

SOME ADVANTAGES OF FEDERALISM AND PARLIAMENTARY GOVERNMENT FOR THE PHILIPPINES

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I. With EDSA 1 we restored an outmoded form of democracy.

In the peaceful “people power” revolt from February 22 to 25, 1986, tens of thousands of unarmed Filipinos gathered to defend a small but swelling band of military rebels at the military and police headquarters along Epifanio de los Santos Avenue that cuts through Metro Manila from North to South. United in their cry for “Justice, Freedom and Democracy,” they peacefully immobilized the armed forces of the 13-year Marcos dictatorship. On the fourth day they banished the dictator into exile. Amazed at our extraordinary feat, the world applauded. Some oppressed peoples in Eastern Europe and Asia took heart and followed our example to liberate themselves from tyranny.

In January 2001, not only at EDSA in Metro Manila but also in many cities, citizens gathered and employed “people power” once more to bring down a president who was perceived to be abusive and corrupt. Aggrieved citizens felt good once again but “people power” alone could not bring us what we really need as a developing nation and democracy.

The restoration of free elections and formal democracy under the 1987 Constitution has not empowered citizens to check or mitigate our pervasive problems of mass poverty, unemployment, corruption, social inequality, injustice, rebellion, and the environment. Underdevelopment and population still force legions of Filipinos to migrate as our country lags farther behind our advanced neighbors in the region.

Despite its many positive features that are worth preserving, the 1987 Constitution has not enabled us to rebuild our various institutions for good governance. We continued with our counter-productive unitary system with its powers, authority and resources centralized in the national government at the expense of local governments, leaders, citizens, and entrepreneurs and country-wide development.

We restored our adversarial separation of powers in a presidential system that continually creates conflict and gridlock between the President and Congress, with a vengeance. Our outmoded form of government and dysfunctional political parties sustain our politics of personality, patronage, cronyism, and corruption and without transparency and public accountability.

All along, exploiting our discontent, our politicized military and self-seeking politicians foment more discord and political instability. Communist and military rebellion persist, and to a lesser degree military unrest. Ignoring the good news, some sensational media harp on the negative reality and thereby aggravate it.

Our Citizens' Movement for a Federal Philippines (CMFP) campaign focuses on the lack of "good governance" under our unitary-presidential system that has contributed to the aggravation of the people's condition and problems while benefiting the ruling class, elite or oligarchy. We have called attention to the disadvantages of the traditional highly centralized unitary system and the probable advantages of changing it with a federal system to improve governance at the national, regional, and local levels.

At the same time we have focused on changing the traditional presidential system to a parliamentary system. We feel that undertaking the vertical structural reform (unitary to federal) simultaneously with horizontal structural reform (presidential to parliamentary) will create synergy in the improvement of governance. We also make the point that the determined reform of the party system and the electoral system is necessary for the success of a federal-parliamentary system. We likewise recommend a Bill of Duties and Obligations to complement the Bill of Rights, to help citizens and leaders to understand their role in nation-building, governance and development.

Our evolving *CMFP Draft Constitution for a Federal Republic of the Philippines with a Parliamentary Government* is CMFP's principal contribution to the study and advocacy of constitutional reform. The goal of CMFP in changing certain parts of the 1987 Constitution is to improve governance and empower our people. In this way we will enable our government, our private sector and our citizens to respond more effectively to our continuing problems, challenges and goals as a nation.

II. Characteristics and Institutions of the Proposed Federal Republic with a Parliamentary Government

What are the structural characteristics that define or distinguish federations/ federal systems when compared to unitary systems?

According to Professor Ronald Watts (2002:8), as quoted by Celine Auclair,* these structural characteristics are:

1. two orders of government, (Federal and regional), each in direct contact with its citizens;
2. an official, constitutional sharing of legislative and executive powers, and a sharing of revenue sources between the two orders of government, to ensure that each has certain sectors of true autonomy;
3. designated representation of distinct regional opinions (regional interests, rights, welfare) within federal decision-making institutions, usually guaranteed by the specific structure of the federal Second Chamber (Senate);
4. a supreme written constitution that is not unilaterally modifiable but requires the consent of a large proportion of federation members;
5. an arbitration mechanism (in the form of courts or a referendum) to resolve intergovernmental disputes; and

6. procedures and institutions designed to facilitate intergovernmental collaboration in cases of shared domains (jurisdictions) or inevitable overlapping of responsibilities (powers, authority, functions).

