

THE IMPACT OF AN AUTONOMOUS GOVERNMENT IN THE MINDANAO AREA

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It is indeed a pleasure to take part in this convention and I would like to express my deep appreciation and thanks to its organizers for giving me the opportunity to speak about the impact of the autonomous government in the Mindanao area, particularly Central Mindanao which is covered by Region XII. As you know, Region XII, together with Region IX covering Southern Mindanao, was the last to be created in the country, having been organized in July 1975 under Presidential Decree No. 742, restructuring the regional organization of Mindanao, Basilan, Sulu and Tawi-tawi.

To enable you to have a better perspective of our Region, I would like to trace the events that led to the organization of the autonomous governments in Southern Philippines.

Regional autonomy is a new political concept that has no precedent in our political history. It is an internal autonomy within the framework of the national sovereignty of the Republic of the Philippines. In other words, it is another political subdivision composed of a larger area, with certain powers not enjoyed by the smaller units of government. Before this concept was born, the country was divided into political subdivisions, with the barangays at the base of our political pyramid. Going upward, we have the municipality and the city, then the province, at the top of which is the national government. With the autonomy given to Regions IX and XII, we now have, as far as the two regions are concerned, another tier in our political pyramid, in between the provincial government and the national government.

During the lifetime of the defunct Batasang Bayan which was composed of leaders representing the various sectors from all over the Philippines and serving as an advisory council to the President of the Philippines, Resolution No. 11 was passed on February 15, 1977, recommending the enactment of a decree creating an autonomous region out of all the regions in the country. The decree was not enacted, however, but as far as Regions IX and XII were concerned, the issue was submitted to the people in a referendum.

plebiscite on April 17, 1977. There was an overwhelming vote for the organization of the autonomous regions into a legislative assembly or Sangguniang Pampook and Executive Council or Lupong Tagapagpaganap ng Pook, with the voters in that referendum-plebiscite rejecting any plan to merge Regions IX and XII. In this respect, the two regions may be the trail blazers for autonomy for the rest of the regions in the country.

There were indeed valid reasons behind the granting of autonomy to Regions IX and XII, that benefit other parts of the country. As you might have known, tremendous effort toward the stabilization of peace and order was concentrated in the Region IX and Region XII areas. You see, the secessionist movement that started in the early 70s almost succeeded in dividing the people. It was the wisdom of the government policy that thwarted the move to divide the country. Most of those who actively joined the movement were misled. This happened because the people in our rural areas felt abandoned before the advent of the New Society. Our people then were not given the attention they deserve in the area of development. With such a vast area as Mindanao, whatever development there was before the declaration of Martial Law was not something to be reckoned with, taking into account the region's population of more than two million.

Under the leadership of President Marcos, however, the government adopted a policy of attraction to win back the secessionists, instead of resorting to purely military action. Thus, in 1975, the President directed the creation of a government peace panel composed of Muslim leaders, to conduct dialogues with the Moro National Liberation Front (MNLF). For three months, extensive talks with the MNLF took place all over Southern Philippines, with rewarding results. Several thousands of those fighting the government laid down their arms and came back to the folds of the law. So, even before the negotiations in Tripoli, Libya in December 1976, there was already a big number of rebels who had returned to the fold.

As a result of the dialogue in Southern Philippines and the negotiations in Tripoli, coupled with the sincere desire of the President to give the Muslims greater participation in government affairs, and to accelerate the development of the affected areas, the offices of the Regional Commissioners of Regions IX and XII were established. The intention was to enable the Regional Commissioner to exercise certain powers and responsibilities that were then exercised

only by the office of the President and/or the Cabinet, including the power not only to monitor the implementation of projects and the performance of local government officials but also to exercise investigative and fiscal authority.

It can be said, and rightly so, that autonomy in Regions IX and XII started with the creation of the offices of the Regional Commissioners on July 7, 1975, pursuant to Presidential Decree No. 742, with the guidelines therefore set forth in Letter of Instruction No. 290.

The commissions were, however, simply administrative on implementing arms of the government, although they enjoyed greater powers. There was thus a need of providing a legislative machinery, in addition to an executive council, so that on March 23, 1979, the (Interim) Batasang Pambansa enacted Batas Pambansa Blg. 20 which authorized the holding of an election to elect the members of the Sangguniang Pampook or Regional Legislative Assembly. On May 7, 1979, twenty-one members of the Assembly were elected, with seventeen voted at large, regionwide, and four chosen by their respective sectors, namely: youth, agricultural, non-agricultural, and professional. Five other members are yet to be appointed by the President.

