

Federalism and the Challenge of Politics and Administration in the Philippines

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Abstract

Governments and Political systems around the world are designed according to the country's history. Our case is no different. The Presidential Unitary system is in place today largely because of America's influence as the country's last colonial master. In many developed and successful democracies around the world, the structure of government resulted mainly from the struggle of political leaders and stakeholders in their society. The division of powers between the different levels of government, the function of the different agencies, even the significance of political parties and actors all reflect the dynamics that shaped the country and the state as a whole. There were opportunities and attempts, especially in 1971 and in 1986 to follow the same rationale and structure the country's politics and governance. The process surrounding said attempts were however arrested and or limited before it could be completed. Looking back, the issue of systems of government, even of the economy, is now accepted by many as fundamental that since 1990s reforming the overall political and economic system have been part of our discourse.

This paper will argue that the above consideration has become fundamental for the following reasons,

1. We are becoming more and more aware of the significance of our own identity as different peoples in one nation. The same has highlighted the growing gap between the different socioeconomic classes in the country.
2. The result or absence of results of many reforms introduced in the 1987 Constitution and the subsequent reform legislations passed since, only emphasize the need to revisit the issue of government systems.

Designing the appropriate political and governmental system for the country on the other hand is to say the least an intricate and difficult process that can only proceed with details in mind. Conflicting interests in society will factor in the whole process, especially that groups enjoying the current setup will surely not allow any change to happen. This administration may prove to be the most opportune time to seriously look at comprehensive reforms, as for the first time, we have President and an administration party that actually see the significance of political systems as a fundamental mechanism for real development. Looking at how the Federalism initiative has been moving however, there are also challenges from within the administration that will impact on the success of any reform initiative.

The approach to reforms can only be comprehensive but detailed and problem-driven. We cannot just debate on concepts and not factor in the country's political, economic, social and even historical context. Only then can we have political and governmental system that could possibly give the results needed.

I. The Vicious Cycle Politics in the Philippines

We should essentially start with the premise that democracy was re-established in 1986; and there are implications to it that we have yet to deal with completely. We are still in the process of democratization; we successfully transitioned from a very limited political and even economic environment, to one that is clearly free yet wanting in terms of stability and predictability. The Philippine political, economic, and social environment remains undeveloped and this is reflected in a state that operates mainly on the basis of who is in power in combination with the extent of influence particular interests wield on an incumbent government (Rivera 2002; Rogers 2004). There has to be a way to change this unstable characteristic and strengthen our political and or public institutions.

In this regard, some consider the 1986 EDSA Revolution as a “restoration” and not a “revolution” (Coronel 1991; Iletto 2003; Eaton 2003). Much remains to be done in terms of reform aimed at empowering the government to engage in a long-term development strategy and not remain subject to the changing political conditions. This unfinished democratization explains why in every change of administration, it seems common that every outgoing President is almost always seen as having failed expectations. Each administration at best could come up with palliatives, but long-term initiatives cannot be undertaken even if attempted; and this we have seen at least in one administration. There were those administrations where expectations failed simply because the needed changes were essentially fundamental, far-reaching and therefore divisive. And there are administrations that failed expectations because said expectations were extraordinarily hyped that many strongly believed only to be disappointed in the end.

And so we always look forward to another opportunity, the next election and hopefully elect the right leader that will usher in a new era of development, of prosperity. Unfortunately, our system simply does not allow us to effectively choose the really right or good leader we need. And even if we are able to elect the right one, s/he has a lot of work to do putting the house in order, if not substantially retrofitting or rebuilding the house before real work for development could even start. Now say we managed to have the right leader, put the house in order and put in place a number of policies and programs that at the least starts the process of lasting institutional reforms, the question now is if it will be followed thru by the next administration.

This briefly yet comprehensively describes the story of Philippine Politics and Governance. It is a vicious cycle that has to be arrested soonest otherwise we'll remain as we are, developing but not enough to at the least match the pace of our neighbors and possibly end up forever with the title “developing country”. No matter how an administration declare that we are now a first-world country, and this has been done by at least 3 Presidents now, it will still remain largely a dream. This is the lens we should be employing if we are to make sense of administration in this country, which is very much reflective only of the kind of politics we have; one that is complex and systemic.

