

# Electoral Politics in the Philippines

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## Introduction

Elections are integral to democratic governance. Through the mechanism of elections, politicians are held accountable for their actions, and are compelled to introduce policies that are reflective of and responsive to public opinion. Ideally, elections serve as a 'major source of political recruitment, a means of making government, and of transferring government power, a guarantee of representation, and a major determinant of government policy' (Heywood, 2000: 200). These do not, however, prevent the distortion of the will of the electorate in a 'flawed democracy'.

In the Philippines, the plurality system has been enshrined in the 1935, 1973, and 1987 constitutions. Under the 1987 constitution, all elective officials – president, vice-president, senators, members of the House of Representatives, local chief executives and local legislators – are chosen by a direct vote of the people through a 'first-past-the-post system' (Agra, 1997b: 1). The Philippine electoral system has generally been consistent throughout history.<sup>1</sup>

The Philippine experience with electoral politics is instructive in the process of democratic development in the Asia-Pacific region. Nearly a century since American colonial authorities introduced electoral and party politics, the quality of democratic representation as an outcome of elections has always been held in doubt. Clientelism, nepotism, fraud and violence, among others, have reinforced the elitist nature of Philippine electoral politics. This was exacerbated during the period of Marcos' authoritarian rule as democratic elections were briefly replaced by 'demonstration elections' held under duress. The ouster of the Marcos dictatorship in February 1986 has ushered in a period of redemocratization. Nonetheless, the election and subsequent removal of President Joseph Estrada in January 2001 remains a constant reminder of the continuing 'defects' of Philippine democracy.

This chapter will investigate the relationship between elections and democratic development in the Philippines. It will trace the emergence and

1. However, the mode of electing members of the legislature in its several historical incarnations has had some variations in terms of constituency (from single to medium to large) and voting (write-in single to multiple to block voting). The 1987 constitution also introduced a party-list system for electing 20 per cent of the lower house.

institutionalization of electoral politics at various junctures in Philippine history. Essentially, it will determine the degree of proportionality in which votes are translated into political mandates. Lastly, it will explore the modalities of reforming the electoral system in order to enrich the democratization process.

## Historical Development

Elections and other democratic institutions were primarily imported into the Philippines from Western models. The emergence of institutions such as constitutional law, the secret ballot, the referendum, political parties and legislature in the Philippines was a product of American colonialism. Hence, colonialism became the defining force in the emergence of democracy in the Philippine nation-state. The Philippines as a conquest colony underwent political development predicated on the interest, influence and power of the colonial authorities (Paredes, 1989: 2-4).

After establishing total control of the Philippines by 1901, the American colonizers governed their newly acquired territory through the appointive Philippine Commission under the supervision of the United States governor general. The commission performed both executive and legislative functions, with token Filipino participation, until 1907. Soon after, the Americans introduced elections to allow greater participation of the Filipino elite in colonial governance (Caoli, 1989; McCoy, 1994; Franco, 2000). Taking a cue from the elite experience at limited municipal elections during the last days of Spanish colonial rule, the American colonial government proceeded to lay down the foundation for municipal, provincial and national elections (Paredes, 1989).

Initially, the Americans conducted municipal elections in areas pacified under military rule. The first election in the country was held in Baliwag, Bulacan on May 1898 under American supervision. This was followed by four Cavite municipalities, in compliance with General Order No. 40, Series of 1900, issued by the military governor, for establishing municipalities in the Philippine Islands. The military government first granted wide rights of suffrage but later limited the franchise (Maambong, 1992; Hutchcroft, 2000).

Upon the establishment of civilian government in 1901, the Philippine Commission passed Act No. 60 to serve as the organic law for all municipal governments in the country. The Act required voters to be:

1. Male, aged 23 and above;
2. A resident of the municipality where they were to vote for a period of six months immediately preceding the elections; and
3. Any of the following three classes: individuals who speak, read and write English/Spanish, own real property worth at least P500, or have held local

government positions prior to the occupation of the country in 1898 (Tancangco, 1988: 81).

These provisions effectively restricted participation in the early electoral exercise to the educated and landowning members of the traditional elite. As a result, factional rivalries and personality issues among the local influential families marked these elections (Caoli, 1989).

Nonetheless, the Philippine Commission continued to place the legal framework for a more systematic organization of local governments. It enacted Acts No. 82 and No. 83, providing for the organization of municipal and provincial local governments. A limited electorate was given the right to elect the municipal president (mayor), vice-president and the council. Provinces were governed by a three-member board, headed by a governor who was indirectly elected by the municipal councillors in the province. Thus, the provincial elections of 1902, 1904 and 1906 were reflections of municipal politics (De Guzman, Reforma and Panganiban, 1988; Franco, 2000; Hutchcroft, 2000). Consequently, 'from local elections in 1901, to legislative elections in 1907, and presidential elections in 1935, the Americans built electoral politics from the municipality upwards, thereby entrenching provincial families in both local and national offices' (McCoy, 1994: 12).

### *Colonial Elections*

The first legislative election was held on 30 July 1907 and was administered under the first General Election Law of the Philippines (Act No. 1532), enacted on 9 January 1907. It provided for the election of members of the unicameral Philippine Assembly, elective provincial officials, and all municipal officials, by direct vote of qualified electors. The law created a Board of Election Inspectors to direct, administer and supervise elections in the polling places to prevent fraud. A system characterized by strict secrecy in balloting was also adopted (Tancangco, 1988: 82). The total number of registered voters was 104,966 or only 1.15 per cent of the total population at that time. From this number, a turnout of 98,251 went to the polls and cast their ballots (Liang, 1970: 67).

Philippine party politics, at that period, was characterized by clientelist interactions between the Filipino politicians and their American colonial patrons. Characteristic of most colonial regimes, the Americans implemented a system of indirect administration utilizing dependable native clients. The measure of success for an American colonial official was their ability to cultivate and manipulate effective local clients in implementing American policies. Thus, electoral campaigns were neither venues for the discussion of social issues nor mass appeals for voters, but negotiations between national political personalities and the provincial landowning elites (Grossholtz, 1964; Tancangco, 1988; Paredes, 1989).

There were two major parties – the Partido Nacionalista and the Partido Nacional Progresista. The Nacionalista Party (NP) was formed on 12 March 1907 as a merger of several nationalist movements and organizations pushing for Philippine independence. The Progresista Party was formerly the Partido Federalista – the country’s first political party organized in 1900 by a group of prominent, mostly Manila-based *ilustrados*<sup>2</sup> to push for the annexation to and statehood within the United States (Liang, 1970; Tancangco, 1988; Lande, 1996). The Federalistas were the original recipients of American colonial patronage who initially gravitated around the clientelist ties between Governor General William Howard Taft and party founder Commissioner T.H. Pardo de Tavera. However, this support shifted to the younger, provincially based political leaders of the Nacionalistas – Sergio Osmeña and Manuel Quezon – despite their nationalist posturing. Ironically, the Partido Progresista would later merge with a nationalist party to form the Partido Democrata in 1917 (Liang, 1970).

Table 1: One Party Dominance in the American Colonial Regime and the Philippine Commonwealth

Year	Nacionalista Party		Others/Independent		Total	Seats
	House	Senate	House	Senate	House	Senate
1907	32	-	48	-	80	-
1909	62	-	19	-	81	-
1912	62	-	19	-	81	-
1916	75	22	15	2	90	24
1919	83	21	7	3	90	24
1922	35 (Quezon) 29 (Osmeña)	12 (Osmeña) 3 (Quezon)	29	9	93	24
1925	64	14	28	10	92	24
1928	71	24	23	0	94	24
1931	66	6	20	6		
1934	70 (Quezon) 19 (Osmeña)	6 (Osmeña) 1 (Quezon)	3	17	92	24
1935	83	-	6	-	89	-
1938	98	N/A	0	N/A	98	-
1941	95	24	3	0	98	24

Sources: Hartmann, Hassall and Santos, 2001; Liang, 1970.

Between 1907 and 1934, ten legislatures were elected at three-year intervals during the American colonial period. The Jones Law (Philippine Autonomy Act) of 1916 transformed the unicameral Philippine legislature into a bicameral legislature composed of the House of Representatives and the Senate. Membership to both chambers was by way of a plurality vote: in single-member

2. The *ilustrados* were the educated sons of landed and wealthy natives (Wurfel, 1988: 5).

constituencies (78 in 1907 to 94 in 1934) for the House, and in 12 two-member constituencies for the Senate. Each voter had two votes for the Senate (Hartmann, Hassall and Santos, 2001).

The Nacionalistas, or one of its factions, since it was divided between the Quezon and Osmeña camps in 1922 and 1933, dominated electoral politics throughout the pre-war period (see Table 1). It continued its dominance from the inauguration of the Commonwealth government<sup>3</sup> in 1935 until the establishment of the Third Philippine Republic in 1946.<sup>4</sup> However, the party's structure followed the elitist electoral process, and was, therefore, elitist in nature. Both the leadership and membership of the party were composed of a small elite group of wealthy landowners. Since disagreement among party members on issues of policy was unlikely, the party contributed to the preservation of the semi-feudal economic set-up under the American regime. Hence, the 'strength of a party like the NP was largely dependent on a network of relationships that were based on patronage which its leaders and members established with local elites, interest groups, party supporters, and the masses' (Tancangco, 1988: 89).

Table 2: Average Representativeness and Majoritarian Effects of the Electoral System, 1907-1925

Year	$E_{rep}$	$E_{rep1}$	$E_{rep1} - E_{rep}$
1907	87.5	97.6	10.1
1909	70.7	85.9	15.2
1912	70.8	87.6	16.8
1919	62.0	81.0	19.1
1922	62.4	96.3	34.0
1925	92.6	97.6	5.1
Average	74.3	91.0	16.7

Sources: Author's calculations based on information in Hartmann, Hassall and Santos, 2001; Liang, 1970.

The limitations of the electoral system under the American colonial period were highlighted by its relatively high degree of disproportionality. The index  $E_{rep}$  (ELECTION<sub>representativeness</sub>) measures the over-representation of the strongest party in the context of the general proportionality of the electoral system.<sup>5</sup> The

3. The Tydings-McDuffie Law, also known as the Philippine Independence Act, was passed in 1934. It allowed the Philippine legislature to convene a Constitutional Convention to draft a government for the Commonwealth of the Philippines – an interim period in preparation for eventual 'independence' from the United States (Brillantes, 1988: 115).
4. The leaders of the Revolutionary Movement against Spain inaugurated the First Philippine Republic on 23 January 1899. The Second Philippine Republic was established in 1943, under the auspices of the Japanese Occupation Forces. The Third Philippine Republic marked the end of American colonial rule and the rebirth of Philippine independence on 4 July 1946.
5. The proportionality of the electoral system is measured by the sum of the difference between the proportion of seats and votes of each party. This sum is divided by the factor 2 (to balance over- and under-representation) and subtracted from 100. For details, see the final chapter by Aurel Croissant.

indicator ranges from 0 to 100. The closer the indicator is to 100, the more proportional the electoral system is. The average indicator for legislative elections in the Philippines held during colonial times is 74.3. On the other hand, the same period registered very high on the  $E_{\text{rep1}}$  (ELECTION<sup>representativeness</sup> + 1st Strongest Party) index<sup>6</sup> with an average of 97.6. This clearly shows the positive effect of the dominance of the Nacionalista Party on integration and the formation of government majorities. The average  $E_{\text{rep1}} - E_{\text{rep}}$  index at 19.1 indicates a high seat bonus of the strongest party (see Table 2).

### *Elections in the Commonwealth*

The 1935 constitution that established the Philippine Commonwealth provided for a presidential form of government patterned on the United States model. The constitution originally introduced a unicameral National Assembly, but an amendment in 1940 re-established the bicameral legislature, which remained until 1972 (Hartmann, Hassall and Santos, 2001). The right of suffrage was granted to all Filipinos who were: (1) 21 years and above; (2) able to read and write English or Spanish; and (3) residents of the Philippines for at least one year and of the municipality in which they proposed to vote for at least six months prior to the date of the elections. It also provided for the extension of the right of suffrage to women. By 1939, all existing election laws were consolidated into an Election Code (Commonwealth Act No. 357) that empowered the secretary of the interior to supervise all types of election. However, in order to insulate the electoral process from partisan politics, a constitutional amendment was passed and approved in a plebiscite to create an independent Commission on Elections (COMELEC) (Tancangco, 1988: 82-83). Five elections were held in the Commonwealth period: the presidential and legislative elections of 1935; the local elections of 1937; the legislative elections of 1938; the local elections of 1940; and the presidential and legislative elections of 1941.

The initial development and growth of electoral politics and party politics in the Philippines remained a lasting legacy of American colonialism. However, the fusion of wealth and power brought about by political connections and patronage, instead of productivity, has undermined the post-colonial state's capacity to realize broad national goals for social and economic development. Thus, 'elections as the defining feature of democracy were not always competitive because of the schemes of oligarchic interests to manipulate and control electoral outcomes (such as control of the media, oligarchic parties and personalized campaigning, and electoral fraud)' (Velasco, 1997: 83).

American colonial rule left the country with a weak central state during the Commonwealth era. It had to contend with dispersed local centres of power that possessed varying degrees of autonomy all over the archipelago. At the

6. The indicator  $E_{\text{rep1}}$  measures the over-representation of the strongest party, whereas the difference  $E_{\text{rep1}} - E_{\text{rep}}$  indicates the seat bonus of the strongest party in Parliament offered by the electoral system. For details, see the final chapter by Aurel Croissant.

heart of these power centres were the landed elites who had the uncanny ability to survive both war and peasant rebellion. The introduction of an electoral system for electing public officials provided the landed elite with a venue to consolidate and expand their power. The landed elites or '*oligarchs*', through their control of the Congress, transformed themselves into a national oligarchy that successfully repulsed the government's attempts at land reform. Thus, democratization of economic resources in the country was prevented (Rivera, 1994: 112-114).

