

**THE IMPORTANCE OF POLITICAL EMPOWERMENT IN URBAN
PLANNING: A CASE STUDY ANALYSIS ON THE PASSAGE OF THE
URBAN DEVELOPMENT AND HOUSING ACT OF 1992 IN THE
PHILIPPINES**

A Thesis Presented to the Faculty of Urban Planning in
THE GRADUATE SCHOOL OF ARCHITECTURE,
PLANNING AND PRESERVATION
COLUMBIA UNIVERSITY

In Partial Fulfillment
of the Requirements for the Degree of
Master of Science in Urban Planning

By
Patrick Emmanuel Ramos Jalasco
May 2015

AMDG

TABLE OF CONTENTS

1. Introduction	1
2. Literature Review	6
A. Contemporary Character of Urbanization	6
B. The Way Out of Poverty: Political Empowerment and Domestic NGOs	9
3. Research Methodology	14
4. The Urban Poor, Domestic NGOs, Political Empowerment, and the Urban Development and Housing Act	15
A. Urban Land Reform as the Basis for the Urban Development and Housing Act	18
5. Analysis and Conclusions	29
A. Role of Political Empowerment	30
B. Role of Domestic NGOs	31
6. Study Limitations and Avenues for Further Research	34
A. Contextual Limitations	
B. Actual Implementation of the UDHA	
7. Appendix	38
A. Researcher's Experiences during the Data Gathering Stage	38
B. List of Websites Containing Philippine National and Local Laws	39
C. Urban Land Reform and Housing Provision in Article XIII of the 1987 Philippine Constitution	39
D. Eviction and Demolition Provision in Section 28 of Article VII of the Urban Development and Housing Act of 1992	39
E. Set of Interview Questions	40
8. Bibliography	41

List of Abbreviated Terms

BBC – Bishop-Businessmen’s Conference

BBC-ULR – Bishop-Businessmen’s Conference Committee on Urban Land Reform

FDA – Foundation for Developmental Alternatives

HB 34310 – House Bill 34310

ICSI – Institute on Church and Social Concerns

JJCICSI – John J. Carroll Institute on Church and Social Issues

KPML - Kongreso ng Pagkakaisa ng Maralita ng Lunsod (translated as “Congress of Unity of the Urban Poor”)

NACUPO – National Congress of Urban Poor Organizations

NGO – Non-governmental organizations

PAKSA-LUPA – Pambansang Kilusan ng mga Samahang maralita para sa Panlunsod na Reporma sa Lupa (translated as “National Urban Poor Movement for Urban Land Reform”)

PCUP - Presidential Commission for the Urban Poor

PD 1517 – Presidential Decree 1517

UDHA – Urban Development and Housing Act of 1992

ULR – Urban land reform

ULR-TF – Urban Land Reform Task Force

UPO – Urban Poor Organization

SB 234 – Substitute Bill 234

1. INTRODUCTION

The Philippines in recent years has been praised for its ability to reverse its fortune. Formerly labeled as the “Sick Man of Asia,” its past economic performance severely lagged behind those of its neighboring countries within the Southeast Asian region. Since 2010 however, under the incumbent Aquino administration, the Philippines has been, and is still being touted as one of the “most promising” countries in the region. Rapid economic growth and major political reforms are the major emphases of the incumbent administration’s programs. And according to current statistics, the incumbent administration seems to be achieving its goals. As of 2013, the Philippines was recorded to have a 7.2 percent economic growth rate – the fastest economic growth rate in Southeast Asia for that year. And although the country’s growth rate is estimated to slow down to 6.3 percent for 2014, economists still speculate that it will still remain the highest for the region (Angerer and Chew, 2014). Another proof of the country’s positive growth is its improvement in rank in the “Ease of Doing Business” report by the World Bank Group (WB). As the name suggests, the report aims to provide information on the business climates of different countries (World Bank Group). According to the report, the Philippines is now ranked as 108th in 2014, moving up 25 notches from 133 in 2013 (World Bank Group). It also indicates that business climate in the Philippines has also improved. Investment credit ratings by international credit rating agencies were also upgraded. As of the second quarter of 2014, Standard & Poor (S&P), one of the “big three” credit rating agencies worldwide, has upgraded the Philippines’ credit rating to “BBB” from “BBB-,” attributing the upgrade to the renewed attractiveness to foreign investments due to political and economic reforms (Montecillo, 2014).

Amidst the Philippines’ recent achievements, however, it is advisable to keep some sense of skepticism. Positive growth rates and development indicators of a country are usually far from being

encompassing. And more often than not, only a few get to benefit from it. With these claims of the Philippines' constant growth, one should always ask: do all sectors of society equally get a piece of the pie? Or are these only reserved for select groups? Further analysis of the issue paints a seemingly contrasting scenario. Looking at the persistence of poverty in the Philippines from 2006 onwards, not much really has changed. Using poverty incidence¹ as an indicator, Table 1 illustrates the annual changes in poverty incidence per sector in the Philippines. As of 2006, poverty incidence in the whole country was recorded at 26.6 percent. As of 2012, it only slightly decreased by 0.6 points, leaving the current figure at 25.2 percent (National Statistics Coordination Board, 2014). Even as far back as 1995, poverty incidence for the whole country already stood at 37% (The World Bank, 1996). Looking at these figures alone, poverty still seems quite pervasive in the country.

Situating the issue in the urban context, it could be said that poverty within cities is not as severe when compared to other areas in the Philippines. Poverty incidences in urban areas actually have the lowest ranking compared to the other categories. Despite its low standings, however, its figures have remained virtually unchanged throughout the years. It even saw an increase from 2006 to 2012. Juxtaposing this with the alleged claims of the Philippines' impressive economic growth, one could say that something still remains amiss. The figures presented indicate that not much has been done to alleviate the situation of the urban poor. One could even argue that, given these scenarios, the city's development does not include the concerns and issues of the urban poor.

Table 1: POVERTY INCIDENCE FOR BASIC SECTORS: 2006, 2009, 2012			
Sectors:	2006	2009	2012
Philippines	26.6	26.3	25.2
Fishermen	41.2	41.3	39.2
Farmers	38.5	38.0	35.2
Children	35.2	35.3	35.2

¹ The proportion of the entire population living in poverty (National Statistics Coordination Board).

Self-employed and Unpaid Family Workers	30.6	29.9	29.0
Women	25.9	25.7	25.6
Youth	21.1	21.6	22.3
Migrant and Formal Sector	16.0	16.8	16.6
Senior Citizens	16.9	16.1	16.2
Individuals Residing in Urban Areas	12.6	12.6	13.0

Source: Philippines National Statistics Coordination Board

And indeed, that seems to be the case. A lot of factors can provide reasons for the continuous exclusion of the poor in the development schemes of cities. The rampancy of corruption in the Philippine government, the occurrence of rapid urbanization in its cities, the integration of Philippine cities in the global economy, the supremacy of market forces in today's urban development context – all these, and much more, equally provide their own valid explanation for the continued marginalization of the urban poor. But each factor possesses its own unique set of contexts and issues that need to be adequately addressed. And these might not be adequately addressed by this thesis since these might already be out of the scope of the research's primary interest. Rather than trying to cover all the specific considerations of each factor (which can easily be delegated to other disciplines' research agendas), the thesis will just mainly focus on the common effect produced by each factor: the continued marginalization of the urban poor in the development process of the city.

Given this focus, how, then, can the urban poor in the Philippines combat this process of marginalization? How can the urban poor insert their specific issues and concerns in the public developmental initiatives of the city? What solutions can be suggested that can be equally applicable to these factors, and ultimately help allow the urban poor to heavily influence the development process of cities?

This thesis argues that such a solution can only be found through the political empowerment of the urban poor. The thesis emphasizes on “political empowerment” as a solution for the predicament of the urban poor since the researcher sees this as an opportunity to address the issues of government corruption and urban marginalization. By having a more politically empowered citizenry, more pressure for accountability and transparency can be exerted on public officials. Massive protests movements, such as the “Arab Spring” and the “Occupy Movement,” serve as perfect examples for the effectiveness of a politically empowered citizenry.

Political empowerment also endows individuals with the ability to properly articulate one’s issues and concerns in the public realm. This becomes very crucial in the context of the Philippines since traditional avenues for voicing out public issues and concerns – namely, your government institutions– are rather inefficient, and, more often than not, do not really cater to the needs and concerns of the public. In such contexts where government institutions are weak and inefficient, the ability to create one’s own public space becomes very valuable. Political empowerment allows individuals and groups to create new avenues which can be utilized to publicly voice out and discuss their concerns and issues.