II. The Philippine State and Society

The Philippines is the First Republic in Asia with the establishment of the Malolos Republic on 23 January 1899. Since then, the whole country has been referred to as The Philippines or The Philippine Islands, recognized internationally as a single consolidated state from one

that was originally composed of several polities or principalities as it was in the middle ages Europe, sharing only a common geographic, that is, archipelagic location. This characterization has been established internationally with several treaties between powerful countries starting with the Treaty of Paris that ceded the Philippines to the United States of America for \$20 Million. From one colonial master to another, the many ethno-linguistic groups shared a common history. Mindanao was never occupied, but still, mainly due to proximity and through a bustling trade before, shares a good part of the history of the entire archipelago.

Other than the departure of colonial leaders and having Filipino leaders in government now there is hardly any change in our public institutions. The elites still control the country's politics and economy only this time not in behalf of a colonial master but for their own and family's benefit. Public institutions hardly function without favor and a good part of what is known as public office is more of a personal tool of whoever occupies it instead of serving the interest of the greater public.

Popular theories why the Philippines remain underdeveloped point to this political condition. What may arguably be the most frequently mentioned is that we are a divided people which explains the presumed lack of discipline and indolence, and this is because we did not have a bloody civil war before needed to establish a sense of identity in the country; what many assume to be common with established democracies and or developed countries and thus appear to be a requisite for establishing the state. This assumption is then thought to be the reason why we are not a nation or that we have yet to evolve to be a nation, which then explains why the state we have in place, is hardly comparable to the states of advanced democracies. This echoes the Westphalian doctrine as reinforced by the rise of nationalism in the 19th century, putting forth nationhood or national identity as the basis for the establishment of the state.

The state and its institutions as important components to development has been propounded since the 1990s and is useful in understanding conditions of developing countries like the Philippines. Not that the idea of the state is new in political science and sociology, Almond argues that a segment of political science literature has always incorporated the state in its analyses (Barkey and Parikh 1991). Almond cites the work of such eminent political scientists as David Truman, E. E. Schattschneider, V. O. Key, and Pendelton Herring, among others. Much of these tend to focus on the government, particularly as a collection of individuals performing specific functions. Others have focused on particular institutions such as the Presidency or the Executive Department or Congress. What is new is not the study of the state but in using it as a development variable. Rarely has the state been viewed as "an administrative apparatus where administration means the extraction of resources, control and coercion, and maintenance of the political, legal, and normative order in society" (ibid.).

The work of Evans, Rueschmeyer and Skocpol "Bringing the State Back In" is a valuable contribution to this discussion as it reviewed contestations within the state. The book not only renews interest on the state, but also prompts us to the unique conditions that characterize post-colonial states especially the advent of democratization and globalization. The phrase bringing the state back in is an invitation to look at development from the vantage point of the state and not of society or culture. Both for the purpose of providing a functional explanation to recent developments and also as an alternative to understanding why some states manage to develop and others do not.

Skocpol argues the need to reconsider the role of the state in relation to economies and societies (1985: 20). Recent scholarship has in fact overshadowed the dichotomy that divided scholarship between state and society before, now that the state is almost always part of the explanation (Barkey and Parikh 1991: 524-526). These researches have advanced a number of arguments. First, they conceived of the state as an actor with interests of its own which do not necessarily reflect those of society. The idea of the strong state comes to mind as the capacity of the state is the one that is given emphasis in this perspective. Empirical studies were also undertaken as this developed articulating a second more moderate vision of the state's role by "embedding it in its societal context" (Stepan 1978, Evans 1979, Rueschemeyer and Evans 1985, Katzenstein 1985). The state is still strong in this sense, but it is acting in relation to society. A third and possibly last category looks at the relation between state and society as essentially a contested one. "The ideal state triumphs in its struggle with society and develops autonomy and capacity for action as a final result of a compact between itself and societal forces" (Callaghy 1984a,b, Kohli 1986, Azarya and Chazen 1987, Migdal 1988). Politics is thus seen in terms of either dominance of the state or that of society.

