

Federalism, Decentralization and Local Autonomy in the Philippines: Issues, Concerns and Directions

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Notes presented at the

PAGBA 2nd Quarterly Seminar held at the Pryce Hotel, Cagatan de Oro, 7 July 2017.

These take off from notes earlier presented at the International Conference Federalism and Decentralization: Perceptions for Political and Institutional Reforms in the Philippines, 4 – 5 September 2015 Hotel H2O, Manila, Philippines and the PDP Laban Conference on Federalism and Constitutional Reform 27-28 June 2016 Ambassador Hall, Manila Grand Opera Hotel, Manila

I am grateful Usec Mario Relampagos for the invitation to be part of this very relevant conference. My gratitude too to Tatay Aquilino “Nene” Pimentel and Dr Jose V. Abueva for their inspiration and support over the years

Many Characteristics of Politics and Administration in the Philippines

- Vibrant
- Dynamic
- Democratic
- *Paradoxical*
- *Centralized*
- Decentralized
- Participative
- representative
- *Tumultuous*
- *Ningas Kugon*
- *Personalistic*
- *SIR*
- *Dynastic local elite dominated*
- *formalisms*
- *Patronage -client*
- *Transactional*
- *Vote-buying*
- *Pragmatic*
- *Party-switching*
- *Cynical*
- *Vindictive*
- *Intense*
- *Critical*
- *Angry*
- *NATO*
- *Violent*
- Fiesta like
- Fun

Framework for Governance and Reform

(Brillantes, Fernandez & Perante-Calina, 2013)



Part One

Main Messages

- From the Philippine perspective, the debate on decentralization, devolution and local autonomy has been alive and well
- Discourse on autonomy has been subject of many policies including the Malolos Constitution, barrio charter act of the 50s Our participants include two regions identified in the constitution as autonomous regions: Cordillera and Muslim Mindanao who are with us today.
- Philippine context: debate on Federalism has been tied up with decentralization and autonomy: we said it is the logical next step to devolution. About transfer of power to lower levels. But should be located within the context of power sharing.

Main Messages

- In designing the federal structure of the Philippines, delineation of powers, authorities, functions, responsibilities have to be very clear. This include exclusive and shared / concurrent functions, responsibilities and powers of various levels of government (federal / state / local). This also includes revenue raising / fiscal and budgetary matters. The Philippines has an edge considering that we can learn from, and take off from the lessons learned from devolution over the past years.
- The idea of a federal structure for the Philippines has been articulated by Jose Rizal in the late 1800s as part of the continuing search and design for the appropriate politico-administrative system for the Philippines. This has been re-articulated by former Philippine president Jose P. Laurel, and later by his son, Salvador Laurel, who was President of the Nacionalista Party of the Philippines
- Federalism was incorporated into the platforms of government of certain political parties. Foremost was the Partido Demokratiko ng Pilipinas – Laban (PDP-Laban) headed and founded by Senator Aquino “Nene” Pimentel.

Main Messages

- International organizations played a key role in advocating the idea of federalism in the Philippines. This included the German foundations especially the Konrad Adenauer Foundation, the Canadian based Forum for Federations, and the Institute for Federalism based in Friburg, Switzerland.
- Local academic institutions led by the Center for Regional and Local Government of the National College of Public Administration, the Mindanao State University, and the Pimentel Institute of Local Governance (formerly in UMAK but soon to be in PUP) continued to deepen the discourse on federalism
- International conferences on federalism have been conducted in the Philippines.

Part II

Decentralization and Local Autonomy

We begin with a quick Discussion of
Decentralization and Local Autonomy that serves
as the Platform for Federalism

Decentralization and Federalism as a Development and Reform Strategy

- Builds the capacities of sub-national institutions to enable them to respond to local needs
- Innovations and flexibility at the local level
- A powerful tool for national development. good governance and poverty reduction, given the appropriate capacities and policy mix

Decentralization and Local Governance

But decentralization in the Philippines started earlier on even before the enactment of the Local Government Code. As early as “1500’s (Pre-Hispanic) decentralization efforts were seen already as the chieftain of native settlements exercised executive, judicial and legislative powers assisted by Council of Elders.

The so-called Monarchical chieftain (*datu, panginoo or pangolo*) heads the autonomous territorial and political units during the era (Brillantes, 2014). However, it was in 1992 when decentralization in the Philippines was given much emphasis and importance that led to notable contributions of local governments in national development.

Chronology of Decentralization in the Philippines: Milestones

1898	1 st Philippine Republic under Malolos Constitution	Malolos Constitution introduced “decentralization” and “administrative autonomy” by instituting localized law-making bodies through the municipal and provincial assemblies. Local officials were elected on a popular basis.
1902-1935	American Occupation	Promulgation of a number of policies promoting local autonomy; largely because of security considerations, local affairs had to be under the control of the Americans.
1935-1946	Commonwealth Period	Local governments were placed under the general supervision of the President following the provision embedded in Article VII Section II of the 1945 Constitution; President, by statute, could after the jurisdictions of local governments and in effect, create or abolish them; President Quezon preferred to appoint the chief officials of cities thus further centralizing political authority in the presidency.
1946-1972	Philippine Republic	The Philippine Republic was not so centralized because of the establishment of a Philippine Republic that was a unitary form of government headed by an elected President.
1972	Marcos Dictatorship	A dictatorship was established by Marcos that centralized power in the Presidency.
1983	Local Government under Authoritarian Rule	Local Government Code under authoritarian rule of Marcos (Batas Pambansa 337)
1986	Freedom Constitution	Immediately after the overthrow of the Marcos regime, the Freedom Constitution was enacted that led to two major pieces of legal frameworks – the 1987 Constitution and the Administrative Code

1987	1987 Constitution	Included specific provisions guaranteeing autonomy to local governments
1991	The Local Government Code of the Philippines	The enactment of the Local Government Code that was implemented in 1992
1992 to present	Implementation of Devolution under the Local Government Code	<p>Phases of Devolution under the Master Plan for the Implementation of the Local Government Code (Changeover; Transition and Stabilization).</p> <p>Challenges in implementation of Devolution ranged from inadequate financial resources at the LGU level to implement decentralization, to imperatives to build local (and national capacities); developing entrepreneurial capacities of LGUs; fostering inter-local cooperation and amalgamation; refining national-local relations by further defining powers devolved to LGUs; operationalizing people participation in local governance; promoting accountabilities through the processes of recall and initiative</p> <p>Post LGCode enactment has also seen the emergence of many good and best practices at the local level as evidenced by programs such as Galing Pook, Hamis Awards and other programs and projects initiated by the DILG</p>

Source: Brillantes 2014; Table constructed by Authors 2014
 PACBA 2016 2nd Quarterly Seminar-Prisca Hotel Cagayan de Oro, 7 July 2017

Philippines has 15
Geographic Regions

Implications to structure
of government

Distribution of Power



Decentralization, Local Governance and the Philippine Administrative System

A significant move to decentralize governance was embarked in 1991 with the enactment of the Local Government Code that radically transformed the nature of central-government relations with massive devolution of powers to the local government units (LGUs).

When the Philippines was granted political independence by the United States in 1946, the first local autonomy act was enacted.

Decentralization, Local Governance and the Philippine Administrative System

“Local autonomy would now mean less reliance on the national government, including “allotments” made by the national government, and increased reliance on internally generated resources, or resources jointly generated with other institutions, be they other local government units or private institutions”

Decentralization, Local Governance and the Philippine Administrative System

The Code's provisions also strengthened the operations of local governments by providing them the power to create own sources of revenues and to levy fess, taxes, and charges, thus making them self-reliant communities.

Aside from local sources, LGUs are entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their territorial jurisdiction (Article X, 1987 Philippine Constitution) (Brillantes and Perante-Calina 2014:2).

