

THE PRO AND CON ARGUMENTS ON FEDERALISM

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INTRODUCTION

Not a few scholars in the country, particularly in academe, including those who are in government service and in politics, have expressed preference for the setting up of a federal structure of government in the Philippines. But the idea is confronted by many questions, specifically referring to the perceived stumbling blocks, constraints, and the strength (or lack of it!) of the Philippine State which, according to those who oppose it, would render it not feasible. But both federalists and the unitarists support a more effective and efficient government service; both believe their respective system is appropriate for the country.

Another frequently debated issue is the parliamentary form versus presidential form of government, which in the context of the Philippines, must be resolved, too, after the issue of federal versus unitary form is finally settled. So far, observations on how government service is conducted, point to the aspect of implementation as one big weakness of the current government system. Good laws have been passed. However, those still await their implementation by effective and selfless administration.

Two extreme developments in the context cited above may be mentioned. The moderate success of the Presidential Anti-Crime Commission (PACC) merit its being frequently placed on newspaper front pages. But the woes met by local governments in realizing the devolution of power in certain agencies of government illustrates lack of foresight on the part of national legislators and weak political will insofar as the local officials are concerned in realizing the provisions of the Local Government Code.

The question, therefore, on why government service in the Philippines is ineffective must be closely examined by concerned authorities as well as those in academe and other sectors. The country's status as a "basket case" in the ASEAN subregion, just a notch higher in terms of gross national product than Bangladesh, for example, can be attributed to this long-term ineffectiveness of the country's administrators. Much is expected from them since the business and economic elites prove dominant both in terms of assigning themselves several governmental programs as well as monopolizing certain industrial, business, and service sectors.¹

But more importantly, why is it that government administrators are generally incapable of attaining a significant level of effectiveness to achieve a modicum of socio-economic development for the country? What is the crux of the problem? Are we prepared to accept that we are incapable of administering government programs?

A LOOK AT THE PAST

A look at the distant and the recent past could yield answers and insights on why some countries adopted a federal system of government.

In the West, two cases may be noted in the institutionalization of federalism. The first case was impelled by the need among small government units to have a "central" authority which could undertake programs and discharge functions beyond the local or "state" domains and thus weld together the diverse territories.² This was the case of the original 13 states of the United States of America. The second case refers to the chain of events which were propelled by the need of a highly centralized government to decentralize and devolve powers to the local units, as in the case of Australia.

In Asia, Malaysia developed as a federation of small states in 1963 with a slightly different rationale. This case merits a closer scrutiny considering that both Filipinos and Malays have sprung from roughly the same racial and cultural origins, although the Malays were converted to Islam while the Filipinos were converted to Christianity. Moreover, each has entirely different colonial experiences.

The political history of Malaysia will reveal that federalism is a product of political impositions by the British colonial administration. There is not much argument on this point except when the counter-argument is wholly anchored on social Darwinism or evolutionary theory. But who among the social scientists can definitely say that social Darwinism is a valid explanation for such basic questions as Man, Society, and State in Southeast Asia?

At the beginning there were scattered communities, most probably in riverine, as well as in coastal areas, which sounds almost exactly the same as the history of pre-Spanish Philippines. With the advent of Islam in Southeast Asia in the 14th century, some of these enduring communities such as Malacca³ and Brunei were Islamized and became seats of powerful sultanates. Independent of each other, these communities were conquered by the British through treaties, diplomacy and warfare. Brunei, on the other hand, one of the earliest sultanates, was whittled down to its current size by the activities of the Brookes clan (who also carved Sarawak) while pretending to be intermediaries for peace between Brunei Sultanate and the Bugis (who encroached in Sarawak), and between the Sultanate and the chartered companies which desired plantations and other business ventures in North Borneo (Sabah).

The British experimentation on three politico-administrative systems of governance — Straits Settlements, Federated Malay States (FMS), and the Unfederated Malay States (UFMS) — became in reality the forerunner of the current Malaysian federal system.

But it was really the existing small political units of governance — the hereditary sultanates — that became the primary basis of federalism. Secondary to this was the peculiarly distinctive mix of cultures in Malaysia. One such example is that between Islam

and Thai cultural and racial mix in Trengganu, Perlis and Kedah as contradistinguished from Chinese and Malay in Singapore and in Penang. Another set can be found in the uniquely geographically-situated Sabah and Sarawak which are in Borneo island. So far, the federal structure has worked well in Malaysia as evidenced by the socio-economic progress not to mention a good measure of political stability the country has achieved. The general progress can be taken as a result of effectively functioning institutions which came about despite the problem of "ethnic balance" whereby Chinese, Malays and Indians have to work together regardless of some imbalances and perhaps cross-purposes, e.g., the bumiputras versus the "immigrant races," etc.

ADVANTAGES AND DISADVANTAGES OF A FEDERATED PHILIPPINES

ADVANTAGES. There are several discernible and constantly repeated arguments in favor of a federal setup in the Philippines. Some of these arguments include a) diverse ethnolinguistic elements which may or may not coincide with geographic differences; b) archipelagic characteristics that do not allow for immediate government responses to social problems and, hence, a unitary government does not make for effective and economical actions considering time and budget constraints; and c) it follows the pre-Hispanic political situation whereby scattered barangay units plus the sultanates of Sulu and Maguindanao existed side by side.

Diverse Ethnolinguistic and Cultural Elements

Ethnolinguistically, one can find the Filipino really diverse. This could be explained by the country's archipelagic characteristic which keeps the island provinces isolated from one another.

