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PROJECT SARILAKAS: TOWARDS A PARTNERSHIP OF EQUALS*

Development and Development Strategy

Development as a concept has assumed many changing meanings during the last two decades and even the term "basic human needs strategy" (BNS) of development has been given different meanings by different interest groups: bilateral and multilateral donor agencies, first world governments, third world governments and communities of the impoverished. It might be helpful at the outset to distinguish between two different interpretations of BNS which are commonly used to give content to the concept of development (Blaikie, Cameron and Seddon: 1979).

A conservative BNS is concerned with problems of coping with poverty. A radical BNS sees the redistribution of power as its central issue. Given the very wide differences between the two approaches, it may help clarify objectives and strategies if the salient features of each of the BNS approaches are identified.

The conservative BNS starts by identifying the poor and quantifying poverty. The tendency is to see the "poor" divorced from social reality and relationships as a stratum (e.g., the bottom 40%) and a target group whose poverty is a quantifiable deficiency. Problems of measurement of poverty immediately become a major issue. Measurable variables (e.g., undernourishment or illiteracy) which may often be symptoms of the problem, tend to become the problem itself. Measurable aspects of poverty tend to get overemphasized while qualitative aspects are either omitted or "tacked inconsequentially onto the end of a list of qualifiable consumption criteria" (Blaikie et al: 1979). The implementation agencies for a poverty eradication programme tend to become institutions of the state itself--a tendency which is attractive to consultants and donor agencies alike. In the definition and implementation of this version of BNS, participation tends to be additional and optional. In sum, this version of BNS degenerates into a welfare system delivered by the institutions of state.

*This report on Project Sarilakas draws on materials prepared for a conference convened by the International Commission of Jurists by Augusto Caesar Espiritu and Clarence J. Dias (since published in Development, Human Rights and the Rule of Law, Pergamon Press: 1981) and a paper prepared by Rafael Espiritu for a workshop convened by the United Nations Economic and Social Commission for Asia and the Pacific. But the report really is based on the ongoing people's struggles for self-reliant development in the Sarilakas project sites. Thus, authorship of this report truly lies in Project Sarilakas: its peoples and its workers.

The radical BNS, on the other hand, starts by attempting to tackle the structural causes of poverty. The major relationship in which virtually all the poverty stricken are involved is that of working for, or under the control of someone else. The initial problem, therefore, is to shift the balance of power in favour of labourers and all those who are in contractually weak positions with regard to owners of the means of production. The strategy therefore involves reorganizing production. This may involve, certainly initially, a movement away from commodity production for distant markets or state trading corporations towards producing goods for local consumption. Loss of state and export revenues may well mean that such moves will be opposed by forces far wider than the local employers faced with a loss of power. But the vital point is that the poor must increasingly participate not only at the moment of distribution where they are often in a position of disadvantage through indebtedness, but also in the production decisions. It might be argued that in this respect BNS is simply utopian, but the struggles of the poor to achieve for themselves their basic needs have tended to be "unseen," either underrated or in some cases conveniently forgotten. The existing struggles by the deprived to secure their own basic needs through direct action and local organization (local self-help groups, trade unions, etc.) are themselves an important part of a BNS which needs no official opening ceremony, and which already has a long history (Blaikie et al: 1979). The radical BNS, therefore, seeks to alter relations of production and property rights. It seeks to address the root causes of the crisis: entrenched economic and political interests at the international and national level. It stresses participation in the definition and implementation of BNS as an essential prerequisite and emphasizes the need to formally enlist the involvement of the groups at present excluded from decision making at all levels and all stages of a project with the right of veto. Not surprisingly, the radical BNS runs the risk of being finally unacceptable in practice to those who are presently conceived of as the agencies for its adoption and implementation, e.g., the international and national aid agencies and the nation states.

The Sarilakas Project: its origins

Project Sarilakas is an attempt, within a micro setting, to realize development through adopting a radical BNS. Sarilakas comes from the Tagalog word "sariling lakas" which literally translated means "own strength." Project Sarilakas is being undertaken by the Bureau of Rural Workers (BRW) of the Ministry of Labor and Employment. The BRW is itself rather unique in that although it was created to perform traditional bureaucratic functions (such as formulation of policies and labour standards for protection of rural workers), part of its mandate is "organization of rural workers."

Due to the inadequacy of information and data on landless rural workers, BRW decided that it would undertake, in coordination with the International Labour Organization (ILO), a pilot project for rural workers involved in sugar production, since they were one of the most exploited and impoverished groups in the country. BRW began by undertaking a participatory action-research project in which the landless rural workers actively participated in problem identification, analysis and formulation of solutions in four pilot sites representing typical sugar-production communities. One "facilitator" was fielded per project site for three months, starting in December 1980, to assist the people in the different research processes involved.

