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Democracy at the Grass Roots

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of the forbidden fruit." Hauret warns: ". . . some aspects of our catechetical teaching should be corrected. We simply must not allow our children to think that man was created by God '4000 years ago', or that according to the bible the world was made in 'six' periods, no more, no less. It is dangerous to declare without any reservations that the Creator molded a human statue out of clay; our listeners will think of vacationers sculpting sand figures on the beach . . . What then is to be done?"

In the final chapter of his book, Hauret makes practical suggestions and gives concrete examples of how the teaching contained in the first chapters of Genesis might be proposed to a grammar-school class, a discussion group, and an ordinary church congregation.

J. J. KAVANAGH, S.J.

Democracy at the Grass Roots

Still unnoticed perhaps by many of the reading public are two significant pieces of legislation which were passed by Congress without the stormy debates characteristic of the last regular and special sessions. They are the Local Autonomy Act (R.A. 2264) and the Barrio Charter (R.A. 2370). Both of them are designed to bring democracy within the reach of the common man.

Centralization of authority in the national government, which some consider a necessary consequence of a unitary form of government, has long been the object of serious criticism and, as early as 1947, attempts were made to formulate a local autonomy bill. The strongest expression of the desire of local leaders for greater freedom was perhaps Sergio Osmeña Jr.'s paraphrase of Quezon to the effect that local leaders would prefer "a government run like hell by local officials to a government run like heaven by national officials." Osmeña, then City Mayor of Cebu and Chairman of the League of Provincial Governors and City Mayors, was at the head of the movement working for the introduction into Congress of a local autonomy bill. The movement had the support of President Magsaysay who in his 1957 State-of-the-Nation Message to Congress expressed his desire to give greater stress to local autonomy. The same sentiment was reiterated by President García in his 1959 State-of-the-Nation Message.

The Local Autonomy Act is evidently the result of compromise. Local officials would certainly want to have greater freedom than that granted by the Act, but there is always the question of how much freedom Congress would be willing to grant. The Act, for instance, does not contain the powers of appointment given to local officials in the 1957 draft which local leaders already tried to pare down to a

size "swallowable" by Congress. Nonetheless, R.A. 2264 is a significant step towards de-centralization. The following are some of its more important provisions.

The local budget becomes effective on the date fixed by the local board or council, provided that it does not exceed the estimated tax receipts or income of the ensuing year and provided that provisions for statutory and current contractual obligations are made and that the salary laws are observed. Certain powers of taxation have likewise been delegated to local governments. The power to execute public works projects without the intervention of the Department of Public Works and Communications, to hold benefits without the approval of the Social Welfare Administration, to make purchases not through the Bureau of Supply, to create and define boundaries of barrios and *sitios* and to change their names, to adopt zoning and planning ordinances—all these are now in the hands of local governments. The Act further provides that the "implied power of a province, city or municipality shall be liberally construed in its favor" and that the "general welfare clause shall be liberally interpreted . . . so as to give more power to local governments in promoting the economic condition, social welfare and material progress of the people in the community."

The principal structural features of the Barrio Charter, which will take effect on 1 January 1960, are the *barrio assembly*, the *barrio council*, and the *barrio lieutenant*.

The *barrio assembly*, reminiscent of Greek democracy, is composed of all qualified electors who are listed in the list of assembly members and who have been residents of the barrio for at least six months. It meets at least once a month to hear the report of the barrio council concerning the activities and finances of the barrio. It also meets to elect the members of the barrio council or at the call of the barrio council or upon written petition of at least one-fifth of the barrio assembly members. At least one-third of the members of the assembly is required to constitute a quorum. All actions of the assembly are by a majority vote of those present, except actions involving taxes, payment of compensation and solicitation of voluntary contributions, all of which must be by a two-thirds vote. The barrio lieutenant acts as presiding officer at all meetings.

The powers of the barrio assembly are: to elect members of the barrio council and to provide for their compensation, to adopt measures for the raising of funds and for the good of the barrio, to decide on measures submitted to it, to enter into contracts on behalf of the barrio and to authorize the barrio council to do so.

