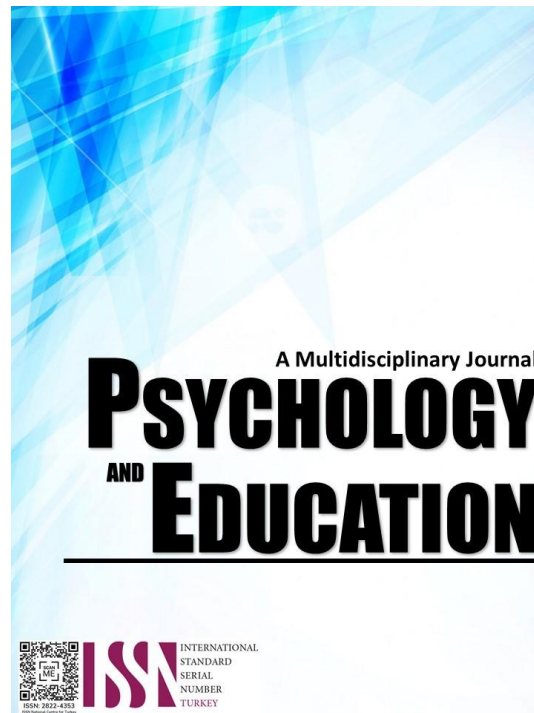


CHALLENGES IN COMPULSORY ACQUISITION OF LANDS UNDER THE COMPREHENSIVE AGRARIAN REFORM (CARP) IN THE PROVINCE OF MARINDUQUE: BASIS TO FORMULATE A PROCESS MODEL



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Challenges in Compulsory Acquisition of Lands Under the Comprehensive Agrarian Reform (CARP) in the Province of Marinduque: Basis to Formulate a Process Model

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Abstract

The study dealt with the challenges encountered in the implementation of compulsory acquisition of lands under the Comprehensive Agrarian Reform Program (CARP) in the Province of Marinduque. It investigated and determined the challenges encountered by ARBs, CARP Implementers and Landowners vis a vis CARP implementation, the significant difference on the challenges encountered and the actions undertaken to address the challenges. The study also focused on the formulation of new process model to contribute in the betterment of CARP implementation. This paper used descriptive quantitative research design and used two hundred twenty-five (225) respondents. The municipalities of Boac, Santa Cruz, Torrijos and Gasan were the locale of this study. Major findings of the study include that there were challenges encountered by the three (3) group of respondents in the implementation of compulsory acquisition of lands under its stages. There were also actions undertaken by the DAR to address those challenges. Significant difference was also noted where the computed p-value was lower than the level of significance particularly in the first and fifth stages. More so, on the last stage, result revealed that there is no level of significant difference. In conclusion, the CARP implementers have been trying to solve these challenges for the betterment of program execution. Thus, one of the recommendations for intervention was to formulate new problem-solving model.

Keywords: *challenges, compulsory acquisition, CARP, problem-solving*

Introduction

The establishment of the Department of Agrarian Reform (DAR) can be traced to the passing of Republic Act 6657, otherwise known as the Comprehensive Agrarian Reform Law of 1988. This law embodies the state policy of trailing the Comprehensive Agrarian Reform Program (CARP) aimed at liberating the massive potential wealth of Philippine agriculture by handing the majority of the Filipinos the existent and fair stake in the land (Pangandaman, 2006).

Employing the CARP means the transference and distribution of agricultural lands. It started with the administration of the late president Ramon Magsaysay in the middle fifties. It went on under the leadership of the late Diosdado Macapagal, considered to be the father of agrarian reform, and the late Ferdinand Marcos.

While the compulsory acquisition of land has been the subject of an active rational debate in many developed countries of the world, the actual acquisition of land has proceeded rapidly in many developing ones. By many definitions, the process of development itself is associated with a large-scale change in land use from agriculture to non-agriculture, urbanization, expansion of infrastructure, and urban redevelopment, all processes for which land needs to be made available

and for which the use of compulsory acquisition is now commonplace. (Stein et. al., 2013) Given its importance for development, it is surprising that the conceptual and empirical literature on compulsory acquisition is focused mainly on developed countries. With access to land one of the frequently mentioned constraints to private investment in developing countries of the world, there has been considerable government interest in making land available more quickly to attract investors, including through devices such as special economic zones and industrial parks.

