

Federalizing the Philippines: The Final Solution (within Reason)

Seminal in '82

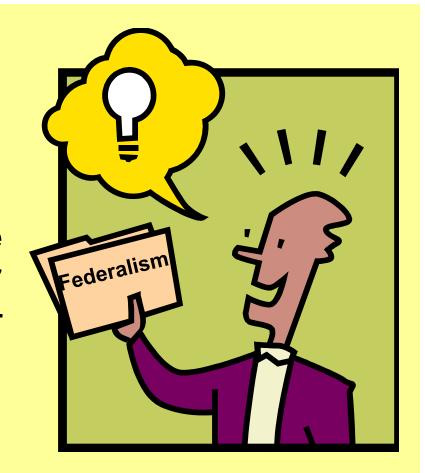
Our formal espousal of the proposal started when the PDP-Laban was organized in 1982 to provide our people a third way of getting out of the mess the country was in. Or, if you please, give them an alternative to both the Martial Law Regime of President Marcos and the armed rebellions that opposed it.

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

We did not like the martial law government 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 end martial law.

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.

Invasive surgery

This advocacy is contained in a resolution that I prepared upon request by some of our colleagues in the Senate and in the House, some local government officials and friends from the NGO sector.



JOINT RESOLUTION TO CONVENE THE CONGRESS INTO A CONSTITUENT ASSEMBLY FOR THE PURPOSE OF REVISING THE CONSTITUTION TO ESTABLISH A FEDERAL SYSTEM OF GOVERNMENT

The 63-page resolution requires the revision of 15 of the existing 18 Articles of the Constitution and the addition of two new Articles. To use the more picturesque terms of surgeons, the revision requires an invasive surgery into the constitutional structure of our body politic.

Total Number of Political Subdivions of the Proposed Eleven (11) Federal States

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
81	120	1,508	40,043

Total Number of Political Subdivions of the Federal Administrative Region of Metro Manila

No. of Cities	No. of Municipality	No. of Barangays
16	1	1,689

Luzon States

Luzon will have four States, namely:

1. The Federal State of Northern Luzon;

No. of Provinces	No. of	No. of	No. of
	Cities	Municipalities	Barangays
154	14	284	5,950

... Luzon States



No. of Provinces	No. of Cities	No. of Municipalities	No. of Barangays
7 //	13	118	3,094

... Luzon States

3. The Federal State of Bicol, and

No. of Provinces	No. of	No. of	No. of
	Cities	Municipalities	Barangays
5	6	87	2,920

... Luzon States

4. The Federal State of Southern Tagalog.

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
5	12	131	4,007



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.

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Example 6.2 (CA) and any

The Visayas will have four federal States

1. The Federal State of Eastern Visayas

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
6	7	136	4,390

...Visayas States

2. The Federal State of Central Visayas, and

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
5	17	136	3,549

...Visayas States

3. The Federal State of Western Visayas

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
6	16	130	4,047

...Visayas States

4. The Federal State of Minparom;

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
5	2	71	1,526

Mindanao States

Mindanao will have three Federal States, namely:

1. The Federal State of Northern Mindanao

No. of	No. of	No. of	No. of
Provinces	Cities	Municipalities	Barangays
11	16	189	4,552

...Mindanao States

2. The Federal State of Southern Mindanao

No. of	No. of	No. of	No. of Barangays
Provinces	Cities	Municipalities	
10	13	119	3,849

...Mindanao States

3. The Federal State of BangsaMoro

No. of Provinces	No. of Cities	No. of Municipalities	No. of Barangays
6	4	107	2,522

Briefly, the State boundaries will cut across the present regional boundaries.

We recommend that the States be constituted out of bigger political territories to provide the environment for (1) competitiveness and (2) sustainability rather than create States out provinces that in many instances might simply be too small to survive as a State.



MINIMUM MANAGEMENT OF THE PROPERTY OF THE PROP

Please note that the Resolution defines the territory of the Federal Republic and unequivocally includes two previously ambiguously claimed islands, reefs or shoals.

Embraced as parts of the Federal State of Central Luzon are the Scarborough shoals and as parts of Minparom, the Kalayaan islands.

PRESIDENTIAL FORM, RETAINED

- A president and a vice president will still be elected nation-wide.
- · Qualifications, the same as in current Constitution.
- The president and the VP will be elected as a team.
- · Terms: 6 years without reelection.
- Term Limits under current Constitution are intended to apply to those who had been president

Seats of power, dispersed

The Resolution also disperses the seats of power of the major branches of government.

The executive department will hold offices in the Federal Administrative Region of Metro-Manila.





The legislative department will hold office in the Federal State of Central Visayas.

The judicial department will hold office in the Federal State of Northern Mindanao.



By so doing, aside from the Luzon, the two other major geographical regions of the country, the Visayas and Mindanao will now fully appreciate that they are important parts — not merely appendices - of the Republic.

