

# **Balay Mindanaw Foundation, Inc. (BMFI): An Assessment of Advocacy Capabilities**

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*The Balay Mindanaw Foundation, Inc. (BMFI) employs a three-pronged strategy of (1) providing sustainable integrated area development, (2) developing mechanisms and technology for democratic participation of people and communities in localities, and (3) facilitating agrarian reform implementation. BMFI's advocacy was formulated in the context of continuing poverty and powerlessness in the region. At the same time, BMFI's espousal takes as its backdrop a political environment that is more open and conducive to shared governance (sectoral, NGO participation in the finer aspects of regional governance). The policy environment within which BMFI operates is constricted by (the) well-defined ethnic differences as well as disturbing poverty that permeate across the region. The involvement of BMFI in development work is largely area-based, focused on at least five major levels of engagement (i.e., the barangay, the municipality, the province, the region and the nation). The study strongly suggests that to further enhance the advocacy efforts of the BMFI, the following capability-building needs must be squarely addressed: (a) technical assistance on revenue generation programs and economic promotion for local governments; (b) training for micro-enterprise development; (c) continuing paralegal education; and (d) training on program monitoring.*

## **The Case Study**

This case study is one of the four studies done in 1999 by the Center for Leadership, Citizenship and Democracy (CLCD) of the University of the Philippines-National College of Public Administration and Governance (U.P. NCPAG), in collaboration with Christian Aid. The objective of the collaborative effort was to strengthen the capacity of Christian Aid partners for policy advocacy. The field research for this particular case was conducted from 26 February to 3 March 1999. During this period, the researcher gathered as many relevant data on Balay Mindanaw Foundation, Inc. (BMFI) as possible, conducted interviews with the head and staff, and visited the nongovernment organization's (NGO) partner communities. Every effort was exhausted to make the study as participatory as possible.

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## Bagares, Condess

n.d. Pinaghiusa Riverside Organization (PARIOR) Mabolo Profile. Cebu City.

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n.d. Center for Initial Phase of Rehabilitation: A Concept Paper. Cebu City.

n.d. Disciplinary Action Measures. Cebu City.

n.d. FORGE's Work on Prostituted Women and Children: A Strategy. Cebu City.

n.d. PLOT (Participatory Leader-Organizer Training) handout. Cebu City.

n.d. *The Trisikad Drivers' Story*. Cebu City.

## Fisalbon, Juanita B., Estella Patalinghug-Vasquez, and Condess S. Bagares

1999 Interview. FORGE Office, Colon Street, Cebu City. 2 March.

## Ngolaban, Ana Maria Rellin

1999 Interview. FORGE Office, Colon Street, Cebu City. 6 March.

## Vasquez, Estela Patalinghug and Haley B. Atienza

1999 Interview. FORGE Office, Colon Street, Cebu City. 5 March.

## Verdeflor, Amorell C.

1999 Interview. FORGE Office, Colon Street, Cebu City. 4 March.

Upon request by the researcher, BMFI provided material data on their operations. The field researcher also interviewed the heads and employees of the organization, as well as municipal government employees and barangay leaders where BMFI has established presence.

### **The Organization**

Balay Mindanaw Foundation, Inc. is a Mindanao-based and Mindanao-focused nonstock, nonprofit foundation. It was established through the efforts of Mr. Charlito Z. Manlupig who has been serving as its Executive Director since 1996.

BMFI was formally registered with the Securities and Exchange Commission on 8 May 1996. However, groundwork for its establishment began as early as October 1995, during which time its principal founder engaged in what he calls a "one-man and one-table operation" (Manlupig 1999). Its initial program funding was provided by the Kaisahan Tungo sa Kaunlaran sa Kanayunan at Repormang Pansakahan (KAISAHAN), a national NGO involved in agrarian reform implementation and rural development. Support from Christian Aid, the Ford Foundation, and the Philippine Development Assistance Program (PDAP) of the Australian Government came later.

Mr. Manlupig traces the idea of creating BMFI from KAISAHAN. It was during his stint as Senior Fellow at KAISAHAN in 1994, when he realized the need to go back to the rural areas of Mindanao and assist in making the government's agrarian reform program workable (Manlupig 1999). Thus, with some 20 years of development work to his name—including a year of government service as the Regional Director of the Department of Agrarian Reform in Region 10 (DAR-X)—he initiated what would later be the BMFI.

Between October and December 1995, Mr. Manlupig gathered the commitment and support of former colleagues and associates in the world of NGOs. He persistently pursued some of them to join the organization he had in mind (Manlupig et al.). Others came to BMFI looking for socially-relevant work (Caalim et al. 1999).

Four years later, BMFI prided itself for having among the members of its Board of Trustees some of the well-known and well-respected rural development advocates in the region.

BMFI holds office in the heart of Cagayan de Oro City. It is housed in twin two-storey buildings in a commercial complex along Capistrano Street: one building is utilized as the central office; the other building serves as training center.

To facilitate its area-based community organizing, BMFI maintains separate staff houses in the following areas: (1) Balay Claveria in Claveria, Misamis Oriental; (2) Balay Gingoog in Gingoog City, Misamis Oriental; (3) Balay Loreto in Dinagat Island; and (4) Balay Davao in Davao del Sur.

### *Vision Statement*

BMFI pursues a three-fold mission of (1) promoting sustainable integrated area development, (2) developing mechanisms and technology for democratic participation of people and communities in localities, and (3) facilitating agrarian reform implementation. It pursues development work in the rural areas of Mindanao through what it calls "principles partnerships" with the people's organizations (POs), other NGOs, government agencies, and other sectors. Such partnerships are geared towards the establishment of Mindanao that will be home ("balay" and "banay") for its tri-people—the Moros, the Lumads (indigenous peoples or IPs) and other settlers (BMFI Brochure 1999). Its vision is stated thus: *Kaangayan, Kalambuan, Kalinaw... sa Mindanaw, sa Pilipinas, sa Kalibutan* (Equality, Development, Peace... in Mindanao, the Philippines, and the World).

