Consolidation or Crisis of Clientelistic Democracy? The 2004 Synchronized Elections in the Philippines

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I.   Introduction: Relevance, Problems and Consequences of 2004 Election

The May 10, 2004 synchronized national and local elections in the Philippines serve to highlight institutional continuity in the Philippines. It marked the third presidential election, the sixth congressional and local elections, and the third party-list representative election, since the restoration of formal democracy in 1986. However, flawed administration of the electoral process, wanton use of government resources for partisan political purposes and allegations of fraud and massive cheating have slightly diminished the political exercise as a credible legitimating mechanism. The 2004 elections, therefore, reflect the continuing challenges of redemocratization in the Philippines. Yet, the conduct and outcome of the elections in the Philippines tend to reinforce the fundamental paradox of democratic governance in the country. The paradox of Philippine politics and governance is that despite the long tradition of institutionalized democratic practices and history of popular struggles, Philippine society has engendered an elitist and clientelistic democracy embedded in an underdeveloped economy. This chapter will highlight this paradox by delineating the problems that were manifested in the 2004 synchronized elections.

Institutional Framework

The current political institutions in the Philippines were forged in the aftermath of the successful struggle against fourteen years of authoritarian dictatorship under the Marcos regime. In 1987, the Philippines completed its democratic transition with the adoption of a new constitution that was overwhelmingly ratified by three-fourths of the Filipino electorate. With the reestablishment of a centralized presidential democracy anchored on a majoritarian electoral system, the 1987 Constitution restored institutional continuity with the previous 1935 Constitution that was drafted under American colonial rule. Being the embodiment of the "supreme law of the land," the 1987 Constitution

serves not only as the preeminent legal and institutional framework, but a primary source of legitimation, as well.

1. Type of Government

The 1987 Constitution re-established the pre-martial law presidential form of government with a bicameral Congress composed of the Senate and the House of Representatives. The basic institutional design is based on the principle of separation of powers. The directly elected president acts as both head of state and government. A separately elected Vice-President stands in for the President in cases of death, illness, impeachment or resignation. The executive branch is checked by a bicameral legislature (Congress), comprised of the up to 265 members strong House of Representatives and the small 24 members Senate. An independent judiciary acts as a check and balance for both powers. The Supreme Court has the right of judicial review and decides controversies of jurisdiction.

2. Type of Electoral System

Under the 1987 Constitution, the following elective officials – president, vice president, senators, district representatives, local chief executives, and local legislators – are chosen under a first-past-the-post electoral formula (Agra, 1997). Since 1992, national executive and legislative elections are synchronized with mid-term elections for the legislature. Besides party-list representatives, all national officials are elected as individual candidates according to the plurality rule. The president, vice president and half of the 24 senators are elected nationwide for a term of six years. The president is restricted to one term of office without any possibility of re-election, while the vice president and senators can serve up to two consecutive terms before they have to sit one term out (See Table 1). The Senate is elected from a national multi-member constituency with each voter having twelve votes.

The House of Representatives is elected according to a segmented electoral system in which a voter has one vote for district representative and another vote for the party list. The term limit is three consecutive terms. Eighty percent (80%) of the legislators (or 212 seats as of 2004) are elected in single-member districts. Since 1998, up to 20 percent of the maximum size of the legislature or 53 seats are elected through the

party-list system in a nationwide constituency. Parties need to cross a threshold of 2 percent of the votes to gain representation and can achieve a maximum of three seats. The law leaves the exact allocation formula to the Commission on Elections (COMELEC), which applies a quota system. Parties are entitled to one seat if they gain 2 percent of the votes and can gain up to two additional seats for each multiple of 2 percent.

Table 1: Characteristics of the National Electoral System

Position	Number Officials	System Type	District Type	Number of Districts	Length of Term	Term Limit
President	1	Plurality	Single-Member	1	6	1[a]
Vice-President	1	Plurality	Single-Member	1	6	2
Senate	24[b]	Plurality	Multi-Member (12)	1	6	2
House: District	212	Plurality	Single-Member	212	3	3
Party-List	maximum 53	Quota	Multi-Member	1	3	3

Author's compilation. [a] Term Limit is absolute. All other Term Limits are consecutive. [b] Half of the seats are contested every three years.

3. Electoral Law

The Philippine electoral process is regulated by a series of laws from the beginning of the campaign period, to the conduct of the campaign, and all the way to the counting of the ballots declaration of winners. Election law and regulations are contained in ten separate election laws. (See Table 2) These regulations are so stringent that they are considered as "dead-letter" provisions that have proven unrealistic or difficult to enforce (Teehankee, 2002).

Table 2: Major Electoral Laws in the Philippines

Electoral Law	Year	Features
Omnibus Election Code (BP 881)	1985	The basic election law that has been amended by the 1987 Constitution and a series of legislations.
Electoral Reform Law (RA 6646)	1987	The law that administered the first local election under the 1987 Constitution. Introduced reforms in the counting of votes; eligibility and disqualification of candidates; legal election propaganda; function of election watchers, identification of election offense such as vote buying and vote selling.
Synchronized Election Law (RA 7166)	1992	The law realized the constitutional provision for the

		synchronized holding of local and national elections. Under the law, elections for all seats in the House of Representatives, half of the twenty-four Senates, and all other levels of government except Barangays (villages) are held every three years. On the other hand, elections for the positions of president and vice president are held every six years.
Party List Law (RA7941)	1995	The law provides the legal framework for the constitutional provision that mandates for 20% of the House of Representatives shall be elected through a proportional representation party list system. The law sets a threshold of 2% for each seat and a limit of three seats for each party, sectoral organization or coalition.
Mindanao Automation (RA 8046)	1995	The law provides for the automation of elections in the Autonomous Region of Muslim Mindanao.
Voter's Registration Act (RA 8189)	1996	The law mandates a general registration of votes, introduces a system of continuing registration, and generates a permanent list of voter for every precinct.
Electoral Modernization Act (RA 8436)	1997	While originally passed in anticipation of the May 11, 1998 local and national elections, this law that authorizes the use of automated systems was never implemented.
Fair Election Act (RA 9006)	2001	The law lifts the ban on political advertising and provides the legal framework for media conduct and access and the utilization of public information by candidates and political parties.
Act Providing for Synchronized Barangay and SK Elections (RA 9164)	2002	The law provides for the synchronization of election of Barangay (village) officials and representatives to the Sanggunian Kabataan (Local Youth Councils) with other municipal and local elections. The law has not yet been implemented.
Overseas Voting Act (RA 9189)	2003	This law realizes the constitutional provision of ensuring the rights of overseas Filipinos to vote.

Source: Summarized from Commission on Elections (COMELEC)

4. Campaigning and Financing

During the election period, campaign finance and methods of campaigning are extensively regulated to an extent uneasy to comply with for candidates. These regulations, however, do not preclude candidates from amassing and spending vast amounts of campaign money and circumventing election laws. Presidential and vice-presidential candidates may spend up to ten pesos, independent candidates five, all other candidates three and parties five pesos per registered voter in their respective constituency. Parties, candidates and contributors have to file itemized statements of expenditures after the elections. Foreign sources and government-related agencies or enterprises are not allowed to contribute to campaigns. Legal campaign expenditures are enumerated by law and include the employment of staff, legal counsel and poll watchers, organizational costs, transportation, the holding of authorized rallies and advertisement.

The Fair Election Act of 2001 restricts mass media usage to 120 minutes of television and 90 minutes of radio broadcast per candidate or party during the campaign period. There are similar restrictions for frequency and size of print media and street advertisement that aim at equal access to the media. The Fair Election Act also regulates media content during the campaign period.

Election surveys are allowed given that in publishing survey results, the name of the candidate or party who paid for the survey should be identified together with the other important information; the organization conducted the survey, the survey period, the methodology used, the number of respondents, the areas where the survey was conducted, and the margin of error. In relation to this, the survey results for national candidates shall not be published fifteen days before the Election Day while, for the local candidates, the results shall not be published seven days before Election Day. And in conducting exit polls it should be 50 meters from the polling places and results may be announced only after the closing of the polls on Election Day.

5. **Voters Registration**

The Voter's Registration Act of 1996 mandates a general registration of votes, introduces a system of continuing registration, and generates a permanent list of voter for every precinct. Before the passage of the law, the registration of voters was conducted manually at the city and municipal level. Initial efforts at computerization of the voters list at the local level were highly decentralized. In August 2003, the COMELEC began the implementation of the first phase of the automation process known as the Voters Validation System (VVS). The process involved the collection of biometric data, the production a centralized voters' list, and the issuance of identification cards. The process was further complicated when the COMELEC decided to renumber the precincts. Nonetheless, the objective of validation and centralization of the voter registry was poorly designed and implemented, such that, the COMELEC eventually failed to compile a complete, functional and centralized voters' list (Erben et al, 2004).

In addition, COMELEC also failed to produce and distribute corrected and updated voters' list for each and every precinct in the country. The initial voters' list that were produced were deeply flawed that they proved useless on Election Day. Hence, the

COMELEC ordered the election officers to revert to the outdated decentralized lists and records that did not include many new voters and those who changed their addresses. The missing names and incorrect precinct allocations resulted in massive confusion and numerous disenfranchisements on Election Day (Erben et al, 2004).

6. **Voters Education**

While the COMELEC is the primary government institution responsible for information dissemination and voters' education, other important stakeholders, such as religious and civil society organizations, have contributed to inform the public about the intricacies of the electoral process. The track record of the COMELEC as regards voters' education has been inconsistent and highly dependent on the competencies of the incumbent Chair and Commissioners.[1] Thus, civil society organizations such as the National Movement for Free Elections (NAMFREL) and the Parish Pastoral Council for Responsible Voting (PPRCV) have implemented their own voters' education program, but their efforts were frustrated because of the lack of guidance and materials from the COMELEC (Erben et al, 2004).

7. **Election Organization**

The Commission on Elections (COMELEC) is responsible for all organizational aspects of elections and the enforcement of election related law, except the counting and recording (officially known as "canvassing") of the presidential and vice-presidential votes and the resolution of post-election disputes. The COMELEC is an independent and permanent constitutional organ. The President appoints the Chairman and Commissioners for a single seven years term subject to the approval of the Commission of Appointments in Congress. The COMELEC is vested with an unusual range of executive and judicial authority to enforce its decisions and election related law. In order to exercise its administrative functions and implement election laws the COMELEC issues "resolutions" that has the same force of laws enacted by Congress. It has the right to recruit personnel of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) as election deputies to enforce their orders. In violence torn areas, it can increase military or police presence and seize political control on Election Day.

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[1] The last time that the Commission administered a creditable voters' education program was during the 1992 synchronized elections under the leadership of COMELEC Chair Christian Monsod.

During the election period COMELEC decisions have precedence over any other authority but the Supreme Court.

Prior to the elections its functions include the registration of voters, parties and candidates and validation of the voters list that has to be released at least 120 days prior to the elections. The COMELEC is responsible for official voter's education and has to undertake information campaigns about voters' registration and election related laws. It also enforces the ban of guns and bodyguards during the election period. The COMELEC furthermore exercises quasi-judicial functions in the resolution of all election related disputes and the disqualification of candidates.