Having given you the background of the regional autonomous region, let me now delve into Presidential Decree No. 1618, providing for the implementation of the Sangguniang Pampook and the Lupong Tagapagpaganap ng Pook in Region IX and Region XII. Pursuant to Section 7 of PD 1618, the Sangguniang Pampook shall exercise local legislative powers over regional affairs within the framework of national development plans, policies and goals, in the following areas:

- (1) Organization of regional administrative system;
- (2) Economic, social and cultural development of the autonomous region;
- (3) Agricultural, commercial and industrial programs for the autonomous region;
- (4) Infrastructure development for the autonomous region;
- (5) Urban and rural planning for the autonomous region;
- (6) Taxation and other revenue-raising measures as provided for in this decree;
- (7) Maintenance, operation and administration of schools established by the autonomous region;

- (8) Establishment, operation and maintenance of health, welfare and other social services, programs and facilities;
- (9) Preservation and development of customs, traditions, languages and culture indigenous to the autonomous region; and
- (10) Such other matters as may be authorized by law, including the enactment of such measures as may be necessary for the promotion of the general welfare of the people in the autonomous region.

On the other hand, Section 15 of the same decree provides that the Lupong Tagapagpaganap ng Pook shall have a staff support organization which shall provide it with the necessary technical and administrative assistance in the performance of its duties. This organization shall likewise initially provide the administrative and technical support requirements of the Sangguniang Pampook. I must mention here the fact that the allotment for personnel services for the Lupon for CY 1980 covers practically all the positions in the erstwhile commission. There were merely changes in the nomenclature of certain positions, as sanctioned by the Office of Compensation and Position Classification of the Ministry of the Budget. As provided in PD 1618, the administrative organization of the Lupong Tagapagpaganap ng Pook is initially composed of the office of the Lupong Tagapagpaganap ng Pook proper, including (a) the Policy and Planning Service; (b) the Financial Management Service; and (c) the Administrative Service; and the Local Governments Branch and the Regional Offices Branch.

As regards income, Section 21 of PD 1618 provides that the sources of income of the autonomous region shall consist of the following:

- (1) Taxes, fees and charges;
- (2) Appropriations and grants-in-aid from the national government;
- (3) Amounts realized from commercial, industrial and agricultural projects owned and/or controlled by the Autonomous Region in accordance with national plans and policies;
- (4) Amounts realized from the operation of public utilities owned and operated by the autonomous region;
- (5) Contributions from the local governments comprising the autonomous region, as may be provided by law;

- (6) A percentage of the national income from mines and mineral resources from within the region as provided by law;
- (7) Transfer of the proceeds of certain national and local taxes as may be prescribed by law; and
- (8) Donation, endowments, and other forms of aid from individuals, organizations or governments in accordance with national policy.

Section 22 of the said PD also provides that "the Sangguniang Pampook may impose taxes, fees or charges through the enactment of regional tax measures in accordance with such guidelines as may be issued by the Minister of Finance." As of the moment, though, the Sangguniang Pampook or Regional Assembly has not yet enacted any legislation pertaining to taxation. I would say that we are still in the transition period and, as a matter of fact, the national government is going to subsidize the Autonomous Government — the Sangguniang Pampook and the Lupong Tagapagpaganap ng Pook — for at least two years.

In addition, Section 23 of PD 1618 also provides that "an amount equal to at least one-thirteenth (1/13) of one percent (1%) of the total national internal revenue tax collections not otherwise accruing to any special tax computed on the basis of the collections of the third fiscal year preceding the current fiscal year is hereby appropriated annually for each of the autonomous regions primarily to defray their respective current operating expenses. This shall be separate and distinct from the twenty percent (20%) national internal revenue tax allotments to local governments provided for under Presidential Decree No. 144.

Having been created under special conditions, the regional autonomous governments, also operate under special conditions. Thus the funds allotted to the region are expended on special projects, primarily aimed at accelerating the socio-economic development of the region, which is one of the three objectives of the autonomous region, the two other objectives being the attainment of peace and order and the resettlement of displaced persons and families in the region. You will better appreciate the last two objectives if you consider the conflict that plagued our region at the height of the secessionist movement during which many precious lives were lost and thousands fled their homes. The conflict has been going on for over seven years, and when peace started to return, there was a lot

of relocation work to be done. Many of the returned evacuees are now in resettlement areas, with the government putting up housing units for them and giving them the wherewithal to start life anew. These are persons who did not have land of their own.

As regards the relationship of the LTP with the local governments, the following regulatory and supervisory powers have been delegated to the Lupong Tagapagpaganap ng Pook by virtue of Section 39 of PD 1618:

- (1) The conduct of periodic audits on the performance of local government officials in their respective regions;
- (2) The investigation of administrative complaints against local officials without prior clearance from the President pursuant to LOI No. 231;
- (3) The approval of development plans of all local units within the region, the funding of which comes from the 20% development fund under Presidential Decree No. 144;
- (4) The approval of travel of local government officials and employees beyond thirty days but not exceeding ninety days upon the recommendation of the local chief executive for the payment of per diems under PD No. 344;
- (5) The authority to recommend clearance from the President for foreign travel of local officials;
- (6) The approval of commutation of terminal leaves of governors and municipal mayors;
- (7) The approval of claims for death benefits under Section 699 of the Revised Administrative Code, as amended by Republic Act No. 1232;
- (8) The authority to recommend exemptions from LOI No. 290 relative to purchases of transportation equipment by local governments;
- (9) The approval of the grant of automobile allowance to local chief executives and heads of provincial and city offices, provided that prior authorization is obtained from the provincial or city Sanggunian pursuant to Executive Order No. 51;
- (10) The authority to recommend to the President exemptions from public bidding of local government projects under Executive Order No. 298;
- (11) The authority to recommend to the President the grant of representation allowances to local officials not expressly

- enumerated in Memorandum Circular No. 437, s. 1971;
- (12) The approval of the grant of free quarters, light and water to Governors and City Mayors as provided for in Section 2086 of the Revised Administrative Code and the City Charters, provided that prior authorization is obtained from the provincial or city Sanggunian; and
 - (13) The approval of free telephone service at the residence of heads of provincial and city offices when duly authorized by the provincial or city Sanggunian in an ordinance enacted for such purpose.