It should be noted that in the triumvirate of values, BMFI ranks peace third. It perceives peace as the fruit of equality and development. Thus, the approach it proposes to lasting peace in Mindanao is structural—inequity and underdevelopment should be addressed (Hernandez 1999).

BMFI's advocacy was formulated in the context of continuing poverty and powerlessness in the region. This poverty BMFI traces to the unjust center-periphery relationship between Mindanao and the central government which has empowered the latter to make crucial and sensitive decisions that—whether intended or not—have largely contributed to the political, economic, and cultural marginalization of the region (BMFI, Internal Paper 1998).

At the same time, BMFI's advocacy takes as its backdrop a political environment that is more open and conducive to shared governance. Although largely untapped, the BMFI seeks to exploit the political opening created by the passage of the Local Government Code of 1991 to enhance sectoral and NGO participation in the finer aspects of regional governance.

### *Service Areas*

*The Policy Environment.* In a nutshell, the policy environment within which BMFI operates is constricted by well-defined ethnic differences as well as by disturbing poverty that gnaws across the region. Mindanao, its base of operations, is the only region with tri-people character that groups together

within geographic proximity IPs or Lumads, the Moros, and the settlers. This unique ethnic feature of the region has at various instances ignited social tension, resulting in sporadic and sometimes violent confrontations among organized ethnic forces. Presently, a détente of sorts has been achieved following the signing of a peace agreement by the Moro National Liberation Front with the government. Unfortunately, this—and the ongoing peace negotiations with the Moro Islamic Liberation Front—have failed to effectively put a lid on terror and fear which continue to plague the region and dampen hopes of rapid economic growth.

Traditionally, the root of social unrest in Mindanao has been traced to social inequality. Then as now, the region contributes significantly to the national economy.

Mindanao provides 25 percent of the total rice production, 66 percent of the total cattle and tuna, and more than 50 percent of the total corn, fish, chicken, and hogs required by the whole nation. It accounts for all the pineapple, rubber, and banana exports of the country. It used to account for 90 percent of the plywood, veneer, and lumber products during the logging boom years of 1970-1990. It accounts for 63 percent of nickel and 48.3 percent of gold reserves. The region has 38.5 percent of total Philippine forest area and 38 percent of total Philippine farmlands.

And yet, amidst this bounty, Mindanao remains the country's poorest region, with the poverty incidence of 64.3 percent, higher than the national average of 59.3 percent. Fourteen of the country's 20 poorest provinces are in Mindanao. All the Moro provinces belong to the ten poorest. This condition, if anything, has been interpreted to mean long-standing government neglect of the regional population, a perception that may not altogether be without basis. As large agri-business and industrialist interests expand in the region—usually pushed by investors alien to the region—the IPs and Moros run under constant threat of dislocation and marginalization from their ancestral lands. At the same time, the recent development of industrial enclaves and growth corridors has posed dangerous threats to the tenurial security of the regions' agricultural communities (BMFI, Internal Paper 1998).

*The Service Areas.* Technically, BMFI's service areas—Misamis Oriental, Surigao del Norte, and Davao del Sur—do not belong to the government's so-called Club 20 of poorest provinces. Yet incomes among the municipalities in these provinces, and incomes among families in the different municipalities are skewed. These provinces generate income from the lease of the vast agricultural lands to agro-industrial corporations as well as from taxes paid by vertically integrated food conglomerates. Tourism is also an emerging sector.

Most of the people however are landless tenant farmers and seasonal farm workers whose incomes are dependent on the bounty of the land and good weather. There is little work available for the employable labor force. Wives and children often assist the men in the cultivation of the land, with little, if any, compensation at all (Dagapio et al. 1999).

### **BMFI'S Decisionmaking Patterns**

The Board of Trustees is the highest policymaking body of the BMFI. The Board lays down the general direction of the organization. It represents the organization in alliance building.

Directives from the Board are carried out by the Management Committee (MANCOM). It consists of the Executive Director, the Program Coordinators, and the Office Manager. Meetings, other than executive sessions, are open to any employee who is interested to join the discussion. The MANCOM meets twice a month.

Aside from implementing the Board's directives, the MANCOM is responsible for the following:

- setting the workable targets for the organization on quarterly and yearly basis,
- assessing the progress of projects, and
- assisting employees in making representation with local government units (LGUs).

On matters related to human resource management, the MANCOM has the following responsibilities:

- conduct final review and approval of policies after regular staff review;
- review and approve staff development work plans;
- deliberate upon, screen, and decide hiring, firing, and discipline of employees;
- recommend for approval to the Board of Trustees increases of salaries, bonuses, and benefits; and
- initiate intervention to resolve issues regarding staff relations.

### *Organizational Structure*

BMFI is made up of six units, namely: (1) Management, Administrative and Finance Services (MAFS), (2) Sustainable Integrated Area Development (SIAD), (3) Legal Assistance for Agrarian Reform and Genuine Empowerment (LARGE), (4) Networking, Coalition-Building and Alliances (NCBA), (5) Publication, Information and Education (PIE), and (6) Special Projects (SP). (See Figure 1.)

Except for the MAFS, which directly backstops the Executive Director and the Program Coordinators, each unit is headed by a Program Coordinator reporting directly to the Executive Director. The Program Coordinator is responsible for program management, project development, and staff development (BMFI Job Briefs 1999).

As of February 1999, the PIE Unit was not yet operational. The Special Projects Unit had two ongoing projects: (1) the Iligan project, headed by a Project Coordinator; and (2) the Davao del Sur Project, headed by a Project Manager. The Davao del Sur Project focuses on micro enterprise development for agrarian reform communities.

### **Programs, Projects, and Activities**

The involvement of BMFI in development work is largely area-based, focused on at least five general levels of engagement: the Barangay, the Municipality, the Province, the region (including subregional areas), and the nation.

