Democratization Through Non-Governmental and People’s Organizations

AN EXPERIMENT IN PROGRESS

Jorge V. Tigro
Empowering Civil Society: The Alternate Route

The greatest compelling force for many developing societies since the 1980s has been the drive to democratize their social, political, and economic institutions. Indeed, "the idea of democracy has gained such importance that even dictators... have made an effort to maintain an external democratic facade."¹

In recent times, the shift to popular and democratic institutions and processes has been the peculiar focal point of interest for many political and social scientists. However, the mainstream literature seems to approach the subject from the perspective of orthodox political instruments (e.g., political parties and interest groups) and formal practices (e.g., elections). Ironically, the over-reliance on such conventions can be seen as one of the reasons why these instruments have now lost much of their previous appeal and flavor. Because the democratization process is not one that takes place only at the polling place, dictators who resort to such democratic means realize later that their legitimacy is no less in question than before. As Imam and Ibrahim have observed:

The proposed reconsideration of the democratization process should move away from what has been called 'pro-forma democracy,' in which 'formal citizens' are directed by so-called mass parties, single national parties, national liberation movements, and the like, to act in particular ways defined and imposed by autocratic leaders.²

Instances of substantive democratic development unpreceeded by war and destruction are now commonplace (e.g., the unification of Germany, the collapse of the Communist Party of the Soviet Union (CPSU), the holding of popular elections in Brazil, Taiwan, and South Korea, among others) although there continue to be manifested cases to the contrary, particularly in Asia (e.g., finding a practical and peaceful solution to the Cambodian and Burmese questions). In this sense, the single most significant innovation that has been undertaken by many of these democratizing polities is the allocation of space to previously marginalized groups and sectors to allow them to participate freely and legitimately in (a.) the formal political process; and (b.) the reconstitution and reapplication of what Robert Dahl calls the 'public agenda.' In fact, the state appears to have become a liability in the democratization process prompting Tandon to observe that:

Tigno, Democratization Through NGOs and POs

The recent emergence of powerful democratizing forces in Eastern Europe, Africa, Latin America, and Asia presses us to acknowledge that the greatest threat to the democratic function of society is the continuous effort of the modern state to dominate the institutions of civil society. 5

So, instead of undertaking the usual violent revolutionary but democratizing project, it now becomes more crucial for most state systems ...

... to speak of a kind of 'transition by agreement' in which agreements made between partially opposing political camps or power factors are supposed to initiate the slow process of liberalization. 4

The thrust to democratize in a country such as the Philippines cannot be overemphasized. The major dilemma among its political leaders has been in their inability to distinguish between nominal and real democratization and empowerment. Confronted with an ethnically and politically diverse polity, previous regimes have always been faced with the challenge of seeing this democratic undertaking through. The country’s 76 provinces, 60 cities, 1,535 municipalities, and more than 42,000 barangays, not excluding the more than 120 ethno-linguistic groups as well as the 150 or so millenarian and belligerent movements certainly cannot be taken lightly by any political leader. It is no wonder, therefore, that historically the national leadership has addressed the concern in rather simplistic terms: by way of closing the doors of real participation to such groups and movements. Even then, it has become a trying task for the government to manage itself, what with over 28,000 different elected and appointed officials.

The need to forge and strengthen real social consensus-building mechanisms, arrangements, and agreements becomes the foremost concern for non-governmental organizations (NGOs), people's organizations (POs), as well as the state in many developing countries. The Philippines is no exception.

Likewise, the preponderance of the democratization ethic has been preceded by the emergence of rather articulate sectors of civil society. In the Philippines of late, there has emerged a new pattern of democratization initiatives. The socio-political transformation process is now being undertaken not through conventional means, i.e., by parties and interest groups, but more and more by entities that are just as effective (or even more so) – the growing community of NGOs and POs. Indeed, this phenomenon is hardly localized as Serrano comments that:

4Wetz, op. cit. p.119.
Everywhere, voluntary organizations of citizens [outside the state systems] are emerging and forging a common alternative development vision aiming to change societies and our current way of life in a very profound way.\(^6\)

