



UNPACKING PROVINCE CREATION IN THE PHILIPPINES

MICHAEL TUMANUT

UNIVERSITY OF THE PHILIPPINES DILIMAN

matumanut@up.edu.ph

To enhance service delivery and local democracy, legislators have tinkered with size or status of local governments in the Philippines. This elasticity in local borders has been more evident at the province level, the highest local government tier. Since 1987, a new province is birthed roughly every three years. As the determinants and mechanisms of contemporary province fragmentation are under-examined, this article investigates, at several policymaking levels and dimensions, attempts to redraw borders of Philippine provinces. Framed by an institutional framework and a case-study approach, and employing a veto-player analysis, heuristic cases of two provinces (Quezon and Zamboanga del Sur) were unpacked and compared. Findings reveal that there is a large and fragmented veto-player group in the area of territorial rescaling of provinces. Congruence of preferences among veto players was observed to be influenced by territorial leveraging, pivot on networks and reciprocity norm, and mirroring of preferences. The tenacity and strategic actions of reform agent or policy entrepreneur (usually the congressman), sometimes assisted by social movement, is likewise found crucial in the pathways leading to reform outcomes. In a simple cross-case analysis of recent reform attempts, findings also suggest that the provinces' core-periphery location pattern, and proposed type of spatio-jurisdictional partition are associated with reform outcomes.

Keywords: administrative-territorial reform, district creation, gerrymandering, province fragmentation, state rescaling, and veto players

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INTRODUCTION

Government authorities rescale local government units at varying tempos and redraw local borders primarily to respond to development needs (see Baldersheim and Rose 2010), especially when local governments are widely regarded as creatures and apparatuses of the state (see Dollery, Garcea, and LeSage 2008; Eaton, Kaiser, and Smoke 2010). These restructuring acts are diversely exhibited as border expansion (through merger or annexation), creation and abolition of units, or creation of new tiers, special structures, or configurations of subnational government. Unpacking these reforms on local government configuration, which this paper attempts to contribute modestly, may provide insights into structural and less orthodox ways to address local issues and challenges. These include but are not limited to stimulating local or regional development, resolving cross-border challenges, and increasing efficiency in service delivery. Whether or not it does improve local economy and efficiency is, however, beyond the scope of this study.

Structural reform of local authorities, particularly of supra-municipal bodies, remains an underexamined research area. According to Tumanut (2020), the creation of new units, whether municipal or supra-municipal, through fragmentation has been a steady phenomenon in many developing countries, and is uncommon in developed countries. This phenomenon is particularly pervasive in many countries in the regions of Southeast Asia, Sub-Saharan Africa, Latin America, and Eastern Europe (see Tumanut 2020). Against the backdrops of decentralization and neoliberalism (see Aspinall 2013; Zhang and Wu 2006), scholars have located triggers of subnational fragmentation: First, ethnic heterogeneity or marginalization (Fitriani, Hofman and Kaiser 2005; Grossman

and Lewis 2014; Refugee Law Project 2009; Pierskalla 2016) and the ensuing accommodation of identity aspiration (Bhattacharyya 2005; Nordholt and van Klinken 2007); second, rent-seeking and patronage (Aspinall 2013; Fitriani, Hofman and Kaiser 2005; Green 2010); third, shift in government system or political institutions (Booth 2011; Kimura 2013); and, fourth, geographic dispersion (Fitriani, Hofman and Kaiser 2005). While Grossman and Lewis (2014) posited economic marginalization as a predictor, Pierskalla (2016) found weak evidence on income inequality.

For causal mechanisms, the emerging literature points to the role of local elites (see Eilenberg 2012; Pierskalla 2016), coalitions and networks (see Eilenberg 2012; Grossman and Lewis 2014; Kimura 2013), and opportunistic behavior and gerrymandering tactic of politicians to preserve power (see Firman 2009; Green 2010; Malesky 2010; Mawdsley 2002; Mohammed 2015). Tactics of division of labor and resource pooling were also specifically observed in Indonesia (see Kimura 2013).

Province fragmentation in the Philippines is one area of structural reform of subnational government that has proliferated in number, especially when a comprehensive reform of the local government system is difficult to set in motion. In a simple content analysis of border restructuring-related bills recently proposed in the Philippine Congress, border rescaling is associated with three key desired outcomes: improved service delivery, economic development, and increased democratization. This set of principles has continued to underpin the rationale of continuing local spatio-structural reforms in the country. At the level of provinces alone, from 1987 to 2020, at least 82 bills (including those re-filed or resubmitted) seeking to fragment and create new provinces





were lodged in Congress. Only about 12 percent of these bills were enacted as laws and ratified by the voters. On average, since 1987, one new province has been created every 3.3 years, while 2.7 new provinces are proposed every year.

Despite this recurring phenomenon, the nature, politics, and administration of subnational territorial reform in the Philippines remain underexamined. Tumanut (2016b) demonstrated the policy entrepreneur-driven dynamics in the two cases of municipal merger, as well as the role of opportunism, political bargaining, and partisanship in the successful attempts. However, the inclusion of national actors in the tracing of this policymaking process is wanting. At the level of intermediate level (i.e., province), there is a scarcity of studies on structural reform. Cruz (2012) showed that, while opportunism drives local elites to propose reform, the cost-benefit analysis of the probability of getting re-elected against financial resources (lobbying cost) does not adequately explain the success or failure of province division. Similarly, opportunism by the municipal mayors, whose terms are ending, of recent jurisprudence on local government creation also drives them to convert towns into cities to be able to run anew, which to Capuno (2013) was akin to gerrymandering, and attributed such to the expected increase in intergovernmental fiscal transfer.

Accordingly, the primary objective of this paper is to attempt to fill this lacuna, in the context of developing countries with direct democracy: to investigate and draw descriptive inferences on contemporary province fragmentation as a downscaling reform choice by the Philippine government since the early 1990s, including the untangling of threads of nuanced mechanisms at various levels of policymaking. Moreover, it attempts to illuminate crucial dimensions of policymaking on contemporary province

fragmentation and to describe and compare mechanisms and determinants of partition using Philippine cases.

