

## Assistance and Non-Assistance Before and During the Time of COVID-19

Ferdinand D. Dagmang<sup>♦</sup> and Nathalie D. Dagmang<sup>❖</sup>

**Abstract:** This article is based on a fieldwork among the sidewalk vendors and sidewalk dwellers of Escolta, Manila, before and during the COVID-19 pandemic. It looks into the treatment of ‘illegals’ in public settings. Before and during the pandemic, street vendors and dwellers were at the mercy of the ‘illegal’ mark—making the state authorities agents of legal positivism. When those recognized as legal by the State have already received monetary and non-monetary assistance, the vendors and dwellers were left on the side of the road waiting for the absent authorities to come while a few individuals had to step in and extend the much-needed customary help—an assistance based on ‘feeling-for-one’s-fellow’ in spite of formal legalities.

**Keywords:** Helping Behavior • Sidewalk Vendors • Sidewalk Dwellers • COVID-19 • Field Work • Legal Positivism

---

♦ Dr. Ferdinand D. Dagmang, who obtained his Ph.D. in Religious Studies from Katholieke Universiteit Leuven, is a Professorial Lecturer at Ateneo de Manila University, De La Salle University, and Maryhill School of Theology. His current researches deal with Basic Ecclesial Communities, popular religion, ethics, sexuality, and the effects of structures/systems on theories and practices. His book/final report on *Basic Ecclesial Communities: An Evaluation of the Implementation of PCP II in Ten Parishes* was released in 2015. Email: ferdinand.dagmang@dlsu.edu.ph or fdagmang@ateneo.edu.

❖ Nathalie D. Dagmang is a professor of Fine Arts at Ateneo de Manila University. A graduate of Fine Arts from the University of the Philippines, Diliman where she is completing her M.A. in Visual Anthropology. She is local researcher for Manila for the Southeast Asia Neighbourhoods Network organized by the Urban Knowledge Network Asia and International Institute of Asian Studies. She is currently working with both academics and art practitioners on researches that deal with migration, ecology, and urban communities. Email: ndagmang@ateneo.edu or nathaliedagmang@gmail.com.

## Introduction

In an impoverished country like the Philippines, various forms of assistance to the needy are already in place—in other words, institutionalized. Some of these familiar institutionalized welfare programs are deployed: by the State through its agencies; by the churches (including the different religious congregations) through their various ministries; by the NGOs or non-profit organizations; by the market-based charitable foundations; by the workers' associations; by philanthropists, and; by the initiatives of private individuals.<sup>1</sup> While the presence of numerous public and private charitable or welfare programs for the needy is an indication of social concern, it is also an indicator of the country's weak economy, one that is also unable to provide the proper conditions for job opportunities or for the uplift of the well-being of its labor force.

During times of destructions and tragedies brought about by natural calamities, the institutionalized assistance programs are oftentimes stretched to their limits.<sup>2</sup> In such emergency situations, assistance programs voluntarily organized by private citizens frequently come to the rescue. These kinds of welfare initiatives are, however, not sustained outside emergency situations or times of calamities. The fact is that the

---

<sup>1</sup> See, Ferdinand D. Dagmang, "Christian Compassion and Solidarity within Capitalist Contexts," *Asia Pacific Social Science Review* 6/2 (January 2007): 53-72.

<sup>2</sup> See, A. Brucal, et al. *Disaster Impacts and Financing: Local Insights from the Philippines* (London: Grantham Research Institute on Climate Change and the Environment and Centre for Climate Change Economics and Policy, London School of Economics and Political Science, 2020); Jha, S., A. Martinez, P. Quising, Z. Ardaniel, and L. Wang. 2018. *Natural Disasters, Public Spending, and Creative Destruction: A Case Study of the Philippines*. *ADBI Working Paper 817* (Tokyo: Asian Development Bank Institute, 2018).

Philippines has been in a perennial state of emergency, but voluntary initiatives are only expected to sprout in times of major disasters. They do not form regular welfare initiatives even if: 60% of the population survive on meager resources; majority of workers receive a minimum wage way below the ‘living wage’; most industries are controlled by foreign companies; workers see overseas work as their only savior; the kind of national education is not rooted in (and does not address) the immediate needs of communities; lack of pride in the local cultures predominate the urban middle-classes’ mindset (preferring to orient themselves to the dominant foreign cultures and economies); unprecedented ballooning of national debt; traditional politicians still focusing on their 2022 election prospects, and so on.<sup>3</sup>

The COVID-19 pandemic has aggravated the ‘emergency state’ of the Philippines—in fact, not only its economy is in bad shape but also its political governance under the leadership of injudicious and mindless populist/traditionalist politicians. Even those who seem immune from impecuniosity have turned to *ayuda* (support, financial and otherwise) in order to survive. The community pantry movement, for example, has exposed the dire state of the Philippines (punctuated by the ineptness of elected leaders and the stupidities of their minions<sup>4</sup> and their inability to deal with the deep deprivations of people from their usual sources of sustenance). Indeed, the community pantries have eloquently exemplified the private citizens’ response to

---

<sup>3</sup> See, Ibon Foundation. “IBON Midyear 2020 Prayer: Sa Ngalan ng Poder.” <https://www.ibon.org/sa-ngalan-ng-poder/> (accessed 8 June 2021).

