

THE PHILIPPINES

Cultural Policy Profile

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Country Profile: The Philippines

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The National Commission for Culture and the Arts (NCCA), Philippines is the overall policy making body, coordinating, and grants giving agency for the preservation, development and promotion of Philippine arts and culture; an executing agency for the policies it formulates; and task to administering the National Endowment Fund for Culture and the Arts (NEFCA) — fund exclusively for the implementation of culture and arts programs and projects.

The NCCA was created to serve as the presidential inter-agency commission to coordinate cultural policies and programs.

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THE PHILIPPINES

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1. Historical Perspective: Cultural Policies and Instruments

The Philippines, with over 7,000 islands and over 171 ethno-linguistic groups, is a diverse country with indigenous, Christian and Islamic cultural influences. Under Spanish colonial rule for more than three centuries, followed by the USA in the early 20th century, the Philippines achieved self-rule in 1935, and then full independence in 1946. While it is now a democratic republic, it underwent 21 years of Martial Law rule under President Ferdinand Marcos before the People's Power Revolution, also known as the Epifanio de los Santos Avenue¹ (EDSA) Revolution of 1986.

The idea of a national agency for arts and culture traces its roots to the 1964 *Republic Act No. 4165² or the Act Creating the National Commission on Culture and Providing Funds Thereof*, authored by Senator Maria Kalaw Katigbak (1961-1967) and signed into law by President Diosdado Macapagal (1961-1965) on 4 August. Under the administrative supervision of the President of the Philippines, the Commission was supposed to be headed by a commissioner with fourteen members. The Commission tapped two representatives from each of six art forms – music, dance, drama, painting, sculpture, and literature – plus two public representatives chosen for their commitment to and advocacy for the arts and letters.

Writer and cultural animator Purita Kalaw Ledesma³ related in her book *The Struggle for Philippine Art* that the idea of involving the government in the development of the culture sector through the establishment of a commission germinated during a gathering of artists and was later developed by well-recognised artists and personalities from the cultural sector. Funding was to come from 5 % of an existing amusement tax. The law was later amended but was not fully implemented. It is said that a large number of people, about 600, were interested to be in the Commission. However, with the dawn of a new administration, the National Commission on Culture took a back seat and was almost forgotten.

Ferdinand Marcos became the President on 30 December 1965, and the following year created the Cultural Center of the Philippines (CCP)⁴, through *Executive Order No. 30*, with the purpose of promoting and preserving Filipino arts and culture. It was formally inaugurated on 8 September 1969, acting as the country's premier arts and culture institution.

While Marcos' wife, Imelda Romualdez Marcos, portrayed herself as a patroness of the arts, the Marcos' regime has been considered suppressive of free expression, especially with the enactment of Martial Law in September 1972. Artists and cultural groups such as the Concerned Artists of the Philippines, organised by the Philippine Educational Theater Association (PETA) in 1983, protested against the dictatorship.

Soon after the EDSA Revolution of 25 February 1986, when then President Ferdinand Marcos was deposed and exiled, hundreds of artists banded together to discuss how they could help the

¹ The People's Power Revolution, also known as the EDSA Revolution (for Epifanio Delos Santos Avenue, the thoroughfare in which the main showdown took place), was a four-day demonstration in the Philippines in February 1986 that, along with on-going civil resistance and other events, led to the deposition of President Ferdinand Marcos and his 21-year rule. See more at Kate McGeown, 'People Power at 25: Long road to Philippine democracy', BBC, 25 February 2011 at <https://www.bbc.com/news/world-asia-pacific-12567320> (last accessed 5/5/2019).

² A Republic Act is a piece of legislation used to create policy in order to carry out the principles of the Constitution. It is crafted and passed by the Congress of the Philippines and approved by the President of Philippines. See the full Republic Act No. 4165 here: https://www.lawphil.net/statutes/repacts/ra1964/ra_4165_1964.html

³ Purita Kalaw Ledesma (2 February 1914 — 29 April 2005) was a writer and art critic, and founder of the Art Association of the Philippines in 1948. <http://klfi.ph/about/>

⁴ <https://www.culturalcenter.gov.ph/>

new government in rebuilding the nation. A group called Alliance of Artists for the Creation of the Ministry of Culture (AACMC) submitted the concept, orientation, structure, and fund resources for a suggested Ministry of Culture on 19 March 1986, just days after their first general assembly. Cognisant of the vital role of arts and culture as an instrument of social change, they proposed to the newly elected President Corason Aquino (1986-1992) that her government create a Ministry of Culture, or at least a Commission on Culture, that would be separate from the Department of Education, Culture and Sports.

According to the proposal from AACMC, the suggested Ministry of Culture would be composed of three national councils and guided by three general objectives. These national councils were: the National Council on Filipino Heritage, for the conservation and promotion of Filipino national heritage; the National Council for the Arts, for the invigoration of all forms of creative expression at all social levels and sectors of Philippine society; and the National Council for Cultural Dissemination, for the dissemination of all forms of cultural expression to the general public.

The proposal was carefully studied by the Presidential Commission on Government Reorganization, which released an official response explaining that due to limited funds the proposal for a ministry could not be granted, but instead proposed a presidential commission coordinated by the Secretary of Education, Culture and Sports. In essence this counter proposal became the basis for the structure of the Presidential Commission for Culture and the Arts (PCCA) and for the reorganisation of the CCP. The AACMC eventually became an ad hoc group that continued meeting and discussing with artists, representatives of the CCP, and later, the *Samahan sa Kultura at Sining* (SAKSI, Alliance on Culture and Art) with artists and cultural workers committed to pursue its vision.

On 30 January 1987, President Aquino signed Executive Order No. 118, creating the PCCA, ‘mindful of the fact that there is a need for a national body to articulate a national policy on culture, to conserve and promote national heritage, and to guarantee a climate of freedom, support and dissemination for all forms of artistic and cultural expression.’⁵ The PCCA was under the Office of the President, with the Secretary of the Department of Education, Culture and Sports serving as chairman, and one of its undersecretaries as vice-chairman. It was composed of four commissioners: President of the CCP, Director of the National Historical Institute, Undersecretary of the Department of Tourism, and a representative from the Office of the President. It had three sub-commissions: the Sub-commission on the Arts, composed of the national committees on Dance, Dramatic Arts, Music, Film, Literary Arts, and Visual Arts; the Sub-commission on Cultural Heritage composed of national committees on Archives, Libraries and Information Services, Museums and Galleries, and Monuments and Sites; and the Sub-commission on Cultural Dissemination, composed of national committees on Traditional Arts, Cultural Education, Cultural Events, and Language and Translation.

The organisational structure of the PCCA was designed such that it could make use of facilities and resources of the extant government cultural institutions such as the CCP Complex, Intramuros Administration, National Museum, and others.

In 1987, with Republic Act (RA) No. 7356⁶, the PCCA was re-organised into the National Commission for Culture and the Arts (NCCA) under the Office of the President. Through the efforts of the legislators who formed RA 7356, the NCCA was tasked to administer the National Endowment Fund for Culture and the Arts (NEFCA). Thus, aside from being the

⁵ <https://www.officialgazette.gov.ph/1987/01/30/executive-order-no-118-s-1987/>

⁶ http://www.congress.gov.ph/legisdocs/basic_16/HB06404.pdf

overall policy making body on culture, the NCCA became a grant giving agency with funds exclusively for the implementation of culture and arts programmes and projects.

The NCCA began with a few projects, but has since supported, assisted and promoted hundreds more all over the country, and continues to do so. The aims of the NCCA are:

- to touch every aspect of Filipino life, reaching as many people as possible and helping to build a stronger and more enlightened nation;
- to establish culture as a pillar of sustainable development;
- to advance creativity and diversity of artistic expression; and
- to promote a strong sense of nationhood and pride in being Filipino through culture and the arts.⁷

In 2011, eminent artists prepared a study on *Culture for National Unity: A Proposal for the Establishment of a Department of Culture*. The said study led to further discussions and consultations with stakeholders, and by 2017, Senate Bill 1528⁸ and House Bill 6113⁹ were submitted at the 17th Congress of the House of Representatives with the title *An Act Establishing the Department of Culture, Appropriating Funds Therefor, and for other Purposes*. The proposed Bill is currently undergoing further refinement and will be presented for a second reading at the House of Representatives, with its fate still undetermined.

⁷ AGUNG, official newsletter of the NCCA, Issue no.4, 2014

⁸ <https://www.senate.gov.ph/lisdata/2636922649!.pdf>

⁹ http://www.congress.gov.ph/legisdocs/basic_17/HB06113.pdf

2. General objectives and principles of cultural policies

2.1. Main features of the current cultural policy model

The cultural policy model in the Philippines has not historically followed a particular template, but is particularised, and empowering within the landscape of cultural and historical work in the Philippines, both at national and local levels, including funding provisions. While the scope of responsibilities has changed over time, either with expansion or devolution to local levels from national, there have been legislative and administrative actions that spread out the authority and responsibility, from the highest post of the country, - that of the President – to local officials.

Any description of the main concept behind the current cultural policy system of the Philippines needs to start with the current cultural policy model as outlined in the declaration of the policies and principles of the *National Cultural Heritage Act of 2009*¹⁰. This document takes cultural policy to mean ‘public policy making to govern art and culture activities involving processes, legal classifications, and institutions which promote cultural diversity and accessibility, as well as enhancing and promulgating artistic, ethnic, sociolinguistic, literary and other expressions of all people, especially those of indigenous or broadly representative cultural heritage’.

The main priorities of the current cultural policies are promotion and conservation. Briefly, these include: the promotion of cultural and creative activity and conservation, both of intangible and tangible culture, built heritage and histories; the protection, preservation and conservation of the ethnicity of local communities; the empowerment and strengthening of cultural institutions and their allied offices for the effective conduct of their specific visions and missions; and the protection of those engaged in culture work, their professional development, and well-being.

2.2 National definition of culture

The 1987 Constitution of the Republic of the Philippines¹¹ expresses a commitment to national culture, without an equally explicit articulation of the term. This “national culture” is deployed in this and all previous Constitutions (1898, 1935 and 1971) as a category that is assumed to be universally understood. The one-hundred-year span from the first to the present Constitution is the same historical period of high modernity in which, in the Euro-American world, the word culture signified the sum total of human behaviour, norms, beliefs, tendencies, and expressions conventionalised in art forms specific to a definable community. The word “national” appended to “culture”, as used in this Constitution, assumes that there exists a sum total of human behaviour, norms, beliefs, tendencies, and expressions that are coincident with the geographic territory defined in the same Constitution; that “national culture” is presumed to be distinct from, for example, Indonesia or Malaysia.

In another section of this report, that national culture (rather than “national culture”) will be described as an amalgam of ancient island Southeast Asian Austronesian linguistic heritage and cultural forms produced during Euro-American and then Japanese colonial occupation. In this initial section, what is important is to point out that, as in the case of all other Constitutions of all other nations (nations being a modern form), the national culture is constructed post-Constitution.

¹⁰ <https://wipolex.wipo.int/en/text/215349>

¹¹ <https://www.officialgazette.gov.ph/constitutions/1987-constitution/>

In the case of the Philippines, whose people declared the first Republic in Asia in 1898, national culture has been under construction through most of the 20th century and can be understood from the wording of Section 14 of the Constitution, entitled “Arts and Culture”. In asserting that ‘The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression’, the Constitution sets forth two foundational ideas. Firstly, that the Philippines is not a homogenous cultural entity and that therefore the process and ideal of unification is paramount. Secondly, the Constitution reiterates its own Bill of Rights in laying out freedom of expression as a non-negotiable principle.

The principle of freedom of expression is fundamental to the Constitution. There was already a Bill of Rights in the first Philippine Constitution of 1899 and according to surviving members of the Constitutional Convention of 1987 the deep link with human rights was deliberately inscribed in the Constitution. The enshrining of human rights into the Constitution highlights the early, indeed pioneering, nature of modern Philippines.

Civil society as cultural formation developed in an environment created by the Bill of Rights and in turn, the continued influence by the Bill of Rights over Philippine society’s mainstream discourse has strengthened civil society. The cultural investments in the concept of human rights intensified when those rights were violated during the years of dictatorial rule from 1972 to 1986. The resurgence and blossoming of civil society that transpired as a consequence of the dictator’s fall hadn’t encountered major challenges until 2018.

But, however significant the current challenges are, the Bill of Rights has both cultural heritage and the modern expression of a respected discourse of social ideas. This cultural heritage of freedom cannot be underestimated.

As specified in the Constitution:

SECTION 16. All the country’s artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition.

SECTION 17. The State shall recognise, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.

SECTION 18. (1) The State shall ensure equal access to cultural opportunities through the educational system, public or private cultural entities, scholarships, grants and other incentives, community cultural centres, and other public venues. (2) The State shall encourage and support researches and studies on the arts and culture.

The substantial length of time within which Filipinos developed and strengthened the Euro-American concept of freedom of expression as a human right, has led to the indigenisation and application of the concept. Public policy, through the 19th to the early 21st century, has drawn entirely from this ethos, cultural policy notably included. The overall effect of the sustained adherence to freedom of expression include, to name a few: the freest media in Asia, according to the 2019 World Press Freedom Index, the Philippines is ranked 134 out of 180 countries¹²; the broad range of art forms and genres; and today, the phenomenal use of social media for individualist expression (with the Philippines ranking as the second highest in internet use in the world).

¹² Reporters Without Borders, Philippines Profile at <https://rsf.org/en/philippines> (accessed on 3/5/2019).

At the same time, it must be understood that this Liberal Democratic ethos is in the Philippines inextricably intertwined with a deeply embedded Austronesian¹³ culture that preceded the colonial period by 3,500 years. The Liberal Democratic ethos was absorbed into an archaic culture that was essentially egalitarian, with leadership roles taken by warriors and ritualists. The consequent re-shaping of Liberal Democracy in the Philippines is clearly demonstrated in the arts and culture artefacts and activities that exhibit individual prowess and collectively owned meaning simultaneously. Cultural policy invariably reinforces this cultural production.

2.3 Cultural policy objectives

There are three core policy priorities:

- democratisation, which called for the end of urban or cosmopolitan tastes and patronage
- Filipinisation, which was committed to support creative work that focuses on Philippine material
- artistic excellence

Other policy assertions tend to take a secondary or lesser tier in the hierarchy of national cultural priorities.

The establishment of the NCCA in 1992 emerged out of the same context that made the establishment of the National Commission on Indigenous People (NCIP) inevitable. The NCIP addresses the concerns of communities marginalised because of their faith in traditional social systems which are based on village-centric polity. Both the NCCA and NCIP are guided by the Constitution's foundational principles on social justice. Perceived overlaps between the mandates of the NCCA and the NCIP are expected to be attended to by management reviews in the immediate future. However, both agencies – supported by the Commission on Human Rights (a Constitutional Commission), and other agencies to protect women, children and other underprivileged sectors – have become crucial aspects of a national culture.

The intense debate riveting the political climate at the time of the writing of this report in 2018 revolves around, on the one hand, Liberal Democracy and its failure to deliver substantially to economic emancipation, and on the other the allure of authoritarianism as a medium through which to achieve change. This debate emerged strikingly in the last year, although, in light of the enormous support for what constitutes a political sea change, the disaffection with Liberal Democracy must have developed undetected throughout the decades since Martial Law ended in 1981.

The Philippines has aligned with global developments through institutional, policy, and programming responses in order to elevate the importance of cultural diversity and cross-cultural engagements. This alignment transpired with no major shifts in public mood in the Philippines from the 1970's up to the first decade of the 21st century. During those decades, the Philippines produced:

- works of art in plastic and performative idioms bearing witness to myriad quests for equality of cultural traditions and their culture bearers;

¹³ 'The languages known as Austronesian are spoken by more than 380 million people in territories that include Taiwan, Malaysia, Indonesia, the Philippines, Madagascar and the islands of the Pacific.' Austronesian speakers are considered to be the indigenous peoples of the Philippines. (See University of Huddersfield, 'New research into the origins of the Austronesian languages' in Phys.org at <https://phys.org/news/2016-01-austronesian-languages.html> (last accessed 3/5/2019).

- policy links between and among social justice agencies of government and civil society, arts organisations both publicly and privately funded; and
- increased global-scale networking for progressive agenda.

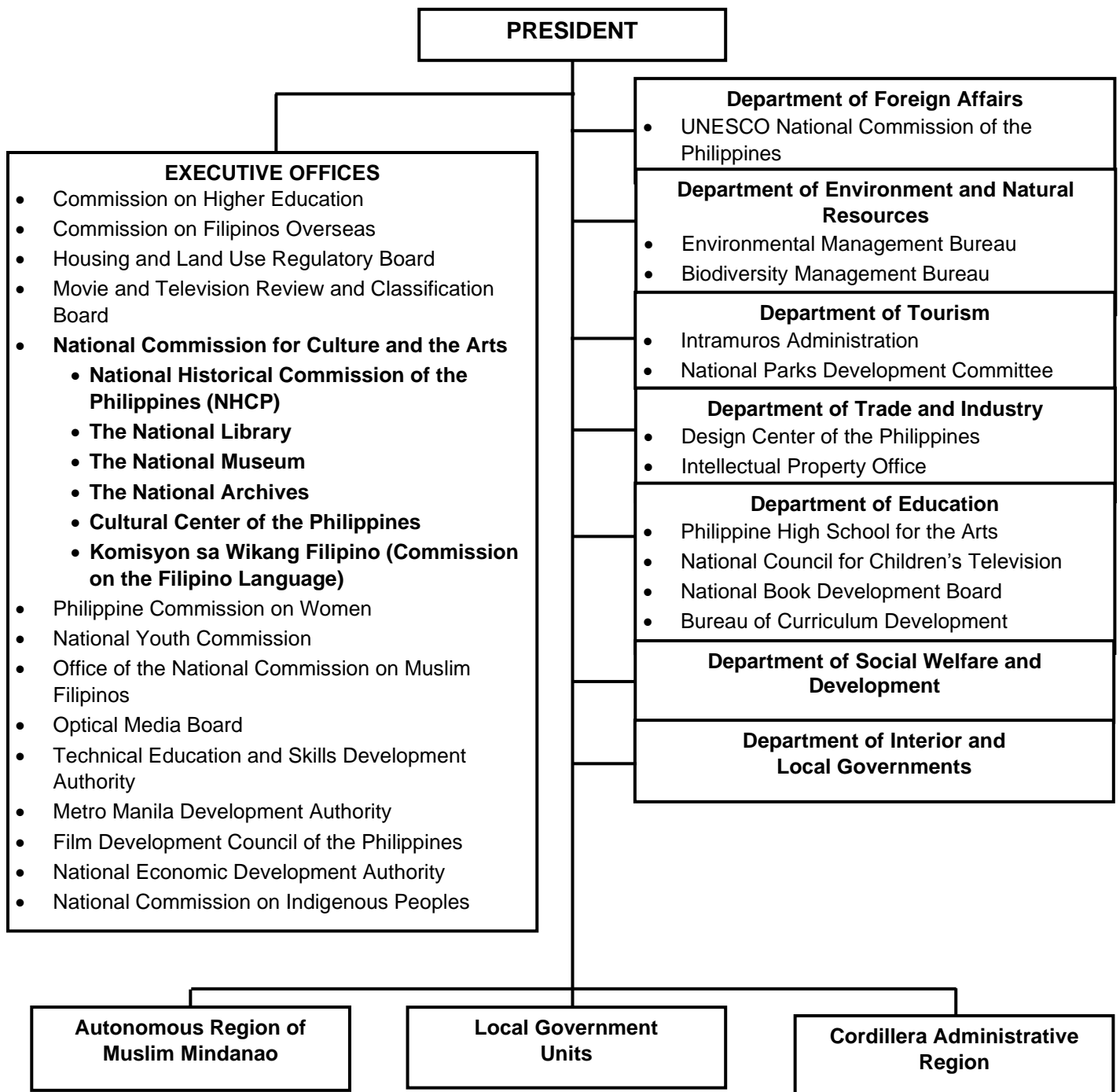
These developments on the global stage have led to a heightened consciousness of the urgency and value of diversity (of both natural and cultural systems) as well as an awareness of the rich potential of art that fully responds to this diversity. Indeed, the Philippines' substantial contribution to global consciousness raising about cultural rights and diversity is enough to aver, in this report, that the country did not merely follow a trend in this respect. However, there are several challenges in managing diversity in the Philippines, such as complexities involved in the Mindanao peace process and indigenous people's struggle for self-determination. These challenges are explained in more detail in section 3.4.5.

3. Competence, decision making and administration

3.1 Organisational structure (organigram)

Figure 1

PHILIPPINE GOVERNMENT AGENCIES INVOLVED IN CULTURAL POLICY MAKING



Adapted from the Chart of the Philippine Administrative System, University of the Philippines National College of Public Administration and Governance

Figure 2

ORGANISATIONAL STRUCTURE OF THE
NATIONAL COMMISSION FOR CULTURE AND THE ARTS

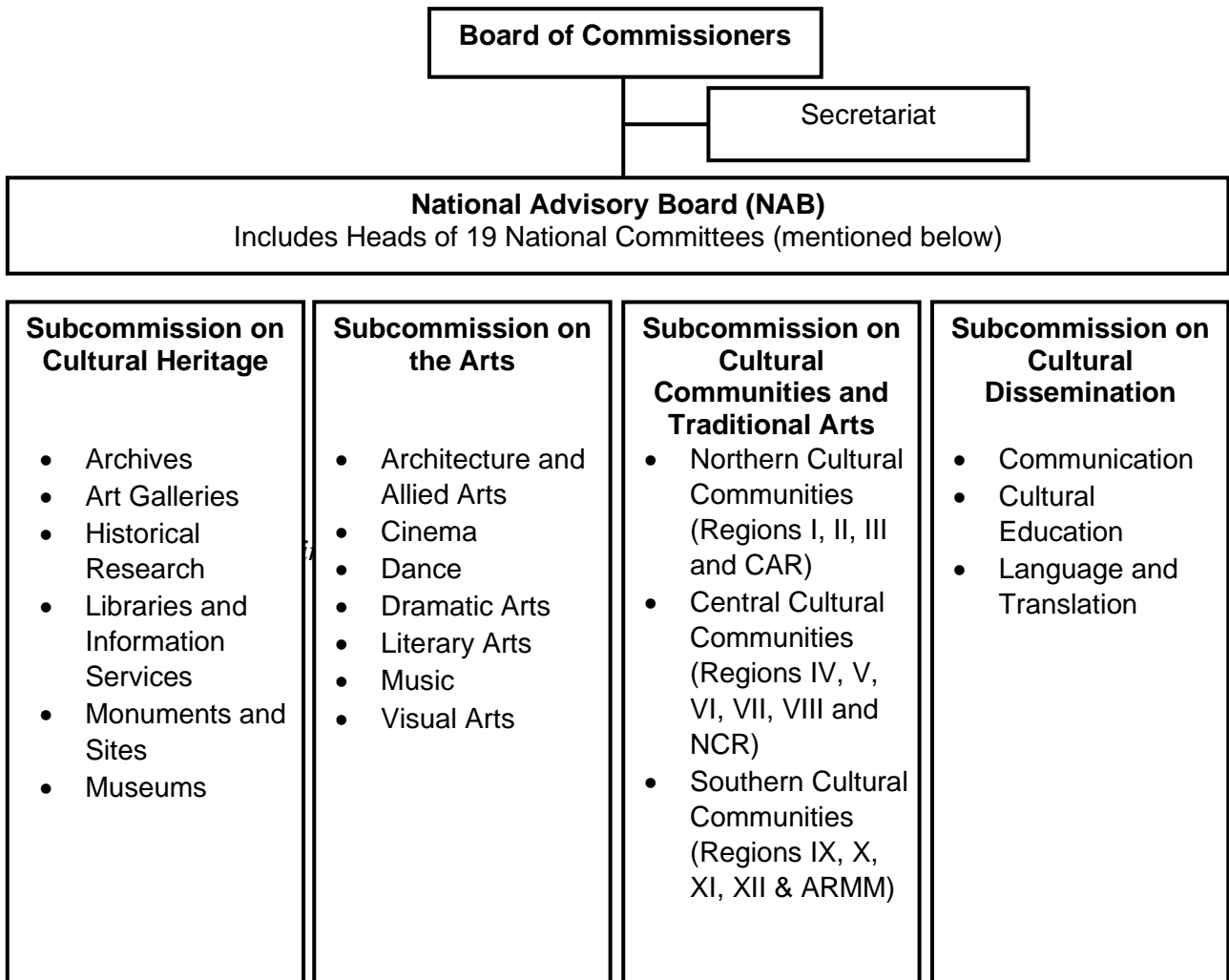
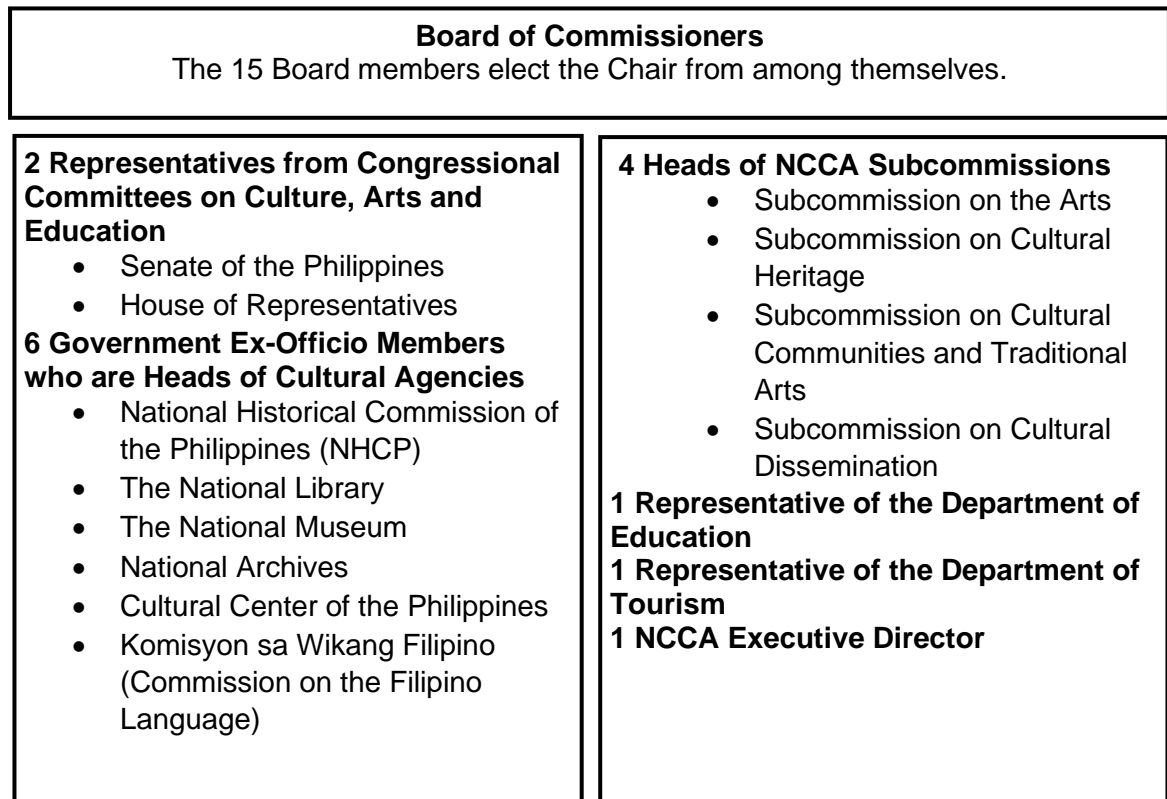


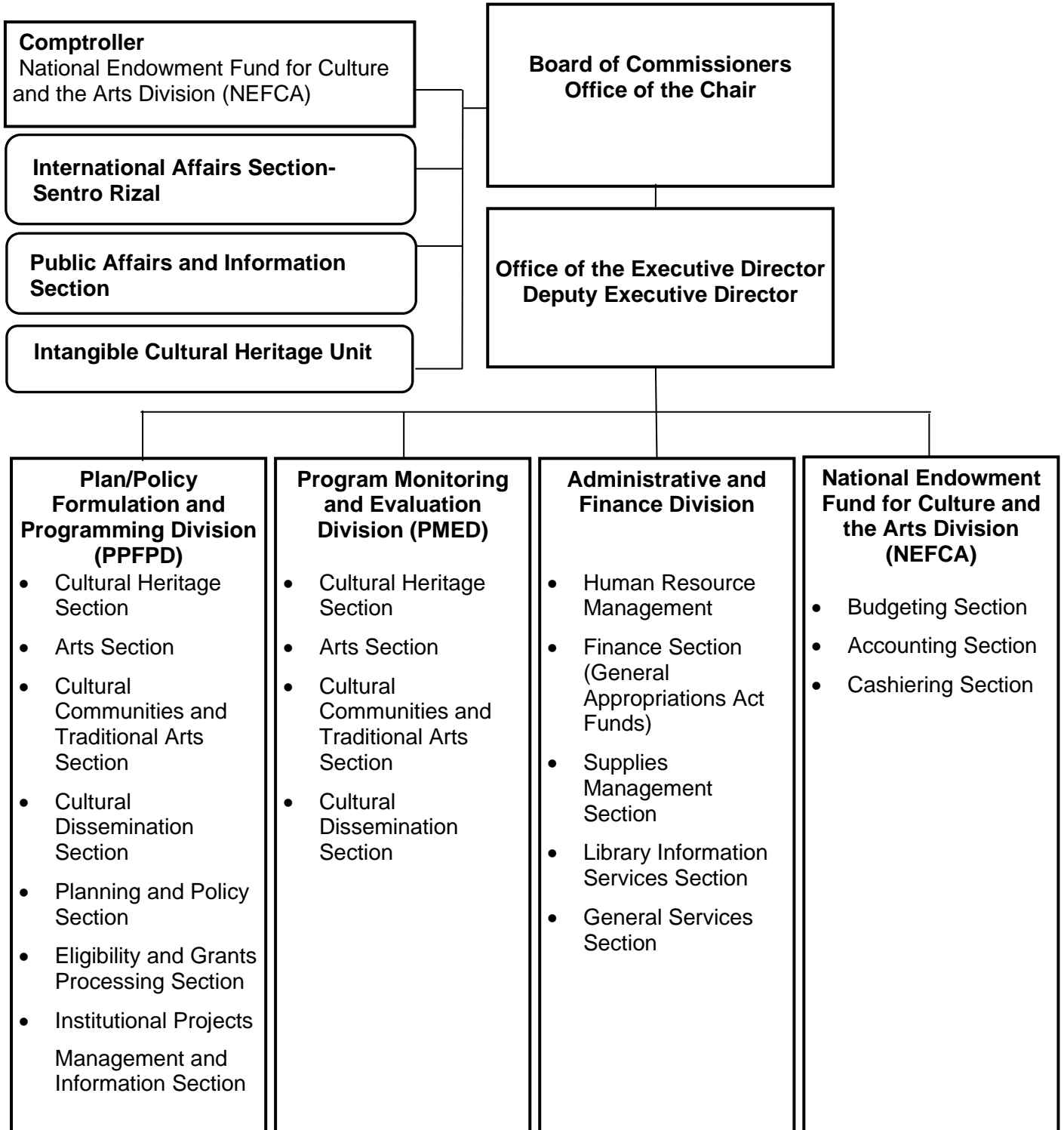
Figure 3

ORGANISATIONAL STRUCTURE OF THE
NATIONAL COMMISSION FOR CULTURE AND THE ARTS



Source: NCCA Planning and Policy Office

Figure 4
 ORGANIZATIONAL STRUCTURE OF THE
 NATIONAL COMMISSION FOR CULTURE AND THE ARTS
 SECRETARIAT



Source: NCCA Planning and Policy Office

3.2 Overall description of the system

All levels of government – national, provincial, and municipal or local government – are empowered, with the presumed competence present, with various registers of expertise, resources and commitment.