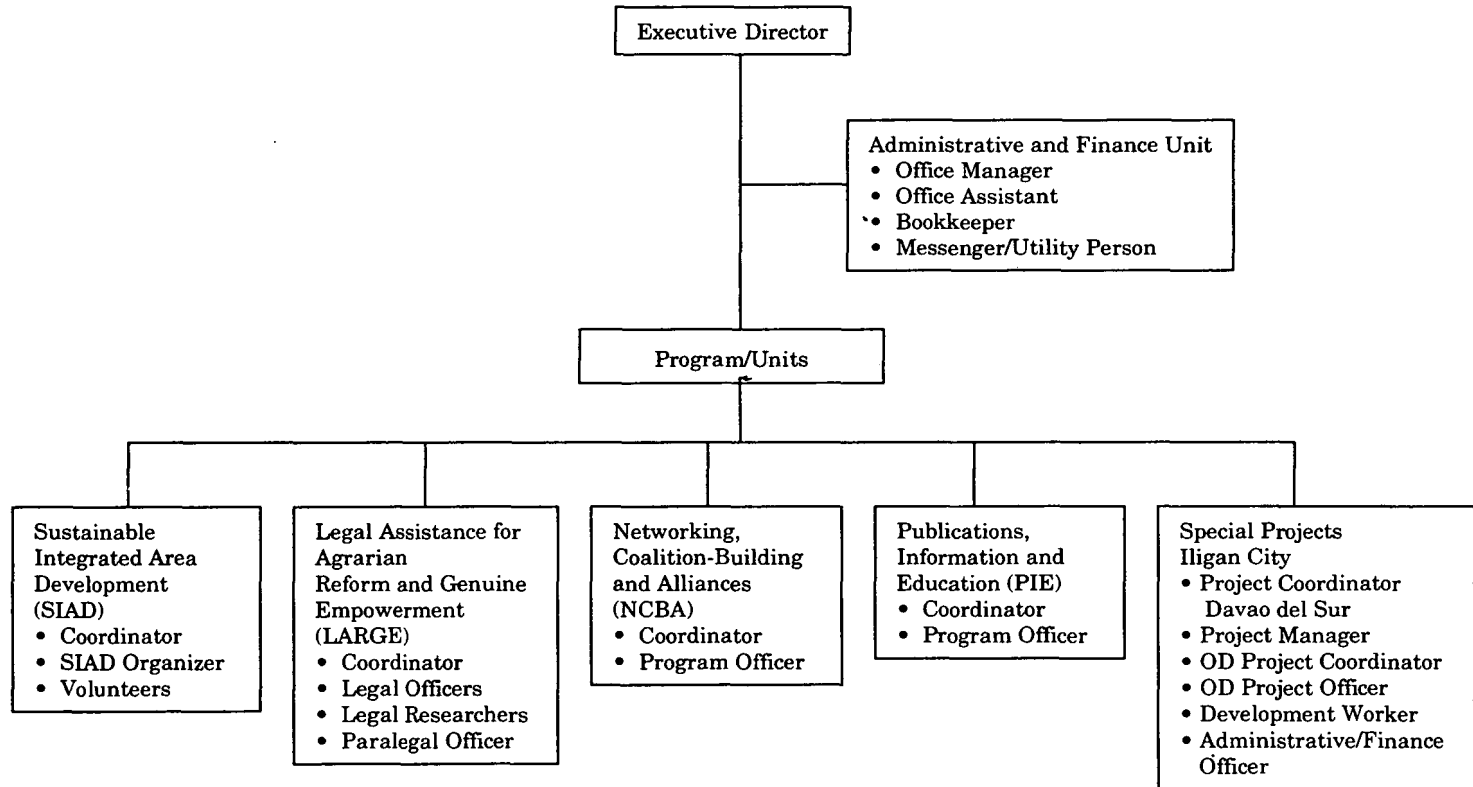
#### *At the Barangay-Level*

BMFI aims to empower the barangays by providing the elected leaders with leadership and management skills through training interventions, building political awareness and participation among the citizens, and instilling political accountability among the elected and the electorate.

BMFI facilitates the forging of community-based and area-focused partnerships among development players through the institutionalization of mechanisms for democratic participation in governance using the SIAD approach. Put in another way, it is in the business of organizing advocacy groups within farming communities that eventually carry out their independent advocacy agenda.

The unit in charge of community organizing is called the Sustainable Integrated Area Development (SIAD) Unit. Community organizers are called

**Figure 1. BMFI Organization Chart (as of February 1999)**





'SIADOs' (Sustainable Integrated Area Development Officers) consistent with the adopted framework in community organizing. BMFI is a member of the Philippine Community Organizers Society (PHILCOS) which formulated the COCOBREAD framework between 1993-1995. Notwithstanding its adoption, the framework has remained a "living document," subject to the constant study and review of the members.<sup>1</sup> SIADOs are further grouped according to their service areas and are collectively called Area-Based Operation Teams (ABOTs).

The term 'SIADO' illustrates the role of the community organizers within the barangays—the force behind the masses (that is, *shadow of the people*). One community organizer however would like to think that BMFI, as represented by the SIADOs, walks side by side with the people in the developmental process. The strength of the people comes from within themselves, not from BMFI. The role of SIADO is to guide, not really push or pull the people (Ipulan et al. 1999).

One SIADO explained that unless the people themselves think they are ready to take on the challenge of government, they cannot really do much work. He declares: "the real work is with the people. We try to provide them with the tools. The decision is entirely with them. We trust that the people know where to go" (Dagapio et al. 1999).

It is admitted that the organization is still in the process of fully crystallizing its philosophy. In spite of all the years in development work, the Executive Director himself admits he is still learning from the people. It takes a long time to realize that the barangay, although a small unit, could become an effective vehicle of democratization and governance (Manlupig 1999).

