

THE BARRIO CHARTER AND THE DEVELOPMENT OF LOCAL
POLITICAL AND ADMINISTRATIVE ORGANIZATIONS

By

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I speak to you today not really as a technical man or a legal expert but rather as a plain and simple Filipino contributing his share in the development of our rural areas that we may within the shortest time possible truly make this nation great again.

My contribution to this workshop is this humble paper on the "barrio charter and the development of our local political and administrative organizations", which I am submitting for your consideration for whatever worth it may have in achieving the central theme of this workshop.

Political and Administrative Emancipation

On June 22, 1963, Republic Act No. 3590, commonly known as the Revised Barrio Charter, was enacted into law. For the first time, the people of the barrios were officially recognized as the "backbone" of this nation. For the first time, the barrios were granted "greater autonomy and incentive for self-help" - to better promote their welfare and happiness. For the first time, the simple, unassuming soldiers of the soil were acknowledged as the formidable support of this country for economic survival.

Whereas, in the past these barrios were non-entities in that under the Spanish Government's system of administration they were only units of the "pueblo", consisting of about 50 families more or less known as "barangay" under the leadership of the "cabeza de barangay"; today, they have been elevated to the status of "quasi-municipal corporations". They have acquired a juridical personality of their own, without the national, provincial and municipal governments relinquishing their respective obligations to them." (Refer to the opening statements of Rep. Act No. 3590 known as the Revised Barrio Charter; also Section 2 of the same law). They are no longer under the political and administrative control of our local governments. The Municipal Mayors exercise only supervisory powers over

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respective barrios. (Section 12, Rep. Act No. 3590). They can sue and be sued in their corporate name. They can acquire, hold and convey real property for the purpose specified in the law and generally to exercise the powers conferred upon them by the charter. (Par. 3, Section 2, Rep. Act No. 3590). Whereas, in the past, the "Cabezas de barangay" were only glorified tax collectors without any compensation; whereas during the American regime and up to June 22, 1963, they were known as barrio lieutenants entrusted with the duty of helping in the maintenance of peace and order in their respective localities and to act as informants in the barrio of the conditions and events obtaining in the municipality, in the province or in the City of Manila; today, our barrios are enjoying greater autonomy under the leadership of a BARRIO COUNCIL headed by a BARRIO CAPTAIN assisted by six COUNCILMEN duly elected by the qualified electors of the barrio on the second Sunday of January immediately following the regular elections for municipal and provincial officials. (Sections 7, 8, 9, and 10, Rep. Act No. 3590).

The Law

The Revised Barrio Charter did not only emancipate the barrios from the political and administrative control of our local governments but it also granted them, through their respective barrio councils, powers that would enable the barrio people on their initiative and efforts to work out their own destiny. The barrio council can now promulgate barrio ordinances that are necessary and proper to provide for health and safety, promote economic prosperity, improve the morals, peace, order, comfort and convenience of the community and the inhabitants thereof. (Par. a, Section 13, Rep. Act No. 3590). The barrio roads, bridges, viaducts, sidewalks, playgrounds and parks, school buildings, water supply, drainage, irrigation, sewerage and public toilet facilities and other public works projects and for this purpose to exercise the power of "eminent domain" with the approval of the municipal council. (Par. b, Section 13, Rep. Act No. 3590). They are now empowered to undertake cooperative enterprises that will improve the economic condition and well-being of the barrio residents such as credit unions, stores of the purchase and sale of commodities and products and other activities relating to agricultural and livestock production and marketing which may promote the welfare of the barrio inhabitants. (Par. c, Section 13, Rep. Act No. 3590). It is the duty of the barrio council to accept such cooperation that may be made available by municipal, provincial and national governmental agencies established by law to render financial, technical, and advisory assistance to barrios and to barrio residents. (Par. 3, Section 13, Rep. Act No. 3590). They may submit to the municipal council such

suggestions or recommendations as it may see fit for the improvement of its barrio for the welfare of the inhabitants thereof, (Par. 6, Section 13, Rep. Act No. 3590). They can hold benefits in their respective barrios without having to secure permits from the Social Welfare Administration or mayor for the purpose of raising funds for the barrio. The proceeds from such benefit performance shall be tax exempt and shall go to the barrio general fund. (Par. i, Section 13, Rep. Act No. 3590).

