

Acceptability of Federalism among Police Officers in the Philippines

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Abstract –*The clamor for changing the present centralized form of government to a decentralized system or Federalism has started since 2004, however, the present Administration under President Rodrigo Duterte has expressed his desire to support the changing of the present form of government to Federalism. This changing of the government cannot happen without first amending the present Constitution of the Philippines. Among the group that expresses concern on the impact of Federalism is the law enforcement. Through a descriptive-quantitative research design, this study determined the profile 49 police officers as to age, gender, marital status, educational attainment, place of birth and number of years as police officers; jurisdiction over crimes and law enforcement; citizens’ protection and responsibilities as part of community policing; and control and supervision of law enforcers. Based from the statistical result high level of acceptability were established on: independent judicial system, local governance using local solution, autonomy of operation but with proper collaboration, people receiving double security, need for technical support from the national government.*

Keywords –*Federalism, National Security, Police Officer*

INTRODUCTION

Police as part of the Criminal Justice System in the Philippines should be able to examine political situations or phenomena happening in the country that affect the people whom they pledged to serve and protect. It is imperative for every police officer to get information, analyse data from varied perspectives and connect their analysis from theoretical paradigms and/or practical experiences. One of such phenomena is the clamor of the present administration under the regime of President Rodrigo Roa Duterte to change the form of government from a centralized government where the national government provides the general direction to

all units of the government into a decentralized one where power of the government will be shared by regions or provinces (states). This is important for police officers to know since there will be questions on jurisdictions particularly on the scope of law enforcement and extent of police power.

Federalism is a system of government in which a written constitution divides the powers of government on a territorial basis. The division is made between central, or national, government and several regional or local governments. Generally, an overarching national government governs issues that affect the entire country, and smaller subdivisions govern issues of local concern. Both the national government and the smaller political subdivisions have the power to make laws and both have a certain level of autonomy with each other; is based on “dual sovereignty; and, an advocacy of federal principles of dividing powers between members, units and institutions. Unlike in the unitary state, sovereignty in a federal political orders is non-centralized, often constitutionally, between at least two levels so that units at each level has final authority and can be self-governing in some issues or area [1], [2].

In this, the citizens have political obligations to or have their rights secured by two authorities (the federal government and the state). The division of power between the member unit and the center (government) may vary, typically the center (government) has power regarding defense and foreign policy, but member units may also have international roles. The decision making bodies of member units may also participate in central decision-making bodies.

Why is the present regime under President Rodrigo Roa Duterte clamoring to change the existing form of government to a Federal form? What is the rationale or purpose of the federal form of government to the Philippines? How can the changing of the form of government lead the Philippines and its people to progress and development? These are just some of the questions that the administration and law makers in the

country need to answer before any attempt to change the existing constitutional provisions stated in the 1987 Philippine Constitution. This change to Federalism has long been proposed since 2002 by Prof. Jose Abueva, a UP professor and the former senator Aguilino Pimentel III. The question now is what are the contents of the proposal rallied by both Abueva and Pimentel for a federal form of government and how will the Filipino people react to this proposal? [3].

In order for police officers to function well and perform their duties as law enforcers of the land, then it is just right for them to know and understand the implications of the changing of government form and function in relations with socio-political and law enforcement aspects.

The above proposals to effect change of our constitution and eventual change in the form of our government now serve as the springboard for analysis. Through this study the perception of police respondents from the Cabuyao, Laguna Police Station on the acceptability of the proposed change of governmental form from a centralized government to a decentralized one was taken to determine the significant effects of social, political and law enforcement in the country in lieu of regional or provincial (state) capability to a self-reliant government; more specifically those aspects which are directly related to policing and law enforcement.

OBJECTIVES OF THE STUDY

This study described the respondents' profile in terms of age, gender, place of birth, civil status, educational attainment and number of years in service as public safety officer; determined the acceptability of the proposed federal form of government and its effects on public safety measures and law enforcement in terms of: Jurisdictions over crimes and law enforcement, Citizen's protection and responsibilities as part of community policing, Control and supervision of law enforcers; tested the significant difference on the perception of the respondents when grouped along their profile variables; proposed recommendation to curtail or offshoot the possible adverse effects of federalism in the Philippines particularly in the implementation of peace and order measures of public safety officers in their respective states.