Source: “Federalism: Its Principles, Flexibility and Limitations.” 2003. In **Decentralization and Power Shift**. Alex B. Brillantes, Jr. et al. (editors). ARCD/CLRG, U.P. NCPAG. pp. 66-67.

What are the other underlying principles of the proposed Federal Republic or Federalism?

The proposed Federal Republic, or Federalism is based on the so-called principle of “dual sovereignty.” (What Ronald Watts calls “two orders of government” above. According to this principle, the *CMFP Draft Constitution* provides that governmental powers, authority, functions, responsibilities, and resources shall be distributed, and some of them also shared, between the Federal Government (National Government) and the States (Regional Governments) and their local governments.

In practice, to promote good governance and the common good of the citizens, federal systems experience a great deal of cooperation, mutual support, and adjustments in the relations between the Federal Government and the States (or regional governments). Unlike in our traditional unitary system where the National Government (Congress, the President, and the national bureaucracy) regard the local governments as subordinate and dependent political institutions, if not as colonies and wards, as local government leaders lament.

Federalism is related to the principle of “popular sovereignty” which says: “Sovereignty resides in the people and all government authority emanates from them” (Article II. Section 1. The 1987 Constitution). There is a constitutional partnership in democratic governance in which the people in the States exercise self-rule with substantial powers, authority and functions and the needed resources or funding.

Decentralized governance is also related to the principle of subsidiarity: problems should be attended to at the lowest level in which they can be solved, by the people directly concerned, without elevating the problems for decision at higher levels.

What do we expect to achieve through the proposed Federal-Parliamentary System?

With greatly improved governance in a federal parliamentary democracy, gradually we shall be better able to develop greater human and institutional capabilities for good governance: (1) to solve our problems, meet our challenges and achieve our goals as a nation; (2) to effect needed change and reforms faster, and (3) to sustain our development and modernization. In this way we can achieve a just and enduring peace and accelerate nation-building and development for our people’s dignity, security, prosperity and welfare, and to enhance our country’s ability to participate in the global economy and community. This is the prospect, gradually, over the next generation or so.

To begin with, we must inform our people about our worsening problems and their root causes, and what changes and basic reforms are needed to bring about good governance and social transformation towards the vision of the Good Society (*Ang Mabuting Lipunan*). We must have a national dialogue to build consensus on Charter change for good governance. We must seriously consider proposed amendments and revision of our 1987 Constitution and act on them as soon as possible, or by 2007. We support President Arroyo's suggestion that Congress authorize a constitutional convention whose delegates should be elected early in January 2006.

The Main Features of the Proposed Federal Republic of the Philippines

What are the main features of the Federal Republic of the Philippines in our CMFP Draft Constitution?

Self-Rule by the people in the proposed eleven (11) States and their local governments.
Shared Rule between the Federal Government and the States and their local governments.

- **The Federal Republic of the Philippines**
 1. The Federation (*Federasyon*) represented by the Federal Government (National Government).
 2. The Eleven (11) States (*Estados/Regional Governments*).
- **The Federal Government (*Gobyerno Federal*)**. The Federal Government shall be responsible only for national security and defense, foreign relations, currency and monetary policy, citizenship, civil, political and other human rights, immigration, customs, the Supreme Court, the Constitutional Tribunal, and the Court of Appeals, and such other functions of federal governments.
- **The States (*Estados*)**. Most other government functions and services that impact directly on the lives of the people shall be the main responsibility of eleven States or regional governments and their local governments. These include peace and justice; agriculture and fisheries; energy, environment & natural resources; trade, industry and tourism; labor and employment; public works, transportation and communication; health; basic education, science and technology; culture (language, culture and the arts); social welfare and development; and public safety and police.
- **Original constitutional design is specially suited to our country**. Our proposed Federal Republic is an original design with some adaptation to the Philippines of the federal systems in such countries as Malaysia, India, Mexico, Canada, Australia, and the Federal Republic of Germany. We have carefully considered our unique political and historical experience and our distinctive society, geography, and political culture.