Political empowerment not only allows individuals and groups to better voice out and articulate their claims. It also allows them to dispel commonly-held, but usually incorrect, beliefs about them. Because of their external appearances, poor individuals are usually deemed as “incompetent,” “passive,” “undesirable” entities that do not contribute, and are deemed detrimental to the welfare of society. But such labels do not really hold any water. Numerous examples exist that debunk these incorrect perceptions of the urban poor. One such example is this thesis’ case study. Further explanation will be provided in the following sections. But for the purposes of illustrating this claim,

a big factor for the passage of the Urban Development and Housing Act of 1992 in the Philippines was due to the heavy involvement of the urban poor. Their resistance to government abuses and injustices, their constant clamoring for national legislators to pass an urban land reform law, the various provisions they suggested to be incorporated in the said law – all these exemplify the urban poor as an active political agent.

By resorting to political empowerment, the urban poor can create new spaces for them to publicly exert their equal right to live in the city. They can also dispel commonly-held incorrect beliefs about them. And finally, they can appropriately be recognized as an equal stakeholder in the development of the city.

Political empowerment of the urban poor might be too daunting of a task if it were solely placed upon the efforts of the urban poor. Another actor is necessary to successfully carry out this initiative. And this role can be fulfilled by domestic non-government organizations (NGOs). Domestic NGOs are chosen as the ideal agent to carry out this mission of political empowerment since they possess the required characteristics needed for such a task. Their natural inclination for socially-oriented causes, the technical expertise and various resources they possess, and the network of contacts at their disposal make domestic NGOs ideal in aiding the urban poor in combating the process of marginalization. As what will be expounded on later in the following sections, domestic NGOs do indeed become crucial in the political empowerment process.

In order to verify this claim of political empowerment's effectiveness in aiding the urban poor, the thesis will be reviewing and analyzing the passage of Urban Development and Housing Act of 1992 in the Philippines. The thesis will specifically examine the extent of involvement of the urban poor

and domestic NGOs in the passing of the act, and how crucial political empowerment was during the whole process.

The thesis is divided into the following sections: the following section is devoted to expounding the various existing academic literature that informs the empirical basis for this thesis; the third section details the kinds of data utilized by the thesis, and what methods were used to gather such data; the fourth section expounds on its case study, the Urban Development and Housing Act of 1992, and details the entire history of its campaign; the fifth section is devoted to analyzing the case study and explaining how it exemplifies the positive effects of political empowerment and domestic NGO aid on combating the marginalization of the urban poor; the sixth and last section will detail the limitations of the study and also the possible avenues for further research.

2. LITERATURE REVIEW

“Those who do not move, do not notice their chains.”
- Rosa Luxemburg, Philosopher

Contemporary Character of Urbanization

One of the main difficulties facing equitable urban development in Metro Manila is the marginalization of the urban poor. Because of the increasing gap between the rich and the poor, and the continued dominance of elite families in both political and economic spheres of the Philippines, the urban poor still have a difficulty in voicing out their issues and concerns, and also in challenging and changing the existing social setting. This struggle of the urban poor though is not unique to the Philippines. David Harvey narrates that such struggles characterize today’s urbanization process under capitalism. For Harvey, the process of urbanization under capitalism is mainly driven by the production and absorption of surplus capital of cities (2008). Under this process of urbanization,

market rationality reigns supreme with greater preference given to those that can contribute to the production and accumulation of surplus capital and weeding out those that cannot. Harvey explains that this is the main cause for the rising inequality worldwide. The mass evictions and destructions of informal settlements in Seoul during the 1990s by construction companies to make way for high rise buildings, and the displacement of 6 million slum dwellers in Mumbai in an attempt to make Mumbai a global financial center both exemplify how urbanization currently manifests itself as a marginalizing force (Harvey, 2008). For Harvey, the process of urbanization also further exacerbates the marginalization of the urban poor since city governments, once the guardian of public interest, is now also susceptible to corporate interests. He mentions how New York City's former mayor Michael Bloomberg reshaped the city to be favorable to developers, Wall Street and transnational capitalist-class elements by promoting the city as an optimal location for high-value businesses and a fantastic destination for tourists, despite the rising inequality being experienced within the city itself (Harvey, 2008).

Contrasting Harvey's account of urbanization with the situation in the Philippines, one can say that his descriptions are not quite far off. Shatkin's research on the local politics of Metro Manila provides some proof for Harvey's claims (2000). He mainly focuses on the effects of Metro Manila's local politics on the functioning of community-based organizations (CBOs) and non-governmental organizations (NGOs) in aiding the urban poor. Shatkin's research mainly points to three factors limiting the functions of CBOs and NGOs (and consequently, exacerbating the marginalization of the urban poor): first is the domination of elites in public office; second is the experience of decentralization in Philippine government; and third is the integration of Metro Manila into the global economy. Citing various authors, Shatkin notes that elite families in the Philippines played an influential role in the development of the country's current political context.

Substantial involvement of Filipino elites in politics and governance only occurred under the American Colonial period. Under this period, Filipino landed elites were able to consolidate their power and influence through two major events: first was through a land reform program; and second was through the inclusion of Filipinos in local and national governance. Prior to being a colony of the United States, the Philippines was first a colony of Spain. One Spanish institution that has had the most influence over Filipino society (and still continues to do so), even more than the Spanish colonial government, was the Catholic Church. In an attempt to diminish the influence of Spanish religious orders in the newly-acquired colony, the American colonial government implemented a land reform program which allowed the transfer of church-owned lands to Filipino farmers. Under the said program, Filipino farmers had the chance to purchase lands which they tilled. This event gave Filipino landed elites an opportunity to further consolidate their economic power and social influence through the accumulation of lands (Shatkin, 2000).

Whereas Filipinos were totally prohibited from holding public office under the Spanish colonial period, the American colonial government allowed Filipinos to hold seats in public office. Sidel explains that the introduction of parliamentary democracy by the Americans to the Philippines paved the way for elections to be held for municipal offices in 1901, provincial governors in 1902, representatives in the Philippine Assembly in 1907, and eventually a Commonwealth president in 1935 (as cited in Shatkin, 2000, p.2363). Filipino landed elites at that time had more of a reason to participate in local governance not just because Filipinos are now allowed to participate in the realm of governance, but also because of the significant power and influence possessed by a public office. Under the American colonial period, “elected city and provincial officials gained power over local law enforcement, taxation and public works, while national-level officials gained influence over the

apportionment of national government funds and loans by the national bank, the appointment of officials, the awarding of contracts, and other powers” (Shatkin, 2000, p.2363).

Although numerous changes have occurred, and various reforms have been put in place, significant traces of elite domination of public office still persist even up to this day. A study done by the Asian Institute of Management regarding the persistence of political dynasties within all levels of governance in the Philippines shows that around 68% of Congress representatives actually have relatives who were either past or presently elected either in Congress or in any Local Government Unit (Mendoza, Yap, Beja, Venida, 2011). And in terms of how these political dynasties actually affect the socio-economic situation of their respective districts, the study concluded that jurisdictions with dynastic legislators tend to be poorer than other jurisdictions not under dynastic legislators.² The average income of residents within a district under a dynastic representative were also lower than those who were not under any dynastic representatives (Mendoza et al., 2011).

The Way Out of Poverty: Political Empowerment and Domestic NGOs

Under urbanization’s current guise, it seems that marginalization of the urban poor might further be exacerbated. All hope is not lost though. Along with his critique of urbanization, Harvey also provides a solution that can combat marginalization in urban areas. His main solution to the marginalization process is for the reigns of the city be put back into the hands of its citizens – for citizens to (re)gain control of the “right to the city” (Harvey, 2008). “Right to the city” is referred to as the right to change the city – the freedom to make and remake cities in such a way that reflects a society’s collective aspirations and goals (Harvey, 2008, p.23). By seizing this “right,” a more just and equitable formation of cities can be achieved.