As means of further raising revenues for the barrio, they are given the right to regulate the use of cement, palay or copra driers (patio) or similar projects constructed with government funds for public service within the jurisdiction of the barrio by charging reasonable fees for the use thereof. (Par. k, Section 13, Rep. Act No. 3590). It is evident from these powers that the barrios can now embark upon community development projects on their initiative without waiting for the help of the municipal, provincial, and national governments as before. The success or failure of their projects will depend largely on their own efforts, resourcefulness, toil and sinews.

In addition to the foregoing powers, the Revised Barrio Charter grants to the Barrio Councils the power to "levy, raise and collect monies from the following sources: PROVIDED, HOWEVER, That taxes or license fees imposed by a barrio council shall not exceed fifty per centum of a similar tax or fee already levied, assessed or imposed by the municipal council: (a) Taxes on stores, and signs, signboards, and billboards, displayed or maintained in any place exposed to public view except those displayed or maintained in any place where profession or business advertised is conducted; (b) A tax on gamecocks owned by residents of the barrios and on cockfights conducted therein: PROVIDED, that nothing herein shall authorize the barrio council to permit cockfights; and (c) An additional percentage, not exceeding one-fourth of one per centum of the assessed valuation of the property within the barrio collected by the municipal treasurer along with the tax on real property levied for municipal purposes by the municipalities and deposited in the name of the barrio with the municipal treasurer." (Section 17, Rep. Act No. 3590).

The barrio council may also "accept or solicit monies, materials, and other contributions from the following sources: (a) monies, materials and voluntary labor for specific public works and cooperative

enterprises of the barrio raised from residents, landholders, producers, and merchants of the barrio; (b) monies from grants-in-aid, subsidies, contributions, and revenue made available to barrios from municipal, provincial, or national funds; and (c) monies from private agencies and individuals. Monies or properties donated by private agencies and individuals for specific purposes shall accrue to a special trust fund for that purpose." (Section 18, Rep. Act No. 3590).

In addition to the foregoing sources of revenue, the barrio also shares in the real estate tax collected on the real property located within the barrio regardless of where payment was made. Ten (10%) per cent of the aforesaid taxes collected shall accrue to the barrio general fund, which sums shall be deducted in equal amounts from the respective shares of the province and municipality. (Section 23, Rep. Act No. 3590).

A careful study of the foregoing powers will show that our barrios never had it so good. They can get all kinds of help from practically all sources. No longer are the barrio people like pawns on the chess-board of politics. There can be no doubt that these powers carefully studied, properly understood and honestly implemented, will enable the barrios to accelerate progress in their respective localities and hasten the social and economic development therein through their own cooperative action, efforts initiative.

Our "Bayanihan" Spirit

Indeed, the inclusion of the phrase "self-help" in the Revised Barrio Charter is an expression of our government's abiding faith in the capacity of the barrio people to ameliorate and improve their condition in life and that of their community through their own initiative and labor. For truly, it can be said that this whole idea of "self-help" is not new to the Filipinos. It is a trait long practised by our people known as the spirit of "BAYANIHAN". What is this spirit of "BAYANIHAN"? It is the inherent nature and capacity of our people for volunteer cooperative action. It is their willingness to work together to lend a helping hand to a friend or a neighbor in distress. It is their sincere and honest desire to rise and work in concert with others towards the attainment of worthwhile projects for the common good. It is demonstrated during the planting season when they cooperate with one another to clean and plow the land and harvest the crops of a friend or a neighbor for free. It is demonstrated when, as one man, they offer their services for no pecuniary consideration in building or repairing the houses of friends neighbors. It is again demonstrated when they join hands and close ranks in cases of calamities and in times of emergency. It is shown in their preparations for the celebration of their town or barrio fiestas. This Filipino

trait is more than ever very much in evidence today. This spirit properly cultivated, guided and directed can spell the difference between economic stagnation and economic progress. It is encouraging to note that even during the infancy of the Revised Barrio Charter numerous projects have been accomplished in many barrios of the Philippines through "self-help".

We have the "grants-in-aid" program of Gov. Norberto Romualdez Jr. of the Province of Leyte to provide the necessary technical know-how and materials in the construction of urgent rural public improvements which, with the help of the barrio folks, resulted in the construction of five barrio halls, two waterworks systems, three barrio markets, one hydroelectric project and three foot bridges in the towns of Palo, Carigara, Kawayan, Sta. Fe and Pastrana. (Leyte Tackles Rural Development Projects, Manila Times Hometown News, April 18, 1966).

