

LOCAL GOVERNMENT IN THE PHILIPPINES

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PROBLEM

The relative lack of formal government and the generally ineffective functioning of many government agencies in the small *barrios* create a situation well suited to communist propaganda and subversion.¹ Also, the inability of the national government under previous administrations to solve landlord-tenant relationships excepting through armed force has tended to weaken its influence in rural areas. Handicapped as they are politically, occupationally, and socio-economically compared with residents in *poblaciones*, the population living in small *barrios* can be referred to appropriately as second-class citizens. As nearly two-thirds of the total population live in places with fewer than 2,500 persons, the Philippines cannot afford to risk an attack on democratic institutions among those whose participation in and benefits from government are relatively nominal. Therefore, ways and means must be developed to enlarge responsibilities, privileges, and loyalties of *barrio* citizens in their government.

The purpose of this paper is to describe local government briefly and to indicate how the role of *barrio* citizens in government affairs can be increased.

ORGANIZATION OF GOVERNMENT

Structurally, the Republic of the Philippines consists of a national government, 52 provinces, 26 chartered cities, and approximately 1,100 municipalities and municipal districts with 17,400 *barrios*.²

NATIONAL GOVERNMENT

The Philippine Government is highly centralized, with broad powers vested in the Chief Executive. According to the Constitution, the President has control of all the departments, bureaus, and offices and supervision

* The writer is indebted to Virgil Zimmermann of the United States Foreign Operations Administration for permission to use his report on local government.

¹ It is impossible to determine accurately the distribution of population by size of places. According to the 1948 census, 76 percent of the people live in *barrios* and 24 percent in *poblaciones*. The rural population, as defined by the Bureau of Census and Statistics, refers to all persons living in *barrios* of any size. The urban population includes those residing in *poblaciones* (areas where municipal buildings are located) even though the latter frequently have only a few hundred inhabitants. To complicate the situation, a population center may include a *poblacion* and all or parts of several *barrios*.

In 1939, 71 percent of the total population lived in *barrios* and *poblaciones* with fewer than 2,500 persons. Although corresponding data are not available from the 1948 census, it is estimated that nearly two-thirds of the population live in places of this size excluding those who reside in *barrios* which are parts of larger population centers.

² Municipal districts are organized in relatively remote or newly settled areas.

over all local governments. He can suspend or dismiss nearly all elected or appointed officials at all levels of government.

Legislative power is expressly reserved to the Congress: judicial power is held by the Supreme Court and a system of lower courts. A fourth branch of government, the General Auditing Office is authorized to examine and audit all receipts and expenditures of the national, provincial, municipal governments, and chartered cities.

PROVINCE

The government of a province consists of an elected governor, a provincial board composed of the governor and two other elected officials, and several appointed administrative officials. Probably the most important functions of the provincial government are supervision of municipal governments and construction of roads. Section 2624 of the *Revised Administrative Code of the Philippines* provides that the provincial board "shall approve or disapprove any act, ordinance, or resolution, orders of the municipal council, and executive orders of the mayor."³

A second and perhaps more important group of "provincial" officials consists of civil service and other field personnel of the national government with headquarters in the provincial capital. This group of officials with their staffs includes the:

1. Judge
2. Division Superintendent of the Department of Education
3. Provincial Treasurer
4. Provincial Assessor
5. Provincial Auditor
6. Provincial Health Officer
7. Provincial Agriculturist
8. District Engineer
9. Register of Deeds
10. Provincial Commander (Constabulary)

These officials and employees are appointed, subject to civil service rules, by the President, heads of departments of the national government, or by the provincial governor on the recommendation of the "provincial" officer concerned. Most of their funds come from the budget of the national government, and they receive administrative direction from Manila. Because provincial officials report to Manila and not to him, the governor frequently has a body of special assistants who perform political and liaison functions.

The taxing powers of provinces are limited to the assessment and taxation of real property. Also, provinces receive revenues as allotments from the national government and municipalities.⁴ These funds are nearly always earmarked for narrowly defined purposes, and usually are spent to carry out functions under direct supervision of a national official.