² The study used official government poverty standards – which were “poverty incidence,” “poverty gap,” and “poverty severity” – to measure the state of poverty in the said jurisdictions (Mendoza et al., 2011, p.23)

Harvey, however, does not provide a specific outline on the courses of action citizens should take in (re)gaining the right to the city. What is made apparent with his suggestion though (and he does emphasize this in his article) is the need for collective effort from the citizenry to effect change in the existing power dynamics within the urban landscape. Given the disenfranchised and marginalized situation of the urban poor in the Philippines, the prospect of collective effort can only come about through the interventions of other social actors. More often than not, non-governmental organizations (NGOs) are the ones fulfilling this role. NGOs are private, non-profit, professional organizations, with a distinctive legal character, concerned with public welfare goals (Clarke, 1998). In the developing world, NGOs can also range from philanthropic foundations, church development agencies, academic think-tanks, and other organizations focusing on varying issues such as human rights, gender, health, agricultural development, social welfare, environmental preservation, and indigenous peoples (Clarke, 1998). Although various NGO categorizations have been made, these can mainly be summed up under two major paradigms: the first is the “social mobilization” paradigm, and the second is the “service delivery” paradigm. NGOs with a “social mobilization” orientation mainly focus on activities pertaining to political education, social mobilization, and critical public engagement. On the other hand, “service delivery” NGOs mainly focus on provision of public services and goods (Rahman, 2006).

Primary emphasis will be given to NGOs that mainly cater to political empowerment and social mobilization since the researcher thinks that these are the avenues which can provide the most potential for the urban poor to challenge existing power dynamics, and consequently, effect needed societal changes. And as what has been mentioned earlier, given the professional expertise, range of

skills, financial and labor resources, and social and civic orientations within their disposals, NGOs are in the most ideal position to aid the urban poor.

A number of examples already abound which illustrate how NGOs oriented towards political empowerment and social mobilization actually contributed to societal changes in different countries. One need only look at the waves of democratization that occurred in the last three decades.³ One case study which perfectly exemplifies though the importance of political empowerment and NGO involvement in effecting societal change is that of Bangladesh.

Bangladesh has been a popular topic for NGO studies due to the high concentration of NGO activity within the country (Rahman, 2006). Although this may be taken as an indicator of a robust democracy, it certainly does not hold any water in this case. Despite Bangladesh being able to keep track of its MDGs, achieve rising growth rates and steady declining poverty rates, the quality of government still remains dismal (Kabeer, Mahmud, Castro, 2012). As of 2014, Bangladesh was ranked 145 (out of a total of 174 countries)⁴ in Transparency International's "Corruption Perceptions Index" (2015). One might think that the active presence of NGOs could be enough to make an impact on the current state of corruption Bangladesh is experiencing. But the opposite certainly remains the case. And scholars have argued that it is mainly because most NGOs prefer to be "depoliticized," functioning mainly as "service provision" NGOs, as opposed to doing political empowerment and social mobilization (Kabeer et al., 2012; Rahman, 2006). This major shift to depoliticization can be summed up into two intertwining reasons: first is its uncondusive local

³ Clarke mentions about the crucial involvement of mostly human rights NGOs in Thailand during the May 1992 demonstration which led to the collapse of the National peace-Keeping Council, the significant role played by NGOs in Chile in restoring democracy in 1990, and also in the Philippines where NGOs also aided in the restoration of and eventual consolidation of electoral democracy after experiencing martial law in 1987 (1998, p.49). One can also look at the "Arab Spring" or the "Occupy movements" as recent examples of NGO involvement.

⁴ Ranking ranged from 1-174, with "1" pertaining to the "least corrupt" and "174" pertaining to the "most corrupt" (Transparency International, 2015).

political climate; and second is the external pressure coming from international donors. Rahman perfectly describes the first factor:

“The institutional and discursive factors in Bangladesh have created a local political space that is inimical to social mobilization programmes...First, institutional channels undermine the viability of social mobilization since most collective action institutions in civil society and local government are quite weak in Bangladesh...government repression of NGOs that engage in social mobilization and the historical penetration of civil society and local government by the central state have greatly restricted the institutional arenas for promoting the voice and social mobilization of the poor. Second, the dominant political discourse in Bangladesh favours the shift to service delivery due to the historical distrust among Bangladeshi elites of the political aspects of development policy. They have come to view political action itself as an illegitimate enterprise, thereby negating the legitimacy of and support for social mobilization initiatives” (Rahman, 2006, pp.459-460).

As what can be concluded from Rahman’s description, the current state of political affairs in Bangladesh continue to discourage NGOs from pursuing activities related to social mobilization and political empowerment. A mostly non-responsive and ineffective state, along with a politically disenfranchised citizenry render Bangladesh’s political space un conducive for socially and civic oriented NGOs to function and foster. NGO preference for social mobilization and political empowerment is further diminished when the issue of funding is brought into discussion. Donor funding exerts a big influence on the functions of NGOs. Citing Devine, Kabeer et al. mention that donor preference for service provision NGOs started to take shape during the 1980s when military rule was established in Bangladesh. A growing acceptance of NGOs as private alternatives to the state in terms of providing social and public services led to an increase in official donor funding for service provision NGOs. Increasing donor concerns about an NGO’s financial stability ultimately led to service provision (most especially microfinancing NGOs) being the ideal function for NGOs to pursue (Kabeer et al., 2012).

Rather than being subject to various negative conditions such as limited funding sources, minimal public support, and constant government harassment, it is indeed more lucrative for NGOs to

pursue a depoliticized, barely-hostile position of being service providers. This act of depoliticization though comes at a severe cost to Bangladesh's overall development. As Rahman argues, "Depoliticization of development creates a crisis not only in terms of public policy that favours the poor, but also for political citizenship itself. The undermining of democratic citizenship represents a crucial but underappreciated cost of the admittedly pragmatic focus on service delivery programmes" (Rahman, 2006, p.468). Citing Wood, Rahman also adds that "the dominance of service delivery NGOs can lead to a 'franchise state', where individual citizens are transformed from political agents into passive consumers of goods and services provided by NGOs, and the very concept of individual political rights guaranteed by democratic citizenship is threatened" (2006, p.469). Although Kabeer et al. note that political and social mobilization by itself is not enough to overcome the barriers facing the poor in Bangladesh, and that both financial and political support is still needed to overcome the economic, political, and social barriers existing in Bangladesh (2012, p.2060), this does not diminish the importance of political empowerment in terms of effecting societal change and combating the marginalization of the poor. The professional expertise, range of skills, and social and civic inclinations possessed by NGOs have made these groups very beneficial in helping out marginalized groups, especially in countries where traditional institutions supposedly catering to the needs of the public are compromised or ineffective. If such actors inhibit themselves from functioning as catalysts for social and political change, Harvey's current description of the process of urbanization might just become canon.

3. METHODOLOGY⁵

In order to understand the crucial roles of political empowerment and domestic NGOs in aiding the urban poor sector in the Philippines and in fostering more inclusive planning practices, the thesis examines and analyzes the whole campaign process of passing the Urban Development and Housing Act of 1992 (UDHA) in the Philippines. UDHA was chosen as this thesis' case study since the campaign process for its legislation was mainly initiated by grassroots groups – namely, by urban poor organizations (UPOs) and domestic social advocacy NGOs. Individual interviews and published sources were used to gain a deeper understanding of the entire campaign process for UDHA.

Interviews were conducted with two subjects: a representative from a domestic NGO that was heavily involved with the creation of UDHA, and a former head of the Quezon City Housing and Community Development and Resettlement Department (Resettlement Department).⁶

The interviewees were: Mr. Jaime Varela, former head of the Resettlement Department and currently serving as an executive assistant in the Presidential Commission for the Urban Poor (PCUP), and Dr. Anna Marie Karaos, executive director of the domestic NGO “John J. Carroll Institute on Church and Social Issues” (JJCICSI).

Mr. Varela was mainly chosen as resource person for this thesis because of his experiences in working with the urban poor. Prior to being appointed as a head of the Resettlement Department,

⁵ Copies of the interview questions, specific sections of the legislative documents pointing to some parts of the thesis, and some firsthand accounts of the researcher's experience during the data gathering stage can be located in the appendix section of the thesis.

⁶ The Housing and Community Development and Resettlement Department was formerly known as the “Urban Poor Affairs Office.”

Mr. Varela was heavily involved with an UPO based in Quezon City. Mr. Varela also currently holds the position of executive assistant in the Presidential Commission for the Urban Poor (PCUP).

Dr. Karaos was interviewed because of her affiliation with a domestic NGO called “John J. Carroll Institute on Church and Social Issues” (JJCICSI). JJCICSI was one of the crucial organizations during the legislative campaign of the UDHA because of their close affiliation with the urban poor sector.

The individual interviews also became an opportunity to get access to several printed sources. The book entitled “Making a Difference: NGO and PO Policy Influence in urban Land Reform Advocacy” was referred to the researcher during the interview with the representative from JJCICSI. The book is important to the research since it documents the whole lobbying process – its timeline, the various actors involved and the specific roles they played, constraints, opportunities, strengths, and weaknesses of the lobbying effort, future recommendations – of the UDHA. Legislative documents, such as the Executive Order No. 7 (which ratified the creation of the Quezon City UPAO), were also obtained during the interviews with the UPAO representative and former UPAO head. These documents are beneficial to the research since they outline the various responsibilities of the national and local governments towards the urban poor.

