

Being Bajau: The Path to Choice

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In June 2008, the Commission on Human Rights of the Philippines (CHRP) and the New Zealand Human Rights Commission (NZHRC) embarked on a bilateral project to strengthen human rights in the Philippines and New Zealand. The project was in response to a joint request made by the then Philippine President and the New Zealand Prime Minister during a visit of the former to New Zealand in 2007. After a series of meetings and consultations, the two Commissions identified indigenous peoples as particularly susceptible to human rights deprivation and abuse in the two countries. Thus the focus of the subsequent bilateral project was on three predominantly indigenous communities in the Philippines that lived in poverty, and who were marginalized and vulnerable to conflict and its attendant consequences, and three counterpart Maori communities in New Zealand that were beset with human rights issues albeit dissimilar in the specific context of the Maori experience.

The project implementation method was called “human rights community development” which integrated two practices—human rights work and community development work. The main facilitators of the Philippine project were the three field teams consisting of CHRP regional human rights investigators, who were assigned to work with the three selected partner communities of the project in their respective regions—the Kankana-ey of Northern Luzon, the Higaonon of Eastern Mindanao and the Sama Dilaut of Western Mindanao. On the basis of the human rights community development approach which was aligned with my own personal convictions, I accepted the task offered to me by the two Commissions to lead these three field teams and manage the over-all implementation of the project in the Philippines. While the project was ongoing in the Philippines, the counterpart project with Maori communities in New Zealand was simultaneously conducted. My New Zealand counterpart and I were regularly updating and consulting each other by email and by telephone, and we also had exchange visits to the indigenous communities in the two countries.

I was engaged full time with these three teams beginning from the intensive training I conducted for them, leading them in the field engagements with partner communities and up to the last activity of evaluating the project outcome. It was a privilege to work with these CHRP field officers, all of them with years of field experience behind them. I watched them evolve from being case investigators technically trained to deal with human rights violations, into more people-oriented human rights facilitators, who measured their effectiveness not by the statistical count that they were used to, but by their progress in the infinitely more difficult task of building and sustaining the trust of the communities. They learned to look beyond human rights violations and deprivations, and to also work on the root causes of these problems.

Implementing human rights in community development entailed a balancing of functions. The decisions and consequent actions were in the hands of the community members, but it was the field team's responsibility to ensure that decisions and actions were well-informed. Each community had to be clear that its concerns were directly linked to human rights. What it wanted to achieve in the project needed to be within practical reach through its own efforts while at the same time consistent with international human rights standards including the relations between community members. It was anticipated that the human rights community development process would build self-reliant and respectful communities, setting the foundation to ensure sustainability of the communities' efforts beyond the life of the project.

There are many stories to tell from the project which culminated at the end of 2010 and today I would like to share with you the story of the Sama Dilaut, the most deprived and marginalized among the three partner communities of the CHRP-NZHRC project.

The Sama Dilaut identify themselves simply as Bajau, and that is now the term commonly used by most Filipinos who are familiar with them. The Bajau were once traditionally itinerant and boat-dwelling people, their life and culture relying mostly on the bounty of the seas. Attachment to the sea is a distinctive characteristic of Bajau, so much so that the first thought that comes to the Filipino mind on hearing the word "Bajau" is the sea.

Many of them have now taken residence in shanties built on stilts along coastal strips of the sea. They were pushed into this unfamiliar life by a number of factors, including the ongoing armed conflict in Mindanao, piracy in the high seas and loss of their traditional fishing livelihood with the entry of commercial fishing for purposes of trade. Sadly, many of the Bajau now derive their livelihood mainly from mendicancy.

Earlier on in the project, the project team was confronted with the dilemma of selecting as a partner community, only one of the various and separate clusters of Sama Dilaut communities, given that they were scattered in numerous areas in Western Mindanao. After consulting with various stakeholders as well as the Bajau themselves, the team ended up selecting not one but four of those communities that manifested the characteristics encapsulating the particular context of contemporary Bajau life. These communities are settled hundreds of miles from each other—the communities of Malamaui in Basilan, Mariki of Zamboanga, Kabukan and Busbus in Jolo, Sulu, and Bongao Village in Tawitawi, the southernmost cluster of islands of the country, identified by the Bajau as their original traditional home.

Tawitawi lies in close proximity to Sabah which is only three hours away using a small motorized boat, Malaysia, Indonesia and Brunei, all located in its South-Southeast direction. Anthropologists have hinted of the Bajau's primordial ties with the sea-faring and nomadic tribes in Southeast Asia particularly those in Northern Malaysia and Indonesia.

The Bajau have been typified by other groups as cowards (they would withdraw from any confrontation), lazy (they are dependent on handouts and do not work), uncouth (they do not practice good hygiene), uncultured (they do not read or write and have no culture whatsoever). The only positive characteristics that were attributed to them were their boat-building and sea-faring prowess, fishing and diving skills. The boats with colourful sails called *vinta* that serve as attractive features in Philippine tourism posters, were once upon a time the hallmark of Bajau artistry.

