



# A separatist threat *and* presidential crisis *fuel* federalism *in the* Philippines

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**In** November 2000 a national movement to shift from a unitary system of government to a federal system got under way in the Philippines. The movement took off with a pro-federalist resolution signed by twenty-two members of the twenty-four seat Philippine Senate.

The resolution proposed amending the 1987 Philippine Constitution in such a way to convert the country's present fifteen administrative regions into ten federal states, with a federal capital district (Manila) similar to Canberra in Australia or Washington, D.C.

The catalyst for the revival of the federalist movement is the Muslim separatist rebellion in Mindanao, the resource-rich second largest island in the Philippine archipelago.

The Muslim population of Mindanao is spread through thirteen provinces and cities. These communities have been the hotbed of secessionist movements and rebellions for more than a century—in a country where more than 85 percent of the people are Christians.

The current rebellion in Central Mindanao is led by the Moro Islamic National Liberation Front (MILF), against which the government of President Joseph Estrada has waged a "total war" since May 2000. The MILF rebellion aims to establish a separate "Bangsa Moro state", carved out of the present territory of the Philippine Republic. But some of its leaders have indicated a willingness to consider plans for wider Muslim autonomy within the Philippine State.

Senators driving the federalism movement have argued that a federal system would be the ultimate solution to the Muslim separatist rebellion.

Senator Aquilino Pimentel, who lives in Mindanao and who is one of the authors of the Senate resolution, says:

"The proposal to amend the Constitution...has no other purpose than to fast-track the development of the nation and secure peace once and for all in the troubled region of the Bangsa Moro in Mindanao."

Mindanao has more than 14 million inhabitants of whom about 2.4 million are Muslims. The people of Mindanao complain that the island has received the least attention from Manila in the distribution of resources. To buttress that complaint a 1985 study by the National Economic and Development Authority (NEDA) revealed that 64.3 percent of Mindanao's 2.13 million families were living below the poverty line and the Muslim provinces are among the poorest in the country.

## ***A long history***

The current revival of federalism is informed by a rich history of local and regional autonomy.

Prior to the Spanish conquest of the Philippines in the 16th Century, Muslims were ruled by independent sultanates.

As early as 1899, following the Spanish surrender of Manila to the American forces, Filipino rebels in the central Visayas islands of Negros Occidental and Iloilo proclaimed their own "Federal Republic of Visayas." In the formation of the First Philippine Republic, in January 1900, the American colonial administration installed the framework of democracy based on the American model, but did not adopt the United States' federal structure.

At the convention that drafted the new country's constitution most representatives came from Luzon island. There was token representation from the Visayas and Mindanao, although the Muslim sultanates in Mindanao were not represented in the First Republic.

These "Luzon-biased" decisions sowed the seed of the present day movement for federalism.

Yet even during the colonial preparation for self-government, the first elections in 1901 were for local officials. The national government was built on the foundation of local governments.

The first Philippine Legislature in the early 1900s was composed of the representatives of provincial leaders and the Speaker of the legislature was the equivalent of a national leader. He was the one who dealt with the American governor-general.

During the transitional period to self-government from 1900 up to the establishment of the Philippine Commonwealth in 1935 (an intermediate stage on the route to independence), tendencies toward political regional autonomy were strong.

## ***From Independence through the Marcos dictatorship to the present***

Even during the first few decades following the establishment of a Republic in 1946, regional leaders were virtual warlords with whom the national president had to negotiate for political support, especially during the regular elections.

Senators were elected on the basis of regional districts, representing the linguistic divisions of the country. Political tradition also saw to it that in the election of the President and Vice-President, the political parties strove to have a balance between regions. For example, if a Presidential candidate from Luzon was nominated, the vice-president had to be a candidate from either the Visayan islands or Mindanao.

It was also an unstated practice that in the senatorial line-up by the two main political parties there was room for two Muslim candidates as a gesture of national unity and promoting multi-religious and cultural integration into one national community. In the Cabinet, at least one portfolio was reserved for a Muslim.