This conglomeration of non-governmental initiatives represent determined attempts by civil society to fill the "widening gap between state systems and the households and individuals."\(^6\) The appropriate social and political direction for the contemporary state in the main, therefore, is

... to create enabling conditions for civil society to 'manage' the public affairs of the community... [as well as] to increase the accountability of NGOs to civil society, not to the State.\(^7\)

It is not surprising to observe that the work that NGOs and POs undertake is one that is usually directed at questioning current patterns of governance, which to them is unjust, and in the process present an alternative strategy for development. This type of 'development work' views the current state-sponsored development scheme as promoting, rather than addressing, underdevelopment in both deliberate and systemic terms. The question of arriving at a wholesome (and successful) development formula is simply

... too big a question to be left to governments alone. ... in light of their intransigence to change course and redefine the meaning of progress, non-governmental organizations as social movements have begun to move from the margin into the mainstream and assume a greater role in lifting communities from the present mire of poverty and miserable way of life.\(^8\)

The traditional task that most political scientists have identified for themselves (i.e., of the need to uncover the process of the formation, involvement, and operation of parties and interest groups) has now been superceded by the necessity to articulate the dynamics of the NGO-PO community and its relations with state institutions and with society in general. As Imam and Ibrahim suggest "the actual democratic practice (or lack of it) of all those groups which claim to represent the voice of the interests of 'the people' needs to be scrutinized."\(^9\)


\(^{7}\)Ibid.

\(^{8}\)Ibid, op. cit. p. 39.

\(^{9}\)Serrano, op. cit. p.175.

\(^{9}\)Imam, op. cit., p. 17.
This paper attempts at such a tentative 'scrutiny' of the NGO-PO situation in light of the democratization wave that is sweeping across most of the Third World circuit today. A clear need to understand the changing patterns of accountability, responsibility, and control between the previously dominant state and the many subdivisions of civil society is unmistakably emerging. It becomes evident for any committed social scientist, therefore

...to establish the clear supremacy of civil society and to assure the accountability of both state and business sectors to the sovereign people. 19

Such becomes a clear challenge for any serious academic exercise in the social sciences. As it becomes apparent that NGOs are indeed an integral component of the community, a sufficient condition is established to debunk the myth of the moral superiority of the State and to highlight the NGO community's "role in strengthening the material, institutional, and ideological bases of civil society." 21

A Rose By Any Name...

From the Comunidades Eclesiais de Base (CEB) or Church Base Communities of Brazil22 to the initiatives to fill the socio-political gap which would have otherwise remained a serious problem for Sudan,23 NGOs and POs have made a tremendous impact on the developing world's social and political agenda.

And whether they are known as social development associations or organizations, private voluntary organizations, self-help groups, or cause-oriented groups, NGOs and POs have actually been a dominant and consistent fixture in the Philippine political scene particularly since the 1980s. But as NGOs in the general sense, they have been claiming international attention since February 1950 when the United Nations Economic and Social Council (ECOSOC) approved Resolution No.288 recognizing the existence of "independently organized groups of professionals, experts, or interested private citizens in the overall development process." 24

19Tandon, op. cit., p. 38.
20Ibid. p. 39.
21Cf.Kirschke, Paulo, "Church Base Communities and Democratic Change in Brazilian Society," Comparative Political Studies (July 1991).
One of the oldest NGOs in the Philippines is the Philippine Rural Reconstruction Movement (PRRM) which was founded in 1952 period by professionals committed to alleviating the plight of the Filipino poor. With the advent of Martial Law, NGOs began to proliferate and acquire some degree of sophistication. Of course, most were compelled to go underground at that time. It was only in the early 1980s that such initiatives began to take on a more open form.

Distinct from NGOs are the POs which the 1986 Philippine Constitution defines as “bona fide associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure.” People’s organizations tend to “represent their members’ direct interests, have member-accountable leadership, and are substantially self-reliant” while NGOs are usually called ‘intermediary’ or support groups composed mainly of professionals.