### *Elections after Independence*

The Philippines have had relatively extensive experience in electoral politics. From 1946 to 1971, 16 national and local elections were conducted. This translates into an average of one national election every 16 months, aside from the equally frequent local elections for governors, mayors and other local officials (Velasco, 1989; COMELEC, 2001c). In 1947, a constitutional amendment extended the term of the House of Representatives to four years, and the term of the Senate to six years. One third or eight members of the Senate are renewed every two years by plurality in a national eight-member constituency. Each voter is given eight votes (Hartmann, Hassall and Santos, 2001).

Philippine post-war politics was characterized by an 'indistinct two party system' with intense competition between the Nacionalista Party (NP) and the Liberal Party (LP).<sup>7</sup> The LP was formerly the 'liberal wing' of the NP that formally split off after an intense leadership struggle in 1946. The United States-backed LP became the ruling party in 1946 after it won the presidency and vice-presidency, as well as the majority of the seats in the bicameral Congress and most of the local positions (Liang, 1970; Tancangco, 1988; Lande, 1996).

### *Elections in the First Philippine Democracy*

The rivalry between the two parties dominated Philippine politics from 1946 until 1971. Both took turns to capture the presidency and controlling both chambers of Congress (see Table 3). The Liberals won the presidential elections of 1946, 1949 and 1961. The Nacionalistas won them in 1953, 1957, 1965 and 1969 (see Table 4). However, despite their regular political intramurals,<sup>8</sup> the two parties were identical in their elitist structures, social make-up, and policies (Lande, 1996). Both the NP and the LP can be classified as 'cadre parties' since they did not seek mass membership, only mass support on election day, and were administered by a small group of incumbent and non-incumbent public officials, and professional politicians (Wurfel, 1988).

7. Tancangco (1988) utilized the term 'indistinct two-party system'. From 1946 to 1971, the NP and LP were 'for all practical purposes, identical in their structures, social make-up, and policies. Both the Liberals and Nacionalistas had, in every province, congressional district, municipality and in many barrios as well, local leaders who competed with similar leaders of the opposing party for elective offices. They did this by building personal political followings, and then seeking additional votes from uncommitted voters by using their government connections to bring public works projects and other concrete benefits to their localities' (Lande, 1996: 120).

8. In Philippine journalistic parlance, 'political intramurals' refer to political contests or competitions.

Table 3: Two-Party System in the Philippine Congress, 1946-1969

Year	Nacionalista		Liberal		Others		Total	Seats
	HoR	S	HoR	S	HoR	S	HoR	S
1946	35	7	49	8	14	1	98	16
1947	-	1	-	7	-	0	-	8
1949	33	0	66	8	1	0	100	8
1951	-	0	-	8	-	0	-	8
1953	31	5	59	0	12	3	102	8
1955	-	8	-	0	-	0	-	8
1957	82	6	19	2	1	0	102	8
1959	-	5	-	2	-	1	-	8
1961	74	2	29	6	1	0	104	8
1963	-	4	-	4	-	0	-	8
1965	38	5	61	2	5	1	104	8
1967	-	7	-	1	-	0	-	8
1969	88	7	18	1	4	0	110	8
1971	-	2	-	6	-	0	-	8

HoR - House of Representatives; S - Senate  
Source: Hartmann, Hassall and Santos, 2001.

Table 4: Philippine Presidents, 1946-1986

President	Party	Term
Manuel Roxas*	Liberal	1946-1948
Elpidio Quirino	Liberal	1949-1953
Ramon Magsaysay#	Nacionalista	1953-1957
Carlos Garcia	Nacionalista	1957-1961
Diosdado Macapagal	Liberal	1961-1965
Ferdinand Marcos^	Nacionalista	1965-1986

\* Died in office. Succeeded by Vice-president Elpidio Quirino.  
# Died in office. Succeeded by Vice-president Carlos Garcia.  
^ Re-elected in 1969. Declared martial law in 1972. Ousted in 1986.

There were 14 senatorial elections in the post-war period. These included the regular and mid-term elections between 1946 and 1971. The LP dominated the first three (1946, 1947 and 1949), while the NP continuously won the most number of seats in the succeeding five elections (1951, 1953, 1955, 1957 and 1959). Interestingly, the party that captured the presidency also won the most senatorial seats. Hence, the LP managed to regain its dominance in 1961 when it won the presidency. The election of 1963 was the only time that both parties split the seats equally at four each. Again, the NP captured the most seats in



1965, 1967 and 1969 under the Marcos administration.<sup>9</sup> After the notorious Plaza Miranda bombing,<sup>10</sup> the LP nearly swept the senatorial race of 1971. The mid-term senatorial election of 1971 was the last free elections in the Philippines as Marcos declared martial law the following year and abolished Congress.

The magnitude of constituencies or district size affects the degree of proportionality (percentage of votes needed to share in allocation of seats) of an electoral system. Ideally, disproportionality decreases in medium-sized to large constituencies as the share of votes and seats approximate each other (Nohlen, 1984: 69-70). The pre-martial law Senate was unique given its national constituency in which eight members were elected every two years by plurality. The system benefited the two largest parties and discouraged the emergence of effective third parties. It encouraged competition among candidates within the same party. There was also a wide gap between the percentage shares of votes and seats gained by the parties. This is reflected in the average  $E_{rep}$  index for the Senate between 1946 and 1971 at 73.9. The relatively high  $E_{rep1}$  index of 88.1 indicates a strong effect on integration (see Table 5).

Table 5: Average Representativeness and Majoritarian Effects of the Electoral System (Senate, 1946-1971)

Year	$E_{rep}$	$E_{rep1}$	$E_{rep1} - E_{rep}$
1946	85.5	95.8	10.3
1947	67.2	83.5	16.3
1949	52.5	76.3	23.8
1951	59.1	79.6	20.5
1953	64.0	88.7	24.7
1955	67.6	83.8	16.2
1957	72.2	86.1	13.9
1959	81.2	94.6	13.4
1961	79.5	89.8	10.3
1963	99.8	99.9	0.2
1965	75.0	90.7	15.7
1967	75.4	87.7	12.3
1969	73.3	86.7	13.4
1971	82.4	91.2	8.8
Average	73.9	88.1	14.2

Source: See Table 2.

9. Ferdinand Marcos was elected first to the House and later to the Senate as a staunch member of the Liberal Party. He became president of the LP and the Senate, but switched to the Nacionalista Party to become its presidential candidate in 1965. He won that year and made history in 1969 by being the only president ever to be re-elected.
10. Plaza Miranda in Quiapo, Manila was the Hyde Park of the Philippines, where political gatherings and rallies were common in the pre-martial law period. On 21 August 1971, grenades exploded at the LP political rally injuring candidates and party leaders, and killing some innocent by-standers. The opposition accused Marcos, who in turn pointed to communist insurgents as the culprit.

The single-member district in the lower house and popular election of a powerful president served as significant legal reinforcements for the maintenance of the two-party system (Wurfel, 1988). In addition, the introduction of the 'write-in system' of voting, together with the distribution of sample ballots, have strengthened local political leaders in their interaction with national elective officials. The 'write-in system' was originally intended to replace the earlier 'block voting system' and makes it difficult and costly for politicians to influence voters.<sup>11</sup> However, it has affected the political process in other ways. As Carl Lande (1996: 101) observes,

[w]ithout the goodwill and help of [local] leaders, and their willingness to distribute sample ballots containing the names of particular aspirants for higher offices, candidates running in the intensely competitive setting of Philippine politics cannot hope to win. This enables local leaders to extract benefits for their localities, their followers, and for themselves, from those whom they have helped win higher offices. The inter-personal alliances and obligations created by the upward delivery of votes in return for the downward flow of rewards give substance to the personalistic political patron-client ties that help to structure Philippine politics.

Electoral laws that provided for publicly funded election inspectors to the two largest political parties further reinforced the two-party system. In this system, the two largest parties are provided with funds for an election inspector each in all the precincts nation-wide. The main task of these inspectors is to guard their party's votes and represent their party in the counting of votes. The inspectors provided the NP and the LP with the advantage of a built-in party apparatus and organization throughout the country, and made it virtually impossible for alternative third parties to emerge (Caoli, 1989).

Electoral systems anchored on a plurality formula often promote party concentration, given their inherent tendency towards the formation of a two-party system (Nohlen, 1984: 48). Hence, the NP and the LP alternated their control of the House of Representatives in seven elections between 1946 and 1969. These elections approximated the same pattern in the Senate. The party of the incumbent or the winning presidential candidate often captured the majority of house seats. Thus, the LP captured the House in 1946 and 1949, while the NP won it in 1957 and 1969. In 1953, 1961 and 1965, the incumbent parties retained their control of the lower chamber, despite losing the presidency.<sup>12</sup>

11. Under the 'write-in system', a voter is given a ballot that lists only the offices to be filled, followed by blank spaces. Since no names of candidates are indicated, the voter must write the names of the individuals they will vote for in the empty spaces provided. On the other hand, 'block voting' voters may cast straight party ballots by simply writing the name of a political party. Given the fact that most voters cannot possibly be expected to remember the multitude of names of candidates for local and national offices, voters are often given 'sample ballots' which they may bring with them to the polling booth. Thus, candidates make extra efforts to distribute 'sample ballots' on which their names appear (Lande, 1996: 99-100).

12. However, members of these parties usually transferred to the new administration party to have access to public works or 'pork barrel' funds.

Table 6: Average Representativeness and Majoritarian Effects of the Electoral System (House, 1946-1969)

Year	$E_{rep}$	$E_{rep1}$	$E_{rep1} - E_{rep}$
1946	87.3	94.4	7.2
1949	93.1	96.5	3.5
1953	79.6	91.0	11.4
1957	80.8	90.4	9.6
1961	89.9	97.1	7.2
1965	92.6	97.6	5.0
1969	79.0	89.5	10.5
Average	86.0	93.8	7.8

Source: See Table 2.

The congressional elections between 1946 and 1969 registered a high average of 86 in the  $E_{rep}$  index. The share of votes was fairly proportional to the share of seats obtained by political parties. This was rare in plurality electoral systems in single-seat constituencies. Theoretically, plurality systems often reflect a wide gap between the percentage share of votes and seats gained by the parties (Nohlen, 1984: 35). The two-party system entrenched the NP and the LP such that the considerable difference between their share of votes and share of seats was at the expense of minor parties or independent candidates. In most instances, only the two parties received the majority of the votes cast in the elections. Party concentration was promoted as shown by the high  $E_{rep1}$  average index at 93.8. There was also a low rate of over-representation at 7.8 (see Table 6).

#### Elections in the Authoritarian Regime

The declaration of martial law by President Ferdinand Marcos in September 1972 halted all party activities and intra-elite competition. Elections were cancelled for the first six years of martial law. Martial law was declared amid the efforts of the 1971 Constitutional Convention to draft a new constitution. Although the process was already mired with gross presidential interference, martial law hastened the completion of a charter that was tailored to the needs of the authoritarian regime. Despite protests and controversies, *barangay* (village) citizen assemblies<sup>13</sup> were convened and ratified the 1973 constitution (Wurfel, 1988). Article XVII (Transitory Provisions) of the Marcos Constitution provided for the replacement of the Philippine Congress with an Interim National Assembly. However, the Interim National Assembly never saw the light of day as amendments to the charter were made in 1976 replacing the Interim National Assembly with an Interim National Legislature (Interim Batasang Pambansa, IBP) (Catilo and Tapales, 1988: 151-152).

13. Instead of having the constitution ratified by a referendum, Marcos convened the ad hoc and loosely structured *barangay* (village) citizen assemblies where people were publicly asked to raise their hands in support of the Marcos Constitution.

The 1978 election for members of the IBP reactivated traditional political forces. The election was held under a system of region-wide voting districts in lieu of the single-member district system originally provided by the 1973 constitution (Kimura, 1997). However, the revival of electoral politics under the Marcos authoritarian regime greatly restricted genuine party competition (see Table 7). Marcos began to institutionalize one-party dominance with the organization of the New Society Movement (Kilusang Bagong Lipunan, KBL) in 1978 (Tancangco, 1988). The KBL was originally established as a coalition movement of members of the pre-martial law NP, LP and other political personalities who were supportive of Marcos' 'New Society'.<sup>14</sup> However, it simply revived the old clientelistic network that distributed patronage through local governments. On the other hand, various opposition groups in the country established new parties. However, most of these parties were organized as regional parties that fielded candidates for specific regions instead of a national constituency. The emergence of regional parties was an indication of the consolidation of the dictatorial regime and the splintering of opposition forces (Wurfel, 1988).

Table 7: Result of the 1978 Interim Batasang Pambansa Election

Region	KBL	Others	Total Assembly Seats
National Capital Region	21	-	21
I. Ilocos	14	-	14
II. Cagayan Valley	8	-	8
III. Central Luzon	16	-	16
IV. Southern Tagalog	21	-	21
V. Bicol	12	-	12
VI. Western Visayas	15	-	15
VII. Central Visayas	-	13 (Pusyong Bisaya)	13
VIII. Eastern Visayas	10	-	10
IX. Western Mindanao	8	-	8
X. Northern Mindanao	8	1 (Mindanao Alliance)	9
XI. Southern Mindanao	10	-	10
XII. Central Mindanao	7	1 (Konsensiya ng Bayan)	8
TOTAL	150	15	165

Source: COMELEC, 1978.

The KBL continued to dominate succeeding electoral exercises such as the 1980 local elections, the 1981 presidential election and the 1984 Regular Batasang Pambansa (National Legislature) elections.<sup>15</sup> The Marcos regime also

14. Marcos referred to his martial law regime as the 'New Society'.

15. Marcos terminated martial law on 17 January 1981 with Presidential Proclamation No. 2045. This was followed by the election of members to the Regular Batasang Pambansa on 2 May 1984, in accordance with the 1973 constitution, as amended. Unlike the Interim Batasang Pambansa whose existence was transitory, the Regular Batasang Pambansa was envisaged as serving as the institutional national legislature.

introduced *barangay* elections in 1982 to replace the pre-martial law *barrio* as the basic unit of local governance. In addition, elections were held in 1979 and 1982 for members of the autonomous Regional Assembly in Mindanao (Regions IX and XII) in an attempt to placate the separatist movement led by the Moro National Liberation Front (MNLF).

