

# Devolution and Empowerment: LGC 1991 and Local Autonomy in the Philippines

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*The effort to attain genuine local autonomy has been exerted since the framing of the Malolos Constitution. Such effort recently bore fruit with the enactment of Republic Act 7160 otherwise known as the Local Government Code of 1991. This code prescribes a decentralization system whereby local government units shall be given more powers, authority, responsibility, and resources to enable them to function with limited national government support. The system is made operational through the devolution of services, strengthening of people's participation in local development, provision of increased shares in nationally imposed taxes, and strengthening of local officials and councils.*

## Colonization and Centralism in the Philippines

The centralized system of local government in the Philippines is a colonial imposition. When the Spaniards arrived in the islands in 1521, they found thriving socioeconomic units called *barangays* and sovereign political units called *bayans* or *sultanates*. In fact, the Portuguese explorer Magellan, who conquered the islands for Spain was killed in a conflict of independent city states.

To better colonize the islands, they established *encomiendas* (gifts of land to favored persons), which gave way to the *provincias* (provinces), *pueblos* (municipalities) and *cabildos* (cities). The *barangay* was reduced into the status of a village (*barrio*) with the *datus* who were at the helm of collecting tribute for the Spanish government (Laurel 1926; Marcos 1976; Corpuz 1989).

Thus was effected a highly centralized system of local government following what Alderfer (1964) called the French model, or what the International Union of Local Authorities (1971) classified as southern European. The countries falling under such classification have local government systems characterized by hierarchy and centralism.

Philippine history and geography have contributed much to the heavy reliance of local units on the center. The Spanish Governor General and his government remained in Manila, and ties to Spain were forged mainly with Manila. The isolation of many localities in the mountains or in small islands, instead of easing centralism, reinforced instead the dominance of the primate city over the rest of the country.

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What was encouraged instead, was a hierarchy of governments with the national government at the apex, with the provinces acting as intermediary units between the central government and the municipalities, which in turn supervised the villages.

Historical events forged a reinforcement of the centralist system. When Apolinario Mabini, intellectual of the revolutionary government which toppled Spain drafted an article on local government in the Constitution of 1899, he could only "slightly relax" the tight conduct of the national government "because the needs of the revolution called for Filipino unity" (de Guzman and Tapales 1973). Supremacy of the central government was retained "to prevent the provincial and municipal corporations, from exceeding their powers, to the prejudice of general and individual interest" (Majul 1957). The Americans, for their part, saw it convenient to retain the same pattern of centralism because they needed "a simple scheme of municipal government, so similar to the old system as to be readily comprehensible to the natives" (Laurel 1926).

When the Filipinos drafted their own Constitution which was ratified in 1935, they merely provided for a short phrase in Art. VII Section 10 on the Presidency, which provided that "the President shall exercise general supervision over local governments as may be provided by law." Thus, the extent of supervision by the President on local matters was left to the interpretation of Congress, the President himself, and the Courts. The 1935 Constitution governed national-local relations until 1973 when a new Constitution was ratified under Martial Law. Expectedly, under the dictatorship, centralism was all the more reinforced.

### Moves for Local Autonomy

The centralist Constitution notwithstanding, there had been clamor for more autonomy for local government units.

Congress churned out several pieces of legislation giving more and more powers to local governments. The Local Autonomy Act of 1959 (Republic Act 2264) gave local units more free hand in local zoning and planning. The Barrio Charter (RA 2390) and the revised Barrio Charter gave due recognition to village governments. The Decentralization Act of 1967 (RA 5185) allowed local government units to supplement the national government's efforts in agricultural extension and health. Financial control, however, remained very strongly with the national government.

The Court's interpretations on the President's power of general supervision have varied from the pre-war case of *Planas vs. Gil* where the interpretation was in favor of control, to the 1965 case of *Pelaez vs. Auditor General* which limited the President's exercise of power to "checking whether said local governments or officials thereof perform their duties as provided by statutory requirements."

