



# Project 2: Land Tenure

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Looking at the phases of Organized Self-Help Housing and their use in the case of Barangay Hall in Legarda, Manila, Philippines.

*10/15/2012*

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Choice is empowering for people. More often than not, most government programs remove the ability of choice from the lives of the poor, therefore disempowering them. The poor often feel as if they have no control over what happens to them. This powerless attitude is most evident in Metro-Manila amongst the informal settlers whose homes and livelihood are at-risk every day for demolition and eviction. According to **Gavin Shatkin**, in his article Community-Based Organizations, Local Politics, and Shelter Delivery in Manila, "Urban poor communities are usually in competition with other land uses, including private sector and government uses, and governments often align themselves with the private sector in the interest of economic development" (36).

## **Informal Settlements in Metro-Manila**

Land ownership has been an issue since the colonization of the Philippines by Spain. Under Spain's rule Filipinos were displaced and the land was given to the elites. Even after Spain left though the majority of the land remained in the hands of a small percentage, leaving today a majority of the population displaced.

Another factor adding to the concern of land in the Philippines is urbanization. Many Filipinos are moving from the provincial areas to the city for better job opportunities, improved health care, and hope of a better life. This mass movement into the cities has created hundreds of informal "squatter" settlements around Metro-Manila. One of these settlements at risk for eviction until recently was the community of Barangay Hall in Legarda. At one point, this community was to be developed into a flower garden. With the right steps though, a community may be able to protect itself from eviction. On the national level, there are a few statutes, polices, and organizations in place to assist people in the informal settlements.

## **Government Policies Regarding Land Ownership and Tenure**

The Philippine Constitution has a provision for "*Urban Land Reform and Housing.*" According to Akbayan Political Party's platform on housing this provision "highlights two fundamental mandates:

1. Commitment of the state to undertake a continuing program of urban land reform and housing with the end view of securing affordable housing and basic services to the underprivileged.
2. It is state's obligation to respect and protect the right of the poor against forcible eviction."

The *Republic Act 7279* also known as *the Urban Development and Housing Act of 1992 (UDHA)* is one of the most strengthens the previous mandates by achieving the following objectives taken from Grace Ramos' article, *The Urban Development and Housing Act (UDHA) of 1992: A Philippine Housing Framework* on pg. 12-2:

1. To uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost, basic services, and employment opportunities.
2. To provide for the rational use and development of urban land in order to bring about the following : a) equitable utilization of residential lands in urban and urbanizable areas

- b) optimization of the use and productivity of land and urban resources
  - c) development of urban areas conducive to commercial and industrial activities
  - d) reduction in urban dysfunctions
  - e) access to land and housing by the underprivileged and homeless.
3. To adopt workable policies to regulate and direct urban growth and expansion towards a dispersed urban net and more balanced urban-rural interdependence.
  4. To provide for an equitable land tenure system that shall guarantee security of tenure to program beneficiaries.
  5. To encourage more effective people's participation in the urban development process.
  6. To improve the capability of local government units.

Even with the provision of the UDHA though, there are other laws; Civil laws, laws on nuisance, the provisions of the National Building Code, and Local Government Code of 1991, which “allow the national and local governments to summarily evict persons whose dwellings are considered as nuisances or do not have ‘the requisite building permit’”(Akbayan).

In the 1986, the Executive Order No. 90 was issued which created the Housing and Urban Development Coordinating Council (HUDCC). According to the HUDCC website, “it is the government agency under the Office of the President...which serves as the oversight, the over-all coordinator, initiator and facilitator of all government policies, plans and programs for the housing sector...HUDCC...addresses various issues in the areas of housing finance, housing regulation, housing production and institutional development. (<http://www.hudcc.gov.ph/AboutUs.aspx?name=HUDCC%20Profile#>)

The National Housing Authority (NHA) is one housing program under HUDCC's administrative supervision. According to the NHA's website they were created in the late 70's, but it wasn't until Executive Order No. 90 that “the NHA was mandated to be the sole government agency to engage in housing production ([http://www.nha.gov.ph/articles/brief\\_history.html](http://www.nha.gov.ph/articles/brief_history.html)). The NHA is responsible for providing housing programs for low-income Filipinos who are currently without a home.

