Federalism In The Philippines

As recently as January 22 of this year, President Rodrigo Duterte is still adamant of his plea to change the unitary form of government to a federal approach (PhilStar 2019). Due to this, it is a must to go in depth about the definition of federalism, its connotations in our country's current political-economic state, and if it is actually the right step of action in order to attain the national-level development that the Philippines aspires to achieve.

To serve as a basis, federalism, according to the US legal, is a system of government that utilizes two degrees of authority in the same territory or geographical area – those of which are the federal and state governments. One exercising control over the state as a whole and the other over local concerns respectively. Since both degrees of government have Executive, Legislative and Judicial branches, they are then able to make and enforce laws as long as it is within the Constitution of the federal government.

In regards to the reasoning for this proposal, President Duterte's rationale was that federalism will be able to establish powerful economic regions, provide more funding and support for those said regions, decentralize power to the local government, and finally bring an end to the conflict in Mindanao. In addition, Consultative Committee Commissioner Edmund Tayao said that this form of government will address the dilemma of the nation's local government planning and budgeting as well.

With such a grand paradigm shift proposed, it will have to be coupled with constitutional revisions, amendments, and proposals that have to be approved by the Philippine Congress. The draft for the said charter, according to the Consultative Commission, adopts a federal-presidential government, retainment of the three main branches for the federal government, and a total of 18 federated regions- each having their own regional government with an executive, legislative, and judiciary branch.

The federal form of government should not be implemented as of this moment, as it may divide the unity between the Filipino people, decentralize income, power, and development, and sever cultural ties and national identity amongst the citizens. Federalism, contrary to the judgment of the current administration, will not address the issues that it wishes to solve in the first place, specifically, the concerns of the Bangsamoro Organic Law and regional inequality.

One of the notable characteristics of the Philippines is its geographical feature of being an archipelago, composed of over 7,000 islands - that of which the country faces countless struggles in governance. Further divided into three main islands, namely Luzon, Visayas and Mindanao, the center of government is located in Luzon - specifically in the National Capital Region (NCR) - which is then highly urbanized and advanced in terms of infrastructure and industrialization compared to other regions. Due to its proximity to the very residence of the President of the Philippines - speedy and adept government response and services can be observed in contrast with those far-fetched areas such as Mindanao and Visayas. Though the government still exercises absolute power and authority in its attempts to satisfy the needs of the people at the same rate as those immediate areas - government feedback still remains prevalently lackluster in terms of speed. (Brilliantes & Moscare, n.d.)

A substantial basis for the introduction of federalism in the country is the theory that due to the geographical divisions in our country, the national laws and rules enforced by the government does not aid in the development of regional territories. A law imposed for the good of the capital does not necessarily result in the growth of its other poverty ridden neighbors. Take K-12 for example. It is evident that even the institutions in Manila are struggling in implementing the law, much less for the regions that have little to no materials and resources for even basic education.

This is where the unification of the people is introduced. In attempts to address this significant issue, the proposal of implementing a federal government in the Philippines was suggested not only by the current administration but also ever since the 1880s as Dr. Jose Rizal has stated in his works - the Philippines would soon be subjected into a federal form of government (ASINIERO, 2013). Though, with Rizal's prestigious and broad varieties of education from a wide spectrum of countries and exposure to different ideologies, can those alone be a basis to implement a government that may cause division rather than unification amongst the Filipino people?

Ever since pre-colonial times, the Philippines has been known to have a regional approach in governance. The existence of numerous tribes and the disputes that transpired between these government bodies, may it be for the purpose of territorial sovereignty or its expansion thereof, are proof that from the very start that the Philippines has first come to know a decentralized government. Come the colonial period wherein the Philippines has been subjected to a centralized government under the Spaniards' and Americans' rule. Ever since then, we could say that the prior mindset of the Filipinos to have respectable views on local government units have been reduced to these units being looked down upon. (Brilliantes & Moscare, n.d.)

In contrast, federalism encourages the division of regions, for the sake of its regionalized development. Unfortunately, diversification is an integral reason for the unfavorable execution of federalism. Disagreements between the people of the country not only result to conflicts in terms of the actualization of laws in the state, but there is a higher susceptibility of negative contention in society. Take the Bangsamoro Basic Law for instance - recently there has been discourse whether this was to be ratified in time before the 2019 elections. President Rodrigo Duterte has expressed his approval of establishing the said law along with the establishment of a federal government in the Philippines with the amendments done to the 1987 Constitution in accordance with the country's transition to another form of government. (Aguillas, 2018) Pertaining to the region of the Autonomous Region of Muslim Mindanao (ARMM), Bangsamoro Basic Law or BBL strives to form a secular autonomous government that will be under Bangsamoro government with its own identity and political identity, similarly called Bangsamoro (phjesuits.org, 2018). On an interview conducted by MindaNews, President Duterte has disclosed his plans of establishing BBL before proceeding to the transition to a federal government as a whole. He further explained that this was the case due to the fact if the whole Constitution were to undergo changes, there would be great difficulty to find loopholes and a way around it once it is amended. Though the establishment of the Bangsamoro will not be viewed as a creation of a new state, there is a certain level of authority the Bangsamoro can practice that may be likened to that of a federal state.