Of these three perspectives, the latter is the most popularly used by local scholars. The prevalence of patronage politics has led scholars to conclude that the Philippines is a captured or a weak state. The state apparatus is run by dynastic families (McCoy 1994); State policies are forged to favor particular economic interests, same interests that influence Philippine politics and governance (Hutchcroft 1998, Rivera 1994); and that the Philippine society developed first way before the Philippines as a state was established (Wurfel 1988, Steinberg 1994). All these point to only one thing, the structure of Philippine society explains the brand of politics and governance that we have. The state hardly exists because of the dominance of elites and particular interests. Little or no distinction separates economic and or political interests. And the tag 'trapo' used to identify political leaders espousing the traditional patronage politics is traced to this same socioeconomic structure.

All these studies however are purely diagnostic. There are limitations in terms of providing a prescription for developing countries like the Philippines to work with to create or recreate an autonomous state. To use the third framework we have mentioned, that is to place the relation between society and the state as essentially a contested one is to acknowledge society as equal to the state in character and significance, and in effect suggest that a society needs to transform itself before the creation of an autonomous state is possible. Skocpol and Amenta in their 1986 study on the other hand argues that politics in society is shaped by the policies the state enacts. Of course such enactment is dependent on existing political structures that should be designed to reflect the character of society in a state.

III. The Politics of Reform

The kind of policies a country has reflects the kind of state it has, as the foregoing suggests, and this is reflected by the reform measures we have had so far. There's no gainsaying that our leaders are aware and care enough to pursue needed reforms. Even if one is to argue the opposite, it will not be easy for leaders to just remain insensitive given the vibrant civil society we have since the 1950s. Still, the systemic limitations of the state is revealed as

even if there had been serious efforts to pursue reform, the result has always been either watered down or deficient policies and or the implementation has been considerably inconsistent with the objectives set by the policy.

This is seen most especially if we start with the reading and understanding of the 1987 Constitution. The Constitutional Commission convened in 1986 suggests a serious effort to effectively represent the diverse sociocultural and political economic interests in the country; and with the unique provisions on social justice and considerable check introduced against what was originally mainly an executive power that is Martial Law, it showed a deliberate intent to correct considerable mistakes in the country's history. This constitution set the policy direction towards political reform and led to many landmark legislations. Reforms started with the law operationalizing decentralization under the 1991 Local Government Code (LGC), the law mandating the representation for the marginalized sectors with the 1995 Party-list Act, and the empowerment of the IPs with the Indigenous Peoples' Rights Act (IPRA) of 1997 were enacted.

More than these largely political reforms, there were industry directed reforms. Reforms were also introduced to open up the telecommunications industry, ending the monopoly of PLDT, allowing the entry of other players in as early as 1989, the signing of E.O. No. 59 in 1993 that prescribed policy guidelines for Compulsory Interconnection of Authorized Public Telecommunications Carriers. This culminated with the enactment of R.A. 7925 or the Public Telecommunications Policy Act of the Philippines intended to provide a "healthy and competitive environment... while maintaining affordable rates" (Art. II, Sec. 4f). Another reform measure worth noting is R.A. 9136 or the Electric Power Industry Reform Act (EPIRA) of 2001 intended to achieve reliable and competitively priced electricity. Most recently, with what essentially could complete the 2 previous economic and industry reform measures, Congress passed R.A. 10667 or the Philippine Competition Act aimed at achieving efficiency of market competition.

Now, reflecting on each and all of the foregoing reform measures is itself the challenge of Politics and Administration. Politics has always been viewed negatively in this country that when leaders grandstand or do nothing we dismiss it as politicking. This is of course fundamentally different from the view that politics is about decision-making or getting things done amidst diverse interests and or stakeholders. Politics is then considered popularly as limited only to elections, to propaganda and partisanship and definitely to political personalities. Politics is rarely considered part and parcel of policy making that after legislation is done, it seem to just stop there. There is no questioning that we have well-meaning political leaders as the above list of reforms could suggest, but whether or not the implementation of a policy is thought of or there is appreciation of the kind of public administration we have that will implement the policies, is entirely a different story.

An in-depth study should be undertaken if these measures were implemented, how it was implemented and determine whether the objectives of the measure were met or why the result has been different from what was expected or intended. For example, are we now able to actually represent the "marginalized sectors" with the party-list law? Is it even possible to define specifically what a marginalized sector is? Let's say it is; could there be an exhaustive enumeration of these sectors? Can these sectors be effectively represented under the existing electoral system and administration? Lets just say that the party list as a reform measure simply did not meet the expectations, the next step is to figure out how it could be made to work.