The 1973 Constitution provided a whole article on local government. Presidential Decree (PD) No. 1 which implemented the Integrated Reorganization Plan created

a Department of Local Government and Community Development where the president's power of general supervision was delegated. Martial Law also brought about the expansion of citizen participation in the villages to residents 15 years old and above. Barrios were renamed barangays as a reminder of their historical significance. Nevertheless, their status as the lowest rung in the ladder of centralism remained.

The president, by decree, introduced measures affecting local units: PD 231 or the *Local Tax Code* laid down the sources of revenues for local units; PD 76 increased the rate of real property assessment; PD 144 governed the distribution of internal revenue allotments to local units; PD 426 spelled out national-local fiscal relations; PD 477 laid down rules for local budgeting.

The 1973 Constitution also provided for a *Local Government Code* to be enacted by the legislature. It was not until ten years after that *Batas Pambansa* (BP) 337 was passed in response to that provision.

BP 337 actually put together under one law all decrees and previous laws affecting local governments. To solve the problems caused by the vagueness of the 1935 Constitution on specific issues like viability of local units, especially the cities, to perform needed functions, the first Local Government Code provided the criteria for the creation of all local units. The criteria established were basically population and income. The first Code made a distinction between highly urbanized cities and component cities. Cities with high incomes and populations were allowed to retain their autonomy from the provinces, while the rest, called component cities, were placed under the supervision of the province.

The new *Local Government Code* (Republic Act 7160) provides much more than these.

### **The Local Government Code of 1991: Autonomy as Devolution**

The 1987 Constitution, framed after the ouster of the dictator and the period of revolutionary transition, once again provided for an article on local government. It declared as the policy of the State to provide for genuine and meaningful autonomy to local government units (LGUs). During the five year duration of Congress, a new *Local Government Code* was deliberated upon, resulting into its enactment in 1991 as RA 7160.

The Local Government Code of 1991 categorically specifies that the State "shall provide for a system of decentralization whereby LGUs shall be given more powers, authority, responsibility and resources" (Section 2). Towards this goal, its most important principles include the following: (1) effective allocation among the different local government units of their respective powers, functions, responsibilities and resources; (2) local officials and employees paid wholly or mainly from local funds shall be appointed and removed by the appropriate appointing authority; (3) effective mechanisms for ensuring the accountability of local government units to their respective constituents

shall be strengthened; (4) local autonomy shall be facilitated through improved coordination of national government policies and programs and extension of adequate technical and material assistance to less developed local units; and (5) the participation of the private sector in local governance shall be encouraged (Section 3).

These general principles are operationalized through the following mechanisms: (1) devolution of five basic services from the national government's regional offices to the local government units; (2) strengthening of people's participation through local governmental mechanisms; (3) increase in revenues for local units by the provision of increased shares in nationally imposed taxes; and in effect (4) strengthening the powers of local executive officials and councils.

*Devolution of Services.* Perhaps, what is most radical is the aspect of devolution. Devolution, in social science parlance is decentralization of powers, or political decentralization. Therefore, the Code's concept of devolution embraces all of those mechanisms listed above, and not just the transfer of responsibility for the administration of five basic services. As Section 17(e) defines it "devolution refers to the act by which the national government confers power and authority upon the various LGUs to perform specific functions and responsibilities." Thus, transfer of responsibility in the Code is very significant. According to Section 17 or the crucial provision:

(a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated therein.

These basic services are agriculture, health, social services, maintenance of public works and highways, and environmental protection. The extent of services to be devolved to them depends upon the nature of the local unit. For instance, barangays are given the responsibility for agricultural support services which include planting material distribution, maintenance of health centers and day care centers, general hygiene and sanitation, barangay roads, bridges and water supply, infrastructure, and barangay justice (*katarungang pambarangay*).

Municipalities and cities are mandated to conduct on-site research services to agriculture and fishery services, implement community-based forestry projects, projects on primary health care, maternal and child care, and communicable and noncommunicable disease control services, social welfare services, solid waste disposal, infrastructure facilities including school buildings and municipal roads and bridges. Provinces are required to extend agricultural extension services, environmental protection, social welfare services, infrastructure, low-cost housing projects, health services including tertiary health care.