OTHER MAJOR GOVERNMENT OFFICES ALSO DISPERSED

- Intermediate Court of Appeals division permanently assigned to every State;
- · Sandiganbayan divisions permanently assigned to areas outside of Metro-Manila;
- · Human Rights Commission divisions permanently assigned to cover Luzon, Visayas and Mindanao;
- · Civil Service Commission divisions permanently assigned to specified States outside of Metro-Manila.

Legislative powers, shared by

- 1. The bicameral Federal Congress, and
- 2. The unicameral State Legislatures.

Legislative Powers Vested	Form/ Manner of Election	Proposed Composition
1. Federal Congress(a) Senate(b) House of Representatives	Bicameral Elected State-wide Elected by district	(a) 75 (b) 350
2. State Legislatures	Unicameral Elected by members Sanggunian Panlalawigan and Sanggunian Panlungsod *Sectoral representative shall be nominated and appointed	Three (3) representatives for each province and each city located within the territorial boundaries and three (3) representatives coming from the sectors of the farmers, fisherfolk and the senior citizens

INCREASE OF SENATORS

Every State shall be represented by six (6) senators elected by the qualified voters in state-wide elections. 11 x 6 = 66 plus 6 for Metro-Manila = 72 + 9 overseas senators = 81

Justification for increase

The 24 senatorial limit was based on a Philippine population of 20 million or so. Now we are nearing 90 million. The increase in the number of senators & members of the House may be justified by the rise in population.

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

Ten Nations whose Upper Legislative Chambers Have More Legislators Than the *24 Senators

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

^{*}Philippine Setting

STATE LEGISLATORS PER STATE

Federal States	Number of State Legislators
State of Northern Luzon	90 State Legislators
State of Northern Mindanao	81 State Legislators
State of Southern Mindanao	72 State Legislators
State of Western Visayas	69 State Legislators
State of Central Visayas	69 State Legislators
State of Central Luzon	63 State Legislators
State of Southern Tagalog	54 State Legislators
State of Eastern Visayas	42 State Legislators
State of Bicol	36 State Legislators
State of BangsaMoro	33 State Legislators
State of Minparom	24 State Legislators

The Federal Administrative Region of Metro-manila will have of 51 State Legislators.

JUDICIAL STRUCTURE, RETAINED

- The Supreme Court is retained including its powers.
- * The Supreme Court supervises all lower courts: Intermediate Appellate Court, Sandiganbayan, Regional Trial Courts, City & Municipal Court.
- * All the courts have constitutional deadlines to meet in rendering their decisions

LGU's, Intact

- Despite the changes in the federal congress and the creation of the state legislatures, the powers and structures of provinces, cities, municipalities, and barangays are untouched.
- · State governors, however, will have an additional qualification: the possession of, at least, a high school diploma
- It is up to the States to change LGU structures and powers subject to the approval of the voters in the areas affected in plebiscites called for the purpose.

Despite the increase of senators (and members of the House), the revenue shares of the States and the LGUs will increase.

LGU SHARES, INCREASED

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

Sharing of National Taxes

Percentage	Share of
20 %	Federal Government
80 %	States

SHARING OF 80% STATES & LGUs

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.



Federal

States

Equalization Fund

There are many other new directions and opportunities provided for in the move to federalize the Republic.

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

LOAN COMMISSION

•To ensure that the just foreign loans of the country are faithfully paid, a Loan Commission is created.

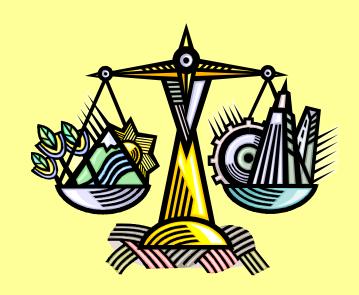


- · Every State is represented in the Commission. The federal government is also represented in it as well as a represented of concerned NGOs.
- Equitable shares of the loan repayments will be borne by the States that benefited from the loans

Political & economic objectives

To enable our participants to air their concerns, let me conclude this statement with this thought: 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.

The move to federalize the country is not simply a 'political' undertaking it is also an economic effort. By creating 11 Federal States and by converting Metro-Manila as a federal administrative region, we immediately establish 12 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.



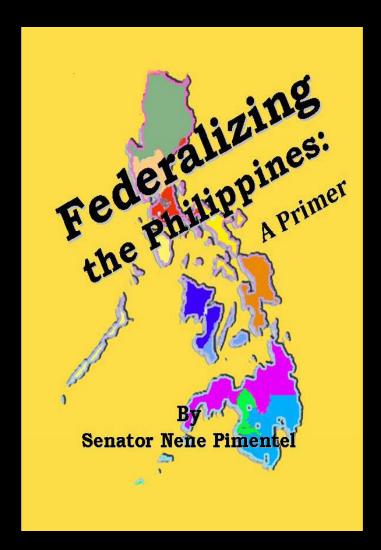
Just & lasting redress

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 peoples of Mindanao.

By federalizing the Republic, the States will hopefully be able to address the needs of their component sectors more readily.



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.



Finally, your other concerns may be addressed in the 494 page book, *Federalizing the Philippines: A Primer*, authored by Senator Nene Pimentel to help our 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.

Thank You!