We strongly believe that the establishment of the Federal Republic with a parliamentary government should be done simultaneously in the proposed revision to be submitted to our people in a plebiscite. The specific timing of the formation of the new States can be provided in the transitory provisions of the revised 1987 Constitution.

How do we form the proposed Eleven (11) States (*Estados*)?

The *CMFP Draft Constitution* provides for the establishment of the Federal Republic of the Philippines in Article II. Ang Republika Federal ng Pilipinas (the Federal Republic of the Philippines):

Section 1. The Federal Republic of the Philippines. The Federal Republic of the Philippines consists of the *Federasyon* (Federation) and New Manila—the Federal Capital to be planned and built in the Clark Special Economic Zone in Pampanga—and the eleven constituent *Estados* (States) and their local governments.

Section 2. The Eleven *Estados*. Each *Estado* (State) is an autonomous regional government of the Federal Republic. The territory of the different *Estados* is determined by a combination of geographic contiguity of their component areas, their ethnic, linguistic and other cultural aspects, and their socio-economic potential and viability.

From south to north, the *Estados* are the following: (1) Bangsamoro (ARMM); (2) Davao Region and Central Mindanao; (3) Zamboanga Peninsula & Northern Mindanao; (4) Central and Eastern Visayas; (5) Western Visayas-Palawan; (6) Bicol; (7) Southern Luzon; (8) Metro Manila (NCR); (9) Central Luzon; (10) Cordillera (11) Northern Luzon.

When will the proposed revision of the 1987 Constitution take effect?

The CMFP proposes the holding of a plebiscite early in 2007 to ratify the Proposed Revision of the 1987 Constitution, so that the election in May 2007 shall be for the officers in the 1987 Constitution as Revised.

All the old constitutional provisions not amended or revised shall continue to be in force. All the new provisions —those amended or revised—shall immediately become effective, except as otherwise provided.

The new provisions that shall immediately take effect include, among others, Article II. The *Republica Federal ng Pilipinas*; Article V. Bill of Duties and Obligations; Article VII. Jurisdiction of the *Federasyon* and the *Estados*; Article IX. Political Parties; Article X. The *Presidente*; Article XI. *Punong Ministro, Gabinete, and Gobyerno*; Article XII. The *Parlamento*; Article XIII. The *Estados*; Article XIV. *Gobernador Estado, Sangguniang Estado, and Gobyerno Estado*; Article XV. *Batasang Estado*; Article XVI. The *Gobyerno Lokal* of the *Estados*; Article XVII. The Judiciary; and Article XVIII. The *Komisyonang Konstitusyonal Federal*.

Accordingly, the Federal Republic of the Philippines and the Parliament, as provided in the foregoing Articles, shall be immediately established. The local governments existing at the time of the approval or ratification of the proposed amendment and revision of the 1987 Constitution shall continue to be in effect.

When will the individual States be actually formed and made to operate?

The timing of the formation of the individual States (Regional Governments) shall be guided by the specific conditions to be provided in the Transitory Provisions of the 1987 Constitution as Revised.

A transition period is needed to enable the Federal Government and the various States to prepare for, and adjust to, the redistribution of powers, functions and tax bases between the Federal Government (National Government) and the several States (Regional Governments) and their local governments.

The actual formation of the individual States shall depend upon their relative political, economic, fiscal, and administrative capabilities to govern themselves as autonomous regional governments and territories.

The more developed and ready among the States shall become fully operative in the first five years following the approval or ratification of the revision of the 1987 Constitution, and the less developed in the next five years. For example, an acid test of the individual States' readiness to become operative is their ability to raise the real property taxes and collect the income taxes and other taxes assigned to them as regional governments. Other conditions or requirements for the formation of the individual States may be imposed in the Transitory Provisions.

However, the Bangsamoro State and the Cordillera State shall be enabled to become operative in the first five years.