The research study culminated with the holding of a National Tripartite Conference in July 1980, attended by representatives of the landless rural workers, employers, businessmen and heads of different government agencies. At the start of the conference, case reports on the living and working conditions of the landless rural workers from the four sites were presented for deliberation and immediate action. This phase of the project had been code-named Project AID (Action Identification for the Development of Landless Rural Workers) and it is perhaps indicative of the impact of the project process that BRW soon abandoned the nomenclature of Project AID because it overemphasized dependency and adopted the code name of Sarilakas which emphasized self-reliance. What occurred at this stage, however, was more than a mere name change. Project AID had stressed the availability of governmental resources external to the community (e.g., loans under the Land Bank of the Philippines Loan Guarantee Program). Project Sarilakas stressed building up the strength of the community so as to avoid perpetual dependence on government resources.

Project Sarilakas: its operating principles

Because of the close interaction with community that preceded Project Sarilakas, the Bureau of Rural Workers was, so to speak, provided the opportunity to relearn abstract conceptions of radical BNS strategy and translate them into working principles (born out of community needs and imperatives) that would guide the operation of Project Sarilakas. Project Sarilakas has enunciated these principles not merely as credo or rhetoric but as practical working guidelines and the assumptions and rationale behind such working guidelines.

Project Sarilakas is founded on the following development principles:

1. Rural development has to be conceived not in terms of the development of a geographical area termed "rural," but as a fundamental process of transformation (political,

economic, and social) of the rural societies in which the main actors are the disadvantaged members of these societies. It is a process of human development rather than of economic development, a process of releasing the creative energy of the people, particularly of the poorest and the most oppressed.

2. The essence of the "rural" problem is the dominance of pre-capitalist and capitalist relations in production which are a fetter on the development of rural productive forces. The social relationships, power structures, and mental attitudes generated by these production relations constitute a further set of obstacles. The removal of such constraints through organized, collective action of the rural poor constitute the essence of the process of rural development.
3. Rural societies are not homogeneous structures. The existence of antagonistic contradictions among different classes and groups with conflicting interests is a fundamental fact of rural life. Looked at objectively there exist two basic groups, one consisting of the majority (landless, small peasant, small commodity producer, tribal/low caste) who need and benefit from change, and the other consisting of a minority (landowners, money-lenders, traders, elites and bureaucrats) who resist change because their interests and elitist position are well secured by the status quo. Thus, conflict is inherent in rural development and the process of rural development is essentially one where the rural poor emerge increasingly as a countervailing power through collective action.
4. While there is conflict of interests between different classes and groups in a rural society, they are also mutually dependent on one another. These dependency relationships, however, are asymmetrical in form and assume a dominant-dependent character. The relationship is often a highly unequal one because the poor have very limited staying power in a contest with the rich whose links with the bureaucracy and other sources of power are sources of strength besides their own wealth and social standing. There is disunity among the poor themselves; differentiated and divided as they are by

numerous factors. These factors, namely the attitudes of dependency and disunity, inhibit the poor from taking political, economic, and social initiatives for improving their lives, and tend to make them non innovative and non experimental. This in turn, reinforces the asymmetrical relationships thereby completing the vicious circle of poverty and dependence.

5. The existence of this vicious circle makes it difficult, if not impossible, for rural development to be a spontaneously-generated process. An external initiator or catalyst is, therefore, more often than not, a necessary initial input into the process. The role of the initiator is a catalytic one of helping the rural poor to break the vicious circle and set in motion a process of development by liberating the creative initiatives of the poor. Such catalysts are a new breed of persons who are fundamentally different from the conventional rural volunteer or the government official whose activities over the years often end up being a part of the problem, an additional obstacle to the process of rural development. The catalysts of the new approach, on the other hand, carry out detailed and searching investigations of the village life along with the people, and in the process the catalysts as well as the people enhance their understanding of the village reality.
6. Self-reliance, participation and people's countervailing power are integral parts of the rural development process; they are the principal ways in which the development process manifests itself as it unfolds.
 - a. Self-reliance as a basic human value is an expression of man's faith in his own abilities, and a reappropriation of his own powers which he has hitherto alienated to others. In the economic field, self-reliance implies the generation of process of internal accumulation by the productive investment of surpluses which are presently being siphoned off through asymmetrical dependency relationships (e. g. , high land rents, exorbitant interest rates, low produce prices, low wages, and corruption). Capturing this surplus by the rural poor through collective

efforts, and collective bargaining reduces the dependence on dominant groups in the village as well as on external sources of finance.