Asia is a land of small farmers, but across the continent, governments are introducing changes to land laws that threaten to displace millions of peasants and undermine local food systems. Land concentration in Asia is higher now than it has ever been. Just 6% of Asia's farm owners hold around two-thirds of its farmland. Many of these landowners are politically connected elites, as is the case in the Philippines, Cambodia, Malaysia, Pakistan, and Indonesia. As this concentration increases, one consequence is the eruption of conflicts over land throughout the continent. Peasant protests land grabs have become a regular sight on the streets of major cities like Phnom Penh and Manila. (GRAIN, 2015). Additionally, China and Vietnam, which are ruled by their communist parties, have consolidated their farmlands to enjoy economies of scale and enable their government to introduce modern farm technologies and machinery. Thailand and much earlier Japan, Taiwan, and South

Korea have done the same, realizing that small-sized farm units cultivated by an aging agricultural workforce will never result in a modern and highly productive agricultural sector.

The Department of Agrarian Reform (DAR) claims to have covered 85% of the total targeted lands for distribution (most of which are largely public lands). According to DAR, the program has benefited an estimated 2.129 million farmer beneficiaries at a total cost of approximately PHP 103.9 billion. However, claims for DAR's success vary widely and are also hotly disputed. The actual scope of coverage of CARP has also been in doubt because there is, yet in an age of GPS, no reliable and accessible database of land and its ownership in the Philippines. Neither has there ever been an effective cadastral survey of the country matched with the existence of valid ownership.

Misidentification of the Agrarian Reform Beneficiaries (ARBs) is also a perennial challenge. In some cases, favored employees of the landowner or those seen as under his patronage submitted for priority beneficiaries (as set out in law). Issues on misidentification and lack of ancillary surveys lead to the so-called "second-generation problems" of agrarian reform. (Action for Economic Reforms, 2010) But with the birth of Support Parcelization of Lands for Individual Titling (Project SPLIT) and other similar programs (such as Redocumentation of CCLOAs and more), the DAR will be able to come up with more landholdings to be subdivided among more ARBs.

The same scenarios can be depicted in the MIMAROPA region in terms of the implementation of Comprehensive Agrarian Reform Program especially in the execution of Land Acquisition and Distribution. The same challenges such as misidentification of beneficiaries, erroneous cadastral surveys, disputes with landowners etc.

The province of Marinduque compared to other regions in MIMAROPA has only fewer target of land to be acquired and be distributed, because most landholdings in the province were already distributed to ARBs, that is why Marinduque is tagged as of now as "Low-LAD Province". The challenges and teething troubles that DAR-Marinduque currently faces the same as the other regions of MIMAROPA and that of the other provinces of the country.

The researcher, therefore, would like to investigate, discover and zoom in more on the challenges in the implementation of CARP, particularly the Compulsory Acquisition under Land Acquisition and Distribution (LAD) in the province of Marinduque, and develop a

new process model to contribute to the program execution.

Research Questions

This paper attempted to identify the challenges encountered in the implementation of Compulsory Acquisition of agricultural lands in the province of Marinduque as observed by the CARP implementers, Agrarian Reform Beneficiaries (ARBs), and landowners. This paper specifically sought to answer the following research questions;

1. What are the challenges encountered in Compulsory Acquisition of lands in the province of Marinduque as identified by the ARBs, the CARP Implementers, and Landowners in terms of the following stages?
 - 1.1. validation and projections of landholdings subject to acquisition;
 - 1.2. issuance of Notice of Coverage (NOC);
 - 1.3. screening, identification, and selection of Farmer-Beneficiaries (FBs) or ARBs;
 - 1.4. conduct of joint field investigation of DAR, LBP, and other concerned LGUs;
 - 1.5. land evaluation and just compensation
 - 1.6. land registration, distribution and installation
2. Is there any significant difference among the challenges encountered by the ARBs, CARP implementers and the Landowners in the implementation of the Compulsory Acquisition of lands under the Comprehensive Agrarian Reform Program (CARP) in the province of Marinduque?
3. What are the actions taken by the CARP implementers to address the challenges under the following stages?
 - 3.1. validation and projections of landholdings subject to acquisition
 - 3.2. issuance of notice of coverage (NOC)
 - 3.3. screening, identification, and selection of farmer-beneficiaries or ARBs
 - 3.4. conduct of joint field investigation of DAR, LBP and other concerned LGUs
 - 3.5. land valuation and just compensation
 - 3.6. land registration, distribution and installation

Literature Review

The Comprehensive Agrarian Reform Program (CARP) was a land reform law mandated by Republic Act No. 6657, which President Corazon Aquino signed on June 10, 1988, according to Morales (2008) in his article "Tinig ng Plaridel". Following the land reform legislation of Presidents Manuel Quezon, Ramon

Magsaysay, Diosdado Macapagal, and Ferdinand Marcos, it was the fifth to be passed in fifty years. The purpose of RA 6657, also known as CARP, is "for a more equitable distribution and ownership of land." It was intended to transfer land to farmers over a 10-year period, but the 11th Congress prolonged it because of delays in land distribution and a lack of funding. Agrarian Reform, according to Section 3 of RA 6657, is the "redistribution of lands, regardless of crops or fruits produced, to farmers and regular farmworkers who are landless" and "all other arrangements alternative to the physical redistribution of lands, such as production or profit-sharing, labor administration, and the distribution of shares of stock which will allow beneficiaries to receive a just share of the fruits of the lands they work."

