

Notes on P.D. 824  
**THE METROPOLITAN MANILA COMMISSION  
 IN THE LIGHT OF THE INTEGRATED REORGANIZATION PLAN**

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### OVERVIEW

For purposes of government, the Philippine is geographically divided into 13 administrative regions.<sup>1</sup> Of these, Metropolitan Manila stands as the National Capital Region (NCR).<sup>2</sup> While the rest of the other regions are officially designated as Region I, Region II, up to Region XII, Metropolitan Manila or the NCR is unnumbered.<sup>3</sup>

Metropolitan Manila is a public corporation,<sup>4</sup> and, as distinguished from the Metropolitan Manila Commission (MMC) itself, it is administered by the latter. While the NCR consists of four (4) cities<sup>6</sup> and 13 municipalities<sup>7</sup> — and therefore, of as

\*Case and Comments Editor, Ateneo Law Journal.

<sup>1</sup>Presidential Decree No. 1 (1972), as amended by P.D. Nos. 742 (July, 1975), 824 (November, 1975), 1274 (December, 1977), and 1396 (June, 1978).

<sup>2</sup>Pres. Decree No. 1396 (1978): "CREATING THE DEPARTMENT OF HUMAN SETTLEMENTS AND THE HUMAN SETTLEMENTS DEVELOPMENT CORPORATION, APPROPRIATING FUNDS THEREFOR, AND ACCORDINGLY AMENDING CERTAIN PRESIDENTIAL DECREES." It provides:

"Sec. 3. Establishment of the National Capital Region. — In view of the critical importance of the Metropolitan Manila Region in human settlements development, it is hereby declared and established as the National Capital Region of the Republic of the Philippines, and its administration as such is hereby vested in the Secretary of Human Settlements. The pertinent provisions of Presidential Decree No. 824, creating the Metropolitan Manila Commission, are hereby accordingly amended."

<sup>3</sup>Marcos, A Humanist Reaffirmation, in THE PRESIDENT'S BUDGET MESSAGE FOR 1981. Ilocos Region (Region I), Cagayan Valley (Region II), Central Luzon (Region III), Southern Tagalog (Region IV), Bicol Region (Region V), Western Visayas (Region VI), Central Visayas (Region VII), Eastern Visayas (Region VIII), Western Mindanao (Region IX), Northern Mindanao (Region X), Southern Mindanao (Region XI), and Central Mindanao (Region XII).

<sup>4</sup>Pres. Decree No. 824, Sec. 1 (1975).

<sup>5</sup>*Ibid.*

<sup>6</sup>Manila, Quezon, Pasay, and Caloocan.

<sup>7</sup>Las Piñas, Makati, Mandaluyong, Malabon, Marikina, Muntinlupa, Navotas, Parañaque, Pasig, Pateros, San Juan, Tagig, and Valenzuela.

many city and municipal governments — the Commission acts as the central government thereof.<sup>8</sup> According to President Marcos, the Metropolitan Manila Commission is an "experiment in urban regional development."<sup>9</sup>

### Metro Manila in Retrospect

What is the importance of Metro Manila in the context of national development? Metro Manila, according to one high ranking official of the Commission, is "the pacesetter for the rest of the nation in improving the quality of life of every Filipino. As Metro Manila grows and develops, so must the rest of the nation."<sup>10</sup>

But what was Metro Manila in the past? How was it viewed and assessed by technocrats whose opinions carried influential weight in the formulation of major policies affecting it? Nathaniel Von Einsiedel gives the following elucidation:

"In the past, policy makers and implementors were blind, unfeeling and indifferent to the increasing needs and demands of urbanization. Metropolitan Manila grew, unchecked and unplanned, into an unwieldy monster, and administrative and aesthetic disaster unworthy of the nation's primate city.

Manila fast became a city of appalling contrasts: of tall fancy buildings and broken-down shanties, of luxurious expensive hotels and dingy squatters' hovels, of ostentatious life styles and high crime rates, of pompous extravagant fetes and neglected indigents, of numerous opportunities and countless disappointments. With all its impressive facades, bustling activities and hectic pace, Manila and its environs were in a sad state of degradation, stagnant and stagnating, well on its way to oblivion.

Some reasons can, perhaps, be cited in explaining how and why the premier Philippine City became the way it has been. For one thing, there was a lack, if not absence, of appreciation for planning in totality. In the heavy politics-ridden air from 1946 to 1972, urban planning was sacrificed for uncoordinated piecemeal work done with an eye to votes or private gain, with not a thought for public. To cite one example out of many, reserved open spaces were sold for commercial development in complete disregard for spatial aesthetics of environmental planning or even the simple necessity of breathing fresh air.

<sup>8</sup>P.D. 824, Sec. 4 (1), *supra*.