Table 1. IRA Shares of Local Governments vs. National Budget

Year	Total Budget (in million pesos)	IRA (in million pesos)	IRA as Percent of Total Budget
1991	248,679	9,841	4.0%
1992	262,042	20,305	7.7%
1993	276,859	36,724	13.3%
1994	329,985	46,815	14.2%
1995	392,450	51,925	13.2%
1996	415,557	56,594	13.6%
1997	492,568	71,049	14.43%
1998	546,743	80,990	14.81%
1999	585,097	96,780	16.54%
2000	665,094	111,778	16.81%
2001	483,846	131,917	27.26%
2002	575,123	134,422	23.37%
2003	609,614	141,000	23.23%
2004	609,614	141,000	23.23%
2005	597,663	155,866	26.08%
2006	597,663	155,866	26.08%
2007	635,041	183,937	28.96%
2008	1,066,000	210,730	19.76%
2009	1,170,000	249,988	21.36%
2010	1,304,000	265,802	20.38%
2011	1,000,000	286,944	28.69%
2012	1,245,000	273,309	21.95%
2013	1,368,000	302,304	21.81%

Source: Brillantes (2003); Brillantes and Perante-Galina (2013) Basic data from DBM; updated by authors based on the total new appropriations (1998-2013), General Appropriations Act (GAA)

Decentralization and Local Governance

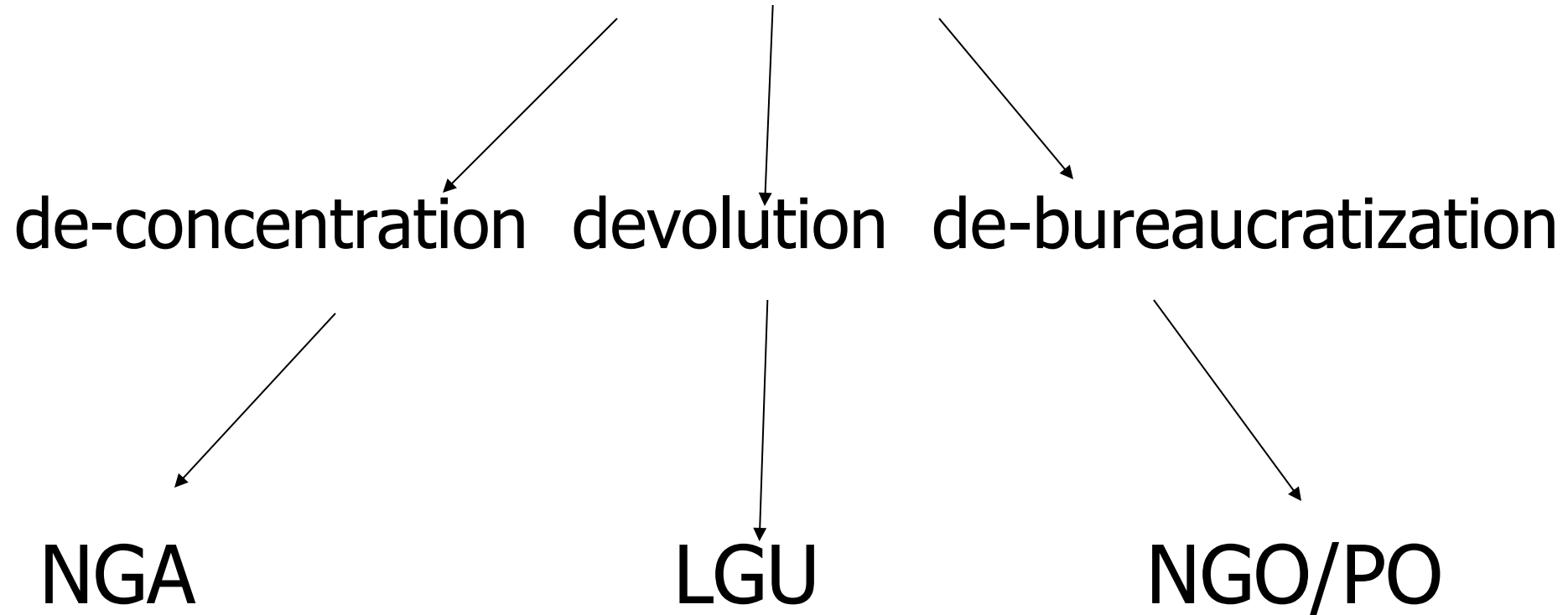
Phases

- Changeover
- Transition
- Stabilization

Good Governance Decentralizing the Bureaucracy

(Brillantes 2002)

National



Stylized Continuum of Decentralization: Degrees of Transfer of Powers and Authority to Sub-national Levels

(Brillantes 2002)

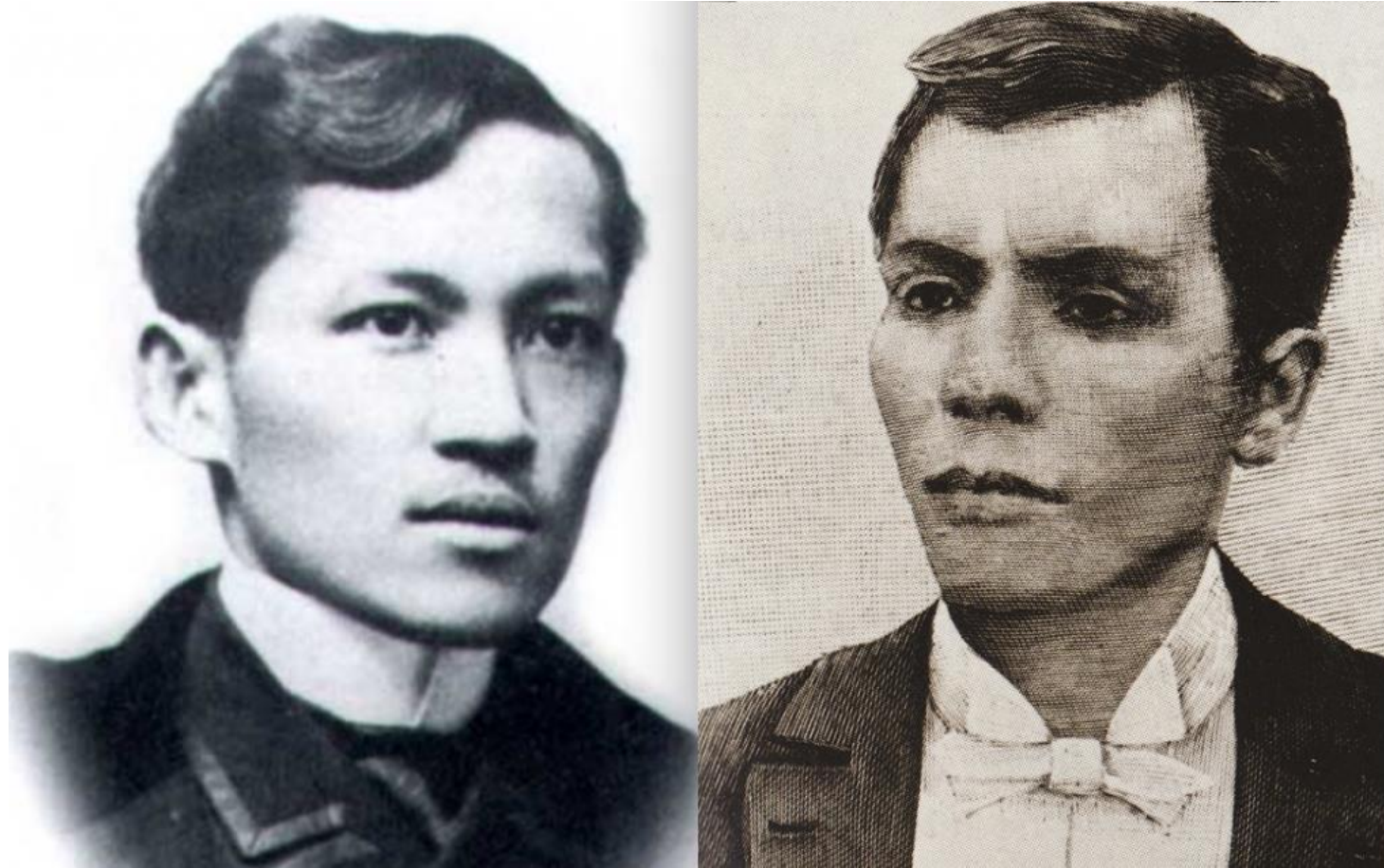


Part III

Focus on the Federalism

As early as Rizal in 1890s ...

Federalism: Rizal the Federalist, Bonifacio the Unitarian



Jose Rizal, Our National Hero

"Absence of any great preponderance of one race over the others will free their imagination from all mad ambitions of domination, and as the tendency of countries that have been tyrannized over, when they once shake off the yoke, is to adopt the freest government, like a boy leaving school, like the beat of the pendulum, by a law of reaction the Islands will probably declare themselves a federal republic."