It is at the national level, however, that competence is most expected. Therefore, government agencies (and their officers) that are legally enabled and funded hold the most critical role in interpretation, decision-making, coordination, intervention, and, in certain circumstances, even operationalisation of functions that issue from cultural policies. Any number of national cultural policies may have correspondence at regional/provincial and/or municipal/local levels. Others are policies that have cascaded from higher offices.

The Office of the President can also issue executive orders specific to culture and the arts, provided these are not in conflict with mandates of state cultural agencies and their attached, allied or affiliated offices. Executive orders or instructions are contingent upon the cultural agenda, if any, of the incumbent, or officers directly responsible to the Chief Executive.

As of 2018, the main agencies with participative duties for cultural policy are those agencies created by national legislation: the National Commission for Culture and the Arts (NCCA), and the six allied agencies mentioned in the earlier topics. The NCCA has ground-level reach: the National Museum has at least 19 existing branches throughout the country, the National Historical Commission of the Philippines (NHCP) administers shrines, sites and historic structures in almost all 17 regions of the country, and all the other agencies make their presence felt through regular outreach programmes. These agencies are responsible for the administration of their policies, either as annual regular programmes or special projects, singly, severally or jointly with one another.

The private sector has had, and continues to have, a robust role in impacting the creation of policies, critiquing them, and seeing them through the legislative track at all levels. The private sector has also acted more quickly where government might have moved more deliberately, for reasons that involve financial considerations, expertise issues, or the desire to influence the political agenda.

Members of the private sector – such as advocates, academicians and students, cultural animators and technicians – have organised foundations and associations or consultative bodies, formally and informally, that have initiated culture and arts programmes on educative and performance platforms, either independently or in collaboration with state programmes. The media has also played a role in influencing, neutralising or controlling the policy discourse, through print, broadcast and, in recent times, social media outlets.

The visual arts has been of particular interest in the last two decades, due to the intensified interest in Philippine art both locally and internationally, specially through auction houses. This interest has had a great impact on local production. The international exposure has also led to a greater awareness of artists' intellectual property rights. Creative industries that source content from contemporary literature and music are likewise mindful of, and regulated by, intellectual property rights provisions.

Another area where State-led policies play an important role is in the protection and promotion of indigenous peoples' rights. In 1987, President Corazon C. Aquino created, through three executive orders, the Office for Muslim Affairs, the Office for Northern Cultural Communities, and the Office for Southern Cultural Communities. In 1997, the last two were merged, becoming the National Commission for Indigenous Peoples (NCIP), created through the

passage of the Indigenous Peoples' Rights Act (IPRA law)¹⁴. The mandate of the NCIP extends over issues of ancestral domains and land rights, intellectual property, language and traditional knowledge, and treaty rights. It operationalises existing policies for a better-felt presence, as well as actual benefits, for the more than 171 ethno-linguistic groups all over the country. As of this writing the NCIP is attached to the Department of Environment and Natural Resources.

3.3 Inter-ministerial or intergovernmental co-operation

As to the competencies in the levels where cultural policies are formed, the fluidity in the headships of cultural agencies has been crucial. As headships of certain culture and arts offices have been and/or are appointive, political intervention has impacted the quantity and quality of competencies. There are sufficient administrative and financing competencies, however, assured in part by the civil service code.

While there are achievements in certain government cultural, historical and art agencies, there is a need to address a lack of (cultural) theoretical infrastructure, adequate training, funding, a coherent interpretation of laws governing cultural work, and a culturally-sound understanding of the cultural substance itself.

3.4 International cultural co-operation

3.4.1 Overview of main structures and trends

The Philippines has a long history spanning a century of cultural agreements with independent States, regional and international organisations. The conventions, treaties, and sundry agreements typically involve cultural exchange, collaborations on projects, joint statements of principle, and cultural alliances. The Philippines has ratified nearly all of the major initiatives of UNESCO and other allied culture-oriented agencies of the United Nations. The country pays close attention to the cultivation of cultural ties within the Association of Southeast Asian Nations (ASEAN). It is only beginning to forge liaisons with Latin America, and renewing and strengthening the relationships with its former colonial masters the United States, Spain, and Japan, in a spirit of exercising sovereign will.

The Department of Foreign Affairs (DFA) negotiates and enters into all agreements, conventions, protocols and other instrumentalities that initiate, guide, and/or govern bilateral and multilateral relationships in the field of culture and the arts. The DFA, in coordination with the NCCA, drafts agreements and sees through the many stages of refining prior to their signing and subsequent ratification. Implementation of agreements is then assigned to the appropriate cultural agencies through the NCCA, in close coordination with the DFA. When appropriate private sector parties are also consulted.

Individual artists, artists' organisations, and cultural workers' associations from the Philippines have a long history of developing international networks and relationships. The cumulative outcome of an entire century of person-to-person contacts that involve Filipinos cannot be underestimated, nor undervalued. Hundreds of thousands of Filipino musicians populate a wide range of performance spaces all over the world, contributing to the history of cross-cultural human relationships across time and geographic space.

Cultural heritage is also being spread internationally through the *Sentro Rizal* (SR), named after the Philippines' National Hero Jose Rizal. The centres are being established across the

¹⁴ <http://extwprlegs1.fao.org/docs/pdf/phi13930.pdf> (last accessed 5/5/2019).

globe where there are children of overseas Filipino workers or large Filipino communities. They are implemented as part of the Republic Act No. 10066 (National Cultural Heritage Act of 2009) Section 42, and aim to promote Philippine arts, culture and language abroad. The centres are set up through Philippine diplomatic posts that meet physical and personnel requirements, in close coordination with, and with the support of, the NCCA's International Affairs-SR Section. So far, towards the end of 2017, twenty-five *Sentros Rizal* have been established through the joint efforts of NCCA and Philippine Embassies world-wide.

3.4.2 Public actors and cultural diplomacy

The DFA, through its Culture and Diplomacy programme, initiates consultations with foreign counterparts through the drafting of Cultural Agreements. The DFA then invites the NCCA as the lead agency, as well as other cultural agencies, to give comments and inputs. Agreements are forged over time, with several revisions and counter drafts between both parties until a consensus is drawn, at which point the final document is signed and ratified and implementation can commence. In the case of the Philippines, projects related to culture are also implemented through multilateral agreements. One such example is with ASEAN, where cultural projects are implemented with the participation of all ten member states through the ASEAN Sub-Committee on Culture. It is also to be noted that some countries are more active than others in the implementation of Cultural Agreements. The Philippines has signed some 51 Bilateral Agreements, while the most active partners in Asia are China, Korea, and Japan. In Europe, France, Spain, and Russia are very active, and in the Middle East and Africa, Egypt, Israel, Iran and Oman are active in this field.

A number of common enterprises are realised in concord with diplomatic missions, such as the US Ambassador's Cultural Fund and cultural bodies that actively coordinate joint projects with Philippine cultural agencies and private sector partners. Among them are Instituto Cervantes of Spain, Alliance Francaise de Manille, Goethe Institut of Germany, the British Council, the Japan Foundation, the Iran Cultural Center and lately, the Korean Cultural Center in Manila. Said agencies offer opportunities for language classes, training programmes in their respective home countries, visiting programmes, and also exploratory joint projects with visiting artists and their local counterparts.

3.4.3 International actors and programmes

The Philippines participates, and reciprocates significantly, in programmes of bilateral and multilateral co-operation, through both government institutions and representative individuals and through private actors (people-to-people linkages). The engagement ranges from the policy-crafting level at an administrative station (say, in an elective or assigned post within an international body) to actual implementation of programmes and projects in collaboration with state or individual partners.

These engagements include initiatives such as: curatorial exchanges and exhibitions; conservation, tangible and intangible heritage safe-guarding, and restoration of built heritage; creative industries related programmes; publications exchange; scholarships; and exchange visits of experts in a range of sectors including the cultural, museological, historical, archival, linguistic, cinema, cultural tourism, indigenous peoples and cultures, music and theatre sectors. The country representatives might not be direct actors, but instead be recipient-participants in events such as festivals and performances, conferences, lectures, round-table discussions, and capacity building and training programmes. The country, private or public culture and arts

representatives may also be participative as members or officers of relevant regional or international organisations.

Multilateral action is undertaken within the ambit of UNESCO and ASEAN, as well as agencies such as: the Asia-Europe Meeting and Asia-Europe Foundation (ASEM/ASEF); the Federation of East Asian and Latin American Countries (FEALAC); The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM); the International Council of Museums (ICOM); the International Council on Monuments and Sites (ICOMOS) the Asia-Europe Museum Network (ASEMUS); the International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region under the auspices of UNESCO (ICHCAP); the Southeast Asian Ministers of Education Project on Archaeology and the Fine Arts (SPAFA); and the International Federation of Arts Councils and Culture Agencies (IFACCA). Action is also taken with specialised international organisations for folk lore, dance and music, among others. The participation ranges from the grassroots to top levels of governance (for example the Chairman of the NCCA, or the country representative to SPAFA or ICCROM).

International treaties, such as the UNESCO Convention on the Protection and Promotion of Diversity of Cultural Expressions, are monitored in tandem by the Department of Foreign Affairs with the UNESCO National Committee and the National Commission for Culture and the Arts through one of its attached agencies, specifically designated for the task.

3.4.4 Direct professional co-operation

Through the NCCA and its attached cultural agencies, the Philippines has maintained trans-national co-operation with cultural ministries and agencies in various art sectors. One example of such co-operation, made possible by networking, is the annual NCCA National Committee on Dance's celebration of International Dance Day, with conferences, workshops, and performances, which include the participation of foreign counterparts. Similarly, National Arts Month is celebrated every February and international performing arts groups are invited to festivals held nationwide. Another example is the International Music Council (IMC), membered by individuals and institutions worldwide, which has attended a highly successful *rondalla* (a Filipino string ensemble) festival that gathered international string ensembles. In the built heritage sector, experts from cultural partners abroad have shared their conservation and restoration expertise when the Philippines was struck by super typhoon Haiyan in 2014. It is to be noted that although primary funding for such events are often sourced from the government cultural agencies like the NCCA and its counterpart agency in partner governments, the private sector has been very supportive of such projects. Private and State-run universities and institutions also reciprocally fund people-to-people cultural exchanges through training, artists-in-residence programmes, performances, and other such initiatives.

3.4.5 Existing cross-border intercultural dialogue and co-operation programmes or actors

The term intercultural dialogue is applied in the Philippines as a process that transpires between and among peoples of different nations or global regions. Its sense encompasses conflict resolution between religions (inter-faith dialogue), discussion between politico-economic systems, "civilisations", bordered territories, and ideological differences that are thought to define regions of the world. Filipinos are known to be adept at these dialogues and are regular participants in global fora to advance cross-cultural understanding. The Filipinos' facility with English, Mandarin and Spanish contributes to their ability to engage in these fora.

Notable for the enduring quality of its commitment to trans-national intercultural dialogue are, most importantly, those involved in the peace process concerning the war-torn parts of Mindanao and the Sulu Archipelago¹⁵; and those involved in the future of traditional culture. Both these areas have benefited from Filipino participation for nearly the entire last quarter of the 20th century and continues to this day.

The Mindanao peace process has not only involved active participants from the different Islamic countries, including the Philippines, but also members of other faiths from the global community of peacemakers. Several government agencies have given financial, logistical, technical and political support to sustain this vital area of trans-national and multi-cultural discussion, including the Office of the Presidential Advisor on the Peace Process under the Office of the President of the Republic, the National Commission on Muslim Filipinos (NCMF), the National Commission on Indigenous People, the Government of the Republic of the Philippines Peace Panel, the Armed Forces of the Philippines and the Department of Foreign Affairs. The negotiations and other forms of dialogue have generally been dominated by political and economic topics, however, the cultural agenda has never been set aside. The talks, which transpired in numerous sites including Kuala Lumpur, Jakarta, Tripoli, Davao, Cotabato and some European cities, have been marked by a clear understanding of the protracted and multi-generational, character of the conflict, and there has been significant participation of civil society in the Philippines and elsewhere.

The second challenge relating to intercultural dialogue in the Philippines revolves around “indigenous peoples” and their struggles for self-determination, a field of discourse and activism that has seen the participation of many actors from various ideological divides. There is a focused discussion of the problematic nature of the use of the term “indigenous people”. Leadership positions taken by Filipinos in global fora on this cross-cultural, trans-national field are normally supported vigorously by State agencies, as well as civil society in general. The thrust of the work collectively undertaken thus far concerns: self-empowerment and self-determination rather than mere empowerment; cultural rights as co-equal with human rights; ancestral domain claims and title as fundamental to survival; and political representation to mainstream marginalised cultures.

In spite of these multi-cultural discussions, no Philippine city, province, region or municipality has an official multi-cultural policy. Mainstream Christian, liberal democratic culture remains assimilationist, signifying that society is expected to conform to the Christian, liberal democratic norm that furthermore sustains belief in neoliberal economic doctrine. For the majority of the population, a social justice agenda is only embraced and acted on if the politics are essentially centrist or only slightly to the left.

¹⁵ In Mindanao, the followers of Islam make up a significant percentage of the population. In 1971 the Moro National Liberation Front (MNLF) was founded with the goal of fighting the Philippine state for an independent Moro nation. BBC, ‘Guide to the Philippines conflict’ in BBC, 8 October 2012 at <https://www.bbc.com/news/world-asia-17038024> (last accessed 3/5/2019). The New York Times reports that there have been an estimated 120,000 people killed in the past three decades, mostly as a result of fighting between government forces and Muslim rebels, mainly due to conflict over land, resources and the sharing of political power. In 1996 the Moro National Liberation Front (MNLF) laid down its arms in exchange for promises of greater autonomy and economic prosperity, although successive cease-fires have broken down. Donald Greenless, ‘In war-torn Mindanao, fruits of peace - Asia - Pacific - International Herald Tribune’ in The New York Times, 11 September 2006 at <https://www.nytimes.com/2006/09/11/world/asia/11iht-rebels.2767310.html> (last accessed on 3/5/2019). In 2019 there was a referendum on the proposed creation of an autonomous region. [Carmela Fonbuena](#) in ‘Philippines: Muslims vote in referendum on autonomous region’, in The Guardian, 21 January 2019 at <https://www.theguardian.com/world/2019/jan/21/philippines-muslims-vote-in-referendum-on-new-autonomous-region> (last accessed 3/5/2019).

There are a number of initiatives that target youth participation and excellence in the arts. Aside from the bursary maintained by the NCCA that is neither closed nor biased against youth beneficiaries, the enduring National Music Competition for Young Artists (NAMCYA) has identified talent since its establishment in 1975. It is administered by the CCP and it facilitates the entry of these talented youth into the Philippines' continuously widening corps of virtuoso performing artists. This institutionalised, State-funded annual competition is however not the only prominent field of support available to young artists. The Philippine High School for the Arts also consults the CCP for policy and programme implementation and it makes full scholarships available for talented youth in the visual and performing arts. There is also the National Youth Commission that includes among its various activities the exposure of young artists and cultural workers to international fora and events. The cosmopolitan emphasis of these institutions ensures that the youth are initiated with adequate preparation for participation in the global communities of artists and cultural workers.

Civil society groups have been active and effective in their advocacy work for the last half century in the Philippines. Indeed, the Philippines is globally highly reputed for the pioneering vigour of its non-governmental organisation (NGO) community. NGOs that are built to operate as theatre companies, visual arts collectives, cultural workers coalitions and similar art-oriented action groups are notably energetic. Nearly all these NGOs have international networks. The networks support Philippine NGOs in resource mobilisation, monitoring systematisation and evaluation tasks. Touring and exhibition programmes are jointly crafted and implemented within these established networks. Often, State funding (such as from the NCCA) and/or logistics support are introduced within systems already built within the NGO global networks.

3.4.6 Other relevant issues

Human rights have been an important issue throughout contemporary Philippine history. Human rights cases have been well documented, especially during the 21-year Martial Law under President Ferdinand Marcos. The Mindanao conflict caused extensive internal displacement, particularly amongst the traditional small-scale communities.

4. Current issues in cultural policy development and debate

Cultural policy is officially the sole domain of the National Commission for Culture and the Arts (NCCA), and its attached agencies. The operative term is “attached”, because in principle the NCCA holds only coordinative and monitoring powers over the aforementioned agencies. It does not exercise mandatory powers except in terms of policies collectively set forth by all these agencies sitting as the NCCA Board of Commissioners, together with the heads of other line agencies of government, such as the Department of Tourism, the Department of Education, and representatives of art and culture elected to both houses of the Philippine Congress.

Since the NCCA is a bottom-up policy making body and custodian of the endowment fund for culture and the arts – that is to say, its policy initiatives are produced amongst peers in the different artistic media and cultural work and thence brought up through layers of the NCCA bureaucracy for consideration of the Commissioners – the NCCA is unique amongst all government agencies of the Philippines. All other agencies are extremely centralised and policy emanates from the head of agency downwards to the concerned sectors.

As the successor organisation to a Presidential Commission on Culture and Arts, NCCA was formed to heed calls for an anti-centralised government overseer of cultural affairs. As a product of a revolutionary period, the NCCA hence carries with it the philosophies of governance that include decentralisation, volunteerism and affirmative action.

Of late, the principal policy area that has involved artists and cultural workers is the debate on the creation of a ministerial level Department of Culture. A more recent development (June 2017) saw the filing of a proposed bill, *Establishing the Department of Culture (DOC), Appropriating Funds Thereof, and for other Purposes*, which has received endorsements from both the Senate and the House of Representatives, and is in line with the priority legislation of the current Administration as espoused in the chapter of the ‘Promoting Philippine Culture and Values’ in the Philippine Development Plan 2017-2022¹⁶.

Special programmes as a first step toward new cultural policy instruments or measures

Cultural policy at this juncture of Philippine history is under discussion and therefore programmes from the past will continue until some of the serious issues are resolved to the satisfaction of many. As a result, the list below outlines developments, rather than special programmes.

The discussion around a possible Department of Culture has created a significant number of informal fora, and during these occasions other matters arise organically. Five matters demand inclusion in this document:

- There is a lack of policy initiatives to address common cross-disciplinary concerns. Many issues among visual artists – for example, an untrammelled market – can be found in other disciplines. Still, as of the date of this report, no cross-cutting policy initiatives have been put forward, other than in informal discussions (some under the auspices of the NCCA), nor have these discussions breached the conventions of intra-disciplinary problem solving.
- There is a great divide between the issues, challenges and problems of artists and cultural workers with modern and postmodern practices on one hand, and on the other, artists working in traditional contexts.

¹⁶ https://www.academia.edu/33328744/Philippine_Development_Plan_PDP_2017-2022

- Artisanal traditions are straightjacketed into the market economy and the market definitions of “product”, “quota”, “industrial”, “market”, “production” and so forth have been applied to traditions that created excellence within a tradition of reciprocity and exchange systems found in Southeast Asia. This straightjacketing has had negative outcomes, particularly in communities that are only beginning to cope with the impact of the cash economy.
- The rubric of cultural industries has been the de facto framework in the Philippines since its introduction, principally from the United Kingdom, in the early part of the 21st century. At present, the rubric is not being scrutinised, except for observations about the slow pace of its total absorption into local contexts.
- Neither the NCCA nor its attached cultural agencies are able to provide State agencies with position papers from the arts and culture field concerning major national policies such as the peace process, the proposed shift to a Federal system of government or the trajectory of the public education system. Neither does the NCCA enter into discussions on the private sector driven cultural and political imperatives. It may be observed that the NCCA has not maximised their independence, nor adequately carried out their duty as part of a democracy, to dialogue with national political policy, economic development plans and policy development plans.

New funds or restructuring available funds

Most of the new funds in culture and arts in the last two decades have been sourced from a burgeoning private sector. In 2003, the most expensive infrastructure and educational project of the early 21st century was built and financed by the De La Salle University¹⁷, housed in its postmodern College of St. Benilde School for the Arts. It was an investment of an unprecedented financial scale. At present, two of the Philippines’ biggest corporate companies are each building large museums, at an unprecedented financial investment. In addition, certain private theatre companies are reporting a six-year run of financially profitable presentations.

Of all the art disciplines, it was the visual arts that significantly up-scaled financially. Annual art fairs, auctions and high-end gallery exhibitions have become more established since the beginning of the present decade. This increased investment in the local market was fuelled by the high prices fetched by a number of Filipino visual artists at auctions and in gallery sales overseas. As in the case of the performing arts, this upsurge in investment in and the development of the arts came about because of global and local market forces (sometimes in complex interplay, sometimes as separate forces), not through government policy.

Debates about specific legal solutions or provisions (to be explained in Chapter 5)

It is not unusual for legislative and legal solutions in the Philippines to generate little debate. Even the passing of the *Omnibus Heritage Law*¹⁸, a process that took a decade due to the complex detail of the legislation, encountered undue resistance from the general public.

Other than the aforementioned debates about the possible creation of a Department of Culture, which is pursued by its advocates in order to give greater strength to arts and culture policy initiatives at the national level, the current climate in the Philippines has only produced intense debate before and after the remains of the dictator Marcos was transferred for burial at the

¹⁷ De La Salle University, established in 1911, is a private, Catholic research university run by De La Salle Brothers located in Manila, the Philippines. <https://www.dlsu.edu.ph/>

¹⁸ <https://ncca.gov.ph/republic-act-no-10066/> (last accessed 5/5/2019).

Cemetery of Heroes. At no other time in the contemporary history of the Philippines has a cultural debate produced such heated debate. The matter has not been completely resolved, even after the Supreme Court decision favoured the move.

Social media poses what is likely the most important cultural challenge of the upcoming decades. According to We Are Social and Hootsuite's annual digital report, the Philippines has one of the highest rates of social media penetration in the world and on average spends the most amount of time online.¹⁹ Filipinos will therefore determine their course as a nation from the ideas culled online, ideas that furthermore support their own worldview, given the insular nature of social media and its echo chambers. There have been initiatives in the Philippine Congress to curtail the absolute freedom exercised online just as there have been a number of calls to legislate controls over factually incorrect information distributed online.

Recent emerging debates and actions concerning ethical and human/cultural rights issues in the domain of cultural policy making

The debates mentioned above pertain to the overarching cultural environment, however it is worth emphasising here the growing concern for human rights violations. Human rights as a universal principle, as well as assurances of due process, are under severe contestation²⁰, according to the preliminary evaluation of international human rights organisations and several European organisations.

Rights to cultural self-determination have had an uneven momentum in the Philippines. The marginalisation of small communities, at the hands of logging companies in the 1970s²¹ and later due to mining interests in the 1990s²², continues until today. To counter these challenges, the NCCA has focused on interventions to recuperate severely threatened cultural traditions and the Indigenous Peoples Rights Act of 1992 created the National Commission on Indigenous People (NCIP) to assist communities in ancestral domain claims.

Creation of or changes to institutional/organisational structures

The transformation of the National Historical Institute into the National Historical Commission represented a shift in their ability to adjudicate the historical narratives framing nation building. The growing ability of the Cultural Center of the Philippines to support and stage the full range of performing and plastic arts expressions, from traditional to modern to contemporary forms, has enlarged its mandate well beyond its original mission of serving purely as a performing arts venue.

The Department of Tourism (DOT) has enlarged its logistical and financial outlay for “festivalising” tradition and community social life all over the country, earning both approval

¹⁹ Gelo Gonzales, ‘Filipinos spend most time online, on social media worldwide – report’, Rappler, 18 February 2019 at <https://www.rappler.com/technology/news/222407-philippines-online-use-2019-hootsuite-we-are-social-report> (last accessed 5/5/2019).

²⁰ More analysis of the human rights issues can be found in the 2019 Human Rights Watch World Report of the Philippines, which can be found here: <https://www.hrw.org/world-report/2019/country-chapters/philippines> (last accessed 5/5/2019).

²¹ For a summary of the history of forestry in the Philippines see for example [The Philippines report by the Food and Agriculture Organization of the United Nations at http://www.fao.org/3/w7730e/w7730e0b.htm](http://www.fao.org/3/w7730e/w7730e0b.htm) (last accessed 5/5/2019).