That transfer of authority is expected to proceed within six months of effectivity of the Code, or in July 1992. Concomitant to that, "regional offices of national agencies

or offices whose functions are devolved to LGUs shall be phased out within one year" from the approval of the Code, or by December 1992.

Section 17 caused panic among the five departments whose functions were chosen for devolution. That provision implies more than transfer of functions; it affects the status of people as well as equipment.

Despite tremendous costs that the transfer of equipment entails, it does not create as much problems as the transfer of people. Transfer does not, in fact, mean geographic movement of people, because regional personnel are actually assigned to the local units. Their transfer has implications on their salaries as well as on their careers. The Civil Service Commission (CSC), as well as the Code, guarantee tenure for persons affected. In response to the question of lower salary for locally paid personnel, the salary standardization law has been made stack answer. But the more important issue has to do with cutting up the long vertical career mobility of field officers. This has happily been answered by a reassurance from the CSC of the possibility of a unified career system for local and national government personnel.

Among the five agencies, the Department of Health (DOH) seems to be the most caught offguard. As soon as the Code was signed, the DOH personnel protested and rallied against the devolution. The DOH's reaction was based on its conviction that health in most countries is always a national responsibility. This conviction is based on their experience about the huge financial outlays needed to maintain efficient delivery of health services. In the end, the DOH stopped fighting and went into the serious business of planning out how to live with the law.

Its plan for implementation, presented during the signing of the Implementing Rules and Regulations on the Code on 24 February 1992, is a strategy of providing service packages per local government structure. The devolution involves two phases. From January 1992 to June 1992, the activities revolve around formulating standards and indicators. From July 1992 to December 1992 will be the implementation phase. (This therefore goes beyond the Code's July deadline.) This consists of transferring functions to LGUs, conversion of Regional Health Offices into technical assistance and monitoring units, and release of funds. The Department itself will act as central regulatory body which will formulate policies, health standards, and technical assistance and will monitor and evaluate programs and projects. Exempted from the devolution are hospitals providing services which transcend provincial boundaries.

The Department of Social Welfare and Development (DSWD), while agreeing with the necessity for devolution, wants an assurance that the national agency can intervene when the LGUs are unable to deliver the needed social services. For its part, the Department of Environment and Natural Resources (DENR) is preparing a manual of operations to serve as guide in the devolution of services in selected aspects of forestry management, protected areas and wildlife, environmental management, land management, and mines and geosciences development.

The Department of Agriculture (DA) has addressed specific concerns. For instance, it wants assurance for the integration of the dual positions of Provincial Agricultural Officer (PAO) and the Provincial Agriculturist (PA), the delineation of functions between the PA and the Municipal Agriculturist (MA). Also, it has planned for linkage mechanisms or a system of extension assignment for field personnel, particularly at the levels of the municipality and the barangay.

### *Appointment of Personnel*

As earlier mentioned, one important aspect in the devolution of powers to local governments is the decentralization of the power of appointment of personnel paid wholly or mainly from local funds to the local chief executives. For devolved services, in effect, the assurance of tenure for qualified civil servants remains.

However, the Code classifies local personnel into mandatory and optional. For example, mandatory positions for provinces are the following: Treasurer, Assessor, Accountant, Budget Officer, the Planning and Development Coordinator, the Engineer, the Health Officer, the Civil Registrar, the Administrator, the Legal Officer, the Agriculturist, the Social Welfare Officer, and the Veterinarian. At a glance, the Environment and Natural Resources Management Officer, who is responsible for the devolved function of environmental protection, is not among the mandatory appointees. For the municipality, mandatory personnel are the Treasurer, Assessor, Accountant, Engineer, Budget Officer, Planning and Development Coordinator, Health Officer, and Civil Registrar. The Agriculturist and the Social Welfare Development Officer, two types of personnel performing devolved services, are only optional; that is, to be hired upon determination of the local unit. For the city, only the Agriculturist is optional. Moreover, the Decentralization Act of 1967 which authorized the local units to supplement services of the national government in their areas, resulted into the presence of two agriculturists in many provinces. The Provincial Agriculturist, paid and appointed by the province, supplements the functions of the Provincial Agricultural Officer (PAO), paid and appointed by the national government. PAOs were demoralized after RA 7160 because provinces would surely keep those they have hired and might not have enough funds to keep them (the PAOs) when devolution is effected.