<sup>4</sup> “Profiling, red-tagging of community pantry organizers draw flak from privacy body anew,” <https://businessmirror.com.ph/2021/04/23/profiling-red-tagging-of-community-pantry-organizers-draw-flak-from-privacy-body-anew/> (accessed 2 June 2021).

the call to share more in the burden of reaching out and assisting those who have expectedly as well as those who have surprisingly become dependent on subsistence-level support.<sup>5</sup> Some, for uncanny reasons, have to face the more critical levels of dependence on survival-level forms of assistance. Yet, these dependencies are not just because of the ineptitude of State leaders but which can be attributed to some deep structural causes.

Some deep/structural causes of deprivation of the needy during the pandemic are not so obvious to most of us. These causes of failure are not easy to identify and would call for a study that goes beyond ineptitude or personal failures: like cultural or institutional reifications—similar to constricted hardened arteries (of the cardio-vascular and respiratory systems) that contribute to deprivation of oxygen supply that brings about malaise in the bodily functions and overall personal well-being. In social matters, this kind of problem is often targeted by prophetic ministers or prophetic personalities.

It is the purpose of this article to examine a specific case where a failure in assistance cannot just be attributed to bad will, bad decisions, lack of leadership or administrative skills, lack of caring character, lack of vision, lack of support network, or laziness and absence of vocation to public service. It will look into the case of the Escolta sidewalk sidewalk vendors and dwellers who have been perennially deprived of assistance by the State agencies (or the parish). With the onset of the COVID-19 pandemic, this deprivation continued despite the real

---

<sup>5</sup> See, “Filipino version of community pantry is bayanihan, sari-sari store and pasalubong rolled into one,” <https://philstarlife.com/living/104683-community-pantry-bayanihan?>; “Community pantries sprout across the Philippines amid flailing govt response to Covid-19 pandemic,” <https://www.straitstimes.com/asia/se-asia/fuelled-by-flailing-govt-response-to-pandemic-community-pantries-sprout-across-the> (accessed 2 June 2021).

emergency nature of the situation.

The following questions may come to mind: Why do the State agencies continue to deny assistance to people who are marked for their illegal status and, therefore, ‘unqualified’? What is the nature of this denial? How come some individuals come to the rescue and provide emergency assistance to these sidewalk vendors and dwellers? This article will examine these questions.

### **Once Upon a Time, Before the Pandemic**

There is no stable life-world/story for the vendors and dwellers of Escolta, Manila, even before the pandemic. They are outsiders in the eyes of the State authorities and agencies tasked to provide services to their constituents. In principle, street vendors are regulated by various laws that seek to integrate them into the mainstream economy. However, in practice, the legal provisions (registrations, permits, daily collection of fees/taxation, rigidly designated vending stations, and the strict display of Vending Location Certificate, Vending Permit and Identification Card, and the like) effectively show them as somewhat stigmatized. Thus even if the law seeks to protect or regulate them, they are practically outsiders. On the other hand, the street dwellers, in relation to their illegal occupation of public spaces, are without rights despite the constitutional law’s provisions on human rights. Both the vendors and the dwellers are, however, lumped together and deprived of the usual deployment of State services or assistance except when they toe the line of state laws that practically treat them as illegal elements and could only come to the fold of law if they abandon their informal spaces and settle in areas designated by law—oftentimes, these are spaces far from greater business opportunities, far from their employment or sources of income. That is

why vendors and dwellers insist on staying in their sidewalk spaces and endure the adverse treatment of the authorities who, oftentimes conduct some kind of ritualized sidewalk ‘cleaning’. Since the State lacks the capacity to care for the well-being of the vendors/dwellers, it simply ends in tolerating them, even allowing their presence with some illicit milking-extortions in the process.

One may point out the force of the law being applied by authorities as rational or legal. In fact, the strict application of the law may even derive its ‘legitimacy’ in the much ill-used or misapplied principle of *dura lex sed lex*. What is clear in the behavior of state authorities, especially its law adjudicators and enforcers, is the more pragmatic application of legal positivism which is recognized as one of the pillars of modern political and business dealings. This is not to say that State officials are able to grasp the complexity of the theory of legal positivism—they simply have acquired the habit of applying the law according to, more or less, how most legal positivists would understand it. In fact, if we look into the habits of State officials, like the municipal leaders, court judges, police, and business regulators, we can somehow glean from their behavior the tendency to separate<sup>6</sup> the written law (posited law) from what is

---

<sup>6</sup>“If there is one doctrine that is distinctively associated with legal positivism, it is the separation of law and morality. The principal aim of jurisprudential positivists has been to establish that the essential properties of law do not include moral bearings. As opposed to classical natural law thinkers and in response to recent theorists such as Lon Fuller and Ronald Dworkin, positivists strived to dissolve any number of apparently necessary connections between the law and morality. In H.L.A Hart’s seminal 1958 article on the ‘Positivism and the Separation of Law and Morals’, he insisted that positivism is a theory of the nature of law, not a theory of how lawyers should reason, judges should decide or citizens should act. Hart took Jeremy Bentham and John Austin as his main predecessors; he defended the insistence on the lack of necessary connection between law and

considered as unwritten law or the quasi-obligatory morals (standards of behavior). Although, most of the time, the intersection between the written law and morality would issue from the behavior of law enforcers, in principle, this intersection is considered to be a ‘no-no’ practice. The written law is clear and precise (despite its lack of merit, sometimes—that is, it may be unjust) while the unwritten ‘laws’ of morality (cf. natural law) are open to cultural dispositions as well as arbitrary interpretations. Thus, the written law is the law and it should be applied and not be ‘interpreted’ by enforcers or constrained by morality.