Recently, the residents of Ombay, Abucay, Bataan, have found ways to avert water shortage in their locality. They have installed water mains from high-pressured deep well through community efforts. The self-help project cost the people of the barrio 13,500 which they were able to muster through voluntary contributions from the barrio council and the Presidential Assistant on Community Development (PACD). Aside from the main water source, the barrio folks expect to put up more pumps in other strategic places in the barrio. (Water from a Deep Well, Manila Times Hometown News, April 22, 1966).

Then, we have the FRRM assisted barrios. A case in point is Barrio BANGAD in the Island of Talim in the Province of Rizal. It is reported that at the start of the FRRM operations a year ago, there were only 33 homelot gardens. To date, there are 170 of them and the cultivation of secondary crops was increased from 58 to 250. The main source of income, aside from fishing and farming, is "kaing"-making a rural industry on bamboo-raft. The most outstanding project in livelihood development, however, is the organization of a FRRM type of barrio cooperative credit union which serves as a sort of a banking institution extending loans for worthwhile projects at a low rate of interest unknown in progressive banking institutions. In the field of self-government, it is reported that the Barrio Council is well organized and the barrio assembly and other villages are actively participating in the affairs of their own government and country. Some of the council officials and leaders have gone to the FRRM national center in Nueva Ecija to undertake training on barrio leadership conducted regularly by the FRRM self-government department. (FRRM Assisted Barrios, Manila Times Hometown News, April 6, 1966).

The PRRM four-fold integrated program of education, livelihood, health and self-government could very well serve as a pattern for barrio councils to adopt in their implementation of the Barrio Charter.

"Operation Bay" is a broad socio-economic program for the Province of Laguna under the leadership of Gov. Feliciano San Luis. The project is expected to be implemented on the self-help basis. The first phase consisting of rice fields being laid out and seasonal (3-month) crops planted on an experimental basis to determine the crops best suited to the soil. The second phase consists in the construction of feeder roads to serve as outlets for rural agricultural products in order to increase the farmer's income and to keep them in the barrios. "Operation Bay" is a pilot project for all other 23 municipalities of the Province of Laguna. (Operation Bay- Model Pilot Village in Barrio Anilao, Manila Times Hometown News, April 20, 1966).

The aforementioned cases show how the blending of the barrio charter and the "bayanihan spirit" of our people can bring about the full development of our rural areas. But, at the same time, we must not lose sight of the fact that it was also the dedication and devotion to the cause of community development demonstrated by the public officials concerned and the governmental and private agencies, such as the PACD and the PRRM, that gave life and substance to the law and rekindled the barrio folk's "bayanihan spirit." The law would have been meaningless and our people's capacity for volunteer cooperative action would have been wasted and rendered useless were it not for the guiding hand of dedicated government officials and the help of government and private agencies such as the PACD and the PRRM.

Honest, Dedicated and Devoted Men

For this reason, it is necessary for the barrio people to insist that the highest moral and ethical standards be maintained by those they elect into office on the provincial, municipal and barrio level. There is need for honest, dedicated and devoted men to enter the public service. There is absolutely no place in public life for men who are insensitive to the obligations that their offices impose, men who are easily influenced, grasping and self-seeking- to allow these men to come into the public service would mean the failure of any good program for rural development even before it is started. The strict observance of HONESTY is a must. This is the foundation on which will depend in a large measure the success of this bold experiment of giving the barrio people greater autonomy and incentive for self-help. May the Good Lord deliver the rural areas from the plague of graft and corruption.

Problems

Let me bring to your attention some hindrances to the attainment of our main objective, which I repeat is- rural development through self-help. In my last visit to the province, I interviewed several barrio captains, councilmen, and barrio folks. I discovered, among others, that most of the barrio captains, and councilmen are not intermediate school graduates. In fact many of them have not even finished the primary school. This academic deficiency of the barrio officials has affected somewhat the pace of progress in the barrios under the Revised Barrio Charter. Firstly, because they have desisted from taking the lead in their respective communities. They are ashamed (nahihiya) that on account of their academic deficiency, they may commit mistakes along the way for which they may either be the laughing stock of the whole barrio or be blamed or even cursed. If they have good ideas for community development, borne out of their experiences in life, they keep such ideas to themselves. The result is that the barrios do not move. True, the barrio council meets regularly as provided by law but every meeting begins and ends with nothing but talk. They are so conscious of their academic deficiency that they have allowed the Filipino trait of "hiya" to get the better of them. They have taken the attitude of waiting until somebody shows them the way. In the meantime- nothing and nobody moves- all on account of "hiya".