4. THE URBAN POOR, DOMESTIC NGOs, POLITICAL EMPOWERMENT, AND THE URBAN DEVELOPMENT AND HOUSING ACT

One of the most prominent manifestations of marginalization of the urban poor can be found in the issues of housing and land tenure. Specific problems such as the lack of affordable housing in urban areas, the precariousness of land tenure for the urban poor, and the seemingly non-existence of

housing rights laws championing the cause of the urban poor perfectly exemplify the urban poor's marginalization in urban areas.

The issue of marginalization becomes more pronounced when one is situated in the context of a rapidly urbanizing and developing country. Marginalized groups who are within such context (such as the urban poor) are usually ignored and excluded when it comes to how urban areas should be developed. Often times, higher priority is given to the issues and concerns of more financially lucrative groups in the urban development plans of local governments and land developers, further reinforcing the urban poor's marginalization.

Fortunately, various efforts have been made, and are still being made, to mitigate the vulnerability, and consequently, the marginalization, of the urban poor sector in the Philippines. One such outcome that perfectly illustrates this is the passage of the Urban Development and Housing Act of 1992 (UDHA).

The Urban Development and Housing Act of 1992 was signed into a law as Republic Act 7279 on March 24, 1992 by then President Corazon Aquino (Karaos et al., 1995). It traces its roots back to the 1970s when increasing public demand for an urban land reform law was quite prevalent. Much of the success of the UDHA's passing is mainly due to the sustained efforts of the urban poor and various domestic NGOs.

The UDHA sought to address the widespread problems of social inequality and unjust demolition practices occurring in the urban areas of the Philippines at the time. Other than providing a legal basis for housing and shelter rights in urban areas, it mainly sought to promote the notion that cities

should be equally accessible to every Filipino citizen, regardless of her or his cultural, socio-political, or socio-economic standings. It sought to regulate the development practices within urban areas, which usually did not incorporate the housing and shelter needs of the urban poor, and which was usually carried out by the private sector (A. Karaos, personal communication, January 14, 2015).

Section 2 of the UDHA clearly stipulates this mandate to address social inequality in urban areas:

“SECTION 2. *Declaration of State Policy and Program Objectives.* – It shall be the policy of the State to undertake, in cooperation with the private sector, a comprehensive and continuing Urban Development and Housing Program, hereinafter referred to as the Program which shall:

- (a) 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;
- (b) Provide for the rational use and development of urban land in order to bring about the following:
 - (1) Equitable utilization of residential lands in urban and urbanizable areas with particular attention to the needs and requirements of the underprivileged and homeless citizens and not merely on the basis of market forces;
 - (2) Optimization of the use and productivity of land and urban resources;
 - (3) Development of urban areas conducive to commercial and industrial activities which can generate more economic opportunities for the people;
 - (4) Reduction in urban dysfunction particularly those that adversely affect public health, safety and ecology; and
 - (5) Access to land and housing by the underprivileged and homeless citizens;
- (c) Adopt workable policies to regulate and direct urban growth and expansion towards a dispersed urban net and more balanced urban-rural interdependence;
- (d) Provide for an equitable land tenure system that shall guarantee security of tenure to Program beneficiaries but shall respect the rights of small property owners and ensure the payment of just compensation;
- (e) Encourage more effective people’s participation in the urban development process; and
- (f) Improve the capability of local government units in undertaking urban development and housing programs and projects.”

Given the often marginalized context of the urban poor, one cannot help but ask how such a law mainly advocating for the housing rights and welfare of the urban poor get officially legislated in the

Philippines. Who were the actors that became involved for its passing? What processes were included that pushed for such a legislation? What were the factors that lead to the campaign's success?

The succeeding parts of this section will be devoted to detailing the history of the UDHA's passage. This narration of the overall campaign process will provide a better understanding on the different actors that got involved with the UDHA's process (most notably the urban poor and NGOs), the various circumstances that affected the whole campaign process, and the diverse strategies that were employed during the whole campaign. Consequently, by illustrating these various factors and circumstances, the following paragraphs will hopefully provide the reader with a better understanding on how crucial political empowerment and NGO interventions are in challenging and changing existing oppressive conditions.

Urban Land Reform as the Basis for the Urban Development and Housing Act⁷

The UDHA traces its roots from the issue of urban land reform, which was quite salient during the 1970s under the administration of President Ferdinand Marcos. As a response to the increasing urban poverty within the Philippines, urban land reform became a formal policy focus during President Marcos' administration. Presidential Decree 1517 (PD 1517), which was enacted on June 11, 1978, sought to solve the issue of urban poverty by declaring the entirety of Metro Manila as an "urban land reform zone." Such declaration allowed for the national government, through the

⁷ Information for this section was mainly obtained from the book entitled "Making a Difference: NGO and PO Policy Influence in Urban Land Reform Advocacy" (Karaos, Gatpatan, & Hotz, 1995). The book details the whole history of the UDHA campaign.

Ministry of Human Settlements,⁸ to have greater development control on the parcels of land within the area of Metro Manila.

However, PD 1517 was ultimately deemed as a sham by the public since there were insufficient guidelines regarding the implementation of urban land reform, and the final version of the decree reduced its land coverage to only 244 Areas for Priority Development (APDs).

Despite garnering heavy criticisms from the public, and most notable the urban poor, reform initiatives for PD 1517 were barely pursued due to the existence of martial law during the time. It was only during the 1980s, a few years before the “EDSA People Power Revolution” occurred, that renewed emphasis on urban land reform occurred. Protests of the urban poor against President Marcos’ dictatorship allowed the issue of urban land reform, albeit as a secondary demand, to resurface in the public context. (Karaos, Gatpatan, & Hotz, 1995).

Discussions about pursuing urban land reform were successfully carried over in the newly installed administration of President Aquino in 1986. Initially, urban poor groups united under the banner of the National Congress of Urban Poor Organizations (NACUPO) continued to advocate for urban land reform, albeit still making it a secondary concern to more pressing issues such as moratorium on demolitions, moratorium on amortization payments, and the creation of the Presidential Commission for the Urban Poor (PCUP) (Karaos et al., 1995, p.20).

Shifting the Main Policy Focus to Urban Land Reform

⁸ This was the precursor to the currently existing Housing and Urban Development Coordinating Council (HUDCC). The Ministry of Human Settlements was abolished during President Aquino’s term and was replaced by HUDCC.

Luckily, during that time, urban land reform was starting to become a main policy focus for various social advocacy groups. This increasing importance of urban land reform is probably best exemplified by the incorporation of an “Urban Land Reform and Housing” provision under Article XIII of the 1987 Philippine Constitution (Karaos et al., 1995, pp.20-21).⁹ It was through the efforts of various NGOs, most notably the Institute on Church and Social Concerns (ICSI)¹⁰ and the Foundation for Development Alternatives (FDA), which made urban land reform a primary policy focus. During that time, ICSI and FDA’s advocacy works for urban land reform mainly focused on turning previous general demands for urban land reform into more concrete and workable proposals. Such proposals elaborated on ideas such as retention limits, forms of land ownership, and modes of taxation (Karaos et al., 1995, p.20-1).

ICSI and FDA’s efforts gave a big boost to the urban land reform campaign. Various socially-oriented and political groups, such as those of the social democratic movement, started hosting discussions specifically centering on policy agendas for urban land reform. It was also at this time that a group called the “Bishop-Businessmen’s Conference” (BBC) would significantly contribute towards the urban land reform campaign.

The Bishop-Businessmen’s Conference (BBC)

In early 1987, the BBC, through its Committee on Urban Land Reform and Housing (BBC-ULRH), initially organized a series of conferences centering on the issue of urban land reform. These conferences, with participants mainly coming from different public housing agencies, and representatives from various NGOs and UPOs, provided a forum for the exchange of ideas and

⁹ Sections 9 and 10 of Article XIII of the 1987 Philippine Constitution specifically detail the mandate of the State in taking care of the urban poor in the Philippines. A more elaborated version of both sections can be found in Section C of the Appendix of this thesis.