As a specific perspective in matters of source and application of law, legal positivism invokes the nature of law as one being ‘posited’ by people’s representative authorities and therefore it carries the force of a conventional norm that is not based on divine command or human rights. As such, law is not constrained by popular-cultural standards of behavior.<sup>7</sup> It should be applied despite its harshness; and if by legal procedures the law is revised, it is only in such instance that some adjustments could be made in one’s observance and application of the law for a particular context not

---

morality. Legal positivism indeed involves nothing more than ‘the contention that there is no necessary connection between law and morality.’ Hart therefore resolves to a single core positivist legal thought that ‘it is no sense a necessary truth that laws reproduce or satisfy certain demands of morality, though in fact they have often done so.’ “Legal Positivism of Law,” <https://www.lawteacher.net/free-law-essays/jurisprudence/legal-positivism-of-law.php> (accessed 2 June 2021).

<sup>7</sup> See, H. L. A. Hart, *The Concept of Law*. 2d ed. (Oxford: Clarendon, 1997); H. L. A. Hart, “Positivism and the Separation of Law and Morals,” *Harvard Law Review* 71/4 (1958): 593-629; William E. Conklin, *The Invisible Origins of Legal Positivism: A Re-Reading of a Tradition* (Dordrecht: Springer Netherlands, 2001); Luca Siliquini-Cinelli, *Legal Positivism in a Global and Transnational Age* (Cham, Switzerland: Springer, 2019).

previously covered by the law. Law therefore is at the mercy of itself having its ‘own power’ (“depends on its sources, not its merits”)<sup>8</sup> that cannot be swayed by common sense or compassion.

Legal positivism does not imply an ethical justification for the content of the law, nor a decision for or against the obedience to law. Positivists do not judge laws by questions of justice or humanity, but merely by the ways in which the laws have been created.<sup>9</sup>

The strict application of the law is itself a norm, a pre-existing norm that also makes legal positivism possible. It is a controlling factor common to bureaucratic and legalistic approaches of governance where cultural values are often subordinated or marginalized or an item of ‘under the table’ transactions.

When positivist legalities add to the burdens of those in crises, like the vendors and dwellers of Escolta, oppression takes a more invisible institutionalized source. The vendors and dwellers may have to take their recourse—their usual and dependable recourse—to socio-cultural values or customary standards of behavior.

## **Assistance in the Time Before COVID-19<sup>10</sup>**

### ***Suki***

The sidewalk vendors and dwellers relied on their

---

<sup>8</sup> See, John Gardner, “Legal Positivism: 5 1/2 Myths,” *American Journal of Jurisprudence* 46 (2001): 199–227.

<sup>9</sup> “Legal Positivism,” <https://iep.utm.edu/legalpos/> (accessed 2 June 2021).

<sup>10</sup> The narrative that follows is based on Nathalie D. Dagmang’s *Escolta Ethnographic Notes*, 2020, unpublished field-work notes.

It was in 2017 when a team composed of three (3) academicians started their research project under the South East Asian Neighbourhoods Network Project: Tessa Maria Guazon (Primary



informal relationship with their *suki* (loyal customers) to keep their families afloat. They only earn 150 to 300 pesos (\$3-6) a day, with a profit margin of one to three pesos (\$.021-.062) for each item sold. This is not enough to cover their daily expenses and the capital needed to buy goods for the next day. Their *suki* networks allow them to supplement their meager earnings with gifts and other gigs. For them, the *bangketa* (sidewalk/footpath) where they establish these relationships provides the minimum relief, stability, and security that they need in order to survive.

Close encounters and conversations with the sidewalk vendors and dwellers showed what living and staying on the sidewalk entails. The sidewalk (a contested public space in constant movement and perennial crisis), and within that, the vendors' *pwesto* (appropriated space—marginal and dominated), serve as field of activities serving everyday survival. They describe their life as 'pamamangketa,' (literally, 'sidewalking') which may be understood primarily as a life dependent on the life-giving sidewalk.

In the sidewalk, the everyday life of the vendors and dwellers unfold. It is in the sidewalk that their lives find

---

Investigator; curator, professor in Art Studies Department, University of the Philippines, Diliman); Alma Quinto (Community Artist); Nathalie D. Dagmang (Local Researcher; Artist; Professor in Fine Arts Department, Ateneo de Manila University. The project was meant to explore the structure of "neighborhood" as a method in understanding cities in South East Asia. The team adopted the case study-research approach, as they looked into the notions of 'neighborliness' in Escolta street, a heritage corridor street located in Manila. Through various data gathering methods (direct observation, field encounter, focus group discussion, interview sessions among the sidewalk vendors and dwellers), the team were able to gather sufficient amount of data and in their almost four (4) years of research, their understanding of 'neighborliness' took some definite conceptual shape. During the pandemic, they have seen extensions of the notions taking predictable and unpredictable expressions.

sustenance as well as deep and significant interactions and relationships—the sidewalk becomes the space imbued with meanings rooted in the vendors' and dwellers' everyday life.

Although their *pwesto* in the *bangketa* served as the locus of their *suki* networks and as their 'field of action', these spaces, apart from the State's label (when *pwesto*/space is marked with legal and illegalizing power), gained some significance from the vendors and dwellers' relationships with the other members of the neighborhood. The act of 'pagpwesto' (appropriation of space) does not only consist of the act of physical occupation but also what would unfold between the interactions of the vendors/dwellers with the other members and visitors of the Escolta neighborhood. Through the street vendors and dwellers' thoughtful behavior and sensitivity (moved by the values of *pakikipagkapwa*) toward other members and non-members of the neighborhood, they were able to create conditions that would allow them to resist further displacement and threat of greater/wider marginalization.