- b. Participation as a fundamental democratic value, is an active process in which people take initiatives and action which are stimulated by their own thinking and deliberations and over which they can exert effective control. Continuous discussion and dialogue, a respect for each other's views and a desire not to impose decisions on others but to try to arrive at a consensus (as against majority decision making) are vital elements in a participatory process. Participation is required not simply for moral reasons, but because this is the most effective and viable means to human development, being the only method by which the creative energy of the people can be released and their collective personalities developed. People will be motivated to participate fully only in a process which they understand, have confidence in, and which responds to their genuine/felt needs. Collective action and participation are inseparable phenomena. In self-reliant development processes, people build their own participatory organizations to liberate their initiative and spontaneity.
 - c. Countervailing power implies increasing the collective strength of the rural poor to offset the exploitative power structures in the society and, thereby, to change the development process in their favor. Increasing the bargaining strength and assertion of collective power by people's organizations, to reduce exploitation as well as to increase the political and economic space for their development actions, form the essential features of countervailing power.
7. Law plays a significant role in rural society. In fact, the very fabric of village life is permeated with all sorts of legalities. While law is able to perform constructive

functions in society, more often than not, it has become an instrument of the dominant class to systematically, and in a sustained manner, exploit the poor. The rich have used law as its ally to maintain and perpetuate the dependency and subservience of the poor to their interest and position.

8. Law has become an "investment profession" where usually the main motivation is self-enrichment. Very rarely do we find lawyers arguing in behalf of the poor, probably because it does not pay to take their side. For this reason, the poverty and oppression of the poor worsen since law which should otherwise protect them brings them into deeper and more subtle dependencies and subservience.
9. Moreover, the language of law is often unintelligible to the common man and the institutions of the legal system operate through processes which intimidate, or create feelings of ignorance and inadequacy in, the common man. Inevitably, the lawyer-client relationship has become one of dependence rather than of self-reliance.
10. Therefore, in the struggles of the poor, it is essential to seek to remove the roots of imbalance in the use of law and to regain law's original purpose of maintaining order and dignity for all. This struggle is part of the rhythm of collective reflection and action which creates the power of the people to use and appropriate resources in society, especially law, to their advantage. In short, the development of law cannot be divorced from the development of people's organizations.

Guided by the above development principles and imperatives, the Sarilakas program was born. Its goal is to promote social, economic and political justice through collective action and formation of self-reliant organizations. Through the creation of self-reliant participatory organizations, the rural workers are expected to develop solidarity and bargaining power to promote their common interests. The spirit of Sarilakas is translated into action by external agents who live and integrate with the poor people in the community and undertake motivational-catalytic-sensitising work. They aim to make the poor people conscious of and understand the social, economic and political structures and develop their capacity to participate in development through self-reliant organizations

and collective action. Teams of two Sarilakas "facilitators" are assigned to the project sites to stimulate rural workers in group discussions and collective action. Ongoing training of the Sarilakas facilitators is expected to occur in the village through self-learning, village investigation, interaction, group learning, group investigation, collective discussions and deeper investigations leading to collective action. Regular local and national participatory evaluation and reflection on the Sarilakas experience will be conducted.

Since 1980, Sarilakas has been operating in four sugar producing communities. It is one of the main thrusts of the Bureau of Rural Workers of the Ministry of Labor and Employment, Philippines, and continues to be supported by the International Labour Organization and the Dutch government.

The Sarilakas Project Sites

The Bureau of Rural Workers conducted situation-specific studies (employing both survey and participatory research methodologies) at four sites, randomly selected in Negros Occidental, Batangas, Antique and Iloilo. The surveys and their analysis were carried out by community facilitators who resided in and identified themselves with the respective communities of the rural workers.

Brief descriptions follow highlighting the specific problems encountered in three of the four sites.

Batangas -- The site here comprises 624 people (living in 113 households) of whom approximately 80% are agricultural laborers. There are nine major landowners (one of whom is a cousin of the Mayor) who have what are in effect tenancy-at-will arrangements with the laborers under what is called a kartilya system. The kartilya is a small notebook given to each tenant which bears the name of the tenant and contains a statement of accounts as between tenant and landlord. The kartilya represents the only record the tenant has of his tenancy. On the death of the tenant the book goes to the male heir along with the debts of the deceased! The tenants are supposed to be sharing both the inputs and the produce with the landowner on a 50-50 basis. In fact the landowner either makes the tenant bear all the costs of the inputs or else makes the tenant pay half of an artificially jacked-up price for fertilizers provided by the landowner. The landowner keeps the entire profits of sales of molasses and undervalues the price at which the produce is sold. Since the tenants have no legal standing to deal directly with the Central (the State Sugar Purchasing Enterprise) they have to take on faith what the landowner states the crops yield to have been. Although

the landowner collects the sale price as a lump sum from the Central, he disburses it to the tenants only in instalments and often insists on paying in kind with products (such as rice) whose price he overvalues. Such benefits as the workers are entitled to under law (e.g., a Social Amelioration Bonus under Presidential Decree 621) remain unpaid by the landowner. Through a stranglehold over credit for subsistence needs, the landowner is able to both intimidate and subjugate the tenants.

