



# Asian Studies

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- Editor's Preface
- ARTEMIO D. PALONGPALONG - Notes on Federalism
- SYLVANO D. MAHIWO - State Management: A Perspective
- JUAN R. FRANCISCO - Philippine Society and Culture: Mechanisms for Strengthening National Consciousness and Unity
- ASIRI J. ABUBAKAR - Autonomy in Southern Philippines During the Marcos Administration
- JECY F. DURON - Federalism: An Alternative System for the Philippines
- CATHERINE SYLVIA BEACHAM - A Federalism Flawed
- MARIO I. MICLAT - Reebok Shoes and Special Economic Zones: A Case of Local Autonomy in China
- BOOK REVIEW: Susana B.D. Devalle, **Discourses of Ethnicity, Culture and Protest in Jharkhand.**

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EDITOR'S PREFACE	vi	
ARTEMIO D. PALONGPALONG	1	Notes on Federalism
SYLVANO D. MAHIWO	7	State Management: A Perspective
JUAN R. FRANCISCO	14	Philippine Society and Culture: Mechanisms for Strengthening National Consciousness and Unity
ASIRI J. ABUBAKAR	29	Autonomy in Southern Philippines During the Marcos Administration
JECY F. DURON	41	Federalism: An Alternative System for the Philippines
CATHERINE SYLVIA BEACHAM	53	A Federalism Flawed
MARIO I. MICLAT	75	Reebok Shoes and Special Economic Zones: A Case of Local Autonomy in China
BOOK REVIEW	84	Susana B.D. Devalle, Discourses of Ethnicity, Culture and Protest in Jharkhand

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## EDITOR'S PREFACE

The articles in this issue, contributed by faculty members of the Asian Center, University of the Philippines, an affiliated Researcher, Catherine Sylvia Beacham of Wollongong University, Australia, and Dr. Jecy Duron of Makati University and Philippine Normal University, Manila, have been selected on the basis of the overarching theme: federalism.

The focus of the articles ranges from a presentation of the pro and con arguments to specific case studies, including the experiences of Australia and China. Whatever merits the articles bear relative to the issue of adapting a federal system of governance for the country remain to be evaluated. In other words, specific or general arguments in favor of or against federalism are not "forced upon" or assigned to be developed by the authors. In considering the articles for publication in the Asian Studies, the editor used the criterion that these papers deal with the generic theme, and/or are relevant to it.

Not a few of the ideas relative to federalism are "floated," to elicit reactions, comments, and counter-arguments or contrasting ideas. In the spirit of free academic discourse, there are no holds barred. The authors' adherence to the tenets of scientific inquiry and for the sake of knowing the truth, however, set the boundaries between decent academic elucidation and pedantic discourse.

The authors are responsible for their views and opinions and, together, both authors and editor are agreed on one objective: whatever concepts, ideas, views, and explanation that would help the public as well as the policymakers decide what could be considered an appropriate system of governance for the Philippines must be written about.

Appropos this most important point, we might ponder over some specific issues which have been engaging the attention of the intelligentsia and the government, viz:

1. Is it possible, even probable, that the Moro National Liberation Front (MNLF), Moro Islamic Liberation Front (MILF), or the Reformist faction members would lay down their arms and return to peaceful, civilian life if a federalist structure of governance were operationalized? Some leaders believe this is so. But can it happen soon?

2. Will other regions, such as the Cordillera and Bicol, be served in their pursuit of development and a higher quality of life if a federal set-up were in force? Are the natural, human, technological and financial resources of Muslim Mindanao, Cordillera and Bicol adequate for purposes of regional development minus the patronage system, and can the presently operating central government marshal such resources to that end?

3. Culturally, socially and politically, are all the regions of the country prepared to act as functioning integral units self-sufficient to a relative degree of autonomy? Specifically, are the people therein, value-wise and in terms of socio-political mobilization for specific targets and objectives, capable of making it?

Also, it is relevant in this listing of specific issues to mention the loftier goals of nationalism and a high level quality of life for the masses, although these do not comprise the common focus of the articles and essays. For what would become of a country whose regions are advancing on many fronts — such as initially evidenced by the booming provincial/city economies of Cebu, the Cagayan de Oro - Iligan corridor and the Davao-General Santos corridor — if the federal (national) well-being is not an objective or is not at all a public concern?

These concerns, I submit, are second-generation issues.

In the meantime, the interest lies in the above listing of specific issues. To the extent, therefore, that some amount of clarifications and enlightenment are realized through the “interaction” or clash of ideas in the general debate on federalism, I would consider this particular issue of the journal worth the time and efforts of the authors.

Artemio D. Palongpalong  
Dean, Asian Center

# THE PRO AND CON ARGUMENTS ON FEDERALISM

*Artemio D. Palongpalong*

## 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.<sup>1</sup>

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.<sup>2</sup> 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 Malacca<sup>3</sup> 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"<sup>4</sup> 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.<sup>5</sup>

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

<sup>1</sup>There 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.

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

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

<sup>4</sup>The 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.

<sup>5</sup>Proposed 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.

## SOME THOUGHTS ON STATE MANAGEMENT

*Sylvano D. Mahiwo*

This essay discusses the ideal system of governance for the Filipino nation. It seeks to address the question on what type of affairs management may be appropriate for the state which in form and in essence is an organic body.

The issue in question goes beyond the sole competence of academicians, politicians, economists, social scientists and quantitative scientists. It is therefore an issue that must be analyzed not only in terms of political rhetoric, economic calculations, and social prognosis but also theoretical, pragmatic and conditional measurements.

Systems of governance can either be borrowed from another nation, or evolved through a process of adaptation, modification and innovation or a combination of both. Most modern countries, particularly those that emerged during the era of colonization, fall under the former type of governance. Still many post-colonial nation-states wear the governance cloak borrowed from their colonial masters.

The other type of governance, on the other hand, is the product of evolutionary process and, for one reason or another, experimentation.

In the case of the Philippines, the remnants of colonial tutelage in state management and its influence in the art of governance have barely faded away. After independence, we adapted the republican system of government — centralized and theoretically unified in the control of state affairs and governmental functions. For purposes of effective administration, the physical as well as geographic boundaries, marked by the Spanish and American colonial governments, are still operative with seemingly very few modifications. It may even be said that the provinces, cities and towns were created to suit the colonial masters' convenience at the time. The legacy of the colonial past in the management of nation-state affairs is not only confined to the physical boundaries. The socio-cultural map of the Philippines was drawn to a great extent by the standards of Spain and later, the United States. Thus we refer to such terms as Moroland, Ilocandia and Christian or Muslim areas, to designate physical boundaries. These labels have been the basis of government policies in education, political participation, and even in the exercise of civil rights.

For better or for worse, we just pulled on the cloak of governance that was imposed upon us. Apparently, we were helpless during the early phase of our rise to nationhood. And for that we did not have a better choice.

There is no doubt that the evolution of a system of state management — the governance component — is very vital to the pursuit of nation-building. In this sense,

the formulation of and search for a viable system of managing state affairs is indispensable. In fact, any effective system of governance must logically precede nation-building for the former to be an instrument in the attainment of the latter. The search is an ongoing process.

#### THE PECULIARITIES OF THE PHILIPPINE SETTING

It is clear that the evolution of a system of governance fit for the Filipino nation is a goal, and/or an instrument for nation-building and development. That we are a nation still developing and strengthening the various social, economic and political institutions implies that the goal of establishing stability is an end worth considering, and being recognized as equally important as the issue on national development. In other words, the system of governance is an integral part of the national being and the character of the former definitely reflects that of the latter.

When we ponder on the kind of system we have to adopt, it becomes necessary to consider the Filipino nation-state in its physical and non-physical dimensions, which demands the balance between material and social components. The preliminary consideration, therefore, is that the system of governance, whatever it is or however it is called, should embrace two aspects — the pragmatic aspect and the non-material, philosophical aspect. We shall try to discuss the two in the light of the realities and conditionalities or dynamics of the Filipino nation-state.

*Physical character.* The physical character of the Philippine nation-state determines the form of the system of state administration as regards its reach and effectiveness. Given the approximately 7,100 islands, a system of governance that can effectively and efficiently penetrate every nook of the archipelago is a fundamental concern of nation-state management and development. The very nature of the physical geography demands a kind of government control entirely different from that adapted by a nation in a continental location.

Hence, a system of governance, more than any other form of state administrative device, is a vital invisible bond that should hold the Philippine domain. It is imperative, therefore, that the instrument, literally and otherwise, be fashioned like a garden tool to cultivate and stimulate the dynamics of archipelagic development and advancement.

*Non-material or non-physical factors.* The second dimension of the Philippine nation-state that is a determinant of the state management style are the non-material, non-physical factors. These refer to the socio-cultural and spiritual totality of the Filipino nation. The discussion of this aspect obviously leads us to the abstract plane of administrative functions of state affairs. But the socio-cultural and spiritual characteristics of a nation cannot absolutely be detached from the geographical dimensions. In fact, the two mutually influence each other. Within and beyond the confines of the socio-cultural and spiritual, the system of state management treads on extremely complex grounds.

Philippine society is composed of various social systems, and diverse cultural heritage. Viewed from a compartmentalized cultural prism, a system of governance that can be super-imposed on the map must be equally sophisticated, diverse, and sensitive to the Philippine nation-state. This second factor is one rationale for a distinct system of government. In other words, this is the "temperament" factor of Filipino nationhood that demands a distinctly Filipino governance system and style. Some sectors of Filipino society, for example, can be subjected to authoritarian, autocratic rule. Others prefer to be independent and autonomous and some will be comfortable with a rigidly structured and hierarchical form of government. In some cases, a highly centralized mode of control may be preferable. The point here is that there is a great degree of flexibility since there is a wide range of social diversity.

In such a situation, a government system that should perform the function of social unification and at the same time maintaining the cultural identity and distinctive character of the various cultural communities is a consideration. A system having the least partiality to a particular cultural group is in every way an ideal one.

*Balance Between the Physical and the Social Components.* The third factor is the maintenance of balance between the material and the social components as they relate to the system of governance. Pragmatic considerations of the tangible as well as intangible elements in the society to match the kind of system of governance are inevitably complementary to the two preceding factors.

Obviously, the failure of many nation-states in the management of their affairs is due to the lack of balance between pragmatic realism and extreme adherence to the tenets of bureaucratic tradition, tinged with ethnic rigidity.

*Long- and Short-Term Perspectives.* That the system of governance is a tool and a goal brings us to the issue of relevance of the mode of governance from the long-term and short-term perspectives. The function of the governance system as an instrument for solving immediate national problems falls under the short-term perspective. But in this case, such a system may outlive its usefulness if and when the problem it intends to solve is long gone.

The adaptation of a problem-solving-oriented system of governance can be disadvantageous in several ways: (1) Oftentimes it is difficult to shift from one system to another because it is financially, politically, as well as socially costly; (2) There is a high possibility of missing general objectives and latent concerns of nation-state management because of the specificity and focus on certain manifested problems only; and (3) There is the risk of ineffectiveness as a result of the limitation of system over time, place, and situation.

On the other hand, the long-range perspective of a system of governance transcends even perhaps the limitations referred to above, and those that arise in the course of time. However, the conditionalities for the adoption of such a system has nothing to do with the present, past, and future for its *raison d'etre*.

## RATIONALE FOR AFFAIRS OF STATE MANAGEMENT

The delicate task of balancing the multifarious elements and conditions found in the Philippine setting is a major concern of state management.

In this regard, the Philippine nation-state, has to design its system of governance considering the following factors: 1) Geographically scattered physical components; 2) Socio-culturally and ethnically diverse populace; 3) Nation-state in the process of being built respond to the people's ideals; and 4) The volatile and ever-changing regional and global environment.

The above factors considered in terms of their interaction with each other will determine the final form that may be called a Philippine model of governance. Therefore, understood from a pragmatic point of view a truly Filipino state-management model that must be developed the factors enumerated above being the points of reference towards relevance and applicability. In other words, state management necessarily has to be tailored to meet the needs and dynamics of the Philippine nation-state. In this connection, when we speak of a 'truly' Filipino model of governance, the question of what kind of state management style comes to fore. But that is not our concern at the moment.

Concerning management of state affairs, two "filters" have to be put in place if management is to be efficient and effective — that is, geographical and socio-cultural filters. These filters have quantitative and qualitative components.

### *Geographic Filters*

One test for the appropriateness hence effectivity of a system of governance is the depth of its reach within the society. The Philippines, being an archipelago is divided into 13 regions, consisting of provinces, subdivided into municipalities and further segmented into barangays poses enormous challenge for Philippine state management.

Access to each of these units affects the capacity of the state to govern. Bodies of water, mountain ranges, valleys, and other barriers act as filters in the flow of governance.

The uneven level of development in various islands, provinces and municipalities is evidence of continuing contact with the system of governance. Not surprisingly, this is influenced by the extent of telecommunication and transportation systems that obtain in the country.

It is indeed, a fact of state governance that concentration in "central" regions/cities/municipalities effects a two-way traffic between the central and local governments. On the other hand, when central state governance and management loses intensity as to effect only trickles towards the direction of outlying provinces,barrios or barangays, the expected development is almost imperceptible.

What are the implications? If the system of governance is the efficient conduit for social services' reach to all the geographical units, inevitably the system has equitably delivered to the governed regardless of whether a barangay is in Batanes, in the hinterlands of the Cordilleras, or the highlands of Mindanao as well as Sitangkai in Tawi-Tawi.

The system of governance benefits the Filipino if it overcomes the seemingly difficult geographical barriers that separate the different regions of the country. Ideally, the system of governance are the vital arteries that distribute the essence of democratic state rule and authority within the domains of the Philippines to all levels and units regardless of the physical distance from the political, economic, social, cultural centers of authority in state governance. With the realization of this ideal follows the maintenance of peace and order, and economic and cultural development achieved on the national level will inevitably spread throughout the archipelago. A more basic state function, the provision for social welfare, for example, flows through the artery of governance to every barangay in the Philippine state. In effect, the system is the chain that binds all territorial components.

### *Socio-cultural Filters*

Another element that the system of governance has to deal with is the socio-cultural component of the Philippine nation-state. This factor presents another "filter" that is invisible, and oftentimes beyond comprehension and measurement. However, it cannot be denied that the cultural diversity that obtains in the country, and more evidently by the geographic condition of the Philippines, indeed complicates the state of governance. Compared to the geographical factor, the socio-cultural dimension, because of its inherent subtlety, demands a system of governance that overrides all perceived complexities.

Recognizing the existence of more than a hundred different cultural groups inhabiting the various regions implies the need for an equal number of cultural considerations at once. Socio-cultural differences as manifested in community life, the distinction in languages, conduct of leadership, individual affairs, etc. cannot be ignored in the overall management of a unified nation-state. Countries that are culturally homogenous like Japan, Israel and Germany are observed to have confronted the general issue of what type of governance to be adapted, this being more of a political than an ethnic issue. In these countries, once a system is adopted by the state, it is unlikely that the clamor to switch to a different system (or modify the existing state-management system) arises from socio-cultural justifications and/or ethnic discontents. This can be considered a luxury for the leadership in those states that are ethnically and culturally homogenous.

### CONCLUSION

The evolution of a Filipino state governance system is a dynamic instrument of development. As such, its definition, much less the nominal label (centralized, federalism, unicameral, parliamentary) of the style of state management is a peripheral concern. Indeed, it is only when we are able to stabilize a system that has successfully passed

through the geographical and socio-cultural “filters” can we concern ourselves with the labelling of that system distilled for the Philippine nation-state.

Thus, without defining it, we can discern the essential requisites of the system that we can envision for the country such as the following:

1. As a function, the system should serve as the link for national unification. It should unify the geographical dispersion of the Philippine nation-state. It must suit the archipelagic nature of the country.

2. Equally important as a function of Philippine governance apparatus is the function of enhancing and promoting the ideals of “unity in diversity” as regards the various socio-ethnic composition of the nation. This means that the governance structure and essence must be of the quality that is flexible, acceptable and sensitive to the Philippine socio-cultural terrains. The system must be a device that will bridge the distance between the various cultural groups.

By the very nature of systems of state-management, the appropriate one for the Philippines can be a potent instrument that can guide in a smooth manner all cultural directions towards one national direction without subjugation and without damaging the social and cultural heritage of the Filipinos. Aside from the integral function, the governance system can enrich the national culture through the interactions of the various cultural communities.

3. Related to the above, the role of a Philippine governance system must have the quality of an open, broad, and non-exclusive impartial system. Since it should serve as the conduit of the flow of state authority to all units of the nation— political, economic, cultural and social— an ideal Philippine state management system must be above partisanship, ideology, creed, beliefs and ethnic or racial identity.

4. From the perspective of being an instrument for nation-building and one of the most vital foundation blocks of the process, the Philippine state governance system should be development-oriented. In this context, the concepts of economy, rationality and effectivity must be the basic concern of the system.

In an analogy to the flow of communication and transportation criss-crossing the entire breadth of the Philippine archipelago, the system of governance should in the speediest manner, reach every barangay with the least cost of governance. This implies that the management system will be through various “layers without barriers”. Depending on the requisite for the best quality instrument in the delivery of government services throughout the country, some of the best elements of centralization and decentralization and other tested systems of managing nation-state affairs can be incorporated, but not necessarily en toto. Theories and practice in Philippine public administration ought to constantly sharpen the system.

5. At this point of Filipino nationhood, the era of globalization or internationalization is a phenomenon that has enormous impacts on the domestic affairs. There is no doubt that while national institutions are evolved and strengthened, regional and international developments, theoretically and literally, inundate national borders. So much so that no nation can afford to be isolated. In the light of this, the Philippine system of governance, while it must strive to maintain its independence and originality, must also be equipped with accurate radars to monitor regional and international changes. It must be a system that can spot opportunities in the international arena, can maximize these opportunities, and can also exude outputs towards the international community as it plays its proper role in international relations.

Finally, the success of a system of governance for the Philippines lies in the unity of all the Filipinos.

# PHILIPPINE SOCIETY AND CULTURE: MECHANISMS FOR STRENGTHENING NATIONAL CONSCIOUSNESS AND UNITY

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## PROLOGUE

The present paper was originally prepared for a volume Policy Directions for the 1980's (edited by Felipe Miranda and Mahar Mangahas, 1981) under the title "National Integration"). The volume never saw print because of its controversial nature, i.e., it was critical of many of the policies of the Marcos administration. The paper, while it was not as critical as the other papers prepared for the volume, raised a few issues which somehow brought to the attention of those then in power, the need to address such issues in order to alleviate at least the conditions of those for which the issues had been raised.

The paper was later presented to the 10th National Conference on Local History (MSU-General Santos, October 27-29, 1989). While it may not properly be of local history focus, its main thrust is directed at the Mindanao (and Sulu) problems. Current developments have impelled the revival of this paper. One of these is the signing into law of the Organic Act (H.B. No. 22929, S. No. 907: Republic Act 6734: signed into law on August 1, 1989; Accepted in a Plebiscite on November 19, 1989) creating an Autonomous Muslim Mindanao.

## I. INTRODUCTION

The one single factor that makes the Philippines a classic case of socio-cultural "diversity" is its island topography. More than seven thousand islands, indeed, are no small evidence of the potential forces that make islanders "insular" in their perceptions, and consider the other islanders as source of "conflict" among them. The "isolation" of island inhabitants contribute to the very diverse perceptions of phenomena that obtain in these islands. However, the seas that separate these islands are to be thought of not as barriers towards unity or the development of one single perception of similar phenomena. For countless ages, indeed up to the present, the seas have played an important role as the main avenue, in the continuing contacts between cultures, which at certain periods of their history saw a levelling off of some culture aspects.

Despite these interconnections and the levelling off of cultural elements, diversities between the peoples of various islands still obtain. These are seen primarily in the ethnic and linguistic groupings that exist in the entire archipelago. Perceived in more compact forms as an ethnolinguistic phenomenon, while the distinctions may be very minimal, considering the intelligibility of these languages spoken by various ethnic groups in the country, the potential of confrontation is never eliminated. The "separateness" of one ethno-linguistic group from other groups is never a potential phenomenon but a real one.

And in the large super-ordinate type of groupings, like the Military, the conflict that occurs between and among its members is understood to be due to diverse socio-cultural origins or ethno-linguistic orientations.

Historically, the confrontations or conflicts between the "civilized" lowlanders and the "wild" highlanders, between the "cosmopolitan" Tagalog and the "rural" Ibanag, between Bulacan Tagalog and the Tayabas Tagalog, between the Waray and the Ilongo, between the Maranaw and the Maguindanao, between one who comes from Luzon and another one who comes from the Visayas, have all been stereotyped in the conflict between socio-cultural (ethnolinguistic) groups. These confrontations would have implications in the political and economic dimensions. Recently, the conflict of two very basic concepts, namely *pawis* and *papel* has also dramatized the distinctions between the logical owners of the land, those who till the land by their sweat (*pawis*) and "legal" owners, those who have titles (*papel*) to the land.

Also, in historical perspective, the conflict that was generated at contact between the "pagan" inhabitants and the Muslims upon the latter's arrival, which continues even to the present period, as well as that between the Christians and the "pagan" peoples of the Philippines may not be as serious as the conflict between the Christians and the Muslims, which has persisted since their initial encounter during the second half of the 16th century. The seriousness of this conflict has somehow brought the Philippines almost to the brink of *disintegration*. As a result of the severity of the conflict, both the Christian and the Muslim peoples of the country have, on their own, embarked on a search for mechanisms and processes of unifying themselves within the realities of diversity.

The purpose of this paper is to explore mechanisms and processes within which the concept of "unity in diversity" can be made operative in the Philippine situation.

The principle of divide and rule during the Spanish colonial period was the most effective mechanism used by the colonial government in controlling the Indios. One ethno-linguistic group was used by the colonial government to fight another group—the Macabebes against the Igorots, the Cebuanos against the Warays; but the most unconscionable among all the Spanish colonial government's policies was the use of the Christianized Filipinos in the attempt to subjugate the Muslim Maranaw, Magindanaw and Tausug in the Southern Philippines. From the historical point of view, this is an undisguised cause of the present conflict between the Christian Filipinos and the Muslim Filipinos, the Spanish colonial government having engendered it without realizing that in the next century this conflict would persist with bitterness.