Learning from the people however can be a painful process. While still doing groundwork in a barangay, the SIADOs took a position not fully supported by the MANCOM. The issue to be resolved was how to establish the presence of the BMFI in the most efficient amount of time and effort in the identified barangay. Given the history of militarization of the barangay, the level of underdevelopment, and the people's experiences in collective undertaking, the SIADOs decided to rehabilitate an ailing farmers' cooperative. This cooperative used to enjoy the membership of most of the farmers until it became a faltering venture. The MANCOM expressed its reservations on the wisdom of the proposal—the community was not only short on fresh capital but also bereft of people with the managerial skills. It had been a difficult time for the SIADOs who were also trying to win the confidence of the leaders of the community. However, after conducting a second round of social investigation (i.e., informal consultations, house visits, and informal interviews), the SIADOs were convinced of the merits of the proposal and pursued their work with the cooperative members. For months,

they extended time and assistance to the cooperative, providing training interventions and sourcing new capital. MANCOM eventually saw the commitment of the barangay and the immense support the SIADOs enjoyed. It was a breakthrough for the organization. While there remained some apprehension as to whether the cooperative would remain financially viable in the future, the people kept their faith with BMFI, which in turn continues to keep faith with the SIADOs (Dagapio et al. 1999).

Disagreements are integral to the learning process and independent thinking is valued within the organization. In the recruitment and selection process itself, the Executive Director who sits as chair of the Selection Committee, probes for independent thinking as well as teamwork. Within the organization, decisionmaking has to be democratic, too. Decisions affecting the BMFI cannot be decided by MANCOM. In the same way, BMFI cannot decide for the farmers (Manlupig 1999).

The locus and focus of BMFI's area-based work are the barangays, which are categorized either as focus or service barangays.

*Focus Barangay.* Fifteen barangays have been identified as focus barangays where full-time SIADOs live and work and where intervention is at its fullest. Focus barangays are seen as the important anchor to keep BMFI grounded and rooted. BMFI has identified three barangays in Claveria and two barangays in Gingoog City, in Misamis Oriental; the entire municipality of Loreto in Dinagat Island consisting of five barangays; and five barangays in three municipalities in Davao del Sur.

SIADOs interact on a full-time basis with their focus barangays and report to the central office only once in two weeks. They enjoy a high degree of autonomy in their interaction with the communities.

In the identification of focus barangays, BMFI has used several criteria. Priority has been given to agrarian reform communities because of a high degree of community integration and government assistance. Consideration has also been given to barangays where the employees have some degree of family or popular support. Proximity of the areas to other communities has also been considered.

Working away from their families and lodged in staff houses, female SIADOs sometimes encounter resistance from men who think that women should not engage in dangerous work. But such gender biases are overcome when men realize that they can live on their own (Dagapio et al. 1999).

At the barangay level, BMFI understands that leadership succession is crucial. Hence, BMFI gives extensive exposure and training to progressive

and supportive elements. BMFI also assists barangay councils in finding financial support from LGUs, government agencies, and national and international funding agencies.

*Service Barangay.* At least 40 barangays are categorized as service barangays. These are the barangays where there are no full-time barangay-based SIADOs but BMFI provides assistance such as the conduct of the Participatory Rural Appraisal (PRA), the formulation of the Barangay Development Plans (BDPs), project development training and capability-building, and other necessary interventions.

The Municipal Government of Claveria adopted Resolution 117 (series of 1998) accrediting BMFI as a member of the Municipal Development Council and other Special Bodies. A separate resolution was also adopted directing the BMFI and the Municipal Planning and Development Office (MPDO) to jointly conduct Participatory Rural Appraisal-Barangay Development Planning (PRA-BDP) in 22 barangays of the municipality. To this end, the Municipal Government of Claveria appropriated funds. In addition, the different Sangguniang Pambarangays were directed to provide counterpart funding to cover the costs of meals for the joint training team (Laotoco et al. 1999).

#### *At the Municipal Level*

BMFI works for the incorporation and integration of the community/barangay development plans with the municipal plans and budgets, and the formation of partnerships with local executives.

This means assisting interest groups and the Sanggunian Pambarangay in formulating, formalizing, and monitoring the developmental plans. For BMFI, the steps of formulating and formalizing developmental plans are the most crucial. These steps do not mean the mere taking of the plans to a vote by members of the community. It means getting a large number of people to intelligently participate in identifying community projects and prioritizing them. It also means identifying the resources of the community and committing such resources in pursuance of plans. The aim is to make the people have a sense of ownership of the development plans (Dagapio et al. 1999).

In the Iligan Project, instead of directly doing the local-based interventions BMFI is replicating its efforts and organizational practices through a smaller NGO called Pailig Development Foundation (PDF), an Iligan-based, Iligan-focused, and Iligan-dedicated NGO (Manlupig et al. 1999).

*At the Provincial level*

BMFI facilitates the formation of provincial partnerships, networks and movements especially in the area of agrarian reform and democratic participation in governance.

*At the Subregional (Northern Mindanao) and Regional (Mindanao) Levels*

BMFI serves as technical secretariat for various development groups, such as the Mindanao Coalition of Development NGO Networks (MINCODE), Mindanao Congress of Development NGOs (MINCON), Mindanao Peace Advocates Conference (MPAC), Kusog Mindanao (Mindanao Force) and other multisectoral movements for Mindanao development, and works in partnership with various government agencies.

Since 1997, BMFI has sat as the lone NGO permanent member of the Social Reform Agenda-Regional Technical Working Group (SRA-RTWG) for Northern Mindanao. The SRA-RTWG is the highest overall coordinating body for all government anti-poverty initiatives in the subregion.

*At the National and International Levels*

BMFI participates meaningfully in partnerships, networks, and other national and international movements for people's development. Apart from Christian Aid, BMFI enjoys the support and assistance of the Ford Foundation and the Philippine Development Assistance Program (PDAP) of the Australian Government. As a matter of policy, BMFI veers away from donor-driven activities and would rather that the funding partners support the whole program.

**Developmental Legal Assistance**

The focus of the developmental legal assistance component is the institutionalization of mechanisms to ensure greater access to justice at the barangay level through training interventions designed to strengthen the barangay justice system. The barangay justice system is based on consultations, dialogues, mediations, conciliation, and negotiations, the objective of which includes reaching an amicable settlement without having to undergo a protracted and usually expensive litigation.

It should be noted that Northern Mindanao has a long history of rebellion, militarization, and paramilitary violence. By improving the

barangay justice system, BMFI helps to contain, if not diffuse, the already volatile situation in the subregion.