The response of the tenants was to form an organization which initially had 80 members who filed complaints for the non payment by the landowner of Social Amelioration Benefits (which the landowner had in fact collected from the government but failed to disburse to the tenants). Prompt action was not taken by the authorities on the complaint and under pressure all but eight members withdrew their complaints. At the end only four complainants remained and they were bought off. This unsuccessful confrontation left the tenants' organization considerably weakened. While the tenants remain most vulnerable, the landowners remain dominant. They are well organized and meet weekly in their own organization. They have easy access to alternative labor and have greater staying power and capacity to bear losses. One landowner (having other lands too) threatened to deliberately let the crop rot rather than settle grievances with his tenants.

Antique -- The site selected here comprises three villages. One is a rice farming village comprising 98 households where the tenants have a crop-sharing scheme similar to the one described in Batangas. A second is primarily a fishing village nearly half of whose 264 households rely on fishing to earn their living. This village provides the migrant workers (sacadas) for sugar plantations in other provinces. The fishermen here have formed an organization through which they have approached the Philippine Land Bank for loans. Their livelihood has been recently threatened by the decision of the local municipality to divide the fishing area into zones and lease out fishing rights to concessionaires. In order to make a bid for such a concession, a sizeable deposit must be put up which the fishermen are not in a position to provide. The concessions have ended up being awarded by the Mayor under a patronage system. The villages have also undertaken labor for the National Immigration Authority (NIA) who have initiated an irrigation project. The villagers claim that over ₱ 72,000 in unpaid wages are owed to them by NIA. Recently, as a result of their organization and group demand, they have succeeded in recovering this claim.

The third village is a rice farming village comprising some 338 households. One of the main problems in this village is that a large number of families have cultivated and improved a wide portion of upland

areas for many years only to find out that these are within the forest reserve area. Organization and group demand has enabled 15 of these families to secure from the authorities an award of two hectares each.

All three villages have a population of migrant labor (called sacadas) working under a contratista system. The contratista (recruiting agent) is given a sum of money by the landowner to recruit the needed labor. The contratista then chooses the sacadas he intends to recruit and provides them with a cash advance (called anticipo). The amount of the anticipo given to each sacada is determined by the contratista on the basis of the age, strength and sometimes the size of the worker. On an average, the sacada is in his early teens when he is recruited for the first time. The contratista gets back the anticipo he has paid by making deductions from the wages paid to the sacada. Sometimes, he deducts interest charges, too, on the anticipo though this is illegal. The contratista exploits the migrant workers in a variety of ways despite there now being in existence a law (Department Order #7 of the Ministry of Labor) governing all contratista agreements.

Negros Occidental -- The site selected here comprises an island privately owned and run as a hacienda (plantation). The owner also owns four other haciendas in different areas. The island comprises 300 hectares of land of which some 100 hectares are planted to sugar cane. Coconuts are grown on part of the remaining land and fishing provides a secondary occupation for the residents of the island. The plantation hosts a thousand people organized into 109 households. The plantation is run by an administrator (because the owner is absent) who is a cousin of the wife of the owner and who, not surprisingly, is also the harangay captain. The Mayor of Negros Occidental is the uncle of the hacienda owner. The workers on the hacienda fall into three categories -- resident workers (some 100 in number), seasonal workers (some 30 in number, mostly women and children), and migrant workers (called sacadas, several of whom come from the neighbouring province of Antique).

The resident workers are supposedly paid a daily wage and a living allowance but in fact are rarely paid on the basis for more than five days a month and the hacienda administrator justifies this on the ground that the hacienda, being partly mechanized, cannot really support so large a number of resident workers. The resident workers suffer from "padded" payrolls, and from arbitrary job assignments controlled by the cabo. They have minimal social security benefits. The landlord sells the residents a "rice ration" at a price higher than the market price and this gets cut off if the resident's indebtedness exceeds ₱ 500. Another source of the administrator's control over the workers arises from the fact that he acts also as a moneylender providing them with subsistence credit.

The sacadas (migrant workers) were first brought into the plantation in 1967 because of disputes with the resident workers. Since then the administrator continues to bring in the same sacadas from year to year partly to reward loyalty but mostly because the sacadas are indebted or have inherited the debts of their father. The contratista (a hacienda employee) serves as an agent dealing with the administrator and the sacadas as an intermediary. He controls payrolls, rations and subsistence credit.

There are some 50 fishermen on the island and the administrator has permitted them to be organized (while bluntly prohibiting such efforts regarding the resident workers). This organization has been trying to obtain credit from the Philippine Land Bank.

The Sarilakas project workers have decided on a strategy of withdrawing from this project site and working instead with the sacadas in their own province of Antique in an attempt to enhance the capabilities of the sacadas to act as change agents on the hacienda. Support to the fishermen's organization will continue but will be provided outside the hacienda from Antique.