The other housing program under HUDCC's supervision is the Social Housing and Finance Corporation (SHFC). In January 2004, Executive Order No. 272 created the SHFC. This corporation is now overseeing the Community Mortgage Program, Abot-Kaya Pabahay Fund Program and the Localized Community Mortgage Program. ([http://shfcph.com/AboutUs\\_Corporate\\_Profile.html](http://shfcph.com/AboutUs_Corporate_Profile.html)).

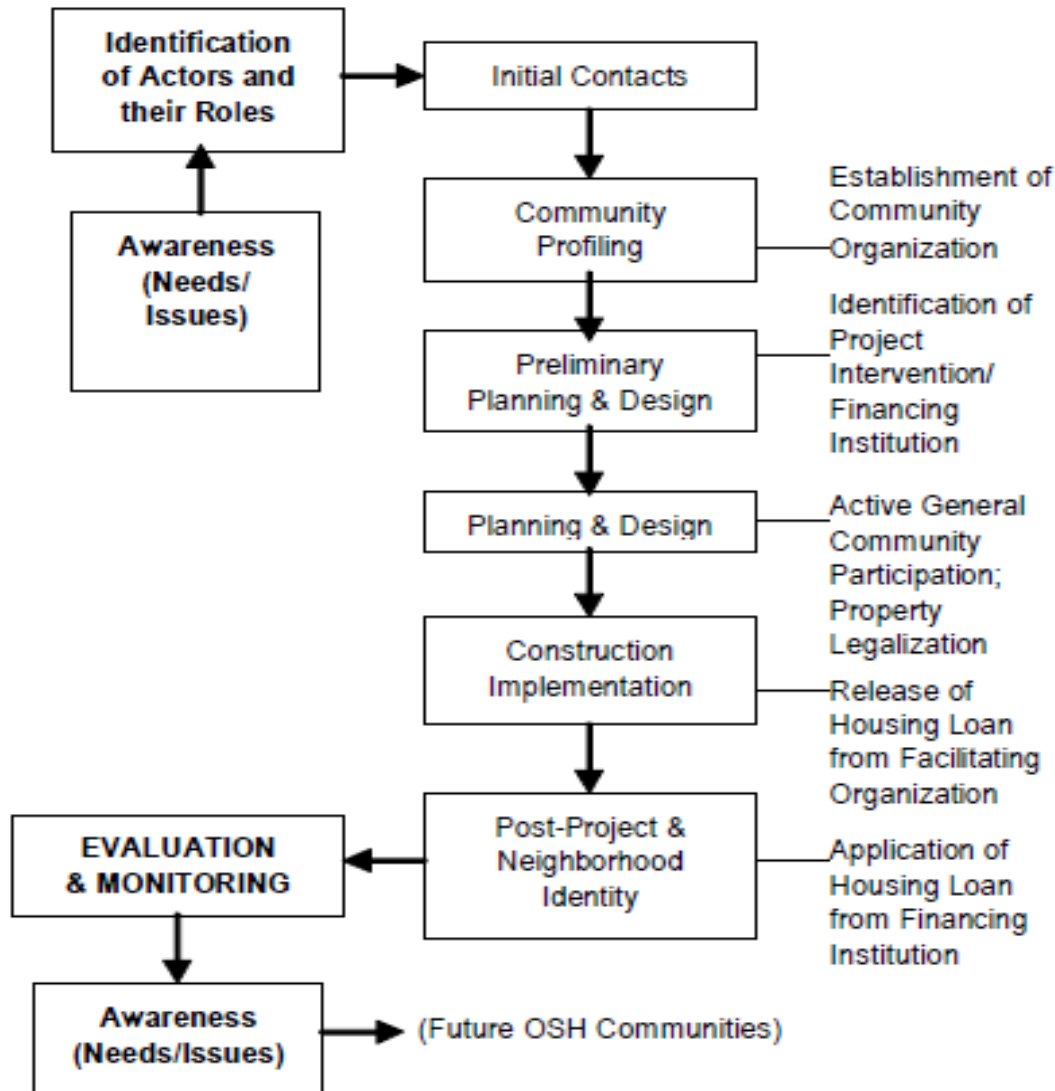
The SHFC president holds a round table meeting with community leaders from informal settlements who are seeking housing subsidies. The community leaders of an area known as “Esteros”, including Barangay Hall have a great respect for the president of this corporation. They have attended several of these round table meetings now and are finishing up the process of receiving funds. During these meetings, community members are able to present a “community profile” and ideas for possible housing structures and development. The president listens along with a lawyer and both offer feedback to the community leaders about their ideas and numbers and conversations are held on next steps to further the process of land development.