After the elections the COMELEC organizes the counting and canvassing of votes for all legislative mandates and proclaims the winners. The COMELEC can refuse to proclaim a candidate who did not file a statement of campaign expenditures. Congress does the counting of votes and proclamation of winners for the presidential and vice-presidential elections. All contests relating to the election, the results and the qualification of candidates after the inauguration of winners are resolved in respective electoral tribunals for the Senate, the House of Representatives or the President.[2]

II.   Conduct and Results of the 2004 Synchronized Election

Over 55,000 candidates competed for 17,729 national and local offices in the May 10, 2004 synchronized elections. Candidates of 33 parties, including the four major parties Lakas Christian Muslim Democrats (Lakas-CMD), Nationalist People's Coalition (NPC), Liberal Party (LP) and Laban ng Demokratikong Pilipino (LDP), and 66 party list groups contested the elections. There were five candidates for the presidency, namely incumbent President Gloria Macapagal-Arroyo, movie actor Fernando Poe Jr., former Education Secretary Raul Roco, Senator Panfilo Lacson, and religious leader Brother Eddie Villanueva. Two major coalitions dominated the national and local elections – the administration *Koalisyon ng Karanasan at Katapatan sa Kinabukasan* (Coalition of

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[2] Article VI, Section 17 of the 1987 Constitution provides that the "Electoral Tribunals of the House and Senate consist of nine members, three of whom are Justices of the Supreme Court and six members of the chamber according to proportional representation among parties." On the other hand, Article VII, Section 4 states that the "Supreme Court, sitting en banc, shall be the sole judge of all contests relating to the election, returns and qualifications of the President or Vice-President, and may promulgate its rules for the purpose."

Experience and Fidelity for the Future, K4) and the opposition *Koalisyon ng Nagkakaisang Pilipino* (Coalition of United Pilipinos, KNP).

1. **Conduct**

There were 43,536,028 registered voters. Of this number, an estimated 32,347,269 (74.3%) voted on May 10, 2004. The national elections encouraged voter turnout, as 96.7 percent voted for a President, while 90.95 percent voted for a Vice President. The average number of Senators a voter voted for was 7.56. (Commission on Elections [COMELEC] 2004; National Movement for Free Elections [NAMFREL], 2004) The elections were to a far reaching extent free and competitive, however, there were several restrictions to the openness of the contest. The correctness of the electoral process was severely hampered by incompetence in the administration of voter's registration, the preparation of voter's lists on Election Day and the counting and canvassing process. The ideals of a completely peaceful and credible election was not attained as election-related violence and widely perceived incidences of electoral fraud served to lower the over-all quality of the conduct and results of the elections.

1.1 Exclusion

At first glance, the registration of 88 percent of voters may be indicative of the inclusiveness of the electoral process in terms of eligibility and franchise. As Table 3 shows, the 15.4 percent increase in registered voters was the highest since 1995. Additionally, franchise was extended to overseas Filipinos with a total of 358,660 voters registered for the first ever held overseas elections.[3] However, the increase in voters' registration was larger that can be accounted for by the growth rate of the adult population.[4] The sharp increase may more likely be due to a failure of the COMELEC to clean the voters' list of multiple registered and deceased voters.

Aside from padding the number of registered voters, the flawed voters' list resulted in disenfranchisement as names of voters were missing or reassigned to different

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[3] These were about 35 percent of those eligible to vote under the conditions of the law. The Oversea Voting Act of 2003 demands that registrants declare their intent to resume residence in the Philippine not later than three years after the registration. This condition is met by approximately one of six Million oversea living Filipinos.

[4] While the Philippines have a population growth rate of approximately 2.3 percent per annum, the increase in registered voters was 4.6 percent per annum (National Democratic Institute [NDI], 2004).

precincts without prior notice. This led to confusion and frustration among voters and election official nationwide. It is difficult to assess the total number of voters that were disenfranchised in this context. The survey firm Social Weather Stations (SWS) estimates that 900,000 voters were unable to exercise their right to vote.[5]

Table 3: Registered Voters 1995-2004

	1995	**1998**	**2001**	**2002[b]**	**2004**
Registered Voters	36,415,144	34,117,056[a]	36,354,898	37,724,463	43,536,028[c]
Total Increase (%)	--	-6.31	6.56	3.77	15.41
Adult Population[d]	37.895.668	41.552.502	45.317.467	46.643.433	49.299.001
Percent Registered	96.1	82.1	80.2	80.8	88.3

[a] With the Voter's Registration Act of 1996 each voter had to register anew, which led to an overall decrease of voters. [b] In 2002 local elections were held. [c] Figure excludes registrants under the Oversea Absentee Voting Act. [d] Medium Estimation Figure based on the National Census of 1995 and 2000. Source: National Statistical Coordination Board.

Above and beyond the COMELEC's failure to clean the voters' list, there were other means of preventing voters from exercising their right to suffrage, such as intimidation and vote buying (Rufo, 2004d). A more pervasive exclusionary element in Philippine elections that was evident in 2004 was violence and intimidation. A number of internal security threats affected the conduct of elections in some areas of the archipelago such as northern Luzon and Mindanao. They include the Muslim separatist group Moro Islamic Liberation Front (MILF), the terrorist Abu Sayyaf group, private armies, and deep-rooted clan conflicts. The New People's Army (NPA), the armed component of the Communist Party of the Philippines, was active during the election period. The NPA used the campaign period to extort money, food and guns from candidates for "permits to campaign" (PTC) in NPA-controlled areas. Candidates were harassed and hindered from freely campaigning if they refused to pay (Erben et al, 2004).

1.2 Openness and Competitiveness

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[5] According to the Social Weather Stations (SWS) exit poll survey conducted on Election Day, 2.1 percent of registered voters responded that they were unable to find their names on the voters list. This is the equivalent to 900,000 voters nationwide. For complete survey results and methodology see http://www.sws.org.ph.

Compared to recent presidential and legislative elections, competitiveness for the 2004 election was fairly moderate. The ratio of candidates per mandate was 4.0 for the Senate and 3.2 for the House, respectively. The number of candidates per district varied between one and twelve (See Table 4). Incumbent candidates at all levels clearly benefited from their position. In 170 congressional districts, incumbent candidates ran for office. Of these 153 (90%) were re-elected. In eight congressional districts, candidates remained unchallenged. In another seventeen districts, direct relatives of incumbent candidates, who had to sit out due to term limits, gained office. At the local level, a decline in competition can be partly be explained by the burgeoning cost of campaign (that may include buying votes) that local candidates can hardly afford without support from national candidates (Oribe, 2004).

Table 4: Number of Candidates for National Elective Posts.

	1992	**1995**	**1998**	**2001**	**2004**
President	7	--	10	--	5
Vice-President	7	--	9	--	4
Senate	163	28	40	37	48
District	1,082	648	874	494	671
Party-List	--	--	123	168	66

Sources: National Statistical Coordination Board (NSCB), Commission on Elections (COMELEC).

Generally, eligibility was not restricted and no candidate or party was prevented from participation due to political reasons. Nonetheless, the COMELEC rejected the candidacy of some individual candidates and the registration of several party list organizations. Of over eighty Certificates of Candidacy filed for the presidential election, the COMELEC initially approved six.[6] Later, the presidential candidate of the obscure party Isang Bansa Isang Diwa (IBID), Eddie Gil, was disqualified as a nuisance candidate

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[6] The Certificates of Candidacy of the other candidates were rejected because they were not able to prove, that they were capable of staging a nationwide campaign.

during the campaign period.[7] The new accreditation rules for the party list election led to the rejection of the registration of sixty party list organizations.[8]

Candidates made extensive use of black propaganda to hamper the campaigns of their opponents; and incumbent candidates clearly used their position to gain an advantage over competitors. The laws on campaign finance and media advertising aimed at equal conditions were widely disregarded. Positively, voters were relatively free to cast their vote on Election Day, even though, as mentioned, isolated cases of intimidation occurred and the secrecy of the ballot was not guaranteed in all cases.

The filing of disqualification suits against competitors to attract media attention and as a form of negative campaigning was widely utilized to gain electoral advantage. Both administration and opposition coalitions undertook several unsuccessful attempts to have their main competitors disqualified. Opposition presidential candidate Fernando Poe Jr. faced a disqualification case at the Supreme Court filed by political operatives identified with the administration. The disqualification case questioned Poe's Filipino citizenship, and his eligibility to run for the presidency.[9] The Supreme Court ruled in Poe's favor but the legal case hampered his campaign fundraising and political machine building. The resulting uncertainty about his right to run for office effectively halted the momentum of his campaign and prevented national and local candidates from endorsing his candidacy. Consequently, Poe's early lead in the SWS and Pulse Asia pre-election surveys were greatly diminished, allowing the incumbent President Arroyo to catch up and eventually take the lead.

In retaliation, the opposition filed similar disqualification cases against the incumbent President Arroyo on grounds of abuse of government resources and

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[7] Gil was disqualified for several reasons. First, he was unable to prove that he can organize a nationwide campaign. On the day of the launching of his presidential candidacy, Gil was unable to pay the bill of the hotel he was staying in and had to be arrested. Second, formal errors were found in his Certificate of Candidacy. Third, the COMELEC did not consider him a bona fide candidate given his outlandish campaign promise to pay the national debt from his private account and make every Filipino a millionaire. The Supreme Court confirmed the decision twice.

[8] Sixty parties were not allowed to participate because their candidates did not represent marginalized or underrepresented sectors of society. Another 19 parties were rejected because of a provision in the Party List System Act of 1995 that prohibits the participation of parties that failed to gain representation in the last two elections.

[9] Poe is the illegitimate son of movie actor Fernando Poe Sr. and American Bessie Kelley.

presidential plunder. The COMELEC and the Supreme Court dismissed these cases. The administration utilized the power of the incumbency to the fullest. The main focus of its campaign strategy was "unbridled access to government resources." Hence, the Arroyo campaign used "the normal delivery of government services as a campaign tool without making it look like what it really was – an attempt to capture votes" (Bergonia, 2004: 4).

The administration astutely used the normal functions of the executive department and put a political spin on its projects to maximize projection for the president during the campaign period. These projects included the controversial road maintenance project under the Department of Public Works and Highways (DPWH) in which around 250,000 temporary workers were hired to sweep the roads of Metro Manila and elsewhere (Bergonia, 2004).[10]

Clearly, the strategy of merging governance and campaign politics gave the administration undue advantage in terms of access to resources and government machinery. The strategy helped to offset Fernando Poe's popularity with the poor classes. These classes, which formed the bulk of his movie fans and supporters, were also the most susceptible to material inducements. With the use of government social programs, the Arroyo campaign targeted these classes and successfully eroded Poe's lead in these sectors.

Equality of conditions was a difficult issue. It is doubtful whether the laws on campaign finance and media advertisement as such were suitable to guarantee fair conditions. Smaller parties and party list groups are unable to raise funds up to the limit provided by law and can hardly afford advertisement in nationally distributed mass media. Despite this, the regulations were widely disregarded by the major political camps. In the end, broadcasting time primarily depended on the financial resources of

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[10] Other projects that were extensively pursued during the campaign period were the granting of student loans for tuition and other needs, the distribution of health cards to the poor, the allotment of P12-billion special salary loan to 900,000 government employees (Go, 2004b; Go and Fonbuena, 2004; De Castro, 2004a; Rimando, 2004). In addition, the administration widely utilized the Philippine Amusement Gaming Corporation (PAGCOR) – the government corporation that has a monopoly on running casinos in the country – to fund projects such as street lighting, health and water delivery services, and the distribution of motorcycles, trucks and other vehicles to local government units. Most of these projects and donations prominently carried either the name or portrait of President Arroyo (Rufo, 2004a).

candidates. Thus far, the 2004 elections may have been the most expensive political marketing campaign in Philippine election history (See Table 7).

Reliable data on campaign expenditures do not exist. However, elections in the Philippines are known to be immensely cost-intensive. Oddly, the statements of expenditure of most candidates are reported way under the legally-allowable amount. National candidates tend to outsource the vast share of their campaign finance to local candidates in exchange for political support or distribute their resources among regional support networks that organize vote buying at the local level. Based on key informant interviews conducted by international observer National Democratic Institute (NDI) and Council of Asian Liberals and Democrats (CALD), campaign spending by presidential candidates increased from approximately two to three billion pesos in 1998 to around four to five billion pesos in 2004. On the average, congressional candidates must spend at least 20 million pesos to win, and presidential candidates must spend at the minimum one billion pesos (Thornton, 2004).