²² For an overview of the challenges in the mining sector see for example Dr. Cielo Magno, ‘Beyond Responsible Mining in the Philippines’ in ABS-CBN News at <https://news.abs-cbn.com/focus/07/05/16/beyond-responsible-mining-in-the-philippines> (last accessed 5/5/2019).

and opprobrium and drawing criticisms of bastardisation and trivialisation of culture. Local Government Units (LGUs) have effectively followed the trajectory of the DOT in the nature and character of their cultural work, resulting in a tourist-oriented performative spectacle. These festivals are far larger in scale than that of any cultural agency, and it may be argued that this approach has become an economic driver for local governments, leading to mass cultural production.

Monitoring or evaluation of policy implementation

All of the work of the NCCA and its attached agencies, as well as the DOT, the NCIP and the LGUs, are fully documented and monitored. Moreover, extensive media attention on touristic cultural production forms an archival body from which, in the future, analytic work may be based. Moreover, the highly articulate character of all advocacy groups is a given in the Philippines. Position papers are circulated widely and often.

4.1 Main cultural policy issues and priorities

Main policy priorities in the field of culture in recent years

Policymaking itself needs to be developed from more rigorous research, needs to implement greater conceptual sophistication and needs to learn from policy and institutional initiatives of the past that did not address the needs of the communities concerned.

There is a general consensus that there is an urgent need to support artists of all fields as they, on one hand, struggle to survive and, on the other hand, embark on more ambitious agenda in the local, national, regional, and global arts communities. There is, however, little consensus on the appropriate strategy. To a great extent this lack of consensus is due to the necessity of multiple strategies, informed by both the context of production and, simultaneously, the context being addressed.

The other priority area, around which consensus is strong among nearly all players in the arts and culture field, is the need to support and maintain traditional cultural expression as a responsibility of the nation.

Main challenges facing policy makers in the development of new policy priorities

A key challenge facing policy makers is the slow speed by which the intellectual and organisational skills are made available to policy development and institutional design. The Philippines' experience with postcolonial discourse, Cultural Theory and the sustained study of structures of power in Cultural Studies has been limited. As a result, the following ideas, that are a throwback to 20th century liberal politics, have not been re-evaluated:

- Philanthropy's underpinnings in Medieval Catholicism's notions of charity and *obras pias* (good works) are not challenged, especially with regards to the negative impact on the objects of charity and their capacity for self-empowerment.
- The new, theoretically driven arenas for staging art all over the world have not been acknowledged beyond the modern imperative of legitimisation by centres. In this old-fashioned quest, there has been no equivalent, alternative imperative to develop the intellectual wherewithal for artists to acquire an informed view of global power relations.

- There needs to be a closer and more organic relationship between the arts and culture leaders and community on one hand, and academe on the other. This is difficult to accomplish because neither field is homogenous.
- The academe itself has not, in general, participated in global debates. The debate lexicon and theoretical frameworks in use are embedded in philosophies of the 20th century, and, in the case of the Catholic-run universities, in scholastic lineages.
- Civil society communicates with its own lexicon, which can be dated to the period of Liberation Theology of the mid-20th century. The NGOs working with the indigenous peoples (as defined in the IPRA Law) prosecute their pro-poor advocacies in this lexicon, which has in the last decades emphasised self-empowerment of the poor.

Public debates about these main issues which have influenced government action

The key challenges facing policy makers mentioned above have not been raised to public debate, however it is important to recognise that: (a) civil society works with small scale societies preserving traditional culture (including agriculture and economic systems) and has so impacted public discussion that this has led to the creation of the National Commission on Indigenous Peoples; and (b) artists' organisations, for example the composers', songwriters' and performers' organisations, have impacted public discourse to achieve the necessary legal provisions to protect their income and opportunities for performance from foreign acts.

4.2 Specific policy issues and recent debates

4.2.1 Conceptual issues of arts policies

In addition to policy initiatives already noted in other sections of this Profile, there are five more areas of action that demand the attention of both local and global art and culture communities. These five areas share a common concern about what constitutes the national body politic, and call for:

- policy that directly and immediately addresses Islamophobia in the Philippines;
- the support for practice of high journalistic standards, upholding the primacy of truth, especially in the area of social media;
- the preservation of language diversity in the archipelago;
- re-strengthening of the National Language, Filipino; and
- conjoint custodianship of biological and cultural diversity.

These five policy initiatives have been proposed by different sectors: the first by Muslim, Christian and secular anti-discrimination advocates; the second by the traditional media and their allies; the third and fourth by State and academic advocates of language as basis for national definition; and the fifth by environmentalist academics, NGOs and community organisations. Nevertheless, all five address and contest flaws of the modern, globalised world, such as the civilisational othering, the homogenising impulses that always involve language policy, the over-determining force of the market and anti-democratic impulses at play within the body politic.

4.2.2 Heritage issues and policies

(Information on heritage law(s) is to be reported on in chapter 5.3.3.)

Immovable heritage

A case that recently received a favourable ruling from the Supreme Court has brought to light the weaknesses in the laws and guidelines pertaining to immovable heritage, the inconsistencies in their implementation and the highly fragmented procedures of heritage management in the country.

In September 2014, a petition was filed before the Supreme Court against DMCI Homes Inc., and DMCI Project Developers, Inc., owners and developers of *Torre de Manila*, a 49-storey condominium 789 meters away from the Rizal Monument at Luneta Park in Manila. Also named respondents in the petition were the City of Manila, the National Commission for Culture and the Arts (NCCA), the National Museum (NM) and the National Historical Commission of the Philippines (NHCP). The petitioner was the Knights of Rizal (KOR), a civic organisation dedicated to honouring the memory and legacy of the Philippine's national hero, Jose Rizal.

The Knights of Rizal asked that the construction – then already 23% complete with 19 floors built – cease and that the building be demolished. They also pleaded for the issuance of a Writ of *Pamana* (Heritage) or a Writ of *Kasaysayan* (History) as an instrument to protect the citizens' right to 'all the country's artistic and historic wealth [which] constitutes the cultural treasure of the nation'.

The central issue of the complaint was the violation of the Rizal monument's sight line. In the words of the NHCP's own *Guidelines on Monuments Honoring National Heroes, Illustrious Filipinos and Other Personages* (2011), the building's height detracts from the 'prominence, dominance and dignity of the national monument'. The 103-year-old Rizal monument, located at the heart of Rizal Park, had been declared a National Monument by the NHCP and a National Cultural Treasure by the NM.

Public opposition to the construction peaked in 2012, while the City Council of Manila, the NHCP, the local government units (LGUs), the Department of Environment and Natural Resources (DENR), the Environment Impact Assessment (EIA) and the Comprehensive Land Use Plan (CLUP) had conflicting interpretations and positions on the issue.

As a result of the petition, guidelines were forged to ensure that:

- specific guidelines, restrictions and limits governing the development and design of private properties be formulated (the guidelines should consider issues such as density and bulk controls that may be applied to areas at or near heritage sites);
- when applying for permits, developers will have to ascertain the presence of natural or cultural values on or near the land, such as heritage classified sites, objects or buildings; and
- heritage preservation plans are reviewed and harmonised with the city or municipal vision, goals and objectives, as well as with the zoning ordinance.

The LGU and the NHCP execute a memorandum of agreement wherever historic centres or heritage zones are declared, which would then serve as reference for the Department of Interior and Local Government (DILG), the HLURB, Department of Public Works and Highways (DPWH) and other official regulatory agencies (such as the DENR) wherever applicable, at a national and local level. The NCCA, NHCP and NM are included in the review and approval process of CLUPs so they can evaluate local plans vis-à-vis approved agency related policies, plans or programmes and the NCCA, Department of Tourism and NHCP are given scope to monitor local heritage conservation efforts.

These considerations in the HLURB's e-CLUP Guide may well pave the way toward finding a balance between policies and procedures for the management of the country's cultural commons.

It is to be noted that as of 25 April 2017, the Supreme Court ruled in favour of the resumption of the construction of the *Torre de Manila*, stating that the construction company violated no laws when it erected the building. Immediately after the ruling was announced calls for the reversal of the decision flooded social media, and several lawmakers made public their intention to appeal the ruling to ensure the protection and preservation of Philippine heritage. Meanwhile, construction of the *Torre de Manila* is nearing completion.

Intangible heritage

There are three categories of intangible cultural heritage under the Heritage Law (RA 10066):

- Intangible Cultural Heritage – Practices, representation, expressions, knowledge, skills, as well as the instruments, objects, and artefacts associated therewith, that communities, groups and individuals recognise as part of their cultural heritage, such as: (a) oral traditions, languages and expressions; (b) performing arts; (c) social practices, rituals and festive events; (d) knowledge and practices concerning nature and the universe; and (e) traditional craftsmanship.
- Intangible Cultural Property – People's learned processes, along with the knowledge, skills and creativity that inform and are developed by them, the products they create and the resources, spaces and other aspects of social and natural context necessary for their sustainability.
- National Cultural Treasure – A unique cultural property found locally possessing outstanding, historical, cultural, artistic and/or scientific value, which is highly significant and important to the country and nation, and is officially declared as such by the pertinent cultural agency.

In 2001, responding to the call of UNESCO for the creation of a national body for the safeguarding of intangible cultural heritage (ICH), the NCCA Board created an Intangible Heritage Committee. In 2006, the Philippines became a signatory to the 2003 UNESCO Convention for the Safeguarding of Intangible Culture Heritage. A special unit was also created within the NCCA to take charge of initiatives on behalf of intangible heritage, implementing documentation and safeguarding activities. It maintains the Philippine Inventory of Intangible Cultural Heritage (PIICH), following UNESCO's classifications as follows:

Domain 1: Oral Traditions and Expressions, including Language as a Vehicle of the Intangible Cultural Heritage

Domain 2: Performing Arts

Domain 3: Social Practices, Rituals and Festive Events

Domain 4: Knowledge and Practices Concerning Nature and the Universe

Domain 5: Traditional Craftsmanship

According to anthropologist Jesus T. Peralta, the National Museum only began seriously documenting and indexing intangible cultural heritage in 2001. His book *Pinagmulan: Enumeration from the Philippine Inventory of Intangible Cultural Heritage* (2012) features 109 elements included in the inventory, which, as of this writing, has increased to 321 items.

Two elements of Philippine intangible heritage have been inscribed in the Representative List of the Intangible Cultural Heritage of Humanity: the *Hudhud* Chant of the Ifugao (2001) and the *Darangen* Epic Chant of the Maranao People²³ (2005). The *Hudhud* has also been included in the 19 Masterpieces of the Oral and Intangible Heritage of Humanity.

A third submission, the *punnuk*, is currently under consideration by UNESCO. In conjunction with similar traditions in Vietnam, Cambodia and South Korea, the Philippines has submitted for consideration tugging rituals and games of which the *punnuk*, still played by the Ifugao of Barangay Hapao in the Municipality of Hungduan, is representative²⁴. The ICH unit is currently documenting similar games of other cultural communities that may serve as additions to the nomination.

The most sensitive part of the ICH unit's function is documenting intangible heritage elements in their original socio-cultural context. This means including actual and social processes prior to, and as consequences of, the cultural event. The unit's documentation team performs these tasks always in situ. In relation to this, the ICH unit head notes that the actual manner of transmission within the community where a tradition is found plays a big factor in the success of safeguarding efforts. For example, the *Hudhud*²⁵ can be sung by anybody and heard by everybody in a non-ritual setting, thus, with the school system helping with its continued recital, the chant has a good chance of remaining in use. The *Darangen*, however, is performed only during wedding celebrations and because it uses archaic vocabulary it can only be performed and understood by a select few, thus it is a little more difficult to ensure that the tradition survives.

Inventories

The Heritage Law (RA 10066) provides for the establishment of the Philippine Registry of Cultural Property (PRECUP)²⁶, which enumerates all cultural property deemed important to the country's cultural heritage.

The NCCA has been tasked with the operation and maintenance of the PRECUP. The portal cultural databank uses MySQL data management system and can only be accessed within the NCCA in order to ensure confidentiality. All cultural agencies are to individually maintain

²³ The Darangen is an ancient epic song comprising 17 cycles and a total of 72,000 lines. The Darangen celebrates episodes from Maranao history and the tribulations of mythical heroes. UNESCO, 'Darangen epic of the Maranao people of Lake Lanao' on Silk Roads Dialogue, Diversity and Development at <https://en.unesco.org/silkroad/silk-road-themes/intangible-cultural-heritage/darangen-epic-maranao-people-lake-lanao> (last accessed 5/5/2019).

²⁴ According to Norma A. Respicio, Professor of the University of the Philippines, 'The punnuk is a tugging ritual participated in by the village folk from three communities in Hungduan, Ifugao in Northern Luzon, Philippines. It is performed at the confluence of Hapao River and a tributary as the very final ritual after rice harvest. Its consummation brings to a close an agricultural cycle and signals the beginning of a new one.' Norma A. Respicio, Punnuk: The Tugging Ritual in the Philippines in Tugging Rituals and Games and ICH Communities in Asia at the The International Information and Networking Centre for Intangible Cultural Heritage in the Asia-Pacific Region under the auspices of UNESCO (ICHCAP) at http://www.ichcap.org/eng/ek/sub13/pdf_down/2015/02-2.Punnuk%20The%20Tugging%20Ritual%20in%20the%20Philippines.pdf (last accessed 5/5/2019).

²⁵ As described on the List of the Intangible Cultural Heritage of Humanity, 'The Hudhud consists of narrative chants traditionally performed by the Ifugao community... It is practised during the rice sowing season, at harvest time and at funeral wakes and rituals. Thought to have originated before the seventh century, the Hudhud comprises more than 200 chants, each divided into 40 episodes. A complete recitation may last several days.' UNESCO, 'Hudhud chants of the Ifugao' on Intangible Cultural Heritage, 2008 at <https://ich.unesco.org/en/RL/hudhud-chants-of-the-ifugao-00015> (last accessed 5/5/2019).

²⁶ <https://ncca.gov.ph/philippine-registry-cultural-property-precup/> (last accessed 5/5/2019).

their own inventory, evaluation and documentation of properties that each one has declared and are to contribute their lists to the PRECUP.

Local government units are required to document traditional and contemporary arts and crafts items, processes and makers. They are also expected to give due notice to the Registry of Deeds of all immovable heritage with high cultural significance within their jurisdiction. Copies of local government unit lists should be provided to the NCCA.

Private collectors and owners of cultural properties are also instructed to register their properties in the PRECUP. There has been some resistance to this, and a clarification was issued stating that enlisting, and hence identification as being part of the Philippine's cultural heritage, does not transfer ownership of the properties to the State.

It should be noted that even before the advent of the PRECUP, many communities, municipalities and provinces had undertaken (or are currently undertaking) cultural mapping exercises in preparation for their own culture-based development programmes. These inventories, however, have not been shared or stored in one central registry.

Cultural tourism

The Philippine Development Plan of 2011-2016 identified tourism as one of the key industries that will significantly contribute to the competitiveness of the Philippines and to its inclusive growth agenda. To achieve this the Department of Tourism (DOT) is implementing the National Tourism Development Plan (NTDP) 2011-2016, and has prepared the NTDP 2016-2025, with particular attention given to the Tourism Infrastructure Program. Cultural Tourism, as one of nine items in the NTDP's product portfolio, has developed the following projects in this regard:

- Capacity building to introduce among conservation specialists and site managers that tourism and conservation are not mutually exclusive, and that both conservation and tourism can work together to manage and protect site sustainability
- Awareness raising, through all forms of media, introducing Filipinos to internationally and nationally protected natural and cultural sites
- Increase the number of internationally protected sites under UNESCO programmes

4.2.3 Cultural industries: policies and programmes

Cultural industries and creative industries

A survey of the NCCA's annual reports shows a preference for the term cultural industries as opposed to the creative industries. The term first appeared in the NCCA's 2002 Annual Report, in relation to the agency's *Culture and Development Program*, which highlighted the need for 'strengthening social infrastructure and developing cultural industries for sustainable development in local and national levels'.

In the 2004-2010 Medium Term Philippine Development Plan for Culture and the Arts (MTPDP-CA)²⁷, cultural industries fell within one of seven priority strategies in response to the national goal of human and economic development under the heading *Promotion of Culture and Arts*. The term here referred to 'the production of traditional and contemporary crafts and products such as weaving, pottery, musical instruments, basketry, music, films, and performing

²⁷ <https://ncca.gov.ph/mtpdpca-2004-2010/> (last accessed 5/5/2019).

arts’ and ‘programmes boosting local cultural tourism at heritage sites and special events including the production of effective promotional and reference materials and training of tour guides and site staff’.

It was only in the 2015 Annual Report that creative industries appeared, under the programme on *Culture and Sustainable Development*. This programme was established in order to achieve: sustainable cultural development through the advancement of inclusive peace and development efforts; recognition of cultural rights of Filipinos; and institutionalisation of responsive, area-focused, adaptive, proactive, sustainable and resilient culture and development programmes and projects in both urban and rural areas. It also aimed to strengthen social infrastructure and local economic activities by supporting the development of creative industries. The term creative industries was applied to craft production in cultural communities. Elsewhere in the report there are references to creative production ‘rooted in traditional cultures, merged with creative, modern experiments’. Whichever term is used, there is a focus on ‘the potential for wealth creation and income generation’ (in the words of the Jodhpur Initiatives of 2005²⁸), however, the NCCA is also concerned that the content of the creative output bears the imprint of Philippine culture.

In contrast, the Department of Trade and Industry (DTI) emphasises commercial success from the application of creative talent and intellectual property. In 2010 the Cultural Center of the Philippines, the Associated Broadcasting System, and the Chronicle Broadcasting Network (CCP-ABS-CBN) Bayan Foundation Inc. published the paper *Philippine Creative Industries Mapping: Towards the Development of a National Strategy*, which aligns with the DTI’s trade-oriented approach. The paper stresses the role of individual creativity (creative originators) in generating knowledge-based products and services that have considerable impact on the economy.

Copyright-based industries

The considerable contributions of the creative industries to the Philippine economy are best presented by the Intellectual Property Office (IPO) of the Philippines and their studies on the performance of the country’s copyright-based industries (CBIs). In 2006 the IPO estimated that CBIs contributed 4.82% to the Philippines’ GDP and 11.1% of the total labour force. By 2014 these numbers had gone up, to 7.34% of the GDP and 14.14% of total employment.

IPO studies further show that the press and literature subsector have the most number of organisations and employs the largest number of people, when compared across organisations engaged in economic activities driven by intellectual property that employ 20 or more workers. The publishing industry, however, shrank in 2012 and was the only area that showed a downturn among core CBIs. The music, theatre and opera subsectors grew exponentially over the last 12 years, as did the number of people employed in the motion picture and video group. The visual and graphic arts subsector expanded considerably, most likely driven by market demand from abroad.

²⁸ ‘The Jodhpur Initiatives for Promoting Cultural Industries in the Asia-Pacific Region...establish a policy framework and a long-term plan of action. This plan of action is intended to facilitate recognition of the cultural industries sector and its needs, as well as to encourage the conditions conducive to the development of the cultural industries sector, through coordination and investment in key areas such as: human resource development, information and communication technology (ICT) infrastructure, intellectual property rights regimes, small and medium size enterprise (SME) support policies, and targeted promotional and export measures.’ Richard A. Engelhardt, ‘A vector for sustainable development’ at <https://www.india-seminar.com/2005/553/553%20richard%20a.%20engelhardt.htm> (last accessed 5/5/2019).

Import and export figures confirm these trends. The Philippines was a net importer both in 2003 and 2012 of printed matter and recorded media, but a net exporter of visual and graphic arts. Figures further show a sharp drop in the national trade in copyright-based products in 2012 when compared to 2003. Core copyright-based products also made up less than 1% of national trade in both years, with both imports and exports dropping in the nine-year period.²⁹

The creative industries campaign

The CCP-ABS-CBN Bayan Foundation³⁰ study, carried out with the support of a grant from the NCCA, may be viewed as a fulfilment of one of the key elements of the Jodhpur Consensus, namely the establishment of baseline data pertaining to the socio-economic development potential of the cultural industries in the country.

The Consensus was a declaration of political will to embed the cultural industries of the Asia-Pacific region within its social and economic development goals, strategies and programmes. It emerged from the February 2005 Senior Experts Symposium on Asia-Pacific Creative Communities in Jodhpur, Rajasthan, India, convened by UNESCO, the United Nations Industrial Development Organisation (UNIDO), the World Intellectual Property Organisation (WIPO), the Asian Development Bank (ADB) and the World Bank (WB), at which the Philippines was one of 28 participating countries. The Philippine response to the initiative was prompt, with the first forum held in September of the same year at the Cultural Center of the Philippines (CCP). Entitled *Nurturing the Creative Industry in the Philippines*, it featured speakers from the UK, who introduced the concept of the creative industries, and from Hong Kong, who shared their mapping methodology. The conference also provided an opportunity for those involved in literature and publishing, film, music, broadcast arts, drama and dance, architecture and design, crafts, visual arts, new media, cultural heritage and cultural tourism to establish development strategies for their respective subsectors. Among the resolutions from the conference were the conducting of a baseline study of creative industries in the country as well as the drafting of a National Development Plan for the creative industries.

Support for the growth of the creative industries

While public interest in the creative industries discourse seems to have decreased, advocacy for the enlarged role of the creative sector in the economy has persisted. A major success to date is in the education sector (often referred to as **creative enablers** by advocates). The Department of Education (DepEd) restructured the 10-year school system to the K-12 programme, signifying that students are now being prepared for tertiary education, middle-level skills development, employment or entrepreneurship in an area of their choice, one of which is the Arts and Design Track. This will result in schools from all over the country inserting fresh talent into the creative industries labour pool.

In order to support this growth in education in the creative industries, the Commission on Higher Education (CHED) is developing teacher education courses to implement the new Grades 11 and 12 Arts and Design Track curriculums and is currently undertaking the writing of course modules to be adopted by other Teacher Education Institutions. In addition, the Technical Education and Skills Development Authority (TESDA) collaborated with NCCA to

²⁹ Intellectual Property Office of the Philippines at <https://www.ipophil.gov.ph/> (last accessed 5/5/2019).

³⁰ ABS-CBN BAYAN Foundation is a social development institution committed to improve the lives of low income Filipino Families by providing them opportunities to gain financial freedom and obtain access to better education, health and housing.

conduct Trainers/Assessors Methodology Trainings to standardise competencies for Artists-Trainers. The agencies have also begun to standardise accreditation of competencies for artists, trainers and students in arts-based fields so that learners can be hired, recognised professionally and compensated based on their level of proficiency.

Another contributing factor to the growth of the creative industries is the re-engineering of the Product Development and Design Center Philippines, due to the enactment of the Design Law (RA 10557) in 2012. The new Design Center is tasked with the formulation of a National Design Policy that sets design as a driving force towards sustainable economic growth and development.

Meanwhile, the Board of Investments (BOI) has listed the creative industries and knowledge-based services among its preferred activities in the 2014-16 Investment Priorities Plan. The Plan mentions the value of cultural properties, treasures and/or artefacts, as well as the importance of promoting more Public-Private Partnerships (PPP) in order to respond to the needs of creative enterprises in the areas of talent supply, financing and ease of doing business, market access, promotion and marketing.

4.2.4 Cultural diversity and inclusion policies

There exists two ways of describing the ethno-linguistic composition of the Philippines: one emphasises the separate “races” who arrived over time and who became the originators of descent groups that maintain their fundamental differences, while the other, supported by archaeologists of the Pacific and Asia, recognises a single source of all the languages presently spoken in the Philippine archipelago (except for the obvious foreign languages as Mandarin, Spanish and English, which are also widely spoken). The former is an out-dated perception that separates the population into a pygmy people known as the *Agta*³¹ and Malay and Indonesian peoples who have further subdivided into clusters held together by belief in different religions.

These distinct linguistic frames shift the narrative from race to culture, that is from a discourse of a racially distinct “majority” dominating “minorities”, to that of an essentially similar people sharing a unitary linguistic and cultural heritage. This latter narrative is obscured by the historical forces, mostly brought about by four hundred years of colonisation, which created a divide between the majority population of Austronesian speakers who accepted colonisation early and a minority of Austronesian speakers who came late into modernisation. The split of the Austronesian peoples of the Philippines into dominant and peripheral cultures has sustained the old narrative of distinct racial types. Currently, State institutions, such as the National Commission on Indigenous People (NCIP), operate under the unquestioned premise that historical marginalisation defines indigenous people, thus officially eclipsing the fundamental relatedness of all Philippine peoples (all Austronesian language speakers of the Philippines) and intensifying historically produced division.

Some 20 million Filipinos are regarded both popularly and officially as indigenous people, including groups that follow Islamic faith. However, in spite of the fact that there is a common ethno-linguistic composition between peoples, there are still segments of a single culture dominating others. The statistical evidence that demonstrates this inequality may be summarised as follows:

³¹ The Agta are an indigenous people who live in isolated mountainous parts of the island of [Luzon](#), the [Philippines](#).

- Five languages³² dominate more than 165 languages.
- Most Filipinos are principal speakers of one of the five dominant languages, and therefore have reduced fluency in their own Austronesian languages.
- Those classified as indigenous people, who number about 20 million, consist of ethno-linguistic groups that, in large measure, have less than 100,000 speakers.
- There are languages in the Philippines that have less than a dozen speakers.
- Marginalised communities often speak one of the five majority languages.
- The establishment by law of the aforementioned NCIP institutionalised State intervention to assure the survival of the ethno-linguistic groups.
- Groups are marginalised by their continued adherence to pre-colonial ways of life. The work of the NCIP focuses on assisting claimants to Ancestral Domain Title and providing capacity building processes to make it possible for their principal stakeholders to transition into large-scale economies with full knowledge of their choices.

The NCIP does not work directly in the arts and culture field, largely partnering with the NCCA's Sub-Commission on Cultural Communities and Traditional Arts (SCCTA) in projects that require cultural work. The NCIP does not address issues concerning marginalised sub-groups of dominant Philippine Austronesian speakers.

4.2.5 Language issues and policies

The national language of the Philippines is Filipino. However, the Philippine Constitution of 1987 also provides that apart from Filipino, for purposes of communication and instruction, and, until otherwise provided by law, English is recognised as an official language. Spanish and Arabic can also be, as provided by the Constitution, 'promoted on a voluntary and optional basis'.

Most Filipinos are fluent in more than three languages, more often in two or three living Philippine languages. Linguists have shown that Philippine languages are descended from one Austronesian language that arrived from South Taiwan through Batanes and downwards into the archipelago some 2,500 to 4,000 years ago. All Philippine languages are recognised. As of 2015 the number of languages is officially counted at 131 according to the *Komisyon sa Wikang Filipino*³³ (Commission on Filipino Language). However, the Ethnologue/Summer Institute of Linguistics has recorded 170 living indigenous languages. As the national language matures and prospers, it is further developed and enriched by both existing indigenous and non-indigenous languages.

On the basis of a provision in the Philippine Constitution of 1987, and in compliance with Republic Act 7104 of 1991, the *Komisyon sa Wikang Filipino* was established 'to ensure and promote the evolution, development and further enrichment of Filipino as the national language of the Philippines on the basis of existing Philippine and other languages. To this end, the Government shall take the necessary steps to carry out said policy.' The government has taken steps to sustain the use of Filipino as a medium of official communication and as language of instruction in the educational system. Apart from Filipino, 19 languages have been identified

³² Filipino and English are the official languages of the Philippines, the indigenous languages of Tagalog, Cebuano, Ilocano and Hiligaynon each have more than 10 million native speakers.

³³ <http://kwf.gov.ph/> (last accessed 5/5/2019).

by the Department of Education for use in the formal public education system within the framework of the Mother Tongue-Based Multilingual Education (MTB-MLE), where learners begin with their known language. From kindergarten to Grade 3, pupils learn in their mother tongue, then from Grade 4 in the national language, Filipino, and learn English in the higher levels. Books for relevant levels of instruction and subject matter for both public and private schools are in the national language.