All the foregoing are reform measures, measures intended to improve on governance and therefore fundamental; but which of these measures have been at the least assessed and the result of the assessment resulted to a revision? They say that measures have to have a sunset clause. The local government code has this provision, prescribing a “mandatory review every five years,” even as often as necessary (Section 521, Title II, Book IV), which sadly has not been given considerable attention.

The foregoing is fundamental, as it provides the context of politics and governance in the country, the context of pursuing reform. It illustrates that from the start the strategy has always been piecemeal reforms as we have been circumspect with how things will turn out with needed reforms. If we stay the course, what could possibly be done so that this time around, the reforms will be successful? We should start by reflecting why if in the first place we have been guarded and has been proceeding only with piecemeal reforms, why did we still have “unintended consequences”? We have to make a serious reflection and pin down the very reason why, and then perhaps we can move on and finally make these reforms work or adopt a different strategy that this time we might be able to get it right. There are those who say that we have already come a long way. As it is now, there may be some increments, but the overall scheme of things remains essentially the same.

Let’s insist that it is just a matter of reviewing and revising these measures. With the remarkable majority the administration enjoys in the legislature, revising these measures should be easy, however divisive and requiring substantial political capital. Let’s say these measures are revised, the next question then is if there is nothing more needed to be done to ensure that it could be successfully implemented this time around. Will these measures work without need to at least amend some provisions in the constitution? We then go back to assessment if we are to consider revisions and or piecemeal reforms.

For starters, many of the measures mentioned were expected to bring about market competition in key industries like energy and telecommunications. Apart from rules on competition, what is fundamental in fact is the existence of competitors. Public utilities require considerable capital and only those that have already made it big could possibly compete. Considering the size of the country’s market, there could only be few that could have made it big by now. Then it is by no coincidence that the players you have in one industry would be the same in another. It is not surprising that despite deregulation no company is able to provide the right, efficient and competitive service, not in telecommunications, not in electricity, especially if we compare what we have with our neighbors. A simple comparison of costs would already reveal the inadequacy of public utilities in the country.

If we are to look at “autonomy” on the other hand, say for example in the case of the Bangsamoro, will the enactment of a new organic or basic law be enough without needing at the least a ‘surgical’ amendment of the constitution? Are autonomous regions as provided for in the 1987 Constitution classified in the same way as local government units (LGUs)? Whatever the answer is to this question, would it be possible for this autonomous region to perform more functions other than those already devolved? Can it decide to organize itself differently and adopt a different political structure compared from what is already established from the national to the local governments? Could there be enough fail-safe that could be included in their basic or organic law that will prevent the national government from diluting or taking back the powers already afforded them? In the case of

LGUs alone, is decentralization already provided for not only in the constitution but also with the 1991 LGC actually in practice as it is intended? Are the devolved functions as enumerated in the law actually devolved? With the autonomy that comes with decentralization, are LGUs actually able to do enough as they see fit? Take note most especially that decentralization is anchored on the principle of 'subsidiarity'. If the LGU cannot do as much, then what is the value of the LGC and the state policy declared in the constitution that espouses autonomy (Art II, Sec. 25)? Is it right to say that the limitations of the LGUs is due largely to the ineptness of local political leaders, of the prevalence of political dynasties? Can we not instead ask if the political frame of local governance, e.g. the creation or reclassification of LGUs contribute at least to the limitations of local governance in the country, even including the prevalence of political dynasties as we pejoratively see it? If we already have the fundamental reform measures in place, what then could still be lacking that we are still stuck to our current development situation?

IV. Limited Local Public Administration

There is much to gain if by the foregoing we are able to come up with the right form of government with the right political system. A more in-depth study should be undertaken in order to completely capture the significance of changing the country's form of government. A much-improved public administration is one fundamental gain we can certainly expect that a simple comparative discussion and analysis could show.

For example, our neighbor Indonesia has 735,400 square miles in total land area compared to the Philippines' total of 115,831 square miles. This means that the Philippines only has 15.7% of Indonesia's total land area. It is interesting that when we compare the number of provinces of both countries, the Philippines has more, 81, compared to Indonesia's 34. This is not comparing apples and oranges, as the province in Indonesia, like here in the Philippines is the highest tier of local government and further divided into other local government units (LGUs). Our provinces then are diminutive with only about 6.7% of the size of a province in Indonesia. Local public administration is expectedly limited. Planning alone, including revenue generation will be limited, including key governmental functions that require land use, traffic and waste management, disaster risk reduction to name the most fundamental.

