

CURRENT LEGAL CONCERNS

26 June 2011

Atty. Elpidio V. Peria

President Aquino as a Water Hyacinth Remover-in-Chief and the Postponement of the ARMM Elections – Are They Related?

It was equally dismaying to listen to Cotabato City and Maguindanao Province local officials this week saying they were dismayed at Pnoy not bringing any solution or vision to the water hyacinth or water lily problem that has congested the Rio Grande river in Mindanao which has caused severe flooding in these two areas recently.

In other words, they want Pnoy to be the Remover-in-Chief of these water lilies and they will just follow what he will instruct them.

Why this attitude? From the pronouncements of these local officials, it was obvious the Local Government Code has failed in weaning away the dependency of local officials from what is Imperial Manila.

Their utter helplessness in dealing with their problems and now just waiting for President Aquino to helicopter to them ready-made solutions is pathetic and unbecoming of the vision of what local executives should be under the Local Government Code, one who is resourceful and can find the means to support his own activities with a lessened dependence in the national agencies..

The first sentence of the Declaration of Policy of Republic Act 7160 or the Local Government Code has this to say on the matter :

sec. 2. Declaration of Policy – (a) it is hereby declared the policy of the State that the territorial and political subdivisions of the State shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as **self-reliant** communities and make them more effective partners in the attainment of national goals.

The word “self-reliant” was not placed there by Sen. Pimentel, the father of the Local Government Code, for nothing but to underline the need for local government units not to go to Manila too often to ask for money and anything else needed to run a barangay, city, municipality or province, though local officials sometimes may need the excitement of Manila to perk themselves up and shake the ennui of rural boredom that is seen as a regular feature of life outside the capital.

Come to think of it, in a act of statesmanlike deliberativeness, Pnoy said he will study the issue some more and will consult some experts and on an unspecified date, will come back and propose solutions.

Those who are fond of FVR and GMA miss their intense work ethic and hands-on approach to the minutiae of governing. Those familiar with the work-styles of these former Presidents swear that had it been FVR or GMA who was there visiting the flooded regions, there would have been officials, be it local or line agency, who may have been berated and upbraided already in front of many people, given deadlines or were given marginal notes. Heck, one of them said GMA even will write on a piece of any paper found on the spot, just to scribble down some instructions to underlings, all giving the aura of action and authority fused at that instant aimed at solving the basic problem faced at that time.

That is what these local officials may have gotten used to, but did not see in Pnoy.

Pnoy, like what the leftists say, is an out and out *hacendero* or at most, a son of an absentee landlord and at fifty years old, even on women that he'd rather date than commit, he has set habits or work and thought, thus, a lifetime of lethargic existence and easy-going unharried lifestyle refuses to be unsettled by the water hyacinths or water lillies that these dismayed local officials have neglected to manage in the first place, thus, Pnoy appeared to them as someone who has not shown any active interest or clear vision of what he wants to do when confronted with the problem face to face.

Unless what we mean by "solution" or "vision" has some peso sign attached to it.

Clearly, in a DZRH interview of a Cotabato City official, it was clear that Pnoy was not that in a hurry to give money to the local officials in the area, and that it was palpable according to the local official that there was no trust at all in the local officials handling the problem, thus that kind of sense of dismay felt by those officials who are in need of "solutions" or "vision" to solve their water lily problem.

This sense of lack of trust in the local officials in the ARMM, apparent in this incident of the issue of removing the water lilies could be one reason why Pnoy and his party-mates in Congress pushed hard to have the legally scheduled ARMM elections in August re-set and synchronized with the regular local elections in 2013.

It must be noted though that Cotabato City is not a part of this autonomous region, but is instead a host to the offices of the ARMM, in an odd Washington. D.C.-type of political arrangement. A lot of ARMM officials though live in Cotabato City. Just the same, Cotabato City is one of the worst-hit areas by the floods caused by, among others, the water hyacinths clogging the river outlets of the city.

Pnoy and his party-mates actually wants to ensure their party wins the next round of general elections in 2016, thus eschewing the actual legal rationale for synchronization of elections.

Thus, those who wish to make Pnoy take the lead in removing the water lilies should just await his solutions to the problem which may come anytime soon, and like the proverbial saying "be careful what you wish for, it may be granted", this surrender or holding in abeyance of the exercise of local authority and autonomy will get its full treatment once Pnoy signs this week the law synchronizing the ARMM elections to 2013, in effect, postponing it.

In that way, we can truly see what kind of Water Lily Remover-in-Chief he will be including perhaps becoming an ARMM overlord, which may be tested under the Constitutional vision of the President as having "general supervision" over local government units and autonomous regions.

How that will actually turn out and how he would like things to happen there, a glimpse of that we can see when he makes his oath-taking anniversary speech or the traditional SONA to mark his one year in office in the coming days.

With a sliding popularity that shows a trend of continuous decline, Pnoy may have to resort to something like authoritarian measures to show he has vision, to show he is a leader, not a stranger to action.

The people love it, or perhaps they have gotten used to it, to them that is leadership.

Please check link also at President Aquino as Cotabato Water Hyacinth Remover
<http://y.ahoo.it/Of4WTA>

oOo