In this paper, fragmentation, division, and partition are used interchangeably.

METHODOLOGY AND FRAMEWORK

This study is an extension and replication of Tumanut (2016a) on the mapping of different actors and decision points in province division, the varied roles actors perform, and the strategies they employ, particularly unraveling dimensions and mechanisms of such reform. Whereas contemporary municipal merger, a rare occurrence in the Philippines, was unpacked in Tumanut (2016b), contemporary province fragmentation is brought to a focus in this paper. Case study is the principal approach employed, complemented by process tracing and within- and cross-case analyses. In building a triangulated case description, assorted archival records were parsed: newspaper articles; laws and Supreme Court decisions; congressional records, press releases, and briefing kits; explanatory notes of bills, committee reports and minutes of journal sessions; council resolutions; letters addressed to legislators, and written comments to documents; and websites. To further triangulate data, key informant interviews were conducted with various sectors of the policy community, including several national and local legislators, legislative staff, civil society leaders, bureaucrats, media, and citizen-voters.

Several levels of cross-case comparison are made. Two heuristic case studies (with embedded sub-units, i.e., several attempts to fragment) of the provinces of Quezon and Zamboanga del Sur are documented and abridged to examine conditions and mechanisms of province partition. These





two nearly identical cases (with differing reform outcomes: success and failure) are selected using population, land area, geography, number of component units, and history of fragmentation as criteria. In attempting to cursorily identify antecedent events or triggers, ten recent cases of province partition are further examined.

Besides employing a heuristic process, the cases are partly configurative due to the framing of Tsebelis' (2002) veto player theory, simplified and interpreted by Tumanut (2015) as the change in status quo (i.e., province partition) is a function of the interplay of three factors – the number of veto players or VPs (i.e., those formally given the authority to decide on this matter), cohesion of VPs (i.e., collective decision of authorities), and congruence of policy preferences (which, in this paper, is argued as shaped by strategic actions). The last element is comparable to Kimura's (2013) vertical coalition formation, as the primary mechanism behind the successful fragmentation of Indonesian provinces. This paper also demonstrates, as earlier posited by Tumanut (2016a), the interplay of causal mechanisms of “territorial leveraging” of the reform agent, and “mirroring of preferences” among VPs.

INSTITUTIONAL CONTEXT

A unitary system, the Philippines has a three-tiered local government system: province (intermediate), municipality and city (basic), and *barangay* (sub-municipal). The complex hierarchy of basic units renders this tier diversified, where special cities (i.e., highly urbanized cities and independent component cities) are on par with provinces in status, fiscal authority, and responsibilities. In 2023, there were 82 provinces, 148 cities (38 are special cities), 1486 municipalities, and 42027 *barangays*.

TRENDS IN PROVINCE PARTITION

Contemporary Philippine provinces trace their official establishment to the American occupation in the early 20th century. In the first two decades of the 1900s, provincial governments had been incrementally chartered and incorporated in the Philippine government, with 40 of them established in the first three years. As many as 21 in total were granted sub-province status but were eventually either dissolved (by merging with other units) or elevated to province status. Fragmentation of large units, though first observed in the mid-1910s, had gained ground in the 1950s and 1960s, with eight large provinces splintering into two or three units.

Between 1987 and 2020, nine new provinces were created: two cases of elevation to province status, and six cases of split that resulted in seven new provinces and abolition of one province. Three provinces also failed to be ratified: two were rejected by voters, while one was declared void by the Supreme Court. More recently, the creation of two new provinces in Palawan province was rejected in the March 2021 referendum, whereas the split of Maguindanao province was recently ratified in September 2022. Despite changes in regimes and institutions, province partition continuously pervades the legislative agenda. Fragmentation is also occurring at the level of municipality and village (*barangay*), which is outside the scope of this study.

LEGAL FRAMEWORK AND PROCESS

Power in the Philippines, a presidential form of government, is divided among three co-equal branches: executive, judiciary, and legislature.¹ The 1987 Constitution ushered in a new ideology

¹ Divided into two chambers: the 24-member Senate, and the 302-member House of Representatives.





and political environment, where key political and financial powers and functions were devolved to local governments. Creation, division, merger, abolition, or substantial boundary alteration of local government is provided for in the Constitution. Reforms on local government territories usually originate from and manifest through the bicameral congress, subject to veto by the president and ratification by voters through a plebiscite. Since 1987, the role of the Supreme Court in territorial reform has been invoked only a few times, while the president has not actively vetoed any law creating provinces.²

While the Constitution generally stipulates territorial reform at the subnational level, the Local Government Code of 1991 (Republic Act No. 7160) provides the conditions under which alteration of boundary is possible: “verifiable indicators of viability and projected capacity to provide services,” which are heavily premised on financial capacity (i.e., locally generated income), and either population or land area. In the implementing rules and regulations of the Code, the concurrence (through an official resolution) of the local councils of all the affected units is required.

The legislative process in Congress starts with bill preparation at the House of Representatives by the congressman representing the local territories concerned, followed by first reading, committee consideration/action, and second and third readings. Bills on territorial reforms fall under the jurisdiction of the Committee on Local Government. When funding for the plebiscite is appropriated by the national government, the bill will be similarly deliberated in the Committee

of Appropriations.³ The Committee on Local Government of the House of Representatives also requires various documents and instructions that must be followed and completed before a bill is calendared for deliberation. The bill is then transmitted to and acted on by the Senate, which has the same legislative process, and, to the president for action (i.e., sign, no sign, or veto). Voters in all the local units affected shall ratify the law through a required plebiscite.

VETO PLAYERS

There are at least three national veto players (i.e., the president and two chambers of Congress), while the number of local players depends on the number of local units involved: the local councils and voters of each unit, all of which are collective. Preferences are assumed to be dual or mixed: individual (positional) and collective (programmatic). Collective preferences are assumed to be nonaligned, latent, or amorphous, or indirectly influenced by an ideology or collective discourse among legislators, which during the period 1990-2020 is generally shaped by the governing principles on and aspirations for more decentralization, local autonomy, and good governance.