These fears have been allayed by Executive Order No. 503 signed on 22 January 1992 making mandatory "the absorption of the national government agency personnel by the local government unit," giving priority to technical personnel, and assuring that national government personnel not absorbed shall be retained by the national agency concerned. What is possible is retaining of subregional field offices of national agencies to perform other functions where the technical expertise of such personnel would be utilized.

### Financing Devolution

Increased responsibilities demand increased resources. The Local Government Code of 1991 provides more resources to LGUs by increasing their shares from several taxes.

The lifeblood of many LGUs which could not raise enough revenues had always been their shares in internal revenue taxes, which, before the implementation of this Code, was 20% of the total collections. That was distributed to local government units on the basis of a formula which based 70% of the share on population, 20% on land area, and 10% on equal sharing. The new Code raises the IRA shares to 40%, beginning 1992 where the share is 30%, increasing to 35% in 1993, to the final 40% in 1994. According to Tabunda (1991), this means that, under the 20% share, LGUs would receive ₱12.15 billion in 1992, plus ₱6.6 billion for the National Assistance to Local Government Units (NALGU), or ₱18.75 billion. Under the new scheme, even as the NALGU share is scrapped, the IRA share of LGUs would be ₱24.37 billion in 1992. Beyond this, they would receive "a one time additional ₱4.0 billion to cover the initial cost of devolved personnel services."

The IRA shares will be divided among the LGUs in this manner: 23% to provinces, 23% to cities, 34% to municipalities, and 20% to barangays. To determine the share of each LGU, the formula has been modified which based the 50% on population, 25% on land area, and 25% on equal sharing.

Barangays, which largely relied on their 10% share on real property tax collections from their areas before, now have an allocation of ₱80,000 per annum chargeable from their 20% IRA share. Beyond that, their shares will be based on population and equal sharing.

Shares will be released "automatically and directly to the provincial, municipal or barangay treasurer on a quarterly basis."

Local government units have taxing powers limited by PD 231, the *Local Tax Code*. The Local Government Code of 1991 prescribes new tax rates and sharing schemes for tax revenue.

Provinces impose taxes on: (1) sale of property ownership; (2) business of persons in the printing business; (3) business enjoying franchise; (4) quarrying; (5) professions requiring government examination; (6) proprietors of amusement houses; and (7) manufacturers, producers, wholesalers, dealers or retailers. The new Code provides that the province may impose no higher than 1/2 of 1% of the total cost of transfer of real property ownership; however, land transfers in pursuance of the Land Reform Law are exempted. For the tax on printing and publication, the limit is 1/2 of 1% of the gross annual receipts. For franchise tax, the rate is also 1/2 of 1% of the gross receipts. For quarrying, the limit is 10% cap on the fair market value per cubic meter. Proceeds from these are to be shared by the different LGUs in the province. The

professional tax is limited to ₱300 a year. Amusement taxes are pegged at 30% maximum on entrance fee.

Municipalities charge taxes on business, fees and charges for licensing and regulation, fees for sealing and licensing weights and measures, and fishery rentals, fees and charges. The Code raises the tax on business "on a graduated scale, generally by 10%" (Tabunda 1991). Moreover, the Code provides for separate charges for retailers. Municipalities are now also allowed to impose taxes on banks and other financial institutions located within their jurisdictions, at a rate not exceeding 1/2 of 1% on gross receipts. Peddlers may also be taxed for not more than ₱50 a peddler per year. For other businesses, the local councils are empowered to prescribe their tax rates within limits, and not to exceed 2% for those taxed under the *National Internal Revenue Code*. Cities may impose the taxes and fees levied by the province and municipality.

Aside from their guaranteed ₱80,000 income from the IRA, barangays now have more sources of revenue. They may impose taxes on stores or retailers not to exceed 1% of the gross sales or receipts. They may also impose reasonable fees or charges for the use of properties owned by the barangay, and reasonable fees and charges on the commercial breeding of fighting cocks. A very important source of fund as well as an assertion of the barangay's power is the requirement for business activity located in the barangay to seek clearance from the barangay first before applying for a license. For that clearance, the barangay may charge a reasonable fee.