Outstanding leaders for regional and local governance and development.

Several governors, city mayors and municipal mayors have been recognized for their superior leadership: their creativity, courage, resourcefulness, reforms, and concern for the common good and the welfare of the poor and marginalized. Similar leaders are found among our thousands of civil society organizations in various endeavors. There are the local entrepreneurs who can contribute to economic development by availing themselves of the advantages of improved regional and local governance. These are the leaders whose good example, reputations, and best practices will contribute to the success of federalism.

What are the institutions of the Proposed Federal Government?

- **The Parliament (*Parlamento*).** The Parliament shall exercise both legislative power and executive power.

- **The Parliament shall be bicameral.** It shall consist of the House of the People (*Balay Sambayanan*) and the House of the States or the Senate (*Balay Estados or Senado*). The House of States or Senate represents the States and protects their rights and interests in the Parliament.
- **Members of Parliament (*Parlamentaryos and Senadores/Senators*).** Parlamentaryos (Members of the *Balay Sambayanan*) shall be elected in the parliamentary districts (now congressional districts) for a term of five years, unless Parliament is sooner dissolved and a parliamentary election is held. Sixty (60) to eighty (80) more members shall be selected by Proportional Representation of the political parties therein, in relation to their total votes as political parties in the previous parliamentary election.

Senadores (*Senators*) shall be elected by the members of the ***Batasang Estados*** or State Assemblies, mostly from among their members (2 or 3 per State depending on the number of elected members of each State Assembly.)

- **The Prime Minister (*Punong Ministro*).** The Parliament elects the leader of the majority party or coalition as the Prime Minister, the Head of Government who forms the Cabinet made up mostly of members of Parliament. The Prime Minister and the Government are responsible and accountable to the Parliament for their policies and program of government and their conduct and performance.
- **The President (*Presidente*).** The President shall be a symbolic and ceremonial Head of State elected for a term of five years by the Parliament and all the State Assemblies. The President shall symbolize the sovereignty of the people and the unity and solidarity of the nation with its ethnic, linguistic, religious, cultural, social and economic diversities.
- **The Judiciary (*Judicatura*).** Judicial power shall be vested in the Supreme Court (*Kinatas-ang Hukuman*) and the Court of Appeals. The Court of Appeals shall have a division in the capital of every State. The Constitutional Tribunal (***Tribunal Konstitusyonal***) shall decide all disputes involving the constitutionality of the decisions and actions of the Federal Government and the States.
- **The Federal Civil Service. (*Serbisyo Civil Federal*).** Professional career executive and administrative staff of the Federal Government.

What are the institutions of the State ?

- **The State Assembly, (*Batasang Estado*)**
Every State (Regional Government) shall have an elective, unicameral State Assembly that shall exercise both legislative power and executive power.
- **Members of the State Assembly (*Assemblymen/Diputados*)**
Each State shall elect one member of the State Assembly in every State Assembly district, (the existing congressional district), except in Metro Manila where the mayors shall constitute the State Assembly. Additional Assembly members shall be

selected by “proportional representation” of the political parties represented in the State Assembly.

- **The State Governor/ the State Government, the Council, the Vice-Governor**
Every State Assembly shall elect the leader of the majority party or coalition as the State Governor, to head the State Government. The State Governor forms the State Council (Cabinet) that shall be made up mostly of members of the State Assembly. The State Assembly shall also elect a State Vice-Governor from among its members.
- **The Local Governments (*Gobyerno Lokal*)**
Cities, municipalities and barangays in the whole State.
- **The State Judiciary (*Judicatura Estado*)**
State Superior Court, Regional Trial Courts, Municipal Courts, and other inferior courts.
- **The State Civil Service (*Serbisyo Sibil Estado*)**
Professional, career executive and administrative staff of the State.
- **State institutions shall be accessible, responsible, and accountable to the people.**
(See Figure 3 on page 15.)

