

Hda. Luisita massacre: No justice after 10 years

[By Satur C. Ocampo](#) (The Philippine Star) | Updated November 15, 2014 - 12:00am

Tomorrow, Nov. 16, marks 10 years since the Hacienda Luisita Massacre happened at the controversial landed estate in Tarlac “owned” by the family of President Aquino.

Protesters demanding justice to the victims and outright distribution of the estate land to 6,000 farmworker-beneficiaries converge this morning at the Mendiola bridge near Malacanang. They’ll proceed in a caravan for the commemorative rites at the scene of the massacre.

That tragic incident’s commemoration ought to focus not only on the long delay in obtaining justice for the massacre victims. It must call attention to 47 years of injustice inflicted by the Cojuangcos on the farmworkers. They should have been given the land, at cost in 1967, per the condition attached to its 1957 purchase with government support by the Jose Cojuangco Sr. family.

Moreover, the occasion should recall that two Cojuangco-Aquino presidents — Corazon and her son Benigno III — both promised, when they launched their presidential campaigns (Cory on Dec. 3, 1985 and P-Noy, on Feb. 9, 2010), to distribute the HLI land to its farmworkers. Compliance with the campaign promises of the two has proved unsatisfactory, to say the least.

On April 24, 2012 the Supreme Court finally ruled that 4,915 hectares (originally 6,000-plus hectares) should be distributed to 6,296 farmworker-beneficiaries. However, the militant farmworkers group AMBALA has protested the manner of distribution via tamboli (lottery drum) raffle implemented by the Department of Agrarian Reform.

Also AMBALA rejects the condition that each beneficiary pay for the land at the 1989 price level — over 30 years — before gaining ownership of just 6,600 square meters. Because the Cojuangcos had benefited from the land for 47 years, when it should have been owned by the farmworkers, AMBALA avers, no payment should be required anymore.

Let's look back to Nov. 16, 2004:

Striking farmworkers, demanding the turnover of the land to them, were violently dispersed by combined PNP-AFP forces. As the strikers and their supporters resisted the teargas shells and water cannons, successive gunshots rang out. Consequently, seven farmworkers were killed, 121 were injured (32 had gunshot wounds), including 11 children and four elderly men.

In the succeeding weeks, eight supporters of the strike were killed: Bishop Alberto Ramento, former supreme bishop of the Iglesia Filipina Independiente; Fr. William Tadena, also of the IFI; Tarlac City councilor Abel Ladera; Ric Ramos, president of the Central Azucarera de Tarlac Labor Union; and four worker-community leaders. These murders have not been satisfactorily resolved to this day.

Meantime, the farmworkers complain of continuing threats and harassments allegedly from the armed security guards, abetted by police and army soldiers deployed in 10 barangays within HLI.

Let's look back farther:

The original Hacienda Luisita was a tobacco plantation, awarded in 1882 by the Spanish colonial government to the firm Tabacalera, founded by Antonio Lopez, who named it after his wife Luisita Bru. It was later turned into a sugar plantation. (The sugar mill was built in 1927.)

Fearful of the Huk rebellion, in 1957 Tabacalera offered to sell the hacienda plus the sugar mill. Political patronage got into play: President Ramon Magsaysay, the wedding godfather of Ninoy Aquino and Cory Cojuangco, convinced her father, Jose Cojuangco Sr., to buy the property with government support: 1) the Central Bank deposited part of the country's dollar reserves with a US bank to guarantee repayment of a loan the bank granted to Cojuangco; and 2) the GSIS granted Cojuangco a P5.9-million loan.

In both instances, parallel conditions were set: after 10 years Cojuangco should distribute the land to the "small farmers" (CB), or subdivide it "among the tenants who shall pay the cost thereof under reasonable terms and conditions" (GSIS). But before closing the deal with the GSIS, Cojuangco got the condition amended to "... shall be sold at cost to tenants, should there be any."

Thus, in 1967 Cojuangco refused to hand over HL to the farmworkers by claiming, "*There are no tenants on the hacienda, hence no need to distribute the land.*"

In May 1980, the Marcos dictatorship petitioned the Manila Regional Trial Court to compel the Cojuangco-controlled Tarlac Development Corp. (which managed HLI) to yield the land to the Ministry of Agrarian Reform for distribution to the farmers at cost. The lower court granted the petition, but the Cojuangcos asked the Court of Appeals to reverse the decision.

After Mrs. Aquino became president, her government asked the Court of Appeals to rule favorably on the Cojuangco appeal, which the latter promptly did.

In 1987 she issued Proclamation 131 and Executive Order 229 defining her agrarian reform program, which included stock distribution option as a mode of implementation instead of land distribution. The SDO was incorporated in RA 6657 (CARP), signed in 1988.

Tadeco incorporated HLI to implement the SDO. Its valuation of shares was grossly unequal. The farmworkers' share of 4,916 hectares, valued at P197 million (P40,000 per hectare), represented only 33% of total shares, whereas the Cojuangcos' "non-land assets," valued at P394 million, constituted 67%.

In 2003, 5,300 farmworkers petitioned the DAR to revoke the SDO, claiming it had rendered them much poorer. In 2005 the Presidential Agrarian Reform Council granted the petition, but the Cojuangcos contested the revocation at the Supreme Court.

Although the SC has unanimously ruled in favor of the farmworkers, today the Cojuangcos continue to question a DAR ruling to distribute some 500 hectares of HLI's prime land, and have driven out the farmers tilling parts of the land.

Ref.: <http://www.philstar.com/opinion/2014/11/15/1391859/hda.-luisita-massacre-no-justice-after-10-years>

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