METHODS

Research Design

The descriptive research method design was used in the study. This method focuses on present condition the

purpose of which is to find new truth. The descriptive method design is applicable since the study focused on the gathering of perception of police officers/public safety officers from the Cabuyao Police Station who is currently under the supervision of the Philippine National Police.

Through the use of descriptive research design, the perception of the respondents regarding the acceptability of the Federal form of government in the Philippine setting along socio-cultural, economic, political and law enforcement dimensions were determined.

Participants

The respondents of this study came from the police roster of Cabuyao Police Station. From the total of 130 uniformed police officers, 40 officers were used as respondents. This study was delimited to getting the perception of public safety officers only because as law enforcers and protectors of the citizens from harm, they are primarily concern with the stability of political situations in the Philippines.

Instrument

The main tool for data gathering was a researcher-made questionnaire consisting of two (2) parts: Part 1 profile of the respondents; part 2 level of acceptability of Federalism as form of government in the Philippines as it relates with policing and law enforcement. In order to establish the validity and reliability of the items in the questionnaire, the test-retest reliability measurement was used [4]. This means that a pretesting of the questionnaire was done. The questionnaire was administered to ten police officers and after a week the same questionnaire was again administered to the same set of respondents. The correlation between the scores obtained from the same set of respondents in two different times is called test-retest coefficient. The result of this reliability test established that the data gathering tool used was reliable, since the same response was gathered from each of the ten respondents. The responses of the ten respondents were included in the final set of questionnaire of this study. The data were analysed along: Correlation is significant at the 0.01 level (2-tailed); Correlation is significant at the 0.05 level (2-tailed).

Procedure

Before the floating of the questionnaire, pilot testing of the questionnaire was done to ten (10) respondents for improvement of the questionnaire. Likewise, the draft questionnaire was presented to the Cabuyao Police

Station chief for his suggestions. After improving the questionnaire, the same was presented to the adviser for validation. The floating of the questionnaire commenced after it was approved by the research panel and the Dean of the Graduate school.

The letter of Informed consent for the respondents was included in the questionnaire. The letter contained the purpose of the study and assurance that the confidential nature of research will be properly observed.

The researcher sought the assistance of fellow police officers in Cabuyao Police Station in floating and retrieving the questionnaire to the desired number of participants (40). The floating of the questionnaire was done from January 15-30, 2017.

Data Analysis

All data were tallied, encoded and interpreted using frequency distribution, weighted mean and Analysis of Variance (ANOVA). These tools were used based on the observations of the study. In addition, all data were treated using statistical software, PASW version to further analyse the results of the study. The Likert Scale was used to examine the level of acceptance of the respondents regarding federalism with the following anchors: 3.50 – 4.00 = Highly Acceptable (HA); 2.50 – 3.49 = Acceptable (A); 1.50 – 2.49 = Least Acceptable (LA); 1.00 – 1.49 = Not Acceptable (NA).

Ethical Considerations

To observe the highly confidential nature of the interviews, no particular names were mentioned in the report. More so, the pictures taken did not reveal any personal identity of the respondents except that they are currently working a police officer in Cabuyao Police Station in Cabuyao Laguna. No personal opinion was given by the researcher, only information and results based from the data gathered were taken.

RESULTS AND DISCUSSION

Table 1 reflects the profile of the police officer respondents. In terms of age, majority or 29.20 percent fell under 24-28 age bracket; while the lowest, with only one respondent, belonged to the 39-43 age bracket. There was a small difference among the age brackets from 24-38 years. This data indicate that almost all of the respondents belonged to the young adult group; while only five (5) respondents are middle aged police officers. Considering that most of the respondents are young adults, their opinions about changing the form of government are quite more liberated than conservative or may be more open to changes. The clamor for the

changing of the federal form of government started in 2004; where majority of the respondents belonged to adolescent, which may mean lack of knowledge on the historical development for the changing of the form of government.