During the American colonial rule, the same principle was used — the "civilized" lowland population pitted against the "wild" highlanders and the Moros of Mindanao and Sulu, despite the creation of administrative agencies\* purportedly established to give

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\*These administrative agencies were: The Moro Province, 1903-1914; The Department of Mindanao and Sulu, 1914-1920; Bureau of Non-Christian Tribes, 1916-1928; and the Commission for Mindanao and Sulu, 1936-1941.

essence to the underlying American expansionist aim of engendering democracy among the benighted peoples of the world (!). The mandates of each of these agencies embody instructions for effecting the integration of non-Christian peoples into the main stream of American colonial communities. Although the Bates Agreement of August 20, 1899 recognized "the rights and dignities of His Highness the Sultan and the datos... the Moros shall not be interfered with on account of their religion; all their religious customs shall be respected; and no one shall be prosecuted on account of his religion" (Article III), it effectively laid down the beginning for integration into the main stream of colonial life. Article X of the same Agreement also mandated that "any slave in the archipelago of Jolo shall have the right to purchase freedom by paying to the master the usual market value," an early attempt to develop a sense of equality among the subject peoples.

The Moro Province, established on June 1, 1903 by Philippine Commission Act No. 787, was run by a Legislative Council which was empowered to establish flexible school systems to fit the actual needs of the Muslim and non-Christian groups. The Moro Province was transformed to the Department of Mindanao and Sulu (1914-1920), which carried on the unifying and integrating functions of the Province. Side by side with this Department was the Bureau of Non-Christian Tribes, under the Department of Interior (1916-1928). This Bureau adopted a conscious policy of unification and integration. Among the instructions given the first head to direct the Bureau's affairs was "to endeavour to make yourself in good faith the unifier, tearing down as rapidly as possible the walls which have isolated the non-Christians from the Christians."

Measures adopted to achieve the objectives of the Bureau included the "extension of the public school system and the system of public health throughout the region inhabited by non-Christian peoples," a tacit recognition of the unifying effect of education and the promotion of health among the peoples. While the Department of Mindanao and Sulu is confined primarily within the geographic limits of two islands, the Bureau of non-Christian Tribes was not limited to a geographic region, and its charter so states that

It shall be the duty of the Bureau of Non-Christian Tribes to continue to work for advancement and liberty in favour of the regions inhabited by non-Christian Filipinos and to foster, by all adequate means and in a systematic, rapid, and complete manner the moral, material, economic, social and political development of these regions, always having in view the aim of rendering permanent the mutual intelligence between the complete fusion of all the Christian and non-Christian populating the provinces of the archipelago.

This provision of the charter of the Bureau led to the abolition of the Department of Mindanao and Sulu. The establishment of the Philippine Commonwealth in 1936 led to the abolition of the Bureau and the establishment of the office of the Commissioner of Mindanao and Sulu on October 24, 1938. The Commissioner functioned only with delegated powers from the President of the Commonwealth.

The period after World War II saw the full recognition by the National Government of the need to unify and integrate the people, not only as a reaction to the divisive effects of the unrest in Central Luzon and the growing "disenchantment" of the ethnic as well as the Muslim peoples of the country over National Government's programs in these areas. Thus, in 1957, Congress enacted Republic Act No. 1888, which aimed

to effectuate in a more rapid and complete manner the economic, social, moral and political advancement of the non-Christian Filipinos or national cultural minorities and to render real, complete and permanent the integration of all said national cultural minorities into the body politic,...

This Act was amended by Republic Act No. 3852 on May 4, 1964. This law opened the floodgates of opportunities to all the national cultural communities of the country. The provisions of the law were administered by the Commission on National Integration, which was a creation of the law itself. The law was in effect until 1975 when all these functions were distributed among the various government agencies involved in national programs.

In 1967, the Office of the Presidential Assistance on National Minorities (PANAMIN) was created as a cabinet rank without portfolio. The creation of this office further dramatized the concerns of the National Government for unity with and integration of the National Cultural Communities into the main stream of national consciousness. Upon the abolition of the Commission on National Integration (CNI), the PANAMIN took over some of its important functions—e.g., responsibilities over the ethnic groups who are not Muslims. The latter's welfare and needs have been taken over from the CNI by various agencies specifically involved in the development programs in Mindanao and Sulu.

On June 13, 1961, Republic Act No. 3044 created the Mindanao Development Authority (MDA), whose function was to accelerate the development of the region, another mechanism by which integration and unification have been envisioned to be effected. In the wake of this Act, another law was enacted by Congress to further accelerate the integration of the peoples of Mindanao and Sulu. This is the Act creating the Mindanao State University (MSU), another proof of "governmental determination to assist national minorities through its various instrumentalities." The MDA concentrated its activities in the field of economic development, while the MSU was designed primarily to upgrade the educational opportunities of the peoples of Mindanao. The MDA, however, was replaced by the Southern Philippines Development Administration (SPDA) in 1975, taking over all its projects, which are undertaken in collaboration with both public and private enterprises.

In 1973, Executive Order No. 411 created a Presidential Task Force for the Reconstruction and Development of Mindanao and Sulu, in the wake of the hostilities between the forces of the Government and the secessionist groups as a result of the declaration of Martial Law in late 1972. The Reconstruction and Development (RAD)

program that was formulated called for a consolidation and acceleration of existing programs and projects in Muslim Mindanao. This included a wide range of projects in the areas of infrastructure, food production, industrial development, health services, education and manpower training and institutional buildup of local governments. Special projects were also drawn within the purview of the RAD program, namely the Special Program of Assistance to the Rehabilitation of Evacuees, the establishment of the Philippine Amanah Bank, the reopening of barter trade with North Borneo. All these were designed to effect the unification and integration of the peoples of Southern Philippines into the national community. However, government efforts have not been spared to also bring integration of cultural minorities in other parts of the country. These are reflected in the intensified programs/projects of the PANAMIN.

Other integrative and unifying activities of government are being pursued under various departments, like land reform, the creation of regional autonomous governments (Regions IX and XII), intensification of economic development in depressed areas, etc.

## II. MECHANISMS TO EFFECT NATIONAL UNITY

Definitive mechanisms which contribute to national solidarity and consciousness have been identified for this paper, namely: one—education, functional literacy programs (which properly fall under education, but will be treated separately) and mass communications; and two—military and land reform — which will be properly treated in separate papers, but will be discussed in this paper on the culturally integrative nature of these mechanisms.

The Military is a very important national agency where integration can be fully achieved. Considering that it draws all its personnel from all regions of the country, it can by its own programs and projects develop internal mechanisms that will create the highest level of consciousness for national unity and integration. Perhaps the Japanese model can be adopted here with modifications to suit the cultural givens in the Philippines. During the period of Restoration in Japan (Meiji Era, 1868-1912), the military became the central agency for the creation of national pride and national integration. Conscripts from various regions and islands, having finally settled in various military camps, were given intensive work on Japanese culture and history, showing them that despite their varied origins they belonged to only one race and have descended from a common ancestor. The Japanese since then have proved to the world that unity and solidarity are the main ingredients of national survival and success (Sources of Japanese Tradition, New York: Columbia University Press, 1960, pp. 700; 759). Conscription broadened the horizons of peasant youth who served in various parts of the country they would not otherwise have seen (Ibid.)

Land reform as a mechanism for national integration has become a very important issue, upon which the current Government has attached its promise for the millions of landless Filipinos. The traditionally very high value attached to possession of land,

particularly for those whose value systems are identified with the land, and literally millions of them are peasants/tenants who do not have claims to the land they till, can not be overemphasized. Their rituals, their belief systems, their whole world view are all tied up with the source of their economic well-being, i.e., land.

By intensifying the land reform program of the government, every peasant, sharecropper, and all workers on the land will then possess a piece of land. Thus, while government assists in increasing their economic well-being, it indirectly strengthens their spiritual and moral fiber; the validity of their belief systems and world view is given a firmer ground on which to be engendered. The fact that Government comes to their assistance is a manifestation of their deep beliefs that their prayers are heard and their needs filled. The Tagalog saying "*Salamat sa Panginoon, pinakinggan din ang aming dalangin*" is significant in this context.

Education and culture are two most important considerations in the total program of national unification. Because one can not be divorced from the other, each would constitute a central fulcrum for embarking on programs and projects that can be launched. Certainly, the educational system that is developing in the Philippines, from one that has been centrally colonial in nature, must consider the culture into which it should operate. The Department of Education, Culture and Sports (DECS), indeed, shows the way to this end. The premier government agency mandated to be in the forefront of effecting national integration and raising national consciousness and pride, its role in implementing national programs and policies, though ineffectual in some cases, need be given full support. It carries the heaviest burden in the total development of people from the time they are in school age to the time they are seekers of livelihood. Through its programs and projects, the people's consciousness of national life is raised to the highest level of national pride.

Operating under the general umbrella of the DECS special programs, like functional literacy, may be the most important mechanism for developing national consciousness for national unity. Modules must be developed to achieve the objectives of education indicative of the continuing concern of Government for national identity.

Properly belonging to the general educational responsibilities of the DECS, functional literacy programs are aimed primarily at the most disadvantaged, particularly among the ethnic groups in all regions of the country, to raise the level of perception relative to national aspirations, without however eliminating their individual identities as cultural groups. This mechanism is intended to reach those that cannot be reached through the medium of formal education. Massive functional literacy programs must be undertaken for these most disadvantaged groups.

Outside the regular function of the educational system which can reach the greatest mass of people particularly between the ages 7 and 25, mass communications through all the media—print, radio and television—are the most important means to reach all peoples of all ages in the country. For the more people are informed of the various government activities designed for the people's general welfare, the more there is created in their total

perceptions that they are part of the country and are the most important members of the national community. However, mass communication with the people can be frustrated if their level of literacy is below comprehension of national government programs. It is not then just a question of mass communication, but a question of raising the level of education of all the peoples of the country. The literacy level of all those that cannot afford education need be raised also.

As indicated above, education and mass communications are indeed interconnected. And this is very much evident in programs for raising the national consciousness of the lowest strata of the national society—the lowliest of the farmers, peasants, labouring classes, and the ethnic minorities whose exposures to national life have been sporadic and far between.

There are at least three levels in the functional literacy and mass communications programs, that are evident:

**THE PRIMARY LEVEL.** Materials in the culture, namely folklore, belief-systems sayings may be used to excite commitments to learning. These could be systematized in pamphlets, booklets and even flyers, both for the print as well as for the radio for dissemination. Number of hours devoted to this level will be determined by the rate of progress in the learning process. The utilization of cultural materials in this level will create a consciousness of the values of these folklore, narratives, legends within their own milieu and at the same time show to these people that national government recognizes the validity of these cultural elements in the context of national culture. The use of audio-visual materials in this level is important. They constitute a greater portion of the basic teaching/learning materials. Printed matter being a visual aid would play an important role in increasing literacy capabilities.

**THE SECONDARY LEVEL.** The materials that are developed on this level become more functional in terms of the various occupational groups. Both visual print and visual illustration will play a significant role. As the functional literacy pupil graduates to this level, he will not be merely satisfied with learning of this culture and its values in the context of his social milieu, he would need to increase his perceptions vis-a-vis his occupation, and thus improve his livelihood. If but on the lowest level of economic subsistence, he must improve his methods of lifting out of this level.

**THE TERTIARY LEVEL.** This level may be called the National Ideological level, because the literacy programs developed shall be those that will tie up all the elements brought out in the primary and secondary levels, and elevated to this present level to create a commitment to the national ideology, a recognition of a national identity and national consciousness. While this may not come up to the level of the programs of university or college, the programs in this level would somehow prepare the people for some sophistication in perceiving national progress for total national commitment.

Here, the potential of the media—print, radio and television—must be exploited to the limit.

### III. SPECIFIC PROBLEM AREAS WHERE ACTION PROGRAMS MAY BE UNDERTAKEN TO EFFECT NATIONAL UNITY

The problem areas are (a) the ethnolinguistic problem, (b) resolution of the Muslim-Christian conflict, (c) intensification of relevant programs in the field of education and (d) re-examination of the notions of "integration", the "one" and the "many" in society and culture. There are others that come to mind, but I would concentrate on these four areas, because I feel they are crucial to the current problems of the country.

(a) The Ethnolinguistic Problem. In this essay the problem will be treated on the cultural level. The ethnic and linguistic identities of each of the groupings in the country had contributed to the division of the Filipinos according to these identities. This is recognized by the languages spoken by each group, and the emphasis had been primarily on the level of differences rather than on the level of commonalities.

The intelligibility among Philippine languages would range from 35 per centum to about 65 per centum on a very conservative estimate. This would, therefore, emphasize the commonalities that underlie these languages. They all belong to the greater Austronesian (formerly called Malayo-Polynesian) family of languages. The range of intelligibility of these languages within this great family is 25 per centum to 65 per centum. Historically, before the intrusion of the western world in Austronesian regions, the range of intelligibility would be much higher.

With Filipino developing as the *lingua filipina*, with Tagalog as its grammatical base, a common vocabulary must be developed from all the languages spoken in the Philippines. However, there should be no attempt to obliterate the various ethnic languages. Rather, they should be allowed to develop and continue creating their individual literatures. They should even be encouraged with government support to publish their literatures to propagate their languages as well as develop a high level of literacy among them. They must be speakers of not only the *lingua filipina* but also in their own languages.

Perhaps, to engender greater consciousness for the other languages spoken by the various ethno-linguistic groups, the Tri-Language Formula adopted by the Indian Government must be examined for what it is worth in the context of Philippine conditions. In brief, the formula is that every Filipino, on the basis of the Language Policy enunciated by Government, must learn English as a tool for higher education and international communications. He must also learn the National Language which is *Filipino*, developed according to the suggestions above. The Tagalog speaker MUST learn any one of the major Philippine languages, namely, Iloko, Bikol, Sugbuanon, Hiligaynon, Waray, Tausog, Maranaw, Magindanaw, etc. This will certainly validate the principles of equity, which creates a sense of unity in a highly volatile situation, where the only lasting possession of these peoples would be their cultural heritage expressed most vividly in terms the living language.

(b) Resolution of the Muslim-Christian Conflict. The conflict has been identified primarily as political and economic in nature, but has been complicated by the introduction of religion into the problem. The introduction of religion into the conflict is understandable owing to the lack of a full understanding of the nature of the conflict. Moreover, the identities of the protagonists had been reduced conveniently to the simple terms *Muslim* and *Christian*, without any thought that this simplification of identities will create international repercussions. Moreover, in the course of this confrontations, only the differences between the two identities were given emphasis. It must be noted that these two seemingly different religious orientations have common historical roots, and that only in knowing these and understanding them would in the long run reduce the seemingly difficult problem capable of being solved. Perhaps even beyond historical beginnings in relation to each group's religious orientations, we seek the more fundamental ethnic roots. For both the Christian and the Muslim in the Philippine context share common ethno-linguistic origins. This can be the most substantial basis for reconciliation, allowing each group to develop according to their understanding of the world as it were.

In very succinct terms, one of the most respected Mindanao leaders and scholars wrote:

. . . the Muslim-Christian conflict is not the root of all Mindanao (and Sulu) problems. Muslim Mindanao (and Sulu) suffers from the instability of the masses in relation to government programs, unpreparedness of the Muslim communal society for changes in its conditions, and the Muslim groups. The government cannot be faulted for intensifying its Mindanao (and Sulu) development programs in recent years. But the greater concern is the protection of the Muslim community as a part of the national society, and also as a creative minority group of citizens, who because of their Islamic heritage and historical experience, do require some understanding, if not special recognition. (Michael O. Mastura, "Development Programs for Mindanao and Sulu, Retrospect and Prospect," Siliman Journal, Vol. XXV, No. 4, 4th Quarter 1978, 394).

And understanding should be fourfold in the study of their common roots both religious and ethnic.

(c) Intensification of Relevant Programs in the Field of Education. The educational system is the system that is in the forefront in developing a national community bound by common ideals and aspirations. In more specific terms, through its varied programs and policies, massive curricular development focusing on the specific ethnic, regional needs are undertaken. This would result in the development of positive value orientations for national community life, without, however, overlooking the individual ethno-linguistic diversities.

To illustrate this, the Bureau of Elementary Education of the Department of Education, Culture, and Sports (DECS) has already undertaken steps to enrich the social studies curriculum in the elementary level to include cultural materials from the various ethnic communities. But this is a very small beginning. Greater and more massive support of

Government must be extended to effect extensive changes in the perceptions by school children of the national character of every ethnic cultural possession.

Related to the Muslim-Christian Problem, it is seen that “education and opportunity for gainful occupation as the most primary needs of the Muslim population. If national solidarity is the end of the social programs, then education would be the leveling force to achieve it” (Mastura, *ibid.*) And it is still through the curriculum where this, indeed, could be achieved.

As an area of education, functional literacy could be a very effective mechanism for raising the level of national consciousness of the disadvantaged. It utilizes local cultural materials, like folktales, folk narratives, folk stories derived from the traditions of the people as to create initial commitments to learning. This could be the springboard for raising the level of aspirations, leading to national consciousness. On the higher level of literacy programs, materials should then be developed from programs in land reform, agricultural productivity, environment and ecology, legal systems, etc. All those must be designed to train them not only to be able to read, but to read for productive purposes, like being able to utilize brochures designed to disseminate information in the various occupational areas.

(d) Re-examination of the motions of “integration” versus “assimilation”, the “one” and the “many” in culture and society, etc. Other notions that may be included in this discussion are *bhinneka tunggal eka* (Bahasa Indonesia) meaning “unity in diversity” and perhaps the notions of *Isang Bansa, Isang Diwa*, literally “one nation, one spirit”. The latter notion was somehow the “motto” of the previous Marcos administration, but it never found its full meaning and realization among the Filipinos, for it seemed merely a “motto” and never pursued with vigor. The events in 1986 deeply emphasized its futility.

In re-examining these notions, a classic example may be used for this purpose. In search of the roots of the Filipino, it is best to look at his religious as well as his Philippine ethnic orientations. But, in exploring the background of the Christianized and Islamized peoples of the Philippines, their common Semitic elements grafted onto them must be examined. In more precise terms, there are three levels within which the Filipino will have to explore to show his total unity. In this presentation, it is reasonable to indicate these levels from the latest overlay down to the earliest level, to use the archaeological structure of determining age.

The third level (overlay) shows that the Christianized and the Islamized Filipinos find unity in a Semitic divinity through the line of patriarchs and prophets, i.e., Christ and Muhammad. Before these two central figures, both Christianity and Islam draw a common straight line through Mary, Joseph, David, Jacob, Isaac, Abraham, Moses and all the way to Adam and Eve and ultimately to the Semitic conception of Supreme Being. Precisely, the Muslims and Christians, as well as the Jews are sons of Abraham (see James Kritzeck, *Sons of Abraham*, Dublin: Helicon Press, 1965), whose genealogy goes back to Adam and Eve.

The second intervening layer or level concerns the Filipino's Asiatic socio-cultural roots, which make him share some of the most enriching elements of culture with the Malay and Indonesian, namely common concepts and vocabularies reflecting the fact that they speak languages belonging to the same family of languages—the Austronesian. Such common concepts and terms cover the most elemental areas of their lives and environments, and these had existed long before the advent of Islam and Christianity. Such a situation brings us to the knowledge that the Malay and the Indonesian were in full trading/cultural contact with the Filipino.

The First and earliest layer/level. Before the advent of Islam and Christianity, who were we, the so-called inhabitants of these seven thousand islands?

What is our pre-Islamic and pre-Christian heritage that lie buried in our ethnic subconscious, in our myths and legends, our arts and language, our values and customs? The most important fact to remember regarding our ethnic backgrounds is that since time immemorial the highlanders and lowlanders formed a single trading community tied together by the rules of supply and demand (the Negritoes or Agta formed the third group of peoples who are also Filipinos). The lowlanders supplied fish, salt, porcelain, ironwork, brasswork, and other trade items to the highlanders, who in turn traded forest products such as rattan, beeswax, resin, honey, rice, and gold. The lowlanders themselves were in full trading contact with each other, from the Ilocos to Sulu to Borneo and beyond—to Malacca, Java and Malay Peninsula, and perhaps even as far as the Indian Ocean.

This brings us to the conclusion that the peoples of the Philippines are fundamentally one people, one in their ethnic beginnings.

The problem in the evolution of our national community did not arise in the original contrast between the converted of the lowlands and the unconverted of the highlands. Rather, the problem lies in the fact that the lowlanders were converted into two different directions, one towards Islam and the other towards Christianity. Although both religious ideologies originated from the same line of Semitic prophets, the problem arose when Christianity passed through the western hemisphere and identified as European, the Middle Eastern garb having been shed, while Islam passed through the eastern hemisphere and identified as Indo-Malay with an Arab clothing. Islam was recognized as non-colonial in contrast to Christianity as colonial. However, both are still foreign.

Because these two religious orientations can no longer be discarded in the light of the events that had occurred in the Philippines, they can only be used as significant points of references in the massive renaissance movement that points to the direction of that heritage which the Filipinos abandoned when some embraced Islam and some Christianity. There is a need to recapture the good, the true and the beautiful that are still enshrined in our native legends, myths, handicrafts, artifacts and traditional courtesies. There is a need to relearn from some of those Filipinos who escaped the leveling effect of Islamization and Christianization, the highlanders of Luzon, Visayas, and Mindanao. There is a need

to find again the foundation of our nativeness which is neither Islamic nor Christian, but Filipino.

To quote one to the leading Filipino anthropologists, who wrote that "there is no alternative to the ethnic base of national unity. Nowhere else in the world does religion substitute for ethnicity." He wrote further

... . The Europeans may have been Christianized for a thousand years, but there are French Catholics as there are Irish, Italian and Spanish Catholics. In all of them their ethnicity shines through their Christianity.

Similarly, Islam has spread wide throughout the Middle East, Africa and Asia. But nowhere in these areas has Islam succeeded in substituting itself for the ethnicity of the peoples. Even in the Arab world where Islam was born and developed their religion. How else can (one) explain the fierce pride of the Egyptians, Syrians, Jordanians and the Saudi Arabians in their nationality. They are all Muslims but they are first and foremost Arabs. . . (Eric Casiño; Readings: Seminar-Workshop on Southern Philippines. PMS Conference Room, August 25-26, 1977, R-5).