Aquilino “Nene” Pimentel
Jr

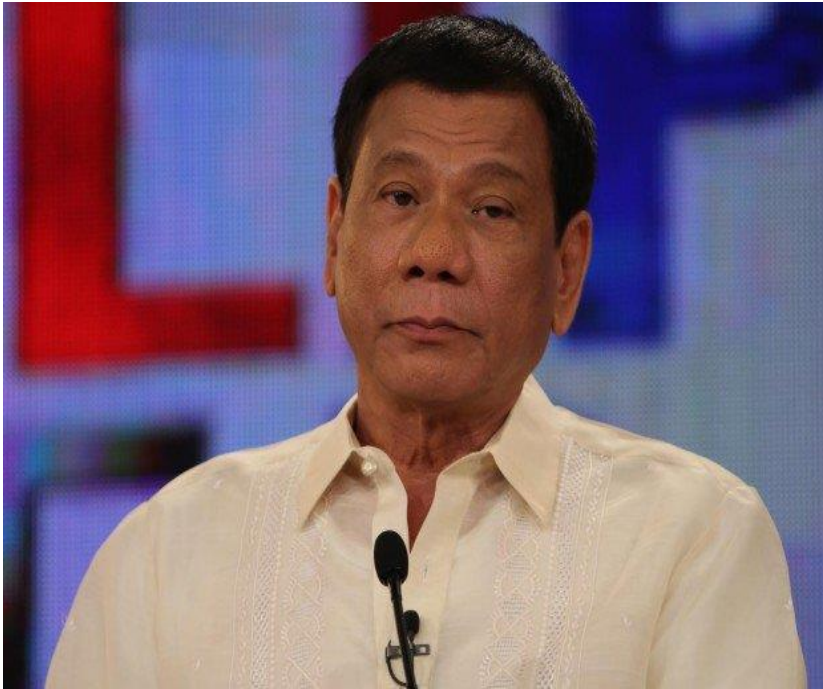
Father of Local Autonomy
and Decentralization in
the Philippines

Prime Mover and
Advocate of Federalism in
the Philippines



Our Tatay Nene Pimentel

- Through the Years, Tatay has been in the forefront of the advocacy for local autonomy, decentralization and federalism
- CLRG
- Pimentel Institute for Local Governance
- Pimentel Center for Leadership and Governance, University of Makati and soon at the Polytechnic University of the Philippines
- LOGODEF
- PSPA



Rodrigo Duterte advocate of Federalism

- With federalism, the wishes and aspirations of the various tribes and peoples in Mindanao would be addressed.
- Under a federal system, sovereignty and power are divided between a central governing authority and constituent political units. Federalism is also a system based on democratic rules and institutions.
- “I saw that this is the answer so I agreed when **Reuben Canoy** (founder of Radio Mindanao Network and one of the strong advocates of federalism) and **Senator (Aquilino) Pimentel, the father,** asked me to help in pushing for **federalism,**” he said.

Autonomy Federalism Nexus: Salvador Laurel, Former Vice President and Senator of the Philippines in 1989

“Federalism rests on the principle that the smallest unit of government knows what is best for its constituent needs. Decisions should therefore be made by the local, municipal, provincial, city or regional levels of governments, because they know best who need help and how to help them.”

On the Mindanao Issue: “I believe that plain and simple autonomy is not the solution to the secessionist problem. We must seriously consider a shift to the federal system under which greater autonomy can be given to the far flung regions that are now being neglected and left behind in economic development.”

Autonomy Federalism Nexus: Salvador Laurel, Former Vice President and Senator of the Philippines in 1989



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As a Platform of Political Parties

PDP Laban (Nene Pimentel)
Nationalista Party (Salvador Laurel)
Democratic Centrist Party (Jose V. Abueva)

Political leaders, among others, who advocated for its incorporation in
political party platforms

Reuben Canoy
Monico Lorenzana
Rodrigo Duterte

International Institutions in the Philippines and Donors supporting Federalism Debate

Forum for Federations (Canada) and CIDA International conferences on
federalism

Institute for Federalism (Frieburg in Switzerland) and CLRG fellows and
conferences

Konrad Adenauer Foundation (Germany) and LOGODEF and our
conferences and publications on decentralization and federalism

Partial List
Academics and
Scholars who
have published
on federalism in
the Philippines