<sup>9</sup>Marcos, A budget for Countryside Development, in THE PRESIDENT BUDGET MESSAGE FOR CY 1978.

<sup>10</sup>Ma. Teresa Manuel, the Metro Manila Experience, FOOKIEN TIMES YEARBOOK, 1978, p.50. She is currently MMC's Action Officer for Information.

Meanwhile, squatters mushroomed everywhere and slum areas grew. Urbanization and an exploding population meant congestion, pollution, and their attendant social ills. Worst of all, nobody cared."<sup>11</sup>

### The Integrated Reorganization Plan (IRP)

When martial law was declared on September 21, 1972,<sup>12</sup> the first reform measure initiated by presidential decree was the reorganization of the executive branch of the national government. This reform measure is better known as the Integrated Reorganization Plan.<sup>13</sup>

"The Integrated Reorganization Plan represented more than 3 years' work of management experts in government, the private sector and the academic community. Although the Plan was approved by the full Commission composed of members from Congress and technocrats appointed by the President, it was not expected to be approved by the Legislature when it was submitted in March 1972.

The IRP was a comprehensive plan reorganizing the whole executive branch of the government, and it had generated opposition from many quarters. Administrators of agencies which were slated for abolition or merger and who would otherwise be adversely affected by the implementation of the Plan had lined up Congressional support to disapprove it. As provided in the law creating the Commission on Reorganization, Congress had the option to approve or reject the plan as a whole; it did not have the power to modify or amend it.

The Commission was about to be disbanded in September 1972 when the President decided to make the Integrated Reorganization Plan as part of the law of the land by issuing P.D. No. 1 three days after the declaration of Martial law. The life of the Commission was extended to assist the President in guiding and monitoring the implementation of the IRP."<sup>14</sup>

<sup>11</sup>Nathaniel Von Einsiedel, Towards the City of Man, FOOKIEN TIMES YEARBOOK, 1976, p. 41. Einsiedel was then Program Director, Metro Manila Development Program of the Human Settlement Commission. He is currently the Commissioner for Planning of the MMC.

<sup>12</sup>Proc. No. 1081 (1972), Planas v. Commission on Elections 49 S.C.R.A. 105 (1973).

<sup>13</sup>P.D. 1, *supra*, adopting Republic Act 5435 (1968), otherwise known as the Reorganization Law.

<sup>14</sup>Raul P. De Guzman & Associates, Citizen Participation & Decision-Making Under Martial Law Administration: A Search for a Viable Political System, XXI PHILIPPINE JOURNAL OF PUBLIC ADMINISTRATION, January, 1977, pp. 13-14.

A regional approach to national development was adopted by the IRP. This feature of the reorganization is summed up by Armand V. Fabella<sup>15</sup> in the following manner:

"The massive reorganization effort started in 1968 with the establishment and operation of a Reorganization Commission, later called Presidential Commission on Reorganization. This effort culminated in the enactment on September 24, 1972 of Presidential Decree No. 1 embodying the two-volume Integrated Reorganization Plan as originally formulated. However, the social, political, and economic ambience has changed with the New Society<sup>16</sup> giving rise to new demands requiring new responses. Thus, the Integrated Reorganization Plan had to be modified as the need for such modification arose since some of its provisions had become obsolete and unrealistic. It is noteworthy, however, that its three basic developmental thrusts<sup>17</sup> were deemed valid and thus remain as the major contributions of the reorganization to development. The planning arrangement is currently in the process of institutionalization and those at the regional level where planning has always seemed to be in a state of disarray, are fast catching on to its necessity and significance. More and more, the functions and authority of regional offices are being increased, and their concomitant response has been satisfactory."<sup>18</sup>

### Decentralization of Government

The decentralization of government operations followed as the necessary adjunct of regional development policy.<sup>19</sup> It aims at the development of all the

<sup>15</sup>Fabella, Reorganization and National Development, I CES JOURNAL 6, (1976). Mr. Fabella heads the Presidential Commission on Reorganization. A member of the Career Executive Service Board, he graduated *cum laude* at Harvard and took post-graduate studies at the London School of Economics. He was a TOYM awardee in 1962. In 1976, he was Chairman of the IMF-CB Banking Survey Commission and of the Central Bank Advisory Group.

<sup>16</sup>The basis of the New Society is stated by President Marcos in this manner: "The fundamental reason for building a new society has to do, in fact, with the outstanding characteristic of our age: the rebellion of the poor. This is a rebellion over which the might of government can be of no avail, for the poor are, in many ways, *the* people for which government exist." (Marcos, Notes on the New Society II (1976), p.1, citing Notes on the New Society I (1973), p. 45).