In the cultural sector, the Cultural Center of the Philippines uses Filipino as the principal language. A number of museums have operationalised programmes bilingually, with Filipino as the primary language and English the secondary. Depending on their programmes, some also deploy a third (and fourth) language, Philippine or foreign. In the pursuit of the use of Philippine languages, there have been new works for theatre in Filipino and revivals of old work in the national language, as well as translations of Asian, American and European drama into Filipino. Most, if not all, film productions are in Filipino, although the dialogue could be generously interlarded with other languages, most often American English as wielded in the Philippines. In many competitive programmes, proposals for cultural projects to be implemented in the national language or other Philippines languages enjoy an advantage, an informal measure that supports both creation and dissemination of culture in Philippine languages. In the same vein too are: the according of the rank of National Artist where laureates in the Philippine languages are distinct from those who write in a foreign language, more often than not, in American English, and the conferment of the rank of Gawad sa Manlilikha ng Bayan (GAMABA, or National Living Treasures), the latter reflecting considerable recognition of chanters of epics in indigenous languages.

The main debate in the use of Philippine languages has been the issue of Filipino being largely based on Tagalog, the language of the Philippine capital and the surrounding provinces. There is also discussion around the classification of tongues as languages or dialects, in which speakers resist classification of their tongue as variant or dialect, and maintain their tongue to be a separate major language.

Another area of contention is with regards to translation and orthography, especially in the spelling of borrowed words that have been translated in a Philippine language. In 2014 the Komisyon sa Wikang Filipino released guidelines on phonemic representations in Philippine languages and dialects, based on the Modern Philippine Alphabet adapted in 1987.

4.2.6 Media pluralism and content diversity (including censorship)

The Philippines is well known for its outspoken media, which has been described as among the freest in Asia and the world, and freedom of expression has been exercised for more than a century. Journalism thrived under American tutelage in the early 20th century under colonial rule. This tradition of press freedom intensified further, instead of eroding, during 21 years of Martial Law. Many of the Philippines' most highly regarded media personalities were, and are, staunch defenders of democratic principles.

At the same time, it is also important to highlight the limited media ownership through most of the 20th and 21st centuries. Less than five corporations, whose majority interests belong to single families, own television networks. These families come from entrepreneurial and overtly political backgrounds, some have become political through their control of network television. This ownership profile is also similar to that of broadsheet and tabloid newspapers. Radio, which still remains the provider of information for most of the Philippine population and to the poor in particular, has a more diverse ownership profile and provincial radio stations thrive. Instead of contributing to greater democratisation of media however, radio content has for

decades been dominated by a predominantly conservative rhetoric. Morning radio in particular has been a consistent purveyor of sensationalised, often anti-democratic, sentiments and notions. Finally, it should be noted that the Philippines' most respected journalists denounce the corruption in the industry. Low income levels for the provincial media, the highly seductive pull of power mongering for both provincial and national media and the extreme rigours imposed by the profession, have contributed to the high level of media corruption.

While the Philippine government runs a State media agency, the country has not had a true public news agenda independent of the State's information dissemination and propaganda imperatives. Because of this lack, Filipinos' media fare is mediated by commercial and political vested interest. This situation is salvaged in part through the tradition of responsible journalism practiced by individuals and cohorts. Ethical journalists are able to provide a significant volume of information on current events through news programmes on free television, which is watched by the majority of Filipinos. Content provided on free television is locally produced, a marked contrast with the foreign content of cable television. Free and cable television, just like tabloid and broadsheet papers, mark a class divide in the Philippines, with the former the province of the poor and the latter that of elite and middle-class consumers.

Domestic content in the Philippine media is an extremely active field that produces a continuous stream of popular music in major languages and English, variety shows that have of late taken up the American style reality TV genre and long-running melodrama series. Offered in close proximity to this programming, news programmes on free television aspire to appeal to the masses and produced for sensationalistic impact. This production styling is in marked contrast to straightforward news delivery on cable television.

Extensive social media use among Filipinos over the last decade has substantially altered the media landscape. With the Philippines ranking second in the world (after Indonesia) for per capita internet use, the traditional media has suffered a great loss of authority as well as audience and readership. While the internet has the capacity to amplify diverse voices in a democratic way, it also provides a space for discourse by anti-democratic forces.

The contests that have profound cultural impact are not those that pertain to the art and culture field per se, but rather those between traditional and new media. The few art and culture shows on television, and the coverage in broadsheets of art and culture events, may be described as having little impact beyond the small segments of the middle and upper classes. Their audience is a minority population. The effect of enormous financial outlays on the cultural fabric of the country may instead be understood from the obviously expensive campaigns to manipulate online discourse for political purposes.

In sum, media in the Philippines, traditionally supporting the principle of journalism as the Fourth Estate of democracy, has prevailed in the past against the curtailment of its privileges and responsibilities, even during a two-decade long dictatorship. It has traditionally promoted a diversity of views and maintained a preferential treatment for the minority, impoverished and powerless members of society, despite the ownership of media enterprises limited to a few families. This proud tradition of Philippine media is presently under grave threat by vested interest appropriating and subverting the democratising potential of interactive digital media.

4.2.7 Intercultural dialogue: actors, strategies, programmes

Dialogues between Christian, Muslim and indigenous cultural groups have long been a major issue in the Philippines. With the current President hailing from Mindanao, "tri-people" concerns will surely become a top priority.

The rift in the cultures of the three groups reaches back to the Spanish colonial period. The colonisers classified the natives into three groups: *indios*, whom they had resettled in lowland towns under the administration of civic and religious representatives of Spain; *Moros*, those who had embraced Islam and resisted Spanish rule and Christianity; and *infielos*, indigenous communities who fled (or were driven) to the hinterlands where they enjoyed relative security and were able to preserve their own cultures. In time, the lowland *indios* benefitted from the favour of the colonisers and became the dominant segment of the population. This led to mutual feelings of suspicion, fear and hostility between Christians and non-Christians.

The situation remained unchanged under American colonial rule. Transposing their experience with American first nations, the new colonisers allowed non-Christian Filipinos to retain their tribal organisation and governments, subject to regulations against so-called barbarous practices. The government policy toward non-Christians was that of assimilation and integration, which was carried forward into the new Philippine Republic. This goal to integrate non-Christians into mainstream Philippine society was compromised however by the wholesale displacement of Moro and indigenous tribes from their ancestral lands in Mindanao by Christian settlers from Luzon and the Visayas.

The 1973 Constitution carried for the first time a provision for cultural minorities, guaranteeing that their customs, traditions, beliefs and interests shall be considered in the formulation of State policies. But by this time, the government was under a dictatorship and indigenous peoples lost their lands in order to make way for huge government projects, such as hydro-electric power dams, the timber, mining and cattle ranching activities and the palm oil and sugar plantations of Marcos cronies. This caused forced resettlement of indigenous peoples into reservations and led to widespread militarisation and intimidation, especially in Mindanao.

With the restoration of democracy, the government took the opposite policy of preservation. Three offices were created: the Office of Muslim Affairs, to look after the affairs of cultural groups that were neither Christian nor Muslim; the Office of Northern Cultural Communities; and the Office for Southern Cultural Communities. (The two latter offices were later abolished with the creation of the National Commission for Indigenous Peoples or NCIP in 1997.) Furthermore, the new Constitution of 1987 recognised the rights of indigenous peoples to their ancestral domains and lands, signalling the commitment of the State to promoting and preserving their ways of life.

Because Muslim Filipinos have long enjoyed sophisticated and inter-related political organisation (dating back centuries), they have successfully engaged the government in dialogues over several decades. The last round of peace talks between the Philippine government and the Moro Islamic Liberation Front (MILF) took nine years and 32 negotiations, ending with an agreement to replace the failed Autonomous Region of Muslim Mindanao (ARMM) with an autonomous political entity called Bangsamoro. The Framework Agreement on the Bangsamoro was approved in 2012.

Intercultural, multicultural and inter-religious programmes and activities

An innovative series of discussions was carried out by the group i-Emergence Incorporated in Mindanao in 2013 to elicit the cultural perspective on the Peace Process that had culminated in the 2012 Bangsamoro Framework. The Bangsamoro Cultural Advocacy Project engaged community leaders among Christians, Muslims and indigenous groups, the academe, cultural stakeholders and local partners in a series of Focus Group Discussions (FGDs) and Key Informant Interview (KII) using a storytelling approach (Appreciative Inquiry). Several action points emerged from the narratives:

- Recognise, reclaim and re-energise the tribal justice system and the council of elders (which includes women) in current governance, ideally a community-based tri-people dialogue process.
- Create an institution to oversee the development of cultural programmes and heritage centres for the appreciation, assertion and inter-generational transmission of the arts and cultures in Bangsamoro.
- Delineate indigenous people’s ancestral domain and lands, specifically, create an independent Cultural Dialogue Council to help ensure mutually respectful relations among the religious, cultural and indigenous communities of the Bangsamoro territory regarding land conflict and natural resources.
- Strengthen traditional healers and their practice through a research and training centre for traditional healing and medicine.
- Organise, train and provide technical assistance to fisher-folk, farmers, craft people, weavers, traditional foresters and artisanal miners for the sustainable enhancement of traditional and modern agriculture.
- Revive basic cultural practices and values by integrating culture and traditions into the curriculums of the Department of Education across subjects as well as a partnership with NCCA’s Schools of Living Traditions and other learning processes.

Infrastructure, cultural institutions and centres established for intercultural purposes

While the NCIP continues to address the concerns of indigenous cultural communities regarding their ancestral domains and lands, it is the NCCA that operates a special section dedicated to promoting intercultural exchanges among the different cultural communities in the country. The Cultural Communities and Traditional Arts Unit convenes regular meetings with members of the Sub commission bearing the same name. This body is comprised of representatives of 45 ethnic groups from the three island clusters and 17 regions of the country, many coming from non-government and people’s organisations. The island clusters select a set of officers every three years (an officer’s term is renewable once) and from among them a Commissioner who sits on the Board of the NCCA is chosen.

One of the Subcommission’s, indeed the NCCA’s, flagship projects is the *Dayaw Festival*³⁴, a yearly gathering of delegations from the different cultural groups. A different locality is chosen every year for the venue. There, indigenous peoples share aspects of their culture with one another, such as cuisine, music, crafts and games. There are other components to the festival like fora, performances, exhibitions, arts and crafts markets and a film festival with films by or featuring indigenous people. The format of the festival is progressive enough to allow for innovations, such as blends of ethnic musical elements with contemporary riffs, and installations by visual artists using themes and materials found in indigenous peoples’ environment.

4.2.8 Social cohesion and cultural policies

Social harmony, community, fellowship are core values among Filipinos. Even in the inner cities of Metropolitan Manila traces of *bayanihan*³⁵, the ethic of mutuality and support among

³⁴ <https://ncca.gov.ph/2018/09/19/dayaw-festival-2018-in-capiz/> (last accessed 5/5/2019).

³⁵ The bayanihan is a Filipino custom derived from a Filipino word “bayan”, which means nation, town or community. The term refers to the spirit of communal unity, work and cooperation to achieve a particular goal. See more at <https://themixedculture.com/2013/09/25/filipinos-bayanihan/> (last accessed 5/5/2019).

neighbours and town mates, may still be observed. The town fiesta is a cultural structure that reinforces this social unity. In sites of original *pueblos*, this is celebrated on the feast day of the town's patron saint.

The fiesta is an element of local culture that migrants recreate in their adopted places, in order to get together with others from their hometowns. The Cebuano population of Manila, for instance, observes the feast day of the Santo Niño on the same day as their relatives back home. This practice of replicating the town fiesta may even be observed among Filipinos living abroad, as, for example, the recreation of the Cebuano Sinulog Festival³⁶ in San Francisco and Maryland in the United States.

Local government units organise an annual festival timed to commemorate the foundation day of the town, city or province. Most have taken an economic agenda when creating their own festivals, with yearly celebrations themed around the product or service on which the locality has a competitive advantage in order to double up its function as a marketing, or branding, tool.

In Mindanao, where ethnic diversity is most pronounced, these festivals are used to promote social cohesion. These government-sponsored celebrations bring the three groups of people together: Christian migrants, Muslims and indigenous communities of the area. The *Kadayawan*³⁷ of Davao is one commercially successful example.

On the national level, social cohesion became a political priority in the period between 2004 and 2010 when, following the directive of then President Gloria M. Arroyo, the NCCA added Culture and Peace to its seven-point agenda. Arroyo believed culture was a catalyst for values formation and human rights education, stating that “culture not only reflects but moulds moral standards. My vision is to mobilise culture to improve moral standards in society to provide a strong foundation for good governance and in the process win the fight against poverty and corruption”.

The NCCA then designed its programmes and projects around themes such as good citizenship, cultural diversity, peace advocacy, and ‘bringing public service to the realm of the arts to aid social growth’. One of these programmes was the Cultural Care-giving Services, an inter-agency activity aimed at capacity and confidence building among groups in difficult situations. These groups included the differently-abled, street kids, at-risk youth, prisoners, out of school youth, victims of trauma and abuse, victims of climate change disasters and other calamities, those entering drug rehabilitation centres and havens for abused women and children, and persons displaced by armed conflicts. The programme was so well received that the Technical Education and Skills Development Authority (TESDA) adopted it as part of their vocational and technical course offerings.

Current NCCA policies still place a high value on this issue. Explaining NCCA's vision of ‘Filipino culture as wellspring of national and global wellbeing’, the 2011-2013 Annual Report states that ‘human wellbeing shall consider living standards, health, environment, good social relations, security, and freedom of choice and action.’ The same report also says that for the period 2015-2017, its policies will be guided by the thinking that ‘culture shall be the foundation for peace and unity among Filipinos; and that pride in our culture and identity will spur nationalism in all aspects of civic, social and political life and lead to national renewal.’

³⁶ Originally celebrated in the City of Cebu, the Sinulog Festival is a religious celebration to honour Santo Niño (child Jesus). <https://www.facebook.com/SinulogFoundationOfficial/> (last accessed 5/5/2019).

³⁷ Held annually in August, the Kadayawan Festival is a thanksgiving to nature for the harvest and life, held in the city of Davao in the Philippines. <https://www.facebook.com/kadayawanfest/> (last accessed 5/5/2019).

4.2.9 Employment policies for the cultural sector

Employment Statistics on Cultural Workers

The Annual Survey of Philippine Business and Industry released by the Philippine Statistics Authority can provide an insight into the economic health of the creative industries. The survey conforms to the International Standard Industrial Classification (ISIC) Revision 4 prescribed by the United Nations, modified to suit the requirements of Philippine conditions. The 2009 Philippine Standard Industrial Classification (PSIC) was used for the first time in the 2010 survey of businesses. The study is confined to the formal sector and includes corporations and partnerships, cooperatives and foundations, single proprietorships and single proprietorships with branches. It covers 18 economic sectors, one of which is Arts, Entertainment and Recreation. Unfortunately, this classification includes, along with ‘creative, arts and entertainment’ and ‘library and archives, museums and other cultural activities’, gambling and betting activities, sports activities and other amusement and recreation activities. Of these industry clusters, the best economic profile belongs to the gambling and betting group.

The following table shows the survey results from 2010 and 2013. The significant drop in the total number of establishments in the industry group is due to differences in sampling design. The 2010 survey counted establishments with at least ten employees while the 2013 included only those with 20 or more employees.

Notwithstanding the decrease in the number of establishments counted, the surveys showed certain tendencies worth noting. For both years, the creative, arts and entertainment activities group has the lowest share of gross revenue earnings in the Arts, Entertainment and Recreation Sector. Similarly, the value added by those activities is the lowest in the Sector and according to the survey’s analyst, workers in this group are the least ‘labour-productive’. The revenue-to-cost ratio fell in three years, from a break-even in 2010 to negative territory in 2013. This may explain why subsidies to the creative, arts and entertainment group rose from 89.6% to 94.8% in the later survey year.

Table 1. ASPBI Survey of Arts, Entertainment and Recreation Establishments³⁸

	2010 (Released 2013)	2013 (Released 2016)
Number of establishments in Arts, Entertainment and Recreation Sector	1,861	233
Percentage of establishments engaged in creative, arts and entertainment activities	4.3% (80 establishments)	11.6% (27 establishments)
Percentage of libraries, archives, museums and other cultural activities	0.9% (16 establishments)	3.9% (9 establishments)
Workers engaged in creative arts and entertainment activities	1,668	1,373

³⁸ The source for the table is the Philippine Statistics Authority.

Workers in libraries, archives, museums and other cultural activities	1,141 (2.8% of total employment of 41,100 in this sector)	536
Total compensation paid by the Arts, Entertainment and Recreation Sector	PHP 11.1 billion, an equivalent of PHP 286,081 average annual compensation per paid employee	PHP 4.5 billion, an equivalent of PHP 299,577 average annual compensation per paid employee
Total compensation paid by creative, arts and entertainment activities	PHP 118.1 million (1.1%) [the lowest]	PHP 299.8 million
Average annual compensation of workers in creative, arts and entertainment activities	PHP 179,137	PHP 397.7 thousand [second highest]
Average compensation paid by libraries, archives, museums and other cultural activities	PHP 164,977	PHP 389.7 thousand
Gross revenue earned by the Arts, Entertainment and Recreation Sector	PHP 58.3 billion	PHP 28.5 billion
Gross revenue earned by creative, arts and entertainment activities	PHP 370 million (0.6%) [the lowest share]	PHP 758.1 million (2.7%) [the lowest share]
Revenue to cost ratio of operating creative, arts and entertainment activities and libraries, archives, museums and other cultural activities	1.0	0.89
Value added by creative, arts and entertainment activities	PHP 76.9 million (0.2%) [the lowest]	PHP 291.6 million (2.2%) [the lowest]
Value added per worker in creative, arts and entertainment activities	PHP 46,112	PHP 212.4 thousand (least labour productive)
Subsidies granted to Arts, Entertainment and Recreation Sector	PHP 117.2 million	PHP 213.1 million
Subsidies granted to creative, arts and entertainment activities	PHP 105 million (89.6%) [the highest]	PHP 202 million (94.8%)

Source: Philippine Statistics Authority

There are two more significant findings from the 2013 Survey. The first is that most of the establishments engaged in the Arts, Entertainment and Recreation Sector are concentrated in the areas nearer the National Capital Region. The second finding is that in the entire Arts, Entertainment and Recreation Sector, only the creative, arts and entertainment activities registered sales from e-commerce transactions. In 2013 earnings from e-commerce amounted to PHP 7.3 million.

Following the World Intellectual Property Organisation (WIPO) Guide on Surveying the Economic Contribution of the copyright based industries (CBI), the Intellectual Property Office of the Philippines (IPOPPL) conducted a baseline study in 2006 to determine the economic contribution of copyright and related rights industries to the country's Gross Domestic Product (GDP). These CBIs are 'industries that wholly engage in the creation, production and manufacture, performance, broadcast, communication and exhibition or distribution and sales of works and other protected subject matter'. It is one of four groups considered in the study, the other three being interdependent, partial and non-dedicated support CBIs in which activities relate in lesser degrees to the creation and production of the protected subject matter. Copyright factors for these, determined by the WIPO Singapore research team, were used to prorate their CBI's earnings. Using data from the National Statistics Office (since renamed Philippine Statistics Authority) and using 1999 as its reference year, the study, published by the WIPO in 2008, estimated that the contribution of CBIs to the GDP of the Philippines was 4.82%. These CBIs employ approximately 11.1% of the total number of employees of large establishments. Core CBIs alone contributed about 3.54% to the GDP and employed 8.81%.

In 2014 an update of the study was released, using 2010 data. In the ten years between the reports and their data, the contribution of CBIs to the GDP had increased to 7.34% and its share of total employment had gone up to 14.14%. The table below compares employment figures for the years 1999 and 2010.

Table 2. Employment in copyright-based industries³⁹

CBIs	Employment 1999	Employment 2010	% change per year
Core:			
Press and Literature	177,376	109,654	4.01
Music, theatre, opera	23,099	72,489	9.53
Motion picture and video	3,022	13,464	12.45
Radio and television	12,777	62,146	13.18
Photography	1,002	6,740	15.88
Software and databases	27,607	70,969	7.87
Visual and graphic arts	85	79,272	37.84
Advertising	6,502	6,848	0.43

³⁹ The source for the table is the Intellectual Property Office of the Philippines.

Interdependent	41,085	134,036	9.85
Partial	6,266	44,875	16.41
Non-dedicated support	17,965	29,224	4.05
TOTAL	316,785	558,418	4.72

Source: Intellectual Property Office of the Philippines

Policies and strategies to stimulate employment in the cultural field

The Medium Term Philippine Development Plan for Culture and Arts (2004-2010) sought to encourage the generation of jobs or livelihoods from cultural tourism and cultural industries, specifying the following two strategies:

- support the production of traditional and contemporary crafts and products such as weaving, pottery, musical instruments, basketry, music, films, and performing arts, to be done in co-operation with the Department of Trade and Industry (DTI) and other concerned agencies; and
- continue the partnership with the Department of Tourism (DOT) on the development of programmes particularly in boosting local cultural tourism. Maximise the educational value of heritage sites and special events for tourists through the production of effective promotional and reference materials and the training of tour guides and site staff.

These strategies extend into the NCCA's Action Plan for 2016-2017, which are reflected in the following themes:

- Professionalising heritage conservation work by:
 - Increasing the number of conservation programmes and/or projects implemented at various stages of conservation work;
 - Conducting cultural mapping to serve as basis for developing cultural industries;
 - Developing heritage conservation models;
 - Increasing the number of heritage and ecotourism sites.
- Strengthening creative enterprises of cultural communities towards economic sustainability by:
 - Strengthening the capabilities and potentials of cultural workers for better work performance;
 - Enriching traditional arts and crafts as well as eco-cultural tourism products;
 - Increasing social enterprises focused on arts and crafts in rural areas.
- Developing a heritage-based creative economy by:
 - Increasing arts and culture activities in the regions;
 - Maximising potential for resource generation;
 - Developing cultural spaces.

For its part the Department of Education, in recognition of the earning potential of the creative industries, has restructured the formal school system so that learners would be equipped with

the skills and competencies required by the labour market by the time they graduate from Grade Twelve, as described in more detail in Section 4.2.3. During their last two years of compulsory education, students may opt to follow the Arts and Design Track which prepares them for employment or entrepreneurship in the creative industries.

Salary levels and labour conditions in cultural work

The CCP-ABS CBN Bayan Foundation Inc. study (2010) of the creative industries included a survey of 37 creative professionals from various fields, including performing arts, traditional arts, visual arts and new media. The majority of the respondents lived in Luzon, since the most number of creative, arts and entertainment establishments tended to be located near the NCR. Most of the respondents (86%) were self-employed. The majority of them (26%) earned a monthly income of between PHP 21,001 (approximately 390 USD as of September 2018) and PHP 30,000. (approximately 558 USD). Another 15% earned between PHP 10,001 (approximately 186 USD) and PHP 20,000 (approximately 372 USD) and a further 15% earned between PHP 40,001 (approximately 745 USD) and PHP 50,000 (approximately 930 USD). The figures from the CCP-ABS CBN Bayan Foundation study roughly reflects the salary range which puts the average annual compensation of workers in creative, arts and entertainment activities at PHP 179,137 (approximately 3,334 USD) in 2010 and PHP 397,700 (approximately 7,403 USD) in 2013, or at PHP 14,928 (or approximately 278 USD) and PHP 33,141 (approximately 617 USD) per month, respectively.

In the government service, these rates would be equivalent to Salary Grades 11-20 under the Salary Standardization Law of 1989 (RA 6758), with rates adjusted following Executive Order 201 S. 2016. They correspond to the pay scale for Planning Officers I to IV in the NCCA positions (plantilla) or to the monthly wages of a lecturer, instructor and assistant professor at state universities and colleges or first to third year medical residents in government hospitals.

It is worth noting that the current daily minimum wage for skilled workers is PHP 591 (approximately 11 USD). When computed at 22.5 working days in a month, the monthly minimum wage for earners like construction workers and service crew would be PHP 13,297.50 (approximately 248 USD)., compared with the PHP 15,000 (approximately 279 USD) average monthly salary of an orchestra member.

Low compensation compels many in the sector to engage in multiple artistic activities and assume different functions. For example, a trombonist in a symphony orchestra may also teach at a music academy while playing with a brass band at fiestas and funerals.

Most jobs, when they are available, are usually contractual. Even members of the seven resident companies of the Cultural Center of the Philippines are paid honoraria only for the duration of a season. The Department of Labor and Employment acknowledges that a third of the country's total workforce in small and medium enterprises consists of 'non-regular' labourers, many of these in the arts and entertainment sector. Contractual workers do not get the social and health benefits to which regular employees are entitled.

The export of cultural workers

Given the working conditions in the country, it is understandable why overseas employment continues to be an attractive option. When Hong Kong Disneyland opened in 2005, it nearly decimated the Philippine's dance groups and theatre companies as well as orchestras from the best companies. In more than ten years since then, Hong Kong has been a favourite destination for Filipino performing artists.

The country's animators and cel artists are also in high demand abroad, with India and Singapore actively luring Filipino talents with salaries three to four times what they would earn locally. This is in spite of the fact that animators are the best paid among local creatives, averaging PHP 30,000 (approximately 558 USD) to PHP 40,000 a month (approximately 745 USD). Jobs in the performing arts and creative services, however, are not the only opportunities abroad. Included in the demand are cultural workers such as, among others, librarians, archivists, curators, architects and town planners.

4.2.10 Gender Equality and cultural policies

The Philippines is noted for its generally small gender disparity. The World Economic Forum ranks the country 7th in the world and first in the Asia-Pacific region with 79% of its gender gap closed.

Civic action to correct gender inequalities has had a long history in the Philippines, beginning with the women's suffrage movement in the 1930s. The crowning achievement of this activism is the Magna Carta of Women of 2009 (MCW-Republic Act No. 9710), a comprehensive law that recognises, protects, fulfils and promotes the rights of women, especially those in marginalised sectors of Philippine society, such as: children and youth; rural and urban poor; indigenous peoples; fisher folk, farmers, formal, informal and migrant workers; solo parents and the elderly; and the disabled.

MCW recognises that women should not only be beneficiaries, they should also be agents of development. It aims to accelerate the participation and equitable representation of women in all areas of social life and to ensure their involvement in decision making and policy making processes in government and private institutions. Among its many goals, the law expressly stated that within five years of its enactment, the number of women in third level positions in government, from department chief to undersecretary, should be incrementally increased to achieve a fifty-fifty gender balance.

The agency tasked to ensure, oversee and monitor the implementation of the MCW is the Philippine Commission on Women (PCW), under the Office of the President. PCW is the primary policy making and coordinating body of women and gender equality concerns, in keeping with international agreements, principally the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

One of PCW's strategies to accelerate gender parity is to embed a Gender and Development Program (GAD) Focal Point System in constitutional bodies, government departments, agencies, bureaus, state universities and colleges, and government owned and controlled corporations. All government instrumentalities are required by the MCF to devote at least 5% of their total budgets to programmes, activities and projects specifically aimed at addressing gender issues and concerns within their organisations, sectors or clientele.

The NCCA organised its own GAD Focal Point System and began training its personnel (men and women) in gender analysis, gender mainstreaming and specific women's issues. Its programme has extended to the indigenous people's community, where it conducts gender analysis and women's empowerment trainings for the community and its cultural leaders. This is significant because MCW is particularly concerned with the welfare of female youth of indigenous people's groups. One of its provisions ensures equal access of Moro and indigenous girl-children of the Madaris to schools of living traditions (SLT) and regular schools. Further, in the case of SLTs, since many of the crafts learned present livelihood opportunities, skills training was extended to both sexes in indigenous people's communities. Some notable examples include: the opening of doors to male members of the community wishing to learn

handloom weaving, a craft traditionally reserved for women; the training of male students, ignoring the stereotype that beadwork is intended only for females; and the teaching of female participants to play the *solibao*, a drum music instrument traditionally played only by males.

4.2.11 New technologies and digitalisation in the arts and culture

Cultural institutions in the Philippines were early adopters of digital and computer technologies. The fund grant initiated digitisation efforts as early as 1998 as part of national spending in commemoration of the Centennial of the Philippine Records and Management Office, since renamed the National Archives of the Philippines (NAP) for the agency's sizeable holdings of 13 million rare documents dating from as early as the 15th century.