In the case of the real property tax which has always been the main source of local revenue, the Code allows only a maximum assessment level of 20% on residential lands, a decrease from the 30% prescribed by PD 464 or the *Real Property Tax Code*. The Code does not change the assessment level for agricultural, commercial, industrial and mineral lands. Still exempted are properties of the Philippine government, duly registered cooperatives, and charitable institutions. The Special Education Fund (SEF) which comes from an additional 1% of the assessed value of real property, is retained; this tax is the major source of funds for school buildings and other programs on education. Idle lands are now taxed 5% on their assessed value. The sharing scheme from real property taxation is also prescribed by the Code: 35% to the general fund of the province; 40% to the general fund of the municipality; and 25% to the barangay where the property is located. (It used to be 45%-45%-10%.) For the city, it is 70% and 30%, to the barangays, it is to be shared by them in this manner: 50% to the barangay where the property is located and 50% to be shared by the barangays equally.

A controversial provision in the Code is the power given to LGUs to enter into credit and other financial transactions for local projects. They may borrow from government or private banks and may utilize credit financing schemes provided by the Code. A good note, however, is that they are not allowed to borrow from foreign sources directly. Nonetheless, they are authorized to secure and receive financial grants or donations, subject to approval by the relevant national agency.



*Devolution and Autonomy.* The following section discusses the different aspects of devolution provided by the Code--the administration of five basic services to LGUs, the appointment of key personnel by the local chief executive, and the increase in finances of local units through modification of their shares in several existing taxes. As far as the proponents of the Code are concerned (Senator Aquilino Pimentel, Congressmen Celestino Martínez, Jr., Hilario de Pedro and Ciriaco Alfelor especially), autonomy for local governments in the Philippines can best be achieved by a system of devolution as defined and specified in the Code.

In assessing this form of devolution, there are several aspects which must be stressed: (1) The Code does not provide for increased taxing powers to LGUs, only increased shares from existing taxes, with increase in the proceeds from the internal revenue allotments from 20% to 40% as the most dramatic change; (2) The additional ₱4 billion for personnel costs for devolved services is a one-shot deal, and local units will have to sustain the costs of such services after 1992; (3) The devolved personnel will carry their items with them, but beyond the first year, the local units will have to find ways of sustaining their salaries as well as the quality of services they have assumed. Much depends, therefore on the period of transition--1992--when the mechanisms for the devolution are drawn and implemented.

### **People's Participation in Local Development**

The Local Government Code of 1991 expects much from local officials and their government to push forward the aims of development. However, it does not give all that responsibility to them; it expects people in the local areas to participate more actively in governance. The Code provides several mechanisms for such participation.

In the local councils (*Sanggunian*), it strengthens what previous law (PD 826) already provided--the participation of different sectors in legislation. The Code retains participation of the local presidents of barangay captains (now chairmen) and the youth group (now *Sangguniang Kabataan*) in the local councils, from municipality (*Sangguniang Bayan*) and city (*Sangguniang Panglunsod*) to province (*Sangguniang Panlalawigan*). There are specific provisions for a representative of the women, the workers, and other special groups existing in the locality (such as ethnic groups or urban poor).

Active participation of the voters is encouraged through plebiscite, referendums, initiatives and recall. For the creation of new local units, including barangays, abolition or merger of existing ones, voters in affected areas are to be consulted in a plebiscite to determine agreement to such measures. Local initiative, "the legal process whereby the registered voters of a local government unit may directly propose, enact or amend any ordinance" (Section 120, RA 7160) may be done through petition of 1000 registered voters in case of provinces and cities, 100 in municipalities, and 50 in barangays (Section 122). Such proposals approved through the system of initiative shall not be repealed, modified or amended by the Sanggunian within 6 months. Recall, which had been provided by

the first Code, has been reiterated in the new Code. Nonetheless, it should be mentioned that voters have not really used the power of recall to remove erring local officials. What has been resorted to instead is direct filing of charges against them in the Department of the Interior and Local Government (DILG).