<sup>17</sup>The reorganization plan has three major thrusts, namely, (1) improvement and integration of planning and decision-making; (2) revamp of the civil service system in order to provide a strong and professional support for government action programs; and (3) deconcentration and decentralization of governmental functions and operations. An important concept involved under No. 3 is that of increasing the direct contact of government with the people by increasing the number of government personnel that directly deal with the public. It is said that this contact is, oftentimes, the only basis by which the people judge the performance of and assistance rendered by the government. (Fabella, *supra*, pp. 7-9.)

<sup>18</sup>*Ibid*, pp. 9-10.

<sup>19</sup>See note 3, *supra*, p. 29.

regions, at a pace manageable by resources and compatible with prudent resource extraction.<sup>20</sup> Its premise is that each of the 13 regions of the country is unique in its endowment of natural resources, the characteristics of its population and necessarily in its formula and approach to development.<sup>21</sup> Thus, the plains of Central Luzon (Region III), with its traditional occupation of agriculture, indicate that development in the region is logically one of intensifying agricultural productivity.<sup>22</sup> The vast sea resources of the Visayas indicate that development should be pursued through extensive sea farming and large scale fishery.<sup>23</sup> Mindanao, on the other hand, with its abundance of cheap hydroelectric power, forests and still underdeveloped arable land, suggest an entirely different approach to development.<sup>24</sup>

By modified analogy, the same considerations hold true to the development of the contiguous (4) cities and (13) municipalities which together constitute Metro Manila. To do this, the Metropolitan Manila Commission was established in 1975 by Presidential Decree No. 824. This is the basic idea behind P.D. 824. It has been modified somewhat with the enactment of P.D. 1396 (1978) which created the Ministry of Human Settlements but the basic idea has remained the same. The relationship between these two agencies is even punctuated by the fact that since their creation up to the present — the have been headed by one and the same person — Governor and Minister Imelda R. Marcos. As one writer would put it:

"She wanted to spruce up Manila since it is the showcase of the country. . . and to be able to do that, she had to have the authority to issue orders officially. Hence, the Metro Manila government was born. She then realized that the only way to stop the endless flow of rural folk into Manila was to make the countryside as attractive if not more so than to gamble with uncertainties in the big city. Hence the MHS."<sup>25</sup>

## FINIS

According to Mr. Justice Holmes, "The life of the law has not been logic; it has been experience. . ."<sup>26</sup> But in the case of P.D. 824, basing on the foregoing considerations, its life has been both logic and experience.

<sup>20</sup>*Ibid.*

<sup>21</sup>See note 9, *supra*, p. 2.

<sup>22</sup>*Ibid.*

<sup>23</sup>*Ibid.*

<sup>24</sup>See note 9, *supra*, p. 2.

<sup>25</sup>David, Benedicto S., The First Lady of the Land (an interview), II WHO Magazine, pp. 5-6 (1979).

<sup>26</sup>PASCUAL, INTRODUCTION TO LEGAL PHILOSOPHY, p. 267 (1977).

## A Philippine Experiment on Parliamentarism

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It has fallen to the lot of fledgling nations which seek to establish their identity and some semblance of self-governance after a period of colonization to experiment with structures of government best suited to meet the needs of the people.

The Philippines has not been an exception. Conquered and occupied by three powers in the space of approximately one and a half centuries, its people have undergone the vicissitudes of accommodating themselves to superior wills even as they struggled to find a form of government reflective of their history, culture, temperament and psyche.<sup>1</sup>

One step further in this struggle was made in the plebiscite on the proposed constitutional amendments on April 7, 1981. Among others, the people voted affirmatively for a modified form of parliamentary government, radically restructuring a structure earlier established under the 1973 Constitution and thereby reallocating anew government powers and functions.

How the parliamentary form of government was modified by the results of the 1981 plebiscite is a subject matter too broad to contain in the succeeding discussions. This paper considers only the position of the Prime Minister, its significance under the new governmental set-up as embodied in the present Amended Constitution.

The approach taken is both historical and comparative.

### I. The Prime Minister Under the 1973 Constitution

The Prime Minister under the 1973 Constitution is a member of the National Assembly elected by a majority vote of said body.<sup>2</sup> As his mandate proceeds from the National Assembly, the withdrawal of the same may be effected by the said body.<sup>3</sup> But the fusion between the executive power and the legislative power is manifested in more significant ways than the above. The Prime Minister is Chief Executive, Chief Military Commander and Chief Legislator. It is in the last that the fusion of the executive and the legislative departments, characteristic of model parliamentary governments, is most manifested.

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<sup>1</sup>Speech delivered by Florida Ruth P. Romero at a two-day symposium on the proposed Constitutional amendments held at the University of the Philippines Law Center from March 16-17, 1981.

<sup>2</sup>1973 Constitution of the Philippines, section 3, Article IX.

<sup>3</sup>*Ibid.*, section 13 (1), Article VII.