The picture one sees in the Philippines is entirely different. A Muslim Filipino in the community of foreign Muslims has no identity among Indonesians, Malaysians, and Arabs. To declare himself simply as a Muslim is meaningless in that context. He must have his ethnic and national identity—a Maranaw, a Magindanaw, a Tausug and above all, a Filipino. There is a world of difference between being a *Filipino Muslim* and being a *Muslim Filipino*. In the first his ethnicity is but an attribute of his religion; in the other his religion is but an attribute of his ethnicity, of his substance. *And the substance of all Filipinos be they Islamized, Christianized or unconverted is that he belongs to the Filipino nation, an inhabitant of this archipelago.*

In concluding this section, the notions earlier mentioned to be re-examined in the light of our classic example can now be re-stated. If we go back to the pre-Islamic or pre-Christian period of our culture and society, the principle of ethnicity describing the notion of *Isang Bansa, Isang Diwa* has been fully illustrated. Similarly, the notion of "one" and "many" as well as *the principle of unity in diversity* is manifest in the acceptance of the phenomena of Islam and of Christianity as well as of the "Pagan" occurring in the Philippines socio-cultural scene. A unified Philippine national community can only be valid in the recognition of their unique contribution to the total development of a reliant and proud Filipino people.

#### IV. CONCLUDING REMARKS

In the final analysis, Section III of this essay has spelled out in significant details the directions towards which valid and acceptable integration may be effected.

In the light of III (a), intensification of the conscious effort to develop a common vocabulary of the languages of the various ethno-linguistic groups must be a declared national policy. This will eventually reduce divergencies in perceptions, perspectives and value orientations leading to the creation of the most acceptable national language and national literature. This would also result into the development of national community and consciousness. This is illustrated by the development of Bahasa Indonesia and Bahasa Melayu, which while developing their vocabularies drawn from all the languages in these countries have created a national consciousness and pride without submerging the identities and individualities of the minority languages.

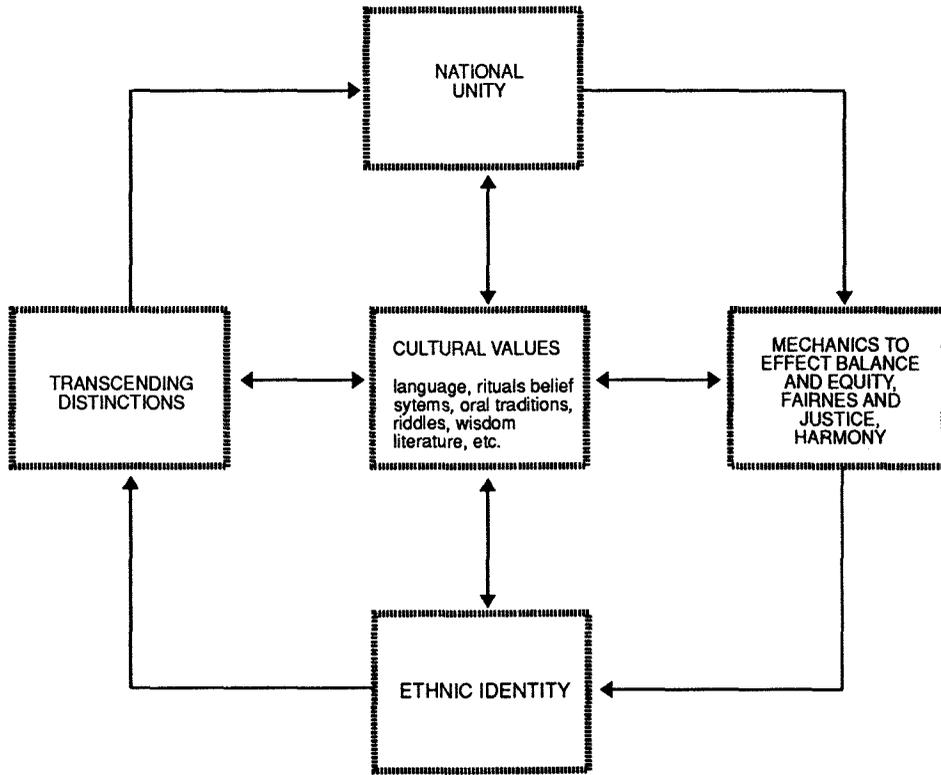
This ethno-linguistic issue has its implications in the Bilingual Policy of Government. Because the Policy does not necessarily encourage the other ethnic languages to develop their own literature, it is recommended that this policy be re-examined to look into the potential of developing it into a three-language formula or policy—that is every Filipino must study English and Filipino and the native Tagalog speakers must learn any of the major languages spoken in the country. This formula would ensure the development of the literatures of these other languages, which otherwise would be left to their own devices, or to their potential neglect if the bilingual policy is encouraged. The tri-language formula would certainly give meaning to the principle of equity. (CF. J.R. Francisco, "The Language Problems in India," Philippine Journal of Language Teaching, Vol. IV, Nos. 1-2, May 1966, pp. 1-17).

Also in the light of III (b), the solution of the Conflict in the Southern Philippines must continually be sought in all possible areas. Foremost among these would be in the areas of religion and ethnicity. Emphasis on the commonalities of Islam and Christianity must be continually be made—hammering upon their common historical roots—in various venues where "encounters" are inevitable (e.g., in the military, in schools, government offices, etc.). But the common fundamental ethnic roots of both the Christian and the Muslim Filipinos must not be overlooked. There are no substitutes to the basic understanding of the Filipino, and his origins must be given full focus.

National Government must be in the forefront of intensified Functional Literacy Programs. While the Department of Education, Culture and Sports continues to develop, implement and evaluate formal/non-formal educational programs, which are accessible to the greater number of citizens, the least advantaged groups can be brought to the level of national consciousness as well as occupational stability by the intensification of functional literacy programs. Both the public and the private sectors of the national community must have a stake in these programs.

Continuing re-examination of notions of *solidarity* (consciousness of being one) and *unity* (mutual re-enforcing factor among basic institutions, and others (see III (d) above) to refine and operationalize their meanings as to make national integration valid, hence a basis for more acceptable national identity, validated by the recognition of our being one in the state of diversity, must be a major cooperative effort of Government and the private sector, without which not much can be achieved. As such, therefore, the attached paradigm may be used to simplify the process by which all these may finally be attained.

CONCEPTUAL FRAMEWORK FOR EFFECTING NATIONAL UNITY  
WITHOUT LOSING ETHNIC IDENTITY



## EPILOGUE

While this essay was in press, I prepared a paper, entitled “Bhinneka Tunggal Eka: Effecting National Unity Without Losing Ethnic Identity” for the 13th National Conference on History, with the theme “Local and National History: Sources of National Unity,” held on October 15-19, 1992 in Mindanao State University at Tawi-Tawi. The paper focussed on the synergistic relations of the blocks in the paradigm to illustrate the interactions as well as interphasing of these in the process of achieving the elusive unity without losing the ethnic identity of given communities. In the process of elucidating the paradigm, an illustration was used, i.e. language, which was drawn from the above essay.

The paper, together with the other essays presented to the conference, is now in preparation for the press by the sponsor of the Conference, the Philippine National Historical Society.

# AUTONOMY IN SOUTHERN PHILIPPINES DURING THE MARCOS ADMINISTRATION

*Asiri J. Abubakar*

## INTRODUCTION

Muslim Filipino society became gradually incorporated into the Philippine body politic during the American colonial regime. By then, the term "Moro Problem" had emerged. The search for "that method or form of administration" to effect the integration of the Muslims into the mainstream of Philippine society continued since the American regime up to the establishment of the Regional Governments in the South in 1977.

The situation in the Muslim South remains unstable in spite of the shift in the government's policy toward the Muslims from integration to autonomy since 1977. The search for a meaningful or "full autonomy" for the South is still going on up to the present. But throughout this search, the problem seems to be mainly treated as a problem of the underdeveloped Muslim communities. It is argued in this study that the autonomy policy of the government particularly during the Marcos administration failed to seriously consider the sense of nationality among the Muslim Filipinos (that is, the feeling of belonging to a community of culture distinct from the other segments of Philippine society).

This paper is focused on the autonomy issue in Southern Philippines during the Marcos administration. The term Muslim, Moro or Bangsamoro are interchangeably used in this paper in reference to Muslim Filipinos.

## THE MOROS

The Moros in history refer to the thirteen (13) ethnolinguistic groups in the south. They are the *Tausug*, *Sama (Samal)* and *Badjao* in the Sulu Archipelago (including Tawi-Tawi), the coastal areas of Zamboanga Peninsula, South Palawan and Davao; the *Jama Mapun* of Cagayan de Tawi-Tawi and South Palawan; the *Palawanon (Palawani and Molbog)* of southern Palawan; the *Yakan* of Basilan Island; the *Kalibugan* of Zamboanga Peninsula; the *Maranao* of the Lanao provinces; the *Ilanun (Iranun)* of the coastal areas of Cotabato, Lanao del Sur and Zamboanga del Sur; the *Maguindanao* of Cotabato; the *Sangil* of South Cotabato and Davao del Sur; and the *Kalagan* of Davao. Today many Moros are residing in various parts of the Philippines including Metro Manila. Spanish and American colonial propaganda had infused derogatory connotations to the term Moro. Hence even some Muslim Filipinos would prefer not to be called Moros prior to the rise of the Moro National Liberation Front (MNLF) in the early 1970s. They preferred to be identified with their ethnic identity (Tausug, Maranao, Maguindanao, etc.) or as "Muslims". Today, however, many Muslim Filipinos particularly those sympathetic to the MNLF cause prefer to be called Moros or Bangsamoro (Moro People or Moro Nation).

There are various estimates on the number of Muslim Filipinos. It is suggested that any figure should be taken as suggestive rather than definitive. The 1980 census figure is 2,504,232. The 1983 estimate of the then Ministry of Muslim Affairs was "around four (4) million." Cesar A. Majul estimates that there "were at least three million Muslim Filipinos in 1975"<sup>1</sup> and, at present, the Muslim population "is anywhere between 4.5 and 5.5 million."<sup>2</sup> The MNLF's 1987 estimate claims that out of a population of about 15 million in the South, "the Muslims are roughly 8 millions, the indigenous people 3 millions, and the remaining 4 millions are mostly Philippine settlers from Luzon and Visayas."<sup>3</sup>

Islam and indigenous traditions as embodied in *adat* (Customary Laws) constitute the basic foundation of the Moro cultural heritage. This heritage is the basis of their sense of nationality, that is, the feeling of belonging to a community of culture distinct from the other segments of Philippine society.

#### COLONIAL POLICIES

Warfare was the common denominator of the Spanish and American colonial policies towards the Moros. The Moros however, resolutely resisted Spanish attempts to colonize and Christianize them. They continued their resistance against western colonialism and imperialism up to the American period. The state of war between the Moros and the Spaniards started during the last quarter of the 16th century. For a period of almost three centuries, i.e., up to around the middle of the 19th century, the Moros remained politically supreme in their own dominions. This was partly due to the moral as well as material support they received from neighboring Muslim principalities and even the Dutch.

The Americans had generally adopted a dual policy towards the Moros. First, they used persuasion/co-optation and a "policy of attraction" particularly among the traditional elites by giving them economic concessions and guaranteeing non-interference in the religious and customary affairs of the Moros in exchange for their political allegiance to America. Second, brutal force was used against those who were not convinced of the "manifest destiny" of "America to train in the science of self-government" the people of Moroland.

The Moro's bloody and mainly successful resistance against Spain and her native allies for centuries was an effort to preserve their faith, traditions and culture. The same could be said of their resistance against American colonial rule. The state of war for centuries was, and still is, the primary source of antagonisms between the Moros and the rest of Philippine society.

Except for some traditional leaders who benefited personally out of the system of administration into which Moroland had been incorporated by the Americans, the Moros "were not enthusiastic about the Filipinization"<sup>4</sup> of their homeland. To them, Filipinization meant that Christian Filipinos were placed in dominant administrative positions in their homeland. It also meant the appropriation of their fertile lands for the productive use

of American, Christian Filipino and even Chinese and Japanese settlers, while some of them were assigned to reservations. It could be said that many Moros welcomed the implementation of more health and infrastructure programs in their homeland. But the Moros were generally suspicious or resentful of the educational system established by the Americans because its curricular offerings were basically Western or Christian-oriented and completely devoid of Islamic and indigenous Moro traditions and culture.

## INTEGRATION

Prior to the establishment of the Regional Autonomous Governments in Region IX and XII in the late 1970s, the thrust of the Philippine Republic's policies toward the Moros can be summarized by the word "integration". In the Philippine context, the term "integration" or "national integration" refers to the technique or measures pursued by the government to preserve and enhance the political unity of the various segments of Philippine society (majority and minorities) and the territorial integrity of the Philippines.

The government of the Republic of the Philippines' perception of the Moro Problem was spelled out in the report of the Special Committee created by Congress in 1954. The Special Committee was mandated to investigate the Moro Problem, especially with regard to peace and order in Mindanao and Sulu, and to recommend solutions to it. In its report, the Committee defined the Moro Problem as

. . . nothing but the problem of integrating into the Philippine body politic the Muslim population of the country, and the problem of inculcating into their minds that they are Filipinos and that this government is their own and that they are part of it.<sup>5</sup>

The whole integration policy of the government revolved around the philosophy that if more roads, bridges, schools, civic programs, health centers, and industrial plants were built in Moroland, and if the Moros were taught modern methods of farming, granted more scholarships for higher education in Manila and abroad or given more jobs in the government, then integration would be effected and the Moro Problem would be solved. While such measures have undoubtedly met relative success in some areas (like infrastructure, education, Moro participation in government), nevertheless they also served to heighten the awareness among the Moros of their being a distinct people from the rest of Philippine society.

The use of force, which has always been justified by the government as the answer to "secessionism," revives the Moros' memory of the policy of warfare which had been the hallmark of the Spanish and American colonial policies towards them. This leads the Moros to be suspicious of government's policies and programs in the south so much so that the Moros also resort to violence and to label the Philippine government as colonial as the Spanish and American colonial regimes.

A number of Moro leaders, most of them from the educated *datu*-rank and wealthy families of Moro politicians, supported the government policies and programs. As a consequence of their being elected or appointed to high offices in the government, they already felt "integrated" and they believed that the government and its integration programs could serve Moro interests. The vast majority of the Moros, however, were not generally enthusiastic about the integration policies of the government. The Moros, particularly those in the rural areas where the benefits of government programs have hardly reached, do not even have a real concept of being part of the Philippine nation. Many Moros think that integration would take away their religious and cultural identity. They also suspect that there is an intimate connection between the incorporation of their homeland into the Philippine body politic and the continuous influx of settlers from northern provinces to Moroland.<sup>6</sup>

Indeed, as far as inculcating into the minds of the Moros that they are Filipinos is concerned, integration was a failure. In 1961, Datu Ombra Amilbansa, a congressman from Sulu, introduced a bill in Congress requesting the Philippine government to grant independence to the province of Sulu. Following the Corregidor Incident or Jabiddah Massacre of March 1968, Datu Udtog Matalam (a former governor of Cotabato) announced on May 1, 1968 the establishment of the Muslim Independence Movement (MIM) which was later changed to Mindanao Independence Movement. Regardless of the motives of Datu Amilbansa and Datu Matalam, their actions revived memories of Muslim freedom and independence in the past, and their admirers spread beyond their close circle of followers. The same could be said of the MNLF when it was formally launched in 1972 by Nurullaji (Nur) Misuari.

#### AUTONOMY

When the late President Ferdinand E. Marcos declared Martial Law on September 21, 1972, he cited two major reasons: the existence of a communist insurgency and a Muslim secessionist movement in the south. It was soon after the proclamation of Martial Law that the MNLF came to prominence and became the successor of the MIM. Nur Misuari, one of the original founders of the MNLF, emerged as a new Muslim leader. The leaders of the MNLF were generally young, and armed with university or college education. They originated from different ethnic groups and social classes although some of them were related to the traditional leadership. The rise of the MNLF and its military arm, the Bangsa Moro Army (BMA), exemplified the level of dissatisfaction among the Moro youth with the kind of leadership so far provided by Moro politicians. The MNLF vigorously campaigned for "self-determination and independence" of the "Bangsamoro Homeland."

The government initially opted to fight and downplay the MNLF, and at the same time vigorously implemented programs and projects intended to uplift the socio-economic conditions in Muslim areas. Such policy of course was vigorously resisted by the MNLF. Government attempts to confiscate firearms were met with fierce resistance by the

Muslims. The most intense battle between government troops and the MNLF occurred in Jolo, the capital of Sulu province, on February 6, 1974 which resulted in the almost total destruction of the town.

Among others, the government established diplomatic relations with various Muslim countries to counteract the growing international support for the MNLF and recruited more Muslims into the foreign service and other government agencies. The government established the Barter Trades between Sulu and the North Bornean regions and the Presidential Task Force for the Reconstruction and Development of Mindanao, built Muslim communities in Metro Manila, authorized the use of Arabic language in schools that might need or desire it, granted more scholarships to young Muslims (including rebel returnees), established the Institute of Islamic Studies at the University of the Philippines, created the Philippine Amanah Bank, codified Muslim Personal Laws, recognized Muslim Holy Days and festivities, administered the annual Pilgrimage to Mecca, and negotiated for the surrender of some MNLF fighters.

The MNLF received (and continues to receive) substantial support (material and others) from various Muslim countries and organizations particularly in the Arab world. From 1972 onwards, the Organization of Islamic Conference (OIC) had the Muslim issue in southern Philippines in the agenda of its annual meeting and it had persistently "pressured" the Philippine government to take steps to resolve the issue. In January 1975 a government panel was sent to Jeddah, Saudia Arabia to meet with an MNLF panel led by Misuari. Nothing substantial came out of the talks. Towards the end of 1976, Mrs. Imelda R. Marcos embarked on a trip to Libya to see Colonel Qaddafi. The result of her visit was the formation of a government panel which negotiated with MNLF representatives in Tripoli. The negotiation resulted in the so-called Tripoli Agreement of December 23, 1976 where both sides agreed to a ceasefire and the granting of autonomy to thirteen (13) provinces<sup>7</sup> in the South. Autonomy as a measure of self-rule or home-rule for the Muslim Filipinos was (and still is) considered by many as the just solution to the Moro question. However, subsequent negotiations failed to resolve the differences on the details of the autonomy formula. Charges and countercharges of insincerity were traded by both sides, with Misuari talking once more of "self-determination and independence" for Moroland.

On the basis of the "referendum-plebiscite" of April 17, 1977, the Philippine government by virtue of Presidential Decree No. 1618 issued on July 25, 1975 established two autonomous regions, namely, Region IX (Sulu, Tawi-Tawi, Basilan, Zamboanga del Norte, and Zamboanga del Sur) and Region XII (Lanao del Norte, Lanao del Sur, North Cotabato, Maguindanao, and Sultan Kudarat).<sup>8</sup> The Marcos government insisted that this was an implementation of the Tripoli agreement. The MNLF (including the OIC) rejected the government's position and charged that Marcos had never intended to abide by the agreement and merely wanted to keep the Muslims divided.

The autonomous governments in Regions IX and XII were tasked with three basic functions: first, to enhance the attainment of peace and order conditions; second, to resettle displaced families of returnees and evacuees; and third, to accelerate the socio-economic

development of the area. While theoretically the Regional Autonomous Governments possess broad powers and functions, they are not allowed to act on matters within the jurisdiction and competence of the National Government which include:

- a. National defense and security;
- b. Foreign relations;
- c. Foreign trade;
- d. Currency, monetary affairs, foreign exchange, banking and quasi-banking, and external borrowing;
- e. Disposition, exploration, development, exploitation and utilization of all natural resources;
- f. Air and sea transport
- g. Postal matters and telecommunications;
- h. Customs and quarantine;
- i. Immigration and deportation;
- j. Citizenship and naturalization;
- k. National economic, social and educational planning; and
- l. General meeting.<sup>9</sup>

With respect to the other national line agencies, the autonomous governments shall:

- a. Oversee the activities and performance of the regional directors of the following ministries: health, education and culture, public highways, agriculture, social services and development, public works, human settlement, industry and youth and sports development;

The authority to oversee refers to the identification, planning, programming, prioritization, and implementations of socio-economic regional development projects funded out of national funds and the evaluation thereof from a regional development prospective;

- b. Be consulted in the assignment of regional directors of the aforementioned Ministries to positions in the Autonomous Region;
- c. Recommend to the Ministries concerned the transfer outside the Autonomous Region of any of the regional directors aforementioned; and
- d. To be informed by government-owned or controlled corporations in the region as to the status of the implementation of their programs and projects in the region.<sup>10</sup>

Many Muslims found themselves holding high political and administrative positions in the two autonomous regions. But few of them believed, including those holding office, that real autonomy had been attained. Most of the political appointees were well-known Marcos cronies. The executive and legislative bodies of the two regions could

not take action without the previous knowledge and consent of Marcos. There was no significant improvement in the economic condition of the Muslims in both regions and many of them remained as refugees, away from their ancestral lands and farms. The predominance of the military remained noticeable with the suspension of the *writ of habeas corpus* still in force.<sup>11</sup> The Regional Autonomous Governments in the south served as monitoring units in the area for the central administration particularly the Office of the President. Indeed the Marcos autonomy formula was mainly administrative, not political.

Among others, the autonomous governments helped the national government to neutralize the influence of the MNLF in Regions IX and XII, and passed resolutions to unify or streamline the diverse administrative machineries of the government agencies in the said Regions. They established Archives, Museum, Library, and Statistical and Monitoring Centers. They also established skills training centers and offered more scholarships for qualified youth, particularly members of the *Kabataang Barangays*. They built or assisted in the building of "impact and urgent projects" like cultural and multi-purpose centers, training and rehabilitation centers, sports complex, dry goods markets, water systems, school buildings, conference and barangay halls, and ports. The autonomous government officials were also quite busy entertaining both national and foreign dignitaries particularly visitors from Muslim countries or the OIC. The officials themselves had realized their limited power and authority. Prior to the end of the Marcos regime, some of them together with other concerned citizens from the two regions demanded a more "meaningful" form of autonomy.