## **Management/Regulation Strategies and Land Legalization Through Organized Self-Help Housing**

One of the most important steps for a community to take even before they have a notice for eviction is to organize the people within the community and create unity. According to Chairwoman Filomena of Barangay Hall, who has been a leader in her community for over twelve years, the most important characteristics in the land right process are; unity and persistence.

On the following page is a chart representing a very similar process to what the community of Barangay Hall in Legarda is and has been going through over the past few years. The process began when the community received an eviction notice in 2000. Determined not to leave the community mothers organized themselves and marched to the Mayor's office, waiting until he would see them. When he finally did, they asked him for a letter telling the demolition crew not to demolish the community. They even had the mayor write down his phone number in case the demolition crew did not believe them the next day. The following day this note was presented to the demolition crew and the mayor was called, but by the end of the day the community was still there. This process of receiving demolition letters and community organizing to prevent demolition happened continuously for a few years, but the community remained united and persistent. Eventually an organization known as Urban Poor Associates helped to lobby for the community and has been advocating for Barangay Hall and providing them with the resources and knowledge they need as they seek to keep their community.

The steps followed by Barangay Hall are very similar to the steps found in an article in the **MUHON** journal of architecture written by Rowen Santo-Delgado (2009), titled, "Adopting Organized Self-Help Housing Approach in Low-Cost Housing in Davao City, Philippines." The steps are shown in the chart on the next page.



(Santos-Delgado, 2009, 69)

## The Steps of Organized Self-Help Housing Applied to Barangay Hall

Santos-Delgado calls these steps the “Organized Self-Help Housing Approach.” Organized self-help housing (OSH) “promotes community enhancement and organization of the community’s resources in terms of manpower, resource generation and social responsibility” (59). The chart begins and ends in Awareness showing that this can be a continuous development process. It does not have to end once the community obtains their right to develop homes on the land.

### *Identifying the Actors and Their Roles*

It is important after Awareness to Identify the Actors and their Roles in this process. In the case of Barangay Hall, *the target community* is the members of Barangay Hall. They are informal settlers, but have won the right to stay and develop on the land. In other cases, the target

community may still be in the stage of trying to gain land rights or forced to relocate. Other actors to identify are *the facilitating organization*, usually an outside non-governmental organization or private agency, such as; Urban Poor Associates who are a social development committee helping with community organizing, integration and mobilization. The *financing institution* is another key role in this process. The SHFC mentioned earlier as falling under the HUDCC are responsible for approving and subsidizing (through World Bank funds) the future development of Barangay Hall. The final actor in this process is *the local and national government*. While the national government has completed their assigned tasks by the World Bank in the case of Barangay Hall, the local government is one that Chairwoman Filomena has had to be persistent with and will continue until they have completed their task.