III. Advantages of the Proposed Federal Republic

- (1) The Federal Republic will build a just and enduring framework for peace through unity in our ethnic, religious, and cultural diversity, especially in relation to Bangsa Moro or Muslim Filipinos and our *lumad*/indigenous peoples.**

Responsive Federalism will accommodate their legitimate interests, end the war in Mindanao, and discourage secessionism. Leaders of Moro rebel organizations have said so on various occasions.

- (2) Decentralization and devolution cannot move further under the old unitary system despite avowed goals expressed in the 1987 Constitution and the Local Government Code.**

The basis for Federalism is that the Philippines has achieved a measure of national unity, and democratization, and some decentralization. Since the Philippines regained its independence in 1946, local autonomy has been gradually extended through the following laws: R.A. 2264 (1959), Local Autonomy Act; R.A. 2370 (1959), the Barrio Charter Act; R.A. 5185, Decentralization Act of 1967; Batas Pambansa 337 (1983), Local Government Code; the 1987 Constitution has provisions on local autonomy and autonomous regions; and the Local Government Code of 1991.

But further devolution has reached a deadend. The Local Government Code’s principal author, Senator Aquilino Q. Pimentel, is also the nation’s foremost champion of federalism.

Federalism would be the logical and practical realization of the avowed decentralization and local autonomy issues that have been blocked by legislators who want to maintain their dominance over local leaders, governments, and communities.

- (3) The Federal Republic will empower our citizens by enabling them to raise their standard of living and enhance their political awareness through their participation and efficacy in elections and the making and carrying out of government decisions at the regional and local levels.**

Governance will be improved and corruption will be reduced by the new division of powers and functions between the Federal Government and the States, and by the transparency of governance and its accessibility to the people in the regions, cities, provinces, and municipalities. It will bring a greater part of the government and decision-making closer to the people in the proposed States or regional governments and their cities and municipalities. With more power, authority and resources managed by the leaders in the States and their local governments which will be more visible and accessible to the people all over the country, the people will be more aware of the importance of electing good leaders. Corruption will be easier to detect and expose and punish.

- (4) The Federal Republic will improve governance by challenging and energizing State and local leaders, entrepreneurs, and citizens around the country to take hold of their destiny. Federalism will release them from the costly, time-consuming, stifling, and demoralizing effects of excessive central government controls and regulation in our traditional Unitary System.**

It will encourage them to assume greater responsibility for leadership in making decisions and delivering services, and for doing business. It will spur creativity and innovation, initiative and resourcefulness, and reduce local dependence on the national government.

As the people will be more involved in government decisions, they will demand superior performance and public accountability of their political leaders and officials. At the same time, the people will be more willing to pay taxes that will finance government programs and services for their direct benefit.

- (5) The Federal Republic will thus stimulate and hasten the country's political, economic, social, and cultural development.**

There will also be inter-State and regional competition in attracting domestic and foreign investments and industries, professionals and skilled workers, good teachers and scholars, artists, and tourists.

A renaissance of regional languages, arts and cultures will enrich the national language and culture, and instill a deeper sense of both regional and national identities.

Figure 3.

**ASSEMBLYMEN (DIPUTADOS) IN THE STATE ASSEMBLIES (*BATASANG ESTADOS*) AND
SENATORS (*SENADORES*) REPRESENTING THE
(HOUSE OF STATES OR SENATE IN THE PARLIAMENT)**

Eleven (11) Proposed States	<i>Diputados in Batasang Estado</i>		Total	<i>Senadores elected by the Balay Estados</i>
	<i>Elected Diputados</i>	Proportional Representation <i>Diputados</i>		
1. Bangsamoro (ARMM) = 5 provinces	8	4	12	2
2. Davao Region and Central Mindanao = 8 provinces Reg. XI. Davao Region. 4 provinces Reg. XII. Central Mindanao . 4 provinces	17	9	26	2
3. Western and Northern Mindanao = 12 provinces Region IX: Zamboanga Peninsula. 3 provinces Region X: Northern Mindanao. 5 provinces	25	11	36	3
4. Central and Eastern Visayas = 10 provinces Region VII: Central Visayas. 4 provinces Region VII: East Visayas . 6 provinces	27	13	40	3
5. Western Visayas and Palawan = 7 provinces Region VI: West Visayas + Palawan (from Reg. IV)	20	10	30	3
6. Bicol = 7 provinces Region V + Romblon	15	7	22	2
7. Southern Luzon = 8 provinces Region IV. A: CALABARZON: 5 provinces Region IV.B: MIMAROPA: 5 provinces less Romblon and Palawan	23	11	34	3
8. Metro Manila (NCR) = 13 cities and 4 adjacent municipalities	17 mayors as diputados	8	25	2
9. Central Luzon = 7 provinces Region III : Central Luzon: 7 provinces	21	10	31	3
10. Cordillera (CAR) = 6 provinces	7	3	10	2
11. Northern Luzon = 9 provinces Region I : Ilocos: 4 provinces	22	11	33	3
TOTAL	202	97	299	28