As adopted in this paper, Eaton (2002) and Kawanaka (2010) explained that the positional preferences of the national VPs are assumed to be a function of how they are elected, their time horizon, and access to pork barrel. They further argue that due to a lack of incentive for re-election and being directly elected at-large, the president’s preference is more programmatic rather than positional or particularistic, whereas

² Only on few occasions that the president did not affix signature to laws creating provinces; this can be construed as a neutral position or indirect rejection.

³ In recent territorial reform bills, the deliberation stage at the Committee on Appropriations has been avoided by the policy entrepreneurs (i.e., congressmen) by allocating plebiscite funds through their own pork barrels. This Committee is a sub-veto point within Congress that congressmen must overcome.



members of the House of Representatives are assumed to have more particularistic rather than programmatic/outcome preferences due to access to patronage. Moreover, the elected-at-large senators (seeking re-election, or aspiring for higher office), are more concerned about image and are thus inclined to have outcome-oriented preferences (Kawanaka 2010; Eaton 2002).

National politicians also indirectly affect the local political dynamics. As the former are elected at-large, they would need the support of local politicians, but intra-party competition also complicates this relationship (Hutchcroft 2008). Due to term limits, mode of entry to office, and access to patronage, the provincial and municipal VPs' positional or selective preferences are assumed to take precedence over their collective, programmatic objectives. Tumanut (2013) argued that the biggest form of pork barrel at stake in this border restructuring game in the Philippines is the access to bigger fiscal transfer or the national tax allotment (NTA), which, in the parlance of territorial reform, is a demonstration of fiscal spoils (see Simatupang 2009).

INFORMAL RULES

Other than the formal institutions that slightly tilt the balance in favor of the executive, historical legacies engendered informal rules that affect executive-legislative and politician-voter relations in the Philippines. These informal rules refer to social rules that are shared and tacit: The political institutions nurture the patronage culture via a control-support mechanism through the elective office, which has become a lucrative post in the decentralization era (Hutchcroft 2012); Patronage is fostered by the Filipino value of *utang na loob* (interpreted as debt of gratitude,

solidarity, or reciprocity norm), and facilitated by oligarchy or preservation of elite domination.

INSTITUTIONAL ANALYSIS AND DISCUSSION

During the time of their respective structural reform process, the two selected cases had nearly identical population size, geographic attributes, number of component units, and history of spatial reform (see Table 1). Economic inequality was also observed in both: the northern region of Quezon province and the eastern section of Zamboanga del Sur province (hereafter referred to as ZamboSur) were more economically developed than the rest of the provinces. This contrast formed part of the partition logic and narrative: The need to stimulate the local economy and improve service delivery. In other reform bills, similar economic and governance motives were found. As part of the preliminary findings of a pre-research for this study (where 13 bills on territorial reform were examined), all bills identified slow economic development as the primary reform impetus, while seven bills added the promise of improved service delivery and governance, and seven bills also alluded to political development or conflict resolution.

Table 1. Key Attributes of the Provinces of Quezon and Zamboanga del Sur

	Zamboanga del Sur (Pre-2001)	Quezon (Pre-2004)
Population (estimate)	1,300,000 (in 2000)	1,500,000 (in 2003)
Geographic attributes	7965.49 km ² ; elongated; 10 th largest	8743.84 km ² ; elongated; 9 th largest
Number of component units	40 municipalities 1 city	39 municipalities 1 city
History of territorial fragmentation	Once part of Zamboanga province until 1952; Zamboanga was once a district of Moro province in 1903-14	Marinduque and Aurora provinces were carved out of Quezon in 1920 and 1979, respectively
Number of congressional districts	3	4



Area under reform	Districts 1 & 2 – parent unit District 3 (16 municipalities) – Zamboanga Sibugay	Districts 1 & 2 – parent unit (Quezon del Norte) Districts 3 & 4 – Quezon del Sur
Political leaders	Real; Yu (1 st district) Cerilles (2 nd district) Cainglet; Cabilao; Hofer (3 rd district)	Enverga; Nantes (1 st district) Alcala; Punzalan (2 nd district) Suarez (3 rd district) Tañada (4 th district)

One key difference between the two provinces lies in the number of congressional districts, which, in turn, affected the dynamics between local politicians and the proposed type of partition (whether divided along congressional district lines or quasi-gerrymandered). Governorship in intact ZamboSur alternated between two families from the first two districts,⁴ while in Quezon, the gubernatorial seat was contested by many and rotated among three leaders from Districts 1 and 3, but was held the longest (nine years) by Enverga of District 1. Equally important, ZamboSur's partition was disproportionate, as the parent province would retain two districts, while only one district would constitute the new province of Zamboanga Sibugay. In Quezon, the province was proposed to be divided almost equally: Quezon del Norte (parent unit) comprising the first two districts (18 municipalities and one city) and Quezon del Sur (breakaway unit) comprising the other two districts (22 municipalities).

CONDITIONS IN SEQUENTIAL POLICYMAKING

The two provinces are no strangers to structural-spatial reform: both were subjected to several attempts of division and have a history of continuing territorial fissure (Quezon had lost two sections in 1920 and 1979, while ZamboSur was a product of the partition of Zamboanga province). At least seven failed attempts since

⁴ The political leaders also alternated in Congress, representing their respective districts

1968 were logged in ZamboSur, and six for Quezon since 1996. Table 2 shows two common conditions in the failed attempts: timetabling of reform, and legal technicalities (including bureaucratic requirements).

