served his master or lord, who may be a datu or someone else who is a maharlika, and tilled his land. Both master and serfs equally divided the produce of the land. They had houses of their own, maintained private property, and passed these on to their children as legacy. They were also allowed the free disposal of their chattels (movable personal properties) and their lands. The serfs corresponded to the **sparceros (tenants)** of the late 19th century Spanish era.
- The slaves served the lord or master in both his house and farm. They were allowed some share of the harvest, but they were their master's property. Thus they could be sold, particularly those captured in wars, or born and reared as farm hands.
- In the subsistence economy of the early Filipinos, money was unknown, and rice served as the medium of exchange.

Spanish Era (1565 – 1898)

- During the Spanish colonial period, lands were divided and granted to encourage Spanish settlers or **reared soldiers** who served the Crown. These were called **encomiendas**. The conditions of this grant state that the encomendero must defend his encomienda from external attack, maintain peace and order within, and support the missionaries. In consideration of these services, the encomendero acquired the right to collect tribute from the **indios (natives)** in the amount and form determined by the royal government.
- The encomienda system was originally established more for the benefit of the natives than of the encomenderos. Thus the latter could not be called lords because they were considered protectors, advocates and tutors of the natives. The system, however, degenerated into **abuse of power by the encomenderos**. The tributes they were authorized to collect soon became land rents, and the people living within the boundaries of the encomienda became tenants.
- The encomenderos became the first group of **hacenderos in the country**. Meanwhile, the colonial government took the place of the datu. The **datus** was now called **cabeza de barangay**, but it was the proprietors of the estates who held the real power in the barangay or community.
- There were four classes of estate proprietors in the Philippines during the Spanish period: first, the religious orders Dominican and Augustinian; second, the Spanish peninsulares; third, the **criollos** and **mestizos**; and lastly, the native **principales**.
- The Dominican friars leased their lands to both the **natives and mestizos, who became known as inquilinos**. Each inquilino paid a fixed ground rent for the area he cultivated, and the estate owner was not allowed to lease the land to others unless the incumbent leaseholder failed to pay the rent for two consecutive years.
- However, the **inquilinos abused this policy by disposing off the lands as if they owned them**. They sold their interest in them or mortgaged to wealthy buyers, or sub-leased them at rents higher than what they themselves paid. Thus by being

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Table of Contents 2nd Semester Final Ied

1. Understanding the eBook 2nd Semester Final Ied
 - The Rise of Digital Reading 2nd Semester Final Ied
 - Advantages of eBooks Over Traditional Books
2. Identifying 2nd Semester Final Ied
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an 2nd Semester Final Ied
 - User-Friendly Interface
4. Exploring eBook Recommendations from 2nd Semester Final Ied

- Personalized Recommendations
- 2nd Semester Final Ied User Reviews and Ratings
- 2nd Semester Final Ied and Bestseller Lists
- 5. Accessing 2nd Semester Final Ied Free and Paid eBooks
 - 2nd Semester Final Ied Public Domain eBooks
 - 2nd Semester Final Ied eBook Subscription Services
 - 2nd Semester Final Ied Budget-Friendly Options
- 6. Navigating 2nd Semester Final Ied eBook Formats
 - ePub, PDF, MOBI, and More
 - 2nd Semester Final Ied Compatibility with Devices
 - 2nd Semester Final Ied Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of 2nd Semester Final Ied
 - Highlighting and Note-Taking 2nd Semester Final Ied
 - Interactive Elements 2nd Semester Final Ied
- 8. Staying Engaged with 2nd Semester Final Ied
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers 2nd Semester Final Ied
- 9. Balancing eBooks and Physical Books 2nd Semester Final Ied
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection 2nd Semester Final Ied
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine 2nd Semester Final Ied
 - Setting Reading Goals 2nd Semester Final Ied
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of 2nd Semester Final Ied

- Fact-Checking eBook Content of 2nd Semester Final Ied
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
- Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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