1.3 Correctness

Despite the relatively inclusive, moderately open and competitive nature of the 2004 national and local elections, the correctness of its results was undermined by the conduct of the process. Three issues serve to place the correctness of the conduct of the 2004 elections in doubt: inefficient electoral administration, allegations of fraud and cheating, and outbreak of election-related violence. As the International Foundation for Election Systems (IFES), a key member of the international consortium of election observers, succinctly stated in its Final Report, "[t]he 2004 Philippine election was characterized by serious administrative shortcomings brought about by failed automation plans, fiscal restraints, and poor management by the Election Commission. It was also characterized by significant violence and allegations of wide scale fraud." (Erben et al, 2004: 36)

The handling of the election by the COMELEC was highly disorganized. The failure to conduct clean up of the voters' list, errors in the preparation of the lists and

delivery of election paraphernalia on Election Day[11] and little effort to sanction violations of the campaign law, contributed to the public notion that the COMELEC was unable to ensure credible elections. Aside from technical and fiscal restraints, its inefficiency is the outcome of its inability to evolve in order to address its emerging needs beyond its organizationally antiquated state. Its modernization efforts have narrowly focused on the adoption of some discrete technologies and overlooking the need to modernize management and operations as well. Efforts must be made to review and retool its management structure, staffing, field structure and budget allocations so that it may perform its constitutional functions efficiently and effectively (Erben et al, 2004).

Allegations of fraud and cheating have consistently marred Philippine elections. Despite the tight safeguards institutionalized to prevent it, cheating does occur mostly at the local level in the form of vote buying and selling. It is imperative, however, to distinguish between actual and perceived acts of cheating and fraud. To begin with, the terms have been loosely applied to election irregularities, election fraud and election offenses. The terms have also been used to describe incidents emanating from honest mistakes to deliberate fraud. The IFES categorized the forms of fraud alleged in the 2004 election and assessed the scope of incidence (non- localized occurrence) and the electoral system's vulnerability to these malfeasance. (See Table 5)

Table 5: Categories of Alleged Fraud and Safeguards

Alleged Fraud	Safeguards	System's Vulnerability to Fraud	Threat of Non-Localized Occurrence
Misuse of Public Funds - *use of state resources for partisan purposes*	o Campaign finance rules o Spending limits o Mandatory audit	High	High
Incomplete Reporting of Campaign Finances – *parties and candidates do not submit complete information of their campaign finance reports*	o No efficient mechanism for making it transparent	High	High
Vote Buying – *purchased either directly from individuals or from*	o No technical safeguard to prevent vote buying		

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[11] The IFES observed that among the principal causes for the inefficient handling of the 2004 election was technical, "failure to implement the three phases of modernization, namely: 1) full implementation of the biometric capturing system/re-establishing a functional voters' list; 2) automation of count and canvass; and 3) implementation of the Vote Satellite (VSAT) results transmission system/COMELEC quick count." See Erben et al, 2004: 7.

entire groups, by offering cash and other direct incentives		High	High
Voters' List Inflation – *by double registration and registration of non-existent or deceased voters*	o Inking of voters o Display and distribution of voters' list o Validation system using biometric data o Presence of local COMELEC official	High (multiple registration) Moderate (double voting)	Low
Stuffing of Ballot Boxes with Extra or Manipulated Ballots – *occurs in certain rural areas*	o Controlled distribution of ballots o Security ballot with features difficult to counterfeit o Reconciliation of the number of ballots with voters' list o Comprehensive observation of polling by watchers	Low	Low
Shaving and Padding of Results (*Dagdag-Bawas*) – *allegedly takes place at all levels of count and tabulation from the precinct through the municipal, provincial, and national canvasses*	o Controls in the selection of Board of Election Inspectors and Board of Canvassers o Presence of party and civil society "watchers" at all levels o Widely disseminated copies of Certificate of Canvass and Election Returns o Reasonably effective dispute resolution mechanisms o Parallel tabulation	Low	Low
Replacement of the Formal Results and Canvass Documentation by Counterfeit Material – *results form switched somewhere in the chain of custody*	o Validity can be verified by comparison with other official copies and records of watchers o Controlled distribution of, and some security features in, the Certificate of Canvass	Low	Low

Source: Summarized from Erben et al, 2004: 31-35

At the national level, the counting and canvassing of votes for the presidential and vice presidential positions was marred by controversies. It took thirteen days for the House of Representatives and the Senate to canvass the votes for the two highest positions of the land. This included time exhausted on debating and approving the canvassing rules; opening of the ballot boxes containing the canvass documents; debating the authenticity of these documents; and ultimately, canvassing the votes (Bagayaua,

2004).[12] On June 23, the Joint Canvassing Committee declared Arroyo and de Castro the winners of the 2004 elections. However, the procedure severely damaged the integrity of the electoral process. Despite the official proclamation, allegations of massive fraud were widespread after the elections. KNP candidates Poe and Loren Legarda did not accept their defeat and filed a petition for a nationwide recount of precinct results in the Supreme Court. The minority report of the Joint Canvassing Committee of Congress claimed major discrepancies in the election returns of 42 of the 76 provinces in comparison to the precinct results, most of them across the Visayas, where Arroyo gained a landslide victory, Mindanao and the ARMM. Overall, the report questions the results of 118,339 or 45 percent of the precincts. The legal proceedings are ongoing at the time of writing.

As for election-related violence, the PNP recorded 192 incidences, in which 121 people were killed and another 208 were wounded.[13] Table 6 shows the 2004 elections had the highest number of fatalities since 1995, while the overall number of incidences declined compared to recent elections. The PNP and COMELEC identified 600 areas of concern and classified 49 areas as "hot spots". One hundred-twenty (120) barangays (villages) were placed under direct COMELEC control on Election Day. Until Election Day, over 115,000 PNP and AFP members were additionally deployed to ensure peaceful elections. One hundred fifteen private armed groups were identified and 1,800 persons were arrested for violation of the gun ban.

Table 6: Election Related Violence 1995-2004

Election Violence		1995	1998	2001	2004
Election Period	Incidents	121	267	269	192
	Killed	79	67	111	121
	Injured	111	162	293	208
	Candidates	10	27	30	29

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[12] After the NAMFREL quick-count and the SWS exit survey had shown Arroyo and her running mate Noli de Castro ahead of Poe and Legarda, opposition politicians tried to delay the process until the constitutional deadline on June 30, by means of appeals to the Supreme Court and endless discussions over the validity of the election returns. If no winner is proclaimed prior to the constitutional deadline the elections have to be repeated.
[13] The numbers considerably vary according to source. The NDI (2004) reported over 150 fatalities.

	killed				
	Killed	34	10	14	8
Election Day	Injured	49	50	31	10

Source: Data culled from Philippine National Police, 2004.

1.4 Neutrality

The credibility of an election is highly dependent on the degree of trust the citizens and other stakeholders render unto it. To earn this trust, an election administration must be non-partisan and neutral, both in practice and in perception (Erben et al, 2004). However, certain actuations by the COMELEC commissioners have reinforced the negative perception of partisan bias, despite efforts of its rank-and-file members to demonstrate their commitment towards impartiality. It was widely perceived that majority of the commissioners owe their allegiance to the appointing power – the President. President Arroyo appointed five of the current seven commissioners. This include COMELEC chair Benjamin Abalos who was formerly a local politician and official of the administration party Lakas CMD. Two newly appointed commissioners Virgilio Garcillano and Manuel Barcelona Jr. were largely perceived to be close allies of the president (Rufo, 2004c).

1.5 Civil Society, Media and International Organizations

The 2004 Elections witnessed vibrant civil society participation with the National Citizens' Movement for Free Elections (NAMFREL) and the Parish Pastoral Council for Responsible Voting (PPCRV) spearheading the campaign for a free and clean election through voters' education and poll watching. Both organizations played a pivotal role in attempting to improve the electoral process by actively pursuing proper coordination works between and among COMELEC representatives at the local level to clean the voters' list. More significantly, these organizations initiated the signing of Covenants of Hope by security forces, candidates, and representatives of the clergy throughout the country. These codes of conduct held the candidates accountable to the citizen during the campaign period. In some areas these covenants were observed, while in others it was ignored (CEPPS, 2004: 7).

Media not only played a very influential role in the 2004 elections, but was also the main arena of electoral competition. Given the physical, financial and logistical impossibility of personally facing the electorate in a national campaign, media has emerged as the most efficient and cost-effective way of communicating with the public. Broadcast media (radio and television) has emerged as the primary source of news and information for the public. Broadcast media, with an audience reach by the millions, has supplanted print media that is circulated by the hundreds of thousands. However, while broadcast media has the most audience reach, it tends to be lesser in substance since everything is reduced into a two or three sentence sound bite. On the other hand, print media offers much space for elaborate explanations (Carandang, 2004).

Within broadcast media, television has replaced radio as the source of information for the masses. This trend manifested itself since the late 1980s with television sets being sold by the hundreds of thousands. Programming and language shifted from English to Tagalog to reach the mass audience. By 1995, 57 percent of households nationwide had TV sets. This figure has risen to 85 percent as of 2001 (Coronel, 2003). Media participation in the 2004 election involved news coverage and commercial advertisement.

The Center for Media Freedom and Responsibility (CMFR) monitored TV and print media coverage during the campaign period and observed that media almost exclusively focused on the presidential elections. Apart from surveys of the top candidates for the senatorial and party-list elections, reports on the legislative elections remained scarce. The two top presidential candidates Arroyo and Poe received more than 50 percent of the total media coverage. In terms of airtime and printed articles, Poe received slightly more attention of the media than Arroyo. The vast share of articles during the campaign period dealt with aspects of personality, political scandals and campaign festivals. The CMFR estimates that less than 10 percent of the overall coverage was concerned with political issues (Center for Media Freedom and Responsibility [CMFR], 2004).

The prevalence of candidates with background in the entertainment industry, media coverage blurred the thin line between objective political reporting and entertainment news. With the lifting of the ban on political advertisements, television advertising showed the importance of the medium as a political communication tool,

particularly for the presidential and senatorial candidates (CEPPS, 2004). Despite the priming effect of political advertisements, such as name recall, not all candidates were able to capitalize on its effectiveness. Political advertisements are expensive (See Table 7) with media corporations estimated to have earned almost a billion pesos from January to May 2004 (Gloria et al, 2004).

Table 7: Commercial and Political Ads from January to May 2004 (in million pesos)

	TV	Radio	Print	Total
Nonpolitical Ads	2,216.25	2,016.55	598.17	4,830.97
Political Ads	1,405.67	530.07	53.66	1,989.40

Source: Nielsen Media Research, 2004 as cited in Gloria et al. 2004

For the first time since the 1986 presidential elections, international organizations were invited to observe the elections. Upon the invitation of President Arroyo, a delegation, composed of US-based organizations such as International Foundation for Election Systems (IFES), National Democratic Institute (NDI) and International Republican Institute (IRI) formed the Consortium for Elections and Political Process Strengthening (CEPPS) to observe the political situation leading up to the May 10, 2004 elections. Funded by the United States Agency for International Development (US-AID), representatives of these organizations followed political developments during the pre-election, Election Day and immediate post-election periods (CEPPS, 2004). Another initiative involved "party-on-party" monitoring organized by the NDI, in cooperation with the Council of Asian Liberals and Democrats (CALD).[14] Politicians and party representatives from Cambodia, Korea and Taiwan were invited to act as election monitors. (Thornton, 2004)

2. Results

The 2004 presidential campaign has again served to highlight two fundamental variables in Philippine presidential elections: popularity and machinery. Faced with the

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[14] The NDI-CALD also organized missions to observe the elections in Taiwan, South Korea and Indonesia.

challenge of an opposition candidate, who was extremely popular with the poor voters that comprised majority of the electorate, the Arroyo administration exploited the advantage of her incumbency to mobilize government resources to its advantage. The President's narrow victory was a result of the massive mobilization of money, party and government machinery, the support of regional bailiwicks, and the delivery of the religious command votes. With the astute use of polling techniques, the President managed to narrow down the lead of her popular opponent in the public opinion surveys. In the end, the administration K4 coalition dominated the 2004 national and local elections against the opposition KNP.