"Hiya"

The Filipino trait "hiya" is sometimes translated into English either as "shyness" or "shame". Accordingly to Fr. Jaime Bulatao, S.J. "hiya" is taken to mean not merely the actual emotion felt when one has violated social norms, but rather the sensitivity to rebuke, and fear of exposure of one's insecure self. Hence, we come to define "hiya" as a "painful emotion arising from a relationship with an authority figure or with society, inhibiting self-assertion in a situation which is perceived as dangerous to one's ego." (The Hiya System in Filipino Culture, by Fr. Jaime Bulatao, S.J., p. 15, Vol. XIV, No. 1, March, 1965, Philippine Educational Forum).

"Hiya", continues Fr. Bulatao, "is the opposite of "rugged individualism." The individual person feels extremely insecure when detached from his group and feels anxiety, like a fish when lifted out of water. He prefers to bury himself in his group. When supported by the group he can dare to be blustery and loud. Apart from the group or when contradicted by the group he feels hiya, which inhibits his self-assertion and makes him slip back into the group again." (Hiya System in Filipino Culture, by Fr. Jaime Bulatao, S.J.).

Fr. Bulatao also reports in his article that on the Edward Personal Preference Test the Filipinos scored high on "Nurturance" and "Succorance", but was low on "autonomy" (Bulatao, 1964).

If the barrio people do not do something about this Filipino trait "hiya", they may lose the autonomy they have won for themselves under the Revised Barrio Charter.

Lack of Patterns for Good Projects

Secondly, if the "hiya" does not operate in a given locality the problem that arises is the lack of patterns for good projects.

Taking into account the academic deficiency of the barrio officials they really need patterns for good projects to inspire them to act and lead. Their imaginations should be kept alive by examples of how community projects on a self-help basis are initiated.

Lack of System to Get Support

Thirdly, if there are patterns for good projects, the problem that crops up is the lack of a proper system of drumming up the support of the whole community. You will recall that sections 17 and 18 of the Revised Barrio Charter provide the numerous sources of income for the barrio which includes, among all others, contributions from residents, landholders, producers and merchants of the barrio but without a systematic way of getting the support of these moneyed group of the barrios, the coffers of the barrios may remain empty in spite of the help given by the law.

"Pakikisama"

Lastly, there is the problem of determining priorities and allocation of the scarce resources of the barrios. This problem is usually caused by the existence of another Filipino trait known as "pakikisama". The main criterion for determining priorities in the allocation of the scarce resources of the barrios is: "What will my friends and relatives say? What will our compadres think?" The merits of the projects are left out entirely. The worst part of it all is the fact that these officials concerned seek to justify their actuation by making themselves believe that what they have done is right because they have acted in conformity with social demands. When intelligently and properly used this trait can help but when carried to extremes it can destroy rather than build. In the name of "pakikisama" there is danger that the barrio funds may be wasted by financing extravagant and useless projects to benefit a friend or a compadre; in the name of "pakikisama" the powers conferred upon the

the barrio council by law may be used to squeeze the barrio people to pay unnecessary taxes and lastly, in the name of "pakikisama" political adversaries may be persecuted and harrassed.

These are the obstacles we must hurdle in our efforts to bring about the early development of our rural areas. However, taking into account the academic deficiency of our barrio officials, it is difficult, if not impossible, to expect them to immediately comprehend the nature, scope and extent of their newly acquired powers. In due time, with the proper help and guidance, they may still live up to our expectations.