¹⁰ ICSI was renamed to John J. Carol Institute on Church and Social Issues (JJCICSI)

formulation of concrete legislative proposals involving inputs from policy-makers as well as from the grassroots. In September 1987, under the co-sponsorship of the PCUP, a main conference on urban land reform was held by the BBC. A proposal for an urban land reform bill (which will eventually be the BBC-PCUP draft bill), which included a section on the creation of a Department of Housing, and other draft bills on relocation and employment generation, was produced at the end of this conference (Karaos et al., 1995, pp.21-22).

After the main conference, the BBC continued holding additional consultations, focusing on seven key regional urban centers all throughout the country between the months of March and September in 1988. As with its previous consultations, these additional regional consultations provided an avenue for the different sectors that might be affected by the proposed urban land reform legislation to come together and clarify issues, articulate their interests, and present options related to the proposed law (Karaos et al., 1995, p.25).

BBC's networking efforts also proved vital for the whole urban land reform campaign. Its contacts with government officials allowed it to maintain a good amount of coordination between the discussions happening on the ground among the UPOs and the NGOs, and the discussions being carried out on the official level. Specifically, the connections of BBC with Congresswoman Consuelo Puyat-Reyes, head of the Committee on Housing in the Lower House, and Senator Joey Lina, also head of the same committee for the Senate, allowed it to have better access to information regarding the schedules of committee hearings on the proposed urban land reform bills. The BBC utilized this information to synchronize its regional consultations in such a way that information gathered from the committee hearings is passed on in a timely manner to the regional consultations and vice-versa (Karaos et al., 1995, p.22-25).

Other than the legislative branch, the BBC also established connections with the executive branch through the President's Cabinet. Through the Cabinet Assistance System, the BBC was able to make a formal request to the Office of the President, urging the President to come up with an administration bill on urban land reform which is to be certified as urgent to Congress. The Office of the President responded by creating the ad hoc working group on the urban land reform draft bill in January 1989, which worked on a legislative proposal later transmitted to Congress.

However, despite the various efforts undertaken by the BBC to constantly consult with stakeholders and synchronize information happening on the ground and in the legislative halls, occasional lags in the processing of information and conflicting perspectives between the BBC and the UPOs still occurred. For instance, some members of involved UPOs felt that the draft bill endorsed by the BBC did not sufficiently address some of the issues concerning urban land reform and the urban poor (Karaos et al., 1995, p.26).

FDA, ICSI, the Betania Consultation, and PAKSA-LUPA

The second group of NGOs and UPOs to majorly influence the urban land reform campaign came together through what is known as the "Betania Consultation." Through the efforts of various NGOs, principally by FDA, and also other UPOs, a major consultation was held at the Betania Retreat House on November 22-26, 1987. The Betania Consultation were mainly attended by representatives of 28 UPO alliances coming from 12 cities and municipalities within Metro Manila (Karaos et al., 1995, p.22). The four-day consultation was held in order to:

- 1) Review the urban poor position regarding the urban land reform previously articulated in the context of NACUPO;

- 2) Review existing urban land reform legislation;
- 3) Gain understanding of the meaning of urban land reform and its elements;
- 4) Assess the proposed BBC-PCUP bill;
- 5) And come up with a draft urban land reform proposal along with an action plan for lobbying.

The Betania Consultation was the first time different NGOs and UPOs sat down as a group to discuss their own interpretations of and expectations on the concept of urban land reform, and to operationalize the concept in such a way that they will be able to produce a concrete legislative proposal (Karaos et al., 1995, p.23).

In order to ensure the sustained urban land reform campaign discussed and agreed upon during the Betania consultations, a coalition of UPOs who attended the said event was formed. In June 1988, the coalition was formally launched as the *Pambansang Kilusan ng mga Samahang maralita para sa Panlungsod na Reporma sa Lupa* (translated as “National Urban Poor Movement for Urban Land Reform”), or otherwise known as “PAKSA-LUPA.” PAKSA-LUPA’s main responsibility was to lobby for their own draft of an urban land reform bill (which will be known as the PAKSA-LUPA bill).

Mirroring the strategies of the BBC, PAKSA-LUPA resorted to obtaining as much support as it can for its own urban land reform campaign. PAKSA-LUPA networked with other urban poor advocacy groups, such as the Urban Poor Forum (then, the broadest network of UPOs and NGOs), and the *Kongreso ng Pagkakaisa ng Maralita ng Lungsod* (translated as “Congress of Unity of the Urban Poor”)¹¹ or “KPML” to garner support for their cause. However, full support on pushing for an urban land

¹¹ Translation was provided by the researcher

reform bill was not obtained mainly because each UPO and NGO had specific sets of priorities, of which urban land reform was mostly secondary. For example, KPML, despite initially supporting PAKSA-LUPA in its urban land reform campaign, ended up prioritizing the advocacy to push for a Magna Carta for the Urban Poor. Because of these differences in priorities, much of the lobbying task for the PAKSA-LUPA bill fell into the hands of a few NGOs such as ICSI and FDA, and UPOs directly under PAKSA-LUPA (Karaos et al., 1995, p.24).

PAKSA-LUPA also reached out to legislators in both Houses of Congress for support. Senators Lina, Tanada, Romulo, Maceda, and Salonga, and Congresswoman Lorna Verano Yap were the specific legislators that expressed support for the PAKSA-LUPA draft bill. Cong. Yap later on even agreed to sponsor the PAKSA-LUPA bill in the House of Representatives. Maintaining almost its original form, along with some important improvements, PAKSA-LUPA bill was formally filed in the Lower House in March 1989 as House Bill No.25018 (Karaos et al., 1995, p.24).

Urban Land Reform Campaign Hiatus

Despite the increasing momentum the urban land reform policy campaign was garnering, the campaign experienced a period of hiatus between the months of 1989 and February 1991. A number of external factors hindered any substantial effort in progressing the urban land reform campaign. It was at this time in Philippine history that several coup attempts were made against the Aquino Administration, with the most severe one occurring during December 1989. Such coups resulted from the enormous discontent and unrest the military had with Aquino's government at the time. Many cause-oriented groups, including UPOs and NGOs involved with the urban land reform campaign, had to set aside their lobbying efforts for an urban land reform bill in order to show public support for the Aquino Administration.

As the political climate stabilized, UPOs and NGOs were again sidetracked from pursuing the urban land reform campaign due to another lobbying effort pushing for the appointment of urban poor sectoral representatives in the Legislative branch. As a means of further consolidating popular support, Pres. Aquino appointed a number of sectoral representatives to Congress in May 1990. Two urban poor representatives were chosen, one of which was Hernani Panganiban, a leader coming from PAKSA-LUPA. Panganiban's appointment as urban poor sectoral representative was going to be very beneficial for the advancement of the urban land reform campaign (Karaos et al., 1995, pp 26-7).

Renewed Emphasis for the Urban Land Reform Campaign

Two major events occurred in September 1990 which contributed to the revival of the ULR campaign in the 1990s. The first was the official confirmation of the two urban poor sectoral representatives in Congress. The second (and probably the most eventful out of the two) was the unjust demolition of houses in Sitio Kumunoy, Barangay Bagong Silangan, in Quezon City.¹² To better understand the overall effects of these two events to the advancement of the ULR campaign, attention should first be given to the demolition event.

Coinciding the confirmation of the two urban poor sectoral representatives, hundreds of families from Sitio Kumunoy, Barangay Bagong Silangan in Quezon City lost their homes and much of their belongings due to a 200-man demolition order sanctioned by the city mayor on September 14 and 15, 1990. The said demolition was undertaken without presenting any prior notice nor any proper court order to the community. At the end of the demolition, two lives were lost, and various victims

¹² "Sitio" is the Filipino word "site." On the other hand, "barangay" is the Filipino counterpart of the English word "village."

were rendered homeless. Moved by the incident, Jaime Cardinal Sin, then Archbishop of Manila, invited a group developers, real estate brokers, members of the House Committee on Urban Planning and Development, and the Bishops-Businessmen's Conference Committee on Urban Land Reform (BBC-ULR) to his residence to discuss the Sitio Kumuno incident. During the meeting, the Cardinal reprimanded legislators to follow the constitutional mandate of passing an urban land reform law, which will provide decent housing for the poor, protect them from unjust and inhuman demolitions, and restructure urban land use in such a way that equally benefits everyone (Karaos et al., 1995, p.29).¹³

Following this meeting, a rally was held in Plaza Roma, the front part of Manila Cathedral, in February 16, 1991 pushing also for the implementation of an urban land reform law. The rally was attended by 5,000 urban poor groups, some members of the Catholic hierarchy led by Cardinal Sin, and also congress representatives, namely Congs. Puyat-Reyes and Amado Bagatsing, and the urban poor sectoral representatives.