2.1 Distribution of Power

The inherent weakness of the electoral and party system in the Philippines was evident in the 2004 election with willful utilization of machine politics by the administration and the populist campaign of the opposition. Both can be viewed as opportunistic attempts to take advantage of the impoverished voters to fulfill their partisan objectives. The KNP campaign attempted to build a groundswell of support from the loyal fans of movie actor and presidential candidate Fernando Poe Jr. Hoping to replicate the Estrada campaign in 1998; the opposition's political strategy was simply anchored around Poe's personal charisma and popularity. On the other hand, the administration strategy was to keep the race as tight as possible in the presidential surveys. This was accomplished by pouring in government resources in areas where the president was lagging in the surveys. In provincial bailiwicks where the President has performed creditably, the close margin in the surveys made it easier for pro-Arroyo operatives to mobilize its political machinery.[15] The close margin in the surveys also shattered the invincibility of Poe's popularity, which, in turn, partly legitimized the Arroyo victory and prevented an extra-constitutional post-election challenge by the opposition. The incumbent won by a margin of 3.4 percent of the total votes cast or an equivalent of 1,123,576 votes (See Table 8).

Table 8: Results of the 2004 Presidential Election

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[15] These bailiwicks included Cebu, Bohol, Iloilo in the Visayas Region, and her Central Luzon home province of Pampanga (Go, 2004a).

Candidate	Party	Votes	%
Gloria Macapagal Arroyo	K4	12,905,808	39.9
Fernando Poe Jr.	KNP	11,782,232	36.5
Panfilo Lacson	Independent	3,510,762	10.9
Raul Roco	Alyansa ng Pag-asa	2,082,762	6.4
Eduardo Villanueva	Bangon	1,988,218	6.2
Total		32,269,782	100

Source: COMELEC, 2004

The victory of President Arroyo and her running mate Senator Noli De Castro was the first time a presidential and vice presidential ticket was not split in three elections since 1992. The immensely popular former television newscaster and senator, Noli De Castro, defeated equally popular, fellow newscaster and senator, Loren Legarda. De Castro, whose name was earlier floated as a presidential contender, contributed much to the victory of Arroyo in terms of vote transferability as the administration's internal survey indicated that an estimated 70 percent of those who would vote for De Castro would also vote for Arroyo. The inclusion of De Castro in the president's ticket also allowed Arroyo to communicate with the poor voters, who comprised the bulk of the electorate and the natural constituency of Poe (Begornia, 2004; Gloria et al., 2004).

Table 9: Results of the 2004 Vice Presidential Election

Candidate	Party	Votes	%
Noli De Castro	K4	15,100,431	49.8
Loren Legarda	KNP	14,218,709	46.9
Herminio Aquino	Alyansa ng Pag-asa	981,500	3.2
Rodolfo Pajo	Isang Bansa Isang Diwa	22,244	0.1
Total		30,322,884	100

Source: COMELEC, 2004

Arroyo's victory was also the first time in Philippine history that a presidential candidate won the election by winning the southern islands of Visayas and Mindanao but losing in the traditional locus of political power – the northern island of Luzon. Despite the fact that Luzon was Arroyo's natural bailiwick, majority of its voters indicated their preference for Poe in successive surveys conducted by SWS and Pulse Asia prior to the election. Given her political weakness in Luzon, she relied on the political clans and bosses in the Visayas and Mindanao to deliver the votes for her (De Castro, 2004b). The

administration also succeeded in getting the support of seven, out of ten governors in vote rich provinces.[16]

The President's candidacy was reinforced by the religious command votes that were delivered by the Iglesia ni Cristo (INC) and the El Shaddai.[17] According to estimates, each religious group can deliver between two to four million votes to a presidential candidate. In 1998, Erap Estrada got the endorsement of the Iglesia ni Cristo and El Shaddai. The 1998 SWS exit polls indicated that 81 percent of INC members voted solidly behind Estrada. The El Shaddai also endorsed Estrada, but only 39 percent of its members actually voted for him (Mangahas, 1998).

On the other hand, Poe's refusal to articulate his platform or participate in the debate fatally impaired his candidacy. His public appearances were limited to smiling, waving and saluting to the crowd, and his speeches were limited to a series of one-liners often taken from his movies. Despite the huge number of fans that attended his campaign sorties, the failure of Poe to mount an insurmountable lead in the presidential surveys prevented most local politicians from endorsing his candidacy and discouraged political financiers from infusing funds into his fledgling campaign. His campaign was also saddled by internal bickering among the various parties and organizations within the opposition coalition. His failure to unite with recalcitrant opposition candidate Panfilo Lacson further weakened the political opposition, weighed down his campaign message of "national unity" and resulted in the withdrawal of support from the influential INC. In the end, the opposition failed to provide the political vehicle for the charismatic Poe. Unlike President Estrada's *Laban ng Makabayang Masang Pilipino* (LAMMP) coalition in 1998, which managed to assemble the requisite political machinery to convert popularity into votes and have it counted, Poe's coalition in 2004, the KNP fielded only

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[16] Thirty-nine of 79 governors have declared support for the President, but 21 of them have actually supported her rivals. Nonetheless, the seven provinces whose governors were solidly for Arroyo represented a total voting population of around 7.91 million (Go, 2004a).

[17] The indigenous Christian sect Iglesia ni Cristo (Church of Christ, INC) and Catholic charismatic group El Shaddai are two of the most politically active groups in the Philippines. Former Seventh Day Adventist member Felix Manalo founded the INC in 1914, while former real estate developer Mike Velarde founded the charismatic Catholic sect El Shaddai in 1984. Both sects have wide memberships that have translated into economic and political power through the investment of the tithes it collects into building media empires. These sects have often played host to the country's top political leaders and became very influential in local and national politics as a result of its practice of block voting. The INC has been a staunch supporter of ousted President Marcos. In 1992, the INC supported the presidential candidacy of close Marcos ally Eduardo Cojuangco, while El Shaddai endorsed the victorious Fidel Ramos.

26 candidates out of 211 seats (12 %) for the House of Representatives and 8 candidates for 76 (10 %) provincial governor seats (Doronila, 2004).

2.2 Landscape of Political Parties

The post-democratization period (1986-present) saw the emergence of a fluid multiparty system operating under a restored presidential form of government that replaced the formal two-party system of the pre-authoritarian period (1946-1972). A plethora of parties and coalitions were organized and dissolved in successive local and national elections since 1987. Nonetheless, these parties were largely candidate-centered amalgamations of provincial bosses, political machines and clans. Political parties in the Philippines are essentially "vote-seeking parties" that are "primarily interested in securing the benefits of office – getting its leaders into government, enjoying access to patronage, etc. – even if these means sharing power with others or pursuing strategies which fail to maximize its share of the votes." (Wolinetz, 2002)

Hence, Philippine political parties in the post-democratization period are often organized around an incumbent president or a viable presidential candidate. The president's control over patronage resources has encouraged constant party switching by politicians to the political party or coalition in power. A prospective presidential candidate must not only be perceived as having a good chance of winning, he or she must also possess the requisite resources to finance national and local candidates.[18] Kasuya (2001) argued, "the increased number of parties competing [particularly] in the legislative elections should be seen as the result of an increase in the number of viable presidential candidates in post-authoritarian elections."

Unlike the previous elections in the post-democratization period in which a multitude of parties competed for national and local seats, the 2004 elections saw the consolidation of the fractious party system into two major coalitions supportive of the two strongest presidential candidates representing the administration and opposition forces.[19] The administration coalition was organized as *Koalisyon ng Karanasan at*

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[18] Presidential candidates who contested the first presidential election in 1992 organized the three major parties in the post-authoritarian period: LDP, Lakas, and NPC.
[19] A third smaller coalition of former Arroyo supporters – Alyansa ng Pag-asa (Alliance of Hope) composed of Aksyon Demokratiko, PROMDI, and Reporma, endorsed the candidacy of Raul Roco. These three minor parties were separately organized as political vehicles of presidential candidates who contested the 1998 election.

Katapatan sa Kinabukasan (Coalition of Experience and Fidelity for the Future, K4) – composed of the ruling Lakas CMD, in coalition with the LP, a faction of the NPC,[20] and smaller parties such as the Kabalikat ng Malayang Pilipino (Partner of the Free Pilipino, Kampi),[21] Partido Demokratiko Sosyalista ng Pilipinas (Philippine Democratic Socialist Party, PDSP) and the People's Reform Party. On the other hand, the opposition coalition was the *Koalisyon ng Nagkakaisang Pilipino* (Coalition for National Unity, KNP), composed of the LDP, Partido Demokratikong Pilipino-Lakas ng Bayan (PDP-Laban), the Pwersa ng Masang Pilipino (PMP), the Kilusang Bagong Lipunan (KBL), and a faction of the NPC.

The configuration of political parties in the Senate changed drastically after the 2004 election. Two political parties that have dominated the upper chamber in the past have diminished their influence after the post-election realignments. The ruling Lakas CMD lost two seats and the once dominant LDP was decimated to a single member in the Senate.[22] (See Table 10) Except for the LDP, which formed the core of the KNP coalition, the three other major post-Marcos political parties (Lakas, NPC and LP) performed well in the 2004 election for members of the House of Representatives. (See Table 11)

Table 10: Distribution of Senate Seats in the 12th and 13th Congress

Party	12th Congress		13th Congress	
	Seats	**Share (%)**	**Seats**	**Share (%)**

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[20] The NPC, a party founded by close Marcos political and economic ally Eduardo "Danding" Cojuangco in his failed 1992 presidential bid, initiated an impeachment complaint against Supreme Court Chief Justice Hilario Davide in the last quarter of 2003 on alleged charges of corruption. The move nearly resulted in a constitutional crisis between Congress and the Judiciary. The dominant party in the House, Lakas CMD, diffused the crisis by voting against the impeachment. This action, however, strained the longstanding alliance between Lakas CMD and NPC. This led to the NPC decision to split its rank to support either the administration or opposition.

[21] Kampi was founded in 1997 as a political vehicle for the initial attempt of then Senator Gloria Macapagal Arroyo to run for the presidency in 1998. It was largely composed of a faction of politicians who split from the LDP. The party merged with Lakas when Arroyo opted to run as the vice presidential candidate of Speaker De Venecia. Arroyo won despite De Venecia overwhelming defeat to Joseph Estrada. Moves to revive the party started as early as 2002 in anticipation of Arroyo's re-election bid for the presidency in 2004.

[22] The LDP was the most powerful political party in the Senate in the post-Marcos period. At the height of its dominance, the LDP had an absolute majority of 16 members in the 24-member Senate of the 9th Congress (1992-1995). It managed to maintain its influence despite the fact that its number in the Senate was beginning to decline. From fifteen members in the 10th Congress (1995-1998), its number was reduced to nine in the 11th Congress (1998-2001), and six in the 12th Congress (2001-2004).