The Philippines’ National Economic and Development Authority (NEDA) outlines a more thorough (though not any more precise) definition of NGOs as the following:

- private, non-profit, voluntary organizations that are committed to the task of what is broadly termed as ‘development’;
- established primarily for civic service, religious charitable, and/or social welfare purposes;
- possessing relatively small and flexible structures with their services focused on marginal groups in the rural and urban areas;
- undertaking activities covering a wide spectrum ranging from the technical aspects of productive activity to such socio-economic aspects as planning and information systems, education, organization, etc.;
- having farmers, women, tribal minorities, squatters, youth, and others as target clientele;
- generally people-oriented with a firm conviction on the need for people’s participation in decisions and processes affecting them; and,

\footnote{Philippine Constitution, Article 13, Section 15.}
\footnote{Goertz, op. cit. p. 20.}
generally having formal registration with certain government agencies either as foundation, association, or non-profit corporation.  

The NGO-PO community in the Philippines appears to have taken the opportunity of the times and pursued its democratized development strategy outside the context of a dangerous East-West confrontation. But while this is the case, the eminent rise of NGOs and POs means the gradual end of the dominant and domineering state primarily because the latter has done a “less competent job as problem-solver... [even while it] has been able to dominate a weak civil society.” This has brought about a noticeable shift in accountability and centers of power and governance as well as created alternative avenues for consensus building from formal state-sponsored structures to NGO-initiated ones.

Non-governmental initiatives generally take the form of 'development work' and are distinct from government efforts. This type of development work emphasizes, among other things, (1) the transfer of political and socio-economic power from the elite to marginalized sectors of society as well as (2) the integration of the whole array of the country’s development concerns. Such initiatives constitute a fresh approach to complement state-sponsored development efforts. As Quizon observes:

Given their accessibility and acceptability to grassroots groups and communities, and their adeptness at utilizing innovative approaches to development work, NGOs have been regarded as vital links between the government and the people. NGOs are seen to play a crucial role in mobilizing not only beneficiaries, but also government agencies towards ensuring timely, responsive delivery and utilization of knowledge, technologies, resources, and services.

Because they have the capacity to render a macro-view of development, NGOs and POs operate at practically all sectoral levels and geographical locations throughout the Philippines. They are usually found operating in the local community but they also possess the functional capacity to operate and generate regional, and even national, assistance as well as international alliances and networks. There are at least ten major national networks in the country today involved in practically every conceivable line of development work (e.g., environmental protection, agriculture and agrarian reform, the

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19 Korten, op. cit. p. 156.

20 Quizon, op. cit. p. 1.
protection of human rights, promotion of the rights of women and the disabled, among many others).

In general, NGOs and POs are classified further into agricultural, commercial, trade and industrial, labor, political, professional, occupational, religious, and socio-civic groups. Records from the Department of Interior and Local Government (DILG) as of February 1990 show that there are at least 65,000 NGOs operating at the provincial (1,077), city or municipal (22,630), and barangay (41,479) levels (see Appendix, Table 1). This figure, however, includes overlaps between sectors and among the different geographical units. Other reliable sources say that there are around 18,000 NGOs in the Philippines today of which only about 2,000 are actually engaged in development work.21

Clearly, NGO operations are strongest at the barangay levels. But while this may be the case in general, the situation in other local levels may be otherwise. A study conducted by the Institute for Strategic and Development Studies (ISDS), for instance, shows that in the province of Leyte, around half of the 45 municipalities and cities do not have any NGO-PO presence. Likewise, in other provinces, only people's organizations are in operation. Such is the case in Samar's 25 municipalities.

The NGO-PO sector, nevertheless, is able to function in a variety of innovative ways which the government cannot duplicate. This sector acts as a creative catalyst for real progressive change even at the community level. More specifically, NGOs and POs have a tendency to behave as (1.) aggregators of key social interests previously unacted upon by government; (2.) a conscious and real link between the people/civil society and the government; (3.) social critics and commentators on government policies and programs; and, (4.) institutions that complement government initiated schemes and mechanisms. In short, NGOs and POs are not constrained by the limitations experienced by government especially in the pursuit of national development concerns.