The unit implementing the Developmental Legal Support Program is called LARGE. Paralegal formation is being handled through PESANTech (Paralegal Education Skills Advancement and Networking Technology), a national agrarian reform paralegal development program jointly implemented by BMFI, KAISAHAN, and SALIGAN.<sup>2</sup> It has two components: Barangay Justice and Developmental Law Laboratory.

### *Barangay Justice*

There is the barangay-based institution-building and capability-building program, which aims towards more efficient and effective justice system by:

- (1) strengthening the Lupong Tagapamayapa, the Barangay Agrarian Reform Committee (BARC), the Barangay Human Rights Action Officers (BHRAO), or the other traditional cultural structures and processes of the indigenous communities;
- (2) constituting and enhancing the capability of barangay-based paralegal teams;
- (3) conducting regular legal clinics; and
- (4) providing litigation assistance in selected cases.

### *Developmental Law Laboratory*

The forging of partnerships with the College of Law of Xavier University and other schools offering legal education is currently in progress.

The collaboration focuses on orienting and exposing law students to development work by (a) tapping them to do barangay-based implementation of the access-to-justice component of the BMFI program, and (b) giving them the opportunity to apply legal theories to real-life cases in the barangays.

LARGE listed the following as its accomplishments for the period 1996-1998:

- (1) Organized and strengthened the Lupong Tagapamayapa operating in at least ten barangays;

- (2) Organized paralegal teams operating in at least ten barangays;
- (3) Conducted at least one paralegal seminar in each of the ten barangays;
- (4) Held monthly legal clinics in at least 10 barangays;
- (5) Organized a pool of volunteer law students with at least 20 members; and
- (6) Provided actual litigation support in selected cases.

Moreover, LARGE is expecting the following long-term results:

- (1) institutionalization of access to barangay justice through the various barangay-based structures and processes;
- (2) enhancement of the capacity of barangay residents to know their legal rights and responsibilities, resolve issues at the lowest possible level, and pro-actively plan and implement related activities; and
- (3) creation of a pool of developmental legal practitioners (BMFI, Proceedings of the 1998 Yearend Assessment).

### **Research and Publication**

During the MAPALAD Campaign (a major agrarian reform initiative), BMFI published a collection of essays titled *MAPALAD: A Hunger for Justice*. This was written by Sean Farrel, a lay missionary who works with the Columban Fathers. Farrel (1998) lives and works among the poorest of Macabalan, an urban poor community in Cagayan de Oro City.

### **Some Realization and Sentiments**

There is a conscious effort on the part of BMFI to strengthen the capacities of barangay leaders. BMFI believes that empowering barangays is a requisite to a "bottom-up" type of governance. BMFI however is careful in defining the boundaries of this interaction vis-à-vis elected officials.

Engagement with government is preferred rather than opposition or impediment. BMFI is unequivocal in its stand that government is not the enemy. Any engagement, however, should contribute to its vision of political accountability and rural development (Manlupig et al. 1999).

There is also shared belief in the organization that (1) government is not monolithic but a key player in development; (2) NGOs should not engage in self-righteousness; and (3) civil society is facing threats such as shrinking resources, sinking credibility, and a weakened NGO community (BMFI, Proceedings of the 1998 Yearend Assessment).

## Internal Management

### *Human Resource Management*

The greatest resource of BMFI is its personnel—its well-respected core group of experienced development workers and legal advocates as well as young, educated, and idealistic employees who take pride in their work in the organization (Manlupig et al. 1999).

*Recruitment.* Recruitment is done using various methods: (1) solicitation by the applicant or by the MANCOM; (2) job posting in schools and universities; (3) referral by present employees; and (4) conversion of volunteer status to employment status.

The tie-up of BMFI with the Year of Service/Summer of Service Program of the Xavier University has proved to be a fruitful exchange for the learning institution and the organization (Hernandez et al. 1999). On one hand, it provided university students of Xavier University opportunities to apply theory into practice as well as live up to the Jesuit ideal of service for the poor. On the other hand, it provided BMFI a stream of young people committed to development work (Dacuron et al. 1999).

*Selection.* At the start of the year or the start of employment, an employee is provided with an Employment Contract which highlights the employee's duties and responsibilities, salaries, and benefits. The contract depends on the mutual agreement of BMFI and the employee, favorable assessment of his/her performance the prior year, and the continuation of the BMFI program. Employment may be severed with the dissolution of the BMFI, termination or completion of the program, poor performance of the employee, and other just causes as provided by law (BMFI, Personnel Policy Manual 1999).

There are three types of employees in BMFI: (1) project employee; (2) special project employee; and (3) short-term employee.

A project employee undergoes the probationary period of three months. Within the three-month period, s/he is entitled to benefits such as SSS (Social Security System), Medicare, Pag-IBIG (*Pagtutulungan sa Kinabukasan: Ikaw, Bangko, Industriya at Gobyerno*), and 13th month pay. After the

probationary period, a qualified employee shall be accorded the legal rights of a regular employee pursuant to the Labor Code, and eligible for BMFI specific benefits.

A special project employee is hired for a special project with a defined duration. The employee undergoes a probationary period of three months and is entitled to such benefits as SSS, Medicare, Pag-IBIG and 13th month pay only. Short-term employees may be any of the three types: (1) consultants; (2) trainees; or (3) volunteers.

A "consultant" is an "expert in a specific field of interest hired for a particular period of time by the MANCOM." A consultant provides services according to a special agreement signed with the Executive Director. In accordance with the nature of the employment relationship, specific outputs are identified for submission by the consultant.

A "trainee" is a "student or a new graduate who needs to undergo practicum or on-the-job training to gain work experience or fulfill academic requirements." A "volunteer" is a "person involved in volunteer programs of learning or non-learning institutions both local and international, and wishes to work for an NGO." A volunteer may also be a student on leave from a learning institution who wishes to work for an NGO.

The decision to take on a trainee or volunteer rests with the Management Committee or the Executive Director. The screening and management of the trainee or volunteer rests with the Program Coordinator of the unit where the trainee or volunteer is assigned. The hiring of the trainee or volunteer as project employee shall depend on his/her performance during the training or volunteer period and the staffing needs of BMFI.