Table 1. Percentage Distribution of the Respondents' Profile

Profile Variables	Frequency	Percentage (%)
Age		
18-23 years old	6	12.50
24-28 years old	14	29.20
29-33 years old	12	25.00
34-38 years old	11	22.90
39-43 years old	4	8.30
39-43 years old	1	2.10
Gender		
Male	43	89.60
Female	5	10.40
Marital Status		
Single	17	35.40
Married	28	58.30
Consensual Union	3	6.30
Highest Educational Qualification		
College Graduate	45	93.80
Masteral Units	3	6.30
Place of Birth		
Luzon	29	60.40
Visayas	10	20.80
Mindanao	9	18.80
Number of Years as Police Officer		
Less than a year	10	20.80
2 years to 3 years	8	16.70
4 years to 6 years	10	20.80
7 years to 9 years	9	18.80
10 years above	11	22.90

In terms of gender, status and educational attainment, the data depicts that majority are male, majority are married and all, except for three (3) who have units in master's program, are college graduates. Since majority of the respondents are male, it clearly emphasized that policing is a male-dominated profession. There is an almost equal amount of married and unmarried respondents, just show that since majority are young adults, many police officers are still on the stage of preparing for their marital status; and since only three have earned units in graduate school, it may indicate the need for career enhancement for most

if not all of the police officers in Cabuyao Police Station. The researcher assumes that with upgraded education comes also greater awareness of issues confronting the people and one of those is governing and being governed.

In terms of place of birth, majority came from Luzon with the least who originated from the Mindanao region. Going back to the previous reviewed literature, the clamor for federalism started from Mindanao with the Moro clamoring for independence from the government. Since majority of the respondents came from Luzon and Visayas there may be a lesser need for changing the form of government to federalism than those from the Mindanao regions. This result may be indicative of the report done by the University of the Philippines regarding the changing of government to federalism. There was more negative response in Metro Manila, and in the rest of Luzon it was minus 19 percent. The margins were weakly positive in the Visayas (plus 5%) and Mindanao (plus 15%). The score was negative among urban Filipino.

Table 2. Level of Acceptability of Federalism for the Philippines on Jurisdiction over Crimes and Law Enforcement

Indicators	WM	VI	Rank
1. Local (federal state) may have independent judicial system of hearing cases as long as this does not violate the constitutional rights of the people	3.54	HA	2
2. The national (Federal) government shall handle external security through the Federal Armed Forces; while local crimes shall be handled by local (state) police authorities	3.46	A	3
3. The national (federal) government cannot take over by force local law enforcement as long as conditions do not warrant national concerns.	3.33	A	4
4. Problems on peace and order of local concerns shall be handled by local (state) police though local (state) solutions.	3.60	HA	1
Composite Mean	3.48	A	

Table 2 depicts the level of acceptability of the respondents on federalism. The over-all composite mean of 3.48 indicates that the respondents considered it as acceptable. Problems on peace and order of local concerns shall be handled by local (state) police though local (state) solutions got the highest weighted mean

score of 3.60 and rated highly acceptable. This result was supported by Brillantes et. al. [5] who said that decentralization is seen as a response to this dilemma in governance. It will help in the development of the nation by bringing the government closer to the people through administrative de-concentration and political devolution. It has been reasoned out that his strategy will facilitate faster delivery of needed basic services and promote participatory governance.

However, this study adheres to the caution of Ashdomen [5] who said that any discussion of crime involves issues of power; and in the legal context raises the questions of jurisdiction. This has to be clearly determined.

Same result was observed on Local (federal state) may have independent judicial system of hearing cases as long as this does not violate the constitutional rights of the people. Given that the result pointed to high acceptability of an independent judicial system may be indicative of possible agreement on revision of the present Constitution. Casiple [7] included in the areas for charter change the provision of the constitution of having an independent judicial power to local government regarding violations of Human Rights and the powers to prosecute to go after human rights violation and perpetration of electoral fraud respectively. Furthermore, he envisions the removal of the phrase “as may be provided by law” in various sections of the Constitution to replace them with decisive policy, such as the one banning political dynasties.

If the result will be considered, it may be possible that people will approve amending the constitution to give power to local government to have an independent judicial system.