Table 2. Conditions Accompanying Failed Attempts in Zamboanga del Sur and Quezon

	Zamboanga Del Sur	Quezon
Number of previous attempts	At least 7	At least 6
Timing (e.g., political crises)	1984 (Lower Congress) 1971 (Senate)	1998 (Lower Congress)
Technicality (e.g., lacking requirements; unresolved boundary dispute)	1996 (Lower Congress) 1992-1994 (Lower Congress)	2002 (Lower Congress) 1996 (Lower Congress)
Others (e.g., weak bill shepherding; no data)	1987 (Lower Congress) 1980 (Executive decree) 1968 (No data)	2010 (Lower Congress) 2004 (Plebiscite) 1952 (Senate, no data)

Note: Author's own construction based on interviews and secondary sources

According to respondents, unfortunate timing due to political crises contributed to congressional inertia (i.e., failure) of several bills to divide provinces. In ZamboSur's case, the imposition of Martial Law (that led to the abolition of Congress) upset the bill in 1971; a similar bill filed circa 1984 was also disrupted by the 1986 revolt. Similarly, the impeachment of then President Joseph Estrada in 2001 derailed several bills lodged in Congress, including the 1998 bill to divide Quezon. Lack of requirements (including unresolved border disputes) also marred the attempts of ZamboSur in 1992-1994 and 1996. Similarly, attempts for Quezon partition also failed to move past the Committee on Local Government due to documentary deficiencies. According to a former secretary general of the House of Representatives, while rules are important, legislators must also have the skill to use them to their advantage. Many bills failed to clear the committee level due to non-





compliance with basic technical requirements of income, land area, or population. The other reform attempts were attributed partly to a lack of push from the reform agent (congressmen), such as the 1987 and 1996 attempts of ZamboSur, and the 2010 attempt of Quezon.

REFORM AGENTS AND VETO PLAYERS

This section illustrates sequential policymaking or veto of institutional VPs in two reform attempts that led to the final and binding stage of citizen ratification as mandated by law through a referendum: the 1998-2001 attempt in ZamboSur and the 2004-2008 attempt in Quezon.

Split had long been desired by many political leaders in both provinces, citing vast land area, lack of infrastructure, and uneven economic development or perceived inequality as rationale for reform. Due to the local nature, scope, and application of the territorial reform bills, the congressmen who principally authored the bills are labeled as reform agents and agenda-setters: George Hofer in ZamboSur, and Lorenzo Tanada III in Quezon.

Using the lens of rational choice theory, in their bid for re-election or higher office, politicians (local and national alike) could have exploited the issue of province division. In the 1998-2001 ZamboSur attempt, several respondents cited the electoral promise of a congressman, and the formation of political turf as possible primary reform motives. Several respondents in Quezon also identified the latter as a key motive in the 2004-2008 division attempt.

In the attempts that reached the ratification stage, there were as many as 21 VPs in the successful attempt of ZamboSur and 28 VPs in

Quezon. These VPs include collective players, such as municipal and provincial councils of directly affected units, bicameral Congress, and the affected citizen-voters.⁵ These VPs were also influenced by non-VPs, such as governors and social movements (see Table 3). In Quezon, the agenda-setters included Wigberto Tanada, Rafael Nantes, and Lorenzo Tanada on three separate occasions. The other informal but influential players included the governor, mayors, as well as a social movement (led by the church and media) in the 2004 attempt. In ZamboSur, the agenda-setter and key reform agent was George Hofer. The governor, mayors, and the Zamboanga Occidental Movement comprised the local players, who, despite their informal veto, were influential at various stages of the partition game.

Table 3. Summary of VP Constellation: Quezon and Zamboanga del Sur

	ZamboSur	Quezon
Outcome	Success in 1998-2001 attempt	Failure in 2004-2008 attempt
Institutional VPs	21 VPs: 16 municipal councils, 1 provincial council, 2 chambers of Congress, 1 president, 1 set of voters	28 VPs: 22 municipal councils, 1 provincial council, 2 chambers of Congress, 1 president, 1 set of voters, (Supreme Court)
Other quasi-VPs	Governor, mayors, social movement	Governor, mayors, social movements

At the national stage, politicians are presumed to not gain much from creating a new province. Creating a new province would introduce a new player (i.e., new congressman) in the political arena, as well as indirectly reorder or reinforce political dynasties in general, decrease the fiscal allotment of other provinces, and decrease the pork barrel of congressmen. For congressmen in the House of Representatives who are elected through single-member districts, their preferences are assumed to be more programmatic (or even latent), which are evident

⁵ In Quezon, the role of the Supreme Court was invoked in the 2004 attempt when the constitutionality of the proposed division was challenged.





in their statements in committee meetings and public hearings. Several respondents also noted that the majority of congressmen were more concerned about re-election, and would not oppose bills of local significance or scope, from which they would not be directly affected. For senators that do not represent any congressional district (as they are elected at-large), there are two possible mechanisms in their preference formation: first, by invoking the role of networks, particularly through partisanship or logrolling; and second, by acting on political rationality in the interest of getting re-elected. Based on documented statements from at least two senators in legislative meetings, support for the proposed new province would bring more votes to senators seeking re-election. For some, it was due to their affinity to depressed sections of provinces under reform. Similarly, they would also support programmatic reasons, such as invoking the principles of decentralization and good governance, as well as emphasizing the legality and merit of the bill.

The Supreme Court, on the other hand, which is not directly accountable to the voters, is expected to be neutral, and would decide based on merits of the case. As for the voters' preferences, these can be divided into two: those from the proposed new province (i.e., breakaway area), and those from the parent unit. Voters in the former are assumed to support division if it would spur economic development or transformation, while voters from the parent province would either be supportive or ambivalent, as it would spell a smaller budget for the parent province, but less competition for government services and spending. Those on the fence would then be blasted with propaganda and rhetoric to swing them to either side. Interviews and archival records support these propositions on their voting behavior, as well as the influence of patronage-driven political mobilization.

In the referendum stage, in the failed 2004-2008 attempt to divide Quezon, voters from the third and fourth districts (sectors that would comprise the breakaway province) were generally supportive of division. However, many voters from the other districts opposed division. Similarly, in ZamboSur, where 70 percent of the voters ratified the division, most dissenting votes came from the district that would constitute the parent unit. In both cases, voter engagement was lackluster: turnout of 36.5% in ZamboSur, and 38% in Quezon.