Also in the late 1990s, the Inter-Institutional Consortium (consisting of five tertiary schools in the city of Manila, since renamed South Manila Inter-Institutional Consortium) pooled their resources to preserve selected Filipiniana materials in digital format and develop a search engine to manage the digitised information. The collection and catalogues are shared by the libraries of these institutions.

The Information Technology and E-Commerce Council (ITECC), which was later renamed the Commission on Information and Communications Technology (CICT), also played a significant role in facilitating the adoption of new technologies. Although subsequently abolished after being passed from one government agency to another, the ITECC/CICT saw the institutionalisation of the E-Government Fund (EGF), a source of funding for strategic government information and communication technology (ICT) projects that are 'mission-critical, high-impact, and cross-agency in nature'. Today the fund is an annual allocation under the General Appropriations Act and amounts to over two billion pesos for strategic ICT projects in public financial management, basic and higher education, health, justice, peace and order, transport, land use, open government/open data, climate change and citizen frontline delivery services. It is administered by the Information and Communications Technology Office (ICTO) under the Department of Science and Technology (DOST).

Another legacy of ITECC/CICT is the Philippine eLibrary project, which unified the online databases of the National Library of the Philippines (TNL), the Department of Science and Technology (DOST), Department of Agriculture (DA), the University of the Philippines (UP) Library System and the Commission on Higher Education (CHED). The system uses open source and standard tools, which can be readily accessed and replicated. The aim of the eLibrary project is to make Philippine materials available to researchers in digital format. The eLibrary data centre is housed at The National Library (TNL), with a data recovery site at UP in Diliman, Quezon City.

New technologies are also being put to use as a preservation strategy, to improve collection management, especially in terms of physical storage and maintenance, inventory and record keeping, and to enable easier and greater access to specialised information for cultural researchers, arts managers and artists, as well as for the general public. Below are some examples of ICT applications in the culture sector.

- The National Archives of the Philippines (NAP) is scanning and saving to optical media its Spanish collections (now declared a National Cultural Treasure), as well as upgrading its retrieval systems and user infrastructure.
- The National Library began digitising its collections in 2004 using an outsourced service provider. It has since trained personnel for the activity and has produced its own reports, guides and papers on digitisation, which it now does in-house.

- The National Museum continues to build digital inventories and databases of its various collections including: ethnographic materials; archaeological records consisting of manuscripts, field reports, site lists, photographs and slides; the visual arts collection; the zoological collection; and the geological collection. Some of the Museum's ethnographic materials, art objects and bird specimens may be viewed in the institution's webpage.
- The Cultural Center of the Philippines began digitising its collection in 2007. In 2011 it collaborated with EMC Computer Systems, Philippines, a private company engaged in developing computer software, to convert and integrate the centre's entire audio-visual collection, consisting of audio tapes from its film archive, photos, photographic slides and manuscripts of literary works. Public online access to these materials is envisioned.
- The CCP website currently features a special facility for artists and arts managers from all over the country called Management Intensives Online, where best practices and tips are shared. It also hosts video conferences, live chats and round table discussions with art professionals and arts management experts from Metro Manila and abroad. Management Intensives Online encourages artists to explore the use of the online platforms – blogs, YouTube, Facebook, Twitter and online publishing websites – to market their art and build audiences.
- Since 2012, the Commission on Filipinos Overseas (CFO) has produced portable collections of essential materials on Philippine culture and the arts in DVD format for distribution worldwide, particularly in areas with significant numbers of overseas Filipinos. Called 'Virtual Sentro Rizal', the project is funded by the NCCA.
- The non-government organisation Philippine Association of Academic and Research Libraries (PAARL) has played a crucial role in the adoption of new technologies in their institutions and encourages and monitors the use of digital reference services (DRS) among some of its members.
- The Philippine Information Agency (PIA), which operates a major film laboratory where film restoration is done, and the Society of Filipino Archivists for Film (SOFIA), collaborate with the NCCA to restore and transfer to digital formats important Filipino heritage in film.
- The Film Development Council of the Philippines (FDCP) maintains the National Film Archives inaugurated in 2011 with the screening of a new digitally re-mastered 35mm print of internationally acclaimed Ishmael Bernal's *Manila by Night*, one of 20,000 filmic materials under its care.

Digitisation has also made possible increased participation in the arts, enabling both creation and consumption. This is true especially among the writing and filmmaking communities. The National Book Development Board (NBDB), the lead agency promoting the continuing development of the book publishing industry, recently commissioned research on digital book publishing and reading in the Philippines. With the increasing number of users of digital devices and gadgets, it is conceivable that the size of the digital publishing industry has grown considerably in the past years.

Digital filmmaking, using just a digital camera or a camera phone and a laptop computer, has led many more storytellers, whether from urban centres or highland regions, to live the creative life. Through its Cinema in the Regions programme, the NCCA has encouraged selected film communities in locations outside of Metro Manila to mount their own film festivals where

locally produced short and full-length films using digital technology are featured. In the years since it started, the number of films produced has more than doubled and audience numbers have increased ninefold. (See references for more detail.)

5. Main legal provisions in the cultural field

5.1 General legislation

5.1.1 Constitution

After the removal of President Ferdinand Marcos, the succeeding President, Corazon C. Aquino, issued Proclamation No. 3 on 25 March 1986, in effect voiding many provisions of the Marcos regime's 1973 Constitution. A Constitutional Commission comprising 50 members was appointed by Aquino and tasked to draft a new Constitution. Among the Commission were former members of the House of Representatives, former justices of the Supreme Court, a Roman Catholic bishop, and political activists against the dictatorship. The final draft was finished on 12 October 1986 and was presented to Aquino on 15 October. The Constitution was ratified by a nationwide plebiscite on 2 February 1987.

The articles in the Philippine Constitution of 1987 pertaining to culture in general as well as cultural rights, freedom of expression and of creativity, copyright and heritage protection, follow:

Article II: Declaration of Principles and State Policies

Section 17: The State shall give priority to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

Section 22: The State recognises and promotes the rights of indigenous cultural communities within the framework of national unity and development.

Section 24: The State recognises the vital role of communication and information in nation building.

Article III: Bill of Rights

Section 3: (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise, as prescribed by law.

Section 4: No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.

Article X: Autonomous Regions

Section 15: There shall be created autonomous regions in Muslim Mindanao and in the Cordilleras consisting of provinces, cities, municipalities, and geographical areas sharing common and distinctive historical and cultural heritage, economic and social structures, and relevant characteristics within the framework of the Constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines.

Section 20: Within its territorial jurisdiction and subject to the provisions of this Constitution and national laws, the organic act of autonomous regions shall provide for legislative powers over... (3) Ancestral domain and natural resources;... (6) Economic, social and tourism development; (7) Educational policies; (8) Preservation and development of cultural heritage;

5.1.2. Division of jurisdiction

Competence and legal jurisdiction (authority) on behalf of culture and its manifestations are distributed among national agencies and local government entities, namely barangay, municipality, city, and province.

At the national level, the Philippine Constitution of 1987 has provided key concepts for the creation of Republic Act No. 10066 or *An Act Providing for the Protection and Conservation of the National Cultural Heritage, Strengthening the National Commission for Culture and the Arts (NCCA) and its Affiliated Cultural Agencies, and for Other Purposes*, and, before RA 10066, the laws that created those cultural agencies. These national agencies have been legally empowered and morally tasked to harness their relevant competencies, and to develop and improve these further. Their responsibilities consist of the designation of cultural property, the assessment and declaration of national cultural treasures as well as national historical landmarks, sites and monuments.

The responsibilities are distributed according to the strength of each of the institutions: The Cultural Center of the Philippines shall be responsible for significant cultural property pertaining to the performing arts; the National Archives of the Philippines, for significant archival materials; the National Library, for rare and significant contemporary Philippine books, manuscripts such as, but not limited to, presidential papers, periodicals, newspapers, singly or in collection, and libraries and electronic records; the National Historical Commission of the Philippines, for significant movable and immovable cultural property that pertain to Philippine history, heroes and the conservation of historical artefacts; the National Museum, for significant movable and immovable cultural and natural property pertaining to collections of fine arts, archaeology, anthropology, botany, geology, zoology and astronomy, including their conservation aspect; and the Komisyon sa Wikang Filipino, for the dissemination, development and the promotion of the Filipino national language and the conservation of ethnic languages. The safeguarding, continuing research, promotion either through exhibition and/or publication of material culture and the intangible aspect of their respective collections, are inherent responsibilities of the cultural agencies as well.

In the discharge of their duties, the cultural agencies coordinate, cooperate and perform some of their tasks with the NCCA and other national government agencies, such as: the Department of Tourism and its attached agencies (for example the Intramuros Administration) for cultural education among tourism services, and protection of cultural properties; the Department of Education; the Department of Public Works and Highways, specifically for infrastructure projects vis-a-vis heritage structures; the National Commission on Indigenous Peoples, on behalf of the country's indigenous communities; the Department of Environment and Natural Resources, for safeguarding the dwelling areas of indigenous communities; the Department of the Interior and Local Government, the Autonomous Region in Muslim Mindanao and the Cordillera Administrative Region, for matters pertaining to cultural properties under its jurisdiction; the Housing and Land Use Regulatory Board, for matters pertaining to the establishment and maintenance of heritage zones; and the Office of the Special Envoy on Transnational Crimes, for oversight and operational capacity to pursue illicitly trafficked and stolen cultural treasures.

At the national level, the Office of the President also issues Administrative and Executive Orders (AO and EO) that may address culture and arts. Administrative Orders are pertinent to particular aspects of government operations in pursuance of the President's duties as administrative head. For instance, an AO can direct the celebration of culturally or historically significant occasions. Executive Orders, which are of more importance, are 'acts of the President providing for rules of a general or permanent character in implementation or

execution of constitutional or statutory powers’, such as the creation of specific offices or to regularise certain courses of action. AOs and EOs are effective until amended or repealed by a subsequent President.

The Philippine National Police and the Department of Justice implement, at both national and local levels, the provisions in the country’s Revised Penal Code that cover the definition of, and sanctions for, theft and damage to property, which includes cultural property, paintings and monuments.

At the local governance level, elected or appointed officials have jurisdiction to implement laws that provide for the participation of local government units (RA 7160, also known as The Local Government Code of 1991) to ‘make them more effective partners in the attainment of national goals’. To wit, and relevant to the discussion at hand, in Section 33 of said Act, local government units are ‘encouraged to incorporate programmes and budgets for the conservation and preservation of cultural property in their environmental, educational and cultural activities’.

Much earlier, in order to reach lower branches of government, the NCCA entered into a Memorandum of Understanding with the Department of the Interior and Local Governments (DILG) to jointly formulate and implement programmes for the development of arts and culture in regions, cities and municipalities. The DILG has issued two Memorandum Circulars, MC No. 2002-81 encouraging the creation of local culture and arts councils in all local government units and MC 2013-98 which encourages all local government units to protect and conserve national heritage.

5.1.3 Allocation of public funds

Public funds for culture come from various sources.

General Appropriations Act (GAA)

As a government agency, NCCA receives a yearly allotment from the National Government through the General Appropriations Act (GAA) (Fund 101). The GAA is the national government budget as approved by Congress and the President. GAA funds are used by the NCCA chiefly for salaries of personnel, maintenance and other operational expenses.

National Endowment Fund for Culture and Arts (NEFCA)

The Republic Act No. 7356 (3 April 1992), created the NCCA and the National Endowment Fund for Culture and Arts (NEFCA) to be used exclusively for Philippine art and cultural programmes, projects and activities all over the country. The NEFCA was built from a seed capital of one hundred million pesos (PHP 100,000,000 or approximately 1,861,420 USD as of September 2018) from the Philippine Amusement and Gaming Corporation (PAGCOR), at a rate of five million pesos (PHP 5,000,000 or approximately 93,073 USD) per month for twenty months. Government corporations are also authorised to give grants to the Fund at their discretion, so long as this does not exceed 15% of their unimpaired surplus. Private donations to the fund are deductible for income tax purposes in accordance with the provisions of Section 29 (h) (2) (A) of the National Internal Revenue Code.

A government accredited investment institution manages the NEFCA and the Commission only uses the interest drawn from the funds for its grants and institutional programmes. Under

RA 7356, neither the NEFCA nor its earnings may be used to underwrite administrative expenses (hence the allotment from the GAA).

Share of travel taxes

On top of the NEFCA, the Commission also receives annually 10% of the travel tax collection, taken from the Philippine Tourism Authority. Of these funds, RA 7536 stipulates that not more than 20% shall be devoted to administrative functions of the Commission. At least 10% shall be invested as part of the Fund's capital, and the balance of 70% shall be used for programmes and projects.

Revolving fund

Sales proceeds of cultural items or publications produced by the Commission go into a revolving fund earmarked for the production of new items and publications. The Commission may retain only five hundred thousand pesos (PHP 500,000 or approximately 9,307 USD) from these sales proceeds. Earnings in excess of this amount are remitted to the General Fund of the National Treasury.

5.1.4 Social security frameworks

(See related information in section 8.1.2.)

5.1.5 Tax laws

Republic Act 1006 or the Cultural Heritage Law, states the following in Article IX, Section 35:

- **Tax Exemption on Donations:** All donations in any form to the NCCA and its affiliated cultural agencies shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income tax of the donor, in accordance with the provisions of the National Internal Revenue Code of 1987, as amended.
- **Tax Privileges:** Pursuant to the existing provisions under the Philippine National Internal Revenue Code, and the Tariff and Customs Code of the Philippines, any gifts or donation which shall be made to or for the use of the NCCA, exclusively for the *Gawad Manlilikha ng Bayan* or GAMABA (National Living Treasures) shall be entitled to:
 - Exemption from donor's tax pursuant to Section 94.
 - Deductibility of donations from the donor's gross income for purposes of computing taxable income.
 - Exemption from tax and duties of donation from foreign countries subject to the provision of Section 105 of the Tariff and Customs Code of the Philippines.

5.1.6 Labour Laws

Some relevant issuances by the Department of Labour and Employment (DOLE) on labour and cultural workers are:

- Labour Advisory No. 4 (Series of 2016) (26 April 2016) *On the Working Conditions in the Movie and Television Industry*, defined who are “talents” and who are “workers” and reiterated the working conditions for those in the television and movie industry.
- Department Order No. 149 (Series of 2016) (15 February 2016), provides guidelines for the employment of children restricting them from (a) travel-related tasks that involve escorting, accompanying or guiding tourists in dangerous activities such as mountain climbing, open sea diving, forest and waterfalls sight-seeing; as well as (b) tasks that involve exposure to toxic, corrosive, flammable, and combustible substances and composites, heat, humidity, dust and other particulates, poor ventilation and illumination; ceramics and glass making, metal or wood fabricating, working with all types of ores, precious stones, metals, leather; and tasks related to textile and garments.
- Department Order No. 48-03 (Series of 2003) in relation to Department Order No. 10 (Series of 2001), addresses the implementation of a Comprehensive Orientation Program for [Overseas] Performing Artists (COPPA).

With regards to copyright, *The Intellectual Property Code of the Philippines* distinguishes between the rights of an employee who made an invention in the course of his employment contract and the rights of an employer. Thus, Section 30 on patents distinguishes the differences as follows:

Section 30. Inventions Created Pursuant to a Commission. -

30.1. The person who commissions the work shall own the patent, unless otherwise provided in the contract.

30.2. In case the employee made the invention in the course of his employment contract, the patent shall belong to:

(a) The employee, if the inventive activity is not a part of his regular duties even if the employee uses the time, facilities and materials of the employer.

(b) The employer, if the invention is the result of the performance of his regularly assigned duties, unless there is an agreement, expressed or implied, to the contrary.

A similar provision exists for copyrighted works created by an author in the course of his employment contract (Sec. 178.3). In the subsequent sections, there is also a provision for general commissions, as well as a specific section for those working in the audio-visual sector.

178.4. In the case of a work commissioned by a person other than an employer of the author and who pays for it and the work is made in pursuance of the commission, the person who so commissioned the work shall have ownership of the work, but the copyright thereto shall remain with the creator, unless there is a written stipulation to the contrary;

178.5. In the case of audio-visual work, the copyright shall belong to the producer, the author of the scenario, the composer of the music, the film director, and the author of the work so adapted. However, subject to contrary or other stipulations among the creators, the producer shall exercise the copyright to an extent required for the exhibition of the work in any manner, except for the right to collect performing license fees for the performance of musical compositions, with or without words, which are incorporated into the work.

5.1.7 Copyright provisions

The Intellectual Property Code (IP Code) provides for the protection of both copyright and moral rights of the author. It was recently amended by RA No. 10372 (28 February 2013).

One of the sections amended was the term of protection for moral rights:

SEC. 198. Term of Moral Rights. 198.1. The right of an author under Section 193.1. shall last during the lifetime of the author and in perpetuity after his death while the rights under Sections 193.2. 193.3. and 193.4. shall be coterminous with the economic rights, the moral rights shall not be assignable or subject to license. The person or persons to be charged with the posthumous enforcement of these rights shall be named in a written instrument which shall be filed with the National Library. In default of such person or persons, such enforcement shall devolve upon either the author's heirs, and in default of the heirs, the Director of the National Library.

The sections refer to Section 193:

Section 193. Scope of Moral Rights. The author of a work shall, independently of the economic rights in Section 177 or the grant of an assignment or license with respect to such right, have the right:

193.1. To require that the authorship of the works be attributed to him, in particular, the right that his name, as far as practicable, be indicated in a prominent way on the copies, and in connection with the public use of his work;

193.2. To make any alterations of his work prior to, or to withhold it from publication;

193.3. To object to any distortion, mutilation or other modification of, or other derogatory action in relation to, his work which would be prejudicial to his honour or reputation; and

193.4. To restrain the use of his name with respect to any work not of his own creation or in a distorted version of his work. (Sec. 34, P.D. No. 49)

Previously, the term of moral rights under the IP Code was for the lifetime of the author and for fifty years after his death. (IPC 198.1.)

The IP Code Sec. 184 also identifies acts that do not constitute infringement of copyright. RA No. 10372 adds as an exception the 'reproduction or distribution of published articles or materials in a specialized format exclusively for the use of the blind, visually – and reading – impaired persons: Provided, that such copies and distribution shall be made on a non-profit basis and shall indicate the copyright owner and the date of the original publication.' In addition, Sec. 185, as amended by RA No. 10372, provides for fair use.

5.1.8 Data protection laws

Rep. Act No. 10173, the Data Privacy Act of 2012, was passed on 15 August 2012.

Rep. Act No. 8792, the Electronic Commerce Act of 2000, was passed on 14 June 2000.

A.M. No. 08-1-16-SC was issued by the Supreme Court on 22 January 2008 on the Rule on the Writ of Habeas Data, which is:

a remedy available to any person whose right to privacy in life, liberty or security is violated or threatened by an unlawful act or omission of a public official or employee, or of a private individual or entity engaged in the gathering, collecting or storing of data or information regarding the person, family, home and correspondence of the aggrieved

party. It is an independent and summary remedy designed to protect the image, privacy, honour, information, and freedom of information of an individual, and to provide a forum to enforce one's right to the truth and to informational privacy. It seeks to protect a person's right to control information regarding oneself, particularly in instances in which such information is being collected through unlawful means in order to achieve unlawful ends.

In developing the writ of habeas data, the Court aimed to protect an individual's right to informational privacy, among others. A comparative law scholar has, in fact, defined habeas data as "a procedure designed to safeguard individual freedom from abuse in the information age." The writ, however, will not issue on the basis merely of an alleged unauthorized access to information about a person. Availment of the writ requires the existence of a nexus between the right to privacy on the one hand, and the right to life, liberty or security on the other. Thus, the existence of a person's right to informational privacy and a showing, at least by substantial evidence, of an actual or threatened violation of the right to privacy in life, liberty or security of the victim are indispensable before the privilege of the writ may be extended.

(*Vivares v. St. Theresa's College*, G.R. No. 202666, 29 September 2014).

5.1.9 Language laws

The Philippines recognises two official languages: Filipino and English. Filipino is an evolving language enriched through lexical contributions from different Philippine Austronesian languages. However, most of the vocabulary and the syntactical conventions are from Tagalog, the language of the central section of the big island of Luzon, where the Philippine Revolution of 1896 to 1898 was waged and where the National Capital Region has been located since the declaration of Philippine independence in 1898. The Philippine official language was originally referred to as Pilipino, but in the Philippine Constitution of 1987, Article XIV, Section 6, the national language was officially renamed Filipino.

Bilingual education has been the norm for all levels of the educational system since the 1970's. In the first decade of the 21st century, the educational system instituted early education in mother tongues (in one of the vernaculars to which a child is born), to be followed by bilingual education in Filipino and English in the latter years of primary education. The rationale behind the change is that cognitive abilities in secondary languages are enhanced by full fluency in mother tongues.

That Filipino is essentially Tagalog has given rise to some contestation from speakers of other major languages, notably Cebuano. Cebuano speakers argue that their language is spoken by the most number of Filipinos, at least geographically, but this has been disproven by later surveys. The hold of Filipino is nevertheless secure, owing in large measure from the continuous and consistent use of this language from the early 20th century, and subsequently its widespread use in media. Most Filipinos can thus speak Filipino as *lingua franca*, while formal or written Filipino continues to develop.

The nationwide use of Filipino was further promoted by pop music composers, performers and theatre artists since the 1970s. Original Pilipino Music (OPM) simultaneously became a symbol of language advocacy, an organisation of pop musicians and a label offered on radio, television and the recording industry. OPM deliberately popularised music in Filipino, and the performers and their cohorts in the recording industry sought, and won, legal provisions to benefit OPM. From the 1970s to the 1990s, the *Kapisanan ng mga Brodkasters ng Pilipinas* (KBP, Guild of Philippine Broadcasters) obliged all radio stations to dedicate a set number of

minutes to OPM daily. Since the KBP is the governing association over the broadcasting industry, OPM, and by extension Filipino, gained ground as a legitimate language of discourse, challenging the dominance of English. The cultural impact of OPM has been profound. Since the 1970s, OPM pop music overturned the ascendance of English language “Top 100” music, which had been on the rise from the 1930s.

Similarly, over the last four decades theatre companies, playwrights, directors and actors deliberately and persistently concentrated efforts on presenting drama in Filipino. The output has been substantial throughout this time. Both major and emerging writers and performers have produced significant material and theatre events. And while theatre in English also gained ground during the same period, producing extraordinary talent for London’s West End and New York’s Broadway, theatre in Filipino became a strong vehicle for drawing attention to contemporary issues in society. The State-run CCP was very influential in this change, in that the key companies and talents behind this development were hosted and financially supported by them. Even if CCP did not articulate its policies of “Filipinisation” and “Democratisation” until mid-1986, immediately after the People Power event that brought down the Marcos dictatorship, the CCP had nonetheless been an enabling institution for the continued use of Filipino in theatre from the year of its establishment in 1969.

The simultaneous emergence of street theatre during the anti-dictatorial struggles enlarged popular support for theatre in the national language. Theatre in a number of vernaculars, albeit limited to provincial viewership, followed in the wake of the success of the mainstreaming process of Filipino theatre.

The most important legislation on the use of language is embedded in the Philippine Constitution of 1987, in *Article XIV*:

SECTION 6. The national language of the Philippines is Filipino. As it evolves, it shall be further developed and enriched on the basis of existing Philippine and other languages.

Subject to provisions of law and as the Congress may deem appropriate, the Government shall take steps to initiate and sustain the use of Filipino as a medium of official communication and as language of instruction in the educational system.

SECTION 7. For purposes of communication and instruction, the official languages of the Philippines are Filipino and, until otherwise provided by law, English.

The regional languages are the auxiliary official languages in the regions and shall serve as auxiliary media of instruction therein.

Spanish and Arabic shall be promoted on a voluntary and optional basis.

Republic Act 7356, the law that enables the National Commission for Culture and the Arts (NCCA), emphasises the role of language in the promotion and development of Philippine culture and the arts by a provision for a national committee, within the scope of the NCCA, on language and translation. This committee is tasked with, among other tasks, preparing a national translation programme for notable works by Filipino authors, as well as translating world classics into the national language, Filipino, and into other major languages in the Philippines.

Meanwhile, among the mandates of *Republic Act 7104*, the law that created the *Komisyon sa Wikang Filipino* (Commission on the Filipino Language), is to encourage and promote, through a system of incentives, grants and awards, the writing and publication, in Filipino and other Philippine languages, of original works in various disciplines.

5.2 Legislation on Culture

See 5.1.1

5.3 Sector specific legislation

5.3.1 Visual and applied arts

There exist specific laws on visual and applied arts, as well as other laws that have specific provisions related to these art forms.

Republic Act 9105: Anti-Forgery Act of 2001, 14 April 2001

This law defines the crime of art forgery and provides penalties. It also institutionalises mechanisms for art authentication and appropriating funds, as well as other mechanisms.

Section 2 is a declaration on the policy of the State to protect, conserve, develop and promote the nation's cultural heritage, artistic creations and resources.

In Section 3, art forgery is elaborated on:

Art forgery is committed by any person or entity who commits any of the following acts:

(1) Affixing or causing to appear a usurped or forged signature or sign on any work of fine art; (2) Counterfeiting or imitating any original signature or sign, with the intent to deceive the public or the buyer as to the authorship of a work of art; (3) Selling or circulating any work of fine art bearing forged or usurped signature or sign; and (4) Imitating or reproducing any work of fine art with intent to deceive the public or the buyer as to the authenticity of the work.

Works of art are defined as original painting, sculpture, drawing and artwork produced in multiples, such as graphic and photographic works and sculpture casts, but shall not include works intended to be mass-produced for commercial use.

The law has not been fully enforced because of reluctance to definitively label something as forgery. However, there have been instances where forgery is discovered or suspected, and such situations have resulted in ostracism of the perpetrator among collectors and the general public. An artwork then becomes financially worthless in the local market.

Executive Order 420, 7 September 1990: Philippine High School for the Arts

Executive Order 420 converted the Philippine High School for the Arts, which was created in 1978 by virtue of a Presidential Decree (PD 1287), into a regular government agency or a public high school attached to the Department of Education. It consults with the Cultural Center of the Philippines for policy and arts programme implementation input, and it is affiliated with the NCCA.

EO 420 mandates that the school implement a general secondary level programme, combined with a special curriculum oriented to the arts and to the early recognition and development of highly talented artistic children, thus providing a continuing source of artists of excellence as well as leaders in the preservation and promotion of the Filipino heritage in the arts.

Both the PD and the EO manifest the State's commitment to fulfil its constitutional mandate to foster the preservation, enrichment and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression. They also demonstrate the objective to place arts and letters under the patronage of the State.

Annually, graduating elementary school students with outstanding abilities in the arts, and who are under the age of fourteen, can apply. Accepted students undergo basic education classes in the morning and specialised instruction in the afternoon in five fields of specialisation: creative writing, dance, music, theatre arts and visual arts.

In 2012, it was estimated that the government spends approximately PHP 500,000 (or approximately 9,307 USD as of September 2018) per student in his or her stay in the school. Upon graduation, students pursuing higher education are obligated to enrol in an arts course.

Presidential Decree 279, August 24, 1973: Design Center of the Philippines

Section 2 of this Presidential Decree enables the creation of the Design Center:

- (1) To create, develop, promote and enhance the product design of all Philippine-manufactured products, including cottage, small scale and medium size industries products;
- (2) To develop, promote and enhance product adaptability of all Philippine-manufactured products, particularly cottage, small scale and medium size industries products;
- (3) To develop and maintain a creative research and development programme on product design and product adaptability of Philippine-manufactured products, including cottage, small scale and medium size industries products;
- (4) To develop and promote the minor and applied arts, the traditional and contemporary crafts, the appreciation for beauty and skill and the training of artisans and craftsmen and producers in cottage, small scale and medium size industries;
- (5) To coordinate all functions related to product design and product adaptability that are undertaken by all other agencies both government and private;
- (6) To specify, approve or otherwise regulate the product design of all Philippine-manufactured products, particularly cottage, small scale and medium size industries products, intended for export; and
- (7) To promulgate such rules and regulations as are necessary to carry out the provisions of this decree.