The provincial governor appears to be largely a figurehead from the standpoint of administration. With relatively little power over funds

³ Other powers are listed in Sections 2183-2190.

⁴ All taxes are collected in municipalities. Provincial assessors and provincial treasurers are appointed by the President with the consent of the Commission on Appointments (selected members of Senate) and are administratively responsible to the Department of Finance.

and appointments. he exercises rather limited control over national "provincial" officials. On the other hand, the governor, who usually is a person of some wealth, has a political influence that belies his administrative limitations.⁵ With his prestige in the province he can enhance the position of his colleagues in Manila. In turn, he can exert his influence in appointments to provincial positions and in the amount of national aid extended to his province.

MUNICIPALITY

A municipality forms the smallest unit of local government administration in the Philippines.⁶ Usually it consists of a *poblacion*, the seat of government, and from 15 to 30 scattered *barrios*. The municipal mayor, vice-mayor, and several councilmen are elected at large for terms of four years.⁷ Each councilor is assigned several *barrios* to supervise and counsel, although he may not be a resident of the district for which he is responsible.

The bureaucracy of the municipality consists of policemen who are appointed by the mayor with the consent of the council and approval of the provincial board and the office of the President,⁸ and a municipal secretary, appointed by the council, who usually has a clerk or two who keeps vital statistics and other records.

A municipal treasurer, who frequently serves also as the assessor, is under direct control of the provincial treasurer and provincial assessor and therefore is responsible to the Department of Finance rather than to the municipality. He has full control of municipal funds, prepares the budget, and collects municipal, provincial, and national taxes. Additional officials in municipalities, such as the president of the sanitary division, sanitary inspector, supervising principal, agriculturist, and justice of the peace—all members of the civil service—are field representatives on the staffs of provincial (national) officials. Although they frequently may spend municipal funds or be quartered in the municipal building, they are not administratively responsible to the municipal government.

The municipal council has a broad ordinance-making power, subject to review and approval of the provincial board. The municipality can levy and collect specified taxes, a part of which is allocated by law to the province for special purposes. It is authorized to provide a wide variety of facilities and services—educational, agricultural, health, welfare, and recreational—subject to limited available revenues.

⁵"The provincial governor is, of course, the great local official. His legal authority reaches into every *barrio* in his province and at the same time makes him the intermediary between the municipalities and the central government." Joseph Ralston Hayden, *The Philippines—A Study in National Development* (New York: Macmillan, 1950), p. 284.

⁶As the principal concern of this paper is the role of local government in relation to *barrios*, discussion of chartered cities will be omitted from this paper. However, many chartered cities cover large areas geographically and include small *barrios* which possess all the characteristics of *barrios* generally.

⁷Municipalities are divided into seven classes according to the amount of revenues received. The number of councilmen elected varies with the class of municipality.

⁸Regulations governing the operations of the police, and the firearms used, are furnished in part by the Constabulary, which is under the Secretary of Defense, and by the President.

BARRIO

The *barrio* is a geographical rather than a political unit.⁹ The *barrio* has government officials but no formal government. The public school is the only government organization with both physical plant and personnel in the *barrio*.

Officials of the *barrio* include a *barrio* lieutenant and four rural councilors who are appointed by the municipal council.¹⁰ These appointments in some areas follow an informal election or public discussion of the candidates in the *barrio*. *Barrio* officials serve without compensation and have no legal authority whatsoever.

According to the *Revised Administrative Code*, the functions of *barrio* officials are to (1) assist in keeping peace and order; (2) present *barrio* needs and problems to municipal officials; (3) inform *barrio* citizens about the rules and services of superior governments; and (4) assist municipal officials in administering ordinances. Actually, these officials, especially the *barrio* lieutenant, spend a great deal of time petitioning municipal officials for needed services, settling disputes, keeping peace and order, and discussing politics.

The *barrio* has no taxing power. Funds for public use generally are raised by voluntary contributions. *Barrios* do not own the roads, schools, or public wells, or other public facilities located there.