Suggested Remedy

The simple remedy is EDUCATION. In fact, there is not a single problem I mentioned that cannot be remedied by EDUCATION. The big question is how go about it? In my last visit to the province, I also met many civic-spirited government retirees and prominent professionals coming from all fields, such as lawyers, doctors, engineers, sanitary inspectors, agriculturists, teachers and others. They are highly competent to help in the implementation of the Revised Barrio Charter. It is unfortunate if their wealth of knowledge and experience is not harnessed to some noble work for the welfare of the community. They may be compared to beautiful flowers allowed to wither on the wayside instead of being used to embellish the living rooms of happy homes. I, therefore, without hesitation advocate the tapping of their invaluable assistance in the campaign for the education of our barrio officials in all the different areas of rural development. Surely, a tactful and energetic mayor can easily invite them to sit as "guidance counsellors" for the barrio captains and barrio councilmen in his municipality. He could, upon their acceptance of his invitation to serve, assign them the important task of preparing a practical and comprehensive course of instruction on the provisions of the barrio charter. This is essential because our barrio officials cannot act accordingly when they do not know how to start. A practical and comprehensive course on the subject would not only broaden their minds and outlook but it would also inspire them into action. The main idea is to restore to these barrio officials their confidence in themselves and in their capacity to act. Once the insecurity is removed - it will not be difficult to draw out their hidden talents for leadership. These officials must have hidden talents for leadership otherwise they would not have been elected by their co-villagers. The course to be conducted by these civic-spirited retirees and professionals of the municipality should be opened to all those who are interested in the barrios. It should not be limited to the incumbent barrio officials so that after a few years they themselves can pass on among themselves and to the community all that they learned in community development. These "guidance counsellors" can also help implement the

provision of Par. j, Section 13 of the Rep. Act 3590 which requires the barrio council to organize at least twice a month such lectures, programs and/or community assemblies as may serve to educate and enlighten the people on matters of public interest. From the interviews I had with the barrio officials, I learned that this provision of law is not being implemented because of the difficulty of getting guest speakers for the occasion. The enlistment of these government retirees and prominent professionals of the community will assure the barrio councils of a continuous and steady speakers and lectures during the whole period of their incumbency. Added to this is the fact that the barrio councils will have a ready group of advisers to help them in their daily problems in the implementation of the law in all areas of rural development.

The Mayors alone cannot provide this personalized attention so essential to the barrio councils at this state of their development. For one thing, because these government retirees and prominent professionals command the respect and the confidence of the barrio people, we can expect better communication and dialogue between teacher and pupil because the atmosphere is conducive to learning. It is also my sincere belief that with these group of guidance counsellors, graft and corruption will not be able to infiltrate into the clean and simple life of the barrio people. On the other hand, they may succeed, where others have failed, in teaching the barrio folks how to exact compliance with the law even from their own relatives, friends and compadres.

I also learned from my interviews that in spite of the tremendous powers granted by law to the barrio councils for raising revenues, there are still many barrios that do not have funds. This is because many of the barrio officials are timid or shy to impose discipline and exact compliance with the law. With a group of guidance counsellors, as I propose, all these deficiencies will be remedied.

The proposed guidance counsellors should also be made to coordinate their course of instruction with the operations of the PACD and the functions of the PRRM so that they may be able to prepare ultimately not only a practical and comprehensive course of instruction on the Revised Barrio Charter but also an integrated manual of instruction on community and rural development.

Barrio Women

The importance of the participation of barrio women in this task of rural development should not be overlooked. I know of my own personal knowledge the vast influence they wield in the social life of the barrio. They are effective political campaigners during election

time and untiring solicitors of contributions during "fiesta" time. I see no reason why their generous and diligent help to raise funds for the barrio or to collect the taxes that the barrio council may impose is not tapped. After all, women in general are reputed to make good treasurers and secretaries.

Conclusion

Under Rep. Act No. 3590, the barrios can now initiate projects on their initiative and to finance, support and maintain these community projects they have been granted the power to tax and to raise funds for such projects from other sources. Add to this the inherent capacity of our people for volunteer cooperative action known as "bayanihan". Remove the adverse effects of "hiya" and "pakikisama" through a vigorous campaign of education. There is no reason why the barrios cannot, with honesty and dedication to public service, hasten their economic development.

I am submitting for your consideration the law and the facts in the hope that the accounts of successful community projects will help the people to realize their capacity and potentiality for self-improvement, and ^{utilize} to their best advantage the best knowledge and technical assistance now available in every field of rural development. In this way, we can acquire the knowledge and experience that will be needed to keep pace with even more intricate problems that our country may face in the future.