The Marcos regime allowed these electoral exercises to give itself a semblance of political legitimacy. However, it utilized its authoritarian powers to manipulate the electoral rules and institutions. For example, Presidential Decree No. 1296 (the election code that governed the conduct of the 1978 elections) allowed the block voting system which counts the vote for a party as a vote for all the individual candidates in the official ticket. The system gave the KBL undue advantage since it was the only party capable of mounting a nationwide campaign. In addition, the system was prone to electoral fraud since it was easier to stuff ballot boxes with pre-filled ballots (Tancangco, 1988: 96).

In the wake of the massive outpouring of protest and discontent following the assassination of opposition leader Benigno Aquino Jr. in August 1983, the leading opposition parties participated and performed relatively better in the May 1984 Batasang Pambansa elections (see Table 8). The opposition was led by the United Nationalist Democratic Organization (UNIDO) and the Partido Demokratiko Pilipino-Lakas ng Bayan (Philippine Democratic Party-People's Power, PDP-Laban). The 1984 Batasang Pambansa election was conducted under a multi-member, multiple-vote system in which district allocation of representation ranged from one to six representatives, depending on the number of registered voters in a given district. Each voter was given as many votes as there were members of parliament to be elected in the district. This system gave some room for the anti-Marcos segment of the elites to reconstruct their grass-roots machinery.

In an effort to again demonstrate his political legitimacy, Marcos called for a snap presidential election in 1985. Corazon C. Aquino, widow of the assassinated opposition leader, was the presidential candidate of the united opposition. Massive cheating by the administration triggered a failed military coup that led to a people's uprising at EDSA.<sup>16</sup> The ouster of the Marcos dictatorship in February 1986, and the subsequent dismantling of its authoritarian infrastructure have resulted in the restoration of formal democratic institutions that include the pre-martial law presidential form of government with a bicameral legislature.

16. Epifanio de los Santos or EDSA is the name of the major highway that cuts across metropolitan Manila. Two major camps are situated at the centre of this thoroughfare: Camp Aguinaldo, the headquarters of the Armed Forces of the Philippines, and Camp Crame, the headquarters of the Philippine National Police (formerly the Philippine Constabulary-Integrated National Police). These two camps were the primary location of the military-backed people's uprising that ousted the Marcos dictatorship in February 1986.

Table 8: Results of the 1984 Batasang Pambansa Election

<b>Administration</b>	<b>Seats</b>
KBL	110
KBL-Independents	4
<b>Total</b>	<b>114</b>
<b>Opposition</b>	<b>Seats</b>
United Nationalist Democratic Organization (UNIDO)	35
Coalitions*	17
Partido Demokratikong Pilipino-Lakas ng Bayan (PDP-Laban)	6
Mindanao Alliance (MA)	1
Partido Panaghiusa	1
CCA	1
<b>Total</b>	<b>61</b>
<b>Others</b>	<b>Seats</b>
NP	2
Independent	6
<b>Total</b>	<b>8</b>
<b>GRAND TOTAL</b>	<b>183</b>

Source: COMELEC, undated c.

\* Alliance among two or more national and/or local political parties.

## The Current System

Under the 1987 constitution, the president and the vice-president are separately elected by a direct vote of the people through simple plurality nationwide. Both serve a term of six years. The president is not eligible for any re-election while the vice-president sits one term out after serving for two successive terms. Since 1935, the Commission on Elections (COMELEC) has administered all electoral exercises in the Philippines.

The Philippine Congress consists of the Senate and the House of Representatives. Half of the 24 senators are nationally elected at large<sup>17</sup> every six years through simple plurality. At least one term out is imposed on senators who have served two consecutive terms. On the other hand, members of the House of Representatives are elected from single-member districts every three years. This electoral system, combined with a personalist party system, grossly over-represents the largest parties and excludes minor parties. The inclusion of proportional representation (implemented through a party-list ballot) for a small portion of the lower chamber is an attempt to shift the focus from personalities to political parties (Wurfel, 1997).

17. In Philippine legal jargon, 'at large' refers to election by plurality formula instead of proportional representation.

The 1991 Local Government Code provides for the election of local government officials. The governor, vice-governor, city mayor, city vice-mayor, municipal mayor, municipal vice-mayor and *punong barangay* (village head) are elected at large in their respective areas. Elections are conducted through simple plurality every three years. Likewise, members of the local legislative assemblies such as the provincial board, city and municipal councils are elected by district and plurality vote. However, members of the village assembly are elected at large in their respective areas. Representatives and local government officials are allowed a maximum of three consecutive terms before they can again seek re-election.

The constitution drafted under the Aquino administration provides for the development of a multi-party system under a presidential form of government. However, in spite of the emergence of several political parties in the post-Marcos era, these parties have been unable to transcend traditional modes of political contestation. Thus, they continue to be ineffectual in addressing the fundamental socio-economic issues plaguing Philippine society.

### *The 1987 Congress Elections*

The 1987 congressional election was the first free election in the Philippines since 1971. Eighty-four candidates vied for the Senate, while 1,899 contested the House seats. The majority consisted of an 'undecipherable mixture of pro-Aquino candidates endorsed by the coalition, by major parties ... or by several other minor parties or a combination thereof' (Wurfel, 1988: 319). There was a preponderance of 'fusion candidacy' or 'cross-endorsement' in which candidates received their nomination from more than one party. In other instances, political parties nominated more than one candidate in the same district (Kasuya, 2001b).

Since President Corazon C. Aquino refused to form her own political party, an assorted array of political parties who supported her candidacy in 1986 formed a coalition to carry the administration banner. The Lakas ng Bayan (People's Power) coalition was composed of the PDP-Laban, the LP, Lakas ng Bansa (Nation's Power, Lakas), UNIDO, National Union of Christian Democrats (NUCD) and the Bansang Nagkaisa sa Diwa at Layunin (Nation United in Spirit and Objective, BANDILA). The various personalities, ambitions and political dispositions that comprised the ruling coalition manifested themselves in internecine conflicts that underscored its fragility. The power struggle intensified as most politicians from UNIDO and other parties started shifting their allegiance to PDP-Laban, then perceived as the administration party.

There were three distinct opposition groups. The Grand Alliance for Democracy (GAD), led by former Defence Minister Juan Ponce Enrile, former Marcos cabinet men, KBL legislators and conservative pre-1986 opposition members who turned

against Aquino. The Union for Peace and Progress-Kilusang Bagong Lipunan (UPP-KBL), mostly composed of die-hard Marcos loyalists occupying the shell of the former monolithic party. Lastly, the Alliance for New Politics (ANP) was composed of the left-leaning Partido ng Bayan (Party of the Nation, PnB), Volunteers for Popular Democracy (VPD) and the Bagong Alyansang Makabayan (New Nationalist Alliance, Bayan).

The 1987 constitution revived the pre-martial law Senate. The electoral system for the Senate consists of plurality votes for one national constituency of 12 members elected every three years.<sup>18</sup> For the first election of a new batch of senators in 1987, each voter was given 24 votes. Both the Lakas ng Bayan coalition and GAD fielded complete slates of senatorial candidates. The pro-Marcos UPP-KBL had 17, while the left-leaning ANP supported seven candidates. The Lakas ng Bayan nearly swept the elections with 22 seats and captured 229,542,457 (61 per cent) of the 375,004,620 valid votes. The opposition GAD only managed to win 2 seats with 15,542,457 (4 per cent) of the votes (see Table 9).

Table 9: Representativeness (Senate)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
Lakas ng Bayan	243,431,395	64.9	22	92.0
GAD	99,754,162	26.6	2	8.0
KBL	16,356,441	4.4	0	0.0
PnB	8,532,855	2.3	0	0.0
Others	55,519	0.0	0	0.0
Independents	6,874,428	1.8	0	0.0
<b>Grand Total</b>	<b>375,004,800</b>	<b>100</b>	<b>24</b>	<b>100</b>

Source: COMELEC, undated d.

Most of the local politicians identified with the former dictator opted to run as independents or angled their way into one of the pro-Aquino parties. Seventy former members and associates of the KBL ran and won in the elections: 23 ran under administration parties, 28 under the opposition banner and 19 as independents (Soriano, 1987). The election saw an overwhelming victory for the ruling coalition, with an almost clean sweep in the upper house and a clear majority in the lower house. It also registered a high rate of turn-out with 22,739,284 (85.59 per cent) voters participating in the polls. Nonetheless, the total votes garnered by the entire membership of the 200-seat House of Representatives constitute a mere 34 per cent of the total votes cast. The fluidity

18. As provided for in the 1987 constitution, the 24 senators elected in 1987 served a term of five years. By 1992, the first 12 winners were given a term of six years, while the next 12 in ranking were given three years. Since 1995, 12 senators are elected every three years with a term of six years.



and transitional nature of the 1987 elections can be deemed from the large number of candidates (49 or 25 per cent) who won under multiple coalitional permutations (see Table 10).

One hundred and thirty-three representatives (66.5 per cent) elected in the Eighth House had previous electoral experience. Of this number, 43 (22 per cent) were former members of parliament elected in the 1984 Batasang Pambansa elections, and 29 (15 per cent) were candidates who ran and lost in the 1984 elections. Fifteen (7.5 per cent) were former members of the 1978 Interim Batasang Pambansa, and five had been candidates but had lost in the 1978 election. Thirty five (17.5 per cent) had been elected either as national legislators or local officials since 1971, and 30 (15 per cent) were elected in the 1980 local elections. In addition, 31 newly elected representatives in 1987 were relatives of traditional political families. Overall, 166 representatives (or 83 per cent of the total) were drawn from the ranks of the elite in Philippine society. In addition, the remaining 17 per cent of new entrants were not exactly non-elites since they also controlled significant economic interests (Gutierrez, Torrente and Narca, 1992).

Table 10: Representativeness (House)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
Coalitions/ Others*	2,648,719	13.2	55	27.5
PDP-Laban#	3,477,958	17.3	43	21.5
Lakas ng Bansa	3,510,638	17.5	24	12.0
Independent	2,660,894	13.2	23	12.0
UNIDO	2,570,876	12.8	19	10.0
LP	2,101,575	10.5	16	8.0
KBL	823,676	4.1	11	6.0
NP	1,444,399	7.2	4	2.0
GAD	268,156	1.3	2	1.0
PnB	328,215	1.6	2	0.0
Lakas ng Bayan	248,489	1.2	1	0.0
<b>Grand Total</b>	<b>20,083,595</b>	<b>100</b>	<b>200</b>	<b>100</b>

Source: COMELEC, undated d.

\* Includes 49 seats that ran under various coalitions and six minor parties.

# Includes 21 seats under the PDP-Laban/Lakas ng Bansa alliance.

Seeing the need to simplify the political equation in the House, and in preparation for the 1992 elections, pro-administration politicians led by Speaker Ramon Mitra Jr. pushed a plan to merge all political parties and groups supporting the Aquino administration into a single party similar to the KBL (Lustre, 1991: 12). To pave the way for this merger, an alliance for the 1988 local elections was

forged between the two parties headed by presidential relatives – the PDP-Laban and LnB. The alliance fielded a common slate in 53 out of 75 provinces. These included politicians formerly affiliated with the KBL. The machinery built around the traditional leadership networks in the provinces and regions by the former dictator may have been dismantled, but the Marcos political leaders have preserved their enormous influence at the local level.

### *The 1988 Local Elections*

The 1988 local election was considered to be another step towards the consolidation of state powers by the Aquino administration. Out of 20.5 million registered voters, 80 per cent participated in the election. A total of 150,000 candidates vied for 15,946 local seats that included provincial governorship, city and municipal mayoralty, and membership in provincial, city and municipal legislative assemblies (Patricio, 1988; de Jesus 1988a). The exercise, however, reinforced the traditional nature of politics in the Philippines. Voters in the urban areas elected candidates with familiar names, while those in the rural areas supported their relatives and friends. The election also saw the emergence of 'show business' candidates as a force to be reckoned with in the electoral arena (de Jesus, 1988b: 1, 9).

According to COMELEC records, pro-administration candidates won a total of 9,630 seats, broken down into Lakas ng Bansa 2,134; PDP-Laban 2,959; LP 1,259; UNIDO 591; and coalitions 2,634. The opposition parties won a total of 1,061 seats composed of NP 583; KBL 151; GAD 1; Partido ng Bayan 17; and coalitions 309. Those who ran as independents or under local and regional parties won a total of 5,255 seats. The lack of discipline among various political parties was evident in the declaration of 'open zones' in which members supported candidates that were independent or belonging to another party. One example is the alliance between the PDP-Laban and the Lakas ng Bansa which fielded a common ticket in 53 out of 75 provinces.<sup>19</sup> The alliance became the core of the Laban ng Demokratikong Pilipino.

The Laban ng Demokratikong Pilipino (LDP) was organized in 1988 as a merger of all political parties and groups supporting the Aquino administration. Between 1988 and 1991, its membership in the lower house grew to 154. Out of the 147 representatives who ran under several pro-administration parties, alliances and coalitions, the LDP was able to recruit 123. And 17 out of 30 elected opposition members affiliated themselves with the new party. Ironically, these included the two congressional representatives elected under the banner of the left-leaning PnB. Seventeen independent solons<sup>20</sup> also joined the LDP.

19. Relatives of President Aquino headed both parties at that time. Her brother, Representative Jose Cojuangco, headed the PDP-Laban, while her brother-in-law, Paul Aquino, headed the LnB.

20. In Philippine journalistic parlance, 'solons' are legislators/politicians, a name derived from the ancient Greek legislator Solon.