GOVERNMENT SERVICES IN THE BARRIOS

In general, services of government agencies, excepting the public school, do not reach citizens in small *barrios*. Due to inferior lines of communication, limited schooling, lack of farmers' organizations, and other reasons, *barrio* citizens experience difficulty in giving effective expression to their needs. As a consequence, the population living in these places suffer from the disparity in distribution of government services. A few examples will illustrate this point.

1. Public schools in the *poblaciones* have better trained personnel and more adequate buildings and equipment than those in the *barrios*, especially places with fewer than 2,500 population;
2. Disproportionately few children in *barrios* attend school beyond the fourth grade due to the shortage of intermediate and secondary schools there;¹¹
3. The personnel and facilities of the Bureau of Health are located in the *poblaciones*; sanitary inspectors visit *barrios* irregularly;¹²
4. Services of *puericulture* centers are extended chiefly to residents of *poblaciones*;
5. The municipal doctor and his staff, under the Bureau of Hospitals, function almost wholly in *poblaciones*; if *barrio* people obtain these services usually they must travel to the *poblaciones*;

⁹Eighty-five percent or more of the households in most *barrios* are located in compact clusters at the edge of the rice, corn, sugar cane or other fields.

¹⁰In many *barrios*, only the *barrio* lieutenant is appointed, because the municipal council may consider rural councilors as unimportant.

¹¹In 1951, approximately one-third of the *barrio* schools included grades five and six. On the other hand, nearly all *poblaciones* had the intermediate grades as part of the schools.

¹²It is estimated that more than nine-tenths of the births and deaths occur in the small *barrios* with no physician in attendance.

6. In the past, the staffs of the Bureaus of Agricultural Extension, Plant Industry, and Animal Industry spent most of their working time in provincial capitals or *poblaciones*. With new transportation resources, this is being corrected so far as the Extension Bureau is concerned;
7. Most services of the Social Welfare Administration are extended to residents of *poblaciones*;
8. The public highway system, whether supported financially by national, provincial, or municipal funds, tends to furnish the greatest benefits to the urban population; feeder roads and farm-to-market roads receive a comparatively small proportion of total appropriations for highway construction; many barrios have no roads connecting them with public highways;
9. Waterworks, electricity supply systems, and fire protection services, found in a few *poblaciones*, and sometimes built and maintained in part with taxes collected on the property and from residents of *barrios*, serve the citizens of *poblaciones* primarily; water wells constructed by the national government tend to be located preponderantly in *poblaciones* and nearby *barrios*; and,
10. At all levels, elected and appointed officials of government, excepting *barrio* officials and most school teachers, reside predominantly in urban centers.

Many reasons, expressed and implied, can be given for the lag of government services in small *barrios*, including: (1) inadequate roads and transportation facilities, (2) shortage of personnel, (3) inadequate funds, (4) aversion of public officials to travel in *barrios*, (5) security, and (6) the assumed social inferiority of *barrio* people.¹³

OTHER BARRIO ORGANIZATIONS

It is remarkable to find that Philippine communities have little or no indigenous social organization outside the relatively strong, cohesive family unit. The few organized groups found in most *barrios* originated elsewhere. As the names suggest, the Roman Catholic church, public school, parent-teacher association, Boy or Girl Scouts, 4-H club, and even the fiesta are examples of cultural adoption.

Usually, the Parent-Teacher Association is the most active social organization in the *barrio* outside the family and the public school. Its primary function is to raise funds or furnish labor and native materials for the construction and equipment of school building.¹⁴

During the past five years, a new adult education movement has been started by public schools to promote community improvement. The school principal or head teacher divides a *barrio* arbitrarily into as many districts as there are teachers. A teacher is assigned a district in which to organize a *purok*, or neighborhood improvement association. Most *puroks* are not based upon "natural" neighborhoods, and too often officers

¹³ The average middle-class government official seems to consider it beneath his dignity to deal with the lowly *tao*. This attitude is a cultural survival from the period of Spanish rule when the *cacique* treated tenants, laborers and servants with arrogance and little concern for their social welfare.