*Staffing Patterns.* Given the scope of its activities, the need for employees had been growing. During the observation period, the organization had 30 employees whose functions may be classified as clerical-administrative, technical (litigation and legal research, networking and advocacy, or community organization), and managerial.

The senior employees have previous experiences in development work, either as community organizers themselves or as program managers. The junior employees are college graduates from private universities who either underwent volunteer or field work for other NGOs. For some of the younger employees (those under 25 years of age), BMFI was their first full-time employment.

In terms of manpower, the SIAD unit has the most number of personnel, totaling nine full-time employees. The unit however services four different service areas. There are two full-time community organizers per area.



The least staffed unit is LARGE which only has one full-time staff and three part-time employees. The full-time staff happens to be the Program Coordinator herself. During the 1998 Yearend Assessment, the need to hire more development lawyers was identified as urgent and necessary (BMFI, Proceedings of the 1998 Yearend Assessment). It should be noted that the part-time legal researchers of the unit are concurrently enrolled in law school.

During the observation period, BMFI had two volunteers. One volunteer is from the United Kingdom. He is an agriculturist on leave from his studies in the university. He is assigned to promote sustainable farming practices among the farming communities in Claveria, Misamis Oriental. This volunteer had a one-year tour of duty ending June 1999 (Caalim et al. 1999). The other is a law graduate from Ateneo de Manila University School of Law who volunteered to do legal documentation of agrarian reform cases in Dinagat Island. His six-month tour of duty ended April 1999. He has been awaiting the results of the 1998 Bar Exams (Dacuron 1999).

*Salary Administration.* All employees receive compensation based on the salary structure of the organization. The job description and other qualifications of the employee are used as basis for determining appropriate rates.

From interviews, it was gathered that BMFI offers a more attractive salary package than government, and comparable with the private sector (Caalim et al. 1999). The salary structure, a confidential document, however, was not obtained by the researcher for study and verification.

*Employee Benefits.* Part of the attractiveness of continued employment with the organization is the monetary and non-monetary benefits package which includes leave credits with pay, per diem, child support allowance, maternity and paternity benefits, insurance and medical benefits, birthday leave, menstrual leave, and Christmas benefits.

Leave credits consist of (a) ten working days vacation leave per year of service with pay; (b) sick leave (in cases of actual illness or injury of the staff or the member of his/her immediate family); (c) compensatory leave for employees on field work (computed at one rest day for one work week); and (d) bereavement leave (in cases of death of an immediate family member, consisting of five working days with pay and monetary contribution of P1,000).

Per diem for local travel is given to employees assigned to do fieldwork outside the area of operation of BMFI. This is computed at P100 times the number of days on fieldwork less 1, for fieldwork over one day (n-1). For fieldwork of one day, the per diem is computed at 1:1. Employees assigned to

attend live-in seminars or conferences sponsored by other organizations are entitled to a per diem of P50 times the number of days, with a maximum of ten days. The per diem is forfeited whenever the assigned employee receives a separate honorarium from the sponsoring organization.

Employees are entitled to child support amounting to P1,000 per month per child if the child is below 18 years old. BMFI supports a maximum of two children per employee.

Aside from the SSS maternity leave benefits, a regular female employee is entitled to her full daily equivalent of 60 days for normal delivery and 78 days for delivery under caesarean section. A regular male employee is entitled to paternity leave of 14 days with pay, which he can avail of himself within the month of delivery.

Employees are entitled to insurance and medical benefits. BMFI subsidizes 50 percent of the premium while the balance is paid by the employee, through automatic salary deduction.

Employees are entitled to one-day birthday leave, which shall be availed of on the date of birth or any day within the week of the birthday.

Female employees are allowed to take one-day menstrual leave each month.

Employees are entitled to 13th-month pay, provided they have worked at least one month during the calendar year. This is computed by multiplying the regular monthly salary during the year by the number of months employed by the organization divided by 12 months (regular salary x no. of months ÷ 12 months).

A bonus is given upon the discretion of the Executive Director and the Board of Trustees. The amount depends on the financial capacity of the organization.

Community organizers receive a monthly living allowance of P1,500, which is subject to liquidation. This allowance covers the daily consumption needs of the community organizer in the service area (BMFI, Personnel Policy Manual 1999).

*Training and Development.* Since BMFI is also a training institution, employees undergo intensive in-house training on community organizing, gender sensitivity, tactics and negotiations, peace building, and paralegal training. Community organizers are expected to be able to facilitate the conduct of the same training modules with their barangay leaders. BMFI also

maintains tie-ups with other developmental legal NGOs and from time to time sends its legal researcher on legal internship.

The 1998 Yearend Assessment recommended that the following areas of study be integrated with the general paralegal training: human rights education; agrarian reform; indigenous peoples and the Indigenous People's Rights Act (IPRA); and Local Government Code of 1991.

Given the lack of development lawyers and the present caseload of the LARGE as well as the training schedule for the 22 service barangays of Claveria, this recommendation is expected to add pressure on the unit (Llanderal 1999). Since the third quarter of 1998, LARGE put a moratorium on the acceptance of litigation cases.

### *Other Material Resources*

The organizational stability and financial capacity of the organization could be perceived from its material resources, the actual financial support from its funding partners. During the ocular visits, the field researcher saw that BMFI invests heavily in office equipment, resource collection, and office furniture. The central office is fully equipped with five work stations with internet access, a photocopier, a fax machine, and telephone lines. It has a growing collection of books and journals. The organization was also in the process of securing a CD-based legal encyclopedia which is deemed as an expensive but necessary investment for the organization (Llanderal 1999).

The training center called Balay Mindanaw Formation House is also a self-liquidating venture. It runs a lodging house and conference facilities for small groups. There is also a small cooperative store inside the compound, which sells souvenir items and NGO publications. This may have potential for generating resources for the organization (Manlupig 1999).

Balay Claveria, which serves both as office and living quarters for the community organizers, is equipped with a work station and growing resource collection on the management of cooperatives as well as local government administration. The work station and the resource collection were donated by KAISAHAN to the organization during its inception (Manlupig et al. 1999).