An Experiment in Legislating Democratization: The Local Government Code in Progress

In light of these, the present trend in the Philippines is for the state to begin involving NGOs and POs in formal governance at the sectoral and local levels. This development came about in "recognition of government's inability to deliver [services] primarily because

21Goertz, op. cit. p. 20.
of limited resources... exacerbated by bureaucratic problems including excessive centralization, red tape, and graft and corruption."22

Practically no other constitution in the world provides a definite mandate for NGOs and POs as does the 1987 Philippine Constitution. The real and substantive foundation for NGO-PO participation in articulating and implementing the national development agenda is in fact circumscribed in pertinent provisions of the Constitution to wit:

The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation. [Article II, Section 23]

The State shall respect the role of independent people's organizations to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means. [Article XIII, Section 15]

The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall ensure, by law, facilitate the establishment of adequate consultation mechanisms. [Article XIII, Section 16]

In early October 1991, former President Aquino signed into law Republic Act 7160, otherwise known as the 1991 Local Government Code (LGC). A distinct feature of the LGC is that it provides for innovations in public administration, most notably the creation of the legal infrastructure for, as well as the institutionalization of, NGO-PO participation in local governance. Active and substantive participation by the NGO-PO community in local governance is now mandated in the Code specifically in the following areas:

a.) NGO-PO representation in the different local special bodies (e.g., people's law enforcement board, local school board, local health board, peace and order council, pre-qualification, biddings, and awards committee, local development council) at all levels of local government administration. Such representation must make up at least one-fourth of the composition of such local bodies;

b.) sectoral representation in the municipal, city, and provincial sanggunian or legislative councils by providing for their election in the said bodies. Three sectoral representatives are provided for – one from either the agricultural or industrial workers' group, one from the women's sector, and the third from either the disabled and elderly sector, the indigenous communities, fisherfolk, or other sectors;

c.) mandatory and periodic consultations by the local government units (LGUs) with the NGO-PO community; as well as

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d.) opportunities for direct NGO-PO and government collaboration through joint ventures and financial and resource assistance from the latter to the former and vice versa.

The key concern at this point, with regards to the undertaking provided for in the LGC, lies in the manner in which NGOs and POs are recognized and qualified for representation in the pertinent local government bodies. The LGC provides for an accreditation process for NGOs and POs willing to be involved in local governance. Such an accreditation process is to be initiated by the local government council or sanggunian as provided for in Rule XIII, Article 64 (Implementing Rules and Regulations) of the LGC.

**Highlights of the LGC Exepriment**

Since January 1992, when the LGC was supposed to have been first applied, numerous groups have been involved in monitoring its implementation particularly with regards to the provisions concerning NGO-PO involvement and participation. Such non-governmental initiatives include, among many others, those undertaken by the ISDS, the Philippine Business for Social Progress (PBSP) through its Local Development Assistance Program (LDAP), and coalitions such as the National Coordinating Council on Local Governance (NCC-LG) spearheaded by the 22-network strong Caucus of Development NGO Networks (CODE-NGO).

In a national conference held recently, the NCC-LG disclosed that as of December 1992, out of an estimated total of over 9,370 NGOs-POs known to be operating throughout the country, over 4,500 NGOs and POs have so far sought accreditation for eventual membership in the Local Sanggunian Boards (LSBs) in all 76 provinces. Of this number, roughly half or about 2,571 applications have been approved. Moreover, only 60 NGOs and POs have been selected as representatives by their respective sanggunian to over 720 local development councils nationwide (see Appendix, Table 2). There is widespread ambiguity as far as the actual implementation of the pertinent provisions of the LGC is concerned.

Aside from this, and in a more positive light, it was observed in some selected provinces that:

- the NGOs in one LGU have been made members of all local special bodies including those not specified in the Code;
- there were areas where all the NGO applicants were given accreditation;
- there were LGUs who simply received applications without acting on them; and
- there were NGOs who simply wanted to be accredited and establish an
  official presence in the area without necessarily wanting to become members
  of the LSBs. 23

Clearly, a new level of collaboration, partnership, and intervention has
been manifested in the course of the implementation of the LGC. However,
certain problem areas remain. Some of these include:
  - manipulation and political intervention on the part of some officials of
    LGUs to influence the accreditation process;
  - lack of a complete and common understanding (both on the part of
    NGOs-POs and the LGUs) of the empowering and democratizing principles
    of the LGC;
  - lack of a clear and operational definition of NGOs and POs and the
    absence of clear-cut distinctions between NGOs-POs and the private sector;
    and,
  - the absence of clear and enforceable guidelines on timetables and
    deadlines.