Despite the several benefits the establishment of both the Bangsamoro and federalism in providing a more steadfast response on addressing the concerns both on a local and regional level. The establishment of such structures of governance may promulgate a sense of isolation and individuality among the other regions of the Philippines.

ARMM has recently been one of the major contributors to the economy of the country and at some point besting the economic growth rate back in 2017. (Basa, 2018) Given this data and the fact that the amount needed to execute the proposed law amounts to 60 billion block grants implies that in implementing such structure of government can create a scene of survival of the fittest since rich and well-off regions would not likely unite with that of poorer ones leaving them to fending off for themselves. (phjesuits.org, 2018)

Aside from its plausible outcomes in the economic aspect, one cannot ignore the fact that there may be a monopoly of power amongst powerful families thus the recurrence of political dynasty in which 94% of the regions are said to subjected to. (phjesuits.org, 2018) Moreover, the recently proposed amendment Resolution of Both Houses No. 15 (RHB 15) of House Speaker Representative Gloria Arroyo in accordance with the transition to a federal structure of government allows power and authority to remain with the designated officials as the charter change removes the term limits of a position. (Cepeda, 2018) With these amendments to the Constitutions and that political state of the country, the division of the Philippines into distinct federal states can be used as a means to monopolize power in the family and further regress the welfare of the citizens, development of the country thus doing more harm than good.

Furthermore, this may then result to national regression in terms of economy and national chaos that can further divide the people that would then develop a mindset of individual progress and development rather than what is beneficial for the progress of the Philippines as a whole.

To be sure, diversity is within the country is not at all unfavorable, but instead, a cause for memorialization. That is to say if it falls within the bounds of unanimity in patriotism.

Harmony in the case of passed laws that benefit the country as a whole, instead of sectoral gains, should be approbated.According to the United Nations Human Development report on 2004 entitled Cultural Liberty in Today’s Diverse World, while national integration should result in cohesion between the citizens of the country, this should not be at the cost of indigenous antagonism and obscuration.Regrettably, this issue is very well present in the state and its current state of government. This could also mean for the further relapse between the relationship of the government, its citizens and indigenous groups of people.In like manner, before the permanent implementation of the federalism state of government, it is only right that within those laws, it is firmly urged that the government will uphold their agreements on the cooperation of subnational governments and their diversified matters of interest and disputes (Ll & Yusingco, 2016).

Along with the decentralization of the national government’s power in controlling all sectors of governance all throughout the Philippine archipelago, comes the decentralization of income.

Each region has its own resources in which they are abundant in, the richness of our country in terms of natural resources and raw materials has aided significantly in the progression of our economy. The fact that our agricultural sector is one of the leading contributors to our economy says a big deal of our reliance on these resources and raw materials. However, if one were to set apart each region and let them utilize their respective products that they could produce, there would be an obvious scale of discrepancy among their incomes. Though the evident individual development of the regions may come into fruition - not every region has the same abundance of resources as the others. There will be a so-called decentralization of income in which instead of the income earned by all the regions of the Philippines were all to be utilized by

the national government, it would all go down to the individual regions. Individual regional development may be promulgated through this however, a sense of communism and division may become prevalent that will not be good for the country in the long run.

The ideology of communism can help in justifying what each region should receive income-wise in line with the various services and products they have contributed. Given this principle, an urbanized region would have a different income rather than that of more provincial-rural sectors. Individual regional development would then further sever the unification of the Filipino people in aiding one another to attain the country's holistic progress and development.

Furthermore, according to political adviser Richard Heydarian, studies have proven that only a few regions are capable of raising enough revenue and taxes on their own. In turn, in a federal setting, the richer states in Luzon will develop and muster even growth to enhance competitiveness, which will actually deepen the already evident developmental gap compared to the other regions. To support this claim, the developmental gap between rich the states of New York and California compared to southern and midwestern states have barely simmered down after two whole centuries of federalism in such a powerful nation such as the United States.

Another negative point on the drafting of the federal bill is, in light of its uncertain operation, is still demanding a hefty amount of 100 million pesos (Talabong, 2018). According to ACT Teachers Representative Antonio Tinio, funds of the Filipino people are being squandered away on a low percentage that the federal draft will even be put into action. Instead of the expenditure of hard-earned resources given by the people, should the lawmakers in our country really prioritize the low possibility of executing a federal form of government in the country instead of investing on more appropriate and timely affairs?To name a few, free and universal healthcare, human rights, economic regression, drugs and rehabilitation, poverty, education, and transportation.This is not to say that federalism should be completely eliminated from the consideration of the government, especially if they deem it the only method of tackling the said issues. Unfortunately, funds should be allocated by order of importance and federalism is not in a time of convenience, primarily as our lawmakers are constructing this as a mean to easy exploitation.