Aquilino Nene Pimentel

Jose V. Abueva

Gaudioso Dodong Sosmena

Terry Dumugho

Raul de Guzman

Gabriel Iglesias

Simeon Ilago

Sukarno Tanggol

Macapado Muslim

Rizal Buendia

Romulo Miral

Raphael Montes

Donna Moscare

Elizabeth Cureg

Ed Tayao

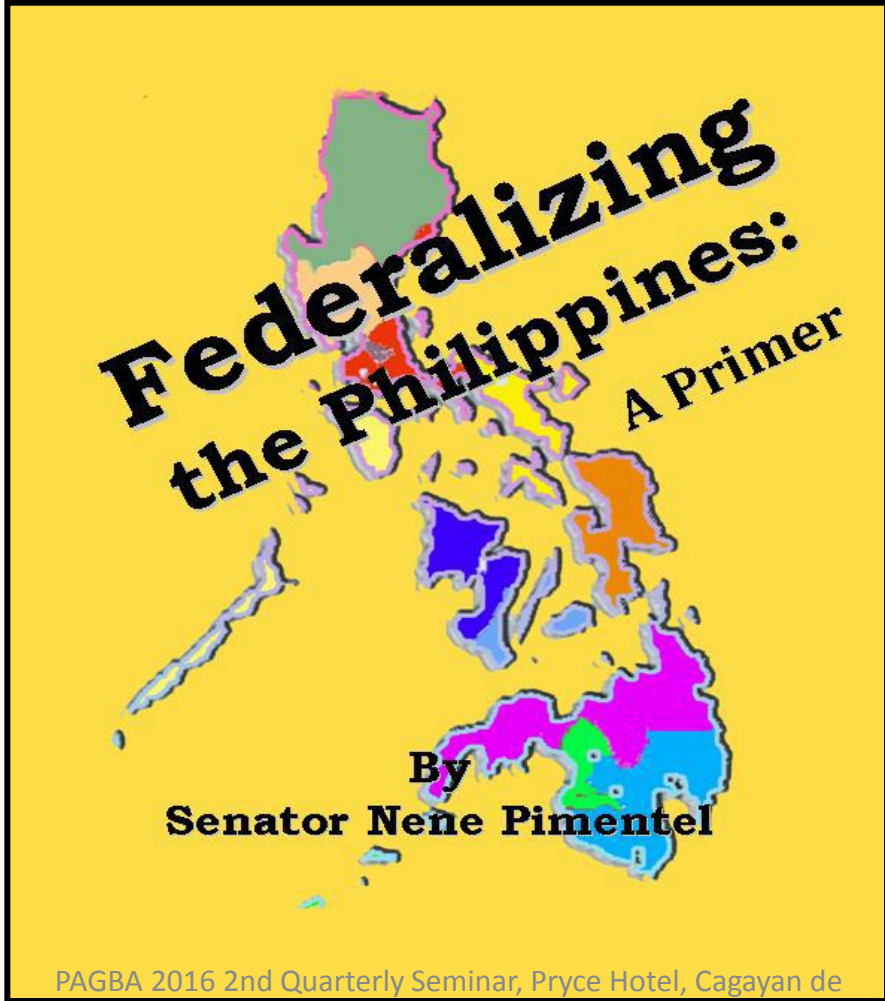
Alex Brillantes Jr

Philippine Society for Public Administration

PAGBA 2016 2nd Quarterly Seminar, Pryce Hotel, Cagayan de

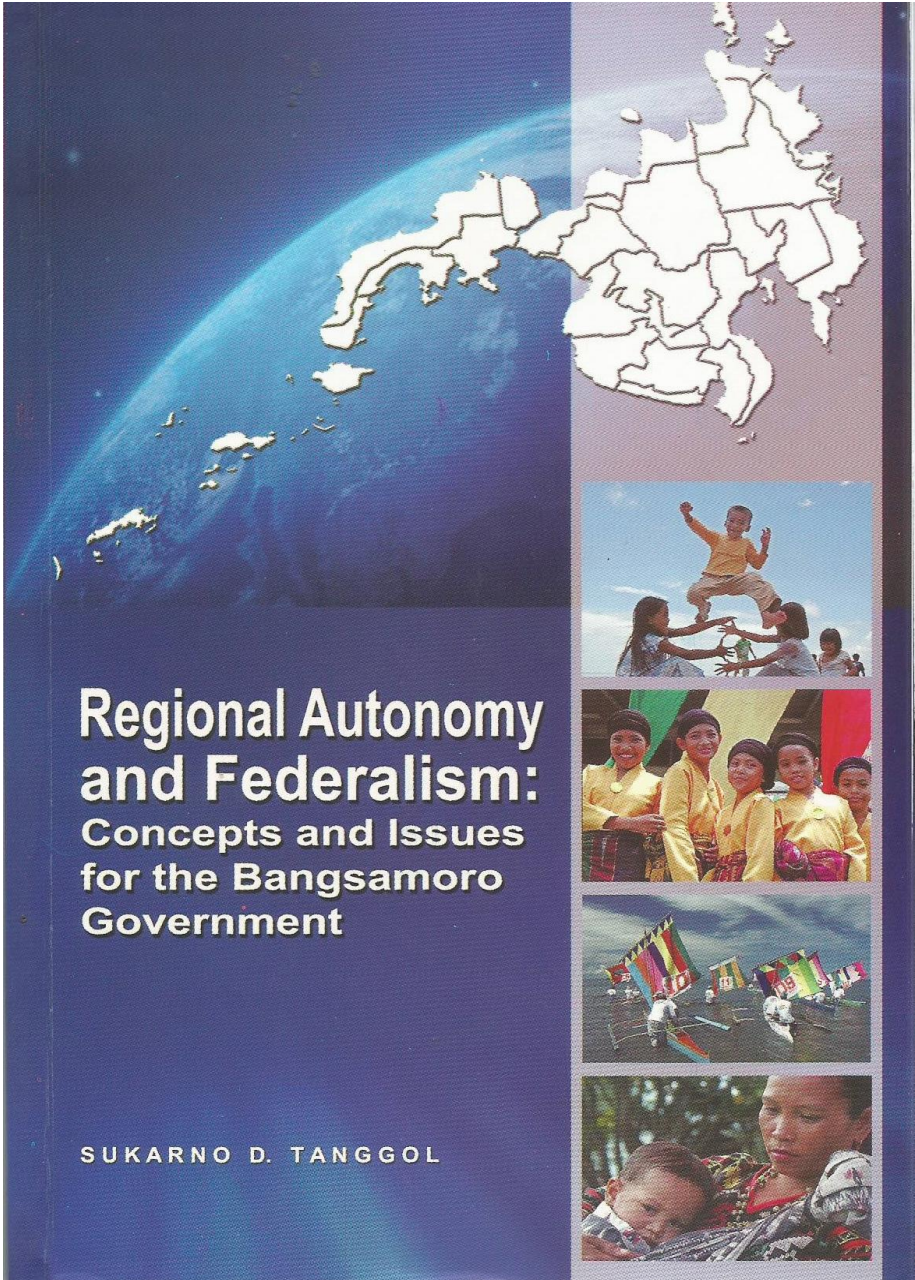
Oro, 7 July 2017

And more ...



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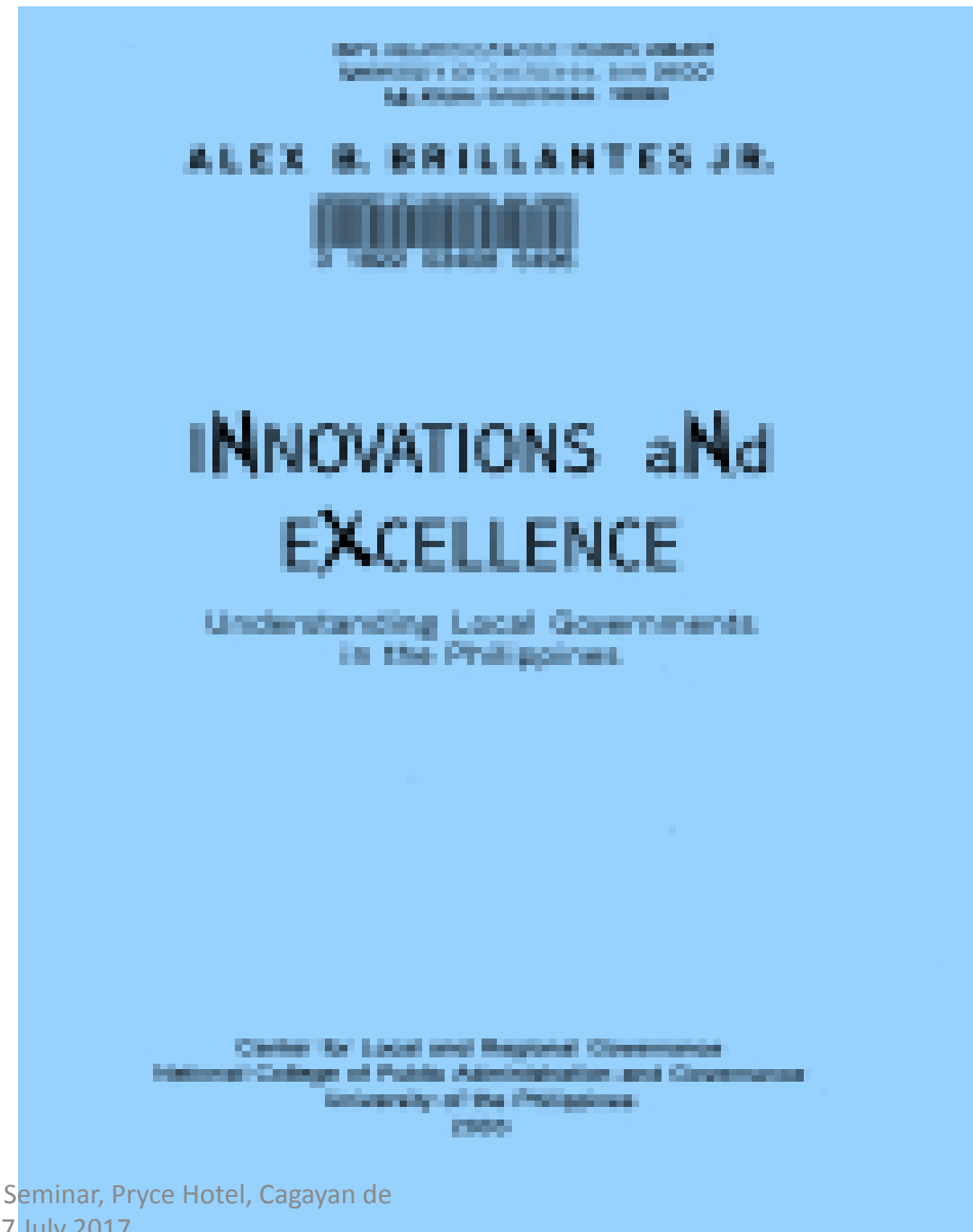
**Regional Autonomy
and Federalism:
Concepts and Issues
for the Bangsamoro
Government**

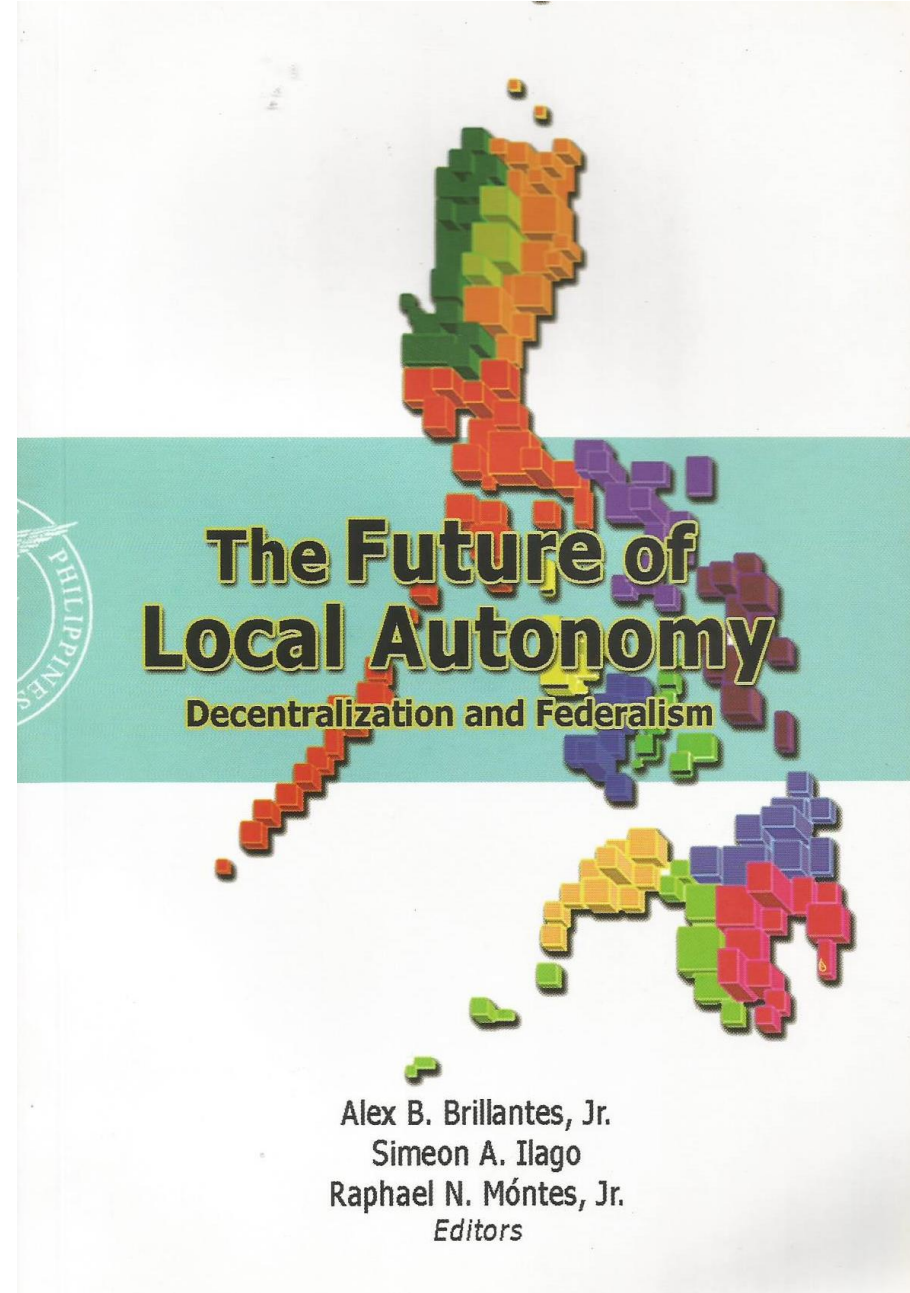
SUKARNO D. TANGGOL

PAGBA 2016 2nd Quarterly Seminar, Pryce Hotel, Cagayan de Oro, 7 July 2017

In this book, published in 1992, or seven years after the Local Government Code, we identified ten major concerns that must be addressed. This included

- Financial decentralization: *“decentralization without financial decentralization is meaningless”*
- Role of NGOs and Pos
- Role of Donors in shaping the discourse on good governance and decentralization
- *“Federalism as a logical next step to devolution.”*





**The Future of
Local Autonomy**
Decentralization and Federalism

Alex B. Brillantes, Jr.
Simeon A. Ilago
Raphael N. M6ntes, Jr.
Editors

PAGBA 2016 2nd Quarterly Seminar, Pryce Hotel, Cagayan de
Oro, 7 July 2017



Federalism and Multiculturalism

Papers and Highlights of Proceedings of the
International Conference on Federalism and Multiculturalism

Plus

Additional Papers on Federalism in the Philippines

Edited by

Simeon Agustin Ilago

Raphael N. M6ntes, Jr.