As specified in the LGC, the accreditation process should have been
concluded as early as September last year. Until now, however, there are
still a number of LGUs that have yet to finish even the accreditation
proceedings, much less go into actual representation. As Rood observed in
the case of Baguio City and Benguet:

Either the LSBs are not operational, or they have been operationalized
without NGO/PO representation. The short term of office of local officials
means they cannot wait before beginning their accomplishments. They
must begin at once (and they have). This means that the NGOs are being
left behind. 24

In addition to the above problems, other major issues and concerns
have been identified and have to be addressed in order that the pertinent
provisions of the LGC will fully and successfully materialize. These include
a number of concerns.

**Mutual suspicion between NGOs-POs and LGUs.** Local government
officials suspect NGOs and POs of undermining their authority while some
NGOs feel that the accreditation process is just one mode to further centralize
NGO-PO operations in order for government to monitor their activities.

**Rivalries between NGOs and POs.** There appears to be some level of
competition and suspicion among NGOs and POs and between NGO
networks operating in the same localities.

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23 Ibid. p. 3.
Lack of information on the pertinent provisions of the LGC. This has caused LGUs to insist on certain amendments to the LGC such as on the provisions on the determination of the number of NGOs and POs to be accredited and on the formation of NGOs and POs in their areas. Some NGOs and POs have, likewise, found it difficult to comply with the requirements for accreditation.

While these problems and issues persist, it cannot be denied that some cases of successful NGO-PO-LGU collaboration have been manifested even at the initial stage of the LGC's implementation. There are several positive developments that require enumeration.

Positive history of NGO-LGU collaboration and partnership. It becomes more likely for NGOs and POs to be successfully involved in local governance when the LGU has had a previous positive experience with the NGO-PO community. Instances wherein some NGO personalities have managed to become regular members of the local council or when the local chief executive is directly connected to the NGO-PO community can have a net effect that is conducive to NGO-LGU partnership and consensus-building, not to mention the openness of the LGU structure to such innovative forms of intervention and collaboration. It is even possible to establish a correlation between the history of the NGO-PO community in a certain locality and the LGUs level of receptiveness towards NGOs and POs.

Substantive understanding of the provisions of the LGC. A successful partnership is more likely when the parties concerned have a good grasp of the conditions surrounding a joint venture or collaboration. A basic understanding of the avenues being opened to NGOs and POs can mean the difference in the operationalization of popular representation in local governance. A complete knowledge and understanding of the pertinent provisions of the LGC may be a key precondition for the success of such partnerships, nonetheless, it need not be the necessary condition.

Availability of resources for sustaining collaboration. An important consideration for the success of a partnership is the availability of financial and other forms of resources. NGOs-POs and LGUs are able to engage in successful partnerships when they are able to generate sufficient resources for a specific purpose. Poorer municipalities stand to benefit more from NGOs and POs belonging to national networks as these undertake well-funded projects in the area and stand to ease the financial burdens of the LGU on the whole, (e.g., in availing of health services and provision for agricultural technical assistance).

Greater accountability of LGU officials. A more open LGU-NGO relationship is facilitated when the mechanisms to ensure the accountability of government officials are strong and sustained. In many LGUs, the NGO-PO community has played the role of checking the powers and actions of local officials to the point that the latter cannot ignore the opinions and suggestions of these social sectors.
Democratization Through NGOs and POs: Some Emerging Risks and Impediments

The situation before the advent of the LGC was such that NGO-PO collaboration with government seemed to suffer from a lack of effective working arrangements and operational guidelines upon which to base the partnership. The LGC attempts to address this situation by formulating specific mechanisms and guidelines on which to base a potential partnership between LGUs and the NGO-PO community. However, even with these specific procedures, certain points merit concern.

The issue of combining NGOs and POs with the private sector is one that needs to be raised with regard to government-non-government collaboration. The private sector may possess interests and concerns different from the 'development work' that the NGO-PO community is engaged in.