The party also recruited four sectoral representatives appointed to Congress, bringing its total strength to 158.<sup>21</sup>

### *The 1992 Synchronized Elections*

The 1992 election was the first synchronized election under the 1987 constitution. Thus presidential, congressional and local elections were held simultaneously. There were 87,770 national and local candidates for 17,282 positions. The election again registered a high turn-out as 24,254,954 (75.46 per cent) out of a total 32,141,079 went to the polls. The 1992 election was also the first free and open presidential election since 1969. There were seven presidential contenders; relatively new political parties supported all except for three. The NP, after breaking up into three factions, supported Vice-president Salvador Laurel. The LP, after suffering from mass defections and financial troubles, allied itself with the remnants of Senator Aquilino Pimentel's PDP-Laban and fielded Senator Jovito Salonga. The moribund KBL fielded former First Lady Imelda Marcos. The LDP supported Speaker Ramon Mitra. The Nationalist People's Coalition (NPC), composed of various defectors from other parties, teamed-up with Senator Joseph Estrada's Partido ng Masang Pilipino (Party of the Philippine Masses, PMP) and fielded former Ambassador Eduardo Cojuangco. The Lakas-NUCD-UMDP coalition became the final vehicle for former Defence Secretary Ramos. The People's Reform Party (PRP), heavily supported by student volunteers, fielded former Secretary of Agrarian Reform Miriam Defensor-Santiago. With the endorsement of President Aquino and support of government resources, Ramos emerged as the winner, albeit with a slim plurality (see Table 11).

Table 11: Result of the 1992 Presidential Election

<b>Candidate</b>	<b>Party</b>	<b>Votes</b>	<b>%</b>
Fidel V. Ramos	Lakas-NUCD-UMDP	5,342,521	23.6
Miriam Defensor Santiago	PRP	4,468,173	19.7
Eduardo Cojuangco	NPC	4,116,376	18.2
Ramon Mitra	LDP	3,316,661	14.6
Imelda Romualdez Marcos	KBL	2,338,294	10.3
Jovito Salonga	LP	2,302,124	10.2
Salvador H. Laurel	NP	770,046	3.4

Source: COMELEC, 1992.

21. Section 7 of article XVIII of the 1987 constitution states, 'the President may fill by appointment from a list of nominees by the respective sectors the seats reserved for the sectoral representatives'. Section 5 (2) of article VI of the constitution refers to sectors as 'labor, peasant, urban poor, indigenous cultural communities, women, youth and such other sectors as may be provided by law except the religious sector'. Before 1998, half of the seats (25) allocated for the party-list system could be filled-up by the president according to sectoral representation (Agra, 1997b).

The simultaneous election of presidential, congressional and local officials has introduced new variables in Philippine party politics. The election saw the emergence of new parties, alliances and coalitions that fielded a multitude of candidates for various governmental positions. There were 152 candidates for the Senate in 1992. All the major parties fielded complete slates of 24 candidates, except the NP with 23 and the PRP with 16. The election resulted in the LDP winning 16 seats, the NPC five, Lakas-NUCD two and LP-PDP-Laban one.<sup>22</sup>

Table 12: Representation Performance Senate (1992)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
LDP	124,399,291	45.0	16	66.7
NPC	48,956,459	17.7	5	20.8
Lakas-NUCD-UMDP	48,658,631	17.6	2	8.3
LP-PDP-Laban	19,158,013	6.9	1	4.2
NP	14,499,923	5.2	0	0.0
KBL	12,691,686	4.6	0	0.0
PRP	6,141,565	2.2	0	0.0
PMP	1,423,994	0.5	0	0.0
Independents	515,927	0.2	0	0.0
<b>Grand Total</b>	<b>276,445,489</b>	<b>100</b>	<b>24</b>	<b>100</b>

Source: COMELEC, 1992.

The total votes garnered by the winning candidates for the lower house translates to 39 per cent of the total votes cast. The strongest legislative party was the LDP with 86 elected members, followed by the Lakas-NUCD-UMDP with 40 seats, and the NPC with 30 seats (see Table 13). These three parties emerged as the most dominant in succeeding elections in the post-Marcos period.

The Lakas-NUCD-UMDP party was hastily organized for the 1992 election, after Defence Secretary Fidel Ramos lost the LDP presidential nomination to House Speaker Mitra. It was a merger of the newly formed Lakas ng EDSA (not to be confused with the Lakas ng Bansa) and the older National Union of Christian Democrats-Union of Muslim Democrats of the Philippines (NUCD-UMDP) founded in 1984. From an original 40 elected members, it was able to expand to 119 after Ramos won the presidency. Out of the 104 re-elected members of the House, 88 were former LDP members in the Eighth House. After the 1992 election, the LDP lost 58 more members to Lakas, which successfully elected party stalwart Jose de Venecia Jr. (a former LDP member) as speaker of

22. While the Commission of Elections reported the total number of registered voters at 32,105,782, it did not provide the number of valid votes for the 1992 senatorial election. Hence, it is difficult to compute the indicators employed in the chapter's first section. For a detailed discussion of the pitfalls of utilizing COMELEC records and statistics, see Hartmann, Hassall and Santos, 2001.

the house. Thus, from being the party with the most number of elected members, it slipped to third place with 25 remaining members. Formerly the major administration party under the Aquino administration, the LDP found itself as the opposition in the Ramos administration, deprived of access to patronage.

Table 13: Representativeness (House)

Political Party	Votes		Seats		Difference (%)
	Total	Share (%)	Seats	Share (%)	
LDP	6,286,922	33.7	86	43.2	9.5
Lakas-NUCD-UMDP	3,951,144	21.2	40	20.1	1.1
NPC	3,478,780	18.7	30	15.1	3.6
Coalitions*	679,411	3.6	14	7.0	3.4
LP-PDP-Laban#	1,644,568	8.8	11	5.5	3.3
NP	730,696	3.9	7	3.5	0.4
Independents	938,558	5.0	6	3.0	2.0
KBL	438,577	2.4	3	1.5	0.9
Others	491,970	2.6	2	1.0	1.6
Grand Total	18,640,626	100	199	100	25.8

Source: COMELEC, 1992.

\* Alliance among two or more national and/or local political parties.

# LP and PDP-Laban formed a national coalition in support of a common presidential and senatorial slate.

The NPC was organized as a vehicle for the presidential candidacy of close Marcos ally Ambassador Eduardo Cojuangco. It was composed of a splinter of the NP, remnants of the KBL and defectors from other parties. After the election, the NPC entered into a coalition with the ruling Lakas-NUCD-UMDP in the House of Representatives to support Speaker De Venecia.

Of the representatives who were elected in 1992 to the Ninth House, 145 belonged to political families. Out of these, 30 (15 per cent) were third- or fourth-generation politicians. At least 64 representatives (32 per cent) were children of prominent political figures. In addition, 23 representatives had spouses who occupied, once occupied or contested important government positions; and 46 members (23 per cent) had brothers and/or sisters active in politics. The dominance of political clans was expanded with 58 representatives having uncles, nieces, nephews and cousins who held or once held public office, and 33 who had married into political families or who had in-laws in public office. Altogether, only 54 representatives (27 per cent) had no close relatives in politics (Gutierrez, 1994: 17-24).

### *The 1995 Congress Elections*

In preparation for the next round of elections, an alliance between the administration and opposition parties was formalized with the formation of

the Lakas-Laban coalition. The coalition fielded a common slate of 12 candidates. The NPC supported a token slate of ten candidates. The PRP had two candidates. Overall, there were 28 candidates. The Lakas-Laban coalition won ten seats with 97,920,251 (54 per cent) out of the 180,361,231 valid votes counted. The PRP got two seats with 18,435,847 (10 per cent), and the NPC secured one seat with 8,700,278 (5 per cent).

Table 14: Representativeness (Senate)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
Lakas-Laban coalition*	123,678,255	68.6	10	83.0
PRP	19,619,923	10.9	2	16.0
NPC	28,452,737	15.8	1	1.0
KBL	8,168,768	4.5	0	0.0
Others	441,548	0.2	0	0.0
Grand total	180,361,231	100	13	100

Sources: COMELEC, undated f; Hartmann, Hassall and Santos, 2001.  
 \* The Lakas-NUCD-UMDP and the LDP formed a national coalition.

Table 15: Representativeness (House)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
Lakas-NUCD-UMDP	7,811,625	40.7	100	49.0
Lakas-Laban coalition*	1,998,810	10.4	25	12.3
NPC	2,342,378	12.2	22	10.8
LDP	2,079,611	10.8	17	8.3
Government coalition	923,731	4.8	9	4.4
LP	358,245	1.9	5	2.5
PDP-Laban	130,365	0.7	1	0.5
NP	153,088	0.8	1	0.5
KBL	183,256	1.0	1	0.5
PMP	171,454	0.9	1	0.5
Opposition coalition	306,064	1.6	1	0.5
People's Reform Party	171,454	0.9	0	0.0
Hybrid Coalitions	989,723	5.2	0	0.0
Others	274,845	1.4	14	6.9
Independents	1,386,007	7.2	7	3.4
Grand Total	19,280,656	100	204	100

Sources: COMELEC, undated f; Hartmann, Hassall and Santos, 2001.  
 \* The Lakas-NUCD-UMDP and the LDP formed a national coalition.  
 # Alliance between two or more national and/or local political parties.

By the time the Tenth House was convened after the 1995 election, Lakas had completely consolidated its hold over the lower chamber (see Table 15).

The turn-out for the mid-term election was 25,736,505 (70.66 per cent). One hundred and fifty-one House members were successfully re-elected, 82 of whom were on their third term. Eighty seven of those re-elected won in 1992 and 1995 under different political parties and of those 80 had transferred to the Lakas-NUCD-UMDP. Fifty-one of the 80 who converted to the administration party were former members of the LDP (Querijero, 1997).

### *The 1998 Synchronized Elections*

The second synchronized election was held in 1998. The exercise registered the highest turn-out since 1987, with 29,285,775 (86.46 per cent) out of 33,873,665 voting at the polls. A large number of politicians filed their candidacies under the ruling Lakas-NUCD-UMDP. In some areas, two or more Lakas candidates competed against each other. However, most of them affiliated themselves with Lakas to gain campaign financing, while secretly supporting the presidential candidacy of Vice-president Joseph Estrada of the opposition Laban ng Makabayang Masang Pilipino (Struggle of the Nationalist Pilipino Masses, LAMMP). This largely contributed to the defeat of Lakas presidential candidate Speaker Jose de Venecia Jr. LAMMP was a coalition of the LDP, PMP and NPC. The election also saw the emergence of three minor parties: the Partido para sa Demokratikong Reporma-Lapiang Manggagawa (Party for Democratic Reforms-Worker's Party, Reporma-LM), Probinsya Muna Development Initiatives (Provinces First Development Initiative, PROMDI), and Aksyon Demokratiko (Democratic Action).<sup>23</sup> It is also worth noting that aside from the LAMMP coalition, no other multiple alliances were forged as in previous electoral exercises.

The election saw an unprecedented number of presidential candidates. Established and newly formed political parties fielded ten candidates. These included Speaker Jose de Venecia Jr. (Lakas-NUCD-UMDP), Vice-president Joseph Estrada (LAMMP), Senator Raul Roco (Aksyon Demokratiko), former Governor Emilio Osmeña (PROMDI), Mayor Alfredo Lim (LP), Defence Secretary Renato de Villa (Reporma-LM), Senator Miriam Defensor-Santiago (PRP), Senator Juan Ponce Enrile (Independent), Santiago Dumlao (Kilusan Para sa Pambansang Pagbabago [National Renewal Movement, KPP]) and Manuel Morato (Partido ng Bansang Marangal [Party for a Dignified Nation]). The election resulted in the victory of Vice-president Joseph Estrada with 10,722,295 (39.9 per cent) of the votes (see Table 16).<sup>24</sup>

23. Another new party, the KPP, fielded a presidential ticket (see next paragraph) and five candidates for the Senate.

24. Joseph E. Estrada was a popular movie actor who served as town mayor and senator before being elected as vice-president in 1992.

Table 16: Results of the 1998 Presidential Election

<b>Presidential Candidate</b>	<b>Party</b>	<b>Votes</b>	<b>%</b>
Joseph E. Estrada	LAMMP*	10,722,295	39.9
Jose C. de Venecia Jr.	Lakas-NUCD-UMDP	4,268,483	15.9
Raul S. Roco	Aksyon Demokratiko	3,720,212	13.8
Emilio R. Osmeña	PROMDI	3,347,631	12.4
Alfredo S. Lim	LP	2,344,362	8.7
Renato S. de Villa	Reporma-LM	1,308,352	4.9
Miriam Defensor Santiago	PRP	797,206	3.0
Juan Ponce Enrile	Independent	343,139	1.3
Santiago F. Dumlao	KPP	32,212	0.1
Manuel L. Morato	Partido ng Bansang Marangal	18,644	0.1

Sources: COMELEC, undated g.

\* LAMMP was a coalition of the LDP, NPC and PMP.

Forty candidates contested the 1998 senatorial election. Among the candidates were four incumbent senators running for re-election, three former senators, ten incumbent representatives, seven former cabinet members, one former governor, one former city mayor and 14 prominent personalities. The two major parties, Lakas and LAMMP, fielded complete slates of 12 candidates. The LP supported only two candidates. Among the new parties, only Reporma-LM fielded a senatorial slate with eight candidates. The LAMMP coalition won seven seats, while Lakas-NUCD-UMDP captured five (see Table 17).

Table 17: Representativeness (Senate)

<b>Political Party</b>	<b>Votes</b>		<b>Seats</b>	
	<b>Total</b>	<b>Share (%)</b>	<b>Seats</b>	<b>Share (%)</b>
LAMMP	91,473,870	44.3	7	58.3
Lakas-NUCD-UMDP	93,847,018	45.5	5	41.7
Reporma-LM	13,313,669	6.5	0	0.0
Liberal Party	5,454,146	2.6	0	0.0
KPP	1,805,270	0.9	0	0.0
Others	354,561	0.2	0	0.0
Grand Total	206,248,534	100	12	100

Sources: COMELEC, undated g; Hartmann, Hassall and Santos, 2001.

Nonetheless, the 1998 electoral competition was more defined between two major political groups – the administration Lakas and the opposition coalition LAMMP. The votes cast for the winning legislative candidates of both parties constituted 43 per cent of the total votes cast. Both parties captured 85 per cent of the total house seats, with Lakas winning 110 and LAMMP gaining 67 (see Table 16). The Liberal Party performed as a minor third party with 15 seats.