## PROBLEMS

From 1977 up to the present, the Moro struggle in the South has remained badly divided along political and regional or ethnic lines. Under such condition, the Marcos government found it very convenient to implement its own autonomy formula in accordance with the "constitutional process".<sup>12</sup> The irony is that while these "constitutional" and "democratic processes" are carried out smoothly, the problem they intend to solve remains, and is even reaching an alarming magnitude.

The word *Bangsa*, commonly used by the Moros themselves, means race, people, nation or state. Thus *Bangsamoro* can be interpreted to mean Moro race, Moro people or Moro nation. As far as the MNLF is concerned, *Bangsamoro* is the appropriate term to designate Moro nationality. It is meant to override the diverse ethno-linguistic groups and to invoke traditional courage, gallantry and dignity. The MNLF asserts that *Bangsamoro* as an identity is not exclusively for the Muslims but for the entire inhabitants of the South. However, its origin, growth and development as a concept are intimately linked with the struggle among Muslim Filipinos to achieve political unity and consensus as well as to protect and enhance their way of life.

The first issue of *Mahardika*, official organ of the MNLF, declared in 1972:

From this very moment there shall be no stressing the fact that one is a Tausug, a Samal, a Yakan, a Subanon, a Kalagan, a Maguindanao, a Maranao, or a Badjao. He is only Moro. Indeed, even those of other faith who have long established residence in the Bangsa Moro homeland and whose goodwill and sympathy are with the Bangsa Moro Revolution shall, for purposes of national identification, be considered Moros. In other words, the term Moro is a national concept that must be understood as all-embracing for all Bangsa Moro people within the length and breadth of our national boundaries.<sup>13</sup>

In a speech before the International Islamic Conference on "Prophet Muhammad and His Message" in London in 1980, Misuari asserted that:

The Bangsamoro people, including the non-Muslim inhabitants, belong to various tribes. But despite some diversities among them, they constitute one formidable and inseparable nation, sharing a common past and a common future and committed to the pursuit of their common national freedom and independence under the able and steadfast leadership of the Moro National Liberation Front.<sup>14</sup>

With regards to the non-Muslim Moros, the MNLF speaks of two categories: those who are natives or indigenous (the Highlanders or Lumadnon and those who came from Luzon and Visayas or the "Filipino settlers". The MNLF considers the Highlanders as integral part of its "people" while the "Filipino settlers," if and when the MNLF comes to power, may exercise the liberty to choose from among the following options, namely:

a. That they shall be most welcome should they choose to join the new Bangsamoro society and become an integral part of it, with the full legal guarantee that they shall enjoy equal rights and privileges with the rest of the nation.

b. That the Bangsamoro government shall guarantee to them safe conduct should they choose to return to their respective places of origin. They shall return with full respect and dignity and be free from any form of harassment or molestation. Their property rights shall be respected and protected according to civilized practice.

c. And, finally, they may decide to continue to reside temporarily or even permanently in any part of the Bangsamoro homeland while remaining citizens of the Philippines, but the Bangsamoro government shall naturally put them under its lawful jurisdiction, control and protection according to international practice.<sup>15</sup>

From the above quotations, it can be surmised that the MNLF has redefined the term Moro or Bangsamoro (which is historically used in reference to Muslims in the Philippines) to include both Muslim and non-Muslim inhabitants in the South. As envisioned by the MNLF, indigenous and Christian cultural elements are now considered parts of the pluralistic Bangsamoro society and culture. Current materials coming from the MNLF speak of "Bangsamoro Muslims, Christians and Highlanders".

The MNLF definition or usage of the term Moro or Bangsamoro (that includes the Highlanders or Lumadnon and the Christians) is problematic. The Tripoli Agreement speaks of autonomy for the Muslims of Southern Philippines. The MNLF demands in all negotiations with the Philippine government exemplify more Islamic features. Furthermore, the 1970 population figures reveal that the Christians are now the majority in the South. Of course the MNLF considers the Philippine government's population figure on the Muslims as a form of "statistical genocide". The MNLF maintains that the Muslims together with the Highlanders constitute the majority of the population of Bangsamoro homeland. At present only a few Christians would readily identify themselves as Bangsamoro. There may be a good prospect for the Bangsamoro concept if more Christians in Mindanao would become disenchanted with the national government.

Bangsamoro identity is not generally accepted even among the Muslims. A study conducted in 1983 revealed the following:

The majority of the 500 Bangsa Moro College student respondents and the majority of the key informants wanted another name for their nationality other than Filipinos. The most favored name by the Maguindanaon, Maranao and Sama was Muslim while the Tausug indicate willingness to be identified as Bangsa Moro.<sup>16</sup>

The study also noted that three groups (Maguindanao, Sama and Tausug) showed "more ethnic commonalities rather than differences" with respect to their attitudes concerning inter-group relations. They even favored secession and suggested one common Muslim national leadership regardless of origin. The Maranao group, on the other hand, was quite aloof in their attitudes toward the Maguindanao, Sama and Tausug. And the three groups in turn considered the Maranao as boastful, troublesome, etc. There is apprehension that ethnic and regional differences might hinder the promotion and acceptance of Bangsamoro identity among the Muslims. There are many people of Sulu who still hold to the idea that if the Muslims and other people in Mainland Mindanao will not cooperate, it is likely that the Sulu (Tausug, Yakan, Sama, the Palawan groups, and others) would continue to assert and struggle for the establishment of an independent state out of Basilan, Zamboanga peninsula, Sulu, Tawi-Tawi, and Palawan. Even Sabah could later be persuaded to join the new state. This, indeed, is the dream to reconstitute the domains of the old Sulu Sultanate under a new state system.

Many MNLF leaders believe that only through self-determination and independence from the rest of the Philippines would the Bangsamoro be able to preserve their identity, to realize their aspirations, and to develop the economic resources of their rich lands for the benefit of their people and future generations. The MNLF enjoyed the support of the Organization of Islamic Conference (OIC). However, the years 1977 and 1978 were difficult for the MNLF leadership. Some Muslim traditional leaders and politicians bitterly resented the fact that the OIC had consistently dealt with the MNLF as spokesmen for the Bangsamoro armed struggle and with Misuari as the leader of the MNLF. This led to the rise of factions like the Moro Islamic Liberation Front (MILF)

under Hashim Salamat, the Bangsa Moro Liberation Organization (BMLO) which was organized by the late Congressman Rashid Lucman and Salipada Pendatun, and the MNLF-Reformist Group under Dimasangkay Pundato. These three factions have expressed willingness to settle for autonomy.

As mentioned earlier, the Marcos government's policies and programs in the Muslim south that were aimed at "enhancing the quality of life" of Muslim Filipinos have considerable impact on the MNLF. They eventually led to the surrender of many MNLF fighters but did not destroy the backbone of the movement.

Some Muslim countries and "third parties" like the OIC also have tremendous impact on the struggle between the MNLF and the Philippine government. Majul points out that it was "undoubtedly Muslim, especially Arab, sympathy and aid that helped push the MNLF to international prominence."<sup>17</sup> And it is generally believed that it was also the pressure from Arab countries or the OIC that forced Misuari to shift his demand from secession to that of autonomy during the past negotiations.

## CONCLUSION

The problem we face today, which can be said of the generations before us, is how Moro aspirations and sense of nationality can be accommodated within the framework of the Philippine national community with a minimum of conflict or tension. As in the past, among the primary objectives of the on-going struggle in the south under the leadership of the MNLF is to defend, preserve and enhance indigenous and Islamic heritage as well as the homeland of the Moros. Some Moros believe that autonomy is enough to safeguard and enhance their heritage. Others taken the view that secession is the only alternative because the national government is only prepared to grant administrative autonomy. I believe that the search for peace and unity among the various segments of Philippine society will have a fair chance to succeed if the Filipino people particularly their leaders in government are appreciative of, and are imbued with a refined attitude towards the various elements comprising the pluralistic Philippine society. Moreover, the grant of political autonomy to the Moro people as their expression of self-determination within the framework of the Philippine state system can enhance the prospect for peace in the South and the unity of the entire Filipino people.

## NOTES

<sup>1</sup>Cesar A. Majul, *The Contemporary Muslim Movement in the Philippines* (Berkeley: Mizan Press, 1985), p. 11.

<sup>2</sup>Cesar A. Majul, "The Moro Struggle in the Philippines," *Third World Quarterly* (Vol. 10, No. 2, April 1988), p. 897.

<sup>3</sup>Speech delivered by Nur Misuari, Chairman, Central Committee, Moro National Liberation Front, before the 17th Islamic Foreign Ministers Conference held in Amman, Jordan on March 21-25, 1988.

<sup>4</sup>Peter G. Gowing, *Muslim Filipinos: Heritage and Horizon* (Quezon City: New Day Publisher, 1979), p. 168.

<sup>5</sup>Congress of the Philippines, House of Representatives, "Report of the Special Committee to Investigate the Moro Problem, especially with Regard to Peace and Order in Mindanao and Sulu," 1955. Mimeographed.

<sup>6</sup>In 1912, the number of major plantations in Moroland (100 hectares or more) was 159, some 66 of them owned by Americans, 39 by Filipinos (mostly Christians), 27 by Europeans and 27 by Chinese. That same year saw the establishment of the first "Filipino Rice Colony" in the Cotabato Valley, "Moros and Indians: Commonalities of Purpose, Policy and Practice in American Government of Two Hostile Subject Peoples," *DRC Occasional Papers*. Number Six (January 1977), p. 9. Hundreds of thousands of settlers were brought to Moroland during the Commonwealth and Post-War periods through the government's massive resettlement programs.

<sup>7</sup>The thirteen provinces are Sulu, Tawi-Tawi, Basilan, Zamboanga del Norte, Zamboanga del Sur, Lanao del Norte, Lanao del Sur, North Cotabato, South Cotabato, Maguindanao, Sultan Kudarat, Davao del Sur, and Palawan.

<sup>8</sup>Although included in the Tripoli Agreement the provinces of Davao del Sur, South Cotabato and Palawan were excluded by the Philippine government by virtue of the results of the "referendum-plebiscite" of April 17, 1977. These provinces voted against joining the proposed autonomous regions. The MNLF and some critics of the government alleged that the results of the "referendum-plebiscite" were manipulated by Marcos.

<sup>9</sup>Presidential Decree No. 1618 - Implementing the Organization of the Sangguniang Pampook and Lupong Tagapagpaganap ng Pook in Regions IX and XII and for other purposes, issued on July 25, 1979.

<sup>10</sup>*Ibid.*

<sup>11</sup>The lifting of Martial Law in January 1981 had not resulted in the return of the writ in the two autonomous regions. The suspension was only lifted soon after President Corazon C. Aquino took power in February 1986.

<sup>12</sup>The same is true with the Aquino Administration (February 1986-June 30, 1992). After the collapse of the negotiations with the MNLF in 1987, the Aquino government concentrated on the "democratic process" to grant autonomy to "Muslim Mindanao."

<sup>13</sup>Quoted in Peter G. Gowing, "Moros and Khaek: The Position of Muslim Minorities in the Philippines and Thailand," *Dansalan Center Occasional Papers*, No. 1 (April 1975), p. 11.

<sup>14</sup>*MNLF Guidelines for Political Cadres and Military Commanders*, Bangsamoro Research Center (1984), p. 20.

<sup>15</sup>Moro National Liberation Front, Central Committee Office of the Chairman, *Communique of the IVth General Meeting of the MNLF Leadership*, March 5, 1985, pp. 9-10.

<sup>16</sup>Abdulsiddik A. Abbahil, "The Bangsa Moro: Their Self-Image and Inter-Group Ethnic Attitudes," M.A. Thesis, University of San Carlos, 1983, p. 146. The Maguindanao, Maranao and Sama (Samal), and Tausug constitute approximately 85.2% of the Muslim population in the Philippines.

<sup>17</sup>Majul, *The Contemporary Muslim Movement in the Philippines* (Berkeley: Mizan Press, 1985), pp. 81-82.

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# FEDERALISM: AN ALTERNATIVE SYSTEM OF GOVERNMENT FOR THE PHILIPPINES

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## INTRODUCTION

The government of any country in the world should be able to deal with various and peculiar problems of different groups<sup>1</sup> under varying agenda. In dealing with these problems, the government recognizes that strategies which depend on culture, resources and capabilities must be applied. It is also expected to tackle the parochial problems of tribal groups and in the process persuade or prevail upon them to form themselves into unified groups that ultimately constitute one nation or state. The government is thereby enabled to pursue its objectives and attain its goals more effectively and efficaciously as envisioned by thoughtful individuals.

Political philosophers like John Locke, Thomas Hobbes and Jean Jacques Rousseau espoused the idea that a formal understanding must exist between the governed, i.e, the people, on the one hand, and the governor, the government, on the other. This vision has been institutionalized as a theoretical construct more precisely known as the Social Contract Theory, which proposes that any change in the policy and process of governing must have the approval and acquiescence of the governed.<sup>2</sup>

In an attempt to determine the suitability/adaptability of a federal system as an alternative to the unitary system of government in the Philippines, we undertook an empirical study. It was, moreover, the intention of the study to gauge the possible impact of adopting a federal system of government upon the political, economic and social life of the Filipino people, vis-a-vis awareness, suitability, adaptability, local autonomy, national unity, national security, political culture and the process of the conversion of the present form of system.

## PERCEPTION OF THE RESPONDENTS ON THE ISSUES SURROUNDING FEDERALISM

As an initial step of our study, six groups of respondents were asked what they thought about federalization of the Philippines in terms of political, economic and social issues.

Political issues. Table 1 shows the summary of the respondents' perceptions on the political issues.

TABLE 1

## Summary of Values Showing the Perception of the Respondents on Political Issues

Item	Senators	Representatives	Governors	Mayors	Professors	Students
1. Federal Government is suitable to the conditions of the Philippines	3.06 Undecided	3.481 Agree	3.231 Undecided	3.366 Undecided	3.556 Agree	3.257 Undecided
2. Federal form of government is adaptable in the Philippines	3.08 Undecided	3.501 Agree	3.231 Undecided	3.290 Undecided	3.670 Agree	3.288 Undecided
3. Federalization scheme is reflective of the desires and aspirations of the Filipino people	3.210 Undecided	3.698 Agree	3.259 Undecided	3.750 Undecided	3.876 Agree	3.380 Undecided
4. As to substance, a federal form of government creates political unity	3.190 Undecided	3.701 Agree	3.333 Undecided	3.490 Undecided	3.777 Undecided	3.286 Undecided
5. Political culture of the Filipinos is suitable for a federal system of government	3.201 Undecided	3.668 Agree	3.540 Agree	3.190 Undecided	3.854 Agree	3.502 Agree
6. Philippine national security will be enhanced if federalization is adopted	2.390 Disagree	3.409 Undecided	3.201 Undecided	3.210 Undecided	3.540 Agree	3.400 Undecided
7. Federalization will create disintegration of the whole Republic	3.011 Undecided	3.209 Undecided	3.187 Undecided	3.111 Undecided	2.354 Disagree	2.330 Disagree
8. There is a need for an amendment to our Constitution changing the unitary to a federal form	3.601 Agree	3.601 Agree	3.654 Agree	3.590 Agree	3.999 Agree	3.540 Agree
9. Federalization scheme creates greater autonomy to other local units of government	3.598 Agree	3.601 Agree	3.875 Agree	3.609 Agree	4.010 Agree	3.652 Agree
10. The unitary system of government has failed to implement greater decentralization and autonomy	3.019 Undecided	3.666 Agree	3.543 Agree	3.333 Undecided	3.786 Agree	3.121 Undecided

Tabular values show that there is a general trend of bipolarity among the respondents as regards political issues, with the politicians on one side and the academicians on the other. When queried as to the suitability of the federal form of government in the Philippines, senators, governors and mayors gave no comment (means<sup>3</sup> from 3.06 for senators to 3.366 for mayors). The representatives, however, agreed with the professors in saying that this form of government would be suitable in the Philippine setting. Students, similarly declined to give an opinion. The most positive response was elicited from the professors (mean = 3.556) while the most negative came from the senators (mean = 3.06).

A similar pattern of response took shape when the respondents were asked as to the adoptability of a federal form of government in the Philippine setting. The professors indicated preference with the highest rating of 3.670 whereas the senators had the least mean of 3.08. On their part, the representatives opined that a federal government would be adoptable in the Philippines (mean = 3.501).

In sum, the respondents believed that many of the country's political problems will be solved under a federal form of government. For in a federal set-up, such main concerns as organizational coordination, leadership, regulation and accountability are readily on hand to attain and promote political stability and development. Advocates of federalism contend that it produces many political benefits including responsiveness to a diversity of needs, reduced risks of adverse power, greater innovation, enhanced local autonomy and assurance of national security through military strength. Inasmuch as federalism engenders the dispersal of power as its framework, the solution of local problems will thereby be given greater attention. Based upon the perceptions of the participants in the exercise, there are enough forces that encourage the adoption of the federal form of government. Evidently, many Filipinos are eager to join those who desire to change the present unitary form of government. In accordance, with the attention given to the present clamor for decentralization for both the Muslims and the Cordillera inhabitants, federalization appears to be the proper response to articulate expressions for the attainment of political integration *and* political development.

The respondents were likewise asked whether the federal form of government would be reflective of the desires and aspirations of the Filipinos. Results showed that both the professors and representatives agreed on the premise cited, with the professors having the larger mean of 3.876. The rest of the respondents gave no comment on the issue.

The senators disagreed with the view that federalization would enhance national security (mean = 2.390) in sharp contrast to the professors who stated that such a move would enhance national security (mean = 3.540). Again, the other groups of respondents gave no definite comment.

People from the academe disagreed that federalization would bring about the disintegration of the Republic. The professors showed a mean rating of 2.354 while the students had a mean rating of 2.330. On the other hand, the politicians either gave no comment or remained undecided on the issue.

Notwithstanding the foregoing, all groups of respondents believed that it would be necessary to amend the Constitution should there be a change from the present unitary government. Similarly, all agreed that federalization would cause greater degree of decentralization for the various local units of government in the country. In fact, representatives, governors and professors believed that the present governmental set-up has failed to implement existing laws that prescribe greater decentralization and corresponding autonomy to various local units of government.

Economic issues. Table 2 shows the values pertaining to the perceptions of the respondents on the various economic issues surrounding federalism.

TABLE 2

**Summary of Values Showing the Perceptions of the Respondents  
on the Economic Issues Surrounding Federalism**

Item	Senators	Representatives	Governors	Mayors	Professors	Students
1. Philippine economy will be better if federalization is adopted	3.210 Undecided	3.250 Undecided	3.406 Undecided	3.392 Undecided	3.536 Agree	3.220 Undecided
2. The huge external debt problem of Philippines will be solved if the federal system of government will be implemented	3.209 Undecided	3.198 Undecided	3.203 Undecided	3.265 Undecided	3.668 Agree	3.182 Undecided
3. Unemployment and rising inflation have never been checked by the present system of government	3.507 Agree	3.609 Agree	3.587 Agree	3.555 Agree	3.549 Agree	3.666 Agree
4. The Comprehensive Agrarian and Land Reform Program of the present government will not succeed	3.198 Undecided	3.121 Undecided	3.098 Undecided	3.210 Undecided	3.554 Agree	4.898 Agree
5. Three years ago, the earnings of many Filipinos were not enough to meet their basic needs	3.543 Agree	3.555 Agree	3.609 Agree	3.598 Agree	3.709 Agree	3.765 Agree
6. The Philippines should stop borrowing from foreign financial institutions	3.019 Undecided	3.208 Undecided	3.222 Undecided	3.129 Undecided	3.889 Agree	4.656 Strongly Agree
7. Businessmen will benefit more if the federal system is adopted	3.098 Undecided	3.186 Undecided	3.196 Undecided	3.209 Undecided	3.541 Undecided	3.133 Undecided
8. Poverty in the countryside will be checked if the federal system of government is adopted	3.129 Undecided	3.122 Undecided	3.401 Undecided	3.387 Undecided	4.010 Agree	3.498 Agree
9. The economic recovery program of the government is succeeding	3.509 Agree	3.511 Agree	3.508 Agree	3.500 Agree	2.376 Disagree	2.098 Disagree
10. The prevalence of graft and corruption in the government discourages businessmen and foreign investors	3.098 Undecided	3.145 Undecided	3.209 Undecided	3.555 Agree	4.550 Strongly Agree	4.861 Strongly Agree
11. Federalization scheme guarantees equitable distribution of resources in the nation	2.309 Disagree	2.401 Disagree	2.398 Disagree	3.019 Undecided	3.120 Undecided	3.000 Undecided
12. To have better distribution of development efforts in the countryside, the proposed federal system of government should have 75-25 proportion of government control regardless of the nature of the taxes	3.010 Undecided	3.098 Undecided	3.000 Undecided	3.665 Agree	3.509 Agree	4.000 Agree

Again the tabular values revealed greater mean ratings among the academicians than among the politicians on the economic issues, signifying more positive perception of the idea of federalization among the professors and students than among the politicians. In particular, all the politicians responded that they remained undecided on the issue of whether or not federalization will bring about a better Philippine economy (means ranging from 3.210 to 3.406). On their part, the professors said that this economic phenomenon would occur under a federal form of government (mean = 3.536).

Would federalization bring relief from the problem of huge external debt that the government is facing? On this issue, only one group of respondents, the professors, stated that federalization would relieve the Philippines from the onus of its foreign debts (mean=3.668). The rest of the respondents, including the students who were expected to concur with the professors, declined to give any comment on the issue.

Rather surprising is all six groups of respondents agreed that the present system of government failed to check the soaring inflation and unemployment that up to now confront the Filipinos. Data, however, failed to show the reasons for this failure, i.e., is it attributable to the political system or is it due to weak political leadership?

The respondents' economic perceptions showed that the shift to a federal system of government is an alternative strategy for the attainment of economic growth. According to them, the federal system provides a solution to the problem of how the citizens can address their local and national needs. They perceived that a smaller political unit would be in a better position to help launch an economic take off. To them, if a unitary government could be converted into a federation, economic development would be achieved.