Political representation and even security is likewise limited under this setup. A particular political family can easily dominate a considerably small LGU, not to mention that we have been creating LGUs precisely to accommodate a particular political interest. An anti-political dynasty law will not be enough to put an end to it. Without changing the electoral and political party system, not only will it lead to new political dynasties but also that especially in the countryside where most of the residents are related, it can only result to the election of more unqualified political leaders. The immediate effect of an anti-political dynasty law without enlarging or at the least any provision for amalgamation of current LGUs is opening up elective positions to those who barely have education, as the same elites are most likely better able to obtain education compared to most other local residents.

As our kind of political dynasties abound governance suffers. There is just not much incentive to improve on local governance as doing so could only mean lesser political patronage to dispense. How many of our LGUs have existing and regularly updated maps from cadastral to hazard maps, integrated with a regularly updated basic local indicators

and demographics or what we call community based monitoring system (CBMS)? This is significant not only for revenue generation, planning and budgeting processes but also for easily determining who are residents and non-residents in the LGU, and thus useful for ensuring security not only locally but could very well also complement a national security strategy. It is a basic tool LGUs must have, but the lukewarm response of local political leaders only means it is one that that is not to be given priority.

There are those who argue that current LGUs simply don't have the wherewithal to do all these and have a reliable database mechanism in place. What is needed is to increase its share from national revenue to allow it to do more. On the other hand, again without correcting the prevailing fragmentation of LGUs, will giving more funds to LGUs result to considerable improvement given its current absorptive capacity? What are the chances that these additional funds will not further strengthen the hold of the elites in the LGUs? If additional funds are considered but only with specific limitations for what and how LGUs can use it, then what good is autonomy for? The primary objective of giving additional funds should be giving more capacity and capability to LGUs and this could happen only with concomitant political structural reforms other than a stand-alone reform initiative to fiscal decentralization. This explains why initiatives to bringing about better local fiscal capacity always tended towards recentralization.

Pursuing political reforms on the other hand is not that easy. This can be gleaned in the difficulty of revising, even just reviewing laws that impact on the political system, say in terms of the political structure, representation and contestation; e.g. the LGC and the party list law, and even the IPRA. It can be surmised that it was only because the euphoria of Edsa was still high in the 90s that these reform measures were passed. After that period it was clear that any reform initiative would be difficult to pursue, not even to amend, even to just conduct a comprehensive review of existing political reform measures. New political reform initiatives like the anti-political dynasty law and the political party development act on the other hand have been attempted several times in several congresses but none of these fundamental reform initiatives pushed through. If this were the case with the said measures, what would be the chances of any measure that is pursued to directly result to a restructuring of existing LGUs? Creating new and smaller LGUs without doubt is political yet easy to put into motion. The explanation is obviously because it favors the political elites. Merging existing LGUs is the opposite that essentially it means that political families have to let go, sacrifice, or be sacrificed.

Indonesia is not federal but has the advantage in terms of autonomy and size of sub-national governments (SNGs) and or LGUs commonly seen in a federal system. The pace of creating new LGUs on the other hand, a total of 8 created since 1999 from an original 25 provinces, suggest that there is also a tendency to create smaller LGUs in Indonesia. This means that despite decentralization introduced after the fall of Suharto in 1998, the central government, good or bad can alter the shape of LGUs in Indonesia. Still, at least compared to the Philippines that have yet to follow up on its 1991 decentralization law, Indonesia have already come up with several legislations, each building up on previous initiatives, i.e. from laws 22 and 29 in 1999, to 32 in 2004 and most recently law 23 in 2014 and revised law 32 of 2004.¹ Perhaps we can say that the tact taken by Indonesia is to do reforms

¹ Anwar Nasution, Oct. 2016. "Government Decentralization Program in Indonesia". ADB Institute Working Paper No. 601.

gradually, building up on previous reforms as they see fit. Ours is different that we only came up with one big reform leap and found it difficult to look back and assess.