Table 18: Representativeness (House)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
Lakas-NUCD-UMDP	11,981,024	49.0	111	53.9
LAMMP	6,520,744	26.7	55	27.0
LP	1,773,124	7.3	15	7.3
NPC	998,239	4.1	9	4.4
Reporma-LM	966,653	4.0	4	2.0
PROMDI	586,954	2.3	4	2.0
Aksyon Demokratiko	106,843	0.4	1	0.5
PDP-Laban	134,331	0.5	0	0.0
OMPIA	46,462	0.2	1	0.5
Others	495,090	2.0	4	2.0
Independents	834,934	3.4	2	0.1
Grand Total	24,444,398	100	206	100

Source: COMELEC, undated g.

\* LAMMP was a coalition of the LDP, NPC and PMP.

After the election, LAMMP was reorganized into Laban ng Masang Pilipino (LAMP) and emerged as the new dominant party after the presidential victory of its candidate Joseph Estrada. Lakas suffered the same fate as its predecessor, the LDP, in the lower house. In spite of capturing the most house seats, its numbers quickly dwindled as members defected to the new administration party. The membership of LAMP swelled and the party was able to elect Manuel Villar (a former Lakas member) as the new speaker. Other political parties suffered defections as well.

Eighty-two members of the Tenth House were on their third term. Close relatives replaced 34 of them in the Eleventh House. Of this number, 17 were replaced by their children, nine by their wives, three by their brothers, three by their nephews, one by his cousin, and one by his father. An additional 30 of the first term representatives were related to legislators who had served in the various incarnations of Congress. Thus, a total of 64 (48 per cent) of the 130 first-term representatives were members of political families. Ten candidates who stood for election in a relative's district lost in their bid. These included four sons, three wives, one brother, one niece and one brother-in-law.

In a reflection of the weak governance of the Estrada administration, LAMP failed to consolidate itself into an administration party. Meanwhile, the Estrada administration was plagued by scandals and controversies that resulted in an erosion of public confidence. The loose coalition was shattered after the ouster

of President Estrada in a People Power uprising in 2001.<sup>25</sup>

### *The 2001 Congress Elections*

The 2001 mid-term election was held in a highly charged political atmosphere after the sudden fall of the Estrada administration. The Arroyo administration fielded a coalition of all the parties and personalities that had participated in the struggle against President Estrada. The People Power Coalition (PPC) was composed of the Lakas-NUCD-UMDP, Reporma-LM, Aksyon Demokratiko, PROMDI, LP and the PDP-Laban. The PPC fielded a senatorial slate of 13 candidates, and supported a number of congressional and local candidates.<sup>26</sup> The PPC senatorial slate was composed of key players in the impeachment trial and ouster of President Estrada. It comprised four senators who had been re-elected, including the former Senate president, four representatives, including the former house speaker, one provincial governor and four representatives from civil society organizations.

On the other hand, LAMP was dissolved when the NPC distanced itself from the fallen president. Thus, the LDP together with remnants of the PMP formed the core of a loose opposition alliance called the *Pwersa ng Masa* (PnM or Force of the Masses). The opposition fielded a slate composed of former First Lady Luisa Estrada, three re-elected candidates, three former senators, the former chief of the Philippine National Police, two local politicians, a talk show host and a socialite. The opposition also adopted the independent candidacy of popular newscaster Noli de Castro.<sup>27</sup>

The election campaign was marred by violence as supporters of former President Estrada rioted on 1 May 2001 in their own version of a people power uprising. The upheaval was triggered by the arrest of the former president. Estrada's strong and continuing support from the poor masses was translated into the victory of five PnM candidates, including the former first lady. The administration PPC captured eight seats (see Table 19).

For the lower house elections, the Lakas-NUCD-UMDP reasserted itself as the country's dominant political group with 73 seats. The NPC did not field a candidate for the Senate, and concentrated on local contests, thus winning 40

25. President Estrada was the first Philippine president to be impeached by Congress after allegations were made that he had amassed billions of pesos from an illegal numbers game. The Senate, with the supreme court chief justice presiding, conducted the trial in December 2000. On 16 January 2001, the majority of pro-administration senators voted to prevent the opening of bank records that would implicate the president. The impeachment trial was scuttled as scores of people massed in protest at the historic EDSA shrine. On 19 January, the military and national police withdrew their support from Estrada and Vice-president Gloria Macapagal Arroyo was installed as president.

26. The thirteenth senatorial slot was intended to continue the unfinished term (three years) of Senator Teofisto Guingona, who was selected as vice-president.

27. Although he barely campaigned with the opposition, he topped the senatorial elections with 16,237,386 votes. He accomplished this without the support of an established political party or national machinery, relying instead on his popularity and the powerful radio and television network ABS-CBN. Upon assuming his Senate seat, he joined the majority coalition.

seats. The LDP won 21 seats, while the LP got 19 seats (see Table 20). Upon the opening of the Twelfth Congress, the NPC entered into an alliance with the Lakas-led administration majority to re-elect Jose de Venecia as speaker of the house.

Table 19: Representativeness (Senate)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
PPC*	123,479,617	50.8	8	61.5
PnM#	111,309,500	45.8	5	38.5
Others	2,147,390	0.9	0	0.0
Independents	6,081,446	2.5	0	0.0
Grand Total	243,017,953	100	13	100

Source: COMELEC, 2001c.

\* Government coalition composed of Lakas-NUCD-UMDP, LP, Reporma-LM, Aksyon Demokratiko, PROMDI and PDP-Laban.

# Opposition coalition largely composed of LDP and remnants of LAMMP.

Ninety of the 205 elected representatives are serving their first term. However, 26 of these first-term legislators return to the House after having served the one-term constitutional ban on three-term legislators. In effect '105 of the current representatives are holdovers from the last one. Altogether, 135 or two of very three House members have held a seat in past Congresses' (Datinguinoo and Olarte, 2001: 19).

Table 20: Representativeness (House)

Political Party	Votes		Seats	
	Total	Share	Seats	Share (%)
Lakas NUCD-UMDP	N/A*	-	73	35.6
NPC		-	40	19.5
LDP		-	21	10.2
LP		-	19	9.2
Reporma-LM		-	3	1.5
PROMDI		-	3	1.5
Aksyon Demokratiko		-	2	1.0
PMP		-	2	1.0
PDP-Laban		-	1	0.5
Partido Demokratiko Sosyalista ng Pilipinas		-	1	0.5
Not indicated		-	20	9.8
Others		-	12	5.9
Independents		-	8	3.9
Grand Total		-	205	100

Source: COMELEC, 2001c.

\* At the time of writing, the Commission of Elections had not yet released the Official Report of the 2001 Congressional Elections.

## Performance of the Current Electoral System

Elections perform two central functions in a political system: (1) they represent the political will of the voters; and (2) they integrate the people through the formation of political parties that bring about majorities. The representativeness of an electoral system can be determined by the degree of proportionality in which votes are translated into parliamentary seats. On the other hand, the integration effect of an electoral system can be estimated by how much it promotes the efficient formation of government.<sup>28</sup> These effects of an electoral system can be empirically documented by the ratio between votes and seats. Consequently, the ramifications of the electoral system on votes/seat ratio 'leads to the formulation of certain assumptions about the political consequences of electoral systems which have a bearing on the process of formation of political intent, the party system, and the political process in general' (Nohlen, 1984).

Overall, the representation performance of the post-Marcos electoral system, as reflected by the  $E_{rep}$  (ELECTION<sub>representativeness</sub>) index, has indicated a rising level of proportionality and representativeness. In the House of Representatives, this is largely a result of the 'first-past-the-post' competition of multiple parties in single-seat districts, such that less than half the total votes cast for the membership of the lower house is translated into political mandates. Among the advantages traditionally attributed to the 'first-past-the-post' system is the promotion of political integration and party concentration, given its inherent tendency towards the formation of a two-party system. However, this characteristic is obscured by the hybrid of a multi-party system and presidentialism under the 1987 constitution. Nonetheless, there has been a gradual increase in the  $E_{rep}$  index from 79.7 in 1987 to 94.0 in 1998, reflecting the stabilization of the party system around four political parties (Lakas-NUCD-UMDP, NPC, LDP and LP). As party affiliation becomes more defined, the total share of votes translated into mandates increases. The total  $E_{rep}$  average for four elections (excluding 2001) is 86.2. The trend is replicated in the multi-member national Senate in which each voter is given as many votes as there are seats to be filled in the upper chamber. The  $E_{rep}$  index for the Senate increased from 78.2 in 1987 to 89.3 in 2001. The average for four elections (excluding 1992) is 83.5 (see Table 21).

As regards the formation of majorities, the indicator  $E_{rep1}$  (ELECTION<sub>representativeness + 1st Strongest Party</sub>) measures the over-representation of the strongest party (for the first or only legislative chamber) within the context of the general proportionality of an electoral system' (see the final chapter by Aurel Croissant). Post-Marcos elections have scored high in the  $E_{rep1}$  index, except in 1987 when numerous permutations of loose alliances and coalitions outnumbered the votes and seats won by the strongest party (PDP-Laban). The strongest party in 1992 was the LDP, while Lakas-NUCD-UMDP dominated the 1995, 1998 and 2001

28. See the chapter on South Korea by Aurel Croissant (also Croissant, 2002).

congressional elections. A substantial disproportion can be observed in the ratio between votes and seats obtained by the strongest parties in these elections. Thus the LDP with a mere 33.7 per cent of the total votes cast in 1992 managed to capture 43.2 per cent of the House seats. The index  $E_{\text{repl}} - E_{\text{rep}}$  indicates the reward of mandates that is given to the strongest party. However, the over-representation of these parties did not contribute much to integration or majority-building in the House of Representatives.<sup>29</sup>

Table 21: Average Representation Performance, 1987-2001

Year	$E_{\text{rep}}$		$E_{\text{repl}}$		$E_{\text{repl}} - E_{\text{rep}}$	
	House	Senate	House	Senate	House	Senate
1987	79.7	78.2	92.9	84.5	13.2	6.3
1992	87.1	71.1	95.3	89.2	8.2	18.1
1995	84.0	80.5	96.0	92.8	12.0	12.3
1998	94.0	86.0	98.0	93.0	4.0	7.0
2001	No data	89.3	No data	94.7	No data	5.4
<b>Average</b>	<b>86.2</b>	<b>81.02</b>	<b>97.05</b>	<b>90.84</b>	<b>10.6</b>	<b>9.8</b>

Under the presidential form of government, legislative elections do not have a direct effect on the formation of government. The Philippines has a tradition of strong presidential influence over the House of Representatives that encourages party switching and political turncoatism. There are two types of political party that most Filipino *politicos* affiliate with: one during the electoral period and another when serving their term of office.

This is most evident in the membership of the House of Representatives, where the LDP was dominant during the Eighth Congress (1987-1992). In spite of winning the most number of seats in the Ninth Congress (1992-1995), its failure to capture the presidency resulted in its rank being raided by the new administration party – the Lakas-NUCD-UMDP. By the Tenth Congress (1995-1998), the Lakas had transformed itself into a behemoth, not unlike its predecessors, the KBL and LDP. Lakas suffered the same fate as its predecessor, the LDP, in the Eleventh Congress (1998-2001). In spite of capturing the most house seats, its numbers quickly dwindled as members defected to LAMP. Lakas-NUCD-UMDP has regained its dominant status in the Twelfth Congress, particularly in the House of Representatives, since the May 2001 elections.

29. The situation is much more complicated in the Senate in which party affiliation and loyalty are extremely fluid. Political parties are usually temporary vehicles for getting elected. Given their national mandate, senators often act as 'little presidents' totally independent from their political parties. The Senate is often organized around multi-party alliances revolving around the Senate president and committee chairmanships.

## The Electoral System and Democratic Development

Essentially, 'an election is a procedure by which members of communities and/or organizations choose persons to hold an office' (Nohlen, 1984). It is a technique of rendering authority and/or creating representative bodies. Elections are often linked to the idea of democratic representation. Therefore, 'an election is a device for filling an office or posts through choices made by a designated body of people, the electorate' (Heywood, 2000: 199). This does not, however, discount the holding of semi-competitive or non-competitive elections.

In the Philippines, elections have historically served to legitimize the government and perpetuate elite rule. As de Quiros (1992:12) notes, 'elections were the "equilibrating" mechanism, although their ability to equilibrate society under the combined weight of mass restiveness and competing claims to power by various power blocs would diminish in time'. Consequently, the quality of democratic representation has suffered from this anomaly.

The standard approach to analysing Filipino electoral and party politics has been to view power relations within the context of the patron-client factional (PCF) framework. Popularized by Carl Lande (1965), the PCF posited that social relations in the Philippines are not structured by organized interest groups or individuals who perceive themselves to be part of a specific social class as in Western democracies. What exists is a network of mutual aid relationships between pairs of individuals that he called 'dyadic ties'. The dyadic ties present in Philippine politics are vertical and unequal, binding prosperous patrons who dispense material goods and services to dependent clients who recompense with their support and loyalty.

Through the years, the PCF framework has been heavily criticized since it tends to reify if not valorize reciprocity, smooth interpersonal relationships, kinship and fictive kinship bonds (Kerkvliet, 1995). Modifications of the PCF thesis were manifested in the concept of political machines. Machado (1974) and Kimura (1997) posited that the potency of the kinship system as an instrument of patronage had diminished and has been replaced with the emergence of machine politics.

An opposite view of reciprocity of the PCF underscores the concept of conflict, command, coercion and even violence. Various scholars have applied various terms, such as 'caciquism' (Anderson, 1988), 'sultanism' (Snyder, 1998), 'neopatrimonialism' (Snyder, 1992) and 'bossism' (Sidel, 1999). This view of Philippine politics is widely known as 'warlordism'. While warlordism and political violence have been both integral and recurring characteristics of local politics in the Philippines, these are not necessarily representative of the nature of local politics in the country. There are still some warlords firmly secured in

their fiefdoms, but many have also been dislodged both peacefully and violently.<sup>30</sup>

Most literature on Philippine elections tends to portray the electorate as passive spectators malleable to the machinations of elite politicians. Even a recent study that claims to view the 'lifeworld' of a local community treats elections as a 'political ritual' such that the ordinary voter 'remains the unthinking dupe of the ideology of patronage and clientelism' (Alejo et al., 1996: 66). However, despite the identified flaws in the electoral system, empirical data tends to show that 'the typical Filipino voter, although cognisant of the stresses caused by poverty, is idealistic, conscientious, and responsible' (Mangahas, 1994:18). Based on surveys of public opinion taken by the Social Weathers Station (SWS) since 1985, this gives a strong basis to conclude that Filipinos have a sustained preference for democracy and have internalized democratic values amid occasional challenges by anti-democratic forces. Thus, there is a firm belief among leaders and the electorate that political leaders should be chosen through regular, fair and honest elections (Abueva, 1997: 23).