The South East Asian Neighbourhoods Network Project researchers have witnessed many forms of assistance extended by the office workers, building owners, and frequent/occasional visitors to the sidewalk vendors and dwellers. Most of the vendors, especially the more permanent ones, would receive gifts from their *suki* during the holidays. One of them, Nanay Gilda (*nanay*, which means mother, is also used as a term of endearment), an 80+-year-old vendor gets regular assistance and gifts from her *suki* and business owners within Escolta. The owner of the building where Nanay Gilda's *pwesto* is located gives her daily supply of bottled water while the owner of the *carinderia* near her *pwesto* provides her lunch and water refills. She receives fruits

during *merienda* from drivers, employees of nearby office spaces and fruit vendors. Her regular customers from the beauty parlor, centennial building, and LBC (a courier business) motorcycle drivers also hand out money to her (from 50 to 100 pesos) on random occasions.

The givers' motivations?: "matanda na yan eh" (she's old, advanced in years already). Other vendors would volunteer to explain that it is because of Nanay Gilda's old age and charisma. Nanay Gilda returns the favor by giving her *suki* and *kaibigan* (friends; what she calls her sponsors) candies and discounted prices for her goods. She also makes sure that she greets her *suki* when they pass by, even when they do not intend to buy from her.

With the free candy and discounts that she gives them, Nanay Gilda foregoes the profit she can earn from these items. In the case of Escolta vendors, what they value more is stability in their income (regular sufficient returns as well as stable relationships with their customers), rather than gaining more profit from few or occasional transactions.

Some of these *suki* relationships are also intentionally maintained by the customers as their way to support the vendors they know personally. Marita, for example, has gained the loyalty of her customers because of her long history of selling newspapers and cigarettes in Escolta street. With the exception of Nanay Gilda's regular customers, Marita attracts most of the smokers from the nearby buildings because of her cheaper cigarettes. She claims that her cigarettes are the cheapest you can get in Escolta at 6 pesos a stick. Recently, a new cart was set up beside Marita's table. Despite the new cart's more attractive display and accessibility to office spaces, smokers still chose to buy from Marita's instead of the nearby cart. For all the food that she sells, she only gets 1 to 3 pesos profit. But she still chooses to maintain her low prices in order to

maintain the number of her loyal customers. In return, Marita gets gifts of 50 to 100 pesos or a total of up to 4,000 pesos during the Christmas season from her customers and office workers who regularly park in front of her *pwesto*.

### *Tactics of everyday life/tactics of survival*

Sidewalk vendors who have irregular schedules and lack of interest in conversing with their customers (the vendors call it ‘entertaining’) are less able to establish close relationships with their customers, and thus, tend to have less *suki* who can give them gifts and alms and support in securing their *pwesto*.

The owner of the Peterson Building, for example, gives Nanay Gilda her daily supply of water as well as protection against authorities who ask for *butaw* (literally translated to ‘membership fee’ but is technically a form of extortion by police officers). He explained that he is helping Nanay Gilda not out of sheer generosity. Explaining his motivations, he said, “Ok kasi siya na vendor.” (She is a likable vendor). He then points out other vendors and sidewalk dwellers who litters the sidewalks and allows their children to run around the building. Nanay Gilda, on the other hand, keeps the street children off the sidewalk and cleans her surroundings regularly. The building owner explained that he prefers individual vendors over families of sidewalk dwellers to stay on his building’s sidewalk because sidewalk dwellers tend to be ‘pushy’ when they ask for alms, which he thinks is off-putting to his customers. Most building and business owners in Escolta prefer having vendors over sidewalk dwellers in their vicinities. They sometimes discourage their customers from giving alms to street children so as discourage them from coming back. Some of the vendors are even given by

the building owners the task of keeping sidewalk dwellers away from their building.

This delegated task in exchange for *pwesto* was also true for many of the Escolta vendors who have successfully gained loyal customers and trust from building owners. They have to be good custodians of their own spaces by maintaining order and cleanliness before they are provided with some forms of assistance. These stable relationships provide them an informal membership in the neighborhood, which allows them to sell their wares on the same spot everyday and gain access to the potential customers who regularly visit Escolta. This proves to be a more effective and sustainable business practice in the context of the Escolta food vendors, with their volatile livelihood conditions brought by the rapid changes in their neighborhood. And when larger crises happen, this attitude is what allows them to access the assistance that they cannot get from their livelihood alone.

For instance, when the husband of Ronalyn, a sidewalk dweller and former food vendor whose food business went bankrupt, became blind, an office worker in Escolta gave them some amount as a capital for setting up a new food cart. When office workers from the historic Regina building started to give her food leftovers everyday, she decided to stay in her *pwesto* where it is convenient for her *suki* and sponsors. It also helped that Ronalyn had several children and that the office workers got to see her whole family in the streets on a regular basis.

Some of the sidewalk dwellers even opt/decide to live on the sidewalk despite having the choice to live with their relatives or to rent their own apartments near their sources of livelihood. Living on the sidewalk means that their children can ask for alms and the parents are still able to peddle their food carts and at the same time keep

an eye on their children throughout the day. A sidewalk dweller also shared that living on the street means pedestrians can better see their conditions and feel more compelled to hand out alms.