The probability of success of the present government's Comprehensive Agrarian Land Reform Program was also presented for rating. Results show that all the politicians were unable to present any prospects for the success of this government program. The academicians agreed that this program did not succeed. The students were almost certain that it would fail (mean = 3.898) and thus concurred with the view of the professors (mean=3.554).

All six groups of respondents agreed that the present earnings of the Filipinos are not sufficient to meet their basic needs. This is more strongly felt by the students and teachers (means of 3.765 and 3.709, respectively.)

Again, all the politicians declined to comment on whether or not the country should stop borrowings from foreign sources. The students strongly contended that the government should stop its propensity for borrowing from foreign financial institutions (mean = 4.656). The teachers and professors agreed that this practice should be stopped but only to a lesser extent (mean = 3.889).

If adapted in the Philippines, federalization can check the prevalence of poverty in the countryside, according to the professors (mean = 4.010) and the students (mean = 3.498). On the same issue, however, all the politicians either declined to comment or were undecided on the issue. It is quite fascinating to note that all the politicians seem to agree that the government's economic recovery program is succeeding; their mean being highest compared with those of the representatives and senators. At any rate, the representatives' view was sharply negated by both the students and professors.

Social issues. Finally, Table 3 shows a summary of the respondents' perceptions on the social issues involved in a federalization move in the Philippines.

In a federal form of government, social consciousness must be recognized [by Filipinos] as crucial to their own good. This was concurred in by the responses of both governors and mayors, with resultant means of 3.503 and 3.503. The rest of the respondents, however, did not show any reaction to the statement. It may be noted that those who agreed with the statement were mainly local politicians.

All six groups of respondents stated that irrelevant traditional values of the people hinder the adoption of the federal system of government in the Philippines. In fact, all of them agreed that lack of discipline among the Filipinos is a serious social problem on the road towards federalization. This sentiment was strongly felt by the professors (mean = 3.601) and the students (3.601).

When queried as to the possibility of giving free education from primary through college in a federal system, all the politicians replied that they could not give an unequivocal answer. Nevertheless, the academicians agree that this should be done by the federal government in case this system would be adopted in the Philippines.

The tabulation of the social perceptions of the respondents revealed that the change of the structure of government in the Philippines to a federal system is appropriate to the present social scenario in the country. There seems to be a clamor from various groups, especially the Muslim Filipinos and the Cordillera peoples, for broader decentralization in the management of governmental affairs in their respective areas in order for them to achieve social development.

Meanwhile, the senators stated that senior citizens should be afforded free transportation (mean = 3.502) in the event that federalization takes place. This view was concurred in by the students (mean = 3.500). The other respondents gave no specific comment.

A number of federal states as well as in some totalitarian governments, compulsory population control is being enforced. This was the case, for instance, during the term of Indira Gandhi as Prime Minister of India, when men were forced to undergo "defertilization" in an effort to control the alarming rate of population growth in that country. When queried as to the possibility of applying population control in the Philippines under a federal form of government, each group of respondents remained undecided or had no comment.

TABLE 3

**Summary of Values Showing the Perception on the Issues Surrounding the Federal System of Government**

Item	Senators	Representatives	Governors	Mayors	Professors	Students
1. Social consciousness among the Filipinos is a desideratum for a federal system of government	3.375 Undecided	3.415 Undecided	3.503 Agree	3.503 Agree	3.371 Undecided	3.220 Undecided
2. Irrelevant traditional values of the people will hinder the adaption of the federal system of government	3.512 Agree	3.501 Agree	3.551 Agree	3.511 Agree	3.560 Agree	3.601 Agree
3. Unemployment insurance for the members of the labor force can be established in a federal system of government	3.201 Undecided	3.411 Undecided	3.409 Undecided	3.451 Agree	3.391 Undecided	3.120 Undecided
4. Lack of discipline among the Filipinos is a serious social problem towards federalization	3.550 Agree	3.512 Agree	3.509 Agree	3.500 Agree	3.601 Agree	3.601 Agree
5. Complete free education from primary through college should be a policy of the federal government	3.101 Undecided	3.009 Undecided	3.210 Undecided	3.511 Agree	4.019 Agree	4.555 Strongly Agree
6. Coupons for free transportation for senior citizens (above 70 years old) should be provided by the federal states	3.502 Agree	3.401 Undecided	3.401 Undecided	3.210 Undecided	3.209 Undecided	3.500 Agree
7. Rapid population growth should be controlled by the federal states	3.100 Undecided	3.125 Undecided	3.018 Undecided	3.072 Undecided	3.000 Undecided	3.000 Undecided
8. It is a power of the federal states to stop exportation of logs and other forest resources and minimize deforestation and denudation of our mountains	4.000 Agree	4.000 Agree	4.000 Agree	4.000 Agree	4.500 Strongly Agree	4.600 Strongly Agree
9. Honesty in public service is deteriorating	2.301 Disagree	2.287 Disagree	2.401 Disagree	2.209 Disagree	2.888 Undecided	3.601 Agree
10. The policies and programs of the national government for the people's welfare are not adequate	2.308 Disagree	2.222 Disagree	3.018 Undecided	3.102 Undecided	3.887 Agree	3.990 Agree
11. Rural development is given less emphasis in a unitary government	3.010 Undecided	3.201 Undecided	3.222 Undecided	3.245 Undecided	3.721 Agree	3.654 Agree
12. Nutrition and day-care services are emphasized more by federal units	3.220 Undecided	3.341 Undecided	3.298 Undecided	3.265 Undecided	3.260 Agree	3.598 Agree

As regards despoiling forest resources, the politicians agreed that a federal government had the right to control the exportation of logs and forest resources and thereby prevent forest denudation (mean = 4.000). This was strongly concurred in by the academicians, a mean of 4.500 for professors and 4.600 for the students. These figures show that there is an intensifying concern for environmental protection from all sectors of society.

All the politicians disagreed that honesty in public service is deteriorating (means from 2.209 to 2.301). The students, however, agreed with the statement that there is a decline in moral fiber among government workers (3.601). The professors were not certain on this point.

When the respondents were asked whether or not the policies and program of the National Government for the welfare of the people are adequate, dissenting opinions were again observed. The politicians either disagreed (mean of 2.308 for senators and 2.222 for representatives) or gave no comment (mayors with mean of 3.102). On their part, the academicians agreed that such programs were inadequate (professors with mean of 3.888).

Lastly, the professors and students believed that rural development is given less emphasis in a unitary government (mean of 3.721 for professors and 3.654 for students). The politicians had no comment on the issue.

#### PERCEPTIONS OF POLITICAL AND ACADEMIC LEADERS ON FEDERALISM CONCERNING ITS ADOPTION IN THE PHILIPPINES

With regard to the suitability/adaptability of a federal system of government in the Philippines, the respondents believed that present conditions and the requirements for the adoption of such a system are all present. Federalism is, therefore, definitely attainable.

The survey indicated that 50.53 percent were in favor of federalism for the Philippines. Only 26.19 percent disagreed or did not favor a federal form of government for the country. The perceptions in the samples indicated a big margin of agreement in favor of change.

Therefore, majority of the respondents are agreeable to the adoption of a federal system of government, compared to the number of those who disagree. The responses to majority of the samples can be shown as tangible evidence of how tentative the Filipino people as a whole can mobilize the means or the potentials for success in metamorphosing the present governmental system in various political, economic and social conditions of the country, into a federal system of government.

The views of majority of the respondents show that the governmental system has not improved in political terms, exemplified by the scarce participation of people in decision-making relative to economic and social issues. There is a gross disparity between envisioned development and actual ongoing development efforts of the government. For instance, with respect to Mindanao, one of the crucial issues of its development is that its share in the public fund allocation is rather miniscule.

In economic terms, imbalance in existing budgetary resources contrasts sharply with budgetary performance in a federal government. In the latter, extreme care is observed in the allocation of scarce resources to the various units of the government. It is likely that the problem of disparities in the developmental program of the present system of government can be minimized, if not totally eradicated, in a decentralized system. It can be demonstrated that the processes of both political and administrative decentralization can best be consummated in a federal system of government. To be sure, socially, the concept of federalization will require remedial measures to solve or vitiate such problems as insurgency and secession; otherwise, these exacerbations will remain to threaten the fragile social relations between and among groups who support cohesion with the national government and those who advocate secession from such government.

TABLE 4

Frequency Distribution as to the Suitability of a Federal Form of Government for the Philippines

Group/Level	5		4		3		2		1		No. of Respondents
	Strongly Agree		Agree		Undecided		Disagree		Strongly Disagree		
	(f)	(%)	(f)	(%)	(f)	(%)	(f)	(%)	(f)	(%)	
Senators			7	53.8			4	30.8	2	15.4	13
Representatives	6	5.9	30	29.7	29	28.7	15	14.9	21	20.8	101
Governors	6	8.8	21	30.9	32	47.1	6	8.8	3	4.4	68
Mayors	26	14.1	81	44.0	25	13.6	33	17.8	19	10.3	184
Professors	7	7.1	45	45.9	29	29.6	15	15.3	2	2.0	88
Students	29	14.9	75	38.5	34	17.4	37	19.0	20	10.3	195
Total	74	11.23	253	39.3	149	22.6	110	16.7	67	10.2	659

Table 4 shows computations on the suitability of a federal form of government for the Philippines. Generally, majority of the respondents support the idea of federalization. The Table shows that 11.23 percent strongly agree and 39.30 percent agree, or a total of 50.53 percent. The negative responses on the suitability of federalism consisted of 16.7 percent disagree and 10.2 percent strongly disagree, for a total of 26.9 percent.

The overall result of the respondents' perceptions indicates popular support for federalization. Thus, there is no reason for Filipinos to be apprehensive that they will feel uncomfortable in a federal set-up, just as there is no reason for alarm on the part of the Muslim Filipinos, and the Cordillera peoples in their desire for secession. After all, the recommended system of federal government is itself an embodiment of the aspirations of the minority people in southern and northern Philippines.

### SOME THOUGHTS ON THE MECHANISM IN THE CONVERSION FROM A UNITARY FORM OF GOVERNMENT TO A FEDERAL SYSTEM

There has been an increasing interest in the Philippines lately on the issue of federalization. Vice-President Salvador H. Laurel, in one of his speeches, emphasized that it is not enough that Filipinos have changed our leadership and returned to a constitutional system but we should also reconsider our system of governance in its entirety. Our basic problem is to prevent the centralization of governmental authority, and to enable the provinces and other local governments to have an equitable sharing of the resources expected to achieve a more balanced development nationwide.

The 1987 constitution has given due course to demands for autonomy in Mindanao, and in the Cordillera region even as it maintains a unitary, centralized government for the whole country. However, with the result of the plebiscite in Mindanao wherein majority of the voters rejected the idea of autonomy, it is reasonable to effect a constitutional amendment adopting a federal form of government for the Philippines.

In this regard it is suggested that the existing twelve political regions be utilized to establish state governments, with the National Capital Region as the seat of the federal government. Or the legislators themselves start to consider how to reorganize the existing regions or parts of regions on the basis of geography, economic viability, ethnic and linguistic commonalities.

In case we Filipinos signify our preference for establishing a federal form of government, our present Constitution would have to be overhauled. This Constitution was designed to establish the government of the Republic of the Philippines in order to continue the system of government which has been in force in the Philippines since July 4, 1946.

If our present political leaders would recommend the amendment of the 1987 Constitution in order to adopt a federal system of government, a number of policy questions would have to be resolved. Under the prevailing Constitution, there are two ways by which it could be modified, amended or repealed: (1) the Congress of the Philippines may be convened as a constituent assembly with the approval of the people to draft the amendments to the Constitution for the ratification of the people. (2) A constitutional convention or a constitutional commission may be convened to draft the necessary amendment to the Constitution so as to convert the system of government from a unitary to a federal form, subject to the approval of the people.

Another important policy decision which needs to be considered is that amending the Constitution in order to convert the form of government to a federal system would be a matter of delineating what functions should be the responsibility of the federal government and what functions should be settled between the federal and the state governments.

Some countries have settled this question through the principle of residual powers. In applying this principle, some countries adopt the rule that all functions not assigned to the state government will be considered as functions to be exercised by the federal government. In some countries where some functions are not assigned to either, such functions are rendered to be the responsibility of the state government.

Another policy issue that must be resolved in the amendment of the Constitution is the establishment of state governments and defining their respective territorial jurisdictions. At present, the Philippines is divided into twelve regional areas plus one national capital region and two autonomous regions, i.e., Mindanao and Cordilleras. These regional areas are composed of certain provinces and cities located in such provinces. Whether the state government will use each of the present regional areas as constituting one state with its own government in the federal system, this interesting question should also be resolved.

Since under the federal system of government, each state shall have a complete government structure of its own, the structure of the government of each state must necessarily be defined in the Constitution. Following the practice in other countries, each state government will have its executive, legislative and judicial branches. In addition, it will be necessary for each state to have its own Constitution, with the federal Constitution supervening in countrywide matters.

The above stated policy questions are by no means exclusive or the only policy questions that must be threshed out in amending the present constitution for the purpose of converting the unitary system of the Philippine government into a federal system. Many other questions remain to be considered but those mentioned above are believed to be given priority as the most significant and basic ones.

## NOTES

<sup>1</sup>Marshall McLuhan, "Federalism and French Canadians," *New York Times Book Review*, November 17, 1968.

<sup>2</sup>Carlton Clyper Rodee, Totton James Anderson and Carl Quimby Christol, *Introduction to Political Science* (New York: McGraw-Hill, 1967), p. 4.

<sup>3</sup>Mean is obtained simply by adding the values of cases and dividing the sum by the number of cases. It is the most common measure of central tendency for variables measured at the internal level. Below is the assigned weights and ratings as well as the qualitative interpretations of data obtained in the survey.

OPTIONS	NUMERICAL RATING
SA Strongly Agree	5
A Agree	4
UD Undecided	3
SD Strongly Disagree	2
D Disagree	1
Assigned Weight	Qualitative Interpretation
4.5-5.0	Strongly Agree
3.5-4.4	Agree
2.5-3.4	Undecided
1.5-2.4	Strongly Disagree
1.4-Below	Disagree

# A FEDERALISM FLAWED

*Catherine Sylvia Beacham*

## INTRODUCTION

In its most limited sense, federalism simply involves some sort of division or sharing of powers between a central government and regional or state governments. Typically, the delineation of authority is enumerated in a written constitution, but aside from this consistency there are no hard and fast rules pertaining to federalist forms. The balance of power may favor the central government (as in the Australian model) or, alternately, it may swing towards the regional governments (such as in the loose union of cantons in Switzerland which is more commonly referred to as a confederation). Moreover, federalism need not be exclusive to capitalist economies nor parliamentary democracies.

Clearly, however, federalism does not exist in isolation. Its very nature implies and requires a significant measure of cooperation and compromise among all bodies vested with legitimate authority, yet each enjoying a certain degree of autonomy. In this broader sense, federalism is far more than a static structure. It is part of a greater political entity that impinges on the exercise of power and the politics of intergovernmental relations. All aspects of the political system and environment in which a federal form functions — political parties and culture included — may directly influence its essential character and evolution. In turn, a federal structure may shape interactions between and among these same forces, thereby influencing and at times inhibiting democratic processes and outcomes. The latter has been perhaps more evident in Australia than in any other western nation which lays claim to a democratic federal form.

Australia has an extraordinarily messy and needlessly complicated system of federal parliamentary government. While day to day political activities appear to operate with little drama, any student of politics is well aware of the inherently contradictory processes and structures which comprise this seemingly successful model of western democracy. These often ignored deficiencies of Australian federalism became starkly apparent in 1975 when Edward Gough Whitlam, the legally elected prime minister of the country, was summarily dismissed from office by a single non-elected individual, then Governor-General Sir John Kerr. It was an unprecedented action which proved nothing short of a full-blown constitutional crisis. In the years hence, writers have vigorously debated where to apportion blame — was it the fault of ruthless party politics or a breach of the Westminster convention? Was it due to an outmoded constitution or an irresponsible media? Was federalism itself the culprit or was the CIA somehow involved in manipulating events from behind the scenes? A quick, yet, inadequate answer is that the crisis was precipitated by all of the aforementioned factors.

What follows is a detailed overview of the origins and current practice of federal parliamentary democracy in Australia, highlighting the many flaws which led to the sacking of former Prime Minister Whitlam. It is intended for those interested in comparative forms of federalism who are unfamiliar with the Australian experience. In addition, it should serve as a useful case study for proponents of a federalist Philippines who would hope to avoid emulating the painful mistakes of other countries.

#### FROM COLONY TO SELF-GOVERNMENT

The earliest form of European-influenced political arrangement in Australia dates back to 1788 with the establishment of a penal colony in New South Wales (NSW). The colony functioned as a jail, a police state with a clear-cut structure of government. All power resided with the governor. He appointed civil officials, held ultimate authority over an extraordinary judicial system, and ruled by decree. The governor controlled virtually every aspect of public life. He could decide on punishment for transgressors, remit sentences of model prisoners, and was responsible for the assignment of convicts to forced labor on lands granted free to immigrants. Settlers arriving in the colony quickly discovered that they no longer enjoyed the various rights guaranteed them by the British constitution. The governor, duly authorized to impose his own rules in areas as diverse as port regulations and wage fixing, commanded far more power in the colony than the monarch who appointed him exercised in England. All of the early governors were either military or naval men and their subordinate officers were expected to follow orders "according to the rules and discipline of war."

The system of governorship was made partly inescapable due to the colony's penal nature and isolation wherein two years might elapse between communications to and from England. It was a convenient enough arrangement during the early years when the over-riding problem of the colony was mere survival, and certainly it suited the British government which was less concerned with affairs in a distant prison settlement. The situation, however, progressively proved unworkable as contradictions emerged between the colony's penal character and its economic development which gave rise to competing social classes.

The first recognition of these contradictions was acknowledged in the Bigge Inquiry, prompted by wealthy property-owners in the colony who resented Governor Lauchlan Macquarie's policy of free land grants to pardoned convicts known as emancipists. Bigge, a young former Chief Justice of Trinidad, arrived in NSW in 1819 and spent a total of 18 months observing local colonial judicial and civil administration. Bigge's final report fitted closely the changing socio-economic realities of the penal settlement and his recommendations resulted in the Act of 1823.

The 1823 Act established a Legislative Council (LC) in NSW consisting of up to eight members appointed by the governor who were to advise him on legislative matters. It also separated the judiciaries of NSW and Van Diemen's Land (Tasmania), placing each

under the supervision of a Chief Justice. The Act did not greatly curtail the governor's powers; he appointed the LC himself and could then choose to ignore its recommendations. To this extent, the Act was intended to legitimize rather than restrict his authority. Nevertheless, it marked the real beginnings of constitutional evolution in Australia.

Initially, all members of the LC were civil officials, but in 1825 the British Secretary for the Colonies appointed three representatives from the merchants and gentry. In the same year, an Executive Council was established, comprising the lieutenant-governor, the chief justice, the archdeacon, and the colonial secretary. The governor was increasingly expected to consult with and heed the advice of these two Councils, but again such reforms were not designed to liberalize government as to make it more effective. Political freedoms, still lacking in England, were not likely to be conferred on a community of criminals and pardoned convicts.

Several important developments occurred during the 1830s, partly influenced by the Chartist movement in Britain, which led to the 1832 Reform Act. The Act widened franchise and redistributed seats in the House of Commons, thereby making it more representative of property-owning interests. In 1835, the then governor of NSW, Richard Bourke, sent a draft constitutional bill to England that contained provisions for a predominantly elective LC and in which emancipists could play a role. Trial by civilian jury was also extended to criminal cases.

While the colonies in 19th-century Australia shared no single historical chronology, by the mid-1850s each had gradually and separately gained responsible self-government. (WA followed later in 1890). The demographic configuration of the settlement had undergone rapid transformation up to this time as rising numbers of migrants, pardoned convicts, and native-born significantly altered the balance of free-persons to prisoners. This in turn led to demands for further civil and political reform. This was by no means a unified challenge to the autocratic system of governors. Indeed, clear divisions existed in the NSW colony between the so-called elitist exclusives and the emancipist group which had grown to include wealthy former convicts, respectable migrants, and native-born. The latter had long urged for a representative government and trial by jury whereas the exclusives favored a restricted expansion of powers to merchants and gentry only. Over time though, the gap narrowed as each came to recognize that the economic interests they shared were far more crucial than any political differences that might separate them.

Two critical issues which cemented their alliance concerned colonial land policy and the future of convict transportation. Land was the principal source of wealth in pastoral Australia yet the Crown reserved all powers over its distribution, price, and allocation of moneys arising from its sale. As the greater demand for land became inevitable due to mass migration, the propertied exclusives and emancipists sought to guarantee their continued prosperity by securing control over policy legislation — something which could only be achieved through self-government. Equally vital to their economic survival was maintaining the cheap and ready supply of agricultural labor

provided by transportation. In this, they were opposed by native-born workers and the emerging class of migrant tradesmen who justly feared that the availability of convict labor would keep wages in the colony low. Clearly, the two systems of transportation and free immigration could not go hand in hand.

England itself remained undecided for some time. With its expanding economy and vast open spaces, Australia was increasingly seen as an attractive opportunity for capital infusion which might also satisfy the British middle class' desire for land as well as tempting dissident Chartists to leave England's shores. Aware that these prospective settlers would never migrate to a penal colony, the Molesworth Committee in 1838 recommended the abolition of transportation to the eastern colonies. The last assignment of convicts to NSW arrived in Sydney in November 1840.

By 1840, there were high hopes that the colonists might soon be allowed elected representatives to the Legislative Council. Finally in 1842, an Act was passed in Britain which gave NSW a new constitution with an expanded LC of 36 members—24 elected, 12 nominated, and a maximum of 6 drawn from the ranks of civil officials. Franchise and candidacy qualifications were high. The revamped LC had substantial powers as all legislation required its approval. Still, the governor held the right of veto as well as complete authority over the disposal of Crown land and revenue. Nor did the 1842 Act confer responsible government. Even in England, there was a lingering idea that government was subordinate to the sovereign and should be independent of parliament. Despite these limitations, the existence of a predominantly elective legislature had a significant impact on political life in the colony. Claiming a partial mandate, the LC as well positioned to challenge the governor and lobbied England for greater concessions in regard to land policy.

