

A year after the Hacienda Luisita massacre in the Philippines—no one charged

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It has been more than a year since the notorious Hacienda Luisita massacre on November 16, 2004. Twelve picketers and two children were killed and hundreds of workers badly injured when 1,000 police and soldiers stormed a blockade of 6,000 plantation workers and their families at the Hacienda Luisita sugar mill and plantation in Tarlac, Philippines.

President Gloria Arroyo's Labor Secretary Patricia Sto Tomas had personally dispatched the soldiers and police with instructions to disperse the picket. Tomas justified the decision to intervene by declaring "the national interest" was "clearly affected by the dispute".

The interests most directly affected were those of the plantation's owners, the Conjuangco-Aquino family, relatives of former president Cory Aquino. The striking plantation and mill workers were seeking a pay rise, reinstatement of victimised workers and, more broadly, nationwide land redistribution to farm and plantation workers.

Despite incriminating accounts by many witnesses who saw police, soldiers and security guards firing into the picket line, not a single arrest has been made. After hearing testimony from 41 witnesses and reviewing ballistic tests on police firearms, the National Bureau of Investigations (NBI) recommended charges against nine Philippines National Police (PNP) officers.

The NBI investigation, along with the government-ordered Senate inquiry to which the NBI was to report, was designed to appease a public outcry over the killings. Significantly, the NBI report made no mention of the military's role in the massacre even though an eyewitness—Francisco Lintag, a sheriff from the Labor and Employment Department—said he saw soldiers rushing toward the picketers and discharging their firearms.

The NBI avoided implicating the Armed Forces of the Philippines (AFP) in the killings because to have done so

would have directly raised the question of whether the government had authorised the use of lethal force against the strikers.

Subsequently, even the NBI's recommendation for charges against the nine PNP officers was sidelined last December when the PNP released its own internal investigation. It cleared the police of any blame for the killings and claimed the PNP had "observed maximum tolerance" from the outset of the strike.

The PNP report alleged that the "initial burst of gun fire" came from the workers' ranks and that police had gathered evidence that "confirmed the presence and participation of New Peoples Army (NPA) rebels in the strike". While the so-called "evidence" allowed the police to accuse strikers of association with NPA fighters, the report admitted, "it would not suffice for their criminal prosecution".

The findings of both official investigations make clear that their purpose was essentially to whitewash the role of the police and the army and to cover up the underlying reasons for the government's crackdown against the Hacienda Luisita strikers.

Arroyo's government, the Hacienda Luisita owners and other major landowners were particularly alarmed that the strikers had demanded, along with improved wages and conditions, long-outstanding legal changes to allow the redistribution of land.

When former president Aquino came to power in 1986 on the wave of opposition to the Marcos dictatorship, she had to promise land reform. The resulting Comprehensive Agrarian Reform Program (CARP) held out the prospect of breaking up large sugar plantations such as the 5,000-hectare Hacienda Luisita.

Aquino, however, protected major landowners, such as her relatives in the Conjuangco family who had purchased the Hacienda Luisita in 1958 with funds supplied by the Central Bank of the Philippines and the Government

Service Insurance System. They could evade land redistribution through a loophole in CARP known as the Stock Distribution Option (SDO).

The SDO allowed landowners to classify farm workers and tenants as stockholders or co-owners who would supposedly be given a share of profits. At the same time, there were many ways for landowners to avoid actual profit sharing.

The period leading up to the Hacienda Luisita killings saw intensifying agitation by peasants and farm workers across the country for the repeal of the SDO and for land reform. The government's lethal response was meant to both assist the management to crush the dispute and ensure that it did not become the focal point for a broader movement.

The bloody repression against the Hacienda Luisita strikers, followed by the official exoneration of the perpetrators, has been followed by a wave of violence against peasant farmers, plantation workers and unionists. Over the past year, murders, abductions and other forms of violent harassment have occurred on an almost weekly basis.

According to the Manila-based group Alliance for the Advancement of Human Rights, there were 116 political murders in the Philippines in the first 10 months of 2005. All remain unsolved, although AFP soldiers and PNP officers have been implicated in most of them.

Many of the slain were directly associated with the Hacienda Luisita dispute or with the farm workers' movement for land. On the evening of January 5, 2005, four gunmen shot two workers after ramming a luxury sports utility into a picket line at the Hacienda Luisita sugar mill. One of the workers was critically injured.

On October 25, Central Azucarera de Tarlac Labor Union (CATLU) president Ricardo Ramos, who played a central role in the Hacienda Luisita dispute, was slain by unknown gunmen. While local Tarlac police subsequently identified two AFP soldiers as possible suspects, neither was arrested. To minimise popular dissent over the Ramos killing, Arroyo ordered the PNP to carry out an inquiry. Given the findings of its Hacienda Luisita investigation, the new inquiry is sure to be another whitewash.

On November 21, AFP troops killed nine farm workers at the Barangay San Agustin plantation in Palo, Layte. Many more were injured and hospitalised after soldiers opened fire on the tent where workers had assembled. The military claimed the protesters were NPA members, but locals said they were unarmed and were members of Bayan Muna (People First), a leftist group, protesting

against the landlord's refusal to implement CARP.

Other prominent figures murdered since the Hacienda Luisita repression include Francisco Rivera, a Bayan Muna activist, and his two close friends who were gunned down last year while they were out jogging. In September, Diosdado Fortuna, the Nestlé union president and chairman of the regional branch of Kilusang Mayo Uno (May First Movement) was shot while on his way home from a picket at the Swiss-based company.

Alongside outright repression, the government has attempted to placate popular opposition and rein in the movement for land reform by offering certain limited concessions. At the end of last year, the validation committee of the Presidential Agrarian Reform Council upheld a Department of Agrarian Reform (DAR) recommendation to scrap the SDO loophole.

The resolution also recommended placing the Hacienda Luisita under the CARP's compulsory or mandated land-acquisition scheme, raising the possibility of some land redistribution. The CARP decision is still pending. Even though large areas of the estate have already been sold off, including some of its most productive land, the owners are hotly disputing the DAR recommendation.

Their legal representative Vigor Mendoza told the media last month that the company intended to examine the DAR resolution and "decide our options from there". Mendoza warned: "If the decision is contrary to law then we'll take the appropriate action."

As they have done in the past, the Conjuangcos intend to use their vast wealth and influential connections to tie up the decision in never-ending legal challenges. Behind the scenes, further violence will be prepared against farm and plantation workers and tenants who oppose them.



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