2006

DECENTRALIZATION & POWER SHIFT

AN IMPERATIVE FOR GOOD GOVERNANCE

A Sourcebook on Decentralization Experiences in Asia, Volume I

CLRG Working Paper Series 2002/02



Edited by **ALEX B. BRILLANTES, JR** and **NORA G. CUACHON**



ASIAN RESOURCE CENTER FOR DECENTRALIZATION
CENTER FOR LOCAL AND REGIONAL GOVERNANCE
NCPAG, UP, Diliman, Q.C.



UNITED NATIONS
DEVELOPMENT PROGRAMME
Philippines

DECENTRALIZATION & POWER SHIFT

AN IMPERATIVE FOR GOOD GOVERNANCE

A Sourcebook on Decentralization and Federalism Experiences, Volume II

A compilation of papers
presented during the



Federalism: The Future of Decentralizing States?



Edited by:

ALEX B. BRILLANTES, JR.

SIMEON A. ILAGO

EDEN V. SANTIAGO

BOOTES P. ESDEN



ASIAN RESOURCE CENTER FOR DECENTRALIZATION
CENTER FOR LOCAL AND REGIONAL GOVERNANCE

UNITED NATIONS
DEVELOPMENT PROGRAMME

INSTITUTE OF PUBLIC
ADMINISTRATION OF CANADA

PAGBA 2016 2nd Quarterly Seminar, Piyze Hotel, Cagayan de Oro, 7 July 2017

As early as 1992, we have said that that
*“Federalism is the logical next step after
devolution”*

GMA EO on Federalism
Consultative Group of which we we were part

The following are the slides prepared by Senator Aquilino Nene Pimentel on Federalism (used with his permission)

(Many of us call him “Tatay” an endearing word for Father.)



Federal
Republic of
the
Philippines



FEDERALIZING THE PHILIPPINES: THE FINAL SOLUTION (WITHIN REASON)

By: **AQUILINO Q. PIMENTEL, JR.**

PAGBA 2016 2nd Quarterly Seminar, Pryce Hotel, Cagayan de
Oro, 7 July 2017

Seminal in '82

Federalizing the Philippines is not a new proposal of ours. As early 1982, we advocated the adoption of the federal system as a part of our party platform in PDP Laban.

The federal idea that we espoused was seminal in many respects.

But, we simply did not like the dictatorship and the concentration of government power that was implicit in it. Neither did we want to spill so much Filipino blood in the undertaking to oust Marcos from power.

Disperse power

We thought that the solution was to disperse power – political and economic – throughout the nation.



The most concrete way of doing it in our mind was to convert the country into a federal republic.

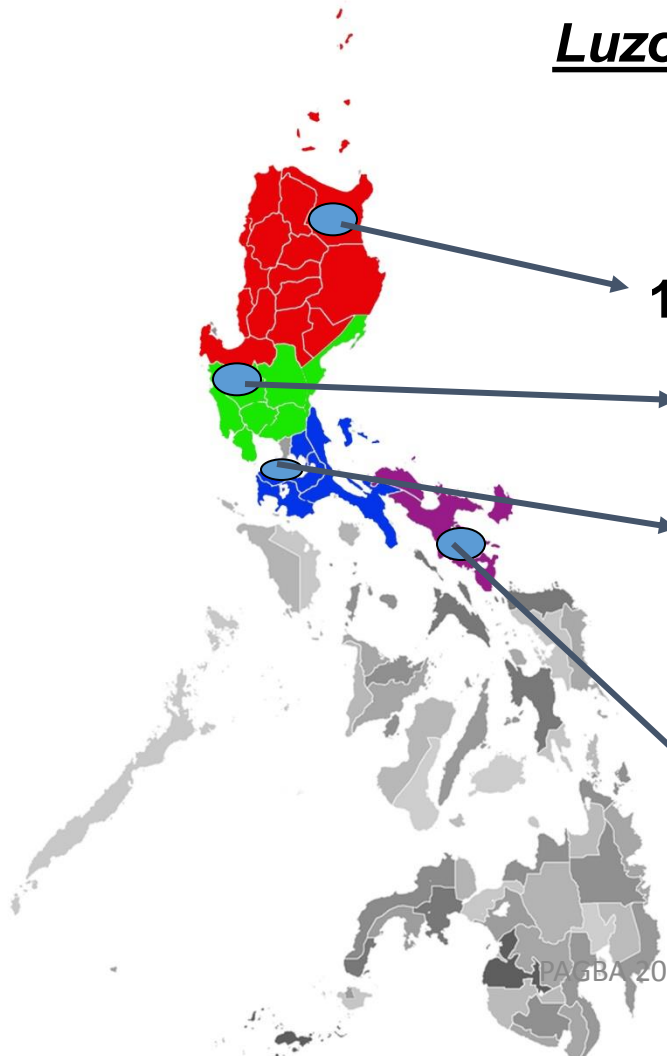
I will now take up with you the most recent form of our federal advocacy.


The proposal will create 11 Federal States out of the existing political subdivisions of the country and one federal administrative region.

Luzon States

Luzon will have four States, namely:

- 1. The Federal State of Northern Luzon;**
- 2. The Federal State of Central Luzon;**
- 3. The Federal State of Southern Tagalog.**
- 4. The Federal State of Bicol, and**