Changes in other parts of the white Empire prefigured the next two stages of constitutional development in Australia. The American War of Independence made English leaders more sensitive to the aspirations of what were called the "colonies of settlement." As a result, the British Parliament sometimes took action not because it particularly approved of certain developments but because it saw them as inevitable if the Empire was to survive and prosper. Thus in 1850, the Australian Colonies Government Act was passed into law. Political institutions in the colonies were reorganized bringing each, with the exception of WA, in line with NSW and its expanded legislature. Representative government was established in South Australia, while Van Diemen's Land and Port Phillip was separated from NSW and renamed Victoria. Everywhere franchise was widened to reflect the wider community and within two years control of Crown lands was conceded to the colonial legislatures.

Progress towards self-government in NSW and the other colonies could be viewed as a carefully orchestrated transformation. There was no seething resentment which in North America gave birth to a republican United States. Apparently the Imperial authorities had learned a lesson. The same can be said of the evolution of responsible government which was granted soon after in 1855 when the Acts to establish new

constitutions in Victoria and NSW received royal assent. According to Professor John Ward, one of Australia's foremost political historians, the Australian colonies never demanded responsible government; it was "imposed upon them" before they sought it. Ward persuasively writes,

"There was no struggle to gain responsible government in the four colonies of eastern Australia. Demands for constitutional reform certainly existed there in the forties and fifties, but, especially in the fifties, they were for democratization of the constitutions so as to broaden the basis of political action, and for the transfer of power from London to Sydney or some other colonial capital.... When the new constitutions were drafted in the colonies there was only a tenuous, uncertain desire to see the colonial executives subordinated to the colonial legislatures, as responsible government would require. The powerful conservatives of New South Wales, Victoria and South Australia, who were trying to entrench themselves in privileged authority, while gaining complete control over colonial lands and revenues, had nothing to gain from responsible government. They wanted the heads of government departments to continue to be appointed imperial officials, working under governors, whom conservatives could influence. They did not want government departments controlled by Parliamentary ministers, who would be answerable to the legislature, to political parties and ultimately to the people."

Exceptional figures in Australian history include many dubious champions among their ranks. Prominent among them was William Charles Wentworth, the illegitimate son of Dr. D'Arcy Wentworth's liaison with a woman convict. A man of considerable talents, poet, explorer, and British-educated lawyer, Wentworth became a vigorous crusader for the emancipist cause. He inspired the foundation of the Australian Patriotic Association and established one of the colony's earliest newspapers, both of which served as mouthpieces in attacking the landed gentry and the denial of civil rights. The introduction of trial by jury is generally credited to his efforts.

Wentworth's role as defender of the poor and downtrodden soon proved a fleeting aberration in his long and famous political career. His real ambitions lay in seeking acceptance into the ranks of the elite exclusive class which had so scorned him. He eventually achieved this by becoming one of the wealthiest landowners in NSW. His personal fortune would have been much greater had he not been thwarted in his attempt in 1840 to acquire 20,000,000 acres of land in New Zealand.

As one historian has noted, Wentworth's own concept of freedom came to be "limited by his developing conviction that democracy had to be reined in by men whose intelligence and position gave them an obligation to rule" (Molony, 1987). This was made more than apparent when in 1852, England announced its willingness to accept draft constitutions from each of the colonies for the establishment of responsible government.

Wentworth, by now a self-admitted conservative, proposed a bicameral parliament with an upper house modeled after the British House of Lords. He envisaged titles and hereditary rights which one critic contemptuously denounced as “a Bunyip\* aristocracy.”

The colonists drafted their separate constitutions for responsible government according to the guidelines laid down by Britain. Though Wentworth's suggestion was easily defeated by popular pressure, he and his cohorts succeeded in gaining a nominated upper house, their insurance against unbridled democracy. As in NSW, all of the new responsible parliaments were bicameral. Victoria chose an elective upper chamber but restrictive membership qualifications ensured that it too would remain a bastion of the entrenched privileged, at least in the short-term.

While the colonial constitutions were being approved by the British Parliament and Queen Victoria in London, gold was discovered in the eastern colonies. These conservative constitutions were supposed to provide a new set of rules for fairly conservative societies yet by the time they were returned to Australia, the gold rush had changed the social fabric of the colonies forever. A rapid evolution of citizen rights followed over the next few decades, well in advance of political developments in Britain. Australia pioneered the use of the secret ballot which was adopted for the first time in the Victorian elections of 1856. In the same year, men suffrage was introduced in South Australia. Women gained electoral rights in the late 1890s, and before the turn of the century, the various parliaments had enacted impressive social legislation. Strong trade unions were formed and the right to strike along with the eight-hour work day were recognized by law.

## FEDERATION

On the first day of the 20th century, the six colonial constitutions and their governments were overlaid by a new superstructure, the Commonwealth of Australia Act which created the basis for a federal system of government and law. Although the idea of federation was occasionally discussed by legislative committees and intercolonial conferences throughout the mid to late 1800s, there was never any real practical incentive for a united Australia. Political leaders were too preoccupied with encouraging development within their own independent and highly protected economic spheres. They were especially reluctant to concede any of their recently gained powers to a new national government. Added to this was the colonies' considerable isolation from each other which fostered political and commercial jealousies that formed obstacles to any sort of union.

Unlike the experience of other countries, Australia moved from colonial status to nationhood without revolution or civil unrest. Instead, federation was a somewhat

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\*A Bunyip is a large and rather ugly mythical Australian creature.

half-hearted affair, a politician's reform, and not the product of popular agitation. A standard text on Australian politics argues, "federalism was not easy to accomplish precisely because of the lack of compelling reasons. The federal deal was only just sufficiently attractive to the various parties for it succeed" (Emy & Hughes, 1988). The prime motive for federation was pure and simple economics. The depression years of the 1890s convinced many in the business sector that proper fiscal management needed intercolonial cooperation in areas such as overseas lending, banking and the removal of internal tariff controls which had inhibited the growth of a free market. Economic collapse was also accompanied by massive, prolonged strikes affecting key industries. These served as a stark warning to conservative interests that the tentacles of trade union power had reached beyond colonial borders and would require unified resistance by employers.

Several other reasons are usually advanced to explain Australian federalism. Firstly, the colonizing activities of France and Germany throughout the Pacific region in the late 1800s prompted a change in outlook of many leaders. The need for a single united defense force was recognized and, in an age of gunboat diplomacy, aspirations were stirred that Australia "ought to become Mistress of the Southern Seas" and to enjoy all the rewards that might accrue. Secondly, the idea of federation received some impetus from a growing national pride and sentiment reinforced by local artists, writers and cricket sporting heroes who showed that Great Britain could be beaten at its own game. Popular newspapers with intercolonial readerships also promoted a sense of shared history and national identity which tended to lessen parochial loyalties. Thirdly, the issue of federation was kept alive by influential organizations, including the Australian Natives Association which had disguised commercial interests. Finally, there was widespread concern in the colonies about protecting "White Australia" from the dangers of Asian immigration. Tight immigration control, it was thought, could best be maintained if one government supervised entry to the continent.

For those with greater reformist impulses who regarded federation as an opportunity to sever Imperial links and enhance an independent nation-state, the new constitutional framework was sadly disappointing. As social historian Richard White points out,

The new Commonwealth was not sovereign: it had no power to declare war or peace; it could not make formal treaties with foreign powers and it had no diplomatic status abroad. The Head of State was the British monarch; the Governor-General, her representative, retained wide discretionary powers; Commonwealth law could be invalidated by legislation of the British Parliament; the highest court of appeal was the Privy Council in London; the national anthem was England's. Yet in 1901, few Australians felt such restrictions to be onerous...Most would have seen them as reflecting the vulnerability of the new Commonwealth and its necessary dependence for its security on the British Navy. But most would have also seen it more positively, as reflecting a natural, wider loyalty to the empire. Race and blood ran deeper than nationality (quoted in Walter, 1989).

The federal constitution was written, debated and rewritten in a series of conventions held during the 1890s. These meetings were attended by bourgeois politicians, graziers, lawyers and other "men of property" whose overriding concern was to safeguard their substantial vested interests. Not surprisingly, the draft compact primarily embodied their ideas for an improved and efficient machinery of government rather than any nobler philosophical vision of nationhood.

The resulting federal structure is usually described as a marriage of elements from the British and American systems, and is often referred to as a "Washminster mutation." From the British model, the so-called "founding fathers" incorporated the already familiar principles of responsible Westminster Cabinet government together with the practices and conventions of the British parliament. These included a government drawn from and accountable to parliament, a political party system which gave shape to electoral contests, and a continuing role for the monarch through her appointed representative, the Governor-General. The American contributions involved a mechanism for judicial review, an upper house (Senate) which guaranteed equal representation for each state, and lastly, a written constitution which specified powers of the central government, leaving the residue to the states.

The underlying incompatibilities of this peculiar mix were recognized but ignored by the founding fathers who assumed gentlemanly that fair play would always prevail. One potential source of conflict was evident in the powers bestowed on the Senate. A compromise arrangement that could easily lead to a deadlock of the two houses and was thus in obvious breach of the Westminster notion of a sovereign lower chamber. The constitution's many inadequacies, including the absence of a bill of rights, made it a less than ideal foundation for modern democratic government. If anything, it reflected a highly pragmatic business merger on the part of colonial politicians who succeeded in relinquishing minimal powers to create a viable central authority while retaining sufficient autonomy for their new states.

Before the draft constitution could be sent to England for royal assent, it required endorsement by a majority of the voting population in each colony. Few Australians were overly excited by the affair and the document failed to achieve the requisite numbers in the first round of referenda conducted in 1898. The following year, only 60 percent of eligible voters participated yet it was sufficient to seal the charter's approval. The trade union movement, whose members had been excluded from the earlier conventions, was understandably opposed to the terms of the constitution. They viewed it as a reactionary and self-serving effort on the part of royalist conservatives devised to resist the onward march of Australian democracy. Such fears were not to be realized in the short-term and the fledgling Labor Party won substantial gains from the new electoral divisions.

## CONTRADICTIONS

The theory of Westminster responsible government establishes parliament as the focus of democracy. It is where the nation's interests are served and guarded through

open debate and decision-making by duly elected representatives. Parliament is where the buck stops, so to speak, as it keeps government honest and protects the rights of the people. In the contemporary British model, parliamentary sovereignty is assured. It does not share power with other tier of government, there is no area of law-making upon which it cannot act, and no court exists that can invalidate its legislation. Parliament itself is the custodian of the constitution and a simple Act of Parliament is all that is required to change its provisions. Most importantly, no other chamber exists that can undermine the House of Commons' position as the house of government. It is the only elected house and it alone is where representation and responsibility rests. The House of Lords surrendered its right of veto as early as 1911 and since then has held only very limited powers of review.

The Australian situation is far removed from the theory and even practice outlined above. When the founding fathers grafted federalism onto the British model, the end product drastically altered fundamental principles of Westminster responsible government. Under federalism, the Australian parliament is not sovereign. The House of Representatives is not the house of government and the essential chain of accountability is fractured by national and state governments that have separate and overlapping fields of responsibility. The three components of federalism which have been the source of continuing conflict are the written constitution, the High Court, and the Senate.

#### HIGH COURT

The High Court was created in 1903 to arbitrate on the constitution from which it derives legitimacy. The court is the final judge of the constitution and has the authority to overrule any law passed by either the national or state parliaments that it regards as constitutionally invalid. The court was specifically established with this power as a safeguard mechanism within the federal framework to ensure that no tier of government encroached on the delineated field of activity of another. The court's authority, however, places it above parliament and thus denies the essential sovereignty of parliament. It is a necessary feature of federalism which has resulted in a structure of government in Australia which is clearly at odds with the Westminster form as practiced in Britain.

As umpire of constitutional disputes, the High Court has also played a primary role in reshaping the original federal bargain. Successive governments trying to circumvent the limitations imposed on them by the constitution have frequently found themselves involved in protracted and complex litigation. This highlights one of the worst aspects of governance directly attributable to the federal compact in Australia, that is, excessive delay. At such times, federalism has come to resemble a system of confrontation rather than cooperation, and the court is reduced from legal expert to political player — an unavoidable outcome if one believes the dictum that constitutional law is "logic plus politics."

Court interpretations over the decades since federation have supported a greater centralization of powers, allowing the commonwealth to maneuver its way into policy fields which conflict with and undercut state responsibilities. The court's most crucial decision affecting intergovernmental relations concerned the assumption of income tax collection by the federal government. This had been surrendered temporarily by the states as an emergency measure during the Second World War, yet when the smoke and dust of battle cleared away, the federal government had no intention of returning the same courtesy. This move was subsequently twice challenged and upheld by the High Court. There is nothing in the constitution which gives the federal government exclusive power to impose income tax, and the states could do likewise if they so chose but it would be a foolhardy endeavor almost certainly leading to electoral defeat.

Most revenue in Australia is raised by way of income tax, customs duties, and excise. Under the constitution, only the federal government has the power to impose the latter — a concession on the part of the former colonies to enable financing for a national defense force. With its monopoly powers over income tax affirmed, the federal government was in effective control of the nation's purse strings. At the same time, it removed virtually all responsibility from the states for the standards of services provided within them. Hence, it became an electoral necessity for the federal government to maintain adequate public services in each state which also afforded an opportunity to influence more and more areas of state activity. Using its constitutional power to grant money tied to "specific purposes", the federal government intruded into such fields as health, tertiary education, roads, and urban development, all of which are constitutionally sole responsibilities of the states. Once again, the High Court has upheld this broad use of the federal government's powers. Tax powers have undoubtedly lost some of their attraction over the intervening years and under the guise of reforming the commonwealth-state nexus, successive federal governments have sought to devolve responsibility for revenue collection. The former Menzies and Fraser Liberal governments as well as the current Labor administration, all promised a "New Federalism" involving adjustments in financial assistance to the states. An assortment of schemes always fell short of state needs, thus exposing the hollow rhetoric of much federal diplomacy.

Critics of federalism stress its tendency to divide and blur lines of accountability. This is particularly so in the Australian context and it poses a very grave limitation on ministerial responsibility, a core component of Westminster parliamentary government. In most instances of shared portfolios, the situation becomes hopelessly confused to the point where no minister in any of the several governments across the country can be held answerable for certain actions. For example, agreements concluded by ministerial councils can never be scrutinized effectively by any of the other parliaments since the majority of participants are accountable only to their respective legislatures. The aboriginal people of Aurukun and Mornington Island in Queensland have been made into a political football between federal and state ministers for aboriginal affairs, each able to deny responsibility when it suits them. Should members of the public complain about poor conditions in a local school, a state minister quickly blames it on inadequate commonwealth funding, while the federal minister is able to retort that the state has not ordered its priorities correctly.

The most controversial area in this regard (and likely to remain so for some time) is the environment. The relevant commonwealth minister is Ms. Ros Kelly, one of the few women to hold a position of power in Canberra and the first ever to be a member of the Cabinet. She was recently accused of describing the Prime Minister's version of New Federalism as "crass politics." The subsequent furor has been especially rancorous, bringing more heat than light to bear on the issues. In the midst of bickering, *The Sydney Morning Herald* (September 11, 1991) editorialized,

The comments by Mrs Kelly that are at the center of the controversy concern how the Federal Government's attempt to renegotiate its relations with the States will impact on her powers to achieve satisfactory environmental legislation.

For the various governments involved in the dispute, of course the reverse is equally significant—how the new environmental laws will affect their dealings with each other.

Conservation, then, is at the cutting edge of matters which ordinarily would interest only scholars and constitutional lawyers. Ostensibly dry and remote issues are revealed to have important ramifications. One political observer has put the situation very succinctly:

Laws governing land use are State laws and only when (endangered species) conveniently congregate in sites where there are potential export industries will the Commonwealth do much to protect them. (*The Australian*, September 11, 1991)

Such comments emphasize two further points. First, the commonwealth can lay claim to and is often presented as the more enlightened and progressive partner in constitutional challenges. Whether deserved or not, the states (collectively or individually) are generally seen as venal, self-serving and antediluvian. The Queensland government was certainly the source of international outrage under a former administration as it sought to permit logging in virgin rainforests, sandmining of many splendid beaches and oil exploration on the Great Barrier Reef. Canberra used High Court-endorsed constitutional provisions to thwart the worst of these proposals. During Hawke's tenure, a previous Tasmanian state government also moved to build a dam that would have flooded vast tracts of wilderness. This too was stopped by High Court ruling.

Informal changes to the constitution through High Court rulings have made a nonsense of the Westminster notion of responsibility. So too, its role in the "steady aggrandizement" of commonwealth powers has transformed the way in which the federal compact actually works. One consequence is that the financial side of Australian federalism is particularly flawed as spending obligations of the states are simply not matched by their taxation powers. Over time, nevertheless, the exercise of federal dominance has gradually been qualified by political considerations so that the extent to which federal governments capitalize on favorable court decisions is now based on

calculated electoral advantages. What began as a co-ordinate federalist form which emphasized the separateness and legally independent status of each tier of government has evolved into a political federation whereby the greatest constraints on the exercise of commonwealth power are now political far more than legal (Emy & Hughes, 1988). Whoever wins the day in a confrontation over health, education or the like will do so mainly through public-approved sheer force of will.

## THE CONSTITUTION

Federalism required a written constitution to divide formal authority between the national and state governments. As the constitution limits the area of competence of the national government and because its contents cannot be amended by parliament, it is in obvious conflict with the Westminster prescription of a sovereign parliament. Any change to the constitution requires approval by referendum of a majority of voters in a majority of states. It is a complicated and rarely successful process given the nature of party politics, which is why most federal governments have tried to expand their powers through informal means such as High Court interpretation. Only eight alterations have been made by referendum over the years since 1901, including three in 1977.

The constitution is the country's supreme law, the definitive statement on the make-up of the Australian political system. One could thus reasonably expect to refer to it for a fairly precise albeit legalistic description of government. But this is not the case in Australia. Chapter II of the Constitution states that:

The executive power of the Commonwealth is vested in the Queen and exercisable by the Governor-General as the Queen's representative....There shall be a Federal Executive Council to advise the Governor-General....The Governor-General may appoint officers to administer such departments of State of the Commonwealth as the Governor-General in Council may establish. Such officers shall hold office during the pleasure of the Governor-General. They shall be members of the Federal Executive Council and shall be the Queen's Ministers of State for the Commonwealth.

Under the constitution, formal executive authority is exercised by a Governor-General who is appointed by the Queen and who in turn nominates an Executive Council from the parliament which the people elect. These ministers advise the Governor-General, oversee the operation of departments and hold office at his pleasure.

The practice of Westminster convention, however, makes the constitution an extremely inaccurate description of how political processes actually work. The Queen may appoint the Governor-General but he is selected and recommended to her by the Australian government. Similarly, executive authority resides with the Cabinet composed of ministers produced from the party or coalition which holds a majority of seats in the lower house, the House of Representatives. These ministers are chosen by the prime minister who in practice, is the sole adviser of the Governor-General.

The limitations of the constitution are even more apparent in regard to the prime minister and cabinet. Constitutionally they do not exist. The constitution does not set out how a responsible government should function and does not even recognize the key component in the entire process, that is, that the practices of responsible government are carried out through convention rather than by formal rules. As Australia's supreme law, the constitution is a defective, not a definitive statement on the structure of politics.

Conventions evolved over a period of more than a century in the developing British system of responsible government and were naturally adopted by many of the Empire's overseas colonial possessions. They are the informal rules, and mutual understandings between actors which guide the operations of the entire political system. In Britain where there is no written constitution, conventions are given legal force through established precedent. In Australia, prior to the 1975 crisis, none of these conventions was legally binding because they had been omitted from the written constitution. The smooth functioning of parliament was based on their acceptance as gentlemen's agreements. The system thus had the potential to breakdown if certain conventions ever came into conflict, and such conflict was made possible at the national level when parts of the Westminster model and federal form were grafted onto each other.

The technical aspects of the various conventions are generally applied in the Australian setting. Cabinet government which acts as a linkage between the executive and legislature is the most important. It is also the distinguishing characteristic between the Westminster and presidential systems. The existence of cabinet rests on another key convention, ministerial responsibility — a notion which should technically ensure accountable democratic governance by establishing a chain of responsibility running from cabinet to parliament to the people.

The technical rules of cabinet government require that ministers must hold a seat in parliament. Each is entrusted with specific executive duties assigned to him by the chief minister and all are individually and collectively responsible to parliament. Unlike other ministers, the chief minister must have a seat in the lower house and retains his position so long as he can maintain a majority of support in the popular house. His appointment is subject to conventional ratification by the monarch or the monarch's representative. The main onus of responsibility is on the chief minister who should resign or recommend a dissolution and general election if he loses majority support.

These conventional technicalities are observed in every parliament throughout Australia and since 1977 some aspects do have constitutional basis. Yet they make little sense outside of the context of disciplined party politics. Party politics as it presently operates in Australia subjugates parliament and government to the party undermining the key concept of ministerial responsibility. According to two academics, contemporary party politics as practiced in Australia "severely qualifies much of the Westminster myth if not the reality of the British prototype." They argue that the

Cabinet is not responsible to parliament. It responds to the caucus, to the party and, in periodic elections, to the people. In the sense of holding government responsible for its actions, parliament in Australia is impotent. It is the party, not parliament, which decides on the role, actions and policies of the government. In the same manner, individual ministers are responsible not to parliament but to the party in parliament, and it is up to the party - caucus, Cabinet or leader - to pass judgment and apply sanctions. In Australia, the roles and functions of government and party have become one, with a consequent decline if not disappearance of responsibility in government (Brugger & Jaensch, 1985).

Disciplined political parties have usurped the powers of government resulting in a form of "elective dictatorship." Chief ministers and cabinet decide the legislative program of the national and state parliaments and dictate almost every other aspect of their workings. They have vast powers including the right to select governors, chief justices and all other judges, police officials and the heads of all government agencies and financial bodies. In constitutional and practical day-to-day terms, an American president who must negotiate with Congress is far less powerful than an Australian prime minister.