Moved by the public's discontent with Congress for not doing anything for the urban poor, which was heavily expressed during the rally, Cong. Puyat-Reyes, then chair of the House Committee on Urban Planning and Development, ordered an ad-hoc committee to be established in the Urban Planning and Development Committee that will immediately pursue the completion of a legislative draft of an urban land reform bill. As a result of this effort, House Bill 34310, also known as the "Urban Development and Housing Act of 1991," was the completed in less than a month. House Bill 34310 consolidated 19 House Bills, two house resolutions, and one administration bill filed back in November 1987 (Karaos et al., 1995, p.30).

¹³ Jaime Cardinal Sin was an influential public figure in Philippine society due to his prominent role during the EDSA People Power Revolution.

On March 22, 1991, a meeting of the two urban poor sectoral representatives, along with other UPOs and NGOs, was held to further discuss lobbying strategies and other possible amendments and revisions to the existing House Bill 34310. It was at this time that another group was formed which was tasked to not only study the bill, but also draft the desired amendments, conduct information campaigns at the community level, coordinate allies in the Church and the BBC, and also oversee the mobilizations. The group that was eventually formed, consisting of UPOs and NGOs, was the Urban Land Reform Task Force (ULR-TF). ICSI served as ULR-TF's Secretariat, as well as its technical committee.

Urban Land Reform Lobbying Scenario in Both Houses of Congress

On April 22 1991, the date of the resumption of Congress' session, 350 representatives of major urban poor organizations flocked to the House of Representatives. The representatives of major UPOs were met by House Speaker Ramon Mitra, along with members of the Urban and Housing Committee and its chairperson Cong. Puyat-Reyes. At the end of the meeting, Speaker Mitra vowed to facilitate the passage of the bill in the Lower Congress before the end of the fourth regular session. Mitra's meeting with the UPOs prompted the Puyat-Reyes Committee to tackle the amendments proposed by the BBC-ULR Committee to HB 34310. Most of the revisions suggested by the BBC-ULR Committee were accepted. The ULR-TF also proposed additional amendments to the same bill, but was turned down by the House Committee (Karaos et al., 1995).

From May 27 to June 3, 1991, urban poor mobilizations were constantly being held in the halls of the Lower House as means of pressuring legislators to urgently tackle the urban land reform bill. Finally, on June 4, 1991, HB 34310 was called for floor deliberations. A total of 12 congresspersons

delivered sponsorship speeches in support of HB 34310. On June 6, 1991, the last day of Congress' regular session, HB 34310 was approved on second reading with all the members of the House as co-sponsors (Karaos et al., 1995).

Senator Lina, then chairman of the Senate Urban Planning, Housing and Resettlement Committee, was the sponsor of Substitute Bill 234 (SB 234) – HB 34310's counterpart bill in the Senate; and the updated version of Sen. Lina's 1987 "Urban Land Reform and Housing Act" bill. Its final draft was only completed on August 14, 1991 when external pressure was applied to Sen. Lina's office from some 200 urban poor leaders from the ULR-TF. On August 15, 1991, the same day HB 34310 was approved on third reading in the Lower House, Lina's Committee submitted SB 234, a grossly watered down version compared to Sen. Lina's previous drafts, for the approval of the Senate. SB 234 did not incorporate the results of previous discussions the BBC-ULRH has with Sen. Lina and his Committee. Consequently, the ULR-TF proposed amendments to the Senate draft bill were also not incorporated in the final version (Karaos et al., 1995).

Representatives of ULR-TF and the BBC-ULRH also sought meetings with then Senate President Jovito Salonga and Majority Floor Leader Teofisto Guingona, which resulted in the two senators pledging their support for the group. Mass mobilizations were also done at the Senate, totaling to 17 instances over the course of the five months. Initially, a minimum of 1,000 participants were mobilized daily. But as these amount of participants proved to be costly for mobilization, much of the campaign resorted to sending daily UPO contingents to the Senate session hall.

Other non-poor organizations also expressed their support for the urban poor's lobbying campaign. Various NGOs catering to different issues (such as the organization "Women In Nation Building") and

hailing from different regions (such as Davao, Cebu, Bacolod, and Iloilo) in the Philippines sent letters to Senators expressing their support for the passage of the urban land reform bill. The legislative staff of the Senate also aided in the lobbying of the urban land reform bill by facilitating the calendaring of the bill, and alerting the ULR-TF secretariat on any development in the status of the urban land reform bill (Karaos et al., 1995).

Passage of the Urban Development and Housing Act

On December 19, 1991, the Senate passed SB 234 on its second reading, garnering a total of twenty affirmative votes with no negative nor abstention votes. On February 3, 1992, two days before the official adjournment of the fifth regular session of Congress, the two houses of Congress simultaneously put their seals of approval on the Bicameral Conference Committee Report which harmonized HB 34310 and SB 234. On March 24, 1992, Pres. Aquino finally signed into law Republic Act 7279, otherwise known as the Urban Development and Housing Act of 1992 (Karaos et al., 1995).

5. ANALYSIS AND CONCLUSION

Looking at the overall history of the passage of the UDHA – the various processes that were involved, the different strategies that were employed, and the specific actors that played crucial roles – one gains a clearer understanding as to why it was chosen as a case study that exemplifies the positive effects of political empowerment and NGO aid in the cause of the urban poor.

Role of Political Empowerment

The impact of political empowerment in the case study is perfectly exemplified by the instances where collective organization and action occurred. From the early stages of the urban land reform

movement during the Martial Law era, up until the official legislation of the UDHA in March 24, 1992, the urban poor have always been heavily involved with the UDHA's entire campaign. As what Karaos et al. mentions,

“RA 7279, otherwise known as the Urban Development and Housing Act of 1992, is one of very few laws in the history of the Philippine legislature that can be said to have been truly a product of organized pressure from below” (1995, p.45).

This “bottom up” character is mainly a consequence of the urban poor's ability to collectively organize. This ability enables the urban poor to resort to collective action, allowing them to further exert their presence and influence in public. Collective organization and action also allows them to publicly express their respective grievances, issues, and concerns, which were, back then, constantly ignored and excluded in urban development policies. The various urban land reform protests waged by the urban poor, the mass mobilizations that were held within the Philippine Congress' premises, the public dialogues that the urban poor engaged in, and the constant clamor for public officials to enact an urban land reform law – all these exemplify the effects of collective organization and action. By resorting to collective organization and action, the urban poor were able to publicly showcase their respective capacities to think, act, and speak for themselves, regaining their identity as rightful urban citizens, and demystifying the commonly-held notion of them as being “passive” and “incapable” entities.

Other than allowing the urban poor to be recognized as active urban subjects, political empowerment also enabled the urban poor to challenge and change existing oppressive norms. Prior to the creation of the UDHA, housing for the poor was not deemed as a priority by the national or local governments. Unjust and inhumane demolitions were also quite rampant back then. Households in urban poor communities were evicted without any proper notice. Violent means (such as housing demolition, deployment of military or police personnel, etc.) were also usually

employed to evict urban poor communities from their areas. (Karaos, A., personal communication, January 14, 2015). With the legislation of the UDHA, there now is a legal basis for the national and local governments to cater to the housing needs of the poor. As what was already mention in the previous section of this thesis, Section 2 of the UDHA stipulates the mandate of the State to ensure the housing welfare of the poor. Unjust demolition and eviction practices, along with proper relocation were also addressed in Section 28 of Article VII of the UDHA.¹⁴

Role of Domestic NGOs

It should also be acknowledged that domestic NGOs also played very crucial roles in the passage of the UDHA. The professional expertise of the involved NGOs provided various benefits to the urban poor groups and the UDHA campaign. The housing workshops, public dialogues, and bill drafting meetings allowed urban poor groups to gain substantial knowledge regarding the housing rights and the issue of urban land reform. NGOs were also able to increase public support for the UDHA campaign through their various connections and networks. NGOs such as the BBC and ICSI were able to garner support from the Catholic Church. The BBC also used their connections with real estate developers to lessen resistance from those opposing an urban land reform law. Domestic NGOs were also mainly responsible for connecting national legislators with the urban land reform campaign and the various urban poor groups.

This ability to challenge and change existing paradigms is what makes political empowerment very crucial in the realm of urban planning. The current practice of urban planning heavily emphasizes on the principle of inclusivity – meaning that all, or at least important, stakeholders must be sufficiently involved within the overall planning process. But in countries where public planning institutions are

¹⁴ The full version of Section 28 of the UDHA can be found in Appendix D of this thesis.

captured by, and catering to only the interests of the select few of the society, how else can inclusive planning be implemented? How else can inclusive planning be implemented when there is a constant effort to exclude crucial stakeholders (such as urban poor) in the developmental schemes of the city? How else can marginalized groups influence urban development when traditional public institutions, purposely created to serve the majority and the less fortunate, actually only functioning to perpetuate the interests of wealthy groups?