Strengthening Legal Resource Capabilities of Rural Workers

Representatives from all of the Sarilakas project sites came together at a workshop to review the problems identified by the studies described above. Although the solutions to the problems differed from place to place, a number of areas were identified common to all the provinces such as identification of specific project proposals for employment generation, ensuring availability of credit for production and consumption uses, enforcement of labor laws, conscientization of rural workers, promotion of action groups and rural workers' associations, security of tenancy, solution to the contratista, anticipo and pakiao systems, medicare and recreation facilities for the rural workers and their families. Special attention was paid to the problems of the sacadas. The majority of sacadas are often recruited through "contratista" (labor contractors) who finance their transportation and family consumption needs through advances or (anticipo) during the lean months of the year.

As a result of discussions during the workshop, the Bureau of Rural Workers (BRW) was asked to do four things:

- encourage the conscientization of rural workers and promote group action and group resources to develop a basis for the sound growth of rural workers' association;

- assist rural workers' groups in all educational matters which may enable the rural workers to participate in the process of development;
- identify concrete projects for income generation; and
- adopt the necessary measures to implement the projects mentioned above.

However, it is not enough for a workers' organization to be fully aware of its situation and responsibilities. It must also possess the competence necessary both to defend its interests and undertake self-help projects. Since social and political processes are deeply intertwined with law, it becomes necessary for project Sarilakas to examine whether rural workers' organizations must be prepared to deal with legal issues. Moreover, if there was such a requirement for legal expertise among rural workers and rural workers' organizations there would be formidable obstacles to having such requirements met. Legal expertise must be internalized if it is to be an effective weapon. To the extent possible, legal expertise must reside among the workers themselves to avoid an excessive dependence on outside legal resources. External service is often very expensive and often results in a stereotyped approach to workers' problems, preventing the development of avenues that might have been suggested and explored by the workers themselves. In a word, dependence on outside legal resources denies workers the chance to examine circumstances and effect changes through their own efforts.

In order to have a systematic examination of the relevance of law and legal resources to the Sarilakas project, a small workshop was convened in February 1981. There was consensus that legal resources were essential to rural organizations in creating an awareness of rights, assisting mobilization, defending against suppression, formulating tactics and strategies to press claims and advance demands, resolving conflicts inevitable in the process of self-assertion and self-help, and in the organization and management of collective economic activities. However, it was essential to guard against creating dependence on external legal experts. It was also necessary to guard against an overemphasis of legal issues or too traditionally legalistic an approach to the solution of problems. What was needed was not so much a lawyer providing legal aid to rural organizations as a legal resource person capable of identifying with the community and playing essentially an information-providing role: one which would facilitate the community in the formulation of its own tactics and strategies.

It was thus decided to augment project Sarilakas by initiating within that project a pilot effort at strengthening legal resource capabilities of rural workers' organizations.

The Legal Resources Project Within Sarilakas

True to the spirit of Sarilakas, the legal resources sub-project would not be designed from above but would be allowed to emerge out of a process of continuing interaction with the communities concerned. In order to achieve this, the first step would be to introduce into each of two selected Sarilakas project sites (Batangas and Antique were selected as the most appropriate sites) a legal facilitator to work closely alongside the existing Sarilakas community facilitators.

The legal facilitator would be recruited from newly-graduated law students who were fully qualified to practice as lawyers. The legal facilitator would undergo an orientation and training period during which emphasis would be placed on developing knowledge and skills relevant to the legal resource needs at the project site. The legal facilitator would then be immersed in the community at the project site for a period of three months. During this period he would, adopting a participatory research method, seek to identify the legal resource needs of the community and of the community's rural workers' organization. During this period the flow of information would not be one-sided and it would be expected that, where appropriate, the legal facilitator would also begin to share with the community information about relevant rights, procedures and remedies.

At the end of this three-month period, the entire Sarilakas project staff (including the two legal facilitators) convened and developed a programme of work (for the next 12 months) which was geared to strengthening the legal resource capabilities of the communities in the two project sites. During this 12-month period the legal facilitator's role would not be that of a lawyer for the community. Rather he would concentrate on two tasks:

- helping build up legal resource capabilities within the rural organization and the project site; and
- helping the rural organization formulate its own tactics and strategies involving recourse to law.

Once the rural organization had decided upon a strategy of recourse to law, the legal facilitator's task would then be to assist in implementing that strategy by helping the organization gain access to needed legal

expertise whether local or in Manila. The emphasis here is on a "delivery system" of legal knowledge and skills which would be founded upon the principle of participatory involvement of and control by the client group.

In order to back up the legal facilitators in their educational and other activities at the project site, a small core group of legal experts and legal researchers would be convened when necessary, by the Sarilakas project director in Manila. This core group would undertake research on legal aspects of problems identified at the project sites, would also develop community-oriented curriculum and materials for the legal facilitators to use at the project sites, and would initiate, at the direction of the community, appropriate legal action (where needed) in Manila.