Aside from these overt political participation of people, the Code provides for other mechanisms as well. People's participation is ensured in the different special local boards and councils. For the local development councils (LDCs) from the barangay to the province, nongovernmental organizations (NGOs) are represented, with the proviso that at least 1/4 of the total membership of the council should come from NGOs. In the local Prequalification, Bids and Awards Committee, two positions are reserved for the NGOs represented in the local development council. Several citizens groups are represented in the local school boards through: a representative of the youth, the president of the federation of Parents-Teachers Associations, a representative of teacher's organizations, and a representative of the non-academic personnel of public schools in the area. In the local health board, one representative from the private sector or NGO involved in health services will now sit. Even in the local peace and order council, there are three private sector representatives.

All these are in consonance with Section 34 which aims for the promotion, establishment and operation of people's and nongovernmental organizations so that they may "become active partners in the pursuit of local autonomy." LGUs are mandated to link up with NGOs through joint ventures, and to provide them with financial and other forms of assistance.

Thus, the Local Government Code of 1991 recognizes the active role NGOs have had in the past, when, during the Marcos years they supplemented the efforts of the government in the delivery of such basic services as health, education, and welfare. The Aquino years saw further development of that working relationship with NGOs encouraged by the 1987 Constitution. What the new Local Government Code does is to strengthen that relationship by institutionalizing the mechanism for people's participation.

### **Devolution for Development: Accountability and Capability**

Devolution makes the Local Government Code revolutionary. But must decentralization of powers be such? The Code is revolutionary, not because it gives powers and responsibilities to the local government units, but because it does it swiftly.

Although it took five years for Senator Pimentel and other framers of the Code to get it through Congress, and despite the numerous changes which made it less radical than the original draft, its final version still caught many affected parties by surprise.

For the five affected departments, the resentment of personnel is understandable. Personal fears stem from the apprehension, not necessarily of loss of tenure

because that is protected by the Code itself and the civil service, but loss of clout among the national career service personnel. The Provincial Agricultural Officers (PAOs) and the Municipal Agricultural Officers (MAOs) fear that absorption into the local staff depends less on their skill than on their ability to get along with the appointing powers (the local chief executives) and their local counterparts, the Provincial Agriculturist for instance.

On the other hand, apprehensions of DOH officials are rooted from their experience about the heavy costs of maintaining health services, especially tertiary health care. (DOH estimates ₱60 million a year as minimum to run a good hospital.) Another apprehension is the effect the transfer would have on its 50,000 field workers. That is why DOH requested, and received permission, for one year to complete the transfer of services to the LGUs.

There are other personnel issues emanating from the transfer of functions mandated by the Code. For instance, while environmental protection is a devolved function, Environment and Natural Resources Officers (ENROs) are only considered optional appointees by local chief executives. The Population Commission lobbied for retention of their Population Officers who were listed optional under the Code, and got an assurance that where such offices exist, they shall be retained within five years, after which they will become optional. However, Executive Order 507 signed by the President on 24 February 1992 which directs the transfer of fiscal year 1992 appropriations for devolved services, lists population projects among the devolved functions, a proviso which jolted the POPCOM.

An overriding fear, of course, is funding. Despite assurance of increased funding for local units through increased shares in taxes mentioned earlier, apprehensions remain as to the local governments' capability to undertake all services expected of them. The Bureau of Local Government Supervision and the Local Government Center of the College of Public Administration, University of the Philippines both computed, in 1991, expected income and expenditures for sample local units, and came up with the conclusion that, despite such increases, the LGUs may not be able to support expected services in the first few years at least. EO 507 attempts to allay these fears by providing that "the level of internal revenue allotment to be released to the local government units in 1992 shall be ₱28 billion," of which ₱18.8 billion will be in direct appropriation immediately augmented by ₱1.63 billion for devolved capital outlay, and ₱19.71 billion to be prorated. To cover the cost of functions, projects and activities, the ₱8.29 billion remaining is to be utilized. After 1992, such costs "shall be provided for in the General Appropriations Act, after due consultation with the local government units and the national government agencies concerned." For 1992 at least, the crucial year of transfer, there will be less resistance, as there will be less fear about financial capability of the local units.