Large tracts of agricultural land are given to the farmers who work the land, but the landlords are only allowed to keep a maximum of five hectares, along with three hectares for each of their offspring. However, a typical CARP loophole allowed landlords to avoid giving up control of their properties by reclassifying the property. The CARP does not apply to sites that are designated as residential, commercial, or industrial by municipal zoning laws. Agrarian reform, according to Actions for Economic Reform (2010), is not just a social justice initiative or just about "giving land to the landless," but also about increasing the productivity of those lands and the effectiveness of agricultural production, which helps to promote economic growth and the well-being of those who work in agriculture. Support services, such as financial facilities, farmer training programs, etc., are required to do this. In the end, it involves more than just how much land is allocated. Additionally, CPRBD Policy Brief (2014) about the status of Compulsory Acquisition of Land and Compensation in the Philippines states that C.A. With the payment of appropriate compensation, the government has the authority to expropriate private property in order to utilize it for a public purpose without the owner's agreement. It is a vital instrument for governments to provide the transportation and energy infrastructure required for economic development. Despite the legal structure, there has always been debate around compulsory acquisition, both in principle and in reality. For instance, the Philippines has several, disparate policies that are carried out by various agencies, each with its own set of rules, procedures, and standards. Furthermore, there is no explicit compensation mechanism in the Philippines that would specify equitable recompense for societal and income losses brought on by public expropriation processes. As the nation plans to enhance its

expenditures in infrastructure development, the current scenario demonstrates that there are policy gaps that need be addressed in the medium term. What's more, this is essential for the use of government acquisition powers of forced acquisition with regard to public-private partnerships (PPPs).

Additionally, Lebrilla (2014) stressed out the challenges and issues alongside with the implementation of the Compulsory Acquisition to wit; (1) Variability in the compensation value rates. In accordance with Section 5 of RA 8974, only national infrastructure projects now have explicit plans for expropriation and compensation using market pricing. It indicates that there is no policy in place to compensate for lost income. Despite the fact that there are different standards for valuing land, the BIR zonal value is utilized as the foundation for valuation in the case of national infrastructure projects. For other projects, the relevant policies are PD 1533 and EO 1035, which base compensation on the lower of the values stated by the owner/administrator or those established by the Assessor in accordance with the Real Property Tax Code (PD 464). Due to the old LGUs' timetable of market values, which is frequently based on estimates rather than actual market pricing, these values are far below market rates and, in many cases, undervalued by as much as 1000%. (2) A delay in compensation payments. This can be as a result of different requirements in current regulations regarding the promptness of compensation. Expropriated property from national infrastructure projects is preferred since 100% of the owner's compensation must be made right away (Section 4, RA 8974). Upon filing of the complaint and upon proper notification, the payment amount, which is based on the BIR's current zonal valuation, will also include the replacement cost of renovations and/or buildings. (3) The resettlement policy's coverage is constrained. Unless the project is clearly stated in the contract and sponsored by a donor agency like the ADB, World Bank, etc., the policy has a restricted scope to guarantee that displaced families preserve their former social and economic position and to provide for a grievance resolution procedure. In terms of justice, compensated rights, and timely payment, current compensation regulations do not discriminate between urban and rural assets. (4) Insufficient Information. In the Philippines, taking public property is only done for the benefit of the public. It is challenging to tell if some of the expropriated land in the nation was transferred to private interests because there is no data on transfers of all expropriated land in the nation. Due to this, there have been a few sporadic reports of LGUs transferring expropriated land for commercial

interests; nevertheless, these incidents need to be more thoroughly recorded. It is still unclear to what degree they have been moved for private use.

Aside from the aforementioned issues and challenges presented by Lebrilla (2014), Action for Economic Reforms (2010) enumerated some of the common setbacks being encountered by the Department of Agrarian Reform in the pursuit of Land Acquisition and Distribution (LAD) which are: First, misidentification of ARBs (beneficiaries of agrarian reform). Priority beneficiaries (as defined by law) may have occasionally been replaced by the landowner's preferred workers or those deemed to be beneficiaries of his patronage. In other cases, local teachers, barangay officials, or family members of DAR employees have succeeded in getting their names added to the list of recipients. In the meanwhile, some landowners have been successful in convincing potential beneficiaries to renounce their claim to the land by a mixture of threats and inducements (often acting in collusion with DAR officials). About 60% of the properties covered by CARP have been given collective titles known as "Mother-CLOAs," which is another unresolved problem. The second is the pawn and sale of CARP lands. The recipients' land transactions after receiving their ownership documents are yet another problem for the CARP program. The percentage of beneficiaries who sell land or pawn titles or CLOAs has been calculated to reach up to 30%. 80 percent of these transfers, according to an earlier DAR research, were made through outright sales or mortgages, with the other 20 percent taking the form of rights transfers or leases. However, the motivations for these transfers have been somewhat broken down, whether it be for home spending, investment in new businesses, or moving family members overseas to work.