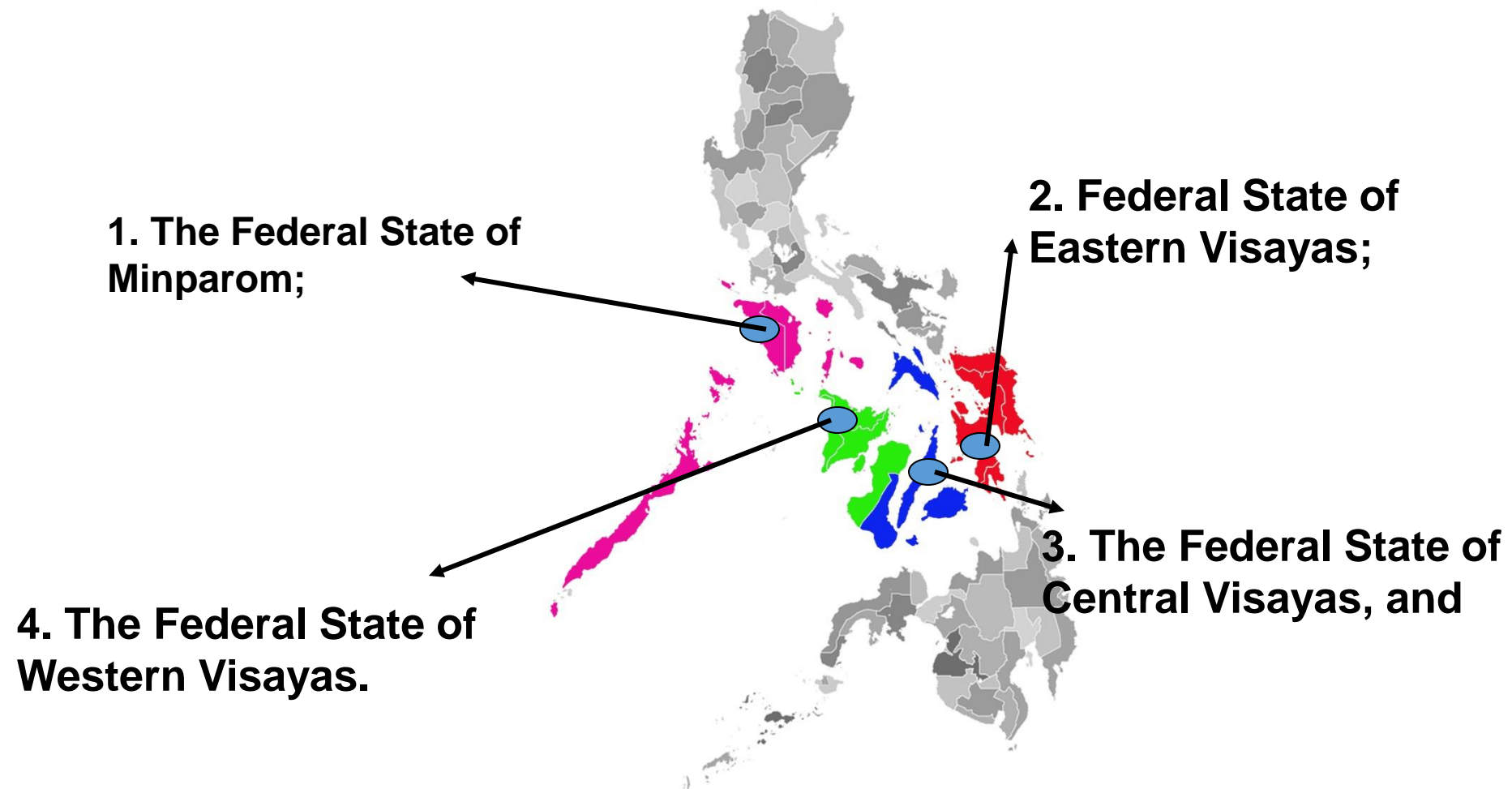


A map of the Metro-Manila area in the Philippines, showing various provinces and cities. The map is overlaid with a large, bold, black text block. The text reads: "Metro-Manila will be converted into a Federal Administrative Region along the lines of a Washington, D.C., a New Delhi or a Kuala Lumpur." The map shows the following locations: Bulacan Province, North Calabarzon, Valenzuela, Quezon City, Navotas, Manila, Marikina, Pasig, Rizal, Makati, Pinaric, Pasay, Paranaque, Las Pinas, Cavite Province, and Muntinlupa. The Laguna de Bay is also visible on the right side of the map.

Metro-Manila will be converted into a Federal Administrative Region along the lines of a Washington, D.C., a New Delhi or a Kuala Lumpur.

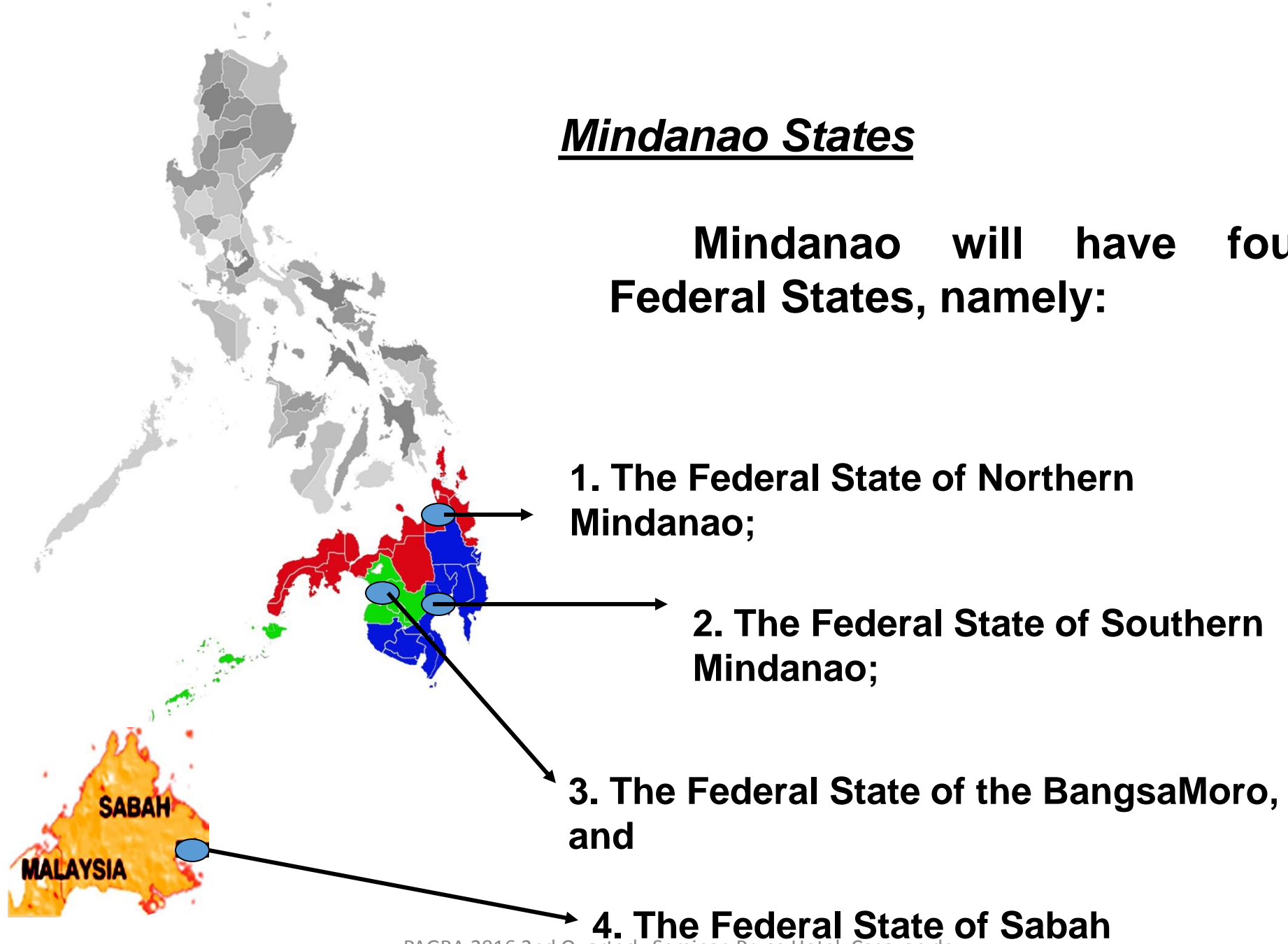
Visayas States

The Visayas will have four federal States, namely:



Mindanao States

Mindanao will have four
Federal States, namely:



BangsaMoro Federal State

- ❑ The secessionist movements waged by various Moro groups started ever since Magellan had come to our shores.



- ❑ The secessions cannot be solved by force.
- ❑ The ultimate solution as suggested by the title of this presentation is to federalize the country and convert the present Autonomous Region of Muslim Mindanao into a BangsaMoro federal state.

Include Sabah



- ❑ Sabah is only 217.9 miles or 350.67 kilometers from Bongao, Tawi-Tawi.
- ❑ Sabah is ours. Not Malaysia's.
- ❑ Filipino population: 1.5 million (est. 2013)

THE FEDERAL STATE OF SABAH

The country's claim to Sabah as a part of our territory is still problematic.

History is on our side. Sabah was given to the Sultan of Sulu as his reward for assisting the Sultan of Brunei to repel his enemies in the 17th century.

The Sultanate of Sulu has authorized the Philippine Government to pursue the claim. Sometime during the martial law years, Marcos relinquished the claim back to the heirs.

The present Sultan of Sulu wants the claim reinstated by the government with the heirs having certain rights over the property once recovered.

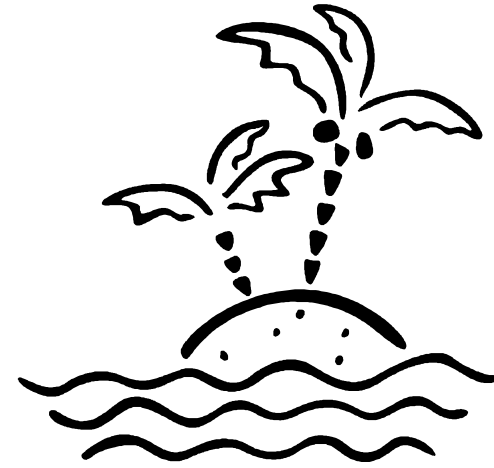
FEDERAL STATE BOUNDARIES

Federal State boundaries will maintain or cut across present regional boundaries.

The Federal States should be constituted out of bigger political territories to provide the environment for competitiveness and sustainability rather than create them out of provinces that in many instances might simply be too small to survive as Federal States.