Project Sarilakas: Some Action Responses

Organizations of poor peasants have emerged in the Sarilakas project sites and, with the assistance of the Sarilakas facilitators, have undertaken participatory, self-reliant collective action.

The tenants in Antique have realized that they are in fact sharecroppers under a 50-50 sharing arrangement. They are imprisoned in the vicious cycle of borrowings at atrocious interests from landlords and moneylenders. After a series of discussions, deliberations and analysis, they discovered that one of the basic sources of their impoverishment is the tremendous profit that landlords and moneylenders reap out of interest payments, and the cheating on the computation and sharing of the inputs and proceeds in production.

With this realization, and in the absence of adequate internal resources, having heard of a government lending program for the poor, the organization decided to avail of a production loan in the amount of ₱ 50,000. This exposed them to the intricacies of bureaucracy, red tapes, delays, voluminous paper requirements and the impersonal and alienating world of the city, which is 200 kilometers away from the barangay. In spite of the physical and emotional distance between the bank and the people, the poor peasants and the external agents persistently and heroically followed up the loan application. When they were about to give up on the ordeal, the bank finally decided to approve the loan. With the release, they thought their problems were over. But when they made an accounting of the total releases of the bank, they found out that aside from the 14% interest rate, there was an additional 1% service charge excluding deductions on crop insurance, rural cooperatives fund, etc. When they computed the cost of interest gained by the bank and their own expenses in following up the loan, they realized that borrowing from a bank is no

better than borrowing from a landlord or a moneylender; in fact, it was even worse. The tenants have realized that "the bank is not for the poor but for making money for itself." With this understanding, the poor peasants have decided to generate their own internal resources through collective savings. To date, aside from dues and contributions, the organization has set up a mango production project which used to be controlled by the moneylenders. What surpluses would otherwise go to the moneylenders are now appropriated by the poor peasants themselves.

The tenants in Antique have decided on a two-pronged strategy for action. On the one hand they will seek to develop alternative sources of access to credit which will not further enmesh them in dependency relationships. On the other hand, they will seek to alter the present 50-50 sharing arrangement and seek to assert rights of leasehold which the law gives to them--but only on paper. They anticipate growing opposition from the landlords and are gearing up for retaliation and opposition.

The tenants in Batangas are mobilizing around a single issue. In 1976, nineteen tenants in a barangay in Batangas filed a case against their landlord who refused to release 50% of their share after the end of the milling season. The tenants' refusal to a proposal increase by 46% in the trucking fee caused the landlord's non release of their share. Because of the filing of the case, the landlord stopped the operations of the irrigation pump, thus reducing production from 130 piculs to 70 piculs per hectare. The tenants hired a government lawyer to represent them in their case. The judge acting on the motion of the tenants' lawyer, in an effort to reduce the increasing tension between the tenants and the landlord, ruled that the court would assume jurisdiction over the harvesting and milling of the canes in the said barangay, while at the same time designating court personnel to supervise the above activities and the collection and disposition of the proceeds on milled canes. In the process, the court personnel were granted the authority by the judge to collect their traveling expenses from the proceeds, without the knowledge of the plaintiffs, thus lowering their shares.

The case has dragged on until today, due to countless postponements by the tenants' lawyer, the respondents' lawyer, the judge and the court's implementing officers. This resulted in waning interest of the tenants in pursuing the case.

The tenants had authorized the barangay captain, through a special power of attorney, to follow up their case and negotiate on their behalf. The barangay captain has kept to himself all information about the case which should have been shared with the tenants. This has reinforced the dependency of the tenants on the barangay captain, the court and the lawyer.

With the entry of Sarilakas facilitators, discussions on the case were reopened and deeper investigations and analysis consequently followed. Through this renewed interest and new insights gained through group discussions and investigations, the tenants found the need to act in concert rather than allow the barangay captain to monopolize the follow up and negotiations on the case. Recently, the tenants have started to troop to the court en masse to attend the court hearings. This has increased their self-confidence and understanding of the workings of the court. Their group action has created some pressure on the judge to expedite settlement of the case at the earliest possible time. The tenants have also sought to change their lawyer and have written to the Minister of Agrarian Reform to expedite their case. In face of this growing mobilization, an attempt has been made to split the tenants into two groups and thereby weaken their effectiveness.

Fishing is a subsidiary occupation in several of the Sarilakas project sites and in Antique the small fishermen are confronting two problems. The fishing area was subdivided by the municipal government into seven zones and opened for public bidding, all of which were bought by the mayor through his nominees. The prevailing practice in the zones is the collection of a 10% fee out of total fish catch, whenever small fishermen land their catch within a zone, even if the fish were caught outside of the concession area. The organization of small fishermen, with the assistance of the Sarilakas facilitators, are exploring ways to stop the 10% levy. They are also seeking to confront a second problem. Because of the abundance of tuna, large, mechanized commercial fishing boats have been attracted to the region. As a result of their operations, the catch of the small fishermen has diminished dramatically. The organization of small fishermen are taking steps to have existing conservation legislation extend in application to their area.