LP	1	4.2	4	17.4
Lakas CMD	6	25.0	4	17.4
NP	0	0	4	17.4
PMP	1	8.3	4	17.4
PDP-Laban	2	8.3	2	8.7
LDP	8	33.3	1	4.3
PRP	0	0	1	4.3
Independent	5	16.7	3	13.0
Others	1	4.2	0	0
Total	**24**	**100**	**23***	**100**

Source: COMELEC, 2001, 2004
*One seat vacated by the election of Senator Noli De Castro as Vice President

Table 11: Distribution of House Seats in the 12th and 13th Congress

Party	12th Congress		13th Congress	
	Seats	**Share (%)**	**Seats**	**Share (%)**
Lakas CMD	82	36.0	93	40.0
NPC	53	23.0	53	23.0
LDP	21	9.0	11	5.0
LP	21	9.0	29	12.0
Others	19	8.0	19	8.0
Independent	10	4.0	5	2.0
Party-List	20	9.0	24	10.0
Total	**206**	**100**	**234***	**100**

Source: Data culled from House of Representative, 2004; COMELEC, 2004
*Additional seats as a result of legislative redistricting and additional party list winners

The party that gained the most during the 2004 election is the Liberal Party (LP). The LP, founded in 1946, managed to maintain its cohesion, consolidate its ranks and capitalize on its alliance with President Arroyo.[23] The party cleverly supported the candidacy of President Arroyo and became the major partner of the ruling Lakas CMD in the K4 coalition. As a result, the party managed to gain eight additional seats in the House and elect two more members in the Senate. One of its members, Manuel Roxas II, topped the senatorial election and is being considered a possible presidential contender in 2010.

2.3 Formation of Government

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[23] Prior to the election, the LP managed to recruit a handful of representatives and other local officials. It also attracted two senators that include Senate President Franklin Drilon. The infusion of new members and the selection of Drilon as party Chair reenergized the second oldest political party in the Philippines. After the election, three of its members have been appointed to President Arroyo's cabinet. It was also able to recruit five representatives from other parties in the 13th Congress.

Armed with a fresh, albeit disputed mandate, the re-elected President set out to reorganize her administration. Although evading an immediate and wholesale government revamp, her new appointments reflected the imperatives of acknowledging the political forces that helped her achieve victory in the elections. Since the proclamation of her victory on June 30, 2004, she made more than a dozen appointments in her cabinet. Most of these appointments appear to have been made out of political geographical considerations.[24] With her tacit support, she also ensured that her allies – Senate President Franklin Drilon of the Liberal Party and Speaker Jose De Venecia of Lakas CMD – maintain their leadership positions in both chambers of Congress.

The combination of the presidential system of government[25] and weakness of the party system naturally has an impact on party-government relations and the formation of governments in successive post-authoritarian administrations in the Philippines. Since political parties are largely vote-seeking machines, the notion of party government is generally absent.[26] Presidential administrations are largely autonomous from political parties. In the Philippines, political parties are dependent more on the government (in the form of patronage and government appointments), instead of the government being dependent on the support of political parties. Hence, a sitting president is more likely to personally solicit political support from party bosses and individual politicians rather than the party as a whole.

As mentioned earlier, party switching is common in Philippine politics. Most politicians find it convenient to affiliate with the political party that will advance their interests during the electoral campaign period in terms of providing funds and machinery that will carry them to victory. The official endorsement of one's candidacy by a political party is not only a legal requirement but also necessary to have the right to assign poll watchers to guard the conduct and counting of votes on Election Day. After winning their

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[24] Outside of her home province of Pampanga in Central Luzon, her three widest vote margins came from the Visayas: Cebu province and Cebu City, where she led by 1,004,000; Iloilo province and Iloilo City, 500,914; and Bohol, 242,956. Visayans have been appointed to strategic positions in her government. Nine of her appointees are known to have campaigned hard for her in the region.

[25] According to Blondel (2002: 238), "[t]here is probably more scope for governmental autonomy in separation of powers system, such as the United States, than in parliamentary, since parliamentary systems link the executive to the legislature and the parties are the key chains in this link."

[26] Party government refers to "the 'insertion' of parties – of some of the parties, those which choose to support the government – in governmental life." (Blondel, 2002: 236)

seats, successful politicians in the legislature usually seek the party that will appoint them as chairs or members of important congressional committees or give them greater access to state resources and largesse (e.g. pork barrel funds) that they need to ensure their re-election. Hence, they mostly switch to the administration party that can provide them with their political needs. The LDP, organized by relatives of President Corazon Aquino, recruited the largest number of national and local politicians in 1988. Most of these politicians transferred to Lakas during the administration of President Fidel Ramos in 1992, then to LAMMP under President Joseph Estrada in 1998. Lakas regained its monolithic status upon the assumption of President Gloria Macapagal Arroyo in 2001, and her successful re-election in 2004.

The use of government largesse to induce and consolidate party support for a presidnetial administration was evident in the aftermath of the 2004 elections for members of both chambers of Congress. The majority of administration candidates who won in the 2004 election have helped stabilized the Senate. The Senate of the 12th Congress has been tumultuous coming in the heels of the impeachment trial and subsequent ouster of President Joseph Estrada through a people's uprising in 2001. The composition of the Senate, after the 2001 election, reflected the deep division in Philippine society brought about by the EDSA 2 uprising that ousted Joseph Estrada from the presidency. The political lines are much clearer in the 13th Congress. Political realignment in the House of Representatives was immediately triggered by the selection of the Speaker of the 13th Congress. The political configuration of the House of Representatives at the beginning of the 13th Congress was fluid as legislators shifted their party affiliations in support of their respective candidates for the Speakership who have promised them key appointments in congressional committees. (See Table 13)

Table 13: Party Switching and Realignment in the House of Representative (13th Congress)

Party	Number After Election	Left	Joined	Number After Realignment
Lakas CMD	93	-6	+6	93
NPC	53	-3	+3	53
LP	29	0	+5	34
LDP	11	-1	+1	11
KNP	5	-4	+1	2

PMP	4	-2	+1	3
NP	1	0	+3	4
Kampi	1	0	+2	3
Others	8	-3	+1	6
Independent	5	-5	+1	1

Source: Data culled from House of Representative, 2004; COMELEC, 2004

III. Assessments

Elections in the Philippines, while patterned after traditional liberal democratic practices, operate under a peculiar set of social and political dynamics. Electoral campaigns and party politics serve as avenues for elite dominance of a resilient oligarchy throughout the post-independence republic from 1946 to 1971. The inherent weakness and contradictions of the political system contributed to democratic breakdown and resulted in the emergence of the authoritarian regime of Ferdinand Marcos from 1972 to 1986. The ouster of the Marcos dictatorship in 1986 restored formal democratic rule and practices. The pent-up democratic impulses of the anti-dictatorial struggle evolved into a multiparty system that replaced the one-party dominance of Marcos rule and the two-party system of the pre-martial law era. In the post-1986 political regime, however, electoral campaigns in the Philippines provide opportunities for both elite circulation and popular participation. Nonetheless, poverty and underdevelopment coupled with the growing influence of mass media have contributed to the emergence of "celebrity politics" and populist campaigns to contest elections. These were among the challenges to the democratic consensus that emerged before, during and after the 2004 elections.

1. Consensus vs. Conflict

Two successful and one failed people uprisings have underscored the fragility of political institutions that threatens the democratic consensus in the Philippines. The temptation to undertake extra-constitutional mode of political change remains an option for the political elite, civil and political organizations, the military and masses. Since the restoration of the democratic order in 1986, the polity has been subjected to a series of punctuated challenges to its legitimacy. These challenges – insurgency, secessionism, terrorism, military adventurism – emanate from and are sustained by deeply-rooted socio-economic, political and cultural conflicts that simply cannot be resolved within the existing institutional framework.

The stability of the democratic process lies in its capacity to ensure that varied interests of citizens are considered and in cases of discrepancy, a reasonable resolution of differences is achieved. Such is the advantage of the democratic framework in which almost every agenda are consolidated through the process of participation, and a tolerated level of competition exists among stakeholders within an institutional apparatus. The rules and constraints provided by institutions shape human interaction and provide behavioral incentives, thus, reducing uncertainty through the establishment of stable and predictable structures for interaction among individual and collective actors. Paradoxically, in a fully institutionalized democracy, "the competitive nature of political process is ideally [characterized] by a recurring uncertainty of outcomes, thus encouraging a 'rule bounded' commitment amongst political actor to the democratic process itself." (Reilly, 2004)

Unlike economic institutions (e.g. market) that functions optimally in an environment where there is certainty of outcomes, political institutions (e.g. elections) thrive on a recurring uncertainty of outcomes. For example, election outcomes are essentially unpredictable and impermanent, individual candidates and parties may "win" or "lose", but their victory or defeat are temporary until the next election cycle. The structural uncertainty of a democratic electoral process is an essential prerequisite for the development and institutionalization of behavioral norms of cooperation. The challenge for political scientists and policy-makers is how political uncertainty can be managed in deeply-divided and conflict-ridden societies. The proper choice of electoral system is one institutional remedy to redirect the trajectory of political competition towards the center and induce a moderating and cooperative influence on the general political dynamics. As Reilly (2004: 6) argues "certain electoral systems, under certain circumstances, will provide rational political actors with incentives towards cooperation, moderation and accommodation between themselves and their rivals, while others will lead logically to hostile, uncooperative and non-accommodative behavior if individuals act rationally."

Among the paradoxes of Philippine democracy is that despite the widespread commitment and enthusiasm of the citizenry to vote and participate in the electoral process through civil society, political parties and election administration, there is also a "deeply-rooted mistrust that characterizes the relationships between and among virtually

all participants in the process." (CEPPS, 2004: 4) Seemingly, there is lack of faith in the system or the honest intent of the participants as manifested by intricate election safeguards and intense poll watching. The basic integrity and legitimacy of every elective position is held in doubt, and election administrators, parties, candidates and their followers are presumed guilty of actual or planned misconduct. This contributes to a rising public cynicism that threatens the democratic consensus.

A series of SWS surveys from March 1995 to April 2004 reflect the declining public perception of the political efficacy of elections. The net agreement of respondents on the political efficacy of elections has gradually decline through the years. (See Table 14) Respondents were asked if they agree with the statement that their individual votes, together with other citizens, have a big influence in determining what kind of government Filipinos will have. The net agreement is the difference between respondents who agreed with the statement and those who disagreed. From +63 in 1995, net agreement has gradually declined to +54 in January 2004, to +48 in April 2004. In terms of geographical location, the sharpest decline was in Mindanao and Visayas. Ironically, these are the islands that largely contributed to the reelection of President Arroyo in 2004. From a socio-economic perspective, the biggest decline of net agreement came from the poorest class E of respondents.[27]

Table 14: Net Agreement* on Political Efficacy on Elections (SWS March 1995 to April 2004 National Surveys)

	Philippines	Metro Manila	Balance Luzon	Visayas	Mindanao	ABC[#]	D[^]	E[+]
March 1995	+63	+75	+63	+63	+54	+78	+63	+53
November 1997	+65	+71	+61	+61	+71	+85	+63	+60
April 2001	+63	+73	+63	+69	+52	+79	+63	+55
January 2004	+54	+56	+57	+47	+52	+64	+56	+44
April 2004	+48	+55	+51	+36	+46	+54	+50	+42

Source: SWS, 2004

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[27] Practitioners of survey research in the Philippines define the socioeconomic classes using rough-and-ready criteria, mainly dealing with the appearance of the survey respondent's dwelling and with the types of amenities available in it. The categorization of a family into A, B, C, D or E is based on simple rules as to the appearance of the family dwelling, supplemented where possible by information as to material possessions, occupation of the household head, etc. Actually, the most common system for defining classes is that of Philippine survey research, using the categories A (rich), B (upper class), C (middle class), D (lower class), and E (extremely lower class). Letter-combinations like AB, ABC, or DE simply refer to the sum of the corresponding groups. See Social Weather Stations at www.sws.org.ph.

Test Statement: Together with the votes of other citizens, my vote has a big influence in determining what kind of government Filipinos will have.

* Difference between respondents who agree and those who disagree

[#] Class ABC is the aggregate of people in A (the upper class), B (the upper-middle class), and C (the middle-class). ABC may be called the middle-to-upper class, since C is naturally larger than B, and A is tiniest of the three.