The Constitutional framework has a tendency to see NGOs more as external, service-oriented providers than real substantive partners. While they may enter into contracts and agreements with government, they are not given the specific mandate to represent and negotiate on behalf of the community. The NGO community's supplementary function is the one that is emphasized. This understanding of the NGO-PO mandate may cause some local governments to simply dispense with sectoral representation and participation in governance as they see fit.

With the implementation of the LGC well into its first year, one cannot help but take notice of the crucial backdrop of this experiment in democratization by legislation. To date, several attempts have been made to, at least, short circuit and, at most, circumvent and undermine the empowering provisions of the LGC. Numerous bills have been filed in Congress seeking to amend the LGC's provisions on sectoral representation. Foremost among these are House Bills 1786 and 3330 calling for the suspension of sectoral representative elections until 1995, resolutions made by the League of Municipalities and the Philippine Councilors League calling for a deferment of the elections (until after the devolution process shall have been completed) and opposing sectoral representation altogether, including the successful non-inclusion in the 1993 National Budget of appropriations for the conduct of the election. The latest attempt in the House of Representatives is the proposed House Bill 6691 which seeks to limit the number of sectoral representatives in the local sanggunian to three at most or none at all depending on the financial capacity of the LGUs concerned. Ironically, it appears that the greatest impediment to empowerment and democratization

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25Quizon, op. cit. p. 2.
26Ibid. p. 4.
might very well be the very institution expected to uphold it – the Philippine Congress.

Not all NGOs and POs can and do represent the marginalized sectors of civil society. The provisions in the LGC merely highlight the importance of having a facade of legitimacy and popular representation on the part of existing NGOs and POs. It can be said that of the 12,000 or so NGOs registered in the Securities and Exchange Commission, roughly one-third possess the capacity and orientation to represent marginalized sectors – the rest are simply paper organizations or initiatives with vested motives. The dynamic between NGOs and POs needs to be further articulated in light of their clear differences in constituency and scope.

At the same time, the NGO-PO community will have to detach itself from 'left-right' labels and limitations in order for it to make a profound social difference. This must be so even as the government itself attempts to (1.) reduce its 'historic' suspicion of NGO-PO initiatives; and, (2.) combat local warlordism by emphasizing autonomy with accountability. With regards to NGO-LGU collaboration, there is an emerging tendency that may lay open the fundamental feature of most NGOs and POs – that of their autonomy and creativity to undertake development work. The strength of a nongovernmental initiative and development alternative is that it:

... seeks to broaden political participation, building from a base of strong people's organizations and participatory local government. It seeks the opportunity for people to obtain a secure livelihood based on the intensive, yet sustainable, use of renewable resources. It builds from the values and culture of the people. Political and economic democracy are its cornerstone.\(^{27}\)

In the final analysis, the need for thorough-going change inspite of the legal structures and mechanisms circumscribed in the LGC emphasizes the urgency of redefining existing social, political, and economic relations. It is one notion that cannot be overlooked nor overemphasized at this point in the experimentation process. As Rivera observes:

... the major challenge of the 1990s lies in the building of a new coalition of political forces that can effectively participate in legal and electoral struggles and yet for people's movements to retain at all times the capability of intervening decisively in conjunctural structures that can lead to ruptural challenges to the system.\(^{28}\)

At this point in time, the Philippine democratization process, as a manifestation of an ever-expanding social and grassroots movement, continues.

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\(^{27}\)Koremen, _op. cit._ p.218.

# APPENDIX

## Table 1. Number of NGOs by Category

as of February 1990

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<tr>
<th>REGION</th>
<th>Province Level</th>
<th>City/Municipal Level</th>
<th>Barangay Level</th>
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Total: 129 166 83 29 115 54 183 318 3568 1962 746 510 903 1112 6373 7456 9993 2229 1531 757 1001 1000 6739 18229 65108

Legend: Agr - Agricultural; CTI - Commercial Trade and Industrial; Lab - Labor; Pol - Political; Pro - Professional; Occ - Occupational; Rel - Religious; and, Soc - Social.
## Table 2. Regional Status of NGOs
Accreditation and Selection of NGOs and POs in LGUs

<table>
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**Source:** National Coordinating Committee on Local Governance Coalition of Development NGOs (CODE-NGO), December 1992.