Today the Design Center is an agency attached to the Department of Trade and Industry (DTI). The DTI is the head agency that also oversees the Center for International Trade Expositions and Missions (CITEM) as well as the export promotion arm of the DTI, which is committed not only to marketing products locally and internationally, but also to developing and nurturing designers, crafts practitioners and artisans whose work can compete in global markets.

Executive Order 128, 30 January 1987: The Philippine Textile Research Institute

The premier textile research and development arm of the Department of Science and Technology, the Philippine Textile Research Institute (PTRI), is mandated to conduct applied research and development for the textile industry sector and provide training programmes relevant to textile design, among others.

5.3.2 Performing arts and music

There exist specific laws on performing arts and music, as well as other laws that have specific provisions for the disciplines, including relevant funding clauses. The legislation is to enable effective and vigorous implementation of the constitutional mandate that arts and letters shall be under the patronage of the State.

Executive Order 30, April 1966; Presidential Decree 15, 15 October 1972 creating The Cultural Center of the Philippines

The Cultural Center of the Philippines (CCP) has been envisioned to be a showcase of Filipino artistic expression and a landmark of architectural beauty. It has resident companies for dance

(Ballet Philippines, Bayanihan Dance Company, Philippine Ballet Theatre and the Ramon Obusan Folkloric Group), music (Philippine Philharmonic Orchestra, National Music Competitions for Young Artists Foundation, Philippine Madrigal Singers and the UST Symphony Orchestra) and theatre (Tanghalang Pilipino), which are granted annual subsidies plus free performance venues and office space and utilities.

The University of the Philippines (UP) College of Music Conservatory (unit opened in 1916), now College of Music

The University of the Philippines (UP) was established on 18 June 1908 by the American colonial government within a public university system, and was originally conceived as a university for the Filipinos. *Act No. 1870 of the First Philippine Legislature* was signed to establish UP to provide ‘advanced instruction in literature, philosophy, the sciences and arts, and to give professional and technical training’ to eligible students regardless of ‘age, sex, nationality, religious belief and political affiliation’. The Conservatory was opened as a unit of UP, aimed at the education in serious study of music with a view to a professional career for teachers, singers or performers on any instrument and in diverse areas of music specialisation.

Philippine High School for the Arts (See 5.3.1.)

Presidential Decree 1173, 1973 creating the National Music Competitions for Young Artists Foundation (NAMCYA)

The Presidential Decree 1173 sought to encourage young artists who excel in music composition and performance to preserve, develop and promote Philippine music as an art and was conceived as an aid to cultural development. The NAMCYA nurtures young artists in choral singing, piano, chamber music, family ensemble and indigenous instruments.

Proclamation No. 1001, 27 April 1972 creating The National Artist Award

The National Artist Award (*Gawad Pambansang Alagad ng Sining*) is the highest national recognition given to Filipino individuals who have made significant contributions to the development of Philippine arts in the fields of music, dance, theatre, visual arts, literature, film, broadcast arts and architecture and allied arts. These contributions are measured in terms of the artists’ vision, unusual insight, creativity and imagination and technical proficiency in their expression of Filipino culture and traditions, history, way of life and aspirations.

Republic Act 7355, April 1992 creating the Gawad sa Manlilikha ng Bayan (GAMABA)

In April 1992, the *Gawad sa Manlilikha ng Bayan*, or the National Living Treasures Award, was institutionalised through Republic Act No. 7355. As envisioned under the law, *Manlilikha ng Bayan* shall mean a citizen or group of citizens engaged in any traditional art uniquely Filipino whose distinctive skills have reached a high level of technical and artistic excellence and whose art has been passed on to and widely practiced by the present generation in their community with the same degree of technical and artistic competence.

5.3.3 Cultural heritage

Republic Act No. 10066, which provides for the Protection and Conservation of the National Cultural Heritage, Strengthening the National Commission for Culture and the Arts (NCCA) and its Affiliated Cultural Agencies, and for Other Purposes was signed by then President Gloria Macapagal-Arroyo on 26 March 2010.

The drafting of this Omnibus Cultural Heritage Law, otherwise known as the *Philippine Cultural Heritage Act*, aimed to provide for the protection, preservation and promotion of the nation’s tangible and intangible cultural heritage. The final version signed into law in March

2010 was the product of almost eight working versions since 1994. It is an intensive output that consolidates all the pending bills in both the senate and the House of Representatives relative to the protection and preservation efforts on Philippine Culture and the Arts making *RA No. 10066* an ‘omnibus cultural heritage law’.

Through *Article VIII, Sections 31 & 32*, the bill defines the sharing of responsibilities among the concerned government agencies and the private sector, maximising the NCCA network of interfaced public and private support for protection of the national heritage.

Law enforcement

The Bill emphasises the need to strengthen the police power of the NCCA and the Cultural Agencies in deputising local and national law enforcement agencies. The NCCA, through its attached cultural agencies, has the authority to enforce cease and desist order at any needed time thanks to *Article VII on Deputising the police, military, NBI, coast guard and the like*, on *Cease and Desist Order* and *Visitorial Power*.

Registration and conservation of cultural property and national inventory of intangible cultural heritage

Article V defines the registration and conservation of cultural property, and *Section 19, Inventory of Intangible Cultural Heritage* was introduced to address the collaborative efforts of the Commission and the UNESCO National Committee (UNACOM) in handling the concerns of intangible heritage in accordance with the UNESCO directives.

Other highlights include:

- A redefinition of cultural properties to encompass tangible and intangible properties (*Article III*);
- The maximisation of the NCCA network of interfaced public and private support for protection of the national heritage;
- The designation of Heritage Zones to enhance sense of place; and to protect both cultural properties and histories (*Article IV*); and
- The use of sustained cultural education, through the national formal and non-formal schooling, as well as the informal programmes run by local governments, in order to generate people support for conservation (*Article X*).

Note that private ownership of cultural properties, even National Treasures, is respected, and that the government continues to use as many of its agencies, their budgets and personnel to conserve private properties.

5.3.4 Literature and Libraries

Literature, in Philippine languages and in English, is one of the categories in the *Order of National Artist of the Philippines*. Literature comprises of poetry, fiction, essay, playwriting, journalism and/or literary criticism. The *Philippine Intellectual Property Code* protects literary and other original creative work. Publishing, translation, reading and libraries are also encouraged, nurtured and enabled by legislation.

Republic Act No. 8293: The Intellectual Property Code of the Philippines, 1 January 1998

This law outlines the Intellectual Property Code and establishes the Intellectual Property Office, providing for its powers, functions and other purposes.

Section 2 is a declaration of the state policy:

The State recognizes that an effective intellectual and industrial property system is vital to the development of domestic and creative activity, facilitates transfer of technology, attracts foreign investments, and ensures market access for our products. It shall protect and secure the exclusive rights of scientists, inventors, artists and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people, for such periods as provided in this Act.

Republic Acts 411, 3873 and 10087: Municipal Libraries Law; The National Library of the Philippines, 1964; 13 May 2010

The National Library started as the American Circulating Library, established in Manila on 9 March 1900 during the American Colonial Period. In 1901, it was accepted as a donation by the Philippine government, which was then under the authority of the American military governor. Thereafter, a consolidation of all the libraries under the authority of the Philippine government was mandated through *Public Law Act 1935*, which also created a library board annually appointed by the incumbent Governor General.

In 1916, the Philippine Library Division of Archives, Patents, Copyrights and Trademarks of the Executive Bureau and the Law Library of the Philippines were merged into the Philippine Library and Museum. In 1928, the Museum was put under the Department of Agriculture and Natural Resources and the Library became the National Library, which, in 1947, became the Bureau of Public Libraries effected by *Executive Order 94*, issued by the President of the Philippines. Thence, three laws shepherded the evolution of the agency from Municipal Libraries through the Bureau of Public Libraries through the National Library through to today's National Library of the Philippines (NLP).

The NLP states that they shall be the 'repository of the printed and recorded cultural heritage of the country and other literary and information sources shall conserve and preserve this collection and provide timely access through facilities and resources such as national bibliographic services and a system of public libraries and information centres throughout the country', for the people's intellectual growth, citizenship building, life-long learning and enlightenment which is the NLP's mandate.

Other Libraries

The University of the Philippines campus in Diliman, Quezon City, maintains a comprehensive general library, in addition to its discipline-focused libraries, such as the Wilhelm Solheim II Library at the Archaeological Studies Program.

In Metro Manila, there are two private educational institutions and three private libraries that equal and, in certain cases, surpass the holdings of the NLP. The Ateneo University Library and the De La Salle Library and Learning Center both boast of research and reading precincts, effective accession and catalogue systems and they allow use by non-students. The three private libraries are Lopez Memorial Library (and Museum), the Filipinas Heritage Library (a sibling to the Ayala Museum) and the Ortigas Library of the Ortigas Foundation. All three were established by Filipino families. The holdings range from original manuscripts, maps, prints and archival photographs to published books on the Philippines from the sixteenth century through the present time. These libraries are open to the public, with affordable entrance fees.

Republic Act 8047: The Book Publishing Industry Development Act, 7 June 1995

This Act provides for the development of the book publishing industry through the formulation and implementation of a national book policy and a national book development plan.

The law acknowledges that ‘books are the most effective and economical tools for achieving educational growth, for imparting information and for recording, preserving, and disseminating the nation’s cultural heritage’. The law also provides for the participation of the private sector, to ensure the adequate supply of ‘varied, high quality books that are affordable and suited for both domestic use and the export market’.

The law also created the National Book Development Board (NBDB). The NBDB is empowered to formulate plans and programmes as well as operational policies and guidelines for undertaking activities relative to promoting book development, production and distribution. When publishing books for public schools, the Department of Education consults with the NBDB, which then prescribes guidelines, rules and regulations outlining the minimum learning competencies, prototypes and other specifications for public elementary and secondary school books.

There are incentives for engaging in book development embodied in the law. Persons and enterprises engaged in book publishing and its related activities duly registered with the NBDB shall be entitled to the applicable fiscal and non-fiscal incentives as provided for under the Philippine Omnibus Investment Code.

Regarding translations of literary work, as stated above in Section 4.2.5., the *Republic Act 7104 (14 August 1991)* and the Commission on the Filipino Language (Komisyon sa Wikang Filipino) encourage the translation of important literary works, Philippine or foreign, from the original language to a major Philippine language.

In terms of the book market, there are no fixed book price regulations in the Philippines, as there exist in a few European countries, like France and Sweden. Publishers in the Philippines have the liberty to set selling prices based on book production costs, taking into account projected commissions or mark-up margins for bookstores and other retailers, in order to achieve return of investment.

5.3.5 Architecture and spatial planning

The following are among the legislations establishing the scope, operations and governing structures for Architecture:

Republic Act 9266: The Architecture Act of 2004. This Act regulates the registration, licensing and practice of architecture. In addition to this, the following laws guide the practice of architecture:

Republic Act 184 – Electrical Engineering Law: Regulates the Practice of Electrical Engineering in the Philippines, to Provide for the Licensing and Registration of Electrical Engineers and Electricians and for Other Purposes

RA 544 - Civil Engineering Law: Regulates the Practice of Civil Engineering

RA 876 – Arbitration Law: Authorises the Making of Arbitration and Submission Agreements, to Provide for the Appointment of Arbitrators and the Procedure for Arbitration in Civil, Controversies, and for Other Purposes

RA 9053 – An Act regulating the practice of landscape architecture in the Philippines, appropriating funds therefor and for other purposes

RA 9275 – Philippine Clean Water Act of 2004

Batas Pambansa (BP) 220 (Revised 2008) – Rules and Standards for Economic and Socialised Housing Projects

BP 344 – Law to enhance the mobility of disabled persons

Letter of Instruction (LOI)19 – Removing illegal construction of structures along esteros (waterways) and rivers

LOI 556 – Government programme for low cost housing

LOI 557 – Slum Improvement Policy

LOI 624 – Creation of Plan Enforcement and Regulation Center

LOI 511 – Creating Coordinating Council for town planning, housing and zoning, developing local housing and town planning outside Metro Manila

Spatial planning

In the Philippines, spatial planning is the concern of the environmental planner, including some architects who are also environmental planners. The planning area can be very diverse in size, ranging from a construction site to whole regions or even the entire country. The *Republic Act 10587* defines environmental planning as ‘a multi-disciplinary art and science of analysing, specifying, clarifying, harmonising, managing and regulating the use and development of land and water resources in relation to their environs, for the development of sustainable communities and ecosystems’. In other countries the practice is variously referred to as urban and regional planning, city planning, town and country planning or human settlements planning. Some laws that govern architecture also cover spatial planning.

RA 10587 defines the scope, sets the principles and establishes the guidelines for environmental planning practice. There are many laws relating to the practice of environmental planning and depend on the specialisation. Some examples include the Agrarian Reform Act, the Mining Act and the Agriculture and Fisheries Act. They effect institutions and special bodies such as the Department of Environment and Natural Resources, National Housing Authority and Laguna Lake Development Authority. The following list is a selection of legal issuances relevant to planners concerned with culturally sensitive spaces:

Republic Act 7160 – Local Government Code: mandates the preparation of Comprehensive Land Use Plans and Zoning Ordinances in municipalities, cities and provinces

RA 7279 – Urban Development and Housing Program

RA 7924 – created the Metropolitan Manila Development Authority (MMDA)

RA 7586 (1992) – National Integrated Protected Areas System Act

RA 7916 – Special Economic Zone Act

RA 8371 (1997) – Indigenous People’s Rights Act – sets the principles, process and preparation of the Ancestral Domain Sustainable Development and Protection Plan

RA 9003 – Ecological Waste Management Act

RA 10066 – Heritage Law: provisions relating to immovable heritage, historic centres and heritage zones

Presidential Decree 772 - Anti-squatting Law

PD 957, s. 1976 – requiring subdivision owners to provide roads, alleys, sidewalks and reserve open space for parks or recreational use

PD 1586 – Establishing an Environmental Impact Statement System including other environmental management related measures and for other purposes

PD 1517, s. 1978, Proclamation of Urban Land Reform in the Philippines

Batas Pambansa 220 (Revised 2008) – *Rules and Standards for Economic and Socialized Housing Projects*

BP 344 – Law to enhance the mobility of disabled persons

LOI 556 – Government programme for low cost housing

LOI 557 – *Slum Improvement Policy*

LOI 511 – Creating Coordinating Council for town planning, housing and zoning, developing local housing and town planning outside Metro Manila

5.3.6 Film, video and photography

The Movie and Television Classification and Review Board (MTRCB) is the Philippines' institutional response to the need to exercise control over content in film, video and photography. The MTRCB represents a policy position to place the exercise of such control in the hands of the industries involved, instead of a censorship body external to the world of filmmakers, video artists and photographers. The principal task of this body is to classify material for circulation in cinemas or broadcast as video streaming into homes, according to a ratings scheme. This system, understood by all practitioners in the relevant fields, involves families deciding what is appropriate for viewing based on the rating system. During the decades of Martial Law film artists, photographers and those working on the nascent medium of video, criticised the State through creative and subtle means. In the Post Martial law years, there was no longer an imposition of draconian State measures against artists. However, recently a new form of censorship of political views online has emerged, through the deployment of paid attack parties (a.k.a. "trolls"⁴⁰). This updated order of censorship, which involves massive online shaming and threat of bodily harm, has inaugurated a culture of impunity on a larger scale than possible in the past. It is this terrain of digital censorship – which in the present threatens to overwhelm cyberspace with unverified content that poses an unprecedented challenge to libertarian ideals and liberal democracy. Old forms of censorship that did not permanently take hold in the Philippines are supplanted by this new type of violence against artists and cultural workers using film, video and photography as preferred tools.

Apart from matters concerning policing the circulation of content via film, video and photography, it may be observed that these media outlets have been greatly assisted by State support in areas such as: workers' welfare (notably, the welfare agency for motion picture workers, Mowelfund); festivals (notably the independent cinema annual, Cinemalaya, funded by and through the CCP, and the Metro Manila Film Festival sponsored by the Metropolitan Manila Development Authority); and grants (through the NCCA), which have allowed local

⁴⁰ To read more about the rise of "trolls" read Jonathan Corpus Ong and Jason Cabanes, 'In the Philippines, political trolling is an industry – this is how it works' on Open Democracy, 20 February 2018 at <https://www.opendemocracy.net/en/digitaliberties/in-philippines-political-trolling-is-industry-this/> (last accessed 5/5/2019).

film, video and photography artists to attend major festivals overseas. These programmatic interventions have been enabled by either the law, by Executive Order or by municipal ordinance.

5.3.7 Mass Media

In the Philippines, varied laws regulate the broadcast industry generally, which is largely privately owned, with no specific Broadcast Act to cover radio, TV and other broadcast forms.

Public broadcast is under the purview of the People's Television Network (PTV) and the Philippine Broadcasting Service for radio. Generally, the technical aspects of broadcasting (operating, band width, licensing, etc.) are handled by government agencies like the National Telecommunication Commission and the Department of Information and Telecommunications Technology, while the content side is overseen by the Movie and Television Review and Classification Board (MTRCB) for TV and movies, and by the private *Kapisanan ng mga Broadcasters ng Pilipinas* (KBP, Association of Philippine Broadcasters). The PTV, on the other hand, has a charter that outlines general guidelines for programming and content. For the Philippine Broadcast Service (PBS), *Executive Order 297* was passed into law and governs its programming.

PTV and PBS, the public broadcasters, are mandated by their respective Charters or Enabling Laws (*EO 297* in the case of PBS) to include culture and values in their programming.

The KBP was organised in 1973 to promote professional and ethical standards in Philippine Broadcasting both in radio and television. Its members are made up of owners and operators of radio and television stations who are guided by broadcast and media regulations and guidelines for news, public affairs and commentaries, political broadcasts, children's shows, religious programming and advertising. The KBP created the *Broadcast Code of the Philippines* that sets standards for performances and ethics for its members. Provisions in the Code relevant to Culture first appear in its Preamble, which states 'That broadcasting is a powerful medium in shaping our country's cultural, social and economic growth and development'. Other points related to culture are under the heading *Culture and Tradition* in *Article 20* of the Code stated as follows:

Sec.1 Traditional Filipino values such as family unity, mutual respect, trust, helpfulness, and affection shall be upheld.

Sec. 2 The mores, culture, traditions, and characteristics of people must be respected. Maliciously ridiculing, denigrating or disparaging culture, customs, and traditions are prohibited.

Sec. 3 Opportunities shall be provided for the continuing expression of the Filipino national identity in the science, culture, and the arts.

Sec. 4 The predominant use of Filipino creativity, talent, and other human resources shall be encouraged.

Sec. 5 Broadcasters must acquaint themselves with the culture, mores, traditions, needs and other characteristics of the locality and its people to best serve the community.

5.3.8 Other areas of culture specific legislation

The Philippine Commission on Women (PCW) developed a number of documents with the title 'Towards a Gender Free Media', targeted at promoting gender sensitive media content.

The documents cover the following three main headings: Gender Equality Guide, Code of Ethics for Media and Guide to Protect Women Against Discrimination in Media and Film. The topics support the provisions of *Republic Act 9710, known as the Magna Carta of Women enacted in 2009*.

With regards to youth representation in media, the *Republic Act 8370 known as the Children's Television Act of 1997* states in its Declaration of Policy in Sec. 2 that 'the State recognises the importance and impact of broadcast media particularly television programmes on the value formation and intellectual development of children and must take steps to support and protect children's interests by providing television programmes that reflect their needs, concerns, and interests without exploiting them'.

The regulation of social media has always been an issue with differing opinions related to freedom of expression in relation to responsibility and accountability. One of the more recent Bills, *House Bill No. 5021, also known as the Social Media Regulation Act of 2017*, seeks to adopt some measures to regulate social media venues and internet sites, imposing penalties for online threats like identity theft, voyeurism or failure to comply with verification requirements. The proposed Bill has been highly criticised by some sectors that have observed that regulation may only curtail the public's freedom of expression and lead to bigger problems. The difficulty of implementing the regulations has also been questioned.

6. Financing of culture

6.1 Short overview

The Philippine government allocates yearly funds for the general administration and support, and operations, including the locally funded projects of its cultural agencies. In 2011, a year after President Benigno Aquino Jr. assumed office, the Department of Budget and Management implemented a results-based budgeting system where amounts allocated correspond to performance indicators determined by the cultural organisations themselves. The indicators are in turn based on outcome targets aligned to the sector and societal objectives of the Philippine Development Plan 2011-2016.

6.2 Public cultural expenditure

Table 3. GDP, Population and Appropriations for Culture from the General Fund (in PHP)

	FY 2010	FY 2015
Gross Domestic Product	5,701,540,000,000	7,579,940,000,000
Population	92,340,000	100,980,000
General Appropriations Act	1,541,000,000,000	1,739,768,572,000
Office of the President:		
Commission on Higher Education	1,668,767,000	2,368,769,000
Commission on Filipinos Overseas	45,301,000	82,792,000
Movie and Television Review & Classification Board	71,013,000	23,287,000
Philippine Commission on Women	63,853,000	57,265,000
National Youth Commission	71,955,000	79,808,000
Office of the National Commission on Muslim Filipinos	289,621,000	451,779,000
Optical Media Board	28,207,000	45,826,000
Technical Education & Skills Development Authority	2,890,916,000	5,319,484,000
Film Development Council of the Philippines	49,517,000	56,824,000
National Commission on Indigenous Peoples	626,874,000	937,030,000
National Commission for Culture and the Arts	31,104,000	94,165,000
National Historical Commission	120,464,000	783,049,000
The National Library	105,915,000	270,221,000
The National Museum	122,112,000	1,640,793,000

The National Archives	87,866,000	584,757,000
Cultural Center of the Philippines	140,000,000	193,000,000
Komisyon sa Wikang Filipino	36,853,000	41,066,000
Department of Foreign Affairs:		
UNESCO National Commission of the Philippines	16,325,000	17,046,000
Department of Environment and Natural Resources:		
Environmental Management Bureau	756,849,000	747,238,000
Department of Tourism	1,487,093,000	2,154,726,000
Department of Trade and Industry:		
Design Center of the Philippines	47,995,000	75,185,000.00
Department of Education	159,161,006,000	317,255,526,000
State Colleges and Universities	22,402,271,000	41,224,509,000
Government Owned and Controlled Corporation:		
People's Television Network	200,000,000	992,014,000
Total Appropriations for Culture	190,521,877,000	375,496,159,000

Sources: <http://www.economywatch.com/economic-statistics/economic-indicators/GDP>

Table 4. Agencies with Additional Allocations from Special Funds (in PHP)

Agency	2010	2015
Commission on Higher Education	854,000,000	1,011,008,000
Movie & Television Review & Classification Board		63,129,000
National Commission for Culture and the Arts	293,749,000	387,974,000
National Historical Commission of the Philippines		1,000,000
Cultural Center of the Philippines	9,000,000	
Film Development Council of the Philippines	30,889,000	69,860,000
Department of Education		3,032,546,000
Department of Tourism		1,099,666,000
Total from Special Funds	1,178,638,000	5,674,183,000

6.2.1 Aggregated indicators

A priority in the Philippine Development Plan 2011-2016 was ‘inclusive growth’, which require adequate levels of human development. ‘Investment in the country’s human resources is key to sustained and broad-based growth’, stated the Plan. According to then Secretary of Finance Cesar Purisima, ‘Longer-lasting and better quality growth remains to be the government’s priority’. As a result, there were considerable increases in appropriations for cultural spending in FY 2015.

Table 5. Budget for Culture 2010 and 2015 (in PHP)

	2010	2015
From Fund 101 (GAA)	190,521,877,000	375,496,159,000
From Special Funds	1,178,638,000	5,674,183,000
Total Appropriations for Cultural Agencies	191,700,515,000	381,170,342,000
Per capita budget for culture	2,076.03	3,774.71
Percentage of culture spending of GDP	3.36%	5.03%
Share of cultural budget of total appropriations	12.44%	21.91 %

Sources: <http://www.economywatch.com/economic-statistics/economic-indicators/GD>

6.2.2 Public cultural expenditure broken down by level of government

Special Funds for National Cultural Agencies

A) From the General Fund: *The General Appropriations Act (GAA)*, passed through Congress and enacted by the President, allocates funds for the general administration and support, and operations, including locally funded projects of cultural agencies

B) Special Funds: In addition to the allocations from the GAA, some cultural agencies have special funds of their own.

- Commission on Higher Education (CHED): CHED receives a share from the travel tax collections of the Philippine Tourism Authority (in 2010) or the Tourism Infrastructure and Enterprise Zone Authority (TIEZA, in 2015), lottery operations and a share from the collections of the Philippine Regulatory Commission remitted to the Higher Education Fund.
- Movie and Television Review and Classification Board (MTRCB): MTRCB earns some revenue from fees and charges.
- National Commission for Culture and the Arts (NCCA): The larger part of the NCCA’s annual budget comes from the National Endowment Fund for Culture and the Arts (NEFCA). It also has a share of travel taxes levied by the Philippine Tourism Authority. Please see Section 5.1.3 for more details.
- National Historical Commission of the Philippines: additional funds come from fees and charges levied upon clients.
- Cultural Center of the Philippines (CCP): CCP receives additional funds from Tobacco Inspection fees, as per *PD 1158*.

- Film Development Council of the Philippines (FDCP): FDCP receives shares of amusement taxes on commercial screenings of films remitted by local governments.
- Department of Education (DepEd): In addition to the funds allocated in the GAA, the DepEd receives additional funds from Grassroots Participatory Budgeting Projects and from Public-Private Partnerships for school buildings. It also earns fees, charges and assessments collections in the exercise of functions such as authentication of forms or diplomas, in order to augment schools' maintenance and other operating expenses (MOOE) and instructional programmes. Additional earnings come from the rental of its buildings and facilities, which go to the MOOE of these properties and to the board and lodging of teacher-occupants during trainings. Schools in Local Government Units (LGU) use 1% of real property taxes from these territories, which go into the LGU's Special Education Fund (SEF). This SEF is allocated for the operation and maintenance of school buildings, facilities and equipment, educational research, purchase of books and periodicals and sports development as determined by the Local School Board.
- Department of Tourism (DOT): In addition to its allocation from the GAA, the DOT manages funds for Grassroots Participatory Budgeting Projects. It also uses what it earns from accreditation fees, IDs, stickers and code fees, which go to the Tourism Development Fund and are used for development, promotion and marketing of tourism and other projects. Another source of funds is Duty Free Philippines. Net profits from its merchandising operations are spent on the agency's flagship projects, manpower enhancement or development programmes and other tourism related activities.

Other National Government Agencies (NGAs) that contribute to cultural resource management

There are three other NGAs whose primary functions are not cultural in nature but that contribute significantly to the management of the country's cultural resources. Since such activities are not specifically detailed in their budgets, their financial contributions to culture are hard to determine. These agencies are: the Housing and Land Use Regulatory Board, which helps in the implementation of the *Cultural Heritage Act RA 10066* through technical assistance in the preparation, review and approval of Comprehensive Land Use Plans of LGUs to include heritage planning and provisions of heritage or historical zones; the Metro Manila Development Authority, which yearly supports the Metro Manila Film Festival which has a considerable impact on the local film industry; and the Department of Interior and Local Government which ensures the implementation of the Comprehensive Development Plans that include arts and culture activities and the formation of Culture Councils in LGUs.

Local funds for culture

There are 81 provinces, 145 cities and 1,489 municipalities in the Philippines and each one enjoys autonomy in allocating its revenues based on the LGU development plans, which, in theory, are reflective of the needs and aspirations of its citizens. Although each unit submits its yearly budget documents to the Department of Budget and Management, because of the sheer volume of submissions they are not collated nor released in any readily accessible form. (A few abbreviated summaries can be accessed by the public at the LGUs' website.)