MECHANISMS OF CONGRUENCE OF VP PREFERENCES

From an institutional-veto player analysis, one pathway to successful reform is the observed congruence among sequential VPs' preferences. The two cases vary in how the location of VP preferences is aligned. As shown in Table 3, ZamboSur had 21 institutional and sequential VPs, whose preferences ultimately aligned with those of the reform agent. Sequential congruence among collective VPs was also observed in other successful cases of province fragmentation (i.e., Surigao del Norte-Dinagat Islands, Davao del Norte-Davao de Oro, Kalinga-Apayao, South Cotabato-Sarangani, and Davao del Sur-Davao Occidental).

The case of Quezon, on the other hand, with 28 VPs, attributes its failure to the final VP: the voters. A similar fate befell another stillborn case in 1995 (the failed partitioning of Isabela province). The case of the Palawan partition in 2021 is a recent addition to this small group. Other attempts failed at the penultimate VP stage: the senate (e.g., Camarines Sur in 2013, Bukidnon in 2006, and Oriental Mindoro in 2000). While successful and failed cases faced opposition from various sectors (including politicians), unity was achieved or nearly achieved



(i.e., except among voters or senators) despite a sizable assemblage of VP. It is puzzling therefore how the preferences of as many as 21 veto players in ZamboSur were rendered cohesive. This section locates and untangles these successful (or failed) mechanisms at various stages of the reform process.

TERRITORIAL LEVERAGING

Opportunism and leveraging are hypothesized to be at work, as province division creates new spaces for political leaders and their families to entrench themselves, consolidate, or maintain power. Similar to the findings of Tumanut (2016a) in Indonesian cases, anecdotal statements were taken from various informants on how the proposed provinces would benefit local politicians in ZamboSur and Quezon: while those who calculated potential losses (e.g., electoral base, and rent from breakaway areas) would stage opposition, some were strong and calculated, while some were insipid and even backpedaled. Similar opportunistic tendencies (e.g., gerrymandering, electioneering) animate the institutional incentives exploited in Indonesia, India, Pakistan, Uganda, and Vietnam to create new turfs, strengthen power, or seek re-election. Other forms of leveraging and opportunism captured in the cases examined include strategic actions to get re-elected in office. However, the tenacity and political savviness of the agenda-setter or reform agent had to complement such strategic leveraging of space.

RECIPROCITY NORM AND PIVOT ON NETWORKS

Informants agree that, in the agenda-setting stage, a cordial relationship with the committee

chairman⁶ and committee secretary is imperative. A committee may adopt a first-come-first-served policy due to the massive volume of bills it receives.⁷ Another simple strategy disclosed by informants is to regularly attend committee meetings. Other than complying with legal requirements, to expedite the process, a bill must have a tandem proposal in the Senate. A good track record of the political clan in Congress sometimes would help, according to several respondents. Whereas the use of personal linkages (including family's reputation) became indispensable, the role of partisanship did not appear as consequential at this stage.

Equally important, a tacit rule exists: legislators do not oppose local bills outside their jurisdictions.⁸ Based on official statements and recorded motions from transcripts of meetings, while legality and merits were generally preferred by lawmakers, a norm of legislative courtesy, which can be reinterpreted as logrolling, particularly at the lower chamber of Congress, explain internal cohesion of this collective VP of 300+ members. According to an anonymous congressman-informant, what is reciprocated in Congress is courtesy to each other being the "voice and ear" of their respective jurisdictions. Other than these shared norms, two other factors affected the collective position of the lower chamber of Congress: united stance of all congressmen from the province, and downplaying the weight of the provincial council's decision (another collective VP), as what transpired in the Quezon case.

This reciprocity norm is likewise manifested at various levels: patronage at the local level; policy votes in exchange for electoral votes at

⁶ According to respondents, chairmanship is not given to neophytes, party affiliation is a factor, specific committees are reserved for the administration party, but the Committee on Local Government is not necessarily reserved for the administration party.

⁷ A typical committee may get around 200 bills at one time, and schedules a meeting twice a month.

⁸ For example, one informant was asked by a politician to block a bill dividing his province, but declined due to this unwritten rule.



the senate; and delivery of electoral promises at the president's level. Given the small number of senators, some senators also employed personal lobbying and linkages, coupled with reelection-seeking behaviors, as well as taking cues from the united position of local elites (taken as an absence of strong opposition). However, in some cases, due to nonattendance, only half of the members of the local government committee on this collective VP would seal the fate of local reforms.

At the referendum level, the mobilization of political supporters was rendered possible by invoking such a reciprocal norm. Consistent with the literature, the chronic cycle of patronage is observed. According to interviews with citizen-voters and some local elected officials, debt of gratitude and patronage (e.g., loyalty in exchange for pork barrel access) proved to be prominent in negotiations at the local council level and in plebiscite campaigns.

These unraveled mechanisms in the Philippines draw similarities to Kimura's (2013) observations in Indonesia, as encapsulated in the coalition model's mechanisms of linkages, division of labor, and resource pooling.

MIRRORING OF PREFERENCES

While this mechanism is evident in all successful cases—especially illustrating how collective preferences (assumed to be latent or amorphous) at bicameral Congress were also influenced by the stance of local councils—, the stillborn cases also demonstrate the mirroring in collective preference of voters. Due to imperfect or incomplete information, some VPs would rely on strategic behaviors of other players, particularly by the reform agent, resulting in preference mirroring. Interviews

and archival records reveal that sponsorship or policy-push was flexed in meetings, attendance in deliberations, correspondence, legislative and executive lobbying, and public campaigns.