[^] Class D refers to the lower class (poor masses or "masa")

⁺ Class E refers to the extremely lower class

2. Representativity vs. Governability

To prevent the possibility of a resurgence of authoritarianism in the country, the powers of the presidency were reduced and that of Congress augmented in additional ways. The 1987 Constitution imposed a strict one-time term limit on the presidency, set limits to the power to declare martial law, and reduced the need for presidentially determined and controlled special sessions of Congress (Wurfel, 1988). The reintroduction of the bicameral legislature and the restoration of the pre-martial law Senate were institutional mechanisms to balance the powers of the president. The House of Representatives has the sole right to introduce bills of local application, appropriation, revenue and tariff bills. Nonetheless, the president still controls much economic resources of the state by exercising authority over national budget formulation and disbursement, government contracts and licensing (Rocamora, 1995).

Since both legislative chambers of Congress have close to symmetrical legislative competencies, the president has to rely on coalition building to permanently secure majorities in both chambers to push through with a legislative agenda (Croissant, 2003). Given the weakness of the political party and electoral system the president has no means to ensure support for a legislative agenda. Among the advantages traditionally attributed to the "first-past-the-post" or majoritarian electoral 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 multiparty system and presidentialism under the 1987 Constitution (Teehankee, 2002). Without effective party support, the president is also dependent on local elites for electoral mobilization. The preponderance of candidate-centered campaigns necessitates the distribution of patronage in preparation for the next cycle of local and national elections. Clientelism takes precedence over the articulation of issues and policies. Through

Congress, the bastion of local power in the national government, local elites bargain with the president for access to state resources in exchange for legislative and electoral support (Coronel et al, 2004; Rocamora, 1995)

The composition of the House of Representatives of the 13th Congress elected in 2004 reflects narrow and elitist characteristics that compromise its representativeness as a legislative chamber. Its members are predominantly male, well educated and middle-aged. Male representatives outnumber women by a ratio of almost 6 to 1. A total of 71 district representatives are on their first term, 75 are on their second, and 66 are on their third and last term. Most of the members of the House are second- and third- generation politicians whose average age could not be more than 48 years. Many have extensive background in law or business (Balana, 2004). Elite dominance in the House of Representatives is also reflective of the weakness of the party system to maintain stable linkages with other civil organizations, in particular, and the citizenry, in general. A survey conducted by the SWS in June 2004 reveals that 67% of respondents do not consider any political party as representing their welfare. All political parties mentioned by the respondents got single or less-than-single digit identification. In terms of area and class, the percentage of non-identification with political parties is similar across the board. (See Table 15)

Table 15: Political Party That Represent Respondent's Welfare By Area and Class, June 4-29, 2004

	Philippines	Metro Manila	Balance Luzon	Visayas	Mindanao	ABC[#]	D[^]	E[+]
None	67%	76%	76%	53%	59%	76%	67%	65%
Lakas CMD	7	6	5	8	10	7	7	7
K4	7	3	3	19	6	7	6	9
KNP	5	4	3	4	10	2	4	8
NPC	1	0.3	1	1	3	0	1	2
Aksyon Demokratiko	1	1	1	0	1	0.4	1	1
Bangon Pilipinas	1	1	1	1	1	0.4	1	1
APEC	1	0	0	3	0.3	1	1	0.2
LDP	1	1	1	0	0	0	1	0.2
LP	1	1	1	0	0	0	1	1
PMP	0.5	0	0	0	2	0	0.5	1
Akbayan	0.4	0	0	1	1	0	1	0

Alayon	0.3	0	0	2	0	0	0.4	0.2
OFW Party	0.3	0	0.3	1	0	0	0.4	0
CIBAC	0.2	0.3	0.3	0	0	0	0.3	0.3
NP	0.1	0	0	1	0	0.1	0	0.1
PPCRV	0.1	0	0	1	0	0	0.2	0
VFP	0.1	0.3	0	0	0.3	0	0.2	0
Others	6	6	8	6	4	7	7	4
Don't know	1	0	0.3	0	2	0	0.4	1
Can't say	0.2	0	0	1	0.3	0	0.1	0.5

Source: SWS, 2004

Question: Which political party, if any, represents your welfare (OPEN-ENDED) (ONE ANSWER ONLY)

[#] Class ABC is the aggregate of people in A (the upper class), B (the upper-middle class), and C (the middle-class). ABC may be called the middle-to-upper class, since C is naturally larger than B, and A is tiniest of the three.

[^] Class D refers to the lower class (poor masses or "masa")

[+] Class E refers to the extremely lower class

3. Integration vs. Efficacy

In a society ravaged by class, ethno-linguistic, and religious divisions, political institutions play an important role in managing possible escalation of conflict. Cognizant of the need to open up legislative recruitment to integrate the interests of marginal sectors in Philippine society, the 1987 Constitution introduced a list proportional representation scheme of electing one-fifth of the members of the House of Representatives. Voter-turnout in the 2004 party-list election was 45 percent above average. Despite the increased voter turnout for the party list election, however, the concept of voting for a party is still fairly unknown in the Philippines. According to the Pulse Asia, over 50 percent of the voters were completely unaware of the party-list system prior to the elections. Notwithstanding its confused implementation in 1998 and 2001, the party-list system "continues to thrive even as it mercilessly cut out those who do not have the requisite vote bases." (Casiple, 2004) The vote base for the party list election more than doubled from 6.5 million in 2001 to less than 15 million in 2004. Twenty-four representatives belonging to 16 parties and sectoral groups won seats in the House of Representatives (See Table 16).[28]

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[28] Three party list groups that won seats in 1998 and 2001 – the Association of Philippine Electric Cooperatives (APEC), the Citizen's Action Party (Akbayan) and Butil Farmers Party – returned to the House in 2004. Five party list groups that were represented in 2001 – Anak Mindanao (AMIN), *Bayan Muna*, *Buhay Hayaan Yumabong* (Buhay), and the Citizen's Battle Against Corruption (CIBAC) – also returned their representatives to the House. Three parties (APEC, Akbayan and Bayan Muna) won three seats, two parties (Anakpawis, Buhay) got two, and the rest won one seat each.

Table 16: Election Results for Party List Seats: 1998-2004

Party	1998		2001		2004	
	Vote Share (%)	House Seat	Vote Share (%)	House Seat	Vote Share (%)	House Seat
ABA	3.5	1	3.7	1	-	-
ABA-AKO Coalition	-	-	-	-	1.9	0
Abanse! Pinay	2.6	1	2.0	1	0.9	0
AKO	2.6	1	1.9	0	-	-
ALAGAD	3.4	1	1.8	0	2.7	1
APEC	5.5	2	12.2	3	7.4	3
AKBAYAN	2.5	1	5.8	2	6.7	3
ALIF	-	-	-	-	2.1	1
AMIN	1.2	0	3.8	1	2.1	1
An Waray	-	-	-	-	2.1	1
Anakpawis	-	-	-	-	4.3	2
AVE	-	-	-	-	2.7	1
Bayan Muna	-	-	26.2	3	9.5	3
Buhay			4.5	2	5.6	2
BUTIL	2.4	1	5.1	2	3.4	1
CIBAC	-	-	5.0	2	3.9	1
COOP-NATCCO	2.1	1	*Disqualified*		2.1	1
COCOFED	2.0	1	3.5	1	1.3	0
Gabriela	-	-	-	-	3.6	1
PM	-	-	3.3	1	3.5	1
PROMDI	2.8	1	*Disqualified*		-	-
SANLAKAS	2.1	1	2.3	1	1.5	0
SCFO	2.6	1	0.5	0	0.4	0

The party list groups of the Left improved their representation in the national legislature. Left-of-center party *Akbayan* increased its vote base from 370,000 in 2001 to 850,000 in 2004; thus, increasing its seats from two to the maximum allocated three seats. *Bayan Muna* (organized by individuals and organization associated with the Communist Party of the Philippines-inspired national democratic movement) pursued the strategy of organizing multiple party list groups to capture seats beyond the maximum threshold of three seats per party. It succeeded in capturing three seats. Two of their five allied parties won with *Anakpawis* getting two seats and Gabriela one seat. Another left-wing party, *Partido ng Manggagawa* (PM) maintained its one seat, while its allied party *Sanlakas* lost its single seat in Congress (Casiple, 2004).

Three religious-affiliated groups continued to be represented in the House. Buhay, identified with the Catholic charismatic group El Shaddai, maintained its two seats, while CIBAC, associated with the Christian evangelical organization Jesus is Lord (JIL) of presidential candidate Brother Eddie Villanueva, lost its second seat. The urban poor party *Alagad*, backed by the politically influential Iglesia ni Cristo, won a single seat. Three newcomers – Alliance of Volunteer Educators (AVE), *Ang Laban ng Indiginong Filipino* (ALIF), and An Waray won one seat each. However, parties that were represented in 1998 and 2001, the women's party Abanse Pinay and the left-wing Sanlakas failed to win back their seats (Casiple, 2004).

VFP	3.3	1	*Disqualified*	2.7	1
Others	60.0	0	18.4	0	29.6	0
Total Party List Seats	**40.0**	**14**	**81.6**	**20**	**70.4**	**24**

Source: Data culled from COMELEC, 1998, 2001, 2004.

According to Casiple (2003), the party-list system can be viewed from two perspectives. One is the perspective of the system itself as it operates within a larger framework of the current elitist democratic political system in the Philippines. It sees the urgent necessity to enable the diffusion and assimilation of social forces from below and which the political extremes harvest towards a divisive and ultimately, confrontational politics. The second is the perspective of the marginalized and disempowered people, particularly at the grassroots, as they struggle to liberate themselves from the pervasive poverty and social inequities. Although narrow, it presents an opportunity for grassroots empowerment and the political base for mainstreaming national politics. It serves as a portal for interested citizens to be involved and those that are indifferent in the process to consider participating. The slight increase in number of party-list organization represented in 13th Congress can be viewed as an incremental development, which is taking place in less empowered social strata. The ideal of diffusing political power through participation, which strengthens citizens though they are outside the institution, promotes a higher level of political and civil society with the latter promoting a system of feedbacks. This in turn contributes to the inclusiveness of the political system with the power brokers identifying and integrating the social interest and preferences of the citizenry vis-à-vis state institutions. By including and assimilating the interests of the marginalized and disempowered, the political opportunity structure is opened for effective deliberative democracy in lieu of confrontational politics that feeds on the poverty and social inequities pervasive of Philippine society.

IV.   Context Based Analysis

The conduct and results of the 2004 synchronized elections can be best understood within the context of institutional variables that provide incentive structures for the strategic calculations, decisions and actions of political and social actors. These institutional variables: international context, stateness and nation building, as well as society, economy and culture, represent the systemic environment for the existence and

performance of a democratic regime in the Philippines. Set within the "embedding contexts" of an underdeveloped economy, personalistic and patriarchal culture, a weak state combined with an ethno-linguistically diverse nation, and neo-colonialism, political institutions and processes such as elections are sure to be filled with contradictions and paradoxes.

Economy and Modernization

Thus far, formal democratic institutions and practices, such as electoral politics, have not contributed much in terms of economic development and modernization of the Philippines. Endemic poverty serves both as a cause as well as an effect of democratic deficit. Characterized by boom-and-bust cycles, the Philippine economy has failed to experience sustained period of rapid economic growth necessary to dramatically reduced poverty. (See Table 17)

Nonetheless, the Philippine economy has diversified from its traditionally agricultural base. As of 2004, other economic sectors have notably increased its share of the country's Gross Domestic Product (GDP) such as services (47%) and industry (33%). The agricultural sector employs about 35% of the work force but only provides about one-fifth of GDP. According to the National Statistical Coordination Board (2003), about 3.966 million families, less than a quarter of the country's total families, were living below the poverty line.