While sidewalk vendors get private assistance from their *suki* relationships, sidewalk dwellers get these from various sources: from pedestrians, office workers, building owners, churches, charities, and soup kitchens. Soup kitchens and charities prioritize sidewalk dwellers when they hand out gifts and free food while vendors are more hesitant to ask for alms when they know that they have sources of income even when these are limited. One sidewalk dweller claimed that she is also hesitant in asking for alms and lining up for soup kitchens whenever she gets a good income from helping her sister in her food cart. She only started to ask for private assistance when her husband became ill and had to visit the doctor regularly. She often complains about her fellow sidewalk dwellers who she knows have houses to live in yet get government financial assistance for the homeless, ask for alms and line up for soup kitchens and charity drives. She says she prefers to work hard to earn money than to line up for food drives and sit on the sidewalk to wait for people to give her assistance. And when their *suki* voluntarily offers assistance, sidewalk vendors often feel compelled to return the favor to their *suki* by giving discounts and free items and giving them other benefits such as automatic reservations for their regular orders and special requests.

### **Assistance in the Time of COVID-19**

The vendors had little to negative savings that could have sustained them during the first few weeks, even days, of lockdown at the outbreak of the pandemic. With the delayed or absence of government assistance, the

vendors had to scramble for food to feed their families. In the absence of office workers, pedestrians and other regular patrons (*suki* and sponsors), the search for subsistence, under threat of COVID-19 infection, was all the more critical and life-threatening.

With the lack of access to news media outlets and unclear quarantine provisions from State authorities, some of the vendors and dwellers even tried to peddle on the first day of lockdown thinking that there will still be some employees reporting for work. Since Escolta is a non-residential area, all employees, except the police and security officers, did not show up. At the sight of empty streets, they knew that they would not be able to sell anything from the food that they prepared, and would not even be able to approach workers for assistance like they used to during personal crises.

The ‘strategies and tactics’ that helped them gain access to different forms of private assistance before the lockdown such as living in the sidewalks, maintaining their *pwesto*, and being extra friendly to their customers, became impractical and no longer helpful during the first few weeks of lockdown. Thus, they tried the online and mobile means of communication to reach out to their *suki* networks, made their needs known, and implored for their assistance. However, this became challenging because of their lack of access to the internet and shortage of funds to top up their mobile data and load. Since the lockdown was unexpected, they also did not have the opportunity to get the contact information of all their *suki* and sponsors.

Aware of the delayed and inefficient State response to the pandemic, Filipinos were quick to provide assistance to their own immediate families, neighbors, colleagues, and needy-friends at the start of the quarantine. With restricted movement and vague quarantine protocols, the relief operations that were realized quickest were those

done within the immediate social networks. According to the sidewalk dwellers and vendors interviewed through voice calls, the first to respond to their calls for assistance (some reached out to them first), were their family members working abroad or those who were still able to work during the first weeks of lockdown. Employed family members also contacted their employers for assistance. They exhausted all the networks from within their own families, including the employers of second cousins and a relative living abroad who they have not spoken to for a long time.

Assistance from their *suki* came a little later since they did not exchange contact numbers before the pandemic. Often, it is the *suki* who reaches out to them. During the first few weeks, the dwellers and vendors would visit Escolta, hoping that they would see some of their *suki* and ask for their help. When Juliet, a cigarette vendor, went to Escolta after the first two weeks of lockdown, she saw one of the ‘madams’ (what they usually call female customers who are bosses in the Escolta offices) in the building near her *pwesto* who then gave her sacks of rice. The ‘madam’ asked Juliet to inform her siblings to get more sacks of rice from her the next day.

These immediate social networks connected them to broader, more organized relief drives such as those associated with churches, charities, and NGOs. However, the organized relief drives were usually on-off events as these large organizers often cater to several more organized communities. The sidewalk vendors and dwellers did not expect to receive more assistance from big organizers. They went back to their immediate networks to ask for other contacts and initiatives, and faster ways to access financial assistance from the government (e.g., connections with authorities and information on how to get assistance).



## Private Assistance from the Gut/Heart

It was a first-of-a-kind experience for the Project researchers to organize a relief drive for the Escolta sidewalk vendors and dwellers. On the second day of the lockdown, one of the researchers reached out to them to check on their situation. In just a few hours, she was flooded with messages calling for help and expressing their panic and frustration over their local barangay's response to their calls (*barangay*—the smallest administrative unit as well as the district itself).

Vendors who attempted to peddle in Escolta within the first week of lockdown sent photos of its deserted streets, perhaps to serve as proof of the situation or as appeal for charity. "*Paano ba kami mabubuhay kapag ganito ang sitwasyon, walang hanapbuhay, pati asawa ko wala ring byahe trucking nila. Paano na kami kakain, Nat?*," ("How are we supposed to live through this situation when all our sources of livelihood are cut off? How will we eat/survive?") one asked.

To get funding, another researcher-colleague contacted the co-founder of PAGASA (People for Accountable Governance and Sustainable Action), a new civil society organization that was created at the start of the lockdown to connect relief initiatives and donation drives to communities and relief organizers that need funding. The organization started as a three-woman initiative and grew as people learned through social media about their efforts and the gaps in the government's pandemic response. PAGASA works only through social media, creating infographics about the government's response to the pandemic, getting the contacts of groups in need and people who are willing to provide assistance in any form. Eventually, small businesses and individuals started to organize their own

fundraising setups and donated full or partial amounts of their profit for PAGASA to collect and distribute to individuals and groups who are capable of organizing relief drives.