The case of Quezon illustrates repeated failure at various levels of policymaking. When other VP preferences were distant from that of the agenda-setter or reform agent, the latter had difficulty making these preferences congruent, leading to a lack of concurrence in reforming territories. Tanada, the reform agent, failed to obtain the support of three VPs: the provincial council (that had been consistent since 1992 on their no-division stance), the president (who did not actively support the law by not signing it), and the citizen-voters of Quezon province (including the lackluster backing of the Senate). The lack of provincial council concurrence that Congress eventually overlooked, and the ambiguous position of the president, were instrumental in shaping the collective preference of the local voters of Quezon. Despite the multi-sectoral support it drew, Tanada's pro-division movement was countered by the provincial government's strong opposition (amplified by a social movement), and failed to persuade the final VP, the voters. Accordingly, the divided position of the elites in the province was mirrored in the plebiscite results.

This observation supports the earlier finding of Tumanut (2016a) in Indonesia, where a similar large network of VPs exists in subnational fragmentation, and was hypothesized to have taken cues from other players in the sequential system of local government rescaling. A similar finding was also reported in Philippine cases of municipal mergers (see Tumanut, 2016b).





SOCIAL MOVEMENT AND DIVISION OF LABOR

Crucial to the role of the reform agent (i.e., policy push) is the emergence of social movement, which either bolstered the efforts of the former or campaigned against territorial rescaling. In this reform game, social movements operated in different ways: emerged independently from political elites, collaborated with the reform agent, or mobilized by the local elites themselves. Businessmen, media, and the church, as well as those with political ambitions, primarily spearheaded such movements. Their mobilization is a mediating factor influencing preference congruence (i.e., to bolster or counter the reform agent's efforts), as evident in the cases of ZamboSur (success), and Quezon (failure).

In ZamboSur, success in making preferences congruent was attributable to the strong advocacy and tenacity of then-Congressman Hofer and the Zamboanga Occidental Movement (ZOM), which both expended resources and lobbied at various levels. Consistent with the findings of Kimura (2013) in Indonesia, division of labor was employed in this Philippine case. The support of ZOM was crucial in reshaping local preferences. The movement was able to garner support from various sectors of society particularly the church-goers, teachers, and residents of the third district. Moreover, local politicians, who were in the same policy position as Hofer and ZOM, mobilized support. Their united stance and lobbying in the legislative process were equally influential in reshaping the preferences of the national VPs (based on the official statements of a senator and congressman) and the voters. At the national level, Hofer marshaled his bill from the Committee on Local Government at the House of Representatives to the President's Office. Hofer also gained the backing of the senate president, who also arranged an ocular visit to the district before the scheduled plebiscite.

The role of social movement may also explain why, despite the aligned formal VP preferences, citizen-voters rejected the proposed split of Isabela province, following a series of information campaigns and social mobilization by local radio and the church. Conversely, a lack of such may partly explain the low voter turnout in many cases of structural reform. The rise of social movements in relation to local border reform is not peculiar to the Philippines, as it has also been observed, at varying degrees, in Indonesia and Japan, among others.

OTHER POSSIBLE MECHANISMS

For voters, other mechanisms are also hypothesized to be at play. Because the final and binding decision points are the local voters, the strategic behaviors of reform agents and their supporters logically took precedence. According to some respondents, the campaign for or against division was interspersed with money politics. Policy learning through juridical interpretation (based on statements made by a congressman and senator), and auspicious timing (e.g., Hofer and ZOM adeptly learned from Makati City's experience in addressing boundary issues) were likewise instrumental in clearing the legal and technical hurdles in Congress.

ATTRIBUTES AND ANTECEDENT CONDITIONS OF PROVINCE DIVISION

Due to a limited number of cases, a probabilistic approach to identifying factors affecting province partition proved difficult to undertake. Therefore, the following possible determinants (drawn heuristically and informed by the literature) are analyzed using a simple cross-case comparison of recent attempts in 10 provinces since 1992. These attempts were all made at least during the





Senate deliberation, the penultimate stage before the president's veto and local referendum.

Population and land area are not strongly associated with province partition success, contrary to the findings of Fitrani et al. (2005) and Gomez-Reino and Martinez-Vasquez (2013). Two provinces (Surigao del Norte and Oriental Mindoro) were able to reach Senate deliberation despite their small land area and population. Moreover, as many as eight large provinces (i.e., >7,000 km²) remain intact. Similarly, not all highly populated provinces have been proposed to undergo reform: there are as many as 12 highly populated provinces (>1.7 million population) that remain intact, and logged no rescaling attempt. When selected bills on territorial reform were examined, only eight of 13 cited vast or dispersed territory as a contributory factor to economic disparity, which usually served as a catalyst for and framed the reform.

Geographic attributes (whether elongated, peninsular, salient, archipelagic, landlocked, or a combination) vary both in success and failure cases, but the core-periphery location pattern of the provinces is instructive. All five recent successful cases of province division (excluding those elevated from sub-province status) are from Mindanao island; only one recent failed proposal (proposed split of Bukidnon) is from Mindanao. Many of the provinces in Mindanao are products of continuing territorial fission, making it the country's most precarious area in terms of border restructuring. Such volatility finds similarities with the findings of Eilenberg (2012) in district formation in the fringes of Indonesia, as well as the marginalization hypothesis found in the literature, but this marginality is not necessarily based on ethnicity. Contrarily, almost all of the proposed division of provinces located near Manila or Luzon island failed.

Another emergent finding is the disparity in the proposed type of partition: asymmetrical division (i.e., unequal division of districts or number of municipalities) and/or gerrymandered division (i.e., new, breakaway province does not conform to existing congressional district lines) is found in all successful cases. Conversely, in failed cases, symmetrical or near symmetrical division of districts or number of municipalities was proposed (see Table 4). This finding diverges with the geographic or administrative dispersion forwarded by Fitrani et al. (2005) that rely on population and geography.