LGUs all over the country receive an allocation from the GAA in addition to their own internal revenues and subsidies. This allotment, the LGU's share of the national internal revenue taxes, is called the Internal Revenue Allotment (IRA). Provinces receive 23% of this amount, cities

23%, municipalities 34% and barangays 20%. There is an allocation formula prescribed by the *Local Government Code (RA 7160)* that takes into consideration the land area of each LGU's territory and population. In 2010, the national government allocated PHP 265.80 billion (or approximately 4.95 billion USD as of September 2018) to LGUs and in 2015, PHP 389.86 billion (or approximately 7.26 billion USD).

The *Local Government Code* requires that 20% of an LGU's IRA must be spent on development projects. Ideas for these projects are generated by the Local Development Council (LDC) of each LGU. One-fourth the total number of LDC members should be civil society representatives. In fact, *Section 36 of RA 7160* encourages the LGUs to provide assistance, financial or otherwise, to people's organisations (PO) and NGOs to carry out cultural projects within its jurisdiction.

Cultural organisations would do well to seek membership in the LDC so that they could suggest art and culture programmes, projects and activities. However, as noted above, each LGU sets its own direction for growth and this guides the selection of what undertakings it will invest in. Even if cultural organisations actively participated in the LDC, if cultural development is not part of the LGU's vision, it will not figure prominently in the LGU's Comprehensive Development Plan and hence will not likely be an important investment for the locality.

If however, LGUs divide their development moneys equally among the five sectors (social, economic, infrastructure, environment and natural resources and institutional) and if the social sector's funds are divided equally among its concerns (education, health, social welfare, shelter, public order, sports, art and culture) then there would be theoretically 0.57 % of the IRA available for use for the culture sector in the local level. Given that the 2016 IRA is PHP 428.62 billion (or approximately 7.98 billion USD as of September 2018), there could be as much as PHP 2,443,134,000 (or approximately 45,476,985 USD) for cultural spending among local government units over one year.

6.2.3 Sector breakdown

A comparison of the NCCA's expenditures in the calendar years 2010 and 2015 shows small fluctuations of 4% to 7 % in spending in the visual arts, literature and publications and multimedia sectors, while spending for interdisciplinary projects held steady at 22% to 24%. The noticeable increase in spending for the heritage sector, from 34% in 2010 to 58% in 2015, is the result of the enactment of the *Heritage Law (RA 10066)* as well as the investment into heritage structures damaged during the 7.2 earthquake that struck Bohol on 15 October and the Typhoon Haiyan that struck the Visayas from 2 to 11 November 2013. On the other hand, the decrease in spending for the performing arts may be the effect of reprogramming, namely the discontinuance of the Dance Xchange project and changes to the implementation of the Annual National Arts Month celebrations, beginning in 2014.

Table 6. NCCA Expenditures by Sector, CY 2010 (in PHP)

Field	Total			Transfers		
	Amount	%	Direct Expenditure	Other Levels of Govt	NGOs	Individuals
Cultural Heritage	53,416,919	34%	4,721,853	10,145,786	38,299,280	250,000

Visual Arts	6,811,199	4%	535,029	200,000	5,706,170	370,000
Performing Arts	35,351,959	23%	6,328,449	3,714,700	24,808,809	500,000
Literature and Publication	9,122,448	6%	2,531,204	3,061,968	1,282,000	2,247,275
Audiovisual and Multimedia	14,728,524	9%	7,328,524	1,000,000	5,250,000	1,150,000
Interdisciplinary	34,545,638	22%	17,952,149	3,581,525	11,225,385	1,786,579
Not Covered-Others	2,776,242	2%	2,513,642	-	262,600	
Total	156,752,927	100%	41,910,850	21,703,979	86,834,244	6,303,854

Table 7. NCCA Expenditures by Sector, CY 2015 (in PHP)

Field	Total		Transfers			
	Amount	%	Direct Expenditure	Other Levels of Govt	NGOs	Individuals
Cultural Heritage	328,311,411	58%	32,723,006	278,061,320	15,142,085	2,385,000
Visual Arts	12,638,300	2%	4,216,300	3,322,000	4,900,000	200,000
Performing Arts	52,383,888	9%	1,116,318	5,755,000	45,511,570	
Literature and Publications	10,936,199	2%	3,553,199	1,460,000	4,248,000	1,675,000
Audiovisual and Multimedia	10,608,000	2%	-	1,168,000	7,640,000	1,800,000
Interdisciplinary	136,995,826	24%	50,186,197	6,709,000	71,666,786	8,433,122
Others Not Covered	18,253,481	3%	9,288,481	5,370,000	3,180,000	415,000
Total	570,126,105	100%	101,084,221	301,845,320	152,288,442	14,908,12

6.3 Trends and indicators for private cultural financing (non-profit and commercial)

A study of philanthropy in the Philippines by Singapore's Lien Centre for Social Innovation (2014) found the Philippines to have one of the 'most robust giving communities in Southeast

Asia'. The study defined four categories of the private funding landscape in the country: key funders, corporate giving, family philanthropy and high net worth individuals (HNWIs).

These givers, however, are focused primarily on education, poverty reduction and healthcare (indigenous cultural communities ranked 9th in a 2005 survey). There are supporters of art and culture activities among the private funders, but a study still has to be made on the extent of private sponsorship for the arts. The information in this section was assembled from studies of Philippine philanthropy, corporate and foundation literature and multi-media news articles.

Key funders

- Philippine Business for Social Progress (PBSP) was founded in 1970 by several business leaders. Today its membership includes 230 companies, all pooling 1% of their pre-tax profits to support not-for-profit organisations engaged in social development.
- The Association of Foundations was the first network to bring together NGOs and people's organisations with varying orientations and ideological persuasions. Founded in 1972, it now has more than 100 members who work on capacity-building for the non-profit sector in the country.
- The Peace and Equity Foundation was created when the Caucus of Development NGOs (CODE-NGO, organised in 1990), a network of 1,500 NGOs, invested in the capital markets and raised PHP 1.318 billion (or approximately 24.53 million USD as of September 2018) in funds. Today it supports organisations engaged in community development and empowerment programmes.

Corporate Giving

The League of Corporate Foundations (LCF⁴¹), originally a subsector of the Association of Foundations beginning in 1991, became independent in 1996. There are now over 70 operating and grant-giving corporate foundations and corporations in its network. The LCF has five programme committees, one of which is Arts and Culture. LCF members actively supporting arts and culture activities are:

- Globe Telecom⁴² partners with indigenous peoples.
- Knowledge Channel Foundation, Inc. partners with the Department of Education in airing curriculum and non-curriculum-based programmes on cable television and has worked to move programme content from 100% foreign materials to a 50/50 ratio of local to foreign content.
- Landbank Countryside Development Foundation Inc assists indigenous peoples in protecting and developing their ancestral domain, with social preparation, training and area mapping, with the overall goal to preserve eco-biodiversity.
- Metrobank Foundation runs the Metrobank Art and Design Excellence programme which recognises outstanding works of sculptors, architects and interior designers.

⁴¹ <http://lcf.org.ph/> (last accessed 5/5/2019).

⁴² <https://www.globe.com.ph/> (last accessed 5/5/2019).

- Fifty per cent of the Phinma Foundation Inc.'s resources are earmarked for education, and the rest contributes to cultural, environmental, medical and other programmes.
- Pilipinas Shell Foundation Inc. sponsors an annual painting competition.
- Pioneer Foundation Inc. is an advocate of Philippine arts and culture, promoting Philippine creative excellence through publications and corporate gifts.
- PLDT-Smart Foundation Inc. runs a programme called Artists in Development (AID) which pulls together media, sports and showbiz personalities to participate in the foundation's advocacies, as well as a programme called Cinema *buhay*, a competition to encourage young and talented filmmakers to showcase their work both in the country and abroad.
- Union Bank of the Philippines engages in community-building endeavours through creative means, like the book *As A Filipino*, which aims to form proper values, promote reading and a love of the country in children.

Some corporations practice corporate social responsibility on their own, like First Philippine Holdings, Inc. Not only does it support the Orchestra of the Filipino Youth (OFY), but it also runs a programme called *Ang Misyon* (The Mission), whose goal is to help alleviate poverty through social change and enrich the youth with the discipline of classical music.

Family philanthropy

It is difficult to separate family foundations from the corporate foundations set up by the family's enterprises. However, the following families are identified more with the founding personalities, rather than the businesses they established. Some of those associated with cultural development are:

- Antonio Floirendo Sr. Foundation Inc. runs Adopt-a-Library Project as part of its educational assistance programme
- Ayala Foundation supports the Ayala Museum and the Filipinas Heritage Library
- Lopez Group Foundation operates the Lopez Library and Museum
- Aboitiz Foundation supports community-based heritage tourism projects in Cebu as part of its enterprise development programme
- Villar Foundation is helping to transform the Las Pinas Historical Corridor into a major tourism destination, including the restoration and preservation of local landmarks
- Ortigas Foundation runs the Ortigas Library and Philippine Studies Center, which encourages and assists scholars and institutions in researching and conserving the country's cultural artefacts. It also organises lectures, seminars and exhibitions
- RD Foundation, founded by spouses and entrepreneurs of General Santos City Mindanao Rodrigo and Dolores Rivera, the Foundation coaches indigenous people's communities in enterprise development in order to set up businesses

High net worth individuals (HNWIs)

In 2011, a Swiss Banking group estimated that by 2015 there would be 38,000 HNWIs in the Philippines⁴³. In 2016, one of them was ranked on the top ten list of the world's youngest art collectors, known to own works by masters like Picasso, De Kooning and Warhol. Although many Filipino HNWIs are part of family foundations, some also have personal advocacies.

Many other personalities give generously to Philippine art, among them a Filipino-American rapper, dancer, music producer and philanthropist, business tycoons who support important cultural institutions (like the Manila Symphony Orchestra, Ballet Philippines, private museums and an Innovation Center that houses fabrication laboratories and exhibition spaces for projects in science, technology, engineering, arts and mathematics) and a conglomerate matriarch who helps indigenous people's communities by promoting their distinctive traditions.

New forms of philanthropy

Diaspora giving

There is a growing desire among overseas Filipinos to give back to the country of their birth through philanthropic contributions. Internet sites like www.filipinodiasporagiving.org have emerged to facilitate this trend. An interesting development in this area is the proliferation of student groups made up of Filipinos and Filipino-Americans in colleges and universities in the US who actively promote their culture and heritage, staging performances of Filipino dances and songs. Immigrants form cultural associations so that future generations of Filipino-Americans will develop a love for their cultural heritage. In California, small venues exist for theatrical presentations, public workshops, concerts, readings and other events including exhibits and educational programmes. While such programmes are not sources of substantial funding, they help create and maintain the emotional bond between the diaspora community and the Philippines, which in turn is the basis of diaspora giving.

Crowd-funding

Crowd-funding uses websites to present creative projects, outlining the concept, budget and timeframe. Funds raised generally fall in the following categories:

- Donation: viewers express support by donating and/or voting and passing the link onward
- Reward-based: viewers give money in exchange for a reward (a product or service) that the crowd-funding site will provide or produce
- Equity-based: viewers become part-owners of the company raising funds
- Lending: the crowd-funding site borrows the money from the viewers with a legally binding contract to be repaid after the loan period

⁴³ Tony Lopez, 'PH has 32,354 dollar millionaires' in The Manila Standard, 31 October 2018 at <http://www.manilastandard.net/opinion/columns/virtual-reality-by-tony-lopez/279301/ph-has-32-354-dollar-millionaires.html> (Last accessed 6/5/2019).

7. Public institutions and cultural infrastructure

7.1 Cultural infrastructure: tendencies and strategies

Cultural infrastructure – here taken to refer to the conceptualisation, establishment, maintenance, monitoring and evaluation of State and private institutions supporting culture and the arts – has had a long history in the Philippines. It is necessary here to foreground this section with a few observations concerning the timeline of cultural infrastructure in the Philippines. There have been, since the early 20th century, institutional mechanisms specific to culture and the arts. Academic training began in the 19th century for music, painting, sculpture and architecture and research into traditional art was a programme of the early 20th century. To give an example, the University of the Philippines accomplished a pioneering work in dance research conducted before the Second World War. In addition, language policy, assistance for minoritised cultures, the protection of freedom of expression, affirmative action for the poor and advocacies for social equality in general, have been attended to with a wide variety of institutionalised support from across Philippine society.

Five philosophical bents may be identified as having provided the conceptual infrastructure for public and private institutions built from the 20th to the early 21st centuries. These are: the civilisational discourse; freedom of expression; “Filipinisation;” social justice; and the cult status of genius and mastery. All five have had no lack of adherents in the past century and each inspired the creation of institutions. Summaries of each are given below.

The civilisational discourse precedes, by many centuries, the 20th century concept of art and culture as the way to achieve a more sophisticated society. Children of Filipino emergent middle-class populations were often taught Western classical instruments, such as the piano or violin, as a mark of social aspiration. Other such examples include: the myriad art and art appreciation summer classes; the marching band *banduria* and street dance troupes of all municipal and provincial governments; and the church and school supported choirs. This is not an exhaustive list of the hundreds of thousands of organised systems available to Filipinos who wish to learn Western performed and visual art forms. While this social aspiration through Western art forms is legitimately the subject of critical regard from a postcolonial perspective, it could be argued that majority of Filipinos embrace this civilisation discourse and expect both private sector and State agencies to offer instruction and experience that sustains this aspiration.

Freedom of expression is the conceptual ideal underlying a long tradition of institution building in the Philippines. Institutions with freedom of expression as their founding vision include: art galleries and performance venues committed to protecting the right of artists to free speech; media organisations that strive to provide a space for diversity of opinion and for the profession of journalism to thrive under protection of this freedom; all institutions of higher learning in the Philippines that uphold academic freedom; cultural organisations working with grassroots parties to advocate for their voices being heard; and networks systematised around encouraging the free articulation of beliefs.

“Filipinisation” arose in the 1970s as youth took to the streets to protest a wide range of neo-colonial cultural, political and economic impositions. This principle was originally a call against the perils of, in their view, Westernisation. Filipinisation was quickly and widely adopted, gaining passionate adherents in the arts and culture field, particularly those with a nativist approach to nationalism.

Social justice was also a call against the social impact of unmitigated capitalism. And like Filipinisation, social justice is an idea that most Filipinos quickly took up as common cause. There exists such a wide gap between rich and poor in the Philippines, that the art and culture field cannot possibly be indifferent to its enormous costs

The cult to genius and mastery is the foundation of a wide range of systematised endeavours including: the Gawad Manlilikha ng Bayan (GAMABA)⁴⁴, which recognises, and provides support to, exemplars of traditional art; the National Artist Award, which recognises exemplary achievement in modern art genres; the conservatories of music and colleges of fine arts all over the Philippines, which train youth talented in the arts; the assistance extended by the CCP, the NCCA and private sector parties towards Philippine participation in prestigious international competitions and events; the many contests conducted by philanthropic entities all over the country; and the equally numerous talent scouting programmes on entertainment television.

7.2 Basic data about selected public institutions in the cultural sector

Table 8 below compares counts of cultural institutions by domain in the years 2010 and 2015. The 2010 figures were taken from the ABS-CBN Bayan Foundation Inc. and the Cultural Center of the Philippines' mapping of the creative industries. Their inventory used the CCP's own directories, directories of other institutions like the Commission on Higher Education (CHED), Federation of Philippine Photographers and the Philippine Dance Network, as well as online sites and newspaper articles. The 2016 figures were taken from the NCCA's database (built from the lists of projects it has supported throughout the years), lists provided by its committees and online sources. Neither lists segregated publicly run and privately operated institutions.

These different methods of obtaining the data present challenges when making comparisons. However, there are a few points of interest worth noting here. There is an increase in the declaration of numerous heritage properties and sites, which can be explained by the fact that most of those included in the data are managed by the government, except for church-related structures, artefacts and old masters. There has also been an increase in the number of private galleries, owing to recent successes of Filipino visual artists in the international market, as well as a vigorous secondary art market for collectors of Filipino cultural artefacts and old masters.

On the other hand, the slightly lower number of festivals, rituals and commemorations in the 2016 dataset may simply be a matter of bias. The source of the CCP-ABS-CBN Bayan Foundation list was the Department of Tourism. The NCCA tends to separate 'new-fangled' tourism created events 'from those that have actually sprung from the communities themselves'. Most 'true fiestas' are managed locally, with minimal intervention from public authorities.

Table 8: Public and private cultural institutions, by domain

Domain and Endowments	Cultural Institutions 2010	Number in 2015	Number in 2016
Cultural Heritage	Cultural Heritage sites	47	
	National Cultural Treasures		92

⁴⁴ <https://ncca.gov.ph/about-culture-and-arts/culture-profile/gamaba/> (last accessed 6/5/2019).

	Important cultural properties		23
	Important archaeological/historic sites		606
	Museums	154	370
	Archives	(no data)	62
Visual Arts	Art galleries	221	533
	Art schools	34	(no data)
Performing Arts	Symphonic orchestras	10	24
	Music schools	52	(no data)
	Dance Studios	91	(no data)
	Theatre schools	18	(no data)
	Drama theatre	803	535
	Music theatre		437
	Dance and ballet companies	79	429
Books and Libraries	Libraries	(no data)	896
Audiovisual	Broadcasting Organisations	(no data)	77
Others	Festivals, rituals, commemorations	627 (DOT data)	580

Sources: 2010: ABS-CBN Bayan Foundation Inc. and the Cultural Center of the Philippines; 2016: NCCA Management Information System; National Museum; National Historical Commission of the Philippines.

The increased number of museums may be the result of activities by the National Museum (NM) and National Historical Commission of the Philippines (NHCP), both of which have regional and provincial branches or offices, as well as the work of the associations of museums whose network covers the entire country.

The NM and NHCP may have local offices and the Cultural Center of the Philippines (CCP) may have outreach programmes in several locations outside of Manila, but under the *Local Government Code (RA 7160)*, municipalities, cities and provinces must run their own cultural affairs. In addition to basic services and facilities, each must form its own Arts and Culture Council and build and operate its own cultural centre. Therefore, the initiatives of NM and NHCP should not replace local basic services, but rather should supplement them.

7.3 Status of public cultural institutions and public-private partnerships Re-allocation of responsibilities for culture

The administration of cultural agencies formerly attached to the Department of Education, Culture and Sports transferred to the NCCA.

Reforms to improve the quality of education led to the restructuring of the erstwhile Department of Education, Culture and Sports (DECS). In 2001, *Republic Act No. 9155*, also known as '*An Act Instituting a Framework of Governance for Basic Education, Establishing Authority and Accountability, Renaming the Department of Education, Culture and Sports*

[DECS] as Department of Education (DepEd) and for Other Purposes', allowed the department to focus exclusively on the governance of education, transferring the administration of other cultural agencies to the NCCA.

Re-engineering of the Product Development and Design Center Philippines

The Product Development and Design Center Philippines used to be a line agency of the Department of Trade and Industry, a vital contributor to the success of Philippine furniture, gifts and housewares exports in the 1990s due to its design assistance to small and medium enterprises. With the enactment of the *Design Law (RA 10557)* in 2012, the agency was revitalised and renamed the Design Center in order to promote design as a creative tool for improving the quality, competitiveness and branding of Filipino products in the global market. In addition, the new approach incorporated design as a priority component in national planning and development, as well as an innovative tool for enhancing the quality of human life.

Specialised functions assumed by the NCCA with the passage of the Heritage Law

In the organisational structure of the NCCA, several work details were integrated in different sections to better implement the provisions of the *Heritage Law*. This shifted the focus from coordination with cultural agencies named in the Law, to management, validation and review of data relevant to tangible and intangible heritage.

Public-private partnerships

A Public-Private Partnership (PPP) Program under the Department of Finance was established as part of the Philippine Development Plan 2011-2016, one of the then President Benigno Aquino administration's strategies to accelerate infrastructure development. Projects eligible under the programme were tourism facilities and estates, education and infrastructure, development projects and systems (not including those related to environment, agriculture, utilities, transport and telecommunications). Among the projects considered for PPP implementation, those relevant for the cultural field include:

- Manila Heritage and Urban Renewal Project, to involve the conservation of, among other heritage structures, the Art Deco Manila Metropolitan Theatre
- Makati-Manila-Pasay Area Mass Transit System, to enhance accessibility to the Cultural Center of the Philippines Complex

The newly installed Duterte Administration has made it a policy to encourage PPP, especially at the local government level.

8. Promoting creativity and participation

8.1 Support to artists and other creative workers

8.1.1 Overview of strategies, programmes and direct or indirect forms of support

Support for artists and creative workers is carried out, through a variety of ways, by the National Commission for Culture and the Arts (NCCA).

- NCCA Competitive Grants. A call for proposals is announced a year before the release of the funding assistance. Deadlines and criteria are set by the 19 National Committees and the NCCA in general. (See Section 8.4.3 for more information on the National Committees.)
- Grants for Cultural Diplomacy Programmes and Support for International Events and Agreements. This section includes: the execution of the Program on Culture and Diplomacy to implement international commitments under the various cultural bilateral and multilateral agreements; local and international hosting and exchange programmes; participation in international festivals, exhibits and competitions; and attendance to international meetings where Philippine participation is required.
- Grants and Support for Institutional Programmes. This support includes funding to implement the NCCA's regular programmes, projects and activities, such as the *National Artists Awards*; the *Gawad Manlilikha ng Bayan*; and support for the four major festivals of the Commission, namely the *Arts Month*, *Heritage Month*, *International Dance Celebration* and the *Indigenous Peoples Month*. Also included are the other regular programmes of the Commission, such as: the *Speakers' Bureau and Resource Persons' Program*; *Outreach Program*; *Technical Assistance Program*; *Publication and Documentation Activities*; and other administrative and regular activities with Board Resolutions, such as assistance in the Celebration of Independence Day and other milestone events.
- Inter-agency Grants. These grants provide funding to implement assistance to other inter-agency commitments, such as the Department of Tourism's *Madrid Fusion*⁴⁵.
- Other Forms of Support. This includes support to conduct trainings and workshops on project proposal writing, special topics as required by cultural workers, aspects of heritage conservation and training related to the performing arts.
- Individuals, NGOs, POs and other government organisations, from LGUs to national government agencies, may apply for funding assistance. In general, the types of activities funded by the Commission include: culture and arts exhibitions; cultural festivals; productions or performances; publications or multimedia documentation; research and development; trainings, workshops, conferences or seminars; travel assistance; conservation, restoration and preservation of cultural heritage; support to competitions or awards; and recognitions and scholarships.

All these projects are funded from the National Endowment Fund for Culture and Arts (NEFCA), which was established under *RA 7356* to be used exclusively for the purpose of managing the country's cultural resources. The NEFCA is made up of the following:

- PHP 100 million (or approximately 1,861,420 USD as of September 2018) as seed capital sourced from the Philippine Amusement and Gaming Corporation (PAGCOR);

⁴⁵ <https://www.madridfusionmanila.com/> (last accessed 5/5/2019).

- 10% of the Philippine Tourism Authority’s travel tax collection allotted to the NCCA on a regular basis;
- contributions and grants from government corporations at their discretion, but not exceeding 15% of their unimpaired surplus; and
- donations and other conveyances, including funds, materials, property and services, by gratuitous title.

On the municipal, city and provincial levels, support for the arts is given in the form of tax exemptions from amusement taxes. LGUs levy an amusement tax from proprietors, lessees or operators of theatres, cinemas, concert halls, circuses, boxing stadia and other places of amusement at a rate of not more than 30% of the gross receipts from admission fees. Pop and rock concerts, movie screenings and mass-media based presentations, including sports events, are subject to tax, while the holding of operas, concerts, dramas, recitals, art exhibitions, flower shows, musical programmes, literary and oratorical presentations are exempt.

8.1.2 Special artists’ funds

Artists from different disciplines have banded together to establish private organisations, most of them non-profit foundations, that cater to their specific needs. Some of them are independent of, while others partner with, relevant government agencies. Listed below are a few outstanding examples.

Mowelfund, or the Movie Workers Welfare Foundation, is an organisation that provides for the welfare of workers in the film industry. With about 5,000 members, *Mowelfund* offers financial support for medical fees and hospitalisation, housing and employment, as well as benefits in case of death. To maintain its support of the industry workers, *Mowelfund* partners with other cultural agencies, both public and private, and engages in various fundraising projects, like film screenings, concerts and celebrity sports events.

The Artists’ Welfare Project, Inc. (AWPI) is a non-profit, non-government organisation founded by a group of Filipino artists with the vision to 1) tap into government agencies that provide welfare benefits and 2) advocate for legislation that will provide long-term solutions to the plight of artists in vulnerable situations. In 2015, *Senate Bill No. 2758*, or *Artists’ Welfare Protection and Information Act*, was filed. The bill’s Declaration of Policy, Section 2 reads “The State shall protect and promote the rights of an artist to be considered as a person actually engaged in cultural work and to benefit from all legal, social, and economic advantages pertaining to the status of workers”. AWPI acknowledges that the bill may have to undergo revisions and enhancement before it is finally passed. Meanwhile, the organisation has continued to access healthcare benefits for its members and has conducted workshops on various topics to empower artists, as well as securing support from legislators and the general public.

The *Organisasyon ng Pilipinong Mang-aawit* (Organisation of Filipino Singers or OPM) was established in 1987 as a registered non-stock, non-profit corporation and is one of the more successful organisations for professional Filipino singers. The organisation’s objectives are to secure government support for policies under a framework that would nourish the music industry, to enable its members to improve their craft and defend their rights and to promote the recognition of Filipino singers and songs on a national and international scale. One of the organisation’s core initiatives is the *OPM Performers Equity Program*, a set of rules aimed at protecting the interests of Filipino singers from foreign entertainers performing in the Philippines. In support of such interests, the Philippine Bureau of Immigration requires foreign

performing artists to comply with certain requirements in the *Performers Equity Program* prior to engagement and to obtain a Special Working Permit.

The *Directors' Guild of the Philippines, Inc. (DGPI)* is an organisation of film directors 'founded to protect the creative and economic rights of directors and members of the directorial team working on film, television, documentaries, news, sports, and new media, as well as to educate, strengthen and enhance its community to enable the directors and their teams to flourish with their creative rights in all aspects of the filmmaking process'. In 2014, in a private-public partnership initiative, the DGPI signed a memorandum of understanding with the government agency Movie and Television Review and Classification Board (MTRCB) to share their respective competencies and to cooperate in joint activities to attain their mutual objectives.

In 2017, the Philippine Health Insurance Corp. (PhilHealth) announced that it has signed an agreement with the *Film Development Council of the Philippines (FDCP)* to enrol workers in the local film industry. It is expected that this move will lessen the burden of medical expenses from freelance workers in the film industry, like producers, directors, actors, cameramen, gaffers and others, who can now access social health insurance coverage.

The NCCA has also set aside funds for the country's living *National Artists* and *National Treasures*. National Artists receive a symbolic gold medallion, as well as an initial cash award for living artists or the family of a deceased artist. Living artists also receive a monthly stipend, payment for all their medical and hospitalisation needs and a State funeral and internment at the Libingan ng mga Bayani (Cemetery of Heroes). Some National Artists who wish to continue being creative and productive in their field of discipline can likewise gain access to a NCCA grant. The Living National Treasures, or GAMABA (*Gawad ng Manlilikha ng Bayan*), awardees have the same benefits as the National Artists, except that their creativity is channelled through a School for Living Traditions that is set up in their communities to enable them to teach and pass on their traditional knowledge to the next generation. Funeral services accorded them may vary according to the traditional practice of their respective communities.

8.1.3 Grants, awards and scholarships

Grants and scholarships are available from the country's cultural agencies through competitive programmes. Government support opportunities are open, for example, for an artist to apply for a scholarship grant in his or her field of expertise or apply to participate in an exchange programme abroad. In addition, a number of scholarships are offered by private companies as part of their corporate social responsibility (CSR) programmes, which, though they mostly cover science and technology, have recently expanded to culture and the arts, specifically the creative industries.

As to awards, the earlier mentioned National Artist and GAMABA awards continue to be the most prestigious for culture.