The Federal Government and the more developed States will help support the less endowed and developed regions, and the poor and the needy people across the land, thus promoting a more equitable development and social justice.

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

Because of the strategic role that political parties must play in a constitutional democracy, the *CMFP* is proposing a special article on political parties in the *CMFP Draft Constitution*: Article IX. Political Parties.

- (7) Metro Manila State will have a unified political structure that will integrate its various cities and municipalities under the State Assembly that combines legislative and executive powers and authority. Unlike the State Assemblies of the other States, the mayors in Metro Manila will constitute the Metro Manila State Assembly. The Metro Manila Governor and State Cabinet will direct and coordinate the various metropolitan functions and services.**

This will reduce the conflicts and stalemate now experienced by the Metro Manila Development Authority and its appointed chairman in relation to the elected mayors of Metro Manila.

- (8) Gradually, the Federal Republic and its Parliamentary Government will broaden and deepen democracy.**

In the long run it should enable the government, the political parties, the private sector, and the organizations and institutions of civil society to deliver on the constitutional promise of human rights, a better life for all, a just and humane society, and responsible and accountable political leadership and governance.

IV. Characteristics and Advantages of the Proposed Parliamentary System

What are the fundamental characteristics that distinguish the parliamentary system from the presidential system?

According to Alfred Stepan and Cindy Skatch, the “pure parliamentary regime” and the “pure presidential regime” have these fundamental characteristics.

“A pure parliamentary regime in a democracy is a system of mutual dependence:

1. The chief executive power must be supported by a majority in the legislature and can fall if it receives a vote of no confidence.
2. The executive power (normally in conjunction with the head of state) has the capacity to dissolve the legislature and call for elections.

“A pure presidential regime in a democracy is a system of mutual independence:

1. The legislative power has a fixed electoral mandate that is its own source of legitimacy.
2. The chief executive power has a fixed electoral mandate that is its own source of legitimacy. “Parliamentarism vs Presidentialism.” {**World Politics**. 46 (Oct. 1993) 1-22.}

Why does pure parliamentarism seem to present a more supportive evolutionary framework for consolidating democracy than pure presidentialism?

In the view of Stepan and Skatch, the explanation is in the following tendencies of parliamentarism:

1. its greater propensity for governments to have majorities to implement their programs;
2. its greater ability to rule in a multiparty setting;
3. its lower propensity for executives to rule at the edge of the constitution and its greater facility at removing a chief executive who does so;
4. its lower susceptibility to military coup; and
5. its greater tendency to provide long party-government careers, which add loyalty and experience to political society. (ditto. Stepan and Skatch.)

What are the advantages of the proposed Parliamentary System over our Presidential System since 1946?

- (1) The Parliamentary System will help ensure the coordinated and effective exercise of legislative and executive powers that are fused or united in the Parliament. The formulation and implementation of the Government’s policies and programs will be undertaken by the ruling political party or coalition of political parties in the Parliament. There is collective responsibility and accountability for governance.**

In our Presidential System, based on the separation of powers and checks and balance, executive power is vested in the President and legislative power is vested in Congress: its House of Representatives and Senate.

The separation of executive and legislative powers often leads to delays, conflict and gridlock between the President, the House and the Senate that can unduly delay lawmaking.

They can also block the passage of sound legislation and badly needed reforms. Occasionally, Congress even fails to pass the General Appropriations Act based on the President’s executive budget.