Marquez (2016) also mentioned that in addition to the opposition from landowners, CARP/LAD is constrained by a shrinking budget for property acquisition. Despite the 100,000 hectares per year, the DAR's most current funding allocations only permitted them to cover 50,000 hectares annually. A land survey is one of the crucial elements of the Land Tenure Improvement (LTI) procedures under the Comprehensive Agrarian Reform Program (CARP), according to Llanto and Rosellon (2012). The efficacy of the execution and completion of survey project activities, which in turn is influenced by the quality of the landholdings exposed to survey activities, determines the level of achievement on LTI, notably on Land Acquisition and Distribution (LAD). The implementation of land acquisition and distribution,

however, has been excessively burdensome for DAR due to cadastral and survey flaws. Numerous landholdings were identified as being problematic, which slowed down and postponed the land purchase process while the faults were fixed.

Methodology

The research embarked on a quantitative research design and took place in the province of Marinduque. In the province, the Department of Agrarian Reform-Marinduque oversees the Comprehensive Agrarian Reform Program (CARP) through its four municipal offices. The selection of Marinduque as the research locale was driven by its distinction as a "Low-LAD Province," having successfully redistributed a significant portion of its CARPable agricultural lands to deserving farmers and occupants. This context presented an ideal opportunity to assess and evaluate the implementation of CARP in Marinduque, shedding light on its effectiveness and impact. The research population encompassed three distinct groups of respondents: CARP Implementers, Agrarian Reform Beneficiaries (ARBs) under Compulsory Acquisition, and Landowners. These groups, with a total of 236 individuals, possessed valuable expertise and extensive knowledge concerning the execution of Compulsory Acquisition, a crucial aspect of CARP. However, the participation of 11 landowners regrettably declined due to personal justifications, resulting in a final pool of 225 respondents. This selection ensured that the research captured insights from key stakeholders directly involved in CARP's implementation. Given the manageable size of the population, the researcher opted for complete enumeration rather than sampling, allowing for comprehensive data collection and analysis. To gather the requisite data, the researcher designed a self-made questionnaire tailored to the study's variables, which was also subjected to content validation. Once the questionnaire achieved validity and reliability, it was administered to the actual research respondents, ensuring the collection of robust and relevant data. Prior to the actual administration, the researcher conducted an orientation session, providing a comprehensive explanation of each item on the questionnaire to the respondents. To interpret and analyze the data, statistical treatments were used such as measures of frequency, measures of central tendency and measures of position, Likert Scale, and ANOVA.

Results and Discussion

Challenges in Compulsory Acquisition of Lands under the CARP in the Province of Marinduque as observed by the ARBs, CARP implementers and Landowners

Table 1.1. *Challenges in Compulsory Acquisition of Lands under the Stage of Validation and Projection of LHs subjected to Acquisition as Observed by the Respondent.*

Challenges	Mean ARBs	Verbal Descriptor	Mean CI	Verbal Descriptor	Mean Los	Verbal Descriptor	Mean Ave	Verbal Descriptor
1. Cadastral and Survey Errors	2.33	More Challenging	1.00	Mostly Challenging	1.22	Mostly Challenging	1.52	More Challenging
2. Conflict with DENR	2.33	More Challenging	1.90	More Challenging	1.39	Mostly Challenging	1.87	More Challenging
3. Too large scope to be covered.	1.45	Mostly Challenging	1.00	Mostly Challenging	2.30	More Challenging	1.58	More Challenging
	2.04	More Challenging	1.30	Mostly Challenging	1.64	More Challenging	1.66	More Challenging

It can be gleaned from Table 1.1 that the most challenging part of compulsory acquisition of lands under the first stage was the cadastral and survey errors of the landholdings subjected to acquisition, it landed on the top spot which garnered 1.52 computed mean among others with an adjectival rating of *more challenging*. During this stage, the mostly challenged sector of the program was the CARP implementers itself due to the huge scope of the program to be covered yet the timetable is very short and the various cases of cadastral survey errors which was encountered and reported.