Table 4. *Comparison of Recent Division Attempts in the Philippines*

Province under Reform	No. of Districts	Reform Outcome	Type of Partition
Davao del Sur	2	Success (Davao Occidental)	Gerrymandered; asymmetrical (5 of 8 towns in 2 nd district)
Surigao del Norte	2	Success (Dinagat Islands)	Gerrymandered; asymmetrical (7 of 16 in 1 st district)
Zamboanga del Sur	3	Success (Zamboanga Sibugay)	District-based; asymmetrical (1 of 3 districts; 16 of 42 towns)
Davao del Norte	3	Success (Davao de Oro)	Gerrymandered; asymmetrical (11 towns taken from 1 st and 2 nd Districts)
South Cotabato	3	Success (Sarangani)	District-based, asymmetrical (1 of 3 districts; 7 of 18 towns)
Quezon	4	Failed (Quezon del Sur)	Symmetrical (2 districts)
Camarines Sur	5	Failed (Nueva Camarines)	Near symmetrical; district-based (2 of 5 districts; 17 or 36 units)
Oriental Mindoro	2	Failed (Mindoro del Sur)	Symmetrical (1 district)
Bukidnon	3	Failed (Bukidnon del Sur)	Near symmetrical; but not district-based (10 of 22 units)
Isabela	4	Failed (Isabela del Sur)	Symmetrical (2 districts)





CONCLUSION

This study unpacked several dimensions of policymaking on contemporary province creation: spatial, temporal, and logic (rationality). The first aspect discussed the sequential process in policymaking (in the area of subnational territorial reform), identifying at least three key stages: endorsement-confirmation (local councils), legislation (congress and president), and ratification (referendum). The second included the timing of bill submission and deliberation, including political stability, the negative value of which is partly responsible for the failure of territorial reform at various VPs (or levels of policymaking). Put differently, time and space are essential dimensions in framing and analyzing how policies are shaped and legitimized in this area of local government reform.

Logic demonstrated the use of institutional disequilibrium in justifying the proposed reform. This included an imbalance in economic performance, in allocating resources, in providing services, or in the presence of extreme power asymmetry. In the cases unpacked, perceived socio-economic or political disequilibrium was cited. Moreover, conformance to higher-level institutions (or the technical dimension) is crucial in nudging the collective committees in Congress. The game of institutional change must be played within the rules, i.e., complying with the technical and legal requirements set by higher-level rules, such as the Constitution, and the Local Government Code. Additionally, in the limited cases that were analyzed, two findings emerged that require further examination: core-periphery pattern and partition type are found to be associated with reform outcomes. This investigation of Philippine cases also attempted to enhance and provide a nuanced

understanding of the earlier hypotheses on the role of geographic diversity and marginalization in territorial reform.

Whereas these conditions are necessary for reform to occur, congruence among veto players' preferences was observed to be shaped by mechanisms that played prominently in the dynamics of territorial reform in the Philippines: territorial leveraging led by the reform agent (usually the congressman), norm of reciprocity (coupled with pivot on networks, and policy push), preference mirroring, and prodding through social movement. Because of the institutional and sequential setup in the Philippines, and among the many other players in the assemblage, at least one player (i.e., the congressman) acted as the key reform agent that set the structural reform in motion.

Moreover, when other VP's ideal points or preferences are ambiguous or are located far from that of the reform agent, the latter will abate possible veto through persuasion, bargaining, or other strategic actions. While the Senate's collective preference was mainly affected by the bill's merits and united stance of local elites (preference mirroring), pivot on networks and norms of reciprocity, such as legislative courtesy (as a form of tacit logrolling), proved paramount at the House of Representatives.

In the area of subnational territorial reform, the Philippines epitomizes a large and fragmented VP constellation (i.e., multiple national VPs, multiple local VPs, plus citizens via referendum). Despite these many players, veto points, and preferences, the mechanisms unpacked in this study attempted to demystify how such policy attempts sometimes succeed.

This study may provide practical knowledge to policymakers and architects of local government





structures (including borders, sizes, and tiers), particularly in the context of Philippine provinces. It also attempted to locate reform triggers, some of which diverge from the literature, while at least two are new hypotheses that may require further investigation. In unbundling the mechanisms and conditions at play, many are found to support earlier findings, while some are emergent. Hence, due to the limited number of contemporary cases, a replication study of similar cases in other similarly situated countries is an area for future research. The framework and methodology may also be replicated in other subnational governments, such as municipalities and sub-municipal units. Equally important, whether or not these territorial restructuring efforts have attained their intended objectives (whether economic, social, or organizational) remains to be seen, and is another area that needs further research.

REFERENCES

- Aspinall, Edward. "A Nation in Fragments: Patronage and Neoliberalism in Contemporary Indonesia." *Critical Asian Studies* 45, no. 1 (March 2013): 27–54. <https://doi.org/10.1080/14672715.2013.758820>.
- Baldersheim, Harald, and Lawrence Rose. *Territorial Choice: The Politics of Boundaries and Borders*. New York: Palgrave Macmillan, 2010.
- Bhattacharyya, Harihar. "Federalism and Regionalism in India : Institutional Strategies and Political Accommodation of Identity." *South Asia Institute, University of Heidelberg Working Paper No. 27 (2024)*. <https://archiv.ub.uni-heidelberg.de/volltextserver/5500/>.
- Booth, Anne. "Splitting, Splitting and Splitting Again: A Brief History of the Development of Regional Government in Indonesia since Independence." *Bijdragen Tot de Taal-, Land- En Volkenkunde / Journal of the Humanities and Social Sciences of Southeast Asia* 167, no. 1 (2011): 31–59. <https://doi.org/10.1163/22134379-90003601>.
- Capuno, Joseph. "Fiscal Transfers and Gerrymandering under Decentralization in the Philippines." *Discussion Paper No. 2013-14*. University of the Philippines-School of Economics, 2013. <https://econ.upd.edu.ph/dp/index.php/dp/article/view/708>.
- Cruz, Prince. *When Does a Banana Republic Split? Federalism and Province Creation in the Philippines*. Singapore: Paper presented at the 13th International Convention of the East Asian Economic Association, 2012.
- Dollery, Brian Edward, Joseph Garcea, and Edward LeSage. *Local Government Reform: A Comparative Analysis of Advanced Anglo-American Countries*. Cheltenham, UK: Edward Elgar Publishing Ltd, 2007.
- Eaton, Kent. *Politicians and Economic Reform in New Democracies*. Pennsylvania: Pennsylvania State University Press, 2002.
- Eaton, Kent, Kai Kaiser, and Paul Smoke. "The Political Economy of Decentralization Reforms: Implications for Aid Effectiveness." *World Bank*, 2010. <https://openknowledge.worldbank.org/server/api/core/bitstreams/2e0b5d19-58b5-50d2-8cf6-d1948cb5f607/content>.
- Eilenberg, Michael. *At the Edges of States: Dynamics of State Formation in the Indonesian Borderlands*. Leiden: KITLV Press, 2012.