This façade of integration in a centralized, unitary system, however, gave way to the demolition of the party system and the installation of an authoritarian system in 1972 by President Ferdinand Marcos. The devolution trend suffered a reversal under the Marcos regime lasting for fourteen years. Centralization reached its peak in that regime. The overthrow in 1986 of the dictatorship lifted the lid and released the pressure for local autonomy.

In 1991, the democratic government of President Corazon Aquino enacted the seminal Local Government Code, ceding a number of central government powers to local governments. Local government units, including municipal and provincial, were given broader leeway to impose taxes and a larger share in the national revenue collection. The Local Government Code of 1991 declared as state policy that the local governments "shall enjoy genuine and meaningful local autonomy to enable them to attain their development as self-reliant communities and make them more efficient partners in the attainment of national goals."

Autonomous special economic zones were also created in selected areas of the country where economic projects could be initiated. Local governments were allowed to raise funds to finance development projects. A Department of Local Government was created in the Cabinet.

The devolution had mixed results. In some provinces and cities—rich in natural resources and with strong entrepreneurial traditions—it stimulated rapid growth. These high growth areas have become the strongest advocates (aside from the Muslims of Mindanao) of further autonomy and federalism.

Still, while local units have been given a larger percentage of national taxes collected in their jurisdictions, the central government has not given up its control easily. Manila can still delay the release of the internal revenue allocations (IRA)

in provinces where local authorities are antagonistic to the central government leadership. The central government has refused to relinquish control of the national police over local police units. This national police system is one of the unhappy legacies of the Marcos regime's mania for centralization.

### ***Federalism becomes a serious option***

The lure of federalism has appealed to a number of Filipino academics. Dr. Jose Abueva, former president of the University of the Philippines, presented a brief to Congress on the federalist movement.

Abueva cited studies in the 1980s by two scholars at the University of the Philippines' College of Public Administration—Rizal Buendia and Gabriel Iglesias—who argued for a shift to a federal system. Buendia argued that the Philippines had all the necessary preconditions for federalism, namely:

"Divergence of economic interests with the federating unitary state leading to the desire of the component local governments to remain autonomous for certain economic, political and cultural purposes;

"Geographical obstacles to effective unitary government, i.e. large areas separated by bodies of water, mountains or physical obstacles;

"Poor communications, existence of different laws, norms, practices, and ways of life."

Buendia cited Iglesias' arguments on the advantages of a federal structure, to wit:

- It would accord equal stature and treatment to the needs of all parts of the country regardless of their ethnic, religious, linguistic or geographical condition.
- It would reduce pressure for separatism.
- It would serve as an equalizing factor by promoting a more balanced socio-economic and political development attuned to the needs of the regions.
- It would bring governments closer to the people.
- It would enhance national integration and unity.

Abueva proposes a ten-year transition period for the full implementation of a federal system, beginning with amendments to the constitution. He suggests the continuation of the presidential system with a bicameral legislature. In the Senate, the proposed ten federal states would have three seats each.

Abueva argues that while the "national redistribution of resources and welfare is a major function of the federal government...the states are to be the engines of economic and social development and the main provider of social services and public safety."

He points out that the federal system is more democratic and more stable. He argues that it would have been difficult to stage a military coup of the sort mounted against the Aquino government in the 1980s within the framework of autonomous state governments.

While the legal framework for devolution has been established, the path toward federalism is full of obstacles. The first obstacle is, of course, the inertia of fifty years of a highly centralized system, reinforced by a powerful presidency with more powers than the President of the United States.

The second—a formidable one—is the strong public resistance to changing the Constitution. Many Filipinos fear that the amending process could be used to lift the term limit of six years on the presidency or to scrap other popular provisions of the constitution.

This resistance has to be overcome before the movement for federalism can find a medium—constitutional change—through which the shift could be translated into reality.

A crisis could help overcome the resistance. The economic and political impact of the Mindanao Muslim rebellion is one such development. And the current crisis of President Joseph Estrada might also encourage people to take a serious look at federalism. Estrada is on trial for impeachment sparked by serious charges of corruption. This crisis could encourage Filipinos to look to federalist reforms as part of a way out of an overly rigid presidential system.

Sometimes, in the life of a nation, crises provide opportunity as well as danger. (6)