

**WHY CHANGE OUR UNITARY REPUBLIC
TO THE FEDERAL REPUBLIC OF THE PHILIPPINES?
A P R I M E R**

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1. What is our unitary Republic, or unitary system of government?

- In our unitary system our Constitution has concentrated political powers and authority in the national government. Legislative power is vested in Congress (the Senate and the House of Representatives), executive power in the President, and judicial power in the Supreme Court and lower courts. National government institutions and officers are based in Metro Manila, the National Capital Region.
- The President as the head of government is the chief executive and commander in chief of the armed forces. S/he has general supervision over local governments (the provinces, cities, municipalities, and *barangays*) which are weak and dependent on the national government, although they are supposed to enjoy local autonomy..
- All major laws and policies are passed by Congress and approved by the President who is responsible for implementing them through his/her control of the executive departments and agencies and the bureaucracy, and general supervision over the local governments.

2. Why do we want our unitary system changed by revising the 1987 Constitution?

Because of the serious weaknesses and disadvantages of our unitary system:

- Our unitary system is highly centralized. With very limited powers and authority and inadequate resources, most of our local governments cannot provide the public services that our people need and expect.
- National taxes siphon or take away much of the wealth and revenues generated by agriculture and other industries in various local communities around the country. Major corporations, including banks, pay their taxes in Metro Manila whose cities benefit more from their activities than the provinces and other cities in which the branches of the corporations y operate.

- Local officials have to spend much of their time and energy and their limited funds seeking the assistance and approval of national government officials in Metro Manila.
- Local dependence on the national government stifles local initiative and resourcefulness, and hampers local business and development.
- Our unitary system is not sensitive to our cultural diversity. The nation has many ethno-linguistic and cultural communities and a large Muslim minority, the Moros. The migration of large numbers of people from other parts of the country has led to the loss of their identity and ancestral domain and to their landlessness and poverty.
- Decades of unitary rule under the policy of assimilation and national integration have marginalized the Moros and other indigenous peoples in various parts of the country. Meanwhile many settlers in Mindanao and other regions are becoming prosperous. Deteriorating relations between the Moros and the national government have led to many years of violence and rebellion—the death, displacement and suffering of thousands of people.
- Under our unitary system the efforts to promote local autonomy since the 1950s have reached a dead end, because of the reluctance of most national political leaders to decentralize the powers of the national government. The centralization of power enhances their power and control over the local communities.
- Thus under our traditional unitary Republic since 1946, and our presidential form of government, our government and leaders have generally failed to effectively address our problems and continuing underdevelopment—our poverty, social inequality, unemployment, inadequate social services, the lack of transparency and accountability that breeds corruption, the government’s increasing deficits and public debt, endemic rebellion, etc.
- For these reasons the federalist movement seeks to change our highly centralized unitary structure to a decentralized structure of autonomous local governments leading to a federal system, in addition to a parliamentary government.

2. What is federalism? (“the Federal principle?”)

- Federalism is a system of government whose primary feature, defined in the Constitution, is the distribution of powers between a central or national authority (the federal government) and regional governments or states with their local governments.

- Federalism emphasizes respect for the socio-cultural diversity of the people and seeks national unity in regional diversity. It promotes national solidarity and cooperation in governance, nation-building, modernization and development.
- Federalism emphasizes regional and local self-rule and self-reliance in governance, based on the principle of subsidiarity. This means that decisions should be made at the lowest possible level where the problems can be solved.
- While regional or state governments are designed to be autonomous in their regional and local affairs in relation to the federal government, the federal government provides assistance to the various regions and states, especially the less developed ones, as in all federal systems in the world.

3. How are federal systems created?

- Creation of a federation or federal system
 - Where sovereign entities form a union or federation, example, U.S.A, Federal Republic of Germany, Canada, Malaysia
 - Where a unitary system creates autonomous regions or states, example, Spain, Belgium, Pakistan
 - What are our criteria for creating states in our proposed Federal Republic of the Philippines:
 - Some common ethnic, linguistic and cultural features,
 - Geographic contiguity or proximity (nearness),
 - Economic potential and viability of the proposed regional governments or states.
 - Original proposals for creation of states in the Philippines suggested 3 to 12 states, starting as autonomous regions.
 - Each autonomous region or future state would have legislative, executive, and administrative powers.
- The Constitution defines the powers and functions and responsibilities of the national government and the regional governments. However, international experience shows that federal governments are responsible for at least the following:
 - national defense and security;
 - foreign affairs;
 - currency, money, and coinage;
 - trade and commerce with other countries and among states;

- customs and national revenues;
- citizenship and immigration;
- national territory,
- air transport and shipping;
- postal service and telecommunications
- political and civil rights, human rights, and intellectual property rights
- the national Supreme Court.