Dating back to the pre-colonial period, Federalism has long been introduced to the Philippines, but the decentralized form of government soon shifted into a centralized structure through numerous colonization. The implementation of a federal government was then proposed by Rizal and remains to be yet a controversial issue up until today, as seen in the recent attempts in amending the 1987 Constitution and preparations done to pave the way for the establishment of a federal form of government. As the Philippines is an archipelago, composed of far-flung islands, issues of sluggish government response and services, transportation, regional development, and economic progress continue to plague the country.

In pursuit of resolving these issues, the government has turned to the possibility of establishing federalism in the Philippines. As this is a completely distinct form of government, the question still stands whether or not this will do the country good or backfire into adverse results. Attempting to unify the country through encouraging diversity can be a feat to achieve - that of which federalism tries to do. The establishment of a federal government can decentralize income and may result to uneven distributions of the said income, thus making rich regions even more so and poorer regions stagnant to the promised development. Furthermore, the government would have to spend a tremendous amount of money, time and resources to

execute this when these vital assets should be spent on more timely and urgent concerns experienced by the citizens.

Whilst in an ideal Philippine context federalism is beneficial, with the current state of the country, most especially the Philippine government, it is not advisable when taken into consideration realistic factors and its corresponding analyses.To conclude, as of now the said proposal should not be actuated due to the following reasons: economic, political and social aspects portrayed in the decision of establishing a federal government must be consulted first in order to produce judgment whether or not the said proposal will indeed contribute to the holistic well-being of the country without sacrificing one aspect for the other. For instance, there might be a possible economic gain if we utilize the diversity of each region's produce but in the end, the development and progress may also become individualistic and selfish - altogether defeating the purpose of federalism in promulgating unity amongst diversity.

References

1. Federalism. (n.d.). Retrieved February 4, 2019, from https://system.uslegal.com/federalism/
2. Longley, R. (2019, January 17). Federalism and How It Works. Retrieved February 4, 2019, from https://www.thoughtco.com/what-is-federalism-3321880
3. Federalism. (n.d.). Retrieved February 4, 2019, from https://www.law.cornell.edu/wex/federalism
4. Ll, M. H., & Yusingco. (2016, October 28). COMMENTARY: Federalism, diversity and national integration. Retrieved from https://www.mindanews.com/mindaviews/2016/10/commentary-federalism-diversity-and-national-integration/
5. Aguillas, C. (2018, January 15). BBL will be passed ahead of shift to federalism – Duterte. Retrieved February 5, 2019, from https://www.mindanews.com/peace-process/2018/01/bbl-will-be-passed-ahead-of-shift-to-federalism-duterte/
6. Basa, M. (2018, April 26). Three Mindanao regions beat the country's GDP in 2017. Retrieved February 5, 2019, from https://www.rappler.com/business/201177-three-mindanao-regions-beat-country-gdp-in-2017
7. Heydarian, R. (2018). Does Federalism Make Sense For The Philippines?. Retrieved July 19, 2018, from
8. https://www.forbes.com/sites/richardheydarian/2018/07/19/does-federalism-make-sense-for-the-philippines/#55a1814977cf
9. Meniano, S. (2018). Federalism seen as ideal topic in 2019 polls. Retrieved August 16, 2018, from http://www.pna.gov.ph/articles/1045019
10. Nicolas, B. (2018). The quest for federalism: is it worth changing the Charter?. Retrieved July 11, 2018 from https://businessmirror.com.ph/2018/07/11/the-quest-for-federalism-is-it-worth-changing-the-charter/
11. Phjesuits.org. (n.d.). Frequently Asked Questions on Federalism. Retrieved February 5, 2019, from http://www.phjesuits.org/portal/wp-content/uploads/2018/03/Federalism-Primer.pdf
12. Phjesuits.org. (n.d.). BBL-Primer. Retrieved February 5, 2019, from http://www.phjesuits.org/portal/wp-content/uploads/2018/03/BBL-Primer.pdf
13. Senate of The Philippines Press Release. (2018). Filipinos Believe Federalism Won't Solve Their Problems, Drilon says. Retrieved May 2, 2018 from http://www.senate.gov.ph/press_release/2018/0502_drilon1.asp

14. Talabong, R. (2018, August 29). Why should Filipinos fund P100-M campaign for 'uncertain' federalism? Retrieved from https://www.google.com/amp/s/amp.rappler.com/nation/210643-why-should-filipinos-fund-campaign-uncertain-federalism
15. Cepeda, M. (2018, October 8). Arroyo's draft constitution removes lawmakers' term limits. Retrieved February 5, 2019, from https://www.rappler.com/nation/213814-arroyo-draft-federal-constitution-removes-term-limits-lawmakers