The sacadas (migrant workers who cut cane) form a distinct disadvantaged group in one of the Sarilakas project sites and they too are mobilizing for action. They are seeking enforcement of existing labor legislation, changes in recruitment practices and policies and are negotiating better working conditions and terms. In one instance, they have decided, by group action, not to work for a contractor during the next milling season because he has withheld payment of salaries and other benefits and subjected workers to physical harassment and sub-human living conditions at the work site. The contractor has retaliated by instituting a criminal case against these workers and having two of them imprisoned. But the workers have successfully defended against this charge and had the sacadas freed from imprisonment. The sacadas have formed an organization which has conducted "pre-departure" education seminars for

migrant workers to help them understand recruitment policies and other social legislation affecting them. During their seminars, they analyzed the history and nature of migration and their poverty and identified the need for organization for mutual help and protection. It became clear to them that the longer they work as sacadas, the poorer they became in spite of the growing affluence of the industry. At present, the organization is searching for alternative sources of employment in the area.

These and other collective self-help actions at the Sarilakas project sites have been possible because of two factors. The first is the emphasis on legal resources and the second is the unique relationship between self-help organizations of the poor and the Ministry of Labor staff members that is characteristic of Sarilakas.

Possible Legal Tasks and Strategies

Because the legal resources sub-project has been initiated only recently and because the project activities are not to be designed from above but are to emerge out of a process of continuing interaction with the communities concerned, it is premature at this juncture to do more than indicate very tentatively, on the basis of existing interaction with the communities, some possible lines that activities under the project might take:

1. Rural workers' organizations have been formed at the project sites. These organizations have obtained legal status under a special law which BRW secured (a law which does not force the organizations into the institutional form prescribed by the general law on cooperatives). BRW has also prepared in local languages a draft model constitution which these organizations can adopt. However, the organizations will have to evolve their own organic rules and processes and their own endogenous internal law. Moreover, once sufficient experience is built up with working the BRW model constitution, the latter can be revised and amended to reflect the lessons learned from such experience.
2. The communities will decide upon specific projects for employment generation. In the implementation of these projects a whole variety of needs for legal resources may emerge.

3. As the communities begin to change production patterns and production and property relations, conflicts will inevitably be generated. Legal resources may become necessary to handle these conflicts, resist suppression, retaliation or efforts to frustrate the activities of the communities. It would be important at that stage to ensure that the communities decide what strategies of recourse or non recourse to law they adopt since they will have to bear the costs and benefits of whatever course of action is adopted.
4. Law reform activities will emerge from the experiences of the rural workers' organizations. Thus, for example, the entire scheme of administration of the social amelioration bonus will need to be revised; the scope of protection of labor welfare legislation will need to be broadened so as to deal with relationships such as the pakiao system prevalent under customary law. Indeed some aspects of customary law might themselves need drastic reform. The existing system of state concessionary awards of fishing rights will need to be modified. A whole agenda for law reform might unfold and the agenda will be all the more impelling because it unfolds from experienced hardships and difficulties.
5. A whole range of educational materials will need to be prepared dealing with laws affecting rural workers. BRW has already made a significant start in this regard by compiling a comprehensive collection of laws and regulations affecting rural workers. But much team work will need to be undertaken by legal experts and community members if the compilations are to be converted into a form of materials easily understandable and usable by the community.

The process of identifying what is needed to assist the realization of the right to development is indeed a continuing one. Satisfaction of one set of needs may well generate a whole new category of needs. Removal of structural obstacles at local level to the realization of the right to development will inevitably involve, sooner or later, action at national and international levels. The sugar industry in the Philippines is heavily influenced by multinationals. Sugar, from the national government's perspective, is a significant export crop and foreign exchange earner. The sugar worker may well appear to be a powerless pawn, manipulated by national and

multinational interests. For this very reason, perhaps, he provides the severest challenge to the effectiveness and creditability of project Sarilakas.

Project Sarilakas: a new relationship between government and people

The Bureau of Rural Workers (BRW) of the Ministry of Labour and Employment (MOLE) through project Sarilakas has established some important precedents that make a partnership between government and people truly a partnership of equals. Two factors have contributed to this: the nature of BRW itself and the working principles that guide project Sarilakas. BRW, as a government agency, is not really unique. Governments have repeatedly set up specialized agencies geared to the needs of a particular client group, e.g., intended beneficiaries of agrarian reform. What has made BRW unique has been its emphasis on fostering organizations of rural workers, not for purposes of BRW but for purposes of the workers themselves. In a sense BRW has preferred to play a reactive and supportive role rather than one that captures and monopolizes initiative. The working principles that govern the operation of project Sarilakas have also been important in ensuring that more than lip service be paid to participation and self-reliance.