### *The Party System*

Section 6, article IX C of the 1987 constitution states that '[a] free and open party system shall be allowed to evolve according to the free choice of the people, subject to the provisions of this Article'. This provision provides the constitutional basis for the shift from a two-party system to a multi-party system under a presidential form of government. Under the previous and long-standing election rule, only two individuals, each representing the two major parties were allowed to be members of the precinct Board of Election Inspectors. Currently, all registered political parties may appoint poll-watchers, albeit with reduced powers, with the new procedures following the multi-party provision of the constitution (Lande, 1996).

Some political scientists have traditionally viewed the two-party system as an outgrowth of local factionalism that constitutes the organizational base for national parties. Factions consist of vertical and unequal ties that bind prosperous patrons, who dispense material goods and services, with dependent clients who recompense with their support and loyalty. The pre-martial law two-party system was anchored on the preponderance of bifactionalism in local areas, which allowed for only two national parties (Lande, 1965: 156). A

30. There has been renewed interest in the study of the role of the family in Philippine politics. The Institute for Popular Democracy (IPD) initiated this trend in a series of publications (Gutierrez, Torrente and Narca, 1992; Gutierrez, 1994). Recognizing the inherent limitations of pure class analysis and party politics in accounting for the continued dominance of the country's political elites, these works assert the central role of the clans as building blocks for both local and national politics. The objective is to understand the major obstacle to democratization and eventually formulate a strategy for progressive forces in engaging such an obstacle. The volume edited by Alfred McCoy (1994) is the first major academic compilation on political clans outside the IPD series. Culling innovative research works by Filipino, American and Australian scholars, the volume aims to fill in the wide gap in Filipino family historiography.

more recent study posits that elite-dominated factions and their bifurcated inter-familial rivalries have been replaced by local political machines geared towards multifactionalism and characterized by the alliance of factions into temporary blocs. This trend is further reinforced by the breakdown of the two-party system and the emergence of a multi-party system (Kimura, 1997).

The inherent weakness of the state forces it to rely on the support of local politicians for governance. Unlike in the pre-martial law period when local politicians were largely independent and influential in determining the outcome of national contests, the erosion of kinship and personalistic relations in rural areas and the rise of urbanized, contractual and machine-based politics have made it difficult for local *politicos* to maintain their predominant role. Multifactionalism and the multi-party system have made local politics more intense, thus local *politicos* must have access to state resources to accumulate private funds, surplus and pork barrel funds. Access to state resources has become a way of funding electoral campaigns. Thus, local politicians find it necessary to affiliate with the administration party.

The pre-war NP was able maintain its dominance except for two interludes in 1922 and 1934, when its leaders Manuel Quezon and Sergio Osmeña struggled for pre-eminence. Ferdinand Marcos' experiment with authoritarianism was facilitated by the use of his extraordinary powers to coax local politicians into his KBL. The emergence of the LDP, the Lakas-NUCD-UMDP and the LAMP in the post-Marcos period is but a continuation of this trend. While turncoatism encourages the emergence of dominant parties, it is also the major factor responsible for its eventual decline. However, questions have been raised regarding the emergence of new parties formed by leaders with no local factional links (i.e. Lakas-NUCD-UMDP by former Defence Secretary Fidel Ramos and Reporma-LM by former Defence Secretary Renato de Villa). In addition, most of these new parties were formed to contest the presidency. This was the case with the Lakas-NUCD-UMDP, LDP and NPC in 1992; and the Reporma-LM, PROMDI and Aksyon Demokratiko in 1998. These observations give rise to the assertion that there is a connection between the increase of legislative parties with the rise of viable presidential candidates (Kasuya, 2001a).

Cognisant of the elitist nature of Philippine democracy, the framers of the 1987 constitution introduced provisions designed to widen the democratic space and allow for greater participation of other sectors in Philippine society. These provisions include the banning of political dynasties, the introduction of term limits and recall elections, and the institutionalization of a party-list system for marginalized sectors. Yet, the political elites have managed to masterfully work around these provisions through adaptation and the effective use of their political resources.



### *Political Dynasties and Recall Elections*

Philippine history has long been characterized by the durability and resilience of political clans and dynasties. Section 26, article II of the constitution asserts: 'The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as defined by law'. Political dynasties refer to clans and families who hold multiple elective and/or appointive positions in government. It is also used primarily to describe politically active clans and families that have bequeathed power from one generation to another. Unfortunately, the clan-dominated Congress has failed to enact the anti-dynasty provision of the constitution.

Recognizing the need to widen the narrow avenue for political representation in the Philippines, the framers of the 1987 constitution introduced provisions for term limits. Term limits seek to eliminate the prospects of re-election to prevent the accumulation and concentration of power in the hands of a few politicians. Under the constitution, the president is prevented from running for any re-election. At least one term out is imposed on the vice-president and senators who have served for two consecutive terms. Representatives and local government officials are allowed a maximum of three consecutive terms before they can again seek re-election.

In consonance with Section 3, article X of the constitution, the Local Government Code of 1991 (Republic Act No. 7160) introduced recall elections. Accordingly, recall refers to 'the power of registered voters to remove from office any local official for loss of confidence. The process is initiated either by a resolution adopted by a preparatory assembly composed of local officials or a petition signed by at least 25 per cent of the registered voters and culminated in a special recall election' (Agra, 1997a: 72). There were 29 local recall elections between 1993 and 1997.

### *The Party-list System*

The constitution introduced a party-list proportional representation scheme of electing one fifth of the members of the House of Representatives. Section 5 of article VI provides that:

1. The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional and sectoral parties or organizations.
2. The party-list representatives shall constitute twenty per centum of the total number of representatives including those under the party list. For three consecutive terms after the ratification of this constitution, one-half

of the seats allocated to party-list representatives shall be filled, as provided by law, by selection or election from the labor, peasant, urban poor, indigenous cultural communities, women, youth, and such other sectors as may be provided by law, except the religious sector.

The Ninth Congress enacted Republic Act No. 7941 or 'The Party-list System Act' in 1995. Section 3 of the law defines the party-list system as a 'mechanism of proportional representation in the election of representatives to the House of Representatives from national, regional and sectoral parties or organizations or coalitions thereof registered with the Commission on Elections (COMELEC)' (Agra, 1997b: 6).<sup>31</sup> The system provides for the election of 50 seats in the House of Representatives. A qualified party or organization must obtain 2 per cent of the total votes for the system in order to get one seat. Each party or organization is entitled to a maximum of three seats.

Table 22: Result of Party-List Election (1998)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
ABA	321,646	3.5	1	7.1
Abanse! Pinay	235,548	2.6	1	7.1
AKO	239,042	2.6	1	7.1
ALAGAD	312,500	3.4	1	7.1
APEC	503,487	5.5	2	14.4
AKBAYAN	232,376	2.5	1	7.1
Aksyon Demokratiko	132,913	1.5	0	0.0
BUTIL	215,643	2.4	1	7.1
COOP-NATCO	189,802	2.1	1	7.1
COCOFED	186,388	2.0	1	7.1
PDP-Laban	134,331	0.7	0	0.0
PROMDI	255,184	2.8	1	7.1
SANLAKAS	194,617	2.1	1	7.1
SCFO	238,303	2.6	1	7.1
Veterans' Federation Party	304,902	3.3	1	7.1
Others	5,218,140	60.0	0	0.0
Grand Total	8,914,822	100	14	100

Source: COMELEC, 1998.

31. However, for the May 1998 elections, the top five major political parties on the basis of party representation in the lower house at the beginning of the Tenth Congress were banned from participating in the party-list elections. These included Lakas-NUCD-UMDP, LP, LDP, NPC and the KBL. The ban was automatically lifted in 2001 (Agra, 1997b: 12).

The first party-list election was held in May 1998. Given the novelty of the system and the deficiency of information dissemination by COMELEC, the overall turn-out was low at 9,155,309 (33.5 per cent) out of 27,330,772. Of the 123 groups that participated, only 13 were able to garner 2 per cent of the total votes. From this number, only one party, the Association of Philippine Electronic Cooperatives (APEC), won two seats with half a million votes. Hence, out of the total 50 seats available, only 14 were filled (see Table 23). A large number of the total votes cast for the party list (60 per cent) was dispersed among many parties that never had any capacity to campaign nationwide. Thus, only '67 parties were able to garner more than 50,000 votes. Only 27 of them broke the 100,000 mark' (Rodriguez and Velasco, 1998: 9).

The result of the first party-list elections was below expectations given its low turn-out and the high number of 'lost votes' due to the technical inadequacy of the system. The need to further educate and inform the public on the party-list system was underscored. Sectoral groups were urged to consolidate their organizations in order to reach the minimum number of votes. The law itself was subject to post-election controversies concerning the formula for the allocation of party-list seats and the filling of additional seats (Rodriguez and Velasco, 1998). The central issue concerned the interpretation and application of the modified List PR-Neimeyer formula as prescribed by the Party-list System Act.<sup>32</sup> A group of 38 losing parties and organizations argued for the scrapping of the 2 per cent threshold and the award of a seat each. On the other hand, the 14 winning parties argued that they should be awarded additional seats before distributing the unfilled slots to the losing parties or organizations. After a period of legal struggle, no additional seats were granted to any parties.

The second party-list election was held on May 2001. A total of 162 political parties and sectoral organizations participated in the election. The total number of votes cast for the party-list election was higher than in 1998 at 15,096,261. Ten parties and organizations got over the 2 per cent threshold (see Table 24). Half of these had won seats in 1998, such as Akbayan, APEC, Butil, PROMDI and the Veterans' Federation Party. APEC retained its two seats, while the others kept one seat each. The new entrants included the two major political parties that were banned from participating in 1998. Lakas-NUCD-UMDP and NPC managed to win one seat each. Another winning party, the Citizens Battle against Corruption (CIBAC) was organized by a religious Christian sect.

Significantly, the legal Left participated in the party-list election marking its first entry into the mainstream parliamentary struggle since the participation of the PnB in the 1987 elections. The Left reconstituted itself into a new political

32. Under the formula 'introduced by Professor Neimeyer of Germany, the number of seats a party (or organization) is entitled to is calculated on the basis of the proportion by dividing the votes obtained by a party or organization over the total number of all votes cast for all qualified parties and organizations' (Agra, 1997b: 3). However, the formula was modified in the Philippines to include a maximum of three seats per party or organization.

party – Bayan Muna (Nation First).<sup>33</sup> Learning from the lessons of 1987, Bayan Muna made full use of its allied grass-roots organizations. It topped the party-list elections with 1,708,252 votes, earning them a maximum three seats in the House of Representatives. Elected were former journalist and social activist Satur Ocampo, veteran trade unionist Crispin Beltran, and feminist Liza Maza.

Table 23: Result of Party-List Election (2001)

Political Party	Votes		Seats	
	Total	Share (%)	Seats	Share (%)
AKBAYAN	377,850	2.5	1	6.7
APEC	801,921	5.3	2	13.3
Bayan Muna	1,708,252	11.3	3	20.0
BUTIL	330,282	2.2	1	6.7
CIBAC	323,810	2.2	1	6.7
Lakas NUCD-UMDP	329,093	2.2	1	6.7
MAD	1,515,682	10.0	3	20.0
NPC	385,151	2.6	1	6.7
PROMDI	422,430	2.8	1	6.7
Veterans' Federation Party	580,771	3.8	1	6.7
Others	8,321,019	55.1	0	0.0
Grand Total	15,096,261	100	15	100

Source: COMELEC Records, 2001.

Another organization that garnered more than a million votes was Mamamayang Ayaw sa Droga (Citizens Against Drugs, MAD). MAD was an anti-drug movement organized by the Estrada administration. It benefited largely from an executive order issued by President Estrada allocating 5 per cent of the local governments' 28 billion Peso internal revenue allotment funds for development of anti-drug abuse programmes (Bagayaua, 2001: 9). It fielded popular actor and former presidential assistant on youth and sports Richard Gomez as its top nominee, followed by former police general Jewel Canson.

Various sectors of society protested to COMELEC about the participation of MAD, the major political parties and organizations that do not represent the marginalized and under-represented sectors of Philippine society. The confusion can be traced to the 1987 Constitutional Commission that drafted the constitution. Two different systems – party-list and sectoral representation – were proposed by members of the Commission, and actually merged into a

33. The Philippine Left historically consisted of an underground component waging a revolutionary struggle against the state, and a multitude of legal organizations. While the traditional Left participated in the 1947 elections, it subsequently shunned elections as arenas for elite politics. In 1987, the Left organized the PnB to participate in the 1987 elections. However, unfamiliarity with the electoral terrain and internal debates on the strategic importance of electoral politics resulted in a dismal performance for the PnB.

single constitutional provision (Wurfel, 1997: 20-21).<sup>34</sup> Some members of the Commission argued for more representation for political parties following the spirit of proportional systems. Others insisted on representation for the basic sectors that were marginalized and under-represented. Former Constitutional Commissioner and COMELEC Chair Christian Monsod noted that the basic concept of the party-list system was to introduce proportional representation. However, the underlying objective was to strengthen the marginalized sectors so that they could compete in the electoral arena (Maglipon, 2001: 21-22).