Table 1.2. *Challenges in Compulsory Acquisition of Lands under the Stage of Issuance of NOC as Observed by the Respondents*

Challenges	ARBs	Verbal Descriptor	CI	Verbal Descriptor	LOs	Verbal Descriptor	Ave	Verbal Descriptor
1. Resistance of landowner who view the program as an infringement of their proprietary rights due to lack of knowledge and appreciation of the legal and moral bases of the program.	1.58	More Challenging	1.7	More Challenging	2.61	Moderately Challenging	1.96	More Challenging
2. The agency is unable to locate landowners.	2.31	More Challenging	2	More Challenging	2.61	Mostly Challenging	2.31	Moderately Challenging
3. Posting of Notice of Coverage	2.84	Moderately Challenging	2.45	More Challenging	2.78	Moderately Challenging	2.69	Moderately Challenging
	2.24	More Challenging	2.05	More Challenging	2.67	Moderately Challenging	2.32	More Challenging

Among all the challenges presented under this stage, the one that obtained highest ranking is the resistance of landowners who viewed the program (CARP) as an infringement of their rights. It garnered the average score of 1.96 with an adjectival rating of “more challenging”. Again the CARP implementers were the mostly challenged sector. Under the second stage of compulsory acquisition of lands which is the issuance of notice of coverage, it can also be analyzed from the table above that the responses coming from the three group of respondents were manifesting that the lack of knowledge with regards to the legal and moral bases of the program, the actions locating the landowners and the posting of notice of coverage were just “*more challenging*” and “*moderately challenging*” compared to

the other challenges presented in this study, the mean scores play only between the range of 1.50 and 2.84 respectively. This phenomenon portrays the lack of information dissemination about the principles of CARP and its legal bases among landowners who in the contrary opposes the intention of CARP. Most of them viewed the program as a transgression of their rights to own land and properties. The unissued NOCs may be due to fear of huge men or landowner despite the power that can be withdrawn from the law.

Table 1.3. *Challenges in Compulsory Acquisition of Lands under the Stage of Screening, Identification and Selection of FBs/ARBs as Observed by the Respondents*

Challenges	Mean ARBs	Verbal Descriptor	Mean CI	Verbal Descriptor	Mean LOs	Verbal Descriptor	Mean Ave	Verbal Descriptor
1. Absence of the concerned during field investigation	3.73	Less Challenging	1.75	More Challenging	3.17	Moderately Challenging	2.88	Moderately Challenging
2. Conflict with LGUs.	3.73	Less Challenging	3.35	Moderately Challenging	3.90	Less Challenging	3.66	Less Challenging
3. Absence of the LOs.	2.20	More Challenging	1.10	Mostly Challenging	3.90	Less Challenging	2.4	More Challenging
	3.22	Moderately Challenging	2.07	More Challenging	3.66	Less Challenging	2.98	Moderately Challenging

It can be analyzed from Table 1.3 that in the stage of screening, identification, and selection of farmer-beneficiaries or ARBs, the ARBs, CARP implementers, and landowners unanimously agreed that the complaints regarding the alleged misidentification of ARBs were the most stressful part of CARP implementation. The majority of the respondent's responses fell in the computed mean of 1.10 with an adjectival counterpart of "*mostly challenging*". This phenomenon could be explained by the number of cases of protests received by the agency with regard to the issues and allegations on the misidentification of ARBs especially in the compulsory acquisition (CA).

Table 1.4. *Challenges in Compulsory Acquisition of Lands under the Stage of JFI Conduct as Observed by the Respondents*

Challenges	Mean ARBs	Verbal Descriptor	Mean CI	Verbal Descriptor	Mean LOs	Verbal Descriptor	Mean Ave	Verbal Descriptor
1. Preferred beneficiaries of the LOs.	2.28	More Challenging	2.60	Moderately Challenging	4.30	Less Challenging	3.06	Moderately Challenging
2. Misidentification of ARBs	1.64	More Challenging	1.50	More Challenging	1.00	Mostly Challenging	1.38	Mostly Challenging
3. There are complaints regarding the selected and identified beneficiaries.	1.09	Mostly Challenging	1.20	Mostly Challenging	1.00	Mostly Challenging	1.10	Mostly Challenging
	1.67	More Challenging	1.77	More Challenging	2.10	More Challenging	1.85	More Challenging

Respondents believed that the absence of landowners during the conduct of joint field investigation of DAR, LBP, and other concerned LGUs, could be considered a serious problem in the execution of CA of lands. This response obtained a mean of 2.4 that can be described as "*more challenging*". Relative to this, the CARP implementers were the mostly challenged sector once again this may be due to the lack of physical presence of the concerned personalities or agencies, their responses obtained an average score of 2.07 with an adjectival rating of "*more challenging*". It could be interpreted from Table 1.4 that the presence of landowners and concerned agencies (DAR, DENR, LBP, and LRA) is crucial in the implementation of compulsory acquisition. Their absence during the pre-acquisition stage can lead to perennial problems in the future.