During its short history, project Sarilakas has witnessed BRW playing several roles vis-a-vis communities of the poor and disadvantaged that have fostered the processes of self-reliance and reduced dependency relationships:

1. the most important role that BRW has played has been that of facilitator. Sarilakas project workers have been very careful to play supportive, facilitative roles but to stop short of "prescribing" or "imposing" solutions and courses of action. The role of facilitator has required emphasis on helping understand the reality of the problem and letting the response emerge from the understanding of reality. Thus, for example, in the litigation filed in Batangas, the Sarilakas workers have made the tenants aware of the existence and extent of collusion between the barangay captain and their own lawyer. The Sarilakas workers have also been instrumental in making the affected fishing communities aware of a law under which they could seek to have their fishing waters declared as a proscribed area for large-scale commercial fishing.

2. another role that BRW has played has been to help provide access to government resources. But here again, BRW has been careful to avoid creating new dependencies on government resources and, as their handling of the credit needs of the tenant farmers indicates, they have constantly emphasized the importance of the resources of the community itself. Thus, for example, BRW has helped farmers through the process of seeking a loan under a joint BRW /Land Bank of the Philippines Loan Guarantee Program. Moreover, the Sarilakas project has helped the BRW channel funds to the grass-roots level from international donor agencies. Recently, a mango farming project has been started with funds donated by such an agency.
3. Sarilakas project workers are increasingly finding themselves being called upon to play intermediary roles between rural workers' organizations and bureaucracy. The Sarilakas worker has established a very close rapport with local communities. As a result, local government officials from various departments and bureaus (e.g., of forestry) have been requesting the Sarilakas project worker to act as intermediary on their behalf. The Sarilakas facilitators have been vary so far about being "used" by other government agencies but are increasingly realizing the facilitative role they can play for local communities by assuming an intermediary function. Thus, for example, Sarilakas workers have mediated with the Ministry of Agrarian Reform in efforts to get holdings shifted from tenancy status to leasehold status. They have intervened with the Bureau of Forest Development to secure title to land for 15 peasants. They have been making repeated representations to the Bureau of Fisheries and Aquatic Resources to secure an award under law proscribing large-scale commercial fishing in certain areas. They have intervened with the National Irrigation Authority and the Farm Systems Development Corporation to prevent an increase in the rate of fee charged for irrigation.
4. Sarilakas project workers have found themselves forced, at times, to play an advocacy role particularly as regards pressing for more effective implementation of existing labor legislation and Ministry of Labor policy directives regarding, for example, the sacadas. Thus, for example,

they intervened with the National Irrigation Authority and the Farm Systems Development Corporation to determine the actual amount of indebtedness of peasants who had taken loans from such agencies when higher amounts were alleged to have been taken.

5. the Sarilakas project worker has also found himself playing a law reformer role. Thus, for example, initiative for changing the Law governing the Social Amelioration Bonus program has come out of BRW. Similarly, when a government enterprise (contrary to law) found itself acting in the role of recruiter of sacadas. BRW was able to use the moment to press for adoption of new safeguards regarding sacada recruitment. BRW's law reformer role has taken two forms. At times they have taken the initiative in pressing for land reform. At other times they have used their own powers and reformed the law themselves, for example, by enacting new mandatory hiring and recruitment policies and rules regarding sacadas.
6. recently BRW has begun to assume the role of negotiator on behalf of rural workers. They have adopted this role in a subtle fashion by increasing their activity in relation to National Tripartite Conferences in the Sugar Industry that are convened periodically. At this conference, representatives of government, employers and workers come together to discuss problems. The topic for each conference is selected by tripartite representatives of employers, workers and government and BRW has been the representative of the government. Each conference focuses on a particular problem in the sugar industry. The first conference focused on problems of landless workers. The second conference focused on wages, pricing policies and tenancy relationships in the sugar industry. BRW has had considerable influence on the selection of problems to be addressed. Thanks to the support provided by BRW, these conferences have increasingly become the forum not only for discussion but negotiated settlement of claims and problems. At the most recent conference held on February 9-10, 1982, for example, emphasis was placed on striking "a balance between a reasonable wage structure for workers and the need of planters and millers to keep the industry viable." A communique, signed by representatives of government,

employers and workers is usually the outcome of these Tripartite Conferences and this communique is increasingly beginning to resemble a charter of sugar workers' demands.

But assumption by government agencies of any of the roles described above could easily degenerate into an unequal partnership perpetuating new dependency relationships. Project Sarilakas has avoided this danger by having its workers assume one more role which has perhaps been paramount: the role of learning from the community. This willingness to listen to and learn from people is essential if a genuine partnership among equals is to be achieved.