The limitation of Indonesia on the other hand is similar to what we also have under the current decentralized but unitary form of government. The powers that have already been given at the local level remain considerably subject to what the central government can opt to do at any given time, which however minimal, is shown by a similar tendency to create more and smaller political units. This should not be taken to mean that central government control is fundamentally bad, but any feature of a political system that has to do with structuring power relations has to have some element of rigor that it cannot be changed easily while at the same has the element of flexibility that allows complementation and collaboration between different levels of government more than control.² Of course, their political system is different, which could possibly explain why they have managed to follow through on their decentralization program and suggesting there is a better appreciation of the role played by LGUs.

V. Federalism in the Philippines

The relationship between decentralization and federalism may not be of causation but it is of correlation. In cases where federalism is the form of government but decentralization is hardly in place, the reason may be due to its history and political system, e.g. the United States of America and Malaysia. The 1930s depression led then President Franklin Delano Roosevelt to move towards centralization. Malaysia on the other hand has always been more centralized but this is mainly because of its fundamental policy on nationalism again owing to its history and the resulting dominance of a single party since the 1970s. If the purpose is to compare and determine whether federalism has the tendency to centralize as is illustrated in these two countries, perhaps it will be useful to note that both the US and Malaysia are classic cases of federalism, that is “coming together” federalism. The federal form of government was adopted for the purpose of centralization as component units of government were originally separate. Perhaps it is better to have a comparison of federal countries all over the world and determine the patterns of centralization and decentralization. It might be interesting that a centralized federal country is more an exception than the rule and as mentioned, due to the unique conditions and concomitant political system in place. Especially in new federalism cases, where the federal form of government was adopted after colonialism or democratization, popularly referred to as “holding together” federalism, a thorough study could reveal that it has less cases of centralization. In the first place, when centralization is a feature in a federal form of government, it should not be considered as comparable to centralization in a unitary form of government.

Scholars argue that federalism has primary and secondary meanings, which essentially explains why while centralism is a possibility, it doesn't and cannot amount to the same centralism in a unitary form of government. The primary definition says that there is a guaranteed division of power between the central government and regional governments

² “Structuring federalism should allow, in fact, should encourage, collaboration and cooperation across and among different government offices, agencies and levels. Delineation of functions should be drawn up in terms of complementary roles.” in Hofmeister and Tayao eds. 2016: 133. Herbert Werlin’s work on political elasticity is used to illustrate the importance of flexibility in the political structures.

(Lijphart 2012: 4). This division of power should not be assumed however as some complete delineation of powers but more of a mechanism for complementing functions. This is fundamental especially with the tendency to focus on “exclusive powers” in structuring relations between different levels of government.

The secondary definition, which reinforces the first, provides that there should be strong bicameralism, a rigid constitution, and strong judicial review (ibid.). This is the specific feature, which sets decentralization in a federal form of government apart from that in the unitary. In a unitary government, any power that is given to the SNG and or LGU can be easily taken back even without the benefit of a revised law on decentralization. Through a program of government, the central government can take over what is essentially a local government function. In a federal form of government, this second definition serve as the fail safe that prevents the central government from just taking over what has been already set to be a power of the SNG and the LGU.

These basic features of a federal form of government without doubt makes it considerably better compared to a unitary form. The question however is how it could be properly adopted given our unique context. The fundamental significance of the Philippine Federalism project is that it is an opportunity to restructure government, one that the country has attempted to do several times before but has always failed to get to fruition. In the specific issue of administration, federalism is an opportunity to restructure local governance without immediately and radically changing the current fragmented LGUs. The formation of regional governments is basically a mechanism of amalgamation. It is a strategy that provides a space for local political leaders to consider working together in a bigger political arena next to their existing LGU. The need for size as a requisite of capacity is then addressed by this strategy.

VI. The State and the Fundamental Role of Political Institutions

We are not lacking with good policies nor are we lacking with good leaders. What we lack is a good mechanism that could allow the effective implementation of good policies. What we lack is a good mechanism that will not only choose good leaders but also the right leaders and in keeping them as good and right while they are in office. What we lack is the institutional mechanism that puts together a system that sanctions the choosing and keeping of the right leaders and the important contingent of effective formulation and implementation of good measures. The democratization that we had recently should have led to the strengthening of state institutions instead of just a change of leaders at the helm or even the competition for power between old and new elites after the Marcos Dictatorship. Only by understanding and reframing state and society relations in the country can there be real and successful reforms. Only by systemic reforms can we put in place a better system of politics and governance for the country.