### Phase 1: Initial Contacts

The primary objective of this phase is to “identify and establish rapport among keyplayers or stakeholders, particularly community members” (65). This phase will help the community to be aware of the main actors involved.

a. *Orientation*: The facilitating organization will inform and help community to understand the benefits of self-help housing, providing information on general objectives, expectations from community members, and how the facilitating institution can help the community.

b. *General Information*: The facilitating organization will collect general information about the community, such as:

- The name of the homeowners association and number of families involved
- Average monthly household income
- Ocular scan and community mapping
- General problems encountered by community (66)

c. *Processing of General Data and Approval of Project*

### Phase 2: Community Profiling

The Community Profiling phase “aims to setup baseline data that would determine general feasibilities of the project and to define general needs and expectations of the community” (66).

a. *Financial Data*: Analysis on economic status

- Number of legitimate household members
- Level of income
- Previous housing loans obtained
- Assets and liabilities
- Access to credits and/or subsidies

b. *Community Diagnosis*:

- Level of knowledge and interest on self-help housing
- Attitude towards work under the self-help housing approach; availability
- Characteristics of the community association and the type of leadership and decision-making strategies
- Manpower and leadership skills

*c. Legal Data:*

- Current legal conditions of the property
- Historic review of the possessions of the property

*d. Technical Data:*

- The topography of the land
- Existing infrastructure and basic services (electricity, water, transportation)
- Previous incidences of natural calamities
- Environmental Hazards

*e. Needs Assessment:* the community members are responsible to define and express basic requirements in terms of housing design and site development...balanced with observed needs as identified by design and planning professionals”(67).

Based on observation, phase 2 is more than likely the current phase of Barangay Hall’s process. The last couple of months they have been collecting technical data and recently held a meeting with the SHFC to give information on their financial ability as a community, including their community savings. The community leaders also presented their findings and desires for basic requirements for housing design and site development.

This has been a long phase for the community as they have needed to bring in professionals to take land surveys and soil test, and not every organization has been cooperative. Thankfully, UPA has a network of professionals in a broad range of fields and the community continues to make progress in this phase.

### Phase 3 and Phase 4: Preliminary Planning & Design and Planning & Design

In these phases the facilitating organization uses the data from the previous studies done in the community profiling phase and begins preparation of a preliminary budget of the construction cost...and interview[ing] individual families, who will participate in the self-help project (67). The interview is to inform family of costs and payment obligations (which were previously discussed and agreed upon in earlier phase). The interview also seeks to guarantee the “family would not abandon the project due to economic incapacity” (67). The difference in these phases is phase 4 is more complete in its design. It also includes the creation of a management plan and the formation of committees to oversee the construction, the documentation, and the food during the project.

In Barangay Hall, each member has had to sign or will if they continue to wish to stay in the community once the development begins that they will pay and they will not move. The community members also have a community savings program, and will continue this program even once the development begins.

### Phase 5: Project Implementation

This is the phase where the previous hard work of planning and advocating and documenting starts to show fruit.

- a. *Construction of the infrastructure*: this part does not usually include the community yet, and is recognized as a good time to train community members for the following phase
- b. *Construction of the houses*: overseen by the previous elected construction committee and involves the families. This phase needs to be managed by people who are prepared for conflict management and can give constant motivation and encouragement. This phase is difficult as not everyone will be skilled and some may tire out before the project is done.

Through constructing their own houses, this is a way to maintain the affordability of the homes. Barangay Hall is hopeful for the day when they will be able to build their homes. As many of the men among the urban poor are contract construction workers, it is beautiful to be reminded of the picture of God's kingdom from Isaiah which says, "they will build houses and dwell in them...No longer shall one build and another inhabit."

#### Phase 6: Post-Project Neighborhood Identity

This final phase focuses on continued community organization. Once the community members have homes to live in the process does not end there. Santos-Delgado writes on the importance of building "neighborhood identity...through workshops (on livelihood development, road safety, family planning, parenting) and social activities (raffles, dances, sports fest, food fairs, job fairs, etc)...ensur[ing] a sense of belonging, leading to a culture of social citizenship and self-reliance" (69).