Other items were rated acceptable only, such as national (Federal) government shall handle external security through the Federal Armed Forces; while local crimes shall be handled by local (state) police authorities and national (federal) government cannot take over by force local law enforcement as long as conditions do not warrant national concerns with mean values of 3.43 and 3.33 respectively.

Since none of the variables tested here regarding acceptability of the federal form of government received lower than “acceptable” rating, may indicate that when the issue of changing the form of government is raised in a referendum, then it may be possible that the federal form of government may receive positive endorsement from the people.

Table 3. Level of Acceptability of Federalism for the Philippines on Citizens Protection and Responsibilities as Part of Community Policing

Indicators	WM	VI	Rank
1. Every local unit (barangay) shall be given increased freedom to maintain peace and order condition with coordination and collaboration with the local (state) police	3.71	HA	1
2. In case of calamitous events in the local (state) the Federal (national) cannot immediately step in unless the Governor requests for it	3.17	A	4
3. Bureaucratic red tape may be minimized or eradicated since people will have direct access to their local police	3.44	A	3
4. Citizens have political obligations and have their rights secured by two authorities- Federal and the State.	3.54	HA	2
Composite Mean	3.46	A	

Table 3 depicts the level of acceptability of Federalism for the Philippines on citizen’s protection and responsibilities as part of community policing. The over-all composite mean of 3.46 indicates that the respondents considered it as acceptable. Every local unit (barangay) shall be given increased freedom to maintain peace and order condition and collaboration with the local (state) police got the highest weighted mean score of 3.71 and rated as highly acceptable. This result indicates the need for autonomy in terms of decision making process. This may indicate that the police officers feel and think that given the chance, local police officers can and will be able to handle well their responsibilities towards their own people and their jurisdiction without much ado from the national government however, there is still a need for collaborative undertakings for special cases that cannot be handled alone by neither the local or the national government.

The same highly acceptable rate went to citizens have political obligations and have their rights secured by two authorities –Federal and the State which got 3.56 weighted mean score. This result again point to the concept of “double security” to the people, that no matter what peace and order situations or conditions confront them, they will be supported by their local government and will have also the national government to count with.

Other items were rated acceptable only such as “in case of calamitous events in the local (state), the Federal

(national) cannot immediately step in unless the Governor requests for it; and “bureaucratic red tape may be minimized or eradicated since people will have direct access to their local police” with mean values of 3.17 and 3.44 respectively.

The areas of calamity response, crisis management and bureaucratic red tape are prominent problems besetting the Philippines. It is understandable that the police officers rate this as ‘acceptable’ only instead of ‘highly acceptable’ since it has been proven time and again that the Philippine government is having great problems in dealing with calamitous events. On the other hand, red tape in the government is an outstanding problem that has not been resolved yet.

Table 4. Level of Acceptability of Federalism for the Philippines on Control and Supervision of Law Enforcers

Indicators	WM	VI	Rank
1. Local police shall be supervised by the Governor of the local (state)	3.29	A	3
2. Salary standardization, funding for police operations shall be dependent upon the existing wealth of the local (state)	2.83	A	4
3. by dividing the power to handle peace and order situations between the national and local governments there will be “double security”	3.50	HA	2
4. Provisions for central agency fingerprinting system criminal justice statistics, technical assistance shall be provided by the national (federal) to the local (state)	3.56	HA	1
Composite Mean	3.30	A	

Table 4 depicts the level of acceptability of federalism for the Philippines on control and supervision of law enforcers. The over-all composite mean of 3.30 indicates that the respondents considered it as acceptable. The provisions for central agency fingerprinting system, criminal justice statistics, and technical assistance shall be provided by the national (federal) to the local or state (3.56) is considered highly acceptable. If the present condition of local police is considered that is in terms of technology, then it is highly understandable that the respondents rated having a centralized fingerprinting and criminal justice statistics received the highest rating. This may also indicate the perception of police that local police is not yet ready in terms of technological innovations in policing. This may further mean that even if the federal

system of government happens in the Philippines, there will be continuous dependency by the local police with the Federal (national) government particularly on technological aspects of modern policing.

