

Philippines

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Introduction

The Philippines boasts a legal framework of decentralization through local autonomy, decentralization, and devolution. However, there are backdoors which pose potential hindrance within the system. For one, the prevalence of money politics in the form of pork barrel² often makes local government officials subservient to officials of the national government. Second, the unitary system, even with its local autonomy mandate, begins by having placed the center of power to the national government situated in the Republic's capital, Manila, and the Metropolis to which it belongs. The moniker *imperial manila* was born out of this power imbalance. Education, health, finance, and development are also concentrated in this geopolitical space causing local migration, transient populations, and congestion within Metro Manila. Lastly, populist politics also play a role in the dynamics between the national and local governments, such as when President Rodrigo Duterte told Local Governments that the National Government "calls the shots" during the Covid-19 pandemic (Esguerra, 2020).

General country analysis

Distribution of powers in the Philippines follow a unitary system (Buendia, 1989). The 1987 Philippine Constitution delegates powers of governance to the national level, Article X

About ICLD

The Swedish International Centre for Local Democracy (ICLD) is part of the Swedish development cooperation. The mandate of the organisation is to contribute to poverty alleviation by strengthening local governments.

This report covers events up to 25 November 2020.

Events occurring after this period are not considered.

identifies the units of local government and tasks the national legislature to devolve undelegated powers to local governments.³ The local government units (hereafter called local governments) are provinces, cities, municipalities, and barangays. Republic Act No. 7160 also known as the Local Government Code (LGC) enacted in 1991 assigns the functions and powers of local governments. Local autonomy is a state policy in the constitution (Article II, Section 25) that enables local governments and its constituents to actively participate in matters concerning their immediate locality and at the same time fostering national objectives (Philippine Constitution, Article X, Section 4; Local Government Code, 1991). In addition to these, local governments are assisted by local development councils, responsible for formulating cross-sectoral social and economic development plans, which are then reviewed and approved by the local legislature. Its membership is composed of the respective local government chief executive, a chairperson of the committee on appropriations of the local legislature, a congressman or his representative (for province, municipality, or city), and representatives from non-governmental organizations (NGOs) within

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² This is a term used to refer to pocket money that politicians at the national level can access to finance local projects.

³ For more information look at [The Constitution of the Republic of the Philippines | Official Gazette of the Republic of the Philippines](#)

the jurisdiction, who make up at least 25% of the council.

In pursuit of economic and social growth, members of congress are given Priority Development Assistance Fund or pork barrel. These are discretionary funds that are directly disbursed for use in their concerned local governments (Cabral, 2009; Special Audits Office, 2012). However, since the release of these funds are at the discretion of the president (Abinales & Amoroso, 2005) it creates opportunities for political control.

Fiscal decentralization

Fiscal decentralization in the Philippines is established in the Local Government Code. Its objectives are to empower local and regional communities, enhance public goods and services, and encourage local tax collection (Local Government Code, 1991). The local governments carry a fiscal responsibility to disburse the revenues to programs and projects that benefit a significant number of residents in a manner that is not only productive but inclusive in nature. Local governments can levy territorial taxes, fees, and charges for their own use. Not to mention that the automatic transfer of financial shares from the National Government has increased from less than 10% in 1990, before the Local Government Code was enacted, to 15-20% in recent years (Uchimura & Suzuki, 2012). Through corporate power, local governments can also enter into contracts and agreements to add to their financial capacities.

Political decentralization

Regular elections are institutionalized through the Local Government Code and are conducted at the local level every three years—specifically on the second Monday of May. The Philippines has a multi-party system at national and local level. The Election Code allows for independent candidacies, and these mainly occur at the local level. In the 2007 local elections, Catholic priest Eddie Panlilio ran as an independent candidate for governor in the city of Pampanga, and

eventually trounced two party affiliated candidates (David, 2013) proving that independent candidates can still win against traditional politicians.

Under constitutional local autonomy, the president only has the power of general supervision over local governments in the execution of their tasks. It does not connote control, implying that local affairs should be resolved by the local officials without the interference of the national government. Most importantly, there are no constitutional nor statutory laws that grant the President power to appoint or remove local officials at will. The Local Government Code adds to political decentralization through mechanisms for referendums, initiatives, and recall as local stakeholder exercise political participation.

Mechanisms of local accountability

There are two significant chapters in the Local Government Code which create a system of accountability of public officials. Chapter 4 mandates that complaints on any local government elected officials are to be submitted to their respective legislative councils. Exception to this are complaints against officials of provinces, urbanized cities, independent component cities, or component cities where the cases are submitted to the president. Chapter 5 empowers local citizens by providing a procedure for electoral recall, where local democracy is exercised to remove public officials such as in the experiences in the cities of Puerto Princesa in 2015, and San Juan in 2018.

Conclusion: Possibilities and barriers for municipal partnerships

The legal framework of local autonomy creates an environment which also encourages local governments to engage with the private sector in the pursuit of development and sustainability. Republic Acts 6597 and 7718, along with Executive Order 809 bolster public-private partnerships. Following existing guidelines, the

only potential barrier is willingness or openness of the local executive to enter into agreements with non-governmental organizations.

There have been few joint activities between Philippine local governments and Swedish municipalities, but such partnerships are promoted by the national government. In 2008, the Philippine Local Government Academy sent a delegation on a Study Visit to Sigtuna Municipality in Sweden to share knowledge on local strategies for political organizations and solid waste management. The 2019 midterm elections saw the rise of young local executives at the fore of partnerships. Mayor Victor ‘Vico’ Sotto III of Pasig City frequently consults NGOs for his projects, and Mayor Francisco ‘Isko Moreno’ Domagoso of the city of Manila has met with representatives from the United States Embassy to discuss developing his city into a ‘Smart City’ (Montemayor, 2019). He has also signed a Memorandum of Understanding with experts from De La Salle University endeavoring for an “SDG City.” Outside Metro Manila, the city of San Fernando in Pampanga province is having a partnership with the Mother Earth Foundation (Castillo and Ancheta, 2018; Ancheta, et. al., 2019) for technical help on becoming a Zero Waste city.

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