### *Modest Gains and Breakthroughs*

In its 1998 Yearend Assessment, BMFI identified the assistance of its area-based teams in the distribution of about 2,000 hectares of land in five barangays declared as agrarian reform communities (ARCs) and twelve other

non-ARCs as a breakthrough. The BMFI also succeeded in establishing agrarian reform paralegal systems in Misamis Oriental and Bukidnon. In local governance, BMFI has developed a model of institutionalizing people's democratic participation in local development planning and is in the process of replicating the same in 22 barangays in Claveria, ten barangays in Ginoog City, nine remaining barangays in Loreto, and 44 barangays of Iligan. In coalition-building and development advocacy work, Mindanao continues to play key leadership roles and secretariat functions. The MAPALAD campaign, which BMFI helped catalyze, has become a major campaign in agrarian reform.<sup>3</sup>

### *Enabling Forces to Development Work*

*One of Us.* BMFI enjoys the support of government officials and community leaders in their service areas where employees have both family and popular connections. The lead SIADO in Ginoog City belongs to a well-respected middle-class family of teachers. The lead convenor of the MAPALAD campaign used to be the lead community organizer in Sumilao. There is conscious effort on the part of BMFI to build upon and sustain such connections during the confidence-building stage.

*Openness of the People.* The lack of political sophistication and perhaps the state of education among barangay officials and community members make them open to the advocacy and training interventions of BMFI.

*Sensitivity to the Needs of the People.* Unlike government personnel who often remain detached, the SIADOs live and fully interact with community members. Also, to maximize the learning process, BMFI has indigenized its training modules. Realizing that the use of the dialect would be an empowering component, training programs are conducted in Cebuano.<sup>4</sup>

*Absentee Government Officials and Personnel.* BMFI strives to establish its presence in the remote barrios, which are neglected by government personnel. BMFI maintains staff houses in their service areas and regularly calls on the municipal officers to discuss issues. The Executive Director has always cautioned the SIADOs to remain "principled in such interactions." This means being friendly and respectful to government officials and personnel but also remaining critical.

*Three-Year Term of Local Executives under the 1991 Local Government Code.* BMFI considers the three-year term for local officials as an enabling force—long enough to nurture partnerships among the more progressive leaders and short for officials offering resistance. Put in another way, within the three-year period, BMFI could establish itself where it is welcomed and "outlive" the local leaders in unfriendly areas.

### *Some Constraints to Development Work*

*Indigenous Leadership.* Some indigenous leaders are jealous of the SIADOs. They view their presence as a threat, if not an eroding factor, in their traditional political power. BMFI recently pulled out from Barangay Kalipay after eight months of social integration. On the surface, the barangay leaders welcomed their presence. Further social investigation revealed however that the leaders were actually discouraging community members from supporting BMFI activities.

*History of Militarization and Other Forms of Violence.* Military officials keep a suspicious eye on BMFI and so do some members of the communities where hamletting and other forms of violence by military, paramilitary, and separatist forces have occurred. In the past, BMFI was perceived to be engaged in massing recruitment activities for anti-government groups.

*Faltering Performance of Cooperatives.* BMFI is faced with the situation of rescuing, rehabilitating, and reengineering cooperatives in their service areas. BMFI itself is questioning the wisdom of reengineering cooperatives, which could take time and deplete limited resources.

## **Remaining Policy Issues**

### *Federalism: Response to Imperial Manila*

Having been the target of extractive policies of the Luzon-based national government for several decades, people in Mindanao are generally dismayed about the lack of concern of national government for the economic development of the island. BMFI through its subregional and regional alliances is studying and reviewing the idea of federalism. In a cautious way, BMFI welcomes the Cha-Cha (movement for charter change) as an opportunity to advocate a form of government more responsive to the needs and aspirations of Mindanaons (Manlupig et al. 1999).<sup>5</sup>

### *Media as Potential Ally*

BMFI has not formulated its position regarding the media. It has neither invited nor solicited media exposure regarding its involvement in the various barangays. BMFI however enjoyed considerable support and exposure during the MAPALAD campaign from political commentators and writers who studied and closely followed the issue. Without identifying who they are, BMFI is pleased to realize that some members of the media are actually progressive and pro-people (Manlupig 1999).

The MAPALAD campaign made BMFI realize that media have considerable influence over decisionmakers. It realized that while exposure itself does not guarantee that decision makers would deliver the desired policy outcomes, support from other sectors could be tapped with the assistance of the media.

### *Courts and Quasi-Judicial Bodies as Last Advocacy Frontier*

BMFI realizes that affecting public policy at the legislative and executive branches would be incremental at best. Coming from the economic and political elite, members of the legislature and the executive would naturally protect their interests despite the moral persuasion of local and international development groups, or even the risk of civil unrest. Some BMFI employees have been involved in the Congress of the People on Agrarian Reform (CPAR) and have witnessed how the legislative branch orchestrated the CPAR-endorsed bill to become the Comprehensive Agrarian Reform Law (CARL) (Manlupig et al. 1999).

Hence, BMFI is strengthening its developmental legal unit in the hope of instituting policy changes at the judicial and/or quasi-judicial fronts. It is also strengthening its links with other developmental legal advocates.

Unlike the Supreme Court of the United States, the Philippine Supreme Court has not exercised its judicial review powers to sway, if not completely invalidate, public policy. The Philippine Supreme Court has always been on the conservative side, fully endorsing, if not actually upholding, public policy and rarely questioning the wisdom of legislative enactment and executive decisions.<sup>6</sup>

A question that remains is whether it would be consistent and prudent for BMFI to retain the services of the so-called "big and prestigious Makati law firms" or not. It should be noted that the law profession is a fraternal one and several of the Justices of the Philippine Supreme Court once belonged to those Makati law firms. This is not to impute malice to the fairness and impartiality of the Philippine Supreme Court but sometimes legal controversies do revolve around the lawyers themselves.