Dividing the power to handle peace and order situations between the national and local governments there will be “double security” is also highly acceptable. There will be conflict of interest if the delineation of powers between the local and national government is not clarified. This may be the reasoning of the respondents when they rated this item as highly acceptable. At the same time clear delineation of power will provide more security to the people who are being assured that no matter what, whether local or national issues on peace and order, the people will be safeguarded and protected.

Other items were rated acceptable only such as Local police shall be supervised by the Governor of the local (state); Salary standardization, funding for police operations shall be dependent upon the existing wealth of the local (state) with mean values of 3.29 and 2.83, respectively. Since none of the items here got lower than acceptable rating from the police officer respondents, it may also indicate the readiness of the police to accept and adhere to a federal form of government when this happens in our country. However, there is still apprehension as to the economic readiness of the local government to support the standardized police salary since economic variables are dependent on the existing wealth of the local government. Another issue that may receive contradiction is the issue of supervision of police, since the supervision of the local police is not coming from the Federal (National Police) but from the Governor.

Table 5. Difference of Responses on the Level of Acceptability of Federalism for the Philippines in terms of Jurisdiction over Crimes and Law Enforcement When Grouped According to Profile of the Respondents

Profile Variables	F-value	p-value	Interpretation
Age	0.920	0.478	Not Significant
Gender	0.687	0.496	Not Significant
Marital Status	2.162	0.127	Not Significant
Highest Educational Qualification	1.035	0.306	Not Significant
Place of Birth	0.193	0.825	Not Significant
Number of Years as Police Officer	1.152	0.345	Not Significant

Legend: Significant at p-value < 0.05

As seen from the result of Table 5, all computed p-values were all greater than 0.05 alpha level, thus the researcher fail to reject the null hypothesis. This means that there is no significant difference exists and thus, implies that the respondents have the same level of acceptability on federalism in terms of jurisdiction over crimes and law enforcement.

Since majority of the respondents belonged to young adult group, 24-28 years old, male, married, college graduates, from Luzon and have served not more than six (6) years as police officers, it may suggest a trend that if the same kind of grouping will be asked regarding the acceptability of having a federal form of government for the Philippines, there is a more likely chance that federalism may be accepted by majority of the police personnel in the PNP or may even be approved by other sectors with the same profiles.

The areas that received “highly acceptable” responses from the respondents police were on: independent judicial system, local problems dealt with by local solutions, more power on barangay unit for community policing, citizens to have increased political obligations as well as assurance that their rights will be protected, division of police supervision between the National government and the federal states (double security). The high acceptability on these areas signify further that police personnel may really accept federalism as a new form of government for the Filipino people.

CONCLUSIONS

Based from the findings of this study the Police officers highly accept an independent judicial system and law-making decision capabilities by the local government; that local police should deal with and handle local peace and order situations through localized interventions and solutions; the local police autonomy, however, with proper collaboration still with the national police force; that federal system of government will provide double security to the people; and ; still need technical support from the national police for modernized police intervention and techniques; Economic conditions of the local government may hamper salary standardization, handling of calamitous events and other conditions with economic variables. There is no significant difference among the perception of the respondents on the acceptability of a federal form of government when grouped along the profile variables.

RECOMMENDATIONS

Present law-making bodies: the lower and the upper house may deliberate well on the provisions of the Constitution that are likely to violate the constitutional rights of the people in case a federal form of government is placed for people's decision. Proper representation from the people of the regions of the Philippines to assess and evaluate their capacity for a federal form of government and local autonomy may be considered. The Philippine National Police may evaluate the readiness of the regions of the Philippines for autonomy and recommend measures for nominating which region can or cannot become autonomous yet along maintaining their own police force; (4) Information on the Federal form of government may be imparted to all college students especially those taking Criminology course and other public safety courses. Assurance that all regions are self-reliant and are well developed in terms of technological, infrastructure, agricultural aspects, entrepreneurial and other socio-political, and economic variables may be done by the present administration before changing the form of government from the present centralized to decentralize one. Other researchers may replicate from the perspectives of other sectors of the Philippine Society.

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