It took the supreme court to clarify the legal controversies of the party-list law. In a historic decision on 26 July 2001, the supreme court stressed that the party-list encourages 'proportional representation' by allowing the election of under-represented groups, and persons with no defined constituencies but who can help draft meaningful laws. Stating that the COMELEC committed a 'grave abuse of discretion' in accrediting certain groups, the supreme court issued the conditions (as cited by Maglipon, 2001: 20-21) that political parties and organizations must meet in order to be able to run under the party-list system:

1. They must represent and seek to uplift the marginalized and under-represented sectors.
2. Major political parties may nominate party-list representatives provided they are able to show they represent the interests of the marginalized and under-represented.
3. Political parties formed by religious sects that seek to go around the prohibition against the religious sector are covered by the ban.
4. A party must not be an adjunct of a project organized, or an entity funded or assisted by the government.
5. A party, organization and its nominees must represent the marginalized. An industrialist, for example, cannot represent the urban poor or the working class.
6. A party's nominee does not represent a particular district only. He or she must be able to contribute to the enactment of laws that will benefit the entire nation.

Because of the supreme court decision, only seven parties and organizations have qualified, 17 have been disqualified and the COMELEC is still reviewing the status of 130 parties and organizations. Thus far, only five representatives have taken up their seats in Congress. This number consists of the three representatives from Bayan Muna, and two returning representatives from Akbayan and Butil. Nonetheless, the great flaw of the Philippine party-list system is reflected in its extremely low  $E_{rep}$  average of 41.2 (see Table 24).

34. The former, implemented through a party-list ballot, is designed to make the number of seats in the legislature proportional to the votes cast. The latter is feasible only through corporatism, in which sectoral organizations have a separate official voters' list.

Table 24: Average Representativeness and Majoritarian Effects of the Party-List System (1988-2001)

Year	$E_{rep}$	$E_{rep1}$	$E_{rep1} - E_{rep}$
1998	37.5	95.6	58.1
2001	44.8	95.0	50.2
AVERAGE	41.2	95.3	54.1

### *The Autonomous Region of Muslim Mindanao*

The constitution mandated the creation of autonomous regions in Muslim Mindanao and the Cordilleras.<sup>35</sup> Section 15, article X states '[t]here shall be created autonomous regions in Muslim Mindanao and in the Cordilleras consisting of provinces, cities, municipalities, and geographical areas sharing common and distinctive historical and cultural heritage, economic and social structures, and other relevant characteristics within the framework of this constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines'. On 8 June 1989, Congress passed 'An Act Providing for an Organic Act for the Autonomous Region in Muslim Mindanao' (Republic Act No. 6734). The Act provided for the holding of a plebiscite in 13 provinces and nine cities in Mindanao. In a plebiscite held on 19 November 1989, four provinces (Maguindanao, Lanao del Sur, Sulu and Tawi-tawi) voted to be a part of the Autonomous Region of Muslim Mindanao (ARMM).<sup>36</sup>

The first election for the ARMM governor and members of the Regional Assembly was held on 17 February 1990. Five candidates contested the governorship, while seven competed for the position of vice-governor. One hundred and thirty candidates participated in the election for members of the Regional Assembly. Former Maguindanao Governor Zacaria Candao (LDP) was elected regional governor and Benjamin T. Loong (LDP) vice-governor. The 1990 Regional Assembly election resulted in the LDP capturing nine seats; Independents seven; LDP-LP three; KBL one; and the Islamic Party of the Philippines (IPP) one.

35. The southern island of Mindanao has been the centre of struggle of the 'Bangsa Moro' people consisting of Muslim communities and indigenous people who have resisted Spanish, American and Filipino colonizers. The indigenous tribes of the Cordilleran region in the northern part of the Philippines have waged a similar centuries-old struggle. A plebiscite was conducted in the Cordilleran region on 30 January 1990 to ratify Republic Act No. 6766 (an Act Providing for an Organic Act for the Cordilleran Region). Only one out of six provinces and cities acceded to the autonomous region. Several attempts at expanding the Cordillera Administrative Region have failed because of deficiencies in the enactment of the organic law.

36. Under the Organic Act, the ARMM 'shall exercise powers and functions necessary for the proper governance and development of all the constituent units within the Autonomous Region consistent with the constitutional policy on regional and local autonomy and decentralization ... The ARMM shall have an executive department to be headed by a Regional Governor. The Regional Legislative Assembly shall perform the legislative function. The Governor is to be elected by direct vote of the people of ARMM, while the members of the Regional Assembly are to be chosen by popular vote, with three members elected from each of the congressional districts'.

Governor Candao and vice-governor Loong sought re-election on 25 March 1993. However, former Ambassador Liningding Pangandaman and Nabil Tan of the administration party Lakas-NUCD-UMDP defeated them. Seventy-one candidates contested for Regional Assembly seats. The result was Lakas-NUCD-UMDP ten, IPP-LDP four, Lakas-Ompia two, Independents two, LDP one, NPC one, and PDP-Laban one.

By 1996, the peace agreement with the Moro National Liberation Front (MNLF)<sup>37</sup> was signed, leading to the election of MNLF Chair Nur Misuari as ARMM governor, and the creation of the Southern Philippines Council for Peace and Development (SPCPD). The SPCPD was created to oversee major development projects in Mindanao.<sup>38</sup> Voter turn-out for the 1996 ARMM election was at 75.96 per cent of the 905,165 registered voters in the autonomous region. Ninety candidates contested for 23 positions, narrowing the gubernatorial race to only one aspirant after two other candidates withdrew their candidacies. Supported by the administration party Lakas-NUCD-UMDP, Misuari and vice-gubernatorial candidate Guimid Matalam ran unopposed. The Lakas-NUCD-UMDP won the majority of the Regional Assembly seats with eleven. The rest was distributed accordingly: Independents five, LDP three, OMPIA one, and PDP-Laban one.

Five years later, internal conflicts and disenchantment within the MNLF and followers of Misuari resulted in his ouster as chair of the MNLF. Despite his protestations, the government conducted a plebiscite on 14 April 2001 on the expansion of the area of the autonomous region. Among the proposed areas, only the province of Basilan (excluding Isabela City) and the City of Marawi voted to be included into ARMM. In a last ditch effort to stop the 2001 ARMM elections, followers of Misuari staged an armed uprising in his home province of Sulu. At least 113 people were killed in a three-day gunfight between government troops and pro-Misuari members of the MNLF (Conde, 2001: 5).

Despite efforts to address the centuries-old problem of underdevelopment in Mindanao through democratic methods, elections remain marred by massive fraud and violence. Mindanao has a long history of electoral anomalies. The past four elections were no exception. In the 2001 ARMM election, at least four incidents of fraud were reported in some mountain villages. In these areas,

37. The MNLF evolved from the Mindanao Independence Movement (MIM) established in 1968. Rejecting the leadership of the traditional Muslim elite politicians, the younger MIM members organized the MNLF in 1971. In 1974, the MNLF Central Committee issued a manifesto in Tripoli, Libya declaring the goal of establishing an independent Bangsa Moro homeland. The separatist struggle of the MNLF resulted in the outbreak of the Mindanao war in the 1970s. Several factions would later break away from the MNLF on the issues of leadership, ideology and autonomy.

38. It 'was created to help formally integrate Mindanao Muslims into the Filipino nation following the 2 September 1996 peace agreement between the Moro National Liberation Front and the Government of the Philippines. The SPCPD is a transitory administrative arm under the supervision of the Philippine President that works with local officials to promote peace and order and to monitor, coordinate and, in some cases, implement development projects in Southern Mindanao'. See <http://www.mindanao.org/mindanao/overview/muslim3.htm>

ballot boxes were found to have been filled with forms even before the voting started. Incidents of bribery were also reported as local officials were paid as much as 200,000 Pesos each just to support the administration candidates (Mogato, 2001: 6). Consequently, another administration-supported candidate won the gubernatorial election. There were 16 candidates who contested the governorship and 13 for the vice-governorship. Dr Parouk Hussin, former MNLF vice-chair for international affairs, won the election over closest rival, Datu Ibrahim Paglas III. Hussin, a medical director, was one of the leaders of those who had ousted Nur Misuari as MNLF chair.

## Proposals for Institutional Reforms

Philippine elections are governed by a multitude of laws aimed at safeguarding the entire electoral process from beginning to end. Aside from the Omnibus Election Code of 1985 (Batas Pambansa Bilang 881), Philippine electoral law is contained in more than ten separate election laws and related legislation that include the Local Government Code of 1991 (Republic Act No. 7160). Nonetheless, elections in the country are encumbered by several problems such as massive fraud, political violence, patronage and money politics. Election laws have proven to be ineffective in addressing offences because of the preponderance of 'dead-letter' provisions that have proven unrealistic or difficult to enforce. Electoral reforms are aimed at addressing these issues.

However, reforming the electoral system also requires a rethinking of the established political institutions in the Philippines. These institutions have long served entrenched interests that have blocked efforts at widening the democratic space. The introduction of elections in the Philippines during the American colonial period provided an institutional avenue for fostering national linkages among local political clans and elites in the country. Through the years, a weak, albeit highly centralized, state has constantly been raided by particularistic and rent-seeking interests. The weak party system has encouraged presidents to rely on the support of the local elites entrenched in Congress in exchange for pork barrel inducements. This, in turn, has encouraged party switching and the rise of KBL-type monoliths. The legislature, in its various incarnations, has been the bastion of elite upper- to middle-class interests. Marginalized sectors such as labour, small farmers, fisherfolk, indigenous peoples and women remain under-represented. Geographically, political power and economic resources continue to be concentrated in the nation's capital – Manila. This has served to fuel secessionist impulses in Cordillera and Mindanao. Hence, there is a need to review three areas of political reform: (1) the highly centralized unitary state and the presidential form of government; (2) the party system; (3) the electoral system itself.



### *Constitutional Reform*

The 1987 constitution was a product of the post-authoritarian transition. As a reaction to the excesses of the Marcos dictatorship, the framers of the constitution revived the pre-martial law institutions patterned after the United States presidential form of government. Several attempts have been made to revise the constitution. The Ramos administration attempted to revise it in 1996-1997, and the Estrada administration in 1999-2000. However, the debate on constitutional reform is sharply divided between those wanting constitutional change citing the flaws of the 1987 constitution as the primary reason for the need to push for constitutional reforms and those opposing it citing conjunctural concerns in terms of the ill-timing of the constitutional change initiative as their primary reason.

Under the Macapagal-Arroyo government, the issue of constitutional reform has been revived. Proponents of change argue that President Arroyo is eligible to seek another term, since she is currently completing the unfinished term of ousted President Estrada. Hence, she will not be suspected of tinkering with the constitution to extend her term of office. Proponents of change point to the following as possible areas of reform:

1. A shift in the form of government, from the current presidential to a parliamentary system;
2. Changes in electoral rules such as the extension or the lifting of the term of office of the president, legislators and/or local government officials, the election of senators according to region (regional senate), 'first-past-the-post' or proportional representation;
3. Changes in the party system, mainly in the reversal to a two-party system from the current multi-party system;
4. A shift from a unitary system of government to a federal one; and
5. A review of the nationalistic economic principles supposed to make the country competitive vis-à-vis the world economy.

### *Party Reforms*

The 1987 constitution combines a multi-party system with a presidential form of government to encourage a free and open party system. However, the emergence of new party formations in the post-authoritarian period has failed to emphasize programmatic differences, given the focus on traditional modes of electoral contestation (i.e. personal and clientelistic). This has resulted in the re-emergence of pre-martial law style politics and the consolidation of 'elite democracy'. Moreover, most of the new parties have emerged around presidential candidates. The party system is further complicated by the constant resurrection of a KBL-type of party monolith: first as the Laban ng Demokratikong Pilipino (LDP) during the Aquino administration, then as Lakas-

NUCD-UMDP under the Ramos administration, and then as the *Laban ng Masang Pilipino* (LAMP) in the Estrada administration. These behemoths have encouraged greater political turncoatism through the indiscriminate use of political patronage and access to state resources, thus further hampering the maturation of the Philippine party system. It is indeed unfortunate that while the institutionalization of the party system remains weak, the traditional politicians have virtually institutionalized the practice of political turncoatism.

The development of a mature and responsible party system is an important ingredient for political development in the Philippines. Strengthening institutional capabilities necessitates the enhancement of legitimacy through the mobilization of popular support for particular policy choices. The vehicle for this political action is the establishment of a well-defined and differentiated political party system that contributes to the formation of government and the forging of legislative majorities.

Critics of the current multi-party system argue for a return to a two-party system. However, 'the prevalence of local multifactionalism provides organizational materials for more than two national political parties ... The pressure of political competition such as presidential elections may create two major blocs, but at least one of the two will tend to be composed of two or more lesser blocs which have become parties' (Kimura, 1997: 268).<sup>39</sup> Between 1992 and 1998, there was been an increase in the number of presidential candidates supported by regional electoral bases. Consequently, legislative candidates had a tendency to ally with the parties of presidential candidates who were strong in their districts (Kasuya, 2001b). While it is unlikely that there will be a return to a two-party system, the number of competitive parties will not make a difference as long as the major parties or blocs are identical (Kimura, 1997).

Proponents of constitutional reforms argue that programmatic and ideological political parties tend to flourish under a parliamentary form of government. Generally, a 'presidential system appears to hinder the development of stable, well-institutionalized, programmatic, weakly polarized party systems, while a parliamentary system seems to favor them' (Croissant and Merkel, 2001: 17). Presidentialism in the Philippines (and in Latin America) tends to favour a weak party system in order for presidencies to function. Juan Linz (1994: 35) observed that a 'president without clear majority in a multiparty situation with ideological and disciplined parties would find it difficult to govern, and even more difficult with an opposition majority in the congress. It is the possibility of convincing individual legislators, of producing schisms within the parties, of

39. Following Lande, Kimura (1997: 255) argues that local factions are the organizational base for national parties. Factions are an 'amorphous cluster of political leaders or families and their respective followers, bound together by dyadic ties of leader-follower relations and by alliances among leaders'. However, there has been a shift from bifactionalism to multifactionalism, underscoring the shift from a two-party to a multi-party system.

distributing pork barrels and forming local clientelistic alliances that enables a president to govern and enact his [or her] program’.