## **Capability Needs for Policy Advocacy**

### *Advocacy Gaps and Capability-Building Needs*

This section summarizes the gaps in the advocacy agenda of the organization as well as identifies possible intervention by Christian Aid and

the U.P. NCPAG. In writing this section, the following factors were considered:

- the expanding role of the organization in its service areas;
- its financial and other resources;
- the growing participation of other policy actors in advocacy (for example, local government units, like-minded people's organizations, like-minded barangay leaders); and
- the shift in policy directions of the national government.

### *Advocating Basic Services and Local Government Revenue Generation*

The provision of basic services in the region has been identified as dismal. In response, like-minded barangay leaders are being assisted by BMFI to negotiate with local government units and congressional districts in the provision of basic services. However, as more barangay officials are brought to the bargaining table, it is expected that pressure will build upon the financial resources of local government units and congressional districts, unless new sources of revenues are identified. As of this writing, intervention of the organization is focused on the conduct of training on some general aspects of the 1991 Local Government Code, tactics and negotiations, and project proposal writing. U.P. NCPAG, given its expertise in local government administration and finance, could provide technical assistance to BMFI and consultancy to the local government units in identifying and actually implementing revenue generation and revenue enhancement programs.

### *Tapping State Universities and Colleges*

BMFI has a history of collaboration with Xavier University. However, it has not tapped the cooperation of the state universities and colleges (SUCs) in Northern Mindanao. BMFI has, however, identified this as a gap in its yearend assessment in 1998. While the SUCs may have technology and expertise on sustainable agriculture and micro enterprise development that they could transfer to the service areas, there is doubt that the SUCs have financial resources to fully collaborate with BMFI. Thus, Christian Aid could facilitate the collaboration of BMFI and SUCs through counterpart funding of viable project proposals.

### *Developmental Legal and Paralegal Education as Continuing Concern*

As previously mentioned, LARGE is concerned with several activities—the conduct of regular legal clinic, paralegal education, and litigation support

in actual cases. Given the broad scope of its activities and the lack of full-time legal officers and researchers, the unit is constrained. This may be aggravated by the rapid development in agrarian reform law and jurisprudence as well as changes in substantive and procedural law. Given this, developmental legal and paralegal education should be taken by the organization as a continuing concern, instead of a set of activities. It is important for BMFI to continually update the legal knowledge and skills of both of its personnel and community-based pool of paralegal officers. It should also update its resource collection. Given its human resource constraints, LARGE should vigorously pursue collaboration with law schools within the subregion through a law internship program. This is expected to provide the organization additional human resource. Also, it is important that the organization expand and develop its linkages with development NGOs and advocates so as not to duplicate advocacy efforts at the subregional, regional, and national levels.

#### *Developing Micro Enterprises in the Countryside*

The changing tenurial arrangements in the region would be incremental and largely dependent on the political will of the national government. BMFI however has identified the development of micro enterprises as an important component of an empowered agrarian community. In particular, the Davao del Sur project hinges upon micro enterprises development. Christian Aid and its partner-NGOs could strengthen the capacity of BMFI in enterprise development through the provision of training, exchange programs, or observation tours of successful programs within the CA network.

#### *Adopting Public Education as Part of its Advocacy Agenda*

The state of education in Mindanao has been identified as hampering the social and economic mobility of the tri-people of Mindanao. Given this, BMFI should consider adopting public education as a cornerstone for an empowered agrarian community. It could, likewise, bring together like-minded people's organizations in its service areas to advocate increased government spending for basic education in the region. BMFI through its participation in the Mindanao Peace Advocates Conference has a full program on conflict resolution and peace building in the region. Yet, there is no program or set of projects to advocate improved public education in Mindanao. Hence, the need to put together a set of activities on this issue. For its part, Christian Aid could assist BMFI by soliciting international support on this issue replicating the letter campaign adopted for MAPALAD. In this manner, Christian Aid could help raise the level of awareness of the international community.



### *Program Monitoring*

Given the sheer number of service barangays in Claveria for PRA-BDP training, BMFI should strengthen its monitoring capability. With the participation of the Municipal Planning and Development Office, the burden of providing for training may have been lessened but the challenge of monitoring the effectiveness of the training program may have increased. Thus, the need to strengthen the monitoring capability of the SIAD unit. Not having full-time community organizers, the monitoring capability and its strengthening assume greater importance. U.P. NCPAG could develop an independent performance evaluation system that would measure improvements in local governance across the different service barangays.

In summary, to further enhance the advocacy efforts of BMFI, the following capability-building needs must be addressed:

- technical assistance on revenue generation programs and economic promotion for local governments;
- training on micro-enterprise development;
- continuing paralegal education; and
- training on program monitoring.

### **Endnotes**

<sup>1</sup>The Rural Community Organizing Standard of the Philippine CO Society (PHILCOS) (1996).

<sup>2</sup>SALIGAN (Sentro ng Alternatibong Lingap Panligal) is a developmental legal advocacy NGO based at the Ateneo de Manila University. It was founded by the late Atty. Bobby Gana who died in an airplane crash. Atty. Gana was enroute to Cagayan de Oro to map out the legal strategy of the Sumilao-MAPALAD Campaign when tragedy struck.

<sup>3</sup>The Motion for Reconsideration filed by the Sumilao claimants has been turned down by the court. Thus, the Supreme Court upheld its previous decision voiding the Win-Win Solution of then President Fidel V. Ramos. A Second Motion for Reconsideration has been reportedly filed.

<sup>4</sup>This writer had the experience of facilitating the "Katarungang Pambarangay" component of BMFI's Participatory Rural Appraisal (PRA) for barangay Rizal. Interaction was difficult for both the participants and this writer because the writer knew very little Cebuano and spoke alternatively instead in English and Filipino. In the assessment sheets, participants pointed out that the "Katarungang Pambarangay" component was least understood because it was conducted in Filipino. The participants indicated that they would prefer that it be delivered either in English or Cebuano. Filipino is not a popular medium of instruction.

<sup>5</sup>This writer requested a copy of the position paper from BMFI. As of the writing of this article, BMFI has not transmitted such paper.

<sup>6</sup>Tañada v. Angara (1998); Manila Prince v. GSIS (1996); Association of Small Landowners v. CA (1988); Ichong v. Hernandez (1961).

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