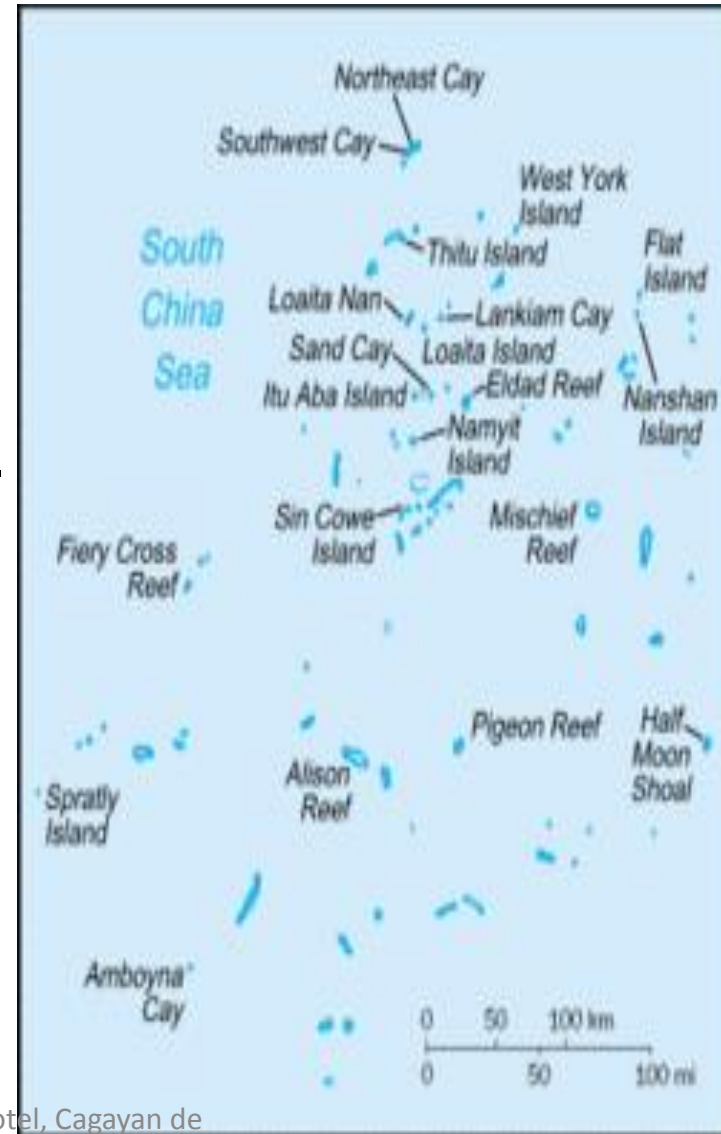
**National
Territory,
defined**



The Resolution defines the territory of the Federal Republic and unequivocally includes two previously ambiguously claimed islands, reefs or shoals: the Scarborough reefs, and Kalayaan Islands, and Sabah.

*Include **Kalayaan**

- ❑ Group of islets, shoals, cays, and reefs mostly inhabitable is now a municipality.
- ❑ It has one barangay: Pagasa.
- ❑ It is 1189 plus kilometers from Palawan.
- ❑ It is within the 200 nautical mile exclusive economic zone of the Philippines.
- ❑ Inhabitants – more than 300 civilians, including children.
- ❑ **It's mayor is Eugenio Bito-Onon, Jr**



Include Scarborough Shoal



- ❑ The shoal is barely 124 nautical miles away from Masinloc, Zambales.
- ❑ It is 550 nautical miles away from Hainan Island, the closest Chinese territory.

NATIONAL LEGISLATURE

NATIONAL Legislative powers shared by TWO houses of Congress:

- 1. Senate, and**
- 2. The House of Representatives.**

Senate is elected by Federal States.

The House is elected by districts same as today.

Federal State Governors & Vice Governors

- EVERY FEDERAL STATE SHALL HAVE A STATE GOVERNOR AND A VICE GOVERNOR ELECTED BY THE PEOPLE OF THE STATE.
- THE FEDERAL STATES WILL STILL HAVE PROVINCES, CITIES, MUNICIPALITIES AND BARANGAYS.
- THE LGU POWERS WILL BE ADJUSTED ACCORDINGLY

STATE LEGISLATURES

- FOR EVERY STATE
- POWERS OF STATE LEGISLATURES: MAKING LAWS FOR STATE PURPOSES
- STATE LEGISLATORS elected by provincial and city sanggunians from among their members.

FEDERAL STATE SENATORS











Every State shall be represented by six (6) senators elected by the qualified voters in state-wide elections.

Justification for increase

The increase may be justified by the fact that we now have more than 90 million people. The 24 senatorial limit was based on a Philippine population of 20 million or so.

Moreover, as the following graph shows, many countries with much less populations have far more representatives in their upper chambers.

10 NATIONS WHOSE UPPER LEGISLATIVE CHAMBERS HAVE MORE LEGISLATORS THAN OUR SENATE

Country	Population	Members/ Upper Chamber
(1) UK 	60.9 million	618
(2) France 	64 million	331
(3) Italy 	52 million	315
(4) Spain 	40 million	264
(5) Egypt 	81.7 million	264
(6) Thailand 	65.4 million	150
(7) Ethiopia 	78 million	108
(8) Australia 	20.6 million	76
(9) Malaysia 	25 million	70
(10) Ireland 	4.1 million	60

LOCAL GOVERNMENTS RETAINED

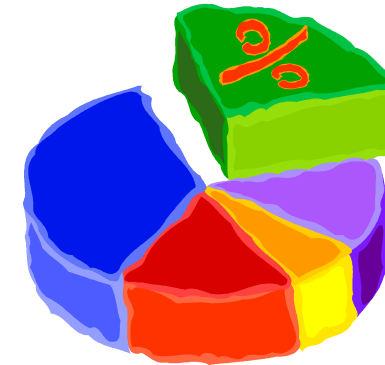
- PROVINCES

- CITIES

- MUNICIPALITIES

- BARANGAYS

LGU SHARES INCREASE



NEW SHARING FORMULA:

In terms of allocating the resources of the Republic, a formula is provided in the Resolution:

Sharing of National Revenues

Percentage	Share of
20 %	Federal Government
80 %	States

DIVIDING FEDERAL STATES' 80% SHARE

Percentage	Share of
30 %	State Government
70 %	Provinces, Cities, Municipalities & Barangays

In this formula, the shares of the provinces, cities, municipalities and barangays will be bigger than what is currently provided for under the local government code.

Equalization Fund



**Federal
States**

To address the reality that not all the Federal States are born equal in terms of resources and opportunities, an equalization fund is created that will administered by the Federal Government to assist States in dire need of development funds.

PRESIDENTIAL FORM RETAINED

- **The President and the Vice President are elected throughout the nation.**
- **They retain the same term (6 years w/o reelection for the President; 6 years w/ one reelection for the VP.**

JUDICIAL SET-UP

- One Supreme Court **RETAINED**
- Sandiganbayan **DISPERSED** to Regions

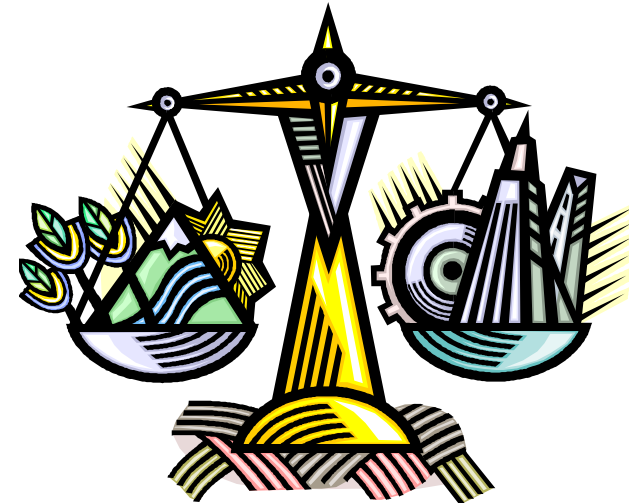


- Court of Appeals **DISPERSED** to States
- Regional Trial Courts, City Courts, Municipal Courts **RETAINED**

Political & economic objectives

To enable our participants to air their concerns, let me conclude this statement. Let me just add that as we had explained time and again, the federal system is meant to accomplish two major things:

1. Cause the speedy development of the entire country by unleashing the forces of competitiveness among the States, and



2. Dissipate the causes of rebellion in the country and particularly in Mindanao.

DUAL NATURE OF FEDERAL PROPOSAL

1. **NOT SIMPLY** a 'political' undertaking.
2. Also an **ECONOMIC** effort. By creating 12 Federal States and by converting Metro-Manila as a federal administrative region, we immediately establish 13 centers of power, finance and development throughout the country.



Under the unitary system that has characterized the government for centuries we only had one center of power, finance and development: Metro-Manila.