In such cases, political empowerment enables these marginalized groups to create their own spaces and avenues in which they could publicly articulate their issues in concerns. As what we have seen during the early stages of the UDHA campaign, the context of Martial Law made the public space in the Philippines uncondusive for progressive discussions regarding the implementation of an urban land reform law to take place. Oppressive mechanisms were implemented to discourage any form of criticism against the current administration's urban land reform program. But such measures were not enough to overcome the public's desire for a more substantial urban land reform law. Through the mass mobilizations and protests initiated by the urban poor and the general public, new public spaces were created to encourage and perpetuate the discussion of an urban land reform.

It should also be acknowledged that domestic NGOs also played very crucial roles in the passage of the UDHA. The professional expertise of the involved NGOs provided various benefits to the urban poor groups and the UDHA campaign. The housing workshops, public dialogues, and bill drafting meetings allowed urban poor groups to gain substantial knowledge regarding the housing rights and the issue of urban land reform. NGOs were also able to increase public support for the UDHA campaign through their various connections and networks. NGOs such as the BBC and ICSI were able to garner support from the Catholic Church. The BBC also used their connections

with real estate developers to lessen resistance from those opposing an urban land reform law. Domestic NGOs were also mainly responsible for connecting national legislators with the urban land reform campaign and the various urban poor groups.

Situating ourselves in the present context, much of the oppressive forces operating within the urban landscape of the Philippines are not attributable anymore to any single political entity. And in a lot of ways, it was rather easier back then for the urban poor and other social advocates to formulate solutions since they only had one entity to target. The present context, however, seems much more complicated. Whereas in the past, forms of oppression and marginalization was mainly attributable to the will of the authoritarian, the same could not be said about the present context. As what Harvey already stated, much of contemporary urban development is mainly characterized and guided by neoliberal market rationality (2008). This is most evident in developing countries wherein mass evictions and demolitions of informal settlements are made to give way to high profit real estate developments. What makes this kind of urban development in the Philippines more dangerous (as compared to the previous one which was solely led by the authoritarian) is that support for the cause of the urban poor and other marginalized groups is not as strong now as it was during the time of the UDHA's campaign. The wholesale destruction of informal settlements (and consequently the mass displacement of the urban poor) and replacing them with "more useful" and "more profitable" development alternatives is not as dire of an issue now as it was more than 20 years ago. Support for the cause of the urban poor is diminished, and their marginalization within the urban landscape is further exacerbated.

It is in this aspect, however, that aid and intervention of NGOs become all the more crucial. As what has already been mentioned in the previous sections, NGOs are the ideal actors to support the

cause of the urban poor since they possess the necessary skills, information, and resources to actually effect substantial impacts to the cause of the urban poor. As what we have seen with the UDHA case study, NGOs were crucial in connecting the urban poor with other civil society groups and also national legislators. They were able to make the issues and concerns of the urban poor also relevant to businessmen, the Catholic Church, and also national legislators.

Connecting this with the present dilemma of diminishing public support, NGOs have the ability to solve this problem through their capacity to change the mindsets of the people. Whereas a market rationality mainly dictates how urban development should go about, NGOs, along with the support of urban poor groups, have the capacity to show that such a mode of urban development does not necessarily cater to all the needs of social groups residing within the urban landscape. On the contrary, it even exacerbates the issue of poverty within urban areas.

6. STUDY LIMITATIONS AND FURTHER RESEARCH

The main focus of this thesis was to illustrate how political empowerment and domestic NGO aid could be utilized as means of helping the urban poor in combating their marginalization in the urban areas of the Philippines. The history of the passage of the Urban Development and Housing Act of 1992 of the Philippines served as the main case study for this thesis.

Although the case study appropriately exemplified the positive effects of political empowerment and domestic NGO aid, wholesale replication and application of this case study in different countries facing similar problems should be done with caution. To some extent, the case study can serve as a precedent in handling the issues of inequitable urban development, disenfranchised citizenry, and weak public institutions. But unique contextual differences also exist. And the factors that

contributed to the success of the UDHA's campaign might not be present or replicable in other situations.

Contextual Limitations

One unique context underpinning most of the factors involved in the passage of the UDHA is the country's collective experience of martial law. Urban poor groups already existed back then prior to the UDHA's formal legislative campaign mainly because these groups were formed during the martial law era. The formation of these urban poor groups was a result of the politicization and ideological indoctrination efforts undertaken by political groups (mostly associated with the political Left) and other socially-oriented NGOs as a means of gaining more public support for the various anti-martial law protests. As such, substantial support from the urban poor for the legislation UDHA was easily obtained since the urban poor sector in the Philippines was already highly organized and politically experienced. Connections between NGOs and urban poor groups also existed back then prior to the UDHA's formal legislative campaign since these two sets of groups already had interactions during the anti-martial law protests. (Karaos, A., personal communication, January 14, 2015).

The country's experiences of martial law and "People Power" also instilled in the Filipino people a collective sense of mutual social responsibility. The collective hardships experienced under martial law, and the collective triumphs achieved during the "EDSA People Power Revolution" made people more socially sensitive. Acts of injustices and oppressions were vehemently opposed by the public, while movements championing the causes of justice and equality were widely supported. Given this context, public support for an urban land reform law was easily obtained.

However, obtaining public support for causes such as these might be more difficult now when one is situated in the present context. The collective sense of mutual social responsibility fostered by the events of martial law and the EDSA People Power Revolution more than 20 years ago has mostly disappeared from the general public, making social groups within the Philippines more detached from the concerns and issues of other groups. Perception of widespread corruption within government has also negatively affected the support for social causes. Corruption scandals plaguing the Philippine government have disenfranchised much of the general public, making them less prone to supporting social causes (Karaos, A., personal communication, January 14, 2015; Social Weather Stations, 2012).

Actual Implementation of the UDHA

Another limitation of this research (and also a possible avenue for further study) was that it was not able to assess the actual implementation of the UDHA. Karaos et al. (1995) devote a section in their book detailing some of the positive impacts the UDHA was able to achieve three years after its legislation. And it should be noted that some of these claims still remain valid. For example, Karaos et al. point out that the “UDHA has been successfully utilized by urban poor groups to defend their shelter rights in the courts” (1995, p. 75). This claim is supported by the interview with the Quezon City Housing and Community Development and Resettlement Department, with the interviewee mentioning that informal settlers and urban poor communities usually resort to the existence of the UDHA when faced with possibilities of eviction (Constantino, L., personal communication, January 7, 2015). However, some of the other claims might not be as valid anymore as they were 20 years ago. As what was mentioned already during the introduction, the persistence of poverty in urban areas in the Philippines has remained virtually unchanged for the past few years. Despite the UDHA’s legislation, urban poverty still remains an issue and the Philippines. Future research

endeavors might be able to explore more the connection between the persistence of urban poverty in the Philippines and the actual implementation of the UDHA.

APPENDIX A: Experience of Researcher during the Data Gathering Stage

All interviews were held in the Philippines during December 18, 2014 up to January 22, 2015. The researcher encountered some difficulties in scheduling the interviews due to a number of factors. First was the Christmas season in the Philippines. A lot of holidays are usually present during the Christmas season in the Philippines due to the cultural and historical significance it has for Filipino society. The tradition of celebrating Christmas is heavily ingrained in Filipino culture and

history because of the Philippine's vast Catholic population. Filipino culture heavily emphasizes on strong family ties and much of the Christmas season is seen as an opportunity to host family reunions. An example of this can be seen in the number of Overseas Filipino Workers (OFWs) going back home during the Christmas season. Due to the Philippines' big population of overseas workers, a lot of OFWs often take advantage of this season to come home from abroad and be reunited with their families. The researcher actually experienced this phenomenon upon his arrival in the Philippines. Numerous, long lines could be observed at the immigration area of the Ninoy Aquino International Airport, with mostly Filipinos occupying the said lines. It also took the researcher around three hours to leave the airport due to the sudden influx of people.

Even after January 1, which officially marks the resumption of work and classes, some interviews still got pushed to different schedules due to Pope Francis' scheduled visit to the Philippines. The Pope's official visit to the Philippines was held on January 15 up to January 19, 2014 and the national government announced that all of these dates were to be official holidays. It was a bit difficult to contact people during that time, especially those working within the government, due to the declaration of official holidays and most government agencies, national and local, were preoccupied with the official visit of the Pope.