As with the end of any project or process, it is necessary to evaluate and monitor the community satisfaction. "Success indicators would include access to education opportunities, good health conditions, stable peace and order situation, economic opportunities, and participation in social activities" (69). Through this evaluation and monitoring, it is possible to become aware of other community needs or issues and continue the process of community organization.

## Conclusion

One idea that makes the process of Organized Self-Help Housing so unique is the ability for the community to choose. The community has a say every step of the way. They more than likely will have to compromise on some things, but still they are involved in the planning and have a say in their future. It is incredible to see the difference between people and communities who are empowered, such as; Barangay Hall, compared to those who have yet to be.



## Bibliography

**AKBAYAN (2010, 4/10/2010). "Housing platform." Retrieved October 14, 2012, from <http://www.akbayan.org.ph/who-we-are>.**

The AKBAYAN political party is one of the more liberal political parties, but their platform on education, housing, and agriculture reform are very informative. They were recommended as a resource by a professor at Asian Theological Seminary

**HUDCC (2012). "Office of the president: housing & urban development coordinating council." Retrieved October 14, 2012, from <http://www.hudcc.gov.ph/AboutUs.aspx?name=HUDCC%20Profile#>.**

The official website of HUDCC. Their vision is decent and affordable housing opportunities and sustainable human settlements for families belonging to the lowest income strata of our society with HUDCC providing overall direction for its promotion.

**NHA (2011). "Office of the president: national housing authority." Retrieved October 14, 2012, from [http://www.nha.gov.ph/articles/brief\\_history.html](http://www.nha.gov.ph/articles/brief_history.html).**

The official website of the National Housing Authority in the Philippines. Their mission is to provide responsive housing programs primarily to homeless low-income families with access to social services and economic opportunities with excellence while ensuring corporate viability.

**Ramos, G. C. The urban development and housing act (udha) of 1992: a philippine housing framework. 12-11 - 12-15. Accessed at: [PDF version](#)**

This article helped to present a better understanding of the Urban Development and Housing Act. It looks at three aspects of the act. First, the actors both government and non-government. Second the act covers the strategies aimed at making land more accessible to the underprivileged. Third aspect looks at the products and outcome of the program

**Santos-Delgado, R. (2009). "Adopting organized self-help housing approach in low-cost housing in davao city, philippines." *MUHON*(3): 56-69. <http://www.journals.upd.edu.ph/index.php/muhon/article/view/1321>**

An interesting article discussing the phases of the Organized Self-Help Housing approach. This approach seems to be the one they have used successfully in the community of Legarda. It is geared at empowering the community members at every step to be involved in the process of land rights and land development. Despite resistance from target recipients, organized self-help housing has proven to benefit communities in terms of social, economic, educational and developmental aspects.(1)

**Shatkin, G. (2009). "Community-based organizations, local politics and shelter delivery in metro manila." Kasarinlan: philippine journal of third world studies 14(3): 31-50. Accessed at: <http://journals.upd.edu.ph/index.php/kasarinlan/article/view/1413>**

This article looks at the issue of informal settlements in Metro-Manila. The author argues for community-based organization believing it benefits all who participate. He calls for the government to be more just in their dealings with the urban poor. He points out that "the city ...generally deals directly with informal communities only when it has plans to demolish them." (45)

**SHFCPH (2012). "Social housing and financial corporation." Retrieved October 14, 2012, from [http://shfcph.com/AboutUs Corporate Profile.html](http://shfcph.com/AboutUs_Corporate_Profile.html).**

The official website of the SHFC. Their mission is to uplift the living conditions of the underprivileged Filipinos by providing access to affordable shelter financing and work in partnership with multi-sectoral stakeholders for the development and implementation of innovative and sustainable social housing programs.