There are equal financial apprehensions, however, from the field. For many barangays, the ₱80,000 guaranteed minimum amount is not enough cause for jubilation. The honoraria of barangay officials alone will cost ₱76,000, leaving very little for projects.

For some, real property tax shares are not much assurance, because of lack, if not absence of taxable property under the Code's exemption for property assessed below ₱175,000. A contradictory apprehension has been raised in some areas in Mindanao where the existence of ghost barangays has been accepted. Will those ghost barangays also get the minimum guarantee of ₱80,000? The Code's proviso is for at least 100 residents, and that can easily be complied with on paper.

Does the Code really guarantee full autonomy to local officials in the conduct of their affairs? Curiously, the Code provides for a representative of the Congressman in all local development councils, from the barangay to the province. But that attempt to maintain the Congressman's influence in local affairs may not be all that important, considering that other sectors are represented therein, with 1/4 of the membership coming from NGOs.

Are local officials ready for the Code? The slow process by which decentralization had been pursued prior to 1991 was rationalized by the popular perception that decentralization would mean decentralized corruption, even incompetence. National technical personnel, afraid initially of dislocation, voiced out their lack of trust in the competence of local officials who, as political officials, are not expected to obtain the qualifications they are required to have as technicians and professionals. Moreover, the corruption issue has been underscored in the new awareness for the environment, and the perception that some illegal loggers are local politicians who now, under the Code, are being given responsibility for environmental protection.

There may be cause for pessimism about incompetence and corruption. But the Code provides for countervailing forces against such. For one, the prescribed membership of NGOs in all local boards and councils, including the committee on awards and contracts where bribery has been known to occur, is aimed at providing a check against corruption. The political process of recall, though not much used in previous years, remains. Moreover, sectoral representation in the local councils, now chosen from among more pertinent sectors, may provide the voice of the nonpolitician in deliberations. And then, of course, it is important to note that while many functions have been transferred to the local units, the local treasurer remains as a nationally appointed official, as is the auditor.

Through all the turmoil, the local officials are not complaining. They have, for many years, decried lack of authority over local matters over which they have responsibility. The Local Government Code of 1991 finally gave them that authority, and they are accepting that challenge. Should they prove deserving of the trust that the Code reposes on them, they will be showing our former colonizers who kept us enslaved under centralist regimes that we are now, indeed, a free people. Much is expected by the Local Government Code of 1991 from the local officials and the people.

Expertise is expected from local officials. Though long years of experience may ensure competence, there are other skills which the new Code requires. The Local Government Academy (LGA) of the DILG has anticipated this, and has tapped provincial

cial schools to provide orientation seminars on the Code to local officials. What the DILG has not completely solved, however, is the matter of trainor's training for the local universities expected to impart new knowledge and skills.

What DILG can do in the meantime is to utilize its existing training courses by including an orientation on the Local Government Code in each module. After 1993, the module can be phased out, as it is expected that changes brought about by the Code would already be incorporated in each training module.

What about the people? Never before have they been given as much participation in local governance. The mechanisms for their cooptation have been spelled out--representation in local Boards and Councils, sectoral representation in local legislatures, and cooperative ventures with local governments.

These entail cooperation among NGOs operating within the locality, as among the people themselves. For instance, they have to decide on the procedures for selection or rotation of representatives to the LDCs. They have to decide which legitimate sectoral groupings should run for elective positions. This might be easy for NGOs which get along. This will force others who do not get along better.

Before they cooperate and coordinate, NGOs as well as unorganized residents should first learn about their new powers and responsibilities under the Local Government Code of 1991. The massive training suggested for local officials must even be expanded to include training for the people on salient features of the Code.

Thus, more is expected of the training institutions--the LGA and other units of DILG conducting training. More is expected of the academe to provide the trainors with new skills to impart. It is time for academic institutions like the University of the Philippines to give more emphasis on its extension function.

Decolonization from centralism to local autonomy is a big responsibility, and must involve the national government, the local governments, and the people.

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