Lacking party unity and loyalty, the President does not necessarily get the support of senators from the same party. Elected nationwide like the President, senators feel

more independent. Representatives of the same party, who are elected in a particular congressional district, are usually more cooperative with the President.

The lack of cohesive, responsive and responsible political parties in our Presidential System makes it very difficult, if not impossible, for the people to hold their leaders collectively accountable for their failure in governance and for corruption in office.

- (2) The Parliamentary System is more likely than our Presidential System to ensure the election of a Head of Government—the Prime Minister—who is known to fellow party leaders for his/her leadership and experience in governance. This includes the ability to unite and strengthen a political party, to build consensus in shaping its program of government and policies and in implementing them, and to mobilize popular support for the political party and its leaders.**

In our Presidential System the presidential candidate may be chosen by party leaders largely for his/her popularity and “winnability” and ability to raise the needed funding for a nationwide political campaign and election. In the absence of democratic nominating conventions, a few leaders may dictate the selection of the party’s presidential candidate. Our proposed reforms will change this.

- (3) The Parliamentary System fosters the development of political parties that are democratic, disciplined, united, and effective in formulating a program of government that can secure the support of the people. The majority party or the coalition of political parties in the Parliament will form the Government that will lead the nation. The ruling party or coalition will be accountable to the people through the Parliament and in the parliamentary elections.**

The need to capture a majority of the seats in the Parliament in order to be able to elect the Prime Minister and form the Government is a great incentive to build strong, inclusive, effective, and attractive political parties.

Another incentive is the reserved seats in the Parliament which are to be distributed among the competing political parties on the basis of proportional representation or their respective share of the party votes in the parliamentary elections. The *CMFP Draft Constitution* proposes sixty (60) reserved seats for this purpose. This can be increased to 80.

- (4) The Parliamentary System will facilitate the timely change of the Head of Government whenever it becomes necessary, by a vote of no confidence in the Prime Minister and the majority political party or coalition in the Parliament. The Parliament may be dissolved and new elections held. This also applies to changing the Head of Government in the State Assembly in each of the States or regional governments.**

In our Presidential System, the President has a fixed term of six years without reelection. During his/her term, the President can be changed only by impeachment which is very difficult to do. So when the people want to change a corrupt and

abusive President before the end of his/her term, they may have to resort to extra-constitutional change like a “people power” revolt or a coup, either of which can lead to prolonged political instability.

President Ferdinand Marcos imposed martial law in September 1972 and became a dictator. He wielded practically absolute power for over thirteen years. Our citizens had to remove him from office by building their resistance over a long period and then by spontaneously applying “people power” during the EDSA revolution in February 1986.

In a much shorter period in office (about 2 and ½ years), President Joseph Estrada turned out to be an inept and corrupt leader. Following his failed impeachment trial by the Senate, the people removed him through a “people power” revolt in January 2001.

- (5) In the Parliamentary System the program of the Government is shaped by the majority political party led by the Prime Minister. The Government, led by the Prime Minister and the Cabinet, is responsible and accountable to the Parliament and the people for the realization of its program and the quality of governance. Unlike in our presidential system where the President is the one who decides on the program of “his” or “her” Administration and “his” or “her” political party is not necessarily united and bound to implement it.**

The Parliamentary System, governed by the majority party, will allow more continuity in the policies of the Government if the political party in power is able to obtain the continuing support of the people.

- (6) The Parliamentary System will empower the people to choose not only the candidates and but also the political party that they want to govern the country in the Parliament of the Federal Government and in the State Assemblies of the various States or regional governments.**

In this way the people will become more conscious and responsible in choosing the political party that can govern better and they can hold accountable for success or failure in governing the nation, and the State or region.

In the election every voter will vote for a member of Parliament and the political party that the voter wants to become the majority party in the Parliament; every voter will also vote for a member of the State Assembly and for the political party that the voter wants to become the majority party in the State Assembly.