Abinales and Amoroso (2005) explains that Governance is a continual process in which a state imposes authority and society responds to that imposition with collaboration, resistance, or something in between. Society does not act as one, of course, but in differentiated groups we call ‘social forces’ (p. 9). Diversity in society however plays right into the heart of this continual process characterized mainly by ‘collective action problems’ that essentially depends on the state’s internal quality as well as on its relations to society (Lange and Rueschemeyer 2005: 6). With a country that is distinguished by ethnolinguistic

groups originally corresponding to geographical areas numbering about 78 languages and 500 dialects (Abinales and Amoroso 2005: 11), or the sheer physical demand of public administration in an archipelago, the challenge to state capacity is to be expected, considerable. There should have been a conscious effort to bridge this divide, a conscious determination to devise the right political system and to frame the appropriate governmental structure. We had a number of opportunities to do so but each have a unique context that came short of a conscious effort.

The 1935 Constitutional Convention satisfied the requisites of an elected body to draft a constitution, but we were under the tutelage then of the United States of America. 1971 had a perfect grounding; not only did we have a body tasked to draft a constitution that is elected, but also more importantly, by then, we were essentially already an independent country. Of course, there will be an amendment number 6 and for the next 14 years we were under a constitutional dictatorship. 1986 could have been the best opportunity to finally structure the right government for us, considering especially that the President then not only enjoyed tremendous public support, but also exercised 'revolutionary' power. The euphoria of EDSA was still so much in the air though that the overall sentiment that shepherded the drafting of a new constitution was not necessarily to envision a well-functioning state, but essentially to prevent another dictatorship. The members of the 1986 Constitutional Commission were all appointed, but the composition very well suggests of a serious effort to represent all the different interests and or political persuasions in society then. Still, the conflicting provisions in the constitution only show that there was no conscious effort to build and strengthen the right political institutions. The primordial constraint of time also led to manifold incomplete provisions with the self-contradicting phrase "as may be provided by law". If the idea in the first place is to just have Congress come up with implementable laws, that is, policies and programs, then the constitution could not have provided so many specific but unimplementable provisions.

Ultimately the objective is to reengineer public institutions in the country. Reengineering public institutions includes both the political and administrative, i.e. governmental mechanisms. The federalism project is not only about autonomy, not even the rather simplistic premise of giving more funds to the regions and local governments. The federalism project should fundamentally address the main problem of patronage politics and put in place a more effective mechanism that could at the minimum manage the distortion in society caused by the dominance of the elites in both politics and the economy. More than redefining the vertical relationship between the different levels of government and instituting the basic principle of "subsidiarity", the approach should be more comprehensive to include political, electoral, and political party system. The bureaucracy, the civil service and the judiciary should be strengthened and made more independent from partisanship, while the economy should allow real competition. These are important complementary reform components that will at the least minimize unintended consequences of giving more power at the regional and local level. Comprehensive studies should be undertaken in this regard to arrive at details that will make up a better political system and form of government for the country that the end result is a better set of public institutions.

Without the important details, particularly in consideration of the unique conditions in a country, federalism and or political decentralization may not result to the good governance that it is intended to achieve. Diamond argues there are also "pitfalls of decentralization" (1999: 132-138).

1. It may entrench or create authoritarian enclaves;
2. Permit intolerance of certain minorities;
3. Exacerbate geographical inequalities;
4. Foster redundancy and inefficiency; and,
5. Stimulate ethnic and nationality consciousness.

In countries where there is considerable disparity between different social classes, these downsides should be considerable. Riggs refer to this as “prismatic society” a term he uses to describe semi-feudalistic societies. Braudel describes the same as a social pyramid where everyone from the different social classes perform different tasks that are often characterized by rules and allegiances (cited in Werlin 2003: 330-331). This explains why there is no categorical political system that we can simply put in place, the very reason why we had to go through the extensive foregoing discussion. There is no categorical system because it has to be so designed to fit the unique conditions in the country. To fit the country’s context, specific components have to be carefully determined and put together in one system. This means it is not a simple choice of what political system or form of government. It has to be one integrated political framework that best suits the country’s requirements.