- Firman, Tommy. "DECENTRALIZATION REFORM and LOCAL-GOVERNMENT PROLIFERATION in INDONESIA: TOWARDS a FRAGMENTATION of REGIONAL DEVELOPMENT." *Review of Urban & Regional Development Studies* 21, no. 2-3 (July 2009): 143-57. <https://doi.org/10.1111/j.1467-940x.2010.00165.x>.
- Fitriani, Fitriana, Bert Hofman, and Kai Kaiser *. "Unity in Diversity? The Creation of New Local Governments in a Decentralising Indonesia." *Bulletin of Indonesian Economic Studies* 41, no. 1 (April 2005): 57-79. <https://doi.org/10.1080/00074910500072690>.
- Gomez-Reino, Juan Luis, and Jorge Martinez-Vasquez. "An International Perspective on the Determinants of Local Government Fragmentation." in *the Challenge of Local Government Size: Theoretical Perspectives, International Experience and Policy Reform*. Edited by Santiago Lago-Penas and Jorge Martinez-Vasquez. Cheltenham: Edward Elgar, 2013.
- Green, Elliott. "Patronage, District Creation, and Reform in Uganda." *Studies in Comparative International Development* 45, no. 1 (January 16, 2010): 83-103. <https://doi.org/10.1007/s12116-009-9058-8>.
- GROSSMAN, GUY, and JANET I. LEWIS. "Administrative Unit Proliferation." *American Political Science Review* 108, no. 1 (January 31, 2014): 196-217. <https://doi.org/10.1017/s0003055413000567>.
- Hutchcroft, Paul. "Re-Slicing the Pie of Patronage: The Politics of the Internal Revenue Allotment in the Philippines, 1991-2010." *Philippine Review of Economics* 49, no. 1 (2012): 109-34.
- . "The Arroyo Imbroglia in the Philippines." *Journal of Democracy*, 2008. <https://www.journalofdemocracy.org/articles/the-arroyo-imbroglio-in-the-philippines/>.
- Kawanaka, Takeshi. "Interaction of Powers in the Philippine Presidential System - Institute of Developing Economies." Discussion Paper No. 233. Institute of Developing Economies, 2010. <https://www.ide.go.jp/English/Publish/Reports/Dp/233.html>.
- Kimura, Ehito. *Political Change and Territoriality in Indonesia: Provincial Proliferation*. London: Routledge, 2012.
- Malesky, Edmund. "Gerrymandering—Vietnamese Style: Escaping the Partial Reform Equilibrium in a Nondemocratic Regime." *The Journal of Politics* 71, no. 1 (January 2009): 132-59. <https://doi.org/10.1017/s0022381608090099>.
- Mawdsley, Emma. "Redrawing the Body Politic: Federalism, Regionalism and the Creation of New States in India." *Commonwealth & Comparative Politics* 40, no. 3 (November 2002): 34-54. <https://doi.org/10.1080/713999602>.
- Mohammed, Abdulai Kuyini. "The Politics of Municipal Fragmentation in Ghana." *Commonwealth Journal of Local Governance*, June 15, 2015, 168-89. <https://doi.org/10.5130/cjlg.v0i0.4493>.
- Nordholt, Henk Schulte, and Gerry van Klinken. *Renegotiating Boundaries: Local Politics in Post-Suharto Indonesia*. Leiden: KITLV Press, 2007.
- Pierskalla, Jan. "Splitting the Difference? The Politics of District Creation in Indonesia." *Comparative Politics* 48, no. 2 (January 1, 2016): 249-68. <https://doi.org/10.5129/001041516817037754>.
- Refugee Law Project. "Breeding Fragmentation? Issues in the Policy and Practice of Decentralisation in Uganda - Refugee Research Network." Issue Paper No. 1. Beyond Juba Project, 2009. https://refugeereseach.net/rrn_node/breeding-fragmentation-issues-in-the-policy-and-practice-of-decentralisation-in-uganda/.
- Rentanida Renata Simatupang. "Evaluation of Decentralization Outcomes in Indonesia: Analysis of Health and Education Sectors." *ScholarWorks @ Georgia State University*, 2009. <https://doi.org/10.57709/1347969>.
- Tsebelis, George. *Veto Players: How Political Institutions Work*. Princeton, New Jersey: Princeton University Press, 2001.
- Tumanut, Michael. "The Rise and Demise of Local Governments: The Case of Island Garden City of Samal, Philippines." in *Local Government in the Philippines: A Book of Readings*. Edited by Remigio Ocenar and Proserpina Tapales. Quezon City: Center for Local and Regional Governance, University of the Philippines Diliman, 2013.
- . "A Veto Players Analysis of Subnational Territorial Reform in Indonesia." *Asian Politics & Policy* 8, no. 2 (April 2016): 235-61. <https://doi.org/10.1111/aspp.12248>.
- . "Local Government Structural Reforms." Edited by Ali Farazmand. Springer EBooks, January 1, 2020, 1-7. https://doi.org/10.1007/978-3-319-31816-5_3992-1.
- . *Redrawing Subnational Territories as Government Reform: Towards a Framework for Comparative Analysis*. Vol. 59(2). *Philippine Journal of Public Administration*, 2013.
- Zhang, Jingxiang, and Fulong Wu. "China's Changing Economic Governance: Administrative Annexation and the Reorganization of Local Governments in the Yangtze River Delta." *Regional Studies* 40, no. 1 (February 2006): 3-21. <https://doi.org/10.1080/00343400500449085>.