Another effect of isolation, lack of contacts resulting from undeveloped transport and communication systems, is the difference in world views and perceptions. A Muslim Filipino and a Christian Filipino, for example, would differ in perceptions about political issues and may be completely contradictory. This is true with a Filipino from the North (Cordillera) who might have a different impression of a lowlander. But on a closer scrutiny, this problem of ethnic differences and perspectives is not really alarming, provided that it does not result in "movements" to separate from the country like the secessionist movement in Mindanao. It must be pointed out, however, that the perspective of the natives or aborigines can be taken as reflections of the effectivity of national political socialization and integration. An efficient transport and communication system would play a crucial role in the realization of such goals.

Archipelagic Characteristics

Except for Indonesia and a few other archipelagic nation-states, the Philippines is perhaps the most scattered island territory.

A closer look at some of these islands which lie in proximity to one another may show that these are populated by one homogeneous ethnolinguistic group. At certain periods, it is difficult to reach some of these islands (particularly those that are located in East Visayas, Bicol, Cagayan Valley and Batanes province because of frequent typhoons and other weather disturbances). The monsoon seasons, for example, which causes strong sea currents caused by the flow of wind emanating from the Pacific Ocean entering through the Philippine Archipelago's "choke points"⁴ somehow affected the directions toward which traditional seacrafts had travelled in the past. It may be argued though that, to a certain extent, these traditional seacrafts have been replaced by modern means of land, air, and sea transportation, making travel to these islands relatively easy. These changes, nonetheless, are only of recent phenomenon, not much earlier than the first few years of the American rule.

The best system of governance under these circumstances is one that is sufficiently decentralized. The response mechanism to natural calamities must be locally crafted, suitable for the most part to local conditions. In general, how to minimize adverse impacts of natural calamities or how to turn negative developments relative to nature into regional assets should be comparatively easy for the local leaders to work on.

The Barangays: Basic Political Communities

Just like Malaysia, Philippine culture presents varying characteristics, for instance, the presence of ethnolinguistic groups spread all over the country. Characteristically, it also qualifies for a federal set-up. Being an archipelagic country, the Philippines' earliest political units were spread throughout almost 7,100 islands and islets, thus were faced with different circumstances and therefore having a variety of survival capabilities. Some barangays like Cebu or Manila or those in rich alluvial plains had better resource bases or had more opportunities to prosper because of the presence of a highly established commercial and trading activities.

DISADVANTAGES. Ironically, it was the same political circumstance — the existence of hundreds, if not thousands of barangays, or disunited political units — that became the basis of the opinion that the present Philippine State is weak. The existence of forces such as those represented by the sultanates, the datus, and the chieftains of the highlanders either in the Cordillera or those in Mindanao, etc., that tend to pull people's support away from the Manila government is likewise cited as supportive of the view. The argument goes that if the State is weak, then why weaken it further by proposing a federal setup?

A second usual argument that seems to negate the move toward federalism has to do with the monarchical system under Spain. The Governor-General, who was on top of the government under Spain during colonial times, represented a strong central government in the Philippines, which in the minds of many, had held the country together for centuries. Then, they ask: "why alter such an appropriate system now"?

Lastly, critics of a federal setup cite the fact that the various provinces are unevenly endowed with human and natural resources. If one province with relatively small annual revenues becomes self-supporting under a federal structure, these revenues in absolute terms will remain small, compared to big and relatively developed provinces, notwithstanding the percentage of retained revenues by the province. Thus, there will be uneven development.

A PROPOSED SETUP

In order to avoid an uneven development for each and every province in the country, a ticklish problem faced by China in the 1990s, which is referred to in the last point above, a setup is thus proposed as follows:

1. Abolish all provincial jurisdictions. After all, the provinces do not have their own constituencies. Their so-called "constituencies" are already constituencies of towns and cities under their jurisdiction.
2. Consider the 14 regions as the 'states' or provinces with cities and towns immediately adjoining or adjacent to them as their smaller units. The head of the 'states' may be called Governor, Chief Minister, Director, or whatever is appropriate. Each 'state' shall elect its own senators and congressmen who will compose the state or regional legislators. These senators and congressmen shall be different from senators and congressmen of the federal government.⁵

From the present 14 regions (which include the National Capital Region and the Autonomous Region in Muslim Mindanao), the Cordillera region can be included to bring the total to 15 states.

3. The functions and powers of the federal government, with its capital in Manila, shall focus on foreign affairs, national finance and currency, defense and security, education, and agrarian reform, among others. Local authorities of the various 'states' shall be concerned with cultural affairs, agriculture, natural resources generally domestic commerce, regional or state planning, taxation, non-tertiary education and lower-level education and others.

In this setup, the 'states' (or regions) will have equal chances of economic and political survival. For these will be assured of substantial resource base, after several provinces in given regions are lumped together.

A CHALLENGE

The foregoing discussions regarding the proposed federal setup are presented to elicit reactions not only coming from academe but also from administrators and political leaders, and other sectors of society. The responses could help us devise for the country a more effective and responsive governmental system.

NOTES

¹There are numerous examples in past and present regime whereby a specific sector is under the control of a business clan while, at the same time, a clan member heads the department of government that is concerned with policy making for that sector.

²William Livingstone, *Federalism and Constitutional Change* (London: Oxford-Clarendon Press, 1956), p. 8.

³B. Simandjuntak, *Malayan Federalism* (London: Oxford University Press, 1969), p. 1.

⁴The area between Northern Samar and Matnog, Sorsogon; the narrow passage between Southern Samar entering through the San Bernardino Strait until it passes through the Almagro island; and the area between Southern Leyte and Surigao City.

⁵Proposed by Dr. Panfilo Hincuy, President of the International University, Manila, from a financial point-of-view. He stressed that if provincial jurisdictions are converted into regional jurisdictions (and constituted as regional units) all financial requirements and or gains shall then be redirected to the said regional governments, thus giving them fiscal independence.