PAGASA quickly transferred some funds to the Project research group and asked that they document the relief operations and take pictures of the beneficiaries holding a placard marked: “Salamat sa PAGASA at sa Bayang Matulungin” (they collectively refer to the donors as Bayang Matulungin [helpful or caring citizens]), explaining that they need this proof “because this is social media.” The research group organized the vendors who would assist in distributing the relief goods and listing down names of families in need. Since the funds were limited, they were told to list down only a certain number of families and to make sure that these families were those most in need.

Communication with the vendors on the ground was difficult since they had limited access to the internet and no mobile load to reply to messages. And with checkpoints in place and nearby businesses closed, the delivery of the food packs took longer than expected. The whole process of ordering, arranging transportation, delivery, repacking, and distribution took almost three days.

Upon learning that the food ordered by the researchers was for a relief drive, the online food seller volunteered to deliver the food for free. They also advertised on their Facebook page that they prioritize the orders of those buying food for relief drives. One of the researchers posted on her Facebook page the vendors’ calls for help (with their permission) and got responses from her FB friends – they provided contact numbers for relief initiatives, tagged news media outlets and LGU officials’ Facebook pages. One celebrity (a movie actor) saw her post and volunteered, in the spirit of *bayanihan*,

to deliver the food packs prepared for Escolta.

The researchers-turned-relief organizers had to rush the distribution process because of the early curfew imposed in most informal settlements. On the ground, it was difficult to observe social distancing because everybody was in a hurry. The vendors/dwellers had to be called one by one so they could venture quickly outside their homes and rush to the meet-up place. Since the police tried to disperse the vendors and homeless waiting for the delivery on sight, the vendors had to meet up with the volunteer in a hidden corner of Escolta. They were also worried that other hungry families not on the list might flock to the area. Each bag of relief goods had to be labeled with the beneficiaries' names to prevent people from fighting over them. The vendors in charge sent photos and videos of the distribution.

Months after this initial relief drive, one of the vendors expressed her disappointment over the lack of organization among themselves. She complained that they did not line up properly and that they demanded that they get their relief packs first despite the labels on each pack. She also complained that some of the names listed were not families living or selling in Escolta, but they were listed because they were close friends with the vendor assigned to list down names.

### **Absent Official Assistance: Non-Helping State**

The sidewalk vendors and dwellers hoped to receive relief goods from their barangays after President Rodrigo Duterte's national address the night before the lockdown where he assured everyone that the government had enough supplies to attend to the needs of vulnerable families. But because of their relationship with authorities, the vendors and dwellers still felt uncertain about whether they would get immediate assistance and

whether there were systems in place to ensure that everyone in need would get assistance. Instead of waiting for emergency subsidies from the government, they immediately reached out to their social networks upon learning that they would be forced into a lockdown for several more weeks.

Before securing funds from PAGASA, the research group's first instinct was to look for communication channels to the Manila Mayor, Isko Moreno. One member posted a screenshot of the vendors' messages on Facebook to ask for leads. She approached a friend working with the President's communications office, who then called on contacts with the local city administration and the Department of Social Welfare and Development (DSWD).

Even with that encouraging information, the homeless vendors were not as enthusiastic with the news. Their long struggle with the agency has led to them to distrust anyone who is associated with it. When the DSWD official failed to call by evening, one of the researchers received a message from them saying "*Wag nyo na kami paasahin, ate. Baka hindi naman 'yan totoo.*" ("Don't give us false hope. That's probably not true.") The official arrived past 11:00 p.m. and had to leave the relief pack in the barangay office. By that time, the police had already forced the waiting vendors to vacate the sidewalk.

The peanut vendor who received a pack of relief goods that night pleaded for more to be given for their relatives and neighbors, but the official only brought supplies for one family. She decided to split the food with her sister's family living in the same house.

The sidewalk dwellers are constantly in hiding from police and DSWD authorities who keep on confiscating their belongings and conducting 'rescue' operations of their children, bringing them to the far-off Boystown orphanage in Marikina City, where they were reportedly

fed either spoiled or insubstantial food. When they were told that a new evacuation center was put up in Delpan sports complex, one feared that it might be a trap for homeless people like them. According to her, street children are still being ‘rescued’ even during the quarantine. *“Akala mo ate tinutulungan yun? Hindi po. Pagkatapos iba-byahe sa Boystown yun,”* (You think they’re being helped? No. Then, they’re being sent to the Boystown.), she said.

Also in an anxious tone, the peanut vendor asked if her call for help sounded like a complaint against the DSWD. She feared that police might get back at them for making them look bad. *“Baka mamaya ratratin na lang kami dito, natatakot ako,”* (“I’m afraid that they might shoot us.”) she said.

After three weeks of the Enhanced Community Quarantine (ECQ), the inaction of their respective barangay centers had become unbearable for the vendors. Some vendors were given relief supplies of only two kilos of rice since the start of the quarantine; others received none at all.

One vendor called for help in demanding relief goods from their barangay chairperson. The message was posted by one of the researchers and crowdsourced contacts from media. At the sight of a media van arriving in their neighborhood, the whole community went out of their houses and applauded. The barangay chairman was forced to explain why it was taking them so long to provide food to their constituents.