4. What is proposed to change our traditional unitary system to autonomous territories (local governments and regions) preparatory to establishing the Federal Republic of the Philippines?

In revising the 1987 Constitution, we are proposing a participatory process for extending substantial local and regional autonomy in the transition to the establishment of the Federal Republic of the Philippines. This is unprecedented.

The process starts with an act of local self-determination: the petition to Parliament of local government legislative bodies of contiguous, compact and adjacent provinces and cities, and of cities and municipalities in metropolitan areas, for the creation of autonomous territories.

In response, Parliament shall pass an organic act which shall define the basic structure of government for the autonomous territory. This consists of a unicameral territorial assembly whose members shall be elective and representative of the constituent political units. Exceptionally, a province may be established as an autonomous territory based on area, population, necessity, geographic distance, environmental, economic and fiscal viability and other special attributes.

The creation of an autonomous territory shall be effective when the organic act is ratified by a majority of the votes cast in a plebiscite called for the purpose.

Within one year and after at least sixty percent of the provinces and cities shall have joined the creation of the different autonomous territories, upon petition of majority of such autonomous territories through their respective regional assemblies, the Parliament shall enact the basic law for the establishment of a Federal Republic of the Philippines, whereby the autonomous territories shall become federal states.

The organic act of the autonomous territories shall provide for primary legislative powers of their assemblies over the following:

1. Administrative organization, planning, budget, and management;
2. Creation of sources of revenues and finance;
3. Agriculture and fisheries;

4. Natural resources, energy, environment, indigenous appropriate technologies and inventions;
5. Trade, industry and tourism;
6. Labor and employment;
7. Public works, transportation, except railways, shipping and aviation;
8. Health and social welfare;
9. Education and the development of language, culture and the arts as part of the cultural heritage; science and technology;
10. Ancestral domain and natural resources;
11. Housing, land use and development;
12. Urban and rural planning and development;
13. Such other matters as may be authorized by law for the promotion of the general welfare of the people of the autonomous territory.

The Autonomous Region of Muslim Mindanao shall exercise the primary legislative powers enumerated above and shall be entitled to the benefits given to autonomous territories.

As in all federal systems in the world, the federal government will provide financial assistance to the various states, especially the less developed ones.

6. What are the expected advantages in changing our traditional unitary Republic to the Federal Republic of the Philippines?

- The Federal Republic of the Philippines will build a just and enduring framework for peace through unity in our ethnic, religious, and cultural diversity, especially in relation to Bangsa Moro and our *lumad*/ indigenous peoples everywhere.
- The Federal Republic will empower our citizens through their autonomous local and regional governments. It will enable the people to raise their standard of living and enhance their political awareness through their participation and efficacy in elections and the making of government decisions at the local and regional local levels.
- The creation of autonomous territories and autonomous regions that will become federal states under a federal system will improve governance by challenging and energizing local and regional leaders, entrepreneurs, and citizens around the country. It will release them from the costly, time-consuming, stifling, and demoralizing effects of excessive central government controls and regulation in our traditional unitary system.
- Federalism through autonomous territories will specifically strengthen the powers of the provincial governors, city and municipal mayors, and other elected local government leaders. It will be proposed that the organic acts of Parliament will

make key local government executives members of the assembly of the autonomous territories and regions that will become federal states in the Federal Republic.

- Federalism, together with parliamentary government, will improve governance by promoting the development of strong, united, disciplined, and program-oriented political parties that are responsible and accountable to the people for their conduct and performance in and out of power.

- Thus, federalism will stimulate and hasten the country's political, economic, social, and cultural development and modernization. Gradually, with a parliamentary government, federalism will broaden and deepen our democracy.

- In other words—with political will and sustained effort for the common good—federalism and a parliamentary government would gradually enable our democracy to deliver on the constitutional promise of human rights, a better life for all, a just and humane society, and responsible and accountable political leadership and governance.

This is why

- **Charter change for good governance is imperative and urgent!**

If we fail to revise our Constitution soon, the campaign for the presidential election in 2010 will overtake us. Then we shall have to wait until after 2016 to initiate constitutional reforms. But should we, or can we, really wait?

Our people are deeply dissatisfied with our kind of democracy. Let us not allow possible social unrest and political chaos to bring back authoritarian rule!