Given the Philippine experience with presidentialism, it is but logical to advocate a shift to a parliamentary form of government in order to induce programmatic, responsive and responsible political parties. However, Croissant and Merkel (2001: 14) caution institutional engineers and reformers in democratizing polities that establishing ‘a parliamentary system without simultaneously creating the corresponding parties is likely to intensify rather than attenuate phenomena like cronyism, short-term policy planning, the management of ad hoc coalitions by the government, and the deficient orientation to the collective good. The obstacles to efficient and responsible government are thereby further exacerbated’. They argue, in turn, for an incremental approach that begins with the micro-level (legislative reforms) and meso-level (electoral reforms) before embarking on macro-level (constitutional) reforms.

### *Electoral Reforms*

The 1993 Proposed Election Code of the Philippines attempted to codify the various laws on election, and introduce much needed reforms. Specifically, the Code attempted to address the following electoral issues:

1. *Modernization of the Electoral Process:* The Code provided for ‘the authorization of the Commission on Elections to adopt new systems, forms, technological devices and safeguards for voting, counting and canvassing’ (section 15, paragraph 10). It also aimed to cleanse the voters’ list by computerization (section 184).

2. *Candidacies:* Several provisions were introduced by the Code to plug some of the legal loopholes usually abused by candidates. This included the expansion of the definition of a ‘candidate’ to anyone who has manifested their desire to seek elective office, whether or not they had filed a certificate of candidacy. The objective is to prevent advance campaigning by most candidates. Following the spirit of transparency, the Code required the submission by candidates, of certified true copies of their income tax returns (section 111). More importantly, the Code addressed two perennial electoral problems in the Philippines: turncoatism and political dynasties. Section 101 of the Code disqualifies ‘from running for, or assuming, public office any elective public officer or candidate who changes his political party affiliation within six (6) months immediately preceding an election, after due notice and hearing’. In addition, it sought to eliminate the concentration of power in a few political families or clans. Section 116 prohibits ‘political dynasties or the simultaneous or successive candidacies of persons related within the third civil degree of consanguinity or affinity’.

3. *Improvement of Election Process*: To enrich the electoral process of the Philippines, the Code provided for recall elections (sections 61 to 73); a system of initiatives or referendum (sections 74 to 88); absentee voting (sections 89 to 95); and continuous registration of voters (section 154). A number of provisions were also included to rationalize the archaic rules and procedures of previous electoral laws. In addition, the Code promoted continuing election education.

4. *Innovations* included the election of local sectoral representatives and a party-list system of representation. The Local Government Code of 1991 already provided for local sectoral representation. Under the proposed Code, 'election of sectoral representatives shall be conducted simultaneously with the regular elections for members of the sanggunians [provincial boards]' (section 39). Following the constitution, the Code outlined the election of political parties, organizations, or coalitions with national, regional or sectoral constituencies in the House of Representatives under a party-list system. The party-list system follows a mechanism of proportional representation for 20 per cent of the total seats in the House of Representatives (sections 49 and 50).

5. *Safeguards*: A number of safeguards were included in the proposed Code, such as the application of indelible ink before the ballot is issued to voters, stricter rules on the use of public transportation during elections to prevent herding of voters, the elimination of the use of emergency ballots and the disposal of unused ballots. The Code upheld the ban on political advertisement in the media and required any media personality involved in election campaigns as a candidate, campaign employee or volunteer to take a leave of absence (section 131).

The proposed Code would have penalized those who coerce election officials and employees (section 314, paragraph 5). This was not previously punishable by law. In anticipation of the modernization of the electoral process, the Code also made computer fraud punishable 'whether or not it changes the results of the election or impairs the electoral processes' (section 314, paragraph 23). Section 126 prohibited undue ecclesiastical influence. The provision reiterated the constitutional principle of separation between church and state. Hence, the Code 'prohibits the heads of any church hierarchy or religious sect, denomination, or indirectly, the members of their flock, parish or congregation to vote for or against any candidate or political party by any form of election propaganda'.

Unfortunately, the Code failed to pass into law. The non-passage of the Code was a result of several factors. Agra (1997a: 74-77) identified them to include the following:

1. A lack of political will among the executive and legislative branches;
2. Controversial provisions such as the ban on political dynasties, the provision of absentee voting and computerization;

3. Constitutional provisions (i.e. party-list system, local sectoral representatives, etc.) that were left for Congress to define;
4. Tradition and a desire to maintain the status quo among politicians who dare not alter the system that placed them in office;
5. The non-acceptability of some independent-minded COMELEC personalities to the executive and legislative leadership;
6. A lack of organized popular support among civil society organizations; and
7. The episodic nature of elections, which dampens enthusiasm for continuous lobby.

In lieu of the Code, the Ninth Congress enacted four election-related laws. These included measures concerning the party-list system, computerization of elections, election of local legislative council members and the sample ballot (Agra, 1997a: 67). However, one of these, the party-list law, is seriously flawed, bringing about much confusion in its implementation. The rest still awaits full implementation (computerization of elections, local legislative council members).

There is a need to refocus the debate on electoral reforms in the Philippines. Aside from reviewing which electoral system can best bring about democratic representation in the country, the issues of access and the integrity of the entire process should be addressed. At the heart of the issue of electoral access is the issue of campaign finance reform. Through the years, large amounts of money have become a primary determinant in waging an electoral campaign. This has effectively limited the participation of political players and has tainted the entire democratic process.

## External Support for Reforms

Through the years, external support for electoral reforms has been offered to and actively sought by civil society organizations (CSOs) in the Philippines. Many of the initiatives for reforms have emanated not only from the progressive elements of non-government organizations, but also from political parties. In addition, multi-lateral donor agencies, such as the World Bank and the United Nations Development Program, have identified electoral and campaign finance reforms as important components of their support for good governance programmes in the country. The Philippine Congress and the Commission on Elections are recipients of such overseas development assistance.

The broadest network of local CSOs advocating electoral and political reform in the Philippines is the Kilusng Mamamayan Para sa Repormang Elektoral (Citizens' Movement for Electoral Reforms, KUMARE-KUMPARE). The network is composed of 17 organizations. Among the organizations included in the

network are the Philippine Pastoral Council for Responsible Voting (PPCRV), the National Movement for Free Elections (NAMFREL), the Caucus for Development NGO Networks (Code-NGO), the National Consultative Council for Local Governance, the Trade Union Council of the Philippines (TUCP), the Federation of Free Workers (FFW), the National Movement for Young Legislators (NMYL), the Partnership of Philippine Support Service Agencies (PHILSSA), the National Peace Conference and the Democratic Socialist Women of the Philippines (DSWP) (Agra, 1997a: 73). The Institute for Electoral Reforms (IPER) organized another network, the Consortium for Electoral Reform.

Other local think tanks and foundations have been active in electoral reform advocacy. Some are identified with political parties. The Institute for Popular Democracy (IPD) and Institute for Politics and Governance (IPG), for example, are identified with the centre left party Akbayan! (Citizen's Action Party). The National Institute for Policy Studies (NIPS) has supported organizations that espouse a liberal ideology, including the LP. Its regional counterpart is the Council of Asian Liberals and Democrats (CALD). The defunct Institute for Development Research and Studies (IDRS) was one of the think tanks supporting the cause of Christian democracy and its party – the Lakas NUCD-UMDP.

United States-based foundations and quasi-governmental agencies have been very active in supporting reform initiatives by local CSOs and think tanks. NAMFREL has a long working relationship with the Asia Foundation and Ford Foundation. It has also received some support from the United States Agency for International Development (US-AID). The Ford Foundation and the Asia Foundation have also supported some of the projects of the IPD and the IPG. The Washington D.C.-based National Democratic Institute has worked with the IPD and the CALD.

Outside the United States some European-based organizations have also supported reform initiatives in the country. Scandinavian countries have provided funding for IPER. The UK-based Westminster Foundation for Democracy has a project with NIPS. However, the most active are the German-based foundations. The Friedrich Ebert Stiftung has closely assisted labour unions and other people's organizations. It has also co-operated with the IPD, the IPG and the Bukluran ng Sosyaliyang Isip at Gawa (Solidarity of Socialist Thought and Practice, BISIG). The Christian democratic Konrad Adenauer Stiftung (KAS) has worked closely with Ateneo de Manila University, De La Salle University and the Asian Institute of Management in various activities promoting good government. KAS has also provided support to the defunct IDRS and Lakas-NUCD-UMDP party institute. Lastly, the liberal Friedrich Naumann Stiftung has been a long time partner of NIPS and CALD.

## Conclusion

Elections have played an integral role in the development of representative democracy in the Philippines. However, the conduct and performance of elections through the years has fallen short of achieving the two central functions of electoral systems: representation and integration. With regard to representation, the electoral system largely favours the major parties and grossly over-represents them in Congress. While this has reinforced integration or the formation of majorities, the inherent weakness of the party system has resulted in the constant emergence of dominant ad hoc coalitions. In the post-authoritarian period, these KBL-type party monoliths are created through party switching, pork-barrel inducements, machine politics and forming local alliances.

In terms of the quality and social inclusiveness of elections, the major institutions in the national and local political arena are still dominated by the economic and political elites. A segment of these elites, the political clans and dynasties, have successfully maintained their dominance in national and local politics by adapting to the changing contours of the social, economic and political terrains. They extend their dominance by bequeathing power to their next of kin. Thus the interests of the marginalized sectors that include labour, small farmers, fisherfolk, the urban poor and women are hardly represented in the national legislature. Congress remains the nexus of local and national elite interests. Be that as it may, some scholars have argued that there is an observable shift in representation from elite landed interests to that of the more professional urban middle class. However, the shift is gradual and tenuous as these new professional politicians tend to establish their own political dynasties.

Electoral politics in the Philippines suffer from institutional and procedural defects that prevent it from becoming meaningful to effective and efficient governance. While Philippine elections are relatively open, there is the issue of the lack of real political alternatives or competitive candidatures. Candidates must either be rich or popular to win elections. The high cost of getting elected serves as a disincentive for popular participation and an incentive for corruption. Oftentimes competitiveness is prevented by the use of political violence. Efforts to address the issue of access have yet to bear fruit.

From a procedural perspective, the electoral process is riddled with opportunities for committing fraud, from voters' registration to ballot box stuffing and wholesale cheating through vote shaving and tampering with electoral records. The Commission on Elections has been ineffective in preventing fraud, thus straining its credibility as the institution tasked with managing the country's election. Modernization and computerization of the electoral process remains stalled due to disagreements from within the COMELEC.

These problems of electoral democracy in the country have resulted in initiatives to review the institutional form and structure of the political system. Some advocates of constitutional reform are taking a second look at alternatives to the current presidential, centralized state. However, institutional re-engineering rests upon a set of historical, socio-cultural factors that do not necessarily translate into immediate solutions to the deficiencies of Philippine democracy. Hence, a more incremental approach focusing on electoral reforms and legislative development is the most appropriate option.

## List of Abbreviations

ANP - Alliance for New Politics  
ARMM - Autonomous Region of Muslim Mindanao  
APEC - Association of Philippine Electronic Cooperatives  
BANDILA - Bansa ng Nagkaisa sa Diwa at Layunin (Nation United in Spirit and Objective)  
Bayan - Bagong Alyansang Makabayan (New Nationalist Alliance)  
BISIG - Bukluran ng Sosyalsistang Isip at Gawa (Solidarity of Socialist Thought and Practice)  
BP - Batasang Pambansa (National Legislature)  
CALD - Council of Asian Liberals and Democrats  
CIBAC - Citizens Battle against Corruption  
Code-NGO - Caucus for Development NGO Networks  
COMELEC - Commission on Elections  
CSO - Civil Society Organization  
DSWP - Democratic Socialist Women of the Philippines  
EDSA - Epifanio de los Santos  
FFW - Federation of Free Workers  
GAD - Grand Alliance for Democracy  
IDRS - Institute for Development Research and Studies  
IBP - Interim Batasang Pambansa (Interim National Legislature)  
IPD - Institute for Popular Democracy  
IPER - Institute for Electoral Reforms  
IPG - Institute for Politics and Governance  
IPP - Islamic Party of the Philippines  
KAS - Konrad Adenauer Stiftung  
KBL - New Society Movement (Kilusang Bagong Lipunan)  
KPP - Kilusan Para sa Pambansang Pagbabago (National Renewal Movement)  
KUMARE-KUMPARE - Kilusng Mamamayan Para sa Repormang Elektoral (Citizens' Movement for Electoral Reforms)  
Lakas - Lakas ng Bansa (Nation's Power)  
LAMP - Laban ng Masang Pilipino  
LAMMP - Laban ng Makabayang Masang Pilipino (Struggle of the Nationalist Pilipino Masses)



LDP - Labang ng Demokratikong Pilipino  
LP - Liberal Party  
MA - Mindanao Alliance  
MAD - Mamamayang Ayaw sa Droga (Citizens Against Drugs)  
MIM - Mindanao Independence Movement  
MNLF - Moro National Liberation Front  
NAMFREL - National Movement for Free Elections  
NIPS - Natinal Institute for Policy Studies  
NMYL - National Movement for Young Legislators  
NP - Nacionalista Party  
NPC - Nationalist People's Coalition  
NUCD - National Union of Christian Democrats  
PCF - Patron-client factional (framework)  
PDP-Laban - Partido Demokratikong Pilipino-Lakas ng Bayan (Philippine Democratic Party-People's Power)  
PHILSSA - Partnership of Philippine Support Service Agencies  
PMP - Partido ng Masang Pilipino (Party of the Philippine Masses)  
PnB - Party of the Nation (Partido ng Bayan)  
PnM - Pwersa ng Masa (Force of the Masses)  
PPC- People Power Coalition  
PPCRV - Philippine Pastoral Council for Responsible Voting  
PROMDI - Probinsya Muna Development Initiatives (Provinces First Development Initiative)  
PRP - People's Reform Party  
Reporma-LM - Partido para sa Demokratikong Reporma-Lapiang Manggagawa (Party for Democratic Reforms-Worker's Party)  
SPCPD - Southern Philippines Council for Peace and Development  
SWS - Social Weathers Station  
TUCP - Trade Union Council of the Philippines  
UMDP - Union of Muslim Democrats of the Philippines  
UNIDO - United Nationalist Democratic Organization  
UPP-KBL - Union for Peace and Progress-Kilusang Bagong Lipunan  
US-AID - United States Agency for International Development  
VPD - Volunteers for Popular Democracy

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