A major event that culminates in awards is the annual Metro Manila Film Festival, which opens with a parade of celebrities riding in floats, viewed by a huge crowd of movie fans. Then from 25 December (Christmas Day) to New Year's Day and the first weekend of January, only Filipino films are showcased in theatres nationwide. Reaching its 44rd year in 2018, the highlight of the festival is the Awards Night, when winners for Best Picture, Best Director and other categories are announced and the winners receive the coveted trophies, as well as a boost in box office ticket sales.

In the discipline of visual arts, the Cultural Center of the Philippines (CCP) honours artists with its triennial programme, the *13 Artists Award*, that gives recognition to 13 young and innovative artists engaged in various contemporary visual arts forms. Part of the awarding rites is an exhibition of the 13 artists at the CCP Main Gallery.

The annual *Aliwan Fiesta*, founded in 2003 and still active to date, is organised by the Manila Broadcasting Company (MBC) together with the CCP and the cities of Manila and Pasay. The event gathers together different cultural festivals of the Philippines to compete in a dance parade and float competition. Prizes totalling PHP 3 million (or approximately 55,843 USD as of September 2018), as well as the opportunity to promote the region's culture, heritage and tourism potential and encourage the country's 18 regions to send a contingent. The *Aliwan Fiesta* serves as a good example of a sustained private-public partnership in a project that has expanded participation and audience appeal through the years.

8.1.4 Support to professional artists associations or unions

As a rule, the NCCA and its attached cultural agencies have established programmes in support of artists and other culture-based associations. An example is NCCA's continuous support of the ManilArt Foundation's exhibit *ManilArt*, now in its 8th year, which showcases works of Filipino masters, as well as contemporary artists, in partnership with visual artists, private collectors and galleries. With more than 30 participating galleries and over 600 artworks featured in its 2016 exhibit, *ManilArt* has become the Philippines' longest running art fair.

Opportunities for artists to participate in residency programmes are made possible through the NCCA's exchange programmes with cultural agencies abroad. For example, in 1975 Filipino visual artists founded the *Angono Ateliers Association* in the town of Angono in the greater Manila area. Through their efforts in seeking support from the private and public sector, they have sustained an *Artists' Village* in their community and they have received visiting local and international artists, as well as art enthusiasts.

Some opportunities are not necessarily reciprocal exchanges but materialise through the NCCA's linkages with its counterpart agencies abroad. An example would be the *National Research Institute of Cultural Heritage of Korea*, which has invited a Filipino participant to a three-month Training Program on Conservation Science. It is worth noting that there are countless invitations open to artists and cultural workers to similar trainings in various fields from all over the globe.

8.2 Cultural participation and consumption of cultural goods

8.2.1 Trends and figures

Data on cultural participation was not available at the time of this writing, however, this may soon change given that the Philippine Cultural Statistics Framework (PCSF) was finally approved by the Philippine Statistics Office (PSO). The PCSF is a localised version of the 2009 UNESCO Framework on Cultural Statistics and served as a guiding concept in measuring the state of culture and the arts in the country. The Philippine Statistics Portal (PCS) is being developed to be used as a tool to facilitate means of data submissions, data processing and report generation. This will provide input interface for the users based on per agency indicators that will be provided to NCCA.

The PCS online portal can be accessed at www.pcs.ncca.gov.ph

8.2.2 Policies and programmes

Museums, theatres, arenas and other such spaces have long adapted the marketing techniques of the West including strategies such as discounted ticket prices for students and seniors, free passes for special demographics, links with and endorsement by the Department of Education, high visibility events and incentives for operators of school tours. These have served to boost participation in cultural events, but no study has been undertaken to determine the impact of such participation. Pending such investigation, the current strategies are expected to remain in place for the purpose of maintaining audience numbers.

Current discussions on cultural events have shifted focus from mere attendance numbers (which has never financially sustained any of these cultural events) to strategies for long-term financial sustainability. One approach has seen prestigious museums, including the National Museum of the Philippines, renting out spaces for exhibitions and events. In 2016, a major museum sought to raise revenue by staging large-scale social events that appealed to affluent demographics, with apparent initial success. Because of this, the financial survival for institutions has obscured the more profound focus on educational objectives and currently, there is no policy debate occurring to balance financial and educational objectives.

During the six years of steady economic growth from 2010 to 2016, the Philippines saw equally steady growth in arts and culture infrastructure. The National Museum of the Philippines embarked on a major renovation and re-architecting of its American colonial building, refitting it for natural history exhibits. In addition, at least two major museums are being planned. The theatre scene in the same period saw ticket sales rise to subsidise productions, a welcome development after a century of failure in this regard. The music, entertainment and film industries have also seen a rise in attendance. The CCP's decades long investment in independent cinema has borne fruit in the form of film directors who, after winning prizes at international film festivals, can draw large-scale financial support for new projects. These financially rewarding and promising developments are still too new to be deemed sustainable, especially if the Philippines experiences an economic downturn. Perhaps more crucially, policy work in the culture field has not kept up with this dynamic situation.

Policy work in the art and culture field in the Philippines is still incipient. Few policy analysts work in this field, in marked contrast to the fields of economics, health, gender issues, environment, strategic studies and education.

No analysis is available as to why this is so, but it could be due to the essentially volunteering culture of the NCCA and the artistic, rather than policy, credentials of CCP staff. This state of affairs has led to programmes and projects in the culture field following suggestions from the art and culture community, rather than policy that encompasses broad economic and political forces.

Aside from the continuing drive for increasing or sustaining viewership mentioned above, access to culture has not been raised as an issue. Part of the reason is that the majority of the Philippine population is satisfied, and in fact enthusiastic, about the festivalisation of local culture by tourism and local government leaders, supported by commercial interests. These festivals involve nearly everyone; and the experience of such events overlaps with other similar spectacles on free television to the extent that the majority of Filipinos are immersed in popular music and other forms of entertainment on a daily basis. This mass consumption of art and culture occurs alongside equally persistent calls from certain sectors of society to elevate art and culture literacy, allowing for popular access to academically trained artists. The outcome of these conflicting views has yet to be analysed.

8.3 Arts and culture education

8.3.1 Institutional overview

One of the mandates of the NCCA is ‘to ensure the widest dissemination of the artistic and cultural products among the greatest number across the country and overseas for their appreciation and enjoyment, it shall, with the co-operation of the Department of Education, Tourism, Interior and Local Government, Foreign Affairs and all other concerned agencies public and private, cause to be established and develop an intensified arts education programme at all levels of the educational system, public and private, to ensure meaningful arts integration across the school curriculum’ (*RA 7356, Section 12c-1*).

This mandate was the impetus behind NCCA’s creation of the Philippine Cultural Education Plan (PCEP) in 2003. The multi-organisation strategy aims to promote and integrate ‘a better understanding and appreciation of our culture and its manifestations [which] will lead to the evolution of a national consciousness, [defining] our identity as a people and [inspiring] us to work toward the attainment of common goals for the good of our society’ (*Philippine Cultural Education Plan 2.0*).

The original PCEP was a comprehensive five-year plan launched in 2003. However, due to problems with implementation, it was reprogrammed in 2009 and since then the nature of the plan has changed dramatically. Where the earlier concept was a multi-agency, multi-sector strategy involving formal, non-formal and alternative modes of learning across a wide swath of the populace (youth, teachers, artists, cultural workers, local government officials and workers, members of the media and civil society), the 2009 version is mostly focused on the enhancement of teachers’ capacities and is aimed at graduate degrees in education and arts management.

8.3.2 Arts in schools (curricula etc.)

Music, Arts, Physical Education and Health (abbreviated as MAPEH) is one of the learning areas in the basic education curriculum in Philippine schools. Forty minutes of class time per week is devoted to these subjects from Grades 1 to 10. The Music and Arts Program seeks to expose students to, and develop appreciation for, Philippine, Asian and Western music, visual arts and theatre. Not only do students acquire historical and theoretical knowledge, but they are also introduced to practical skills like singing, playing Filipino and Asian instruments, listening to recordings, reading, writing and creating music, engaging in arts and crafts, expressive speech and acting.

With the enactment of the *Enhanced Basic Education Act (RA 10533)*, Philippine schools are shifting to the K-12 system with many schools offering Grade 11 subjects for the first time. In the new system, students in their final two years of high school (Grades 11 and 12) can choose to follow one of four career paths: Academic Track, Technical Livelihood Track, Sports Track and Arts/Design Track.

After taking 15 core subjects common to all tracks in Grade 11, Grade 12 Arts/Design students (beginning 2017) will take seven subjects contextualised to their specific interests. These are: English for Arts/Design; Research 1: In Arts Production; Research 2: In Arts Performance; Empowered Technology for the Arts (IT and others); Entrepreneurship in the Arts; *Pagsulat sa Filipino ng Sining* (Arts Writing in the Filipino language); and Research Project (Art Production Exhibit for visual arts, new media and literary arts, Art Performance for dance, music and theatre or both).

Apart from the seven subjects listed above, the following nine subjects will also be required:

- Creative Industries: Appreciation for Arts/Design in Art Production
- Creative Industries: Appreciation for Arts/Design in Art Performance
- Physical and Personal Development in the Arts
- Developing Filipino Identity in the Arts
- Integrating the Elements and Principles of Art
- Leadership and Management (Entrepreneurship) in the Arts
- Apprenticeship and Exploration: Arts Production (with artists or arts groups in the community)
- Apprenticeship and Exploration in Arts Performance (with artist or arts groups in the community)
- Culminating exhibit and/or performance

The Arts/Design Track theme is ‘Arts for Life, Arts for Livelihood’, since it is hoped that this will help prepare the students for employment or entrepreneurship in the creative industries. As of 2016, however, the DepEd identified only 233 private and public schools in the entire country (out of a total of about 5,000) as having the resources (in terms of faculty, employees, finances, buildings, facilities, equipment, etc.) to run the Arts/Design Track.

Artistically gifted children in secondary public schools may opt to enter into the DepEd's Special Program in the Arts (SPA), which began in 2000. There is at least one pilot school in every region in the country implementing the programme. Here, talented students take, along with their regular subjects, classes in the discipline of their choice: music, visual arts, theatre arts, media arts or dance.

Highly talented and exceptionally gifted students can compete for full scholarships and free board in dormitories at the country's only National High School for the Arts. The school was established in 1977 by *Presidential Decree (PDI287)* and is now attached to the Department of Education with close guidance from the Cultural Center of the Philippines. The school follows the regular academic curriculum of the DepEd, but with the addition of arts subjects covering: creative writing (fiction, poetry, playwriting and journalism both in English and Filipino); dance (classical and modern ballet, folk dance, improvisation, composition and staging); music (theory, composition, solo instrument, ensemble, chorus and solo voices); theatre arts (acting, stage management, technical theatre, theory and history of theatre, dance theatre and directing); and visual arts (visual perception, sculpture, photography, art appreciation, painting, materials and techniques and computer art).

8.3.3 Intercultural education

To increase learners' knowledge of, and appreciation about, their country and the world, music and arts subjects in the national school curricula includes modules on Philippine arts and cultures, including indigenous, traditional, historical and contemporary cultures, as well as topics covering Asian and Western artistic traditions. A deep appreciation of the diverse expressions of Philippine culture builds the foundation for the learners' sense of identity, while exposure to different cultures promotes tolerance and understanding. It also contributes to a sense of connection to world traditions that have enriched Philippine art and culture.

More intercultural education occurs in the regional and local levels. As outlined in section 5.1.5, the *Enhanced Basic Education Act of 2013 (RA 10533)* requires adherence to the principles

and framework of Mother Tongue-Based Multilingual Education (MTB-MLE), in which learners begin with their known language and proceed to the unknown. From kindergarten to Grade 3, learners take their subjects in the language spoken in their homes, transitioning to Filipino by Grade 4 and acquiring English in the higher grades. Nineteen languages (Ibanag, Ivatan, Sambal, Aklanon, Kinaray-a Yakan, and Surigaonon among them) have so far been identified by the DepEd for use in public schools. The reasons behind the adoption of the MTB-MLE curriculum include building the learners' self-confidence and pride in their local culture, the preservation and enrichment of the various Philippine languages and the inclusiveness of multilingualism.

In areas where there are indigenous cultural communities (ICCs) or where enrollees include members of ICCs, the DepEd has taken affirmative action against discrimination by integrating aspects of their culture in the teaching of academic subjects. In 2011, DepEd began implementing the Indigenous Peoples Education (IPEd) Program, guided by the National IPEd Policy Framework (*DepED Order No. 62, s. 2011*), which was formulated in consultation with representatives from several ICCs.

The IPEd Program was established in recognition of the right of indigenous peoples to basic education that is 'responsive to their context, respects their identities, and promotes the value of their indigenous knowledge, competencies, and other aspects of their cultural heritage'. Subjects in the national curricula are contextualised through the processes of localisation, where learning content uses information and materials available in the learners' community, and indigenisation, where the learning competencies, education resources and the teaching-learning process themselves are derived from the bio-geographical, historical and socio-cultural realities of the community.

In addition to the curriculum, the programme also seeks to inculcate cultural sensitivity, respect for cultural diversity and a deeper understanding of the cultural expressions of indigenous peoples in teaching and non-teaching staff of learning institutions.

8.3.4 Higher arts education and professional training

Tertiary education is provided by colleges of fine arts, conservatories of music, colleges and departments of architecture, schools of design, colleges of communication arts and colleges of applied arts proliferate in the Philippines. They provide degree programmes in film, theatre, photography and printmaking and in writing in English and several vernaculars; and certificate courses in interior design.

However, that the quality of higher education in the arts is uneven and curricula differ widely for the same level of higher education. Even the top Metropolitan Manila universities offer substantially different courses. For example, the University of Santo Tomas is highly regarded for excellent draftsmanship while the University of the Philippines is known for its conceptually driven work. The Catholic Ateneo de Manila University offers art, culture and humanities courses based on a Jesuit philosophy of reason. De La Salle University, run by the order of the Christian Brothers, opened a college for design and architecture a decade ago, which is similar to a polytechnic in that it prepares students to be immediately employable into the cultural industries. Their areas of focus include computer aided design work, cultural administration, animation, videography, theatre production, music production and similar applied arts. These examples clearly demonstrate that the niches filled by higher education in the arts are distinct but that they do produce, collectively, a cultural ecosystem in Manila and other major cities of the Philippines.

Higher education in the arts in the Western tradition is more than a century old in the Philippines. An Academia de Pinturas y Dibujos (Academy of Painting and Design) existed in the late 19th century Philippines, and musical education was provided by private tutors, Church choir masters, composers and band leaders during the 400-year Spanish colonial administration. Philippine art and music in the Western tradition was produced as a distinct body of works in what may be called an academic tradition from the late 19th century onwards. This academic tradition includes art songs, secular paintings and sculpture.

8.3.5 Basic out-of-school arts and cultural education (music schools, heritage etc.) Specialised courses for cultural workers

Cultural education was one of the main programmes of the NCCA until 2015, when it was subsumed under the Program on Culture and National Identity. *RA 7356, Section 12c* mandates the dissemination of culture and also encourages and supports activities such as lectures, seminars, fora and symposia, and the continuous training of cultural workers and administrators by qualified trainers.

Some examples of non-formal and informal arts education initiatives for amateurs and professionals are outlined here below.

The Subcommittee on the Arts makes available, through its Speakers' Bureau, resource persons and experts for arts training activities as required by interest groups upon request by them. This is a small grant open to all at any time of the year. The Subcommittee also conducts training for teachers of the DepEd's Special Program for the Arts.

The Subcommittee on Cultural Communities and Traditional Arts (SCCTA) identifies, establishes and supports community-based schools across the country, for the transfer from masters or elders to the younger generation, of skills, knowledge systems and practices relating to the art form unique to the community. (For more on this programme see Section 8.4.1.)

The Subcommittee on Cultural Heritage (SCH) offers technical training to heritage workers through their Taoid Assistance Program (TAP). The activities under the programme include: lectures, seminars and workshops to promote the exchange of knowledge and expertise in conservation and preservation management (architectural and engineering design, restoration or renovation studies and conservation of objects); capacity building in museums (museums and exhibit enhancement, marketing and promotion, curatorship and documentation); library and archives services; and special topics, such as art forgery, intellectual property and local history writing. A remarkable programme of the SCH is the Escuela Taller, which it runs in partnership with Escuela Taller de Filipinas Foundation, Inc. This programme is a school especially established to equip out-of-school youth with carpentry, metalworking, masonry, plumbing, electrical and finishing skills to restore heritage structures, as well as provide decorative and historical painting.

The Subcommittee on Cultural Dissemination (SCD) oversees the Philippine Cultural Education Program which implements the Philippine Cultural Education Plan (PCEP) launched in 2003 (see Section 8.3.1 for more details). Aside from its post-baccalaureate programmes in cultural education and teaching in the arts, it holds national training on culture based basic education curriculum for teachers, training on cultural awareness and culture-based governance for LGUs and heritage camps. The programme also publishes lesson exemplars, instructional material and teaching guides.

Technical-Vocational Education and Training (TVET)

There are many opportunities for lifelong learning in the arts, from private tutorials for leisure and entertainment to professionally accredited courses to enhance one's employment and career opportunities. The Technical Education and Skills Development Authority (TESDA) is the government agency that offers technical and vocational education and training outside of the formal school system. Created by *RA 7796* in 1994, TESDA is empowered to maintain a system of accrediting, coordinating, integrating, monitoring and evaluating formal and non-formal technical vocational education and training programmes across the country.

TESDA partnered with NCCA in several projects, among them the production of modules and instructional materials on cinema, comics, broadcast arts and literary arts. It also established, along with the NCCA, standardised accreditation of competencies for artists, trainers and students in arts-based fields, so that learners can be hired, recognised professionally and compensated based on their level of proficiency. TESDA-NCCA are also conducting Trainers and Assessors Methodology Training to standardise competencies for Artists-Trainers in dramatic arts, visual arts, music, dance, multi-media arts, film, design and other areas.

8.4 Amateur arts, cultural associations and civil initiatives

8.4.1 Amateur arts and folk culture

Artistic expression and activities also thrive outside of academically shaped and informed cultural production. The scale of this field of production may be understood in the observation that all towns, villages, cities, provinces and regions of the Philippines enjoy dozens, if not hundreds, of self-taught musicians and singers, visual artists (although few sculptors) and festival organisers.

There are three lines of historical development that deserve mention here. First, self-taught Filipino performing artists, particularly from provincial settings, typically obtain overseas contracts, thereby contributing to, and sustaining, the significant outflow of Filipino musicians to nearly all parts of the world. Second, another ambition among self-taught performing artists is to participate in the entertainment industry, specifically in television and movies. Amateur talents proliferate in these media, and occasionally a previously unknown talent is propelled into celebrity fame. Third, Philippine festivals, held throughout the country, are a massive industry. The preparations, costs, investments in creative work and broad participation typically represent large human, financial and logistical capital of any given locality in the Philippines. There is hardly any overt criticism of these enormous costs.

Attention to folk forms in the early to mid-20th century most commonly occurred in the transformation of the forms into modern versions for staging on proscenium theatres and for incorporation in the modern novel and poem. It was only in the 1990s that the State set in place provisions for the recognition of traditional art in its full village setting. Principally, this development emerged with the passage into law of the *Gawad Manlilikha ng Bayan Awards (GAMABA)*, which recognised and gave lifetime support to living national treasures. That this law was passed in the same decade as the *Indigenous Peoples Rights Act of 1992* indicates a recognition of the value of traditional art forms as more than just a resource of modern art, commerce or tourism. This recognition by the State also transpired at the same time as the maturity of scholarship on traditional art and culture in anthropology, history and Philippine Studies programmes in many major universities.

Without affirmative action of substantial breadth and depth, the entertainment industry of the Philippines is left to do what it can within the commercial market. This self-sufficiency requires

local artists to learn skills in order to participate in the commercial market. Such learning curves on the part of local players have been evident in the past decade, especially in the increased sophistication in the marketing of local entertainment through social media. All this is transpiring without policy guidelines or safety nets.

For consumers of popular culture, the impact of social media, along with the entertainment industry, has produced a paradoxical local, pan-Philippine culture, which attenuates a sense of victimhood in the hands of neo-colonial elites, a victimhood that is now projected with great power of discourse.

Nurturing creative talents

Community groups, schools, and churches serve as laboratories where new talents germinate. Most community and church based cultural groups are formed with the desire to serve their neighbours, fellow-parishioners or fellow-residents during important occasions like weddings, funerals, fiestas and other religious observances. From these experiences, especially gifted individuals and groups are noticed and are invited to perform before important personalities, local officials or politicians who subsequently book them for more shows. This way, their reputations grow beyond their own localities and open doors to city, provincial, regional and national events.

When music, dance, theatre or choral groups have reached a notable level of proficiency, there is usually financial support from the local government, businesses and patrons to defray the performers' transportation, meals and accommodation.

Exceptional musical talents discovered along these routes may attract the attention of the National Music Competitions for Young Artists (NAMCYA). NAMCYA engages countless musicians, trainers and administrators in the annual process of selecting the best artists from all 17 regions of the nation.

Those attracted to the visual arts may join small arts groups based in their area, town, province or region that include some professionals with whom they can practice their craft, learn and exchange information. Such groups often exchange information about materials and techniques, exhibitions, installation and art contests.

A few community groups have the main intention to help identify and develop gifted individuals and steer them towards careers in the arts. The Tuloy Foundation and Ballet Manila's Project Ballet Futures are distinctive in this way. The Tuloy Foundation is a shelter for street boys which provides its charges the instruction and training to advance in the fields of sports, arts, music or theatre. Ballet Manila's Project Ballet Futures offers full scholarships for elementary and high school students of public schools, many of them from impoverished backgrounds. The scholarship includes meals, vitamins and other nourishments as well as uniforms and ballet shoes.

Schools of Living Traditions (SLT)

As one of the main strategies by which the State carries out its policies of promoting cultural diversity, preserving cultural patrimony and safeguarding intangible culture, Schools of Living Traditions (SLTs) promote the transmission of cultural heritage to the next generation by enabling living masters ("culture bearers") to teach young members of their community traditional art forms unique to their culture. Through the SLT Program, some traditional art

forms on the verge of vanishing have been rescued. Customs associated with their practice have also been revived.

In many SLTs dedicated to the preservation of craft traditions, the proper cultivation and care for the raw materials of the crafts have become a great concern. In those devoted to oral and movement traditions, the physical setting has regained importance in order to give context to these practices. But what began as purely cultural heritage programmes have turned into crusades for the environment as well. The SLT brochure reads thus: ‘The Schools of Living Traditions is a community-managed, culture-focused, multi-stakeholders’ co-initiative project of the NCCA. It enhances the community cultural assets as well as enable communities in pursuing rights of entitlements and new paths of engagement toward sustainable area-based development. It is the manifestation of the local people’s rights and rewards them in their efforts towards conserving the environment, re-invigorating their cultural resources, promoting sustainable tourism and building a culture of peace.’

8.4.2 Cultural houses and community cultural clubs

Under the *Local Government Code (RA 7160)*, every municipality and barangay must have an information and reading centre and a multi-purpose hall, and every city must maintain a public library and a cultural centre.

Most barangays may have at least one youth club whose activities may include art and culture. These clubs gather under the umbrella of the municipality’s, or city’s, youth bureau, which may sponsor the groups’ attendance at, or participation in, art and cultural events. Most LGUs also operate a library (with smaller branches for large-size cities), which, aside from reading room facilities, provides educational and cultural programmes. The Manila City Library, for example, includes among its programmes drawing and arts sessions, lessons on flower arrangement, beading and jewellery making, *Dulaan ng mga Manyika* (puppetry shows), video film showings and storytelling sessions.

Most LGUs also maintain a culture and tourism office, which organises events, usually in commemoration of important local personages and events. The City of Manila yearly conducts or oversees 150 such historical or cultural presentations, community-based feasts and festivals, parades, dance and music festivals.

Apart from the LGUs, public and private K-12 and tertiary schools, as well as religious organisations, also offer opportunities for cultural enrichment.

There are also privately-run art and music studios, that may or may not be accredited by the TESDA, that provide cultural experiences on the community level.

There are gatherings of special interest clubs made up of hobbyists or professionals. These groups can include camera clubs or bloggers associations, across various areas of interest, such as food, books, visual arts and more.

8.4.3 Associations of citizens, cultural advocacy groups, NGOs and advisory panels

Organisations composed of ordinary citizens advocating for the welfare of their artist members, as well as fellow citizens in general, have played a crucial role in the development of the country’s cultural life. The organisations would often advocate for better conditions to practice their professions and for better and wider acceptance of their art. The 68-year-old Arts Association of the Philippines (AAP) is one of the oldest of these groups and its formation and achievements are documented in the book *The Struggle for Philippine Art*.

During the years of the Marcos dictatorship, the Concerned Artists of the Philippines, organised by the Philippine Educational Theater Association (PETA) ⁴⁶ in 1983, joined political campaigns and contributed street art, street theatre and protest music. After the 1986 People Power Revolution, the Alliance of Artists for the Creation of a Ministry of Culture called for the creation of a trifocal body, the National Council on Filipino Heritage, the National Council for the Arts and the National Council for Cultural Dissemination, which eventually became three of the four sub-commissions of the National Commission for Culture and the Arts.

The return of democracy also brought about the formation of cultural groups at the grassroots level. When new management took over the Cultural Center of the Philippines in 1986, it undertook several consultations with artists, cultural workers and experts from the public and private sectors. These led to a vision ‘to evolve and develop a Filipino national culture that upholds the cultural identity of the various ethnic groups and sectors constituting the Filipino people, while emphasising the many similarities and commonalities that collectively serve as the basis for national identity’. It adopted a new, decentralised orientation. The CCP’s Outreach and Exchange Division carried out this new strategy, engaging in cultural work with local governments, artists and the general public in their many localities. The result was a proliferation of NGOs dedicated to artistic and cultural development all over the country.

When the NCCA was created in 1992, it formalised citizen participation in the planning of culture through membership in the 19 committees under its four sub-commissions. To this day, each of these committees are comprised of volunteers from the private sector, many representing NGOs or POs. (See Section 4.2.7 for more information on these groups.) The heads of these 19 committees form the National Advisory Board of the Commission. (See the organigram on Section 3.1.) Today, associations of artists and cultural workers number in the thousands.

9. Sources and links

Government Agencies:

Senate Committee on Education, Arts and Culture

http://senate.gov.ph/committee/ctte_mem.pdf

House of Representatives Committee on Basic Education and Culture

<http://www.congress.gov.ph/committees>

National Commission for Culture and the Arts (NCCA) <http://www.ncca.gov.ph>

National Historical Commission of the Philippines <http://www.nhcp.gov.ph>

National Library of the Philippines <http://www.web.nip.gov.ph>

National Museum <http://www.nationalmuseum.gov.ph>

National Archives of the Philippines <http://www.nationalarchives.gov.ph>

Cultural Center of the Philippines <http://www.culturalcenter.gov.ph>

Department of Education <http://www.deped.gov.ph>

Department of Foreign Affairs <https://www.dfa.gov.ph>

Department of Social Welfare Development- <http://www.dswd.gov.ph>

Department of Tourism <http://www.tourism.gov.ph>

Film Development Council of the Philippines <http://www.fdcph.ph>

National Commission on Indigenous Peoples <http://www.ncip.gov.ph>

Philippine Statistics Authority <http://psa.gov.ph>

<https://psa.gov.ph/content/2010-annual-survey-philippine-business-and-industry-aspbi-arts-entertainment-and-recreation>; <https://psa.gov.ph/content/2013-annual-survey-philippine-business-and-industry-aspbi-arts-entertainment-and-recreation>

Technical Education and Skills Development Authority <http://www.tesda.gov.ph>

Private Organisations:

Art Association of the Philippines (AAP) <https://www.facebook.com/aapkanlunganofficial/>

Ballet Philippines <http://www.ballet.ph/>

Ballet Manila <http://balletmanila.com.ph/>

Cinemalaya <http://www.cinemataya.org/>

Intellectual Property Office of the Philippines <http://www.iphophil.gov.ph>

National Music Competitions for Young Artists Foundation, Inc. (NAMCYA)
<http://namcya.com/>

Philippine Educational Theatre Association (PETA) <https://petatheater.com/>

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