¹⁴ Due to typhoons and the deteriorating effects of tropical climate, the semi-permanent buildings must be replaced or repaired frequently.

tend to be chosen on the basis of occupation, wealth, or schooling rather than for their qualifications as "natural leaders."¹⁵ The Bureau of Public Schools claims that 60,000 *puroks* have been organized in 10,000 *poblaciones* and *barrios*. Probably fewer than one-tenth of these units are active in promoting neighborhood or community improvement. As a local nucleus for extending community development, the *purok* deserves more adequate financial support than it has received from the government.

LAW ENFORCEMENT

The following account on law enforcement is taken from *The Rural Philippines*, a report based on the survey of 13 widely scattered *barrios* in 1951-1952:

"Reported crimes in rural communities are negligible in number and gravity. In several barrios surveyed, police and court records showed no arrests or convictions for crimes committed during 1951. Rural Filipinos are law-abiding citizens and the church. Also, the courts impose severe punishment for stealing or other crimes involving property, especially if the offender is in the lower income groups.

Other types of crimes are numerous but the law violators go unpunished. Whether an illegal act is considered a crime in the Philippines may depend less on the way the law reads than upon the nature of the offense in relation to the occupation and income status of the person involved.

Some types of law violations are clearly not looked upon as crimes, such as failure to pay taxes, repay loans on fertilizer purchases or for advances to homesteaders, pay the annual fees in connection with the operation of irrigation pumps, or comply with the Rice-Share Tenancy Law or the Minimum Wage Law. On the other hand, law violations such as these usually lead to arrest and punishment: carabao stealing, cattle rustling, other thefts, and assault and battery."¹⁶

LOCAL REVENUES AND TAXATION

The total revenues of provinces, chartered cities, and municipalities fluctuated between approximately P7 and P9 per capita annually from 1950 to 1952.¹⁷ Of the 194.6 million pesos in revenues reported for 1952, funds from the national government accounted for 38 percent; local taxes, 32 percent; operation of commercial and industrial units, 13 percent; and incidental non-tax receipts, 17 percent.

¹⁵ As an example, tenants, laborers, and other landless persons, in deference to their social superiors, may help to elect a landlord, farm owner, and rice mill owner as officers of the *purok*, but due to deep-seated conflicts in economic interests, they passively resist efforts to carry out suggested farm and home practices.

¹⁶ Genaro F. Rivera and Robert T. MacMillan, *The Rural Philippines*. A Cooperative Project of the Philippine Council for United States Aid and the United States Mutual Security Agency—Reproduced by the Office of Information, Mutual Security Agency, Manila, 1952, p. 159.

¹⁷ *Titillation of Real Property in the Philippines—Analysis and Recommendations*, FOA Technical Assistance, Manila, 1953, Table A. Other data at hand indicate that the annual revenues of most municipalities range from P1 to P3 per capita.

The real property tax is not being utilized to the maximum for the support of local government. In fact, apportioned funds from the national sales tax exceeded the amount received from the property tax during the three-year period ended in 1952. It appears that local governments are depending increasingly upon the national government for funds.

Commonwealth Act No. 470 referred to as the Assessment Law provides that real property, including land, buildings, machinery, and other improvements, be assessed at its true and full value; that each provincial board annually fix a uniform rate of taxation which shall constitute the province's share of the real property tax. This may not be less than one-eighth or more than four-eighths of one percent. In addition, each municipal council may fix annually a uniform rate of taxation ranging from two-eighths to four-eighths of one percent which shall constitute the municipality's share of the property tax. The combined provincial and municipal rates on real property may vary from three-eighths of one percent to a maximum of one percent.¹⁸ In the 28 chartered cities of the Republic, the maximum rate provided in any city charter is two percent; the current rate in a majority of these cities is one percent.

In practice, the assessment of real property is far below its full value. According to opinions expressed by municipal treasurers who cooperated in a recent tax study conducted by the Philippine Mission of the Foreign Operations Administration, the "average ratio of assessed to market values are 65 percent for commercial land in chartered cities and 50 percent in provinces, and 62 percent for farm land in cities and 51 percent for farm land in provinces."¹⁹

Approximately 60 percent of the property taxes are collected in the years in which they are due.²⁰ In 1951, the cumulative delinquency on farm land of the Republic amounted to 117 percent of the annual taxes due on this type of property. The corresponding delinquency rates for residential and commercial lands were 45 percent and 16 percent respectively. Tax delinquencies are more frequent relatively among small than large taxpayers. Although municipal treasurers possess adequate powers to repossess property for delinquent taxes, these provisions are rarely enforced.