Table 1.5. *Challenges in Compulsory Acquisition of Lands under the Stage of Land Valuation and Just Compensation as Observed by the Respondents*

Challenges	Mean ARBs	Verbal Descriptor	Mean CI	Verbal Descriptor	Mean LOs	Verbal Descriptor	Mean Ave	Verbal Descriptor
1. Lack of an acceptable land valuation formula.	2.81	Moderately Challenging	2.45	More Challenging	1.00	Mostly Challenging	2.09	More Challenging
2. Too low valuation.	2.12	More Challenging	2.10	More Challenging	1.00	Mostly Challenging	1.74	More Challenging
3. Land amortizations are not clearly defined.	1.94	More Challenging	2.00	More Challenging	1.00	Mostly Challenging	1.65	More Challenging
	2.29	More Challenging	2.18	More Challenging	1.00	Mostly Challenging	1.82	More Challenging

It can be observed from the table presented above that the Landowners observed that this stage of land valuation and just compensation by the Land Bank of the Philippines were remarkably challenging and problematic, it garnered the highest average of **1.00** which is being described as "*mostly challenging*". This may be valid because according to majority of the landowners interviewed there is no justifiable valuation made and worst is payment is not yet made at all until the present time. In the viewpoint of the landowners who participated in the study, most of them firmly believed and stand resolve that there were several challenges encountered as DAR implements its mandate to acquire and redistribute land to landless farmers. They believed that there were questions and protests in the selection of ARBs that led to the alleged

misidentification of truly deserving beneficiaries (*1.0 – mostly challenging*). Landowners also strongly believed that the Land Bank of the Philippines lacks acceptable land valuation formula. It leads to landowner compensation being widely considered as confiscatory. Thus, reinforcing landowner resistance to the program (*1.0 – mostly challenging*), too low valuation of lands (*1.0 – mostly challenging*), and the land amortizations of the farmer-beneficiaries were not clearly defined. (*1.0 – mostly challenging*).

Table 1.6. *Challenges in Compulsory Acquisition of Lands under the Stage of Land Registration, Distribution, and Installation as Observed by the Respondents*

Challenges	Mean ARBs	Verbal Descriptor	Mean CI	Verbal Descriptor	Mean Los	Verbal Descriptor	Mean Ave	Verbal Descriptor
1. Complaints from other claimants.	2.62	Moderately Challenging	2.95	Moderately Challenging	4.33	Less Challenging	3.30	Moderately Challenging
2. Typographical errors	3.07	Moderately Challenging	3.30	Moderately Challenging	2.83	Moderately Challenging	3.07	Moderately Challenging
	2.85	More Challenging	3.13	Moderately Challenging	3.58	Moderately Challenging	3.19	Moderately Challenging

The ARBs observed that the installation of beneficiaries becomes difficult due to various complaints from other claimants of land. This response earned a 2.62 mean rating and an adjectival remark of “*moderately challenging*”. Meanwhile, CARP implementers also believe that the installation of ARBs becomes problematic and challenging sometimes. They perceived it as “*moderately challenging*” likewise. For landowners, the misspelled name and typographical errors were big deal in the ultimate attainment of CARP’s principles and purpose. Their response obtained a mean of 2.83 being described as “*moderately challenging*”.

Significant Difference among the Challenges Encountered by ARBs, CARP Implementers and Landowners in the Implementation of the Compulsory Acquisition of Lands under the CARP in the Province of Marinduque

Table 2. *Significant Difference among the Challenges Encountered by ARBs, CARP Implementers and Landowners in the Implementation of Compulsory Acquisition of Lands under the CARP in the Province of Marinduque*

Challenges in each Stages of CA	ARB	CI	LO	P value	Remarks
Validation and Projection of LHs Subjected to Acquisition	2.0	1.3	1.7	<0.001	Significant
Issuance of NOC Screening.	2.3	2.3	2.7	0.002	Significant
Identification and Selection of FBs/ARBs	1.7	1.8	2.1	<0.001	Significant
Conduct of JFI Land Valuation and Just Compensation	3.2	2.1	3.7	<0.001	Significant
Land Registration, Distribution and Installation	2.4	2.0	2.8	<0.001	Significant
	2.8	3.1	3.6	0.150	Not Significant

Table 2 presents the results of hypothesis test using the Non-Parametric Kruskal-Wallis Test regarding the significant difference among the perceptions of the three group of respondents on the execution of compulsory acquisition. Results revealed that under the very first stage of the process of CA which is the validation and identification of landholdings subjected to acquisition until land valuation and just compensation, the respondents have encountered different challenges. Meanwhile, the perception of the respondents with regard to the challenges on the last stage suggests that the respondents have similar experience and perception regarding the challenges encountered at this particular stage. Therefore, to answer SOP No. 2, there is a significant difference among the perceptions of the ARBs, CARP implementers, and landowners in the challenges encountered vis a vis implementation of compulsory acquisition of lands in Marinduque. This occurrence could be explained by means of the diverse and varied appreciation and experiences of the respondents coming from the different group, status, experiences, etc. especially the agrarian reform beneficiaries who are mostly farmers and actual tillers of the lands.