The *barrio council* consists of a barrio lieutenant, a barrio treasurer, four council members, and a vice barrio lieutenant for each *sitio* or for every two hundred inhabitants of the barrio. These officers are elected at a meeting of the members of the barrio assembly. A board

of three election tellers headed by a school teacher conducts the election and counts the votes. The elected officers hold office for two years. They meet at least once a month and the barrio lieutenant presides at the meetings.

Ordinances passed by the barrio council take effect thirty days after their approval and their violations are punishable by fine or imprisonment. The council also has the following powers: to construct and maintain certain public works and, for this purpose, to exercise the power of eminent domain with the approval of the municipal council; to undertake cooperative enterprises for the well being of the barrio, to hold benefits and to organize at least twice a month lectures for community education; to regulate the use of cement palay and copra driers (*patios*); to organize committees to take care of the problem of juvenile delinquency by providing spiritual help and guidance and wholesome occupations and entertainment; to appropriate funds to implement decisions of the barrio assembly and for other specified purposes.

The *barrio lieutenant*, besides being legislator (as assembly and council member), is also the barrio executive. As such, he looks after the maintenance of public order in the barrio, organizes a fire brigade, organizes and leads an emergency group whenever necessary for the maintenance of order in the barrio, approves vouchers relating to disbursements of public funds, enforces all laws and ordinances which are operative within the barrio and signs and enters into contracts with the approval of the barrio council. His position likewise gives him certain privileges such as preference in appointments to public office and preference in the purchase of public lands. His children attending public schools are exempted from paying tuition fees.

For the *financial needs* of the barrio, there are two principal sources of income: a share in the real estate taxes (ten percent of real estate taxes collected within the barrio to be deducted from the respective shares of the province and municipality) and certain taxing powers of the barrio assembly and the barrio council. The latter includes taxing powers proper (e.g., licenses on stores, signboards and billboards, and tax on gamecocks and cockfights) and the power to collect or accept voluntary contributions from barrio residents and grants-in-aid from municipal, provincial and national funds.

Will the Local Autonomy Act achieve its desired ends? Will the Barrio Charter work? Will local governments be run "like heaven" or "like hell"? Will the Barrio Charter become a dead letter? Much remains to be seen. Any prediction on this matter requires familiarity with the problems of public administration and familiarity with the capacity or incapacity of the ordinary citizen to assume social responsibilities, neither of which the present writer has. This much how-

ever can be said, that in a Congress which tends to wish to arm the national government with greater and greater powers of control in the economic and educational fields, the Local Autonomy Act and the Barrio Charter are refreshing signs. They show that Congress, when it wills, can see that the right of authority of the national government is only one right among the equally elementary rights of individuals and communities and that individuals can contribute more to their own personal development and to the well being of the community when they have a close personal interest in and are enabled to play a creative and guiding part in the social process.

J. G. BERNAS

More on Episcopal Succession

The writer begs to apologize for a number of typographical and factual errors which crept into his article, "Episcopal Succession in the Philippines," published in the last number of this review. They are:

1. On p. 437, footnote 2, "Madrid, 1925" should be "Madrid, 1935."
2. On p. 443, footnote 11, "1881" should be "1883".
3. On p. 444, the fourth line from the top, the word "Santisimo" should be deleted.
4. On p. 445, the year of the consistorial promotion of Carlos Bermúdez de Castro should be 1724 instead of 1720.

I wish to acknowledge receipt of a letter from the Most Rev. Mariano A. Madriaga, the scholarly Bishop of Lingayen-Dagupan, calling attention to the fact that, with reference to Archbishop Gabriel M. Reyes in my chronological list, "a careless reader may take August 25, 1949, as the date he actually became Archbishop of Manila" when in fact this event took place two months later, upon the death of Archbishop O'Doherty on October 14, 1949. The observation is well taken. However, I did say in the text of my article that "after the name of each prelate I give only one date: that of his consistorial promotion" as a general rule. Since the succession of Archbishop Reyes to the see of Manila was automatic (no further consistorial action being needed) by virtue of the *same bull* of his transfer, I felt that his exceptional case was fully explained in footnote 27 wherein I said that Msgr. Reyes was "*transferred... on the date indicated [25 August 1949]... with right of succession to the archbishopric.*"

I am grateful to Msgr. Madriaga for his constructive criticism and shall bear his observations in mind in the future.

DOMINGO ABELLA