DOMINATION OF GOVERNMENT BY LANDED CLASS

One of the most important characteristics of politics in the Philippines is the dominant role of large landholders in the government. Most congressmen, governors, mayors, and other office-holders or public employees either own farm land themselves or are related to influential landowners.²¹ The landed class seems to consider that its interests are served best by 1) a highly centralized government, (2) opposition to fair wages or salaries and equitable landlord-tenant contracts, (3) limited public education, health, and other social services, (4) a strong military

¹⁸ In addition to the real property tax, license fees on business establishments, fees or charges for services of public markets, slaughterhouses, ferries, toll roads and bridges, and other minor taxes furnish sources of municipal revenues.

¹⁹ *Ibid.*, p. 2.

²⁰ *Ibid.*, p. 3.

²¹ Most large landholders live in the *poblaciones*, especially in the provincial capitals and Manila.

organization for the protection of property and maintenance of peace and order, and (5) low taxes.

In general, the people in small *barrios* are occupationally, economically, and politically underprivileged.²² The principal occupational groups include small-scale farmers, manual laborers, and miscellaneous nonfarm proprietors and associated workers. The rural economy is primarily agricultural, supplemented in many *barrios* by simple handicrafts often referred to as "cottage industries." Typically, farms are small, approximately one-half of them containing less than two hectares each (one hectare equals 2.5 acres). Rural households average nearly six persons. Due to scarcity of farm land and home industry, unemployment is relatively high and underemployment higher, especially among unmarried persons. Most rural households have incomes ranging from P1 to P2 per day each.

The right to vote is widely held and freely exercised in the Philippines, although the number of elected officials who are accountable for their actions to citizens is comparatively small. With a few unimportant exceptions, citizens can vote who are 21 years old and over; meet age and residence requirements; and are literate.²³ Also, it is general practice to require that voters present their residence tax certificate as a means of identification.²⁴ How many people are prevented from voting for reasons of illiteracy and non-payment of residence tax is not known, but the numbers may be fairly large.

More than one-half of the total estimated population of voting age are registered, according to data from the Commission on Elections. Of those who registered, 77 percent voted in the 1953 national election. Twenty of the 34 provinces in which the proportion of the *barrio* population exceeds the national average had smaller registrations relatively than the Republic as a whole. In constant, 10 of the 18 provinces where the proportion of the *poblacion* population is larger than the national average, registrations for voting were substantially higher than the average of all provinces. Apparently, illiteracy, apathy, inability or unwillingness to pay residence taxes, distance to registration and polling places, the proportion of Moros, and other factors account for greater non-participation in voting among citizens of *barrios* than among those of *poblaciones*.

LIMITATIONS OF LOCAL GOVERNMENT

Study of provincial and municipal governments in the Philippines discloses several basic weaknesses which appear to be inherent in their conception, organization, and functioning. Most of these shortcomings are not peculiar to this Republic; in fact they seem to be characteristics of many countries with highly centralized governments.

1. The power of local government to exercise its authority is severely limited by small revenues due in part to lax enforcement of tax laws.

²² As an example, compliance with tenancy, usury, and possibly minimum wage laws appeared to be exceptional.

²³ Forty percent of the population 10 years old and over are classed as literate by the 1948 census.

²⁴ The residence tax, imposed upon persons 10 years old and over who work 50 days or more during the year, ranges from P0.50 upward depending upon amount of property and income.