After a few days, the vendors finally got three kilos of rice. They were no longer expecting food packs from the city mayor. The peanut vendor expressed that the supposed cash aid from the DSWD is their last hope. *“Hindi kami mamatay sa virus. Sa gutom kami mamamatay ng pamilya ko,”* (My family won’t die from the virus, but from hunger) the peanut vendor lamented.

Vendors kept asking one of the researchers if she could also help out their neighbors or relatives who live in another neighborhood. They recognized their limitation as they lacked enough volunteers and goods for every household in their neighborhood, which might add up to a thousand families. In order to cater to more families, the researchers tried to stretch the budget given to them by PAGASA. The contact-vendors themselves took the initiative in organizing the next relief distributions on the ground.

To address their calls for help, the researchers had to call on contacts who had connections to churches and bigger charities. Some of these organizations who agreed to provide assistance required that the researchers give them contacts to the barangay officials to avoid any difficulties in arranging deliveries. One of the sidewalk dwellers discouraged them to give the contact number of their barangay. She advised against distributing the relief goods through the barangay officials since they hoard the bulk of the relief goods to distribute to their own families and friends.

### **Advantages and Limitations of Private Assistance**

Forms of assistance that were provided during the first few weeks of lockdown varied from monetary and in-kind donations, volunteering for repacking relief goods, transportation services, contacts to groups in need, contacts to farmers and other food sources, and information on quarantine provisions and state relief programs, to name a few.

Social media played a huge role in making all this relief work possible. It informed social media users of how dire and urgent the needs were of the economically vulnerable and of how delayed and insufficient the state responses were in addressing these needs and the ways

in which to fill in these gaps. It helped boost calls for citizen initiatives and connect people in need of assistance to those who are willing to volunteer and donate. It was used by Filipinos to connect to one another – to call for help, offer help, organize manpower, solicit donations, crowdsource relevant information and resources, and the like.

This also brought the need to consolidate all these efforts so that it's easier for people donating and volunteering to connect with people who can organize the distribution of relief goods. Several organizations took the initiative to consolidate this relevant information into information hubs posted on Google docs, websites (e.g., HelpfromHome.ph), and infographics circulated through social media.

The way that these networks worked during the first days and weeks of the lockdown made it quicker and more efficient for them to mobilize resources and address the needs of affected Filipinos. There were no long processes that people in need had to go through in order to get assistance as all transactions were made on the basis of trust. Social media users who contributed to these relief efforts trusted that the person or group who encouraged them to donate or volunteer already knew the community organizers and/or receivers well. And if the organizers were part of the receiving group or had known the receiving group for a long time, this system ensures that the needs of the receivers are sufficiently met and they are given food and other supplies that they badly need.

The research team relied on social media to organize relief drives for the Escolta sidewalk vendors and dwellers—as a way to gather donations, call for volunteers, ask for discounts from food sources, get information on quarantine rules they have to be aware of and other organizations who can continue to provide

relief to their beneficiaries after they have exhausted their own resources.

Although efficient, these private initiatives are often calculated according to the financial capacities and other personal limitations of the donor. After a few relief drives, one of the research colleagues requested for a break because of exhaustion. One of them chose to push through with more relief drives but eventually, all the relief work took a toll on her, especially when school and work resumed. All of her Google survey respondents said that they based their donations on what is easiest (logistically) to give and what is within their budgets. This means donating extra disposable money or a certain amount of reserved money for charity or old or unwanted food and miscellaneous items. Small business owners and individuals with items to sell also conducted fundraisings in order to come up with monetary donations. Some businesses donated huge percentages (some even at 100%) of their profit toward donations while others only donated a small portion. It might have also helped that there were individuals willing to do the legwork of conducting relief operations for those who want to help from the comfort of their homes.

Since the Escolta vendors and dwellers still feel *hiya* when they ask for assistance, they do not usually tell what specific items and amounts of food they need. When one of the researchers ask them what they need, they always said, “Bahala ka na...” (“It’s up to you.”) or “Kahit anong biyayang matatanggap namin, masaya na kami.” (“Whatever we get, that’s a source of joy for us.”) And because receivers are aware of the limited supply of relief, some of them who are still able to get help from relatives or employers feel reluctant to ask for assistance even when this help is not enough, while those who choose to get assistance are deemed as scroungers or freeloaders by their peers.



Since much of this relief work is organized through social media, those who have more access to the internet or means to call or send texts are those who can easier communicate with organizers of relief drives. In their own relief drive, those who we can easily communicate with through social media, calls, and texts were those who were able to identify other sidewalk vendors and dwellers who should also get assistance and where and when it was best to distribute the food packs. On the other hand, the Project researchers were not able to reach out to those who lived in far off areas or those with no social media or cellphones such as Nanay Gilda.

## Conclusion

Individuals marked with unofficial or irregular social status, especially those identified as ‘illegals’, are watched, ignored, or set-aside by the State. In order to survive and acquire a token of social acceptance, ‘illegals’, like the sidewalk vendors and dwellers, resort to informal economic activities and traditional social customs. In this regard, the cultural cues of socialization and integration become their ‘salvation’ and would spell survival and meaningful. Thus, despite the absence of formal recognition or the presence of token treatments by the State, they are able to continue with their lives, recognized and accepted by regular customers (*suki*) and by those who extend gestures of *kapwa*-fellowship.

The legal positivist habit of treating the vendors and dwellers evidently preserves the formal State authorities’ ‘modern approach’ of governance—that is, the law that is not to be constrained by the traditional cultural morality of *pakikipagkapwa*, *malasakit*, and *damay* must be rationally preserved and invoked, even to the extent of leaving the wounded victims on the road, half-dead or half-alive.