Actions Taken by CARP Implementers to Address the Challenges in Compulsory Acquisition of Lands in Marinduque

Table 3.1. *Actions Taken by CARP Implementers to Address the Challenges under the Stage of Validation and Projection of LHs Subjected to Acquisition*

<i>Actions Taken</i>	<i>ARBs</i>	<i>Verbal Descriptor</i>	<i>CI</i>	<i>Verbal Descriptor</i>	<i>Los</i>	<i>Verbal Descriptor</i>	<i>Ave</i>	<i>Verbal Descriptor</i>
1. Coordination among concerned government agencies	2.28	More Effective	2.1	More Effective	2.83	Moderately Effective	2.40	More Effective
2. Development and execution of strategic goals.	1.97	More Effective	2.75	Moderately Effective	2.72	Moderately Effective	2.48	More Effective
3. Intense examination of documents re: validation of landholdings were taken into consideration.	1.09	Mostly Effective	1.10	Mostly Effective	1.11	Mostly Effective	1.1	Mostly Effective
	1.75	More Effective	1.98	More Effective	2.22	More Effective	1.98	Moderately Effective

It can be obtained from the table presented above that the mostly effective action taken by the CARP implementers under the first stage of compulsory acquisition was the strong scrutiny of documents needed in the particular activity such as Approved Survey Plans (ASPs), copy of land title, tax declaration etc. This response earned the combined mean of 1.1 further described as “mostly effective”. This occurrence can be justified by the agency’s effort in resolving documentary conflicts before proceeding to the actual validation, however there are still problematic landholdings that need thorough validation and examination of documents.

Table 3.2. *Actions Taken by CARP Implementers to Address the Challenges under the Stage of Issuance of Notice of Coverage*

<i>Actions Taken</i>	<i>ARBs</i>	<i>Verbal Descriptor</i>	<i>CI</i>	<i>Verbal Descriptor</i>	<i>Los</i>	<i>Verbal Descriptor</i>	<i>Ave</i>	<i>Verbal Descriptor</i>
1. Massive information campaign	1.09	Mostly Effective	1	Mostly Effective	1.28	Mostly Effective	1.12	More Effective
2. Strengthen logistics	1.22	Mostly Effective	1	Mostly Effective	1.67	More Effective	1.26	More Effective
3. Partnership with LGUs and BLGUs	1.09	Mostly Effective	1.35	Mostly Effective	1.67	More Effective	1.37	Mostly Effective
	1.13	Mostly Effective	1.12	Mostly Effective	1.54	More Effective	1.26	More Effective

It can be derived from table 3.2 that during this specific stage under compulsory acquisition it can be observed that ARBs believe that the most effective actions taken by CARP implementers to address the challenges was the agency’s massive information campaign that was being provided to landowners, example of which is the conduct of Landowners’ Forum in the province. It garnered a combine mean of 1.12 which describes as “mostly effective”. Among the respondents, the CARP Implementers’ response emerged on top of the list with average score of 1.12 being described as “mostly effective”.

Table 3.3. *Actions Taken by CARP Implementers to Address the Challenges under the Stage of Screening, Identification and Selection of Farmer-Beneficiaries or ARBs*

<i>Actions Taken</i>	<i>ARBs</i>	<i>Verbal Descriptor</i>	<i>CI</i>	<i>Verbal Descriptor</i>	<i>Los</i>	<i>Verbal Descriptor</i>	<i>Ave</i>	<i>Verbal Descriptor</i>
1. Activation of BARCs	2.21	More Effective	1.95	More Effective	1.83	More Effective	2.00	More Effective
2. Strict Coordination with BLGUs	2.34	More Effective	1.75	More Effective	1.94	More Effective	2.01	More Effective
3. Immersion	1.24	Mostly Effective	1.10	Mostly Effective	1.28	Mostly Effective	1.21	Mostly Effective
	1.93	More Effective	1.6	More Effective	1.68	More Effective	1.74	More Effective

Table No. 3.3 shows that majority of the respondents believe that the most effective actions taken by the CARP implementers to address the challenges under the stage of screening, identification and selection of FBs and ARBs was the DAR field personnel’s immersion activities to the ARC barangays, whilst allowing the public to be equipped with the knowledge with regards to CARP/CARPER. It garnered the highest combined mean rating of 1.21 with verbal descriptor of “mostly effective”. Among the respondents, CARP implementers’ response again emerged the top of the list having 1.6 computed mean with adjectival rating of “more effective”.