In their defense, parties argue that responsibility has not been eroded but merely transferred to the electorate (Brugger & Jaensch, 1985). A tenuous assertion considering all components of representation—recruitment, candidature selection, competition for office—are similarly dominated by the parties. The people may vote in parliamentary elections but they have no voice in determining through the ballot box who shall head their governments or occupy vital executive positions. They must accept whoever is chosen by the ruling political parties. Effective democratic representation suffers. By no stretch of the imagination does the preponderance of white anglo-saxon parliamentary members even come close to reflecting the multicultural and gender make-up of the larger population. Indeed, even the machinery by which parliaments are elected—voting methods and electoral boundaries—have been stacked in the interests of major parties to maximize their advantages over independents and smaller parties. The situation is further aggravated by strong party identification which guarantees a large proportion of safe seats. Victory usually relies on capturing the swinging vote so parties package policies to suit the minority above the often marginalized majority.

The enormous powers collectively wielded by the prime minister and cabinet may seem to contradict the argument about loss of parliamentary sovereignty. The point is that in practice, so many factors qualify theory thereby reducing Westminster government to the status of myth. Once disciplined political parties emerged within an already flawed constitutional framework that gave no legal force to key conventions, it was only a matter of time before crisis ensued.

## SENATE

The Senate derives its theoretical legitimacy from two mutually incompatible concepts, the federal need for a states' house and the Westminster requirement of a house of review. Patterned after the American model, the Senate was given equal powers with the House of Representatives to the extent that it could veto any legislation coming from the lower house. This placed the Senate in a position where it could check the people's house, thus undermining the Westminster notion that the people's house should be the house of government and house of final responsibility. The obvious incoherence was recognized at the time by the founding fathers. A government could only govern so long as it maintained a majority in the lower house but it could not govern effectively unless it also controlled the Senate. In fact the powers assigned to the Senate were much broader than those needed to ensure the federal principle. The only power it was not granted was the right to initiate and make amendments to appropriation/money bills which provided the executive with financial supply. Here too, it was always assumed that the Senate would observe convention and give free passage to these important bills. The Senate was constructed in such a fashion for the simple reason that the smaller colonies would not agree to federate unless they had sufficient protection against ever becoming subordinated to a central government.

In order to overcome potential deadlocks between the two chambers, the founding fathers included a "mechanical contrivance" in Section 57 of the constitution. This allowed the Governor-General to dissolve simultaneously both houses of parliament in the event that the Senate twice "rejects or fails to pass" bills by the House of Representatives. Because of the inclusion of this clause, it could be argued that the Senate was even more powerful than the lower house. Whereas constitutionally the Governor-General could dissolve the lower house as he saw fit, the Senate could only be dissolved together with the lower house. A hostile Senate was thus in a position to force a dissolution of the lower chamber.

In 1897 colonial delegate and future prime minister Alfred Deakin predicted that:

The contentions in the senate or out of it, and especially any contention between the two houses, will not and cannot arise from questions in regard to which states will be ranked against states...Contests between the two houses will only arise when one party is in a possession of a majority in the one chamber and the other of a majority in the other chamber....The men returned as radicals would vote as radicals; the men returned as conservatives would vote as conservatives. The contest will not be, never has been and cannot be between states and states...It is certain that once this constitution is framed it will be followed by the creation of two great national parties (quoted in Brugger & Jaensch, 1985).

No sooner had federation occurred when political parties largely eroded the original rationale for the creation of the Senate. What happened in the upper house was not decided by states' interests but by party numbers. If a party held a majority in both houses then the Senate functioned as little more than an echo. If the government faced

a hostile Senate then confrontation and obstructionism resulted, tempered only by respect for parliamentary conventions. If the numerical balance of power in the Senate was held by independent members or those from a smaller party then the way was open for some measure of negotiation. The review function of the house similarly suffered at the hands of partisan activity.

#### CRISIS UNFOLDS

The drafters of the constitution had faced the difficult task of elaborating on paper the many complex features which comprise Westminster responsible government. The problem was overcome by ignoring it. The drafters simply followed the familiar colonial model of investing executive authority with the monarch's representative, assuming conventional practices would be accepted as a matter of tradition and good faith. This had generally proved satisfactory in the colonies but in the new federal context where mutually incompatible structures were at the mercy of cohesive political parties, mere good faith was no guarantee.

In December 1972, the conservative coalition opposition composed of the Liberal and smaller Country Party lost office after 23 years in power. Even worse was that their defeat had installed the left-wing Labor government headed by the erudite Edward Gough Whitlam. Conservative parties who dominated the Senate and thus controlled passage of legislation decided on a course of action to remove what they regarded as a socialist menace. There is no disagreement that theirs was a carefully calculated plan of obstructionism aimed at forcing Whitlam to an early election through a double dissolution. During Whitlam's two short terms lasting from 1972 to 1975, the Senate defeated more legislation than in any of the previous 71 years of federation. In 1975 alone there were 21 twice-rejected bills.

When a Supply bill reached the Senate in April 1974, the plan was put into action. The Senate took the bill into its custody by a formal first reading and then placed it on the shelf to collect dust. With few options open to him, Whitlam secured a double dissolution. Although his government was returned to office after the subsequent election, it failed to win control over the Senate where the balance of power was split between the Liberal coalition and the ruling Labor parties. With the status quo unchanged, the opposition put precisely the same plan into operation again. This time they were helped by the occurrence of two casual vacancies in the Senate. Convention dictates that any such vacancies should be filled by a member of the same party but in this case partisan advantage took precedence. The Liberal premiers of NSW and Queensland appointed anti-Labor senators to the positions giving the opposition a clear majority in the upper house.

In October 1975, another Supply bill reached the Senate and was promptly shelved. Little more than 12 months into his term, Whitlam refused to seek a second dissolution. A deadlock ensued and over the next four weeks a constitutional and financial crisis

erupted. The government was quickly running out of money as convention after convention was flouted. The Governor-General who should only listen to the advice of his chief minister broke convention by conferring with both the leader of the opposition as well as the High Court's Chief Justice Sir Garfield Barwick, a former member of the Liberal party and a Liberal appointee. Barwick, as he later explained to the media, merely informed the Governor-General about his "constitutional duties." The government had barely two weeks of supply remaining when on November 11th Sir John Kerr dismissed Whitlam as prime minister, announced a dissolution of Parliament, and then took the unusual step of inviting Malcolm Fraser, the leader of the opposition to form a caretaker government until new elections could be held. Prior to the effectivity of the dissolution, the lower house passed a vote of no-confidence in Fraser which conventionally obliged Kerr to dismiss Fraser in turn. Kerr simply ignored the maneuver.

There is no doubt that the power and action of the Senate contradicted normal Westminster arrangement and procedure. By blocking the Supply bill, it exercised legal right over constitutional principle, thereby breaking a convention faithfully observed by the House of Lords since the 17th century. As debate unfolded, each chamber made counter claims in regard to correct constitutional behavior, the Senate justifying its stand by appeals to its peculiar traditional dual roles as a states' house and guardian of national interests. That it had never functioned as such was of little consequence. The entire affair may have been resolved quite differently had the Governor-General did not intervene.

#### THE GOVERNOR-GENERAL

Political power in Australia derives from the Crown and proceeds from the Queen's representative, the Governor-General. He is not in office to reflect the people's will for he is not elected. The system of responsible government could be too easily undermined by a head of state who had an electoral basis of power which could be used to defy ministerial or parliamentary authority. By the time of federation the British system had developed to the point where the monarch was essentially a ceremonial figurehead considerably distanced from political intrigue. The founding fathers expected the same of all future Australian Governor-Generals. John Downer, a member of the federal convention in 1891 noted that:

We are not prepared to interfere with the cardinal principle of our constitution and that is that the nominal head of government should be only the nominal head of the executive and not become a real substantial legislative force in the community (Crisp, 1965).

This statement emphasizes that the Governor-General was always intended to have a significant but limited role.

The first Governor-General did play an important but specific role in the early governments as defenders of the Imperial connection. Australia had no independent foreign policy at the time of federation. In all such matters decisions were made in London and conveyed from the Secretary of State for the Colonies via the Governor-General to the Prime Minister in Australia. The Governor-General remained part of the laborious chain of communications until the adoption of the Statute of Westminster after the outbreak of the Second World War which transferred foreign policy powers to the national government. The Governor-General also acted as a guardian of the constitution with a large amount of "personal discretion" during the early years prior to the emergence of a stable two party system. By 1920 the political stability of parliament had greatly reduced this discretionary role.

The role of the Governor-General as Imperial Proconsul would obviously be weakened by the appointment of an Australian to the post. This happened for the first time in 1931 when the Labor Prime Minister James Scullin insisted even against the wishes of King George V himself, that Australian-born Isaac Isaacs should be appointed. Scullin fought tooth and nail to get Isaacs installed and the whole idea of an Australian Governor-General caused a fierce controversy. The fact that Isaacs was Jewish did not help. The real importance behind this change was that it emphasized the strength of the elected government at the expense of the monarch in the Australian system, hence altering the theory that the appointment of the Governor-General was an act of the King. The advice upon which the King should act was now that of the political party in power at the time.

More than a decade before Kerr summarily dismissed Whitlam, one prominent academic confidently concluded:

The history of the Governor-Generalship of Australia...has been the history of sure and steady erosion of the small initial deposit of personal initiative and discretion vested in the holders of the office. In becoming, politically, ever more innocuous and unobtrusive—and provided it does not seek to become socially too pretentious—it constitutes an ever more satisfactory formal keystone to the constitutional arch (Crisp, 1965).

Nobody could support the idea of sure and steady erosion of initiative and discretion after November 1975.

The action of Sir John Kerr in 1975 was utterly without precedent in the Australian context. No Governor-General had ever dismissed a federal leader. Some critics have drawn a parallel with the dismissal of the Lang Labor government in NSW during the early 1930s but the Governor Sir Phillip Game, sacked Jack Lang for alleged unconstitutional behavior. No wrongdoing of any sort was involved in the Whitlam incident. A popularly elected government with a healthy majority in the lower house could not get its money bills through the Senate and so the Governor-General intervened by getting rid of the government. Kerr gave Whitlam no prior warning nor did he offer Whitlam the opportunity to request another dissolution of parliament which would have allowed him to remain in office.

*The Age*, a Melbourne newspaper, described Kerr's decision as "a triumph of narrow legalism over common sense and popular feeling." It added that:

By bringing down the Government because the Senate refused it Supply, Sir John Kerr acted at least against the spirit of the Australian Constitution. Since 1901, it has been a firmly held convention that the Senate should not reject budgets...Sir John Kerr has created an awesome precedent - that a hostile Senate can bring down a government whenever it denies Supply. (Kerr) breathed life into a constitutional relic - the right of kings and queens to unilaterally appoint governments (Blum, 1986).

The Governor-General evidently had the constitutional authority to take the course of action he did. But in doing so, he defied several important parliamentary conventions. A very strong case can be put forward that he should not have removed a duly elected government at any cost, remembering that the government had not acted improperly, illegally or unconstitutionally. Kerr defended his use of the Crown's reserve powers as a means to an end, the end being an election. That he flaunted the important conventions of responsible government was of little matter. As one writer has explained, "Kerr placed his reliance completely on an election, if in the process constitutional sins might be committed, an election would wash them away" (Browning, 1985). As matters turned out, Whitlam lost the new election.

Some years later, the affair was engulfed in further controversy when American Christopher Boyce, arrested for treason, alleged that the CIA had manipulated Whitlam's downfall. Boyce was a former employee of TRW Systems Inc., a cryptographic communications center in Los Angeles which processed telexed messages between CIA headquarters in Langley and the Agency's satellite surveillance system in Australia. During his trial, Boyce claimed that he decoded several secret communications which had referred to Kerr as "our man."

There is some basis to Boyce's allegations though Whitlam himself has always avoided accusing the CIA of complicity. Australia has long been a host country of highly-sophisticated US intelligence and satellite tracking facilities. While their strategic value has declined over recent years, in 1972 they still comprised an extremely vital component in America's early warning system and global defense network. When Whitlam assumed office, many of his immediate actions aroused suspicion among the ranks of intelligence officialdom. Australian troops were withdrawn from Vietnam and diplomatic relations established soon afterwards. Australia's overseas intelligence organization (known as ASIS) was ordered to pull its operatives out of Chile. He closed down a communication signals station in Singapore run jointly by ASIS and the CIA. He refused security checks on his staff and permitted the Attorney General to conduct a raid on files held at the domestic intelligence bureau known as ASIO. Whitlam opposed US plans to upgrade its military base on the small Indian Ocean island of Diego Garcia and his government reversed a policy which had denied naturalization to leftist refugees from Chile and Greece.

It is not possible to determine whether the CIA actually engineered a covert propaganda scheme aimed at destabilizing the government after the first forced election in May 1974. Nevertheless, by the end of that year a media war was in full swing. According to Joan Coxsedge, a Labor member of the Victorian legislature,

almost every move by the Whitlam Government or by individual Labor parliamentarians, whether it was a departmental decision, a staff appointment, an international cable, a telex, a phone call, or a confidential letter, quickly became the property of the news media. There was an unparalleled campaign of personal vituperation, hinting at incompetence, dissension, corruption and personal scandal within the ranks of the government (Blum, 1986).

Trouble escalated in November 1975 when the local press reported that the US facilities were in fact CIA creations and that the first station chief had been channeling funds to the leader of the opposition minority party. Already the source of serious concern to the intelligence community, Whitlam gave notice of an inquiry into the real purpose and nature of the US establishments and also demanded a list of all CIA operatives based in Australia. His announcement sounded alarm bells in the corridors of the defense department and secret service agencies. Between November 6th and 9th, the Governor-General held a series of meetings with senior defense officials. During these exchanges, he was undoubtedly informed that the CIA had threatened to break off intelligence relations with Australia. Two days later, Kerr, without warning or ultimatum, sent the Whitlam government packing.

Ironically, Kerr had been appointed by the Queen on Whitlam's recommendation against the advice of others in his party. It proved the worst error of judgment in his entire political career. Of course, Whitlam was not to know that Kerr would breach convention in such a manner, yet warning signs were there. Since the 1950s Kerr had been closely connected with a number of CIA fronts. He was an executive member of the Australian Association for Cultural Freedom and a past president of Law Asia, both of which were local chapters of prominent CIA-inspired foundations. At the very least, Kerr's decision was a calculated political move, not a constitutional duty.

## CONCLUSION

Australians generally believed before 1975 that they lived in a democracy and the majority probably still do. But the Australian government then and now is a constitutional monarchy. No constitutional change has occurred since 1975 to prevent the Governor-General from sacking a future leader although the chances of such have been reduced by the Australia Act of 1986, a parliamentary reform which specifically requires governor-generals as well as state governors to act exclusively on the advice of their chief ministers. Prior to this measure, in 1977, the Fraser Liberal Party somewhat ironically pushed through a referendum giving legal force to the convention that senate vacancies be filled by a member of the same political party. Still this is no guarantee that opposition parties in the Senate will observe other conventions and refrain from forming alliances which are intent on blocking supply bills of the lower house.

In explaining the 1975 crisis, many commentators (including the now deceased Sir John Kerr himself) treat with politics in a vacuum. Few chose to address the real issue of who controls Australia and what political realities were hidden within the constitutional furor. The 1975 crisis, of course, was not an event isolated in time. Its origins can be traced to the great clashes of the 1890s between "labor" and "capital." Federation later shaped class tensions into national confrontation by producing the highly disciplined parties which have opposed each other throughout Australia's history. Liberal parties happily dominated the country's political life, ruling for more than 60 of the 75 years since federation. Labor had been the classic underdog but that all changed when Whitlam won office. Powerful conservative forces and business interests reacted with a plan never before used, to remove a democratically elected government before its three-year term expired. It was another chapter in labor's struggle against capital. No conservative government would ever find itself in the Whitlam predicament, after all, Australia's upper chambers have always been designed to work against radical change. The current Labor government, often criticized as a pack of conservatives with a human face, learned well from the Whitlam experience.

As the Australian federation approaches its centenary year (2001), proposals are being advanced for an overhaul of the federal compact itself. The constitution has been judged to be an inadequate document for a middle power with First World aspirations as it faces the challenges of the 21st century. The debate regarding the necessity or otherwise of change will become much more heated over the next few years. Republicanism is posited as one solution, allowing for a system of limited executive authority with a clear separation of the three arms of government. The American model, in which the powers of an executive president are checked by those of Congress could also form the basis for new constitutional arrangements if parties are reconstituted in a way to reflect the true interests of their constituents. At this stage, there is little argument that Australia's current system of parliamentary responsible government has grave deficiencies. Whatever changes may result, they must ensure that the Australian people become the real source of political power.

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# REEBOK SHOES AND SPECIAL ECONOMIC ZONES: A CASE OF LOCAL AUTONOMY IN CHINA<sup>1</sup>

*Mario I. Miclat*

It is a common belief among us Filipinos that Marikina shoes are exported all over the world, although under various foreign brand names. Indeed, a report circulated among shoe producers in southern China's Special Economic Zone (SEZ) of Shenzhen showed that Philippine share of world sales for footwear in 1992 was projected to reach 0.56%.

Placing the world's population at six billion, it would mean that 336,000 pairs of shoes will come from the Philippines if only one out of a hundred persons in the world buys a pair of imported shoes a year. At a conservative estimate of ten dollars net per pair of branded shoes, the amount shall easily earn for the Philippines much needed foreign currency amounting to US\$3.36M.

Rather than resting on our laurels, however, let us look at our budget coming from our shoestrings. The same source noted that the figures show a decrease of 12.62% in the quantity of 1992 Philippine share in the world market compared to 1991. But the value of Philippine share is expected to increase by 15.03%.

## BRANDED AND NOT KUNGFU SHOES

China is the world's largest shoe exporter, with an expected share of 53.10% of the 1992 world market. The figure indicates a quantitative increase of 44.27% compared to last year's. Increase in the value of its branded shoe products, meanwhile, is expected to reach 71.69%. Among the top branded shoes, in order of their world sales, are Nike, Reebok, L.A. Gear, Keds, and Adidas.

Chinese factories producing Reebok brands<sup>2</sup> got 21.36% of January-July 1992 orders from the US mother company, particularly the Reebok Trading (Far East) Company, Ltd. One can compare China's share of Reebok orders with South Korea's 29.18%, Indonesia's 24.83%, Thailand's 16.80%, and Taiwan's 3.47%. The low figure for Taiwan is a sign, more than anything else, of the island's shift to high-tech from labor-intensive consumer goods production. The remaining 4.36% of Reebok orders are produced by three factories in the Philippines.

The Kong Tai Shoe Manufacturing Company, Ltd. in Baoan, just outside Shenzhen, is one of ten companies in China producing shoes for Reebok. A look at Kong Tai's name written in Chinese characters would reveal the source of its capitalization. Kong is for Hong Kong while Tai is for Taiwan. It is, indeed, a Taiwanese factory which was set up in the mainland through its Hong Kong corporate office. In short, it is a Hong Kong-based Taiwanese venture in China.

Being an independent shoe factory, Kong Tai takes care of its own product development planning, tooling, and raw material sourcing. Its equipment and machinery are mostly bought from Japan. As such, it may enter into contract with other branded shoe companies. Whenever it does so, Kong Tai chooses to make shoes only for non-Reebok competitors. Seven of its production lines,<sup>3</sup> watched over by 18 Taiwanese technicians, are for Reebok. Around 2,700 workers coming from China's rural areas man the cutting, lasting (assembly) and stitching lines housed in four five-storey factory buildings. The compound has also its own administration building, sports ground, and men's and women's dormitories.

If Reebok does not have its own factory and is but a customer of shoe factories like Kong Tai, how does it maintain the standards it has set for products carrying its name? It does so by keeping a highly paid cadre of management officials and quality assurance engineers under the over-all supervision of an American country manager.

For instance, Larry Mariani, Reebok's country manager for China, oversees three factories in the Shenzhen area (one of which is Kong Tai), three in the Zhuhai-Panyu area, and four in the Fuzhou area. He is supported by a management staff composed of a Hong Kong-based production manager for China, China-based area assistant production managers, and quality assurance and quality control (q.a.- q.c.) engineers. It is interesting to note that Mariani's management staff for Reebok China is an all-Filipino outfit. A Filipino senior q.a.- q.c. manager for China-Taiwan-Philippines, Alberto Dy, also helps him in his China operations. It was Mariani who, according to our resources, specified to his company that Filipinos should help him manage his operations. But he also hires local inspectors to frequent the production lines and spot check 120 per 500 boxes of finished products.

The Filipinos, besides ensuring that Reebok standards are kept at high levels, also serve as consultants to Taiwanese investors on production management. Obviously, while instilling efficiency in Chinese factories, Filipinos make the American management theories they learned in school adapt to an Asian setting. Philippine slogans plastered on factory walls remind workers of the importance of quality products. For example: "Quality means business; Business means jobs, our jobs."

The investors, meanwhile, are attracted to, among others, the low labor cost and virtual strike ban in China. Power outages, which beset the Shenzhen area now, are expected to ease up when the Daya Bay Nuclear Power Plant nearby is initially commissioned in July. Reliable sources reveal that exactly 115 Filipino nuclear scientists and technicians have been hired by the foreign nuclear plant operator to conduct the high-tech processes of power generation. China's most favored nation (MFN) status in the United States provides an added incentive to investors with an eye for the American market. Some branded shoe traders look at MFN as a very serious matter that they are prepared to transfer their operations in Vietnam in case China loses such a status. The same is true if Europe imposes a quota on China purportedly in support of the new East European states.

Taiwanese investment, Hong Kong corporate laws, Japanese equipment, foreign power-generation, Chinese workmanship, American standard, and Filipino management expertise all combine to come up with a branded shoe. How is it possible to produce such a multi-national shoe in China? Or how is it possible to similarly produce the "Made-in-China" toys, garments, electric appliances, hardware supplies and electronic products that glut the country's compact disks market especially at Christmastime?

The answer may be found in China's highly autonomous, yet centrally well-supported SEZs, and the so-called open coastal cities, open areas, and open industrial zones.

### THE SHEKOU EXPERIMENT

The Shekou (Open) Industrial Zone, established in 1979, was the earliest export processing zone in China. Its establishment came on the heels of Chinese President Li Xiannian's March 1978 visit to the Bataan Export Processing Zone.<sup>4</sup> There, President Li had the opportunity to observe the way a foreign factory produced Bata shoes.