The project team regularly visited each of these communities, taking complicated security precautions to manage the risks involved in those conflict-ridden areas. In response to an overriding request expressed by the Bajau themselves, the team set-up the ambitious plan of bringing all four communities together in Bongao, Tawitawi, for a “homecoming” of sorts that would be the first in the history of these communities. They would hold a *pagisun-isun*, a Bajau term which means coming together to reflect, discuss and decide, a tradition that was lost long ago among the Bajau, who now simply cope with whatever life brings to them and accept whatever others decide for them.

They travelled by boat in April 2009—some of them sailing for as long as two days—and converged in Bongao. They arrived from Basilan, Zamboanga and Jolo to join the resident Bajau community and for three days, they talked with each other and exchanged views about their common concerns and way of life. Each of the four communities was represented by a *panglima* (the tribal chieftain), one representative each from the older persons, women and the youth. From the first moment, they took to each other as though they had always been friends, perfectly at home and at ease, without inhibitions. The stereotype of the quiet, docile Bajau who would not engage with anyone, simply faded away at that first *pagisun-isun*. After much animated discussions, they agreed on their common human rights issues and laid out their plans to address them.

There were two more *pagisun-isun* held at eight-month intervals after the first. In these gatherings, each community reported on how they were addressing their human rights issues. Time constraints do not allow me to go into details of their activities, amazing as they have been, considering that the Bajau are not known for initiating activities to help themselves.

But just to illustrate the extent of their efforts, let me share with you how, after the first *pagisun-isun*, they embarked on an intensive campaign of birth registration for newborn Bajau so as to address the negative consequences of the fact that the larger majority of Bajau do not have civil registry and hence have no access to social services. With the assistance of the Notre Dame University in Jolo, a system of tracking pregnant Bajau women was established, monitoring the advance of their terms and eventually, right after childbirth, a volunteer would assist the family to fill out birth registration forms. The Bajau also availed of the reading program of the Department of Education, put up volunteer classes for Bajau children in the remote Bajau

neighbourhoods in Kabukan. They set up an early warning system designed to raise the alarm at the first sign of sea pirates about to attack. Furthermore, they began reporting such attacks to local authorities and requesting assistance in designing preventive measures against sea piracy.

Although there were only three *pagisun-isun* in the life of the project, they were marked by the development of the Bajau in terms of decision-making, dedication to the duties they assigned to each other, and pride in their accomplishments. The beginning of the project found the Bajau with low self-esteem, a tendency to be dependent on others especially on government dole-outs, with a defeatist attitude that they are undeserving of good things because they are Bajau. They believed that to dream of a better life is only for others, but not for the Bajau.

This narrative by no means implies that the Bajau have found paradise just because among other things, they have learned that choice is a freedom to which every human being is entitled, and have experienced at least for once, that participation in their own development means owning their lives, and that human rights comes with responsibilities. I have not visited these communities for 18 months now, but the field teams—who continue to work in the CHRP regional offices—visit them periodically. My relationship with the field teams has been sustained by email, and I have received reports of how the Bajau communities are faring in their activities. The continuing engagement of local community organizers who worked with us since the beginning, have been invaluable in the achievement of the outcomes by the Bajau community. The achievements may not be that impressive by external standards, but to the concerned Bajau they represent a leap of faith in themselves.

There is no single formula for what we refer to as participatory development, which can only come about if the context of people and their cultural practices are the primary considerations. This may sound simplistic particularly to those with limited on-the-ground experience, when in fact its methods require complex “people skills”, and the actual practice of human rights in routine everyday life. Participatory development is founded on the universal human rights standards of equality, non-discrimination, participation, inclusion, accountability, transparency and the rule of law. It is a form of development that is self-determined, and is owned by people themselves with the active engagement of government mechanisms of support and protection.

It is my position that participation is a norm of solidarity whether at the national, regional or international level. This conviction is borne out by my experiences in the field among communities of everyday people. Solidarity begins at the national level, where it arises spontaneously among individuals and groups of individuals and communities whose members, recognizing their interdependence, willingly set aside their differences and work together to address as one, the common challenges and concerns they face.

This narrative of the project among the Bajau delivers two messages. The first is that goals can be achieved and obstacles overcome through the collaboration between government and civil society including non-government organizations and people themselves, who together constitute the State. Too often we forget the classic definition by J.W. Garner, of the State as being a community of persons occupying a definite territory under an organized government that is independent. This logic points to solidarity as the nature of a State, and as the natural order among the components of a State.

The second message is about something we have also forgotten it seems to me: *human rights is a positive intervention in the lives of people*. Regrettably, we tend to focus only on the violations approach to human rights, which is of great importance, but only if we also extend as much attention to implementing the positive values of human rights, in order to correct and to prevent violations, and to restore our faith in humankind's inherent goodness and humanity.

Human rights determine how we live together as one human family, informing and making our common but differentiated responsibilities a reality in all aspects of our individual and collective existence, to complete the circle of solidarity that must prevail and endure for the sake of the present and future generations.

In conclusion I would like to give credit to the exemplary partnership of the Commission on Human Rights of the Philippines and the New Zealand Human Rights Commission in the ground-breaking project that I have just described, and to thank the NZAID for the generous funding it provided. This partnership was the first of its kind in the Asia-Pacific region, giving meaning to equality in partnership and contributing to best practices in international solidarity, towards the goal of the realization of human rights.

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