Access to legislative documents were also quite difficult. Despite the Quezon City government and other government agencies¹⁵ having online websites to archive their respective legislative documents, it was not really that user-friendly. Legislative documents were rather obtained by the researcher during the interviews held with the Quezon City UPAO, NGO representative, and PCUP representative.

¹⁵ Philippine laws are more easily accessible since they can be found in national government-hosted websites and also other privately-hosted websites. URLs for both the Quezon City government and other Philippine national laws are in Appendix B.

APPENDIX B: List of Websites Containing Philippine National and Local Laws

1. Quezon City Public Library - <http://www.qcpubliclibrary.org/philippinelaws.php>
2. Quezon City Council - <http://quezoncitycouncil.ph/ordinances19th.php>
3. Senate of the Philippines - <https://www.senate.gov.ph/>
4. Republic of the Philippines House of Representatives - <http://www.congress.gov.ph/download/>
5. Legal codes of the Philippines - <http://www.gov.ph/the-philippine-legal-codes/>
6. Arellano Law Foundation - <http://www.lawphil.net/>
7. Chan Robles Law Firm - <http://www.chanrobles.com/index1.htm>
8. U.S. Library of Congress - <http://www.loc.gov/law/help/guide/nations/philippines.php>

APPENDIX C: Urban Land Reform and Housing Provision in Article XIII of the 1987 Philippine Constitution

URBAN LAND REFORM AND HOUSING

Section 9. The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.

Section 10. Urban or rural poor dwellers shall not be evicted nor their dwelling demolished, except in accordance with law and in a just and humane manner.

No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.

APPENDIX D: Eviction and Demolition Provision in Section 28 of Article VII of the Urban Development and Housing Act of 1992

SECTION 28. Eviction and Demolition. - Eviction or demolition as a practice shall be discouraged. Eviction or demolition, however, may be allowed under the following situations:

(a) When persons or entities occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds;

(b) When government infrastructure projects with available funding are about to be implemented; or

(c) When there is a court order for eviction and demolition. In the execution of eviction or demolition orders involving underprivileged and homeless citizens, the following shall be mandatory:

- (1) Notice upon the effected persons or entities at least thirty (30) days prior to the date of eviction or demolition;
- (2) Adequate consultations on the matter of settlement with the duly designated representatives of the families to be resettled and the affected communities in the areas where they are to be relocated;
- (3) Presence of local government officials or their representatives during eviction or demolition;
- (4) Proper identification of all persons taking part in the demolition;
- (5) Execution of eviction or demolition only during regular office hours from Mondays to Fridays and during good weather, unless the affected families consent otherwise;
- (6) No use of heavy equipment for demolition except for structures that are permanent and have concrete materials;
- (7) Proper uniforms for members of the Philippine National Police who shall occupy the first line of law enforcement and observe proper disturbance control procedures; and
- (8) Adequate relocation, whether temporary or permanent: Provided, however, That in cases of eviction and demolition pursuant to a court order involving underprivileged and homeless citizens, relocation shall be undertaken by the local government unit concerned and the National Housing Authority with the assistance of other government agencies within forty-five (45) days from service of notice of final judgement by the court, after which period the said order shall be executed: Provided, further, That should relocation not be possible within the said period, financial assistance in the amount equivalent to the prevailing minimum daily wage multiplied by sixty (60) days shall be extended to the affected families by the local government unit concerned.

This Department of the Interior and Local Government and the Housing and Urban Development Coordinating Council shall jointly promulgate the necessary rules and regulations to carry out the above provision.

APPENDIX E: Set of Interview Questions for Dr. Karaos of ICSI

1. What were the reasons which prompted the NGO to push for the creation of UDHA?
2. Which individuals/groups/communities did the NGO approach in order to gain support for the campaign?
3. What specific actions or strategies did the NGO resort to in order to push for the campaign of the UDHA?
4. What were the difficulties experienced by those who participated in the campaign before, during, and after the campaign of the UDHA?
5. What were the factors which positively contributed to the success of the campaign?
6. Are there other ways in which the campaign might have been pursued?

BIBLIOGRAPHY

- Angerer, T., & Chew, E. (2014, June 6). *Philippines Outgrowing Sick Man Tag Cuts Bond Risk: Asean Credit*. Retrieved from Bloomberg: <http://www.bloomberg.com/news/2014-06-05/philippines-outgrowing-sick-man-tag-cuts-bond-risk-asean-credit.html>
- Bromley, R. (2004). Power, Property, and Poverty: Why De Soto's "Mystery of Capital" Cannot Be Solved. In A. Roy, & N. AlSayyad, *Urban Informality: Transnational Perspectives from the Middle East, Latin America, and South Asia* (pp. 271-287). Lanham, Maryland: Lexington Books.
- Clarke, G. (1998). Non-Governmental Organizations (NGOs) and Politics in the Developing World. *Political Studies*, 35-52.
- Gilbert, A. (2007). The Return of the Slum: Does Language Matter? *International Journal of Urban and Regional Research*, 697-713.
- Harvey, D. (2008). The Right to the City. *New Left Review*, 23-40.
- Kabeer, N., Mahmud, S., & Castro, J. G. (2012). NGOs and the Political Empowerment of Poor People in Rural Bangladesh: Cultivating the Habits of Democracy? *World Development*, 2044-2062.
- Karaos, A. A., Gatpatan, M. V., & Hotz, S.J., R. V. (1995). *MAKING A DIFFERENCE: NGO and PO Policy Influence in Urban Land Reform Advocacy*. Quezon: Institute on Church and Social Issues.
- Karaos, A. M. (2015, January 14). Interview Regarding JJCICSI's Involvement in the UDHA. (P. Jalasco, Interviewer)
- Manila Bulletin. (n.d.). *Pork Barrel Scam*. Retrieved from Manila Bulletin: <http://mb.com.ph/category/pork-barrel-scam-2/>
- Mendoza, R. U., Yap II, D. B., Venida, V. S., & Beja, Jr., E. L. (2011). *An Empirical Analysis of Political Dynasties in the 15th Philippine Congress*. Makati: Asian Institute of Management - Policy Center.
- Montecillo, P. G. (2014, May 9). *PH credit rating upgraded*. Retrieved from Inquirer.net: <http://business.inquirer.net/170026/ph-credit-rating-upgraded>
- National Statistics Coordination Board. (2014, July 4). *Poverty Statistics - Main Page*. Retrieved from Philippine Statistics Authority - National Statistical Coordinatinon Board: <http://www.nscb.gov.ph/poverty/default.asp>
- Rahman, S. (2006). Development, Democracy and the NGO Sector: Theory and Evidence from Bangladesh. *Journal of Developing Societies*, 451-473.
- Riis, J. A. (1890). *How the Other Half Lives: Studies among the Tenements of New York*. New York: Charles Scribner's Sons.

- Roy, A. (2005). Urban Informality: Toward an Epistemology of Planning. *Journal of the American Planning Association*, 147-158.
- Shatkin, G. (2000). Obstacles to Empowerment: Local Politics and Civil Society in Metropolitan Manila, the Philippines. *Urban Studies*, 2357-2375.
- Social Weather Stations. (2012). *The 2012 Survey on Good Local Governance*. Metro Manila: Social Weather Stations. Retrieved April 13, 2015, from <http://www.sws.org.ph/FINAL%20Oct%2029%20-%202012%20SWS%20Survey%20on%20Good%20Local%20Governance%20presentation.pdf>
- The Philippine Daily Inquirer. (n.d.). *JANET NAPOLES AND THE PORK BARREL SCAM: AN INQUIRER SPECIAL REPORT*. Retrieved from INQUIRER.net: <http://www.inquirer.net/napoles>
- Transparency International. (2015). *Corruption Perceptions Index 2014: Results*. Retrieved from Transparency International: The Global Coalition Against Corruption: <https://www.transparency.org/cpi2014/results>
- Viratkapan, V., & Perera, R. (2006). Slum relocation projects in Bangkok: what has contributed to their success or failure? *Habitat International*, 157-174.
- World Bank Group. (n.d.). *About Doing Business*. Retrieved from Doing Business: Measuring Business Regulations: <http://www.doingbusiness.org/about-us>
- World Bank Group. (n.d.). *Ease of Doing Business in Philippines*. Retrieved from Doing Business: Measuring Business Regulations: <http://www.doingbusiness.org/data/exploreeconomies/philippines>