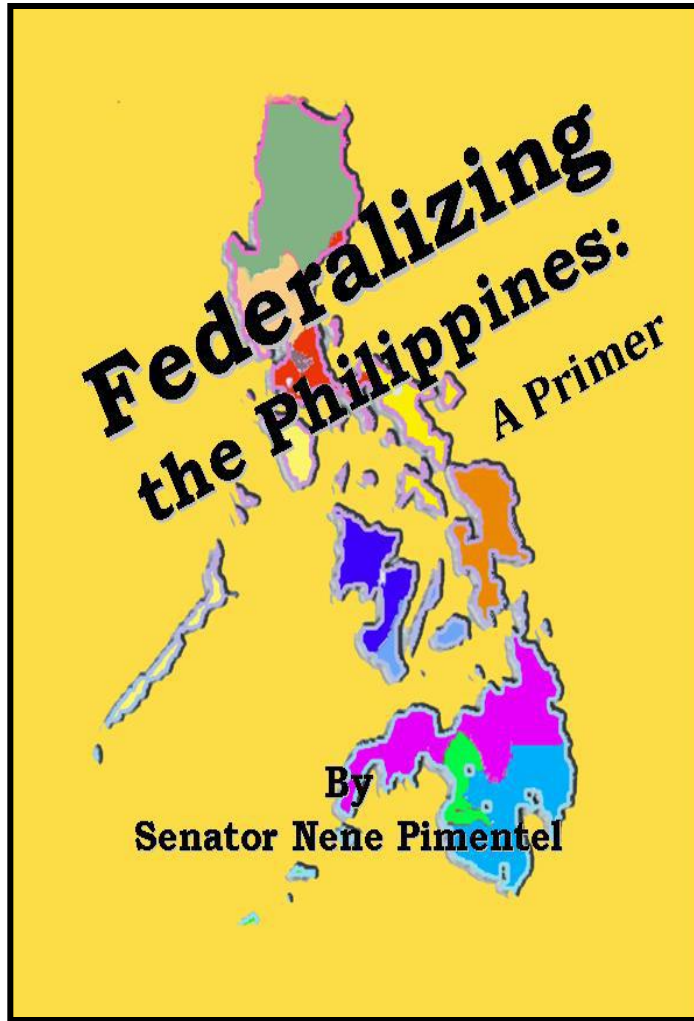
Just & lasting redress

The federal proposal will hopefully provide a just and lasting redress of the grievances of the powerless and the neglected sectors of society, like the Moro and Lumad peoples of Mindanao.



And in the case of the Moro peoples, their own federal state would conceivably enable them to run their state government according to their customs and traditions subject, of course, to the norms of modern democratic governments.

Other Issues



Are discussed in the 494 page book, *Federalizing the Philippines: A Primer*, that may help people understand the whys and wherefores of the proposal to adopt the federal system.

The book includes vital data of the States regarding their LGUs, populations, tribal groups, languages & dialects, land areas, airports, seaports, economic zones, power sources, major activities, investments, fishing, forestry & mining resources, tourist sites, hotels, lodging houses, telecommunications, banks, hospitals, educational institutions, media facilities, & road networks.

UNALTERABLE PRINCIPLE: WE ARE ONE NATION

WE HAVE ONE

- **FLAG**
- **JUDICIAL SYSTEM**
- **CHIEF EXECUTIVE**
- **BICAMERAL NATIONAL LEGISLATURE**
- **ARMED FORCES**
- **NATIONAL POLICE**
- **CIVIL SERVICE COMMISSION**
- **EDUCATIONAL POLICY**
- **FOREIGN POLICY**
- **ONE NATIONAL LANGUAGE**
- **CURRENCY**

Imperative to clearly delineate powers, functions and responsibilities including revenue and spending assignments

Exclusive

Federal

- Defense, foreign affairs, currency, justice

State and Local

- Social services, local law and order

Shared

(Federal Framework, State and Local Operationalization)

- Education
- Health
- Agriculture
- Issues
 - Gun control, traffic,

Revisiting Our Main Messages

- From the Philippine perspective, the debate on decentralization, devolution and local autonomy has been alive and well
- Discourse on autonomy has been subject of many policies including the Malolos Constitution, barrio charter act of the 50s Our participants include two regions identified in the constitution as autonomous regions: Cordillera and Muslim Mindanao who are with us today.
- Philippine context: debate on Federalism has been tied up with decentralization and autonomy: we even said it is the logical next step to devolution. About transfer of power to lower levels. But should be located within the context of power sharing.

Main Messages

- In designing the federal structure of the Philippines, delineation of powers, authorities, functions, responsibilities have to be very clear. This include exclusive and shared / concurrent functions, responsibilities and powers of various levels of government (federal / state / local). This also includes revenue raising / fiscal and budgetary matters. *The Philippines has an edge considering that we can learn from, and take off from the lessons learned from devolution over the past years.*
- The idea of a federal structure for the Philippines has been articulated by Jose Rizal in the late 1800s as part of the continuing search and design for the appropriate politico-administrative system for the Philippines. This has been re-articulated by former Philippine president Jose P. Laurel, and later by his son, Salvador Laurel, who was President of the Nacionalista Party of the Philippines
- Federalism was incorporated into the platforms of government of certain political parties. Foremost was the Partido Democratico ng Pilipinas – Laban (PDP-Laban) headed and founded by Senator Aquino “Nene” Pimentel

Main Messages

- International organizations played a key role in advocating the idea of federalism in the Philippines. This included the German foundations especially the Konrad Adenauer Foundation, the Canadian based Forum for Federations, and the Institute for Federalism based in Friburg, Switzerland.
- Local academic institutions led by the Center for Regional and Local Government of the National College of Public Administration, the Mindanao State University, and the Pimentel Institute of Local Governance (formerly based at the University of Makati) continued to deepen the discourse on federalism
- International conferences on federalism have been conducted in the Philippines.

And Federalism as an Institutional Intervention can address

- Redistribution of Resources
- Poverty
- Preserve and build upon unique Indigenous identities and need
- Conflict and Post-Conflict
- Equitable Economic Development

But Issues have to be addressed

- Power sharing: exclusive and shared / concurrent jurisdictions
- Federal-State-Local Responsibilities: Exclusive and Shared
 - Finances / revenue raising / spending
- Local Institutional mechanisms and sectors
- Conflict and post conflict scenarios especially in Mindanao and post BBL

REFORMS FOR FEDERALISM

Framework for Governance and Reform (Brillantes, Fernandez & Perante-Calina, 2013)





PAGBA 2016 2nd Quarterly Seminar, Pryce Hotel, Cagayan de Oro, 7 July 2017

Imperatives for Development at the Local level

- Need to change policies, processes, institutions and mindsets
- Leadership and Political Will
- Change Agents and/or advocates of Reform
- Capacity building for Good Governance

Advocacy and IEC

- President Elect Duterte himself
- Political Parties: PDP Laban
 - PDP Laban with Tatay Nene Pimentel and SP Koko Pimentel
- International Institutions
 - German Foundations / Forum of Federations / Institute of Federalism in Switzerland
- Scholars and Researchers
- Bureaucrats and civil servants
- Organizations such as PAGBA

More issues and questions to be addressed

- Will it lead to increased people participation?
- Will it recognize needs of indigenous people
- Will it increase accountabilities?
- Will it lead to control of more local resources (fiscal and land and others)
- Research agenda
- **DATA DATA DATA: EVIDENCE / FIGURES**
 - Cite AQP and Terry Dumugho on initial computation of transfers

The Struggle for Local Autonomy and Devolution and Federalism Continues

Directions for Research Agenda: Need Comparative studies

Models – hybrid federal, pseudo federal, de facto federal, emerging federal,

Linking federalism to HDI

Power sharing arrangements

Post conflict arrangements

Subsidiarity

Proper role of Government

Good and Best Practices: Good local governance

(Fadel Ahmad in Gorontalo, Jokowi as Mayor, Doitung Coffee in Thailand, Galing Pook in the Philippines)

The Emerging Federalism Processes

Theory building

Principles for success and reasons behind failures

Leadership, political will, structures, mindsets, information, process, phases, etc

An area we can explore ...

HDI of Federal Countries and Others that may be considering Federalism:

Any correlation?
Conflict resolution?

Country	HDI Ranking
Australia	2
Switzerland	3
Germany	6
Canada	8
Spain	27
Libya	55
Malaysia	62
Mexico	71
Brazil	79
Indonesia	108
Philippines	117
Iraq	120
India	135
Pakistan	146
Myanmar	150
Nigeria	152
Yemen	154
Ethiopia	173

Others areas that can be explored ...

- Variations of the Federalism Process
 - Pseudo-Federalism, Hybrid Federalism, Emerging Federalism , Evolving Federalism, Feckless / Telescopic / Muscular / Grudging
- ISSUES – VALUES, IDENTITY AND CULTURE: Indonesia and *Bhineka Tunggal Ika*: “unity in diversity”
- Issue of fragmentation vs strong central government / amalgamation
- Indicators of extent of decentralization – finance? Recentralization efforts
- Issues: leadership and political will, Elite capture and dominance, local warlords
- Issues: role of donors, role of people’s organizations and NGOs
- ***Good and Best Practices: Galing Pook; Thailand, Indonesia, Philippines***
- ***Why do we have a weak state? Phasing decentralization? Centralize then decentralize?***



Returns

Devoluciones

REFORMS FOR FEDERALISM

Framework for Governance and Reform

(Brillantes, Fernandez & Perante-Calina, 2013)



Thank you

Maraming Salamat Po