Table 17: Development of macroeconomic fundamentals (2000-2004)

	2000	**2001**	**2002**	**2003**	**2004**
Growth of GDP in %	4.4	1.8	4.3	4.7	6.3[a]
Export growth in %	17.7	-3.4	3.6	4.4	130.0[a]
Import growth in %	4.0	3.5	4.7	10.2	5.7[a]
Inflation in % (CPI)	4.4	6.1	3.0	3.0	4.5[b]
Investment in % of GNP	19.9	17.8	16.5	15.5	NA
Tax Revenue in % of GDP	13.7	13.5	12.5	12.5	13.0[c]
Unemployment in %	12.4	15.8	16.4	17.2	NA
Budget deficit in % of GDP	11.2	11.1	11.4	11.4	13.7[d]
Current account balance in million $	6258	1323	4383	3337	2906[e]

[a] National income figure as of First Semester of Fiscal Year 2003-2004; [b] Percentage change as of August 2004; [c] January 2004; [d] April 2004; [e] March 2004
Source: Asian Development Bank, *Bangko Sentral ng Pilipinas*, National Statistics Coordination Board, National Economic and Development Authority.

Poverty is largely concentrated in the country's rural areas and pervasive in the southern Philippines, particularly Mindanao. The factors that contribute to the high incidence of rural poverty include poor productivity growth in agriculture, under-investment in rural infrastructure, unequal land and income distribution, high population growth and the low quality of social services (AusAid, 2005). Modernization of the agricultural sector is necessary to raise productivity and the incomes of families dependent on it. Modernization and affluence are neither necessary nor sufficient conditions for constitutional democracy, but both can contribute to promoting democratic longevity. Empirical studies have shown that pre-modern agricultural societies find it difficult to sustain a democracy (Lane and Ersson, 2003).

Great disparities mark the Philippine economy in the ownership of assets, in income, in levels of technology in production and in the geographical concentration of activity. The largest 15 families control half of the corporate sector in terms of market capitalization. In agriculture, the top six percent of all landholding families have controlling interest over nearly 50 percent of arable land. The richest 15 percent of all families captures more than 50 percent of all national income. There is also a high degree of cross-ownership. (Cabalu et al., n.d.) The National Capital Region (NCR), composed of Metropolitan Manila, contains 14% of the population and produces one-third of GDP. An even greater disparity is evident nationwide between the richest and poorest households. In 2000, the richest 10% of the population had an income 23 times that of the poorest 10%. Those living in poverty were estimated at 39.4% of the population in the same year, with the rate in rural areas put at 46.9%, whereas the poverty rate in the NCR was only 12.7%. The Philippines has one of the highest levels of income inequality in Asia, with the poorest 20 percent of the population accounting for only 5 percent of total income or consumption. (AusAid, 2004; Economic Intelligence Unit, 2004)

Consequently, the existing socio-economic structures and processes have an intense influence on electoral politics. Embedded in an underdeveloped economy, Philippine electoral politics has engendered an elitist and clientelistic democracy. Within the context of underdevelopment, elections have become exclusionary since only those with adequate financial resources can actively participate and win in the electoral process. The high costs of elections have also resulted in unfairness and distortion of

electoral competition, as financial barriers prevent ordinary citizens from standing as candidates. Widespread poverty, in turn, results in voter's vulnerability to clientelistic inducements, if not outright vote-buying by political machines. Political machines are specialized organizations set up for the purpose of mobilizing and influencing voter outcome through the dispensation of social, economic or material benefits. These benefits are essentially patronage in the form of jobs, services, favors and money distributed to voters and supporters (Kawanaka, 1998). Machine politics breeds money politics. The perennial evil of graft and corruption is intrinsically linked with money politics, as candidates and their financial supporters seek to recoup the expensive campaign expenses. Political parties are merely alliances of political machines organized by local bosses and their clans. Party politics provide these local bosses access to state resources necessary to maintain their political machines.

Since most elected officials serve as mere brokers for state resources, the interests of the electorate are not adequately articulated nor represented during electoral campaigns. Electoral campaigns rarely devote time to substantial presentation and discussion of issues and platforms, preferring instead to entertain the masses with song and dance numbers. Hence, voters fail to see their ballot as a means to influence political decisions. This, in turn, reinforces cynicism in voting behavior as no significant issues affect the choice of winning candidates by the voters. Thirty-five percent of respondents polled in an SWS survey conducted immediately after the May 2004 election indicated that no issue affected their choice of candidate. The number was most significant in classes D and E. (See Table 18)

Table 18: Most Important Issue that Affected Choice of Candidates, by Class

	Philippines	ABC[#]	D[^]	E[+]
None	**35%**	**21%**	**36%**	**42%**
Candidate's concern for the poor	7	6	8	7
Candidate's performance/achievements/ previous projects	6	9	6	4
Good leader/ capability to govern	5	7	5	4
Experience and knowledge in politics and governance	4	7	5	1
Personality and character	4	2	3	7
Educational attainment/Intelligence	4	6	4	3
Candidate is honest/sincere/credible	3	6	3	1
No issue affected choice, respondent	3	2	3	4

voted who they want to vote				
Cheating in the elections	3	1	2	6
Candidate is not corrupt/Corruption	2	3	2	2
Candidate would do something good if elected	2	2	2	2
Platform of government	2	3	2	0
Endorsed by church/religious leaders	2	3	2	0.3
Jobs and the economy	1	3	1	1
Accusation against specific candidates	1	2	1	2
Respondent wants a new administration/government	1	3	0.4	2
Mudslinging among candidates and parties	1	1	1	0.3
Candidate is religious/god-fearing	1	2	1	0
Voting for a worthy/deserving candidate	1	0.4	1	1

Source: SWS, 2004

Question: IF VOTED: What do you think is the most important issue that affected your choice of candidate in the past May 10, 2004 elections? (OPEN ENDED UNAIDED) (ONE SPECIFIC ANSWER ONLY)

Class ABC is the aggregate of people in A (the upper class), B (the upper-middle class), and C (the middle-class). ABC may be called the middle-to-upper class, since C is naturally larger than B, and A is tiniest of the three.

^ Class D refers to the lower class (poor masses or "masa")

+ Class E refers to the extremely lower class

Civic Society and Culture

Through the years, a vibrant and strong civil society has taken root in the Philippines. Essentially, civil society is "the voluntary, rule-abiding, politically active sector of society, autonomous from the state. It encompasses masses of citizens engaged in public protest, social movements, and NGOs acting in the public sphere." (Siliman and Noble, 1998: 13) [29] The anti-dictatorship struggle, coupled with poverty and underdevelopment most evident in local communities, provided the impetus for the growth of civil society organizations. Drawing from its rich experience in development work and extensive networks in community organizing, civil society organizations (CSOs) played a central role in challenging the dictatorial regime (Clarke, 1998). Consequently, the numerous voluntary associations in civil society emerged as important agents of change and staunch advocates of democratization in the post-Marcos period. Trust and social capital among the population are cultivated and harnessed by these robust, albeit heterogeneous, civil society organizations.

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[29] This definition "excludes the household, profit-making enterprises, political parties, and groups striving to gain control of the state through armed rebellion." (Garner and Noble, 1998: 13)

While the anti-dictatorial struggle necessitated grassroots organization and mobilization, the period of democratic transition provided most CSOs the opportunity to institutionalize their activities by actively engaging the state in pursuit of reform-oriented policy changes. The opening of democratic space in the wake of the ouster of the Marcos dictatorship afforded CSOs the venue to introduce non-statist perspective into the public discourse and agenda. Hence, "the focus of much of civil society in the Philippines is not the transformation of the state, but the democratization of society. The emphasis is on organizing the rural and urban poor and securing the autonomy of people's organizations so that the needs of the vast majority may be met." (Siliman and Noble, 1998: 19) Realizing that development work is ultimately political, CSOs have embarked on electoral participation as an extension of their established roles in organizing, education, and mobilization. The areas for CSO participation in elections include: 1) advocacy for electoral reforms; 2) the raising of electoral consciousness among the people; 3) advancement of the people's platform or agenda in elections; 4) direct participation through the fielding of and campaigning for chosen candidates; and, 5) post-election activities, such as monitoring and feedback giving (Alegre, 1996). Thus far, civil society participation in elections has been most effective in the realm of voters' education, election monitoring, and electoral reform advocacy. The initial attempts of CSOs to directly participate in national and local elections by fielding and supporting issue-based candidates have been less-than-successful. Total unfamiliarity and the inability to adapt their strategies to the electoral terrain have lessened the expected impact the CSOs would have made in post-1986 elections. Consequently, "the certified capacity of the new movements and associated [organizations] to carry out actions, conduct alternative development work, nourish civil society and support 'ideal' community networks and co-operation could not be transformed into votes and a more widespread and dynamic politics of [democratization]." (Törnquist, 1999: 145)

In the 2004 election, CSOs like the National Movement for Free Elections (NAMFREL) and the Parish Pastoral Council for Responsible Voting (PPCRV) have been most active in election monitoring. Both NAMFREL and PPCRV have long been active election monitoring groups. NAMFREL was at the forefront of defending the integrity of the electoral process at the height of the Marcos dictatorship and played a

pivotal role during the 1986 snap presidential election. On the other hand, the PPCRV was instrumental in securing the ballot in the first post-Marcos presidential election in 1992. Other civil society organizations have also become active in other parts of the country. These organizations based in the Visayas and Mindanao – Cebu Citizens' Involvement and Maturation in People Empowerment and Liberation (CCIMPEL) and Mindanao Allied Forces Inc. (MAF) – were also active during the 2004 elections. CCIMPEL was organized around the same time as PPCRV in 1991, while the Muslim group MAF has been involved in poll watching activities during the 1998 synchronized elections (Rufo, 2004b).

Direct partisan CSO involvement in the 2004 election included active support for their chosen presidential candidates and the fielding of candidates in the local and party-list elections. As in previous post-1986 presidential elections, CSOs were split in their support of presidential candidates. Leading personalities identified with the Caucus of Development NGOs (Code-NGO) – the largest NGO coalition in the country – actively campaigned for the reelection of President Arroyo.[30] Other mainstream CSOs opted to support the candidacy of reformist candidate Raul Roco. Recognizing its current inability to mobilize support for its own national candidates in the senatorial election, most CSOs concentrated their efforts in the party list election. Aside from the ideological parties of the left (e.g. Bayan Muna and Akbayan), party list organizations which had CSO links (e.g. COOP-NATCCO) won seats in the election. At the local level, the mobilization of CSO support resulted in the election of reform-oriented candidates.[31]

Gender Relations

The Philippines was among the first in Asia to grant suffrage to women in 1937 and was the first in the region to elect a woman into the national legislature in 1941.[32]

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[30] The Code-NGO was one of the main organizations that supported the second people power uprising that led to the ouster of President Joseph Estrada in 2001. Some of its leaders were appointed to strategic government positions in the first Arroyo administration.

[31] Maria Gracia "Grace" Padaca, a fiery polio-stricken female radio broadcaster, made political history in the 2004 gubernatorial election in Isabela by single-handedly defeating Faustino Dy Jr., scion of one of the most durable political dynasties in the province. Despite black propaganda linking her to the underground left movement, Padaca was able to unify various sectors opposed to the Dy dynasty that include the Church and civil society organizations. Rival left-wing party list groups Akbayan and Bayan Muna also supported her candidacy

[32] Women received the right to vote and to stand for election in 1937, second in the region to Thailand, which granted the same rights in 1932. However, in Thailand, the appointment of the first woman in

Despite the increasing participation of women in Philippine politics through the years and the election of two women presidents, female candidates remain to be largely underrepresented in elections. Women have fully exercised the right of suffrage in determining national, congressional, and local officials. Majority (51%) of the total number of Filipino voters is women and female voters have outnumbered male voters since 1995. (Asian Development Bank [ADB], 2004).