Table 3.4. *Actions Taken by CARP Implementers to Address the Challenges under the Stage of Conduct of JFI of DAR, LBP and other Concerned LGUs*

<i>Actions Taken</i>	<i>ARBs</i>	<i>Verbal Descriptor</i>	<i>CI</i>	<i>Verbal Descriptor</i>	<i>LOs</i>	<i>Verbal Descriptor</i>	<i>Ave</i>	<i>Verbal Descriptor</i>
1. Concerned parties are informed of the scheduled field investigation.	1.22	Mostly Effective	1.1	Mostly Effective	1.39	Mostly Effective	1.24	Mostly Effective
2. There is open communication among concerned parties.	1	Mostly Effective	1.25	Mostly Effective	2.83	Moderately Effective	1.69	More Effective
3. DAR conducts visitation to Landowners.	1.62	More Effective	1.20	Mostly Effective	2.53	More Effective	1.72	More Effective
	1.28	Mostly Effective	1.18	Mostly Effective	2.24	More Effective	1.57	More Effective

It can be drawn from the table presented above that majority of respondents agreed that the mostly effective step undertaken by DAR in terms of compulsory acquisition of lands under the fourth stage to address the identified challenges was the assurance that all concerned agencies involved in the JFI were notified a week before the actual conduct. This response obtained the combined mean rating of 1.24 or in verbal term was “mostly effective”. The CARP implementers once again emerged on the top of the responses which believe on the latter, it obtained an average score of 1.18 described as “mostly effective”.

Table 3.5. *Actions Taken by CARP Implementers to Address the Challenges under the Stage of Land Valuation and Just Compensation*

<i>Actions Taken</i>	<i>ARBs</i>	<i>Verbal Descriptor</i>	<i>CI</i>	<i>Verbal Descriptor</i>	<i>LOs</i>	<i>Verbal Descriptor</i>	<i>Ave</i>	<i>Verbal Descriptor</i>
1. Coordination with LBP.	1.02	Mostly Effective	1.25	Mostly Effective	2.22	Mostly Effective	1.50	More Effective
2. Vast information campaign.	1.26	Mostly Effective	1.20	Mostly Effective	1.5	More Effective	1.32	Mostly Effective
	1.14	Mostly Effective	1.23	Mostly Effective	1.86	More Effective	1.41	More Effective

It can be grasped from Table 3.5 that the vast information campaign and the orientations conducted by DAR to ARBs with regards to policies and programs of LBP, marks the top actions taken by the CARP implementers in addressing the challenges encountered by the three groups of respondents in the

implementation of compulsory acquisition of lands. Results revealed that this response obtained the combined mean rating of 1.32 with adjectival descriptor of “mostly effective”. More so, the ARB’s response appeared to be on uppermost ranking which garnered an average score of 1.14 with verbal description of “mostly effective”.

Table 3.6. *Actions Taken by CARP Implementers to Address the Challenges under the Stage of Land Registration, Distribution and Installation*

<i>Actions Taken</i>	<i>ARBs</i>	<i>Verbal Descriptor</i>	<i>CI</i>	<i>Verbal Descriptor</i>	<i>LOs</i>	<i>Verbal Descriptor</i>	<i>Ave</i>	<i>Verbal Descriptor</i>
1. Assistance from LGUs were requested in times of danger.	1	Mostly Effective	1.25	Mostly Effective	1.67	More Effective	1.31	Mostly Effective
2. Strict supervision on CLOA generation is observed.	1.02	Mostly Effective	1.00	Mostly Effective	1.50	More Effective	1.17	Mostly Effective
	1.01	Mostly Effective	1.13	Mostly Effective	1.59	More Effective	1.24	Mostly Effective

Under the last stage of compulsory acquisition of lands under CARP, it can be gleaned from the table illustrated above that the mostly effective step undertaken by the CARP implementers in addressing the challenges in this particular stage was the strict supervision during the generation of CLOAs (collective or individual). It garnered the highest combined mean of 1.17 described as “mostly effective”, among the groups of respondents, the ARBs mostly believe that DAR provides strict supervision in the generation of CLOAs, it earned a mean rating of 1.01 being described as “mostly effective”.

Conclusion

Based on the comprehensive and in-depth analysis of the data gathered, the researcher hereby concluded that there are challenges in the implementation of compulsory acquisition of agricultural lands under its several stages in the province of Marinduque. CARP implementers in the province have attempted to address these challenges. It also concludes that the respondents have different observations regarding the challenges encountered in the implementation of compulsory acquisition of lands under the first until

the fifth stage of the process; thus, the null hypothesis is rejected. Meanwhile, with regard to the observation of the respondents on the last stage, results revealed that they have the same challenges experienced and encountered; thus, the null hypothesis is accepted. The result of this study yields the development of a process model in resolving organizational challenges.

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