- (7) The Parliamentary System will reduce the very high cost of electing the Head of Government, by choosing the leader of the majority party or the majority coalition in the Parliament as the Prime Minister. Most members of Parliament are elected in a parliamentary district; some are chosen through proportional representation of the political parties in the parliamentary elections.**

In our Presidential System, the President as the Head of Government is elected nationally. The presidential campaign can cost the candidates up to a billion or more pesos. As a consequence, the elected President tends to be beholden to those who have contributed heavily to the presidential campaign and election. This can lead to a great deal of political patronage, cronyism, corruption and undesirable compromises.

- (8) The Parliamentary System will help prevent the election of the Head of Government on the basis largely of personal wealth, personal popularity, or name recall as a celebrity projected in the media or cinema, as we have experienced in our Presidential System.**

A leader of demonstrated competence and experience, in the judgment of fellow party leaders, is more likely to be chosen as Head of Government under a Parliamentary System.

V. Reforming Our Political Parties and Elections

The *CMFP Draft Constitution* has Article IX. Political Parties in recognition of the importance of political parties in the federal-parliamentary democracy. In political science, parliamentary government is also called “party government” because of the pivotal role of political parties in parliamentary elections, governance, and public administration. No constitution of the Philippines has paid special attention to political parties.

VI. From “Electoral Democracy” to “Substantive Democracy”

In summary...we shall gradually and painstakingly transform our formal “electoral democracy” to a functional “substantive democracy.”

By inspired and effective “good governance” under our new Federal Parliamentary democracy: We shall be more able to build our nation, and bring about social justice, enduring peace and sustainable development to move the nation from “electoral democracy” toward “substantive democracy.” Progressively, and with great effort and sacrifice, this means developing democratic institutions that can deliver on the constitutional promise of human rights, a better life for all, a just and humane society, and responsible and accountable leadership and governance.

By sustaining “people power” in governance and development nationwide we mean the people’s sustained political, economic and civil participation in the States or regions and local communities and in the Federal Government for our continuing welfare and progress as citizens and as a nation.

In conclusion, let us be as honest and humble.

A federal-parliamentary democracy is not proposed as a panacea or cure all for our myriad ills as a nation. There is no such thing as a cure all.

- We began by recognizing that “good governance” depends on our developing together six factors, as much as we can: (1) political culture, (2) institutions, (3) policies and development strategies, (4) leaders, (5) citizens, and (6) the private sector and economy.
- As we also said in the beginning, “good governance” is concerned with the redistribution of power, wealth and opportunities in our unjust society ruled by an oligarchy.
- In our paradigm or model of Charter change for good governance and social transformation, we acknowledge the role of God’s love, mercy and grace, and our people’s faith, hope and love for one another, as well as the awakened power of our poor and marginalized fellow citizens.
- We share Randy David’s observation that a shift to a Federal-Parliamentary democracy “is nothing more than cosmetic change unless there is also substantive alteration in the distribution of economic resources and in the basis of state power (Public Lives, *Philippine Daily Inquirer*, May 22, 2005.)

Pursuing the Vision of “The Good Society” (“*Ang Mabuting Lipunan*”)

True to our human and spiritual nature as Filipinos, as political activists and constitutional reformers we urge the pursuit of our people’s evolving vision of the society and world we want.

Let us all help to build “the Good Society ” we want.

United under God
 We shall develop citizens and leaders
 Who are informed, responsible and committed
 To the survival, development and well-being
 Of all our people—and humankind.

In pursuit of our vision as a nation
 We shall all work with and
 Build effective institutions at all levels—
 From the family to the local, national,
 Regional and global communities.

Together we shall seek the Good Life
 And build the Good Society we aspire to
 Through good citizenship and governance
 In dynamic and inclusive democracies.

A Filipino society united in its diversities
 Peaceful, free, egalitarian, and prosperous
 Progressive, nationalistic and global, too.

A just, humane and civil community
 In an agreeable, sustainable environment.

A nation contributing its share as well
In building a peaceful, just and humane world.

Above all, a Filipino nation and global community
that is God-centered—infused with His Love
Whose people care for one another near and far.

Heeding God’s will: *Thou shall not kill!*”
And its corollary: *“Respect and nurture life...
temporal and eternal.”*

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