2. Nearly all local services are provided by national officials, but, for a variety of reasons, these services are neither uniform nor universal.
3. Effectiveness of locally-administered national agencies of government tends to suffer from weak administration and supervision.
4. There is extremely little coordination and cooperation among public officials at various levels of government.
5. Officials in the provincial and municipal governments, nearly all of whom are civil service appointees, have little or no direct responsibility to citizens.
6. Personnel in local government usually have no specialized training for the positions held.
7. Due to small revenues, most persons holding positions in the government receive salaries ranging from P20 to P140 per month.
8. Petitioning the government generally is an ineffective way to obtain needed social services, and places citizens in a subordinate relationship to government officials.
9. Excepting public schools, small *barrios* receive relatively few services from the government.²⁵
10. Nepotism is commonly practiced.

SUGGESTION FOR IMPROVEMENT OF LOCAL GOVERNMENT

The social institution of government, like that of the family, changes slowly. Possibly municipal and provincial governments change even more slowly than the national government. This does not obviate the need of change; on the contrary, delays in effecting desirable modifications of local government in the Philippines can accentuate existing social unrest.²⁶

If "the promotion of social justice to insure the well-being and economic security of all the people should be the concern of the State" (Article II, Section 5 of the Constitution), then it is appropriate to suggest that local autonomy should be expanded and the effectiveness of existing government agencies increased in the *barrios*. To achieve these objectives will require several important changes in the organization and functions of government at the provincial and municipal levels including at least the following:

1. In the field of taxation, all real property should be reassessed, property tax rates increased, and collections of all taxes improved to provide local governments with more adequate funds for the construction and maintenance of roads, school buildings, water supply, medicine cabinets, and other social services not furnished by the national government.²⁷

²⁵ School teachers in the *barrio* are paid from national funds. Outside the *poblaciones*, most school buildings are constructed through voluntary contributions of parents with children in school.

²⁶ Among the possible events or conditions which potentially threaten peace and order in rural areas are (1) widespread crop failure, (2) unfavorable change in rentals, interest rates, or other features of the tenancy contract, (3) sharp increase in prices for palay, (4) infiltration of communists, (5) increased effectiveness among dissidents in efforts to overthrow the existing government, and (6) cumulative effects of rapid growth of population.

²⁷ The burden of local taxation is not in accordance with ability to pay. Occupational licenses and fees on market vendors, fishermen, and small *sari-sari* merchants are extremely high in comparison with taxes on property.

2. The *barrio* should be established as an integrated political sub-unit of the municipality;
3. The *barrio* lieutenant and councilmen should be elected and their functions expanded, especially to include *barrio* planning and budgeting;
4. The municipality should be divided into districts and a municipal councilor elected from among the resident citizens of each district;
5. A specified portion of the tax revenues collected on property located in, or from citizens residing in, *barrios* should be spent there for the construction and maintenance of roads, schools, water supply, health centers and other community facilities;
6. As a supplemental method of furnishing more adequate public facilities and of stimulating self-help efforts, two million pesos should be appropriated annually by the Congress as grants-in-aid to municipalities for the purchase of materials, supplies and equipment, which can be matched by donated labor, to construct and maintain roads, schools, shallow wells, health centers, and other needed facilities in *barrios* with fewer than 2,500 population,²⁸
7. Direct aid from the national government to the municipalities now extended at the discretion of congressmen, should be allocated on the basis of relative needs;
8. The effectiveness of national agencies operating at provincial and municipal levels should be increased through better supervision over local personnel, improved methods of operation, and more coordination and cooperation among all public agencies;
9. Present government programs relating to farm credit, cooperative marketing, and agricultural extension should be expanded, and,
10. Tenancy and usury laws should be enforced with unrelenting vigilance.

²⁸ These funds, which should be disbursed by the municipal treasurer, can be spent on projects sponsored by the legally-appointed and by civic *barrio* councils, and approved by a small executive committee in a community development association consisting of the mayor, municipal councilors, all *barrio* lieutenants, and elected representatives from civic *barrio* councils in each municipality. Technical guidance should be furnished by provincial or municipal personnel from the Bureaus concerned. All other labor should be provided without compensation by *barrio* citizens, who should be organized into working crews by the *barrio* council sponsoring each project. Funds for the purchase of shovels, wheelbarrows, and other small tools can greatly facilitate the undertaking of local improvement projects. Also, road machinery in the provinces can be utilized on *barrio* roads with funds available to pay operating costs.