Today, our felt empathy for people in distress may be blocked by similar legal and quasi-obligatory barriers lodged in our head: roles, contracts, institutional rules, obligatory protocols-meetings, commercially-patented practices, vows, monetarized/commodified care, routines, priorities, exclusive solidarities, calculative/rationalized assistance, over-thinking, and the like. Or, sympathy may pass through a different but similarly ossified line of thought, a different pathway or condition which is an indication of re-interpretation of the Good Samaritan text: like, self-love as basis of loving one’s neighbor.<sup>11</sup>

Some of those who rule the land do sacrifice their fellows and their own humanity just to be able to follow the law. In a backward economy or among groups marked

---

<sup>11</sup> See, Oswald Hanfling, *Loving My Neighbour, Loving Myself*,” *Philosophy* 68/264 (Apr., 1993): 145-157; Antony Aumann, “Self-Love and Neighbor-Love in Kierkegaard's Ethics” (2013). Book Sections/Chapters. Paper 1. [http://commons.nmu.edu/facwork\\_bookchapters/1](http://commons.nmu.edu/facwork_bookchapters/1) (accessed 2 June 2021).

It is interesting to note that in the Good Samaritan parable, Jesus has consistently reversed or dismantled some customary beliefs/concepts:

<b>Common understanding</b>	<b>Jesus’ teaching</b>
Neighbor as needy/receiver	Neighbor is the agent/giver
Commandment as driver of assistance	Compassion (ἔσπλαγγνίσθη) as the wellspring of care
Jews must help fellow Jews	Even Samaritans (outsiders or enemies) could extend a sustained care (or ἔλεος; mercy) that mirrors God’s mercy on humanity.

See, Nathan Lane, “An Echo of Mercy: A Rereading of the Parable of the Good Samaritan,” in C. A. Evans and H. D. Zacharias, eds., *Early Christian Literature and Intertextuality. Library of New Testament Studies 392, Volume 2: Exegetical Studies* (London: T&T Clark, 2009), 74-84.

as illegal and marginal, legal positivism is bankrupt when confronted by emergency situations. Ironically, the same cultural morality that it blocks becomes the old reliable source of deliverance for many people.

## Bibliography

- Aumann, Antony, "Self-Love and Neighbor-Love in Kierkegaard's Ethics" (2013). Book Sections/Chapters. Paper 1. [http://commons.nmu.edu/facwork\\_bookchapters/1](http://commons.nmu.edu/facwork_bookchapters/1) (accessed 2 June 2021).
- Brucal, A et al. *Disaster impacts and financing: local insights from the Philippines*. London: Grantham Research Institute on Climate Change and the Environment and Centre for Climate Change Economics and Policy, London School of Economics and Political Science, 2020.
- Conklin, William E. *The Invisible Origins of Legal Positivism: A Re-Reading of a Tradition*. Dordrecht: Springer Netherlands, 2001.
- Dagmang, Ferdinand D. "Christian Compassion and Solidarity within Capitalist Contexts." *Asia Pacific Social Science Review* 6/2 (January 2007): 53-72.
- Dagmang, Nathalie D. *Escolta Ethnographic Notes*, 2020, unpublished field-work notes.
- Gardner, John. "Legal Positivism: 5 1/2 Myths." *American Journal of Jurisprudence* 46 (2001): 199–227.
- Hart, H. L. A. "Positivism and the Separation of Law and Morals." *Harvard Law Review* 71/4 (1958): 593-629.
- Hart, H. L. A. *The Concept of Law*. 2d ed. Oxford: Clarendon, 1997.
- Ibon Foundation. "IBON Midyear 2020 Prayer: Sa Ngalan ng Poder." <https://www.ibon.org/sa-ngalan-ng-poder/> (accessed 8 June 2021).
- Jha, S., A. Martinez, P. Quising, Z. Ardaniel, and L. Wang. *Natural Disasters, Public Spending, and Creative Destruction: A Case Study of the Philippines*. *ADB Working Paper 817*. Tokyo: Asian Development Bank Institute, 2018; available: <https://www.adb.org/publications/natural-disasters-public-spending-and-creative-destruction-philippines>
- Lane, Nathan. "An Echo of Mercy: A Rereading of the Parable of the Good Samaritan," in C. A. Evans and H. D. Zacharias, eds., *Early Christian Literature and Intertextuality*. *Library of New Testament Studies* 392, Volume 2: *Exegetical Studies*. London: T&T Clark, 2009, 74-84.
- Siliquini-Cinelli, Luca. *Legal Positivism in a Global and Transnational Age*. Cham, Switzerland: Springer, 2019.
- "Community pantries sprout across the Philippines amid flailing govt response to Covid-19 pandemic," <https://www.straitstimes.com/asia/se-asia/fuelled-by-flailing-govt-response-to-pandemic-community-pantries-sprout-across-the> (accessed 2 June 2021).

“Filipino version of community pantry is bayanihan, sari-sari store and pasalubong rolled into one,” <https://philstarlife.com/living/104683-community-pantry-bayanihan/> (accessed 2 June 2021).

“Legal Positivism of Law,” <https://www.lawteacher.net/free-law-essays/jurisprudence/legal-positivism-of-law.php> (accessed 2 June 2021).

“Legal Positivism.” <https://iep.utm.edu/legalpos/> (accessed 2 June 2021).