The following regulatory and supervisory powers of the former Office of the Regional Commissioner under LOI No. 290 are now assumed by the Lupong Tagapagpaganap ng Pook:

- (1) The sole authority to disburse funds allocated to the autonomous regions pursuant to Section 7 of PD No. 144, as financial aid to local governments or to projects;
- (2) The sole authority within the region to grant exemptions to local governments, as well as agencies of the national government and government-owned or controlled corporations, from restrictions on award of contracts, purchase of capital equipment, payment of overtime compensations, filling of vacant positions, effecting the detail of personnel from one government office to another for a period exceeding thirty days, requiring clearance for the hiring of personnel who have reached 57 years of age, retention/extension of the services of retirable government personnel, reinstatement of personnel who have been previously retired from the government service, and such other restrictions as may be defined in pertinent executive orders, administrative orders, and presidential memoranda.

It must be admitted that we could not have attained the degree of development that our region now enjoys had not the Regional Commission been established in 1975 which also marked the creation of Region XII. Bolstered by the putting up of regional offices representing the various ministries, which have specific areas of endeavor, regional development was under way on a scale heretofore unknown in the Region.

Let me ask: Who, but the people of Region XII, know best what projects are needed therein? What happened in pre-New Society days

was that the people who prepared development plans or projects for the region were Manila-based armchair planners without full knowledge or firsthand information about the particular areas in which the projects would be implemented. Now, we have a body composed of representatives coming from the region itself — the people who know best what projects should be introduced in what places, and why preparing the development plans.

National officials and other guests coming to the Region these days are amazed at the notable development that is gradually transforming our Region. The bumpiness that used to characterize overland travel, not to mention the powder of dust coating the traveler, has been minimized. As a matter of fact, as of the end of CY 1979, we had a reported total road kilometrage of 11,386.25 kilometers, more than one-half of which are barangay roads.

I would venture to say that autonomy is indeed even a step higher than decentralization itself, if you will pardon this presumption. Where before our local officials trooped to Manila, spending time, effort, money to follow up important matters affecting their respective localities, now, the following up of most of these matters could be done with the Lupong Tagapagpaganap ng Pook, the Sangguniang Pampook, or the various regional offices. The red tape that we scoffed at in our transactions with the national offices in Manila then has, so to speak, consequently been reduced to the palest of pink, considering that practically all agencies of the national government now have regional offices in Cotabato City.

While it is true that our Region is far from being the proverbial utopia, still it can be said that the lot of our long-suffering people has been vastly improved during the last five years, as a result of the development programs that have been implemented therein since then. As we are wont to say when the occasion arises, Rome was not built in a day. But the impact of the autonomous government, of which the Regional Commission was the precursor, is felt by even those in the hinterlands, in the form of the services now being delivered to them. The impact is such that the effects of development are felt by most, particularly those in the depressed area. What better legacy than this can we pass on to those who will come after us?

There, my friends, I hope I have somehow enlightened you on the functions and/or relationships of the Sangguniang Pampook and the Lupong Tagapagpaganap ng Pook, both of the autonomous government of Region XII, as they affect the people in the region.

The development funds poured into our region since the days of the Regional Commission in 1975, or almost five years ago, have gone a long way in accelerating the socio-economic development of our region. Much still remains to be done, however, taking into account the vastness of the area, but with the various sectors in the region getting themselves involved in our development effort, we look forward with optimism to the day when regional development will reach the level of development enjoyed by progressive regions in Visayas and Luzon. Our region abounds in natural resources still waiting to be tapped, not to mention our rich manpower resources. Hopefully, then, we shall attain our goals and objectives.

Citing all the development projects that have been accomplished during the span of five years dating from the creation of the office of the Regional Commissioner in 1975 will need another recounting and perhaps, another convention. Suffice it to say that a remarkable breakthrough has been made. We have great hopes that the autonomous governments of Regions IX and XII are there to stay. Regional autonomy may well be an experiment, and if we are to gauge the success of the autonomous government by the degree of development that we have attained so far, we can conclude that the experiment is succeeding.

It was prophet Mohammed who said that a man's wealth is what he does in the world. With so many helping hands seeking to bring about regional development through their collective efforts, I feel justified in saying that our region is rich in what our people have done and are doing toward the fulfillment of the goals and objectives of our autonomous government.