From a small fishing village with a population of 2000, Shekou has grown into a 10-square kilometer industrial zone with 42,000 people. Its 400 enterprises produce light, medium, and heavy industrial goods from garments, silk cloth, and foodstuff, to glass floats and construction materials. Its industrial output value amounts to RMB¥3.38B,<sup>5</sup> according to Yang Shen of its Public Relations Department. It has a three-jetty port, one of which is the biggest container port in China, maintained and operated by the China Merchants Corporation.<sup>6</sup> Yang Shen explains that Shekou has been divided into three sectors, each of which is maintained and operated by three different entities: a) the China Merchants Corporation; b) the Shekou Fishing Trade Industry Corporation; and c) the Ziwan (Purple Bay) Corporation whose biggest shareholder is also China Merchants. Personalities involved in these operations include Y.K. Pao (Bao Yong-gang), the shipping magnate; and Yuan Geng, China's Hong Kong connection even during the heyday of the cultural revolution.

The Shenzhen Top-Tech Electronics Co., Ltd.,<sup>7</sup> one of Shekou's factories, produces black and white security closed circuit TV cameras using Taiwanese investment, Japanese equipment, Philips' imaging technology, and English language-based computer programs. It provides job to 80 Chinese workers who are constantly exhorted with slogans like the so-called four firsts: "Customer first, quality first, reputation first, and service first." Another slogan reads: "Do it right the first time."

It must be noted at this point that Shekou is now but a small part of a large Special Economic Zone. The success of the Shekou experiment prodded Beijing to designate Shenzhen (Shumchum), a small town adjacent to it as China's first SEZ in 1980.

## BEIJING-DESIGNATED SEZs AND OPEN COASTAL CITIES

Foreign capital and advanced technology enter China through its special economic zones (SEZ) and open coastal cities. Shenzhen in Guangdong province, where Shekou is located, is the first SEZ established by the central government in 1980. (See Guangdong's Administrative Map.) As Shenzhen's advantages became apparent, three more SEZs were established: Zhuhai and Shantou (Swatow), both in Guangdong, and Xiamen (Amoy) in Fujian (Fookien). In 1988, the whole island province of Hainan, with a land area of 34,189 square kilometers,<sup>8</sup> was also turned into a SEZ. In 1984, Beijing decided to open 14 coastal cities to foreign investment, namely: Tianjin (Tientsin), Shanghai, Dalian (Dairen), Qinhuangdao, Yantai, Qingdao (Tsingtao), Lianyungang, Nantong, Ningbo, Wenzhou, Fuzhou (Foochow), Guangzhou (Canton), Zhanjiang and Beihai.

Tianjin in the north, which like Shanghai and Beijing does not fall under a province but is directly under the national government, is composed of nine urban districts with an area of 315 square kilometers and an additional area of 10,990 square meters.<sup>10</sup> It has a population of 8.78 million. Its zone for foreign investment, the so-called Tianjin Economic-Technological Development Area (TEDA) occupies an area of 33 square kilometers. **A Guide to Investment**, published by its city government, quotes the United Planning Company of the United States to show how TEDA greatly surpasses total investments in each export processing zone of Taiwan, South Korea, Thailand and the Philippines.

Xiamen in the south, heretofore an isolated island facing the Taiwanese-controlled island of Jinmen (Quemoy), started operating a SEZ in a 2.5 square kilometer area in October 1981. Since then, "an export-oriented economic structure with industry as its mainstay has taken shape."<sup>11</sup> After its initial success, the whole of Xiamen Island, including Gulangyu Islet, was turned in 1984 into a SEZ with an area of 131 square kilometers. In May 1989, Beijing approved the setting up in Xiamen of a Taiwan Investment Zone, with an additional area of 126.64 square kilometers.

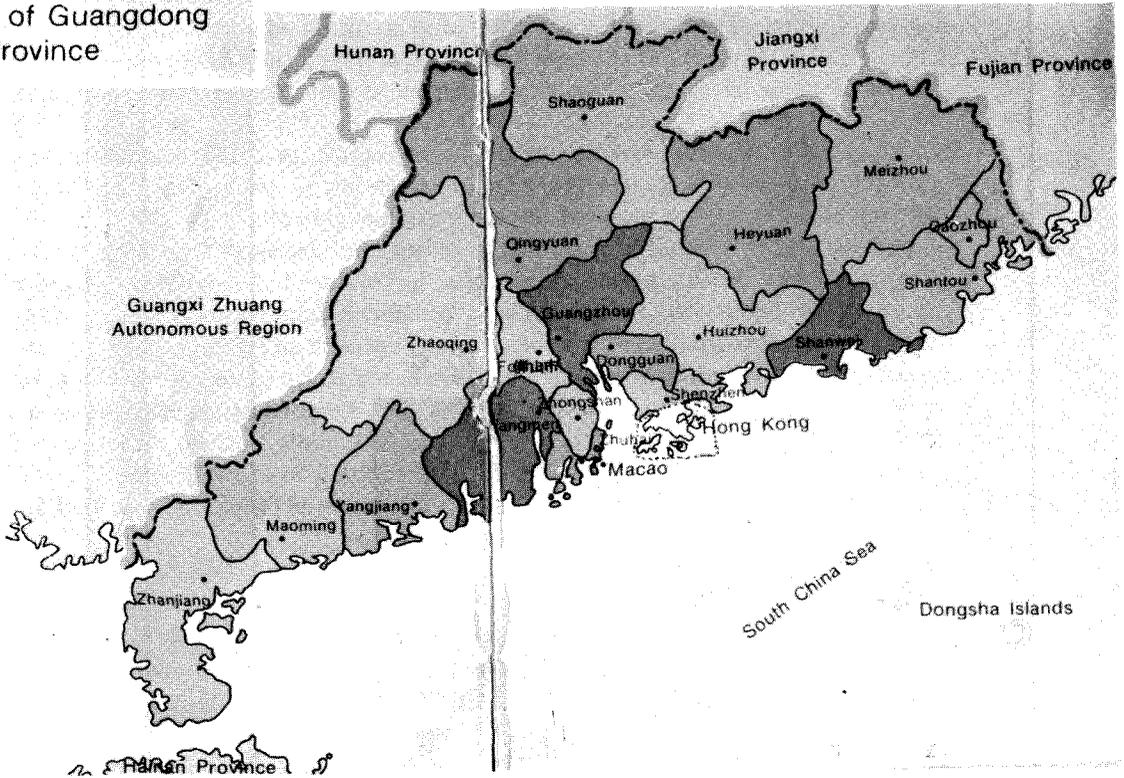
Chinese Filipino investments like Henry Sy's Xiamen Plaza and Go Eng Guan's condominium housing units, among many others, greatly contributed to Xiamen's present cosmopolitan ambiance. Indicative of Xiamen's good investment environment is the account that the monosodium glutamate factory in Xiamen of Ajinomoto (Philippines) has recouped its investments in a year's time. Secretary Ye Wende of the Communist Party branch in Caitang Village was very eager to show his visitors a granite mill and a cardboard box factory owned by Taiwanese investors, and an earthen brick workshop owned by a local investor.

What made them click? What are the factors behind the apparent success stories in China's open cities and SEZs? Tianjin's and Xiamen's are only replications of what is considered the model of them all, Shenzhen.

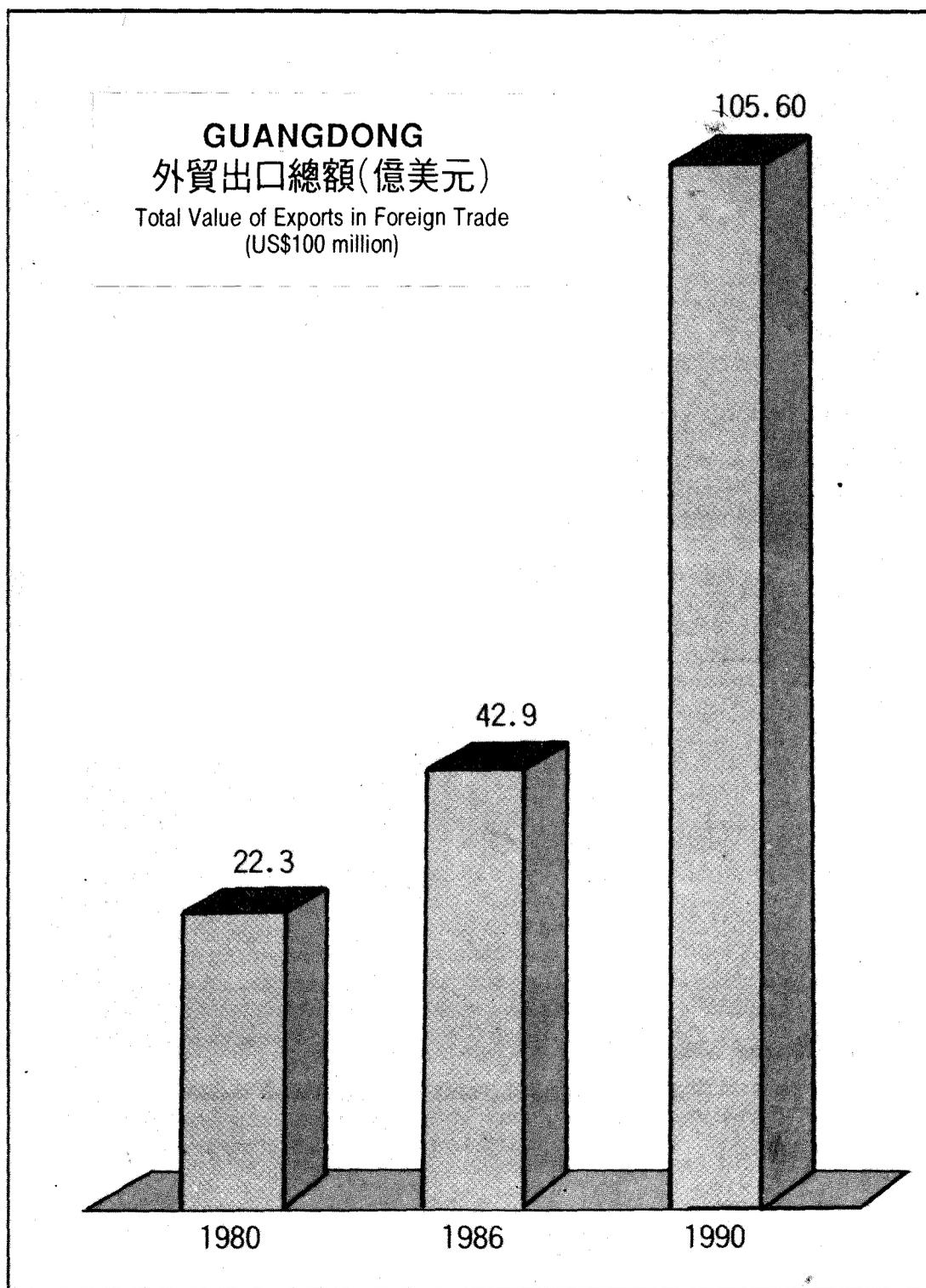


Location of Guangdong Province

## DIVISION OF GUANGDONG PROVINCE ADMINISTRATIVE



Map by Guangdong Association for External Cultural Exchanges



## SHENZHEN'S SPECIAL CHARACTERISTICS

In 1980, Shenzhen was a small town of 30,000 people. The tallest building in its 3 sq. km. land area was five storeys high. Now, 12 years later, it is a 2,200 sq. km. modern metropolis properly zoned into industrial, commercial, tourist, residential, cultural and educational areas. Its population, coming from all over China, has swelled to 2.38M (including Baoan County's one million). Its International Trade Building, built at a rate of a floor in three days, has 53 floors. Soon to be the tallest being built, constructed by Thai investors, is called simply the Shenzhen Building. There are 4,287 foreign industrial and commercial enterprises in Shenzhen whose total investments amount to US\$3.8B, or around 15% of all foreign investments in China. Its gross domestic product (GDP) since 1981 has been growing by 45% per annum, a rate that is faster than the fastest growth rate of any of the Asian dragons.

According to Zhang Yi<sup>12</sup>, the most important factor in Shenzhen's development is the central government's favorable policy of allowing the SEZ to be as flexible as possible so it may boldly experiment on all forms of investment policies. For instance, Shenzhen now allows foreign investors engaged in processing products for export 100% equity and 100% repatriation of profit. Moreover, corporate income tax has been set at 15%.

Unlike the rest of China, Shenzhen which started from scratch is not burdened by a shift from the traditional Soviet model of a centrally-planned economy to the now more favored policy of allowing market forces to regulate economic development. Traditionally, planning governed all aspects of the Chinese economy from production to distribution, which dictated sourcing of raw materials even when economically non-viable and yielded non-marketable finished products which only found their way to godowns (i.e. warehouses). The Shenzhen policy is to have planning go hand in hand with the market economy, i.e., to allow the central government to intervene in matters of direction-setting, financial policies, and taxation; and where transportation and power rates may be set by the state while 97% of all other sectors rely on market forces. Zhang Yi referred to the examples of Singapore and South Korea where strong government direction helps promote market economy.

Zhang Yi also referred to Shenzhen's proximity to Hong Kong as another advantage for Shenzhen which other cities in China do not enjoy.<sup>13</sup> He expressed the hope that Shenzhen learn from Hong Kong its excellent experiences as one of the finance capitals of the world. In the same breath, he mentioned of an on-going crackdown in Shenzhen on pornography and prostitution as a proof of its "still being socialist" while Hong Kong is capitalist. Other features of Shenzhen's economy include: a) publicly-owned industries coexist with 100% foreign-owned companies, joint ventures, cooperatives, and individual enterprises; b) state-owned banks coexist and compete with sectoral, commercial, industrial, and foreign-owned banks; c) state ownership of all land is offset by a 50 year lease-hold system where favorable prices are set for those designated for industrial use, while commercial lands are open to bidding and options;<sup>14</sup> d) the so-called "iron rice bowl," which provides equal security of tenure to all workers regardless of

their varying degrees of competence, is replaced by freedom on the part of management to hire or fire workers who, on their part, are asked to contribute to a kind of social security system hitherto unheard of in China; and e) industries outside the state-designated duty-free areas, which require no tariff for materials used in producing export products, may buy tax-free their requirements from the latter.

For better administrative purposes, it is being proposed that Baoan County, where Kong Tai Shoe Manufacturing Company and scores of other factories are actually located, be officially made part of Shenzhen SEZ.

The proposal may prove disadvantageous to investors. Investors in Baoan make use of the fact that it is not technically part of the SEZ, though geographically part of Shenzhen, to produce highly competitive goods. On the one hand, they make use of the last feature mentioned above to procure duty-free raw materials from the actually designated SEZ. On the other hand, they presently enjoy cheaper labor than if it becomes formally part of Shenzhen SEZ. Such a situation prompted a comment from Liu Yun, assistant director of Shenzhen's Foreign Affairs Office that in some ways, SEZs are no longer that special.

The SEZ is fenced all around, and one could enter only through checkpoints upon presentation of proper identification documents. Meanwhile, displaced rural workers seeking greener pastures may come to Baoan without going through much formalities. Such being the case, investors could choose to give lower wages and less benefits here than in the SEZ proper, if they are higher than the rest of China. Shenzhen proper may look ultra-modern, but one may find ghettos — the so called "floating population" or migrant workers in Baoan. If the plan pushes through, Baoan will add another 1,692 sq. kms. to the fenced area of Shenzhen.

#### SOME COMMENTS AND OBSERVATIONS

When asked if he thought Shenzhen could serve as a development model for China, Zhang Yi replied that the SEZ should share its excellent experiences with the whole country for the sake of the common weal, socialist education and the people's spiritual development. One may observe, though, that investments in Shenzhen are mostly concentrated on export-oriented light- and medium-sized industries. It has not built heavy and highly technical industrial bases as have Shanghai, Beijing, Harbin, Wuhan, and Xian. It can only complement, not replace, the contributions of the traditional industrial bases to the national economy. Shenzhen, including the other SEZs in China, is an example of an area within a country tasked with a clearly defined function, i.e., that of providing replicable experiences for a whole economic structure which is undergoing reforms. The flexibility it needs for such a task is provided by a clear-cut central government policy of least interference in its experimentations. The policies it derives from its own experimentations, however, such as those with regard to management, hiring, and social security, although for most parts applicable to other cities, must not

be confused with the needs of the whole economy which is still largely agricultural. Zoning it, and making it produce goods almost exclusively for export, helps lessen the adverse impact of rapid development on a largely rural population. Strict control over population movement which characterizes its traditional Soviet model, still serve China in good stead in terms of minimizing social imbalances that arise from what otherwise would be hasty modernization. The very liberal package Shenzhen and the other SEZs offer to foreign investors make them very competitive with Philippine efforts at industrialization. What makes the Shenzhen example relevant to the Philippines, then?

The Reebok experience may be an indication.

#### NOTES

<sup>1</sup>This paper contains observations about the latter part of this researcher's most recent trip to China: first, as deputy head to a UP Asian Center delegation which toured Beijing, Xi'an, Guangzhou, Guilin, and Shenzhen and had discussions with fellow academics and researchers from May 19 to 29, 1992; second, as an individual researcher doing interviews in Baoan County near Shenzhen, and in Guangzhou and Xiamen from May 29 to June 2; and third, as part of another delegation, that of the Philippine Association for Chinese Studies (PACS) headed by Singaporean scholar Theresa Cariño until June 5.

<sup>2</sup>This researcher has gathered that the owners of this shoe trademark which carries the Union Jack in its logo are not British at all, but a US shoe trading firm which owns no factory.

<sup>3</sup>The number had increased to nine September of this year.

<sup>4</sup>Established in 1972.

<sup>5</sup>There are approximately six yuan renminbi (RMBY6.00) to a US dollar, or P5.00 to Y1.00.

<sup>6</sup>Established in 1872.

<sup>7</sup>The UP Asian Center delegation visited the Shenzhen Top-Tech Electronics Co., Ltd. when it toured Shekou on May 27, 1992. The manager of its purchasing department, a local Chinese named Zheng Zhengyu, showed the delegation around its workshops.

<sup>8</sup>Cf. Samar: 13,077 sq. km; Negros: 12,704 sq. km; Panay: 11,512 sq. km; Leyte: 7,213 sq. km; and Cebu: 4,421 sq. km.

<sup>9</sup>See China: A General Survey (Beijing: Foreign Languages Press, 1989) p. 182.

<sup>10</sup>Cf. Manila proper: 37 sq. km; and Metro Manila: 4,338 sq. km.

<sup>11</sup>According to A Guide to Investment in Xiamen Special Economic Zone. Published by the city government in 1991.

<sup>12</sup>Coitang Village was visited by the PACS delegation on June 4, 1992.

<sup>13</sup>This researcher had discussions with Zhang Yi, research assistant to Shenzhen's Foreign Affairs Office on 27 May 1992.

<sup>14</sup>Note also the location of the other SEZs, which happened more by a design to attract international investors rather than by an accident of geography: Xiamen is near Taiwan; Zhuzai, a stone's throw away from Macau; while Hainan is in the South China Sea, in fact the biggest island in all the archipelagos there. The coastal area of Shantou is home to most overseas Chinese, and may attract their capital, too.

<sup>15</sup>Cf. Xiamen's detailed incentives for foreign use of state-owned land: 40 years for industrial; 50 years for commercial, transportation, communication, and public service; 70 years for housing; 60 years for technological, educational, cultural and health care; 30 years for all other uses; and two years for temporary use. (See Xiamen's Guide to Investment, *op. cit.* p. 17).

## BOOK REVIEW

Susana B.D. Devalle. DISCOURSES OF ETHNICITY, CULTURE AND PROTEST IN JHARKHAND. New Delhi: Sage Publications, 1992. 279pp.

by: *Artemio D. Palongpalong*

The book under review is an excellent piece of scholarship that uses the multi-disciplinary approach in analyzing the issues of ethnicity, nationalism, subordination of the tribes to the culture and designs of the majority (Indians), and development in general in a post-colonial Third World society.

The author has correctly selected Jharkhand, a region in the state of Bihar, India. In this region lives a good number of ethnic groups, including Scheduled Tribes (98 percent of Scheduled Castes are Pan or Sawasi, Ghasi and Bauri of Bihar and 2 of 10 million registered as Scheduled Castes). Of particular interest to social scientists are the issues of nationalism and ethnicity/tribes, class denomination and culture of protest.

Benedict Anderson's idea of an "imagined community" has been appropriately cited. In a social situation where such factors as colonial encroachments, administration and lingering neocolonial impact, social formation, geopolitical position, etc. are very much at work, there seems to be no appropriate description of nation-state except that which Anderson has proposed.

But linking together what may be considered the scattered, non-interconnected communities into one palpable whole who has to reckon with two constructs: ethnicity and class conflicts. The volume has presented several insights into the first, which includes the questionable conduct of the elites in the region, who behave much like the previous colonial overlords. [These insights may have their precedent in Dr. Jose Rizal's "The slaves of today will be the master of tomorrow".] The book describes the power elites as looking at the tribals as uneducated, uncultured, and uncivilized. As to the second construct, i.e., class conflicts, the views and aspirations of the masses are not lost to the author, which is appropriate in any discourse on nationalism. In vivid terms, scholars of the West are very much concerned with the gap between the economic/political elites and the masses. The status of the common men must be improved and pushed upwards, before an "imagined community" can have a semblance of reality.

What is equally interesting to social science scholars as well as those specializing in area studies is what Devalle calls "the culture of oppression," studies side by side with its opposite, "culture of protest." The long history of social unrest in Jharkhand is part of the people's collective consciousness. It is undeniably part of its people's will to survive and flourish as a society, not just to exist. Ranged against that historical reality is the series of oppressive acts of the majority, the culture of oppression and terror.

The battle between the elites, the majority culture and the ethnic minorities may be compared to the struggle between what some scholars in a different clime call "center-periphery" conflicts. This issue, along with those of nationalism and its components or sub-issues, is extremely relevant to the construction of a democracy, the true role of the people.

*Minus the unavoidable verbiage, and sometimes inadequately explained phraseologies and jargons that seem unavoidable in the use of the various disciplines, the volume is of high value to scholars and area studies experts as well as students who deal with Asian post-colonial nation-states.*

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