Table 19: Women Candidates in National Elections: 1998-2004

	1998		2001		2004	
	Candidate	Winner	Candidate	Winner	Candidate	Winner
President	Female: 2	0	Female: 0	0	Female: 1	1
	Male: 9		Male: 0		Male:5	
Vice President	Female: 2	1	Female: 0	0	Female: 1	0
	Male: 7		Male: 0		Male: 3	
Senate	Female: 6	2	Female: 7	1	Female: 13	3
	Male: 40		Male: 17		Male: 41	

Source: National Statistical Coordination Board

In 1998, former First Lady Imelda Romualdez Marcos and Miriam Defensor Santiago were two women in a field of eleven candidates who contested the presidential election; two (2) women in nine (9) aspirants vied for the vice-presidency; and six (6) women among the 40 contenders competed for the senatorial seats. Results of the 1998 synchronized elections showed that women won only two (2) or 16.7 percent of the 12 Senate posts and 25 or 12.1 percent of the 207 congressional seats. At the local level, women won 233 or 15.1 percent of the 1,544 gubernatorial posts and nine (9) or 12.0 percent of the 75 vice-gubernatorial seats. In the 2001 synchronized elections, seven (7) or 29.2 percent of the 24 senatorial candidates were women. Of the seven (7) women senatorial bets, only former First Lady Luisa Ejercito Estrada made it to the Top 12. In the 2004 election, the incumbent President Gloria Macapagal Arroyo was the only female candidate among the five (5) presidential candidates. Senator Loren Legarda Leviste was the lone woman among the four (4) contenders who aimed for the vice-presidency while

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parliament took place only in 1948; seven years after the Philippines elected its first woman parliamentarian (ADB, 2004).

13 women hopefuls competed against 41 men candidates in the senatorial race (National Statistical Coordination Board [NSCB] 2004).

However, the re-election of Gloria Macapagal-Arroyo and the strong second place finish of Loren Legarda in the vice-presidential election in 2004 indicate that women are generally accepted for major political offices. The number of female representatives in the House slightly decreased from 42 (18%) to 36 (15%). (See Table 20) Two women groups contested the party-list elections. The women group GABRIELA, associated with the radical left, gained one seat in the House of Representatives, while the moderate Abanse Pinay lost its single seat.

Table 20: Women Elected to the House of Representatives: 1998-2004

Election Year	Women Representatives	Total House Seats	%
1998	25	207	12.1
2001	42	230	18.3
2004	36	236	15.2

Source: Philippine Daily Inquirer

Much has been done to empower women and advance gender equality in the Philippines. Section 14 of Article II of the 1987 Constitution recognizes the role of women in nation-building. This constitutional provision has been utilized to "mainstream gender concerns in government policies and programs."[33] However, a number of historical, cultural, religious, political, and other traditions need to be addressed in order to fully empower Filipino women. One major area of concern is the need to harmonize state, Islamic and customary laws on property rights.[34]

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[33] In 1987, the Philippines Development Plan for Women was developed, followed by the Philippine Plan for Gender-Responsive Development, 1995– 2025, whose preparation and adoption were coordinated by the government agency for women, the National Commission on the Role of Filipino Women. More recently, a Framework Plan for Women was drafted by the National Commission on the Role of Filipino Women. The framework identifies three priority concerns to meet the objectives of gender equality and women's empowerment: economic empowerment of women, protection and fulfillment of women's human rights, and gender-responsive governance. (ADB, 2004)

[34] There is a conflict between provisions of the Civil Code and Family Code and those of Islamic law. Under the Family code, for example, the property regime between husband and wife is absolute community of property unless specified otherwise in the prenuptial agreement. Under Islamic law, the property regime is that of complete separation of property. In cases of separation or divorce, problems arise as to who owns the property acquired by the husband and wife during the marriage. (ADB, 2004)

Indeed, patriarchal culture and tradition have largely shaped the manner by which power is gendered in the Philippines. As men hold "official" power in the Philippines, women, on the other hand, hold power "unofficially" as wives, sisters, mothers, daughters, and even mistresses of male politicians. Nonetheless, women are considered vital agents to ensure victory or continue the line of leadership once the term of office of the male politician ends. This concept, which not only stems from the office of the person holds but also the power their kinship allows women who are marginalized from political office to exercise power through their kinship or marriage ties to powerful men (Roces, 1998). Three contemporary women leaders exemplify this combination of kinship, gender and power: Imelda Marcos, Corazon Aquino, and Gloria Macapagal Arroyo. First Lady Imelda Marcos was not only married to former President Marcos, but also belongs to the politically influential Romualdez clan of the province of Leyte. Another example is former president Corazon Cojuangco Aquino, a scion of the wealthy landowning family, rose to the presidency on the crest of the martyrdom of her husband former senator Benigno Aquino. Gloria Macapagal Arroyo is a daughter of former president Diosdado Macapagal.

Government service in the Philippines is largely female-dominated. As of 1999, female government personnel comprised 55 percent of the 1.4 million government workers. However, men dominate the managerial positions in government, thereby limiting the scope for women to assume decision-making responsibilities (ADB, 2004). Women are also minimally represented in the higher organs of national governance. There are five women out of 15 associate justices of the Supreme Court. Of the 23 cabinet members appointed by President Arroyo, only four are women.

Stateness and Nation Building

The Philippine state has been characterized as being *"captured"*, instead of being *"autonomously embedded"*, in competing and diverse social interests since it enjoys little autonomy from dominant social classes, political clans, powerful families, and other entrenched particularistic groups (Rivera, 1994). Institutionally, the Philippine state is adequately established with differentiated power structures spread throughout the archipelago. The scope of the state is extensive as manifested by its presence in 17

regions, 79 provinces, 117 cities, 1,500 municipalities and 41,975 *barangays* (villages). More than 1.445 million civil servants are employed in national government agencies, government-owned and controlled corporations and local government units tasked to run the state machinery. A total of 119,577 police and 106,000 military personnel are responsible for the country's internal and external security. Despite the extensive scope of the Philippine state, its ability to guarantee free, fair and correctly conducted elections is often compromised by non-state actors such as the communist-led New People's Army, secessionist Moro Islamic Liberation Front (MILF), terrorist *Abu Sayyaf*, and private armies employed by local warlords and political clans. These groups continue to challenge the state's monopoly of the legitimate use of force in remote areas of the country.

The Philippines is a nation of diverse ethno-linguistic – though not racial – diversity.[35] Nevertheless, "linguistic identity seems clearly subordinate to political identification of 'Filipino' and interprovincial migration, intermarriage, and urbanization continue to reduce the importance of native tongue as the focus of identity among Christian Filipinos." (Wurfel, 1988: 27) Despite the continuing challenge of harnessing national unity for social and economic development, majority (+68 percent) of Filipinos closely identify with the Philippine nation-state as reflected in a 2003 Social Weather Stations (SWS) survey. Evidently, identification with the Philippines is highest in Metropolitan Manila at +86 percent and lowest in Mindanao at +48 percent. Positive identification with the nation-state cuts across all socio-economic classes. (See Table 21) In the same survey, only a miniscule 7 percent of respondents identified race or ethnic background as the most important category to describe them.

Table 21: National Identity and Geographical Attachment (2003)*

	Philippines	Metro Manila	Balance Luzon	Visayas	Mindanao	ABC[#]	D[^]	E[+]
Town or City	+68	+61	+76	+69	+59	+72	+67	+72
Province	+62	+51	+78	+63	+41	+58	+62	+63
Philippines	+68	+86	+73	+68	+48	+84	+67	+65
Southeast Asia	-14	-10	-10	-11	-27	-24	-13	-12

Source: SWS, 2004

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[35] More than eighty distinct languages and dialects have been identified. The four major languages, Cebuano, Tagalog, Ilongo, and Ilocano account for more than two-thirds of the population, and the eight most widely spoken languages for nearly 90 percent (Wurfel, 1988).

Class ABC is the aggregate of people in A (the upper class), B (the upper-middle class), and C (the middle-class). ABC may be called the middle-to-upper class, since C is naturally larger than B, and A is tiniest of the three.
^ Class D refers to the lower class (poor masses or "masa")
+ Class E refers to the extremely lower class

The existence of secessionist struggles in the Philippines is a historical result of the incorporation of formerly autonomous peoples by the Spanish and American colonizers. This process of diminishing the sphere of authority of local and regional groupings was continued by the policy of unification and centralization under the Philippine state. Decades of perceived and actual neglect experienced by ethnic minority groups have fuelled their separatist desires. Ethno-cultural secessionism in the Philippines has manifested itself through the struggles of the *Moros* in the south and the *Cordillerans* in the north. In recent years, the Philippine state has entered into negotiated peace agreements with the major secessionist movements except for the Moro Islamic Liberation Front (MILF) in Mindanao.[36]

International Context

Since the Cold War era, the United States has taken active interest in the conduct of elections in the Philippines. The American government helped fund the formation of the National Movement for Free Elections (NAMFREL) to act as a nationwide citizens' election monitoring organization in the 1953 presidential election.[37] After years of hiatus, NAMFREL was resuscitated in 1984 to monitor the fraudulent National Assembly election conducted under the Marcos dictatorship. In 1986, the US-based National Endowment for Democracy (NED) funded NAMFREL's operation in the critical presidential election that paved the way for the people power uprising against Marcos.[38] Aside from supporting

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[36] Peace negotiations between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front (MILF) are still on-going with Malaysia acting as international third party negotiator.

[37] Concerned that the ineffective and corrupt administration of incumbent President Elpidio Quirino will result in the intensification the local communist insurgency, the Central Intelligence Agency (CIA) actively supported the presidential candidacy of Ramon Magsaysay – Quirino's popular former Defense Secretary. NAMFREL was organized to prevent a repeat of the fraudulent 1949 presidential election. American funds to help organize NAMFREL were channeled through the Committee for Free Asia, the precursor of the Asia Foundation (Bonner, 1987).

[38] The NED was organized in 1983 upon the initiative of President Ronald Reagan "to strengthen democratic institutions around the world through nongovernmental efforts." With an annual congressional grant, the activities of "prodemocracy" groups in Africa, Asia, Central and Eastern Europe, Latin America, the Middle East, and the former Soviet Union. The main organizations affiliated with the NED are the

NAMFREL, the American government also sent a bipartisan congressional delegation led by Senator Richard Lugar to monitor the conduct of the 1986 presidential election. Citing widespread electoral fraud, the delegation later denounced the official results of the election which favored Ferdinand Marcos over Corazon Aquino.[39]

In 2004, the Arroyo administration requested the Commission on Election to accept the offer of the National Democratic Institute (NDI) to lead a group of international observers to monitor the presidential election. The Arroyo administration believed that "the presence of international observers will help ensure integrity, transparency, impartiality and credibility in the electoral process, a bedrock of Philippine democracy." (As cited by Paez, 2004: 16) With funding from the United States Agency for International Development (US-AID), the Consortium for Elections and Political Process (CEPPS) was formed by the NDI, International Republican Institute (IRI) and the International Foundation for Election Systems (IFES). The international monitors observed the entire electoral process from the setting up of voting booths, to the handling of ballots, to the tallying of votes. The consortium members admitted that given "the limited scale of the IRI, NDI and IFES efforts, the three organizations are not in a position to make any overall assessment as to whether the election results reflect the will of the people." (CEPPS, 2004: 2) Nonetheless, the international observers took note of the administrative shortcomings, significant incidents of electoral violence, and allegations of wide scale fraud in their final reports and enumerated their recommendations for reforming the electoral process in the Philippines. Despite the suspicions raised by some sectors in Philippine society, particularly the leftist and nationalist organizations that protested foreign intervention, the CEPPS asserted in its final report, "it is the people of the Philippines who ultimately must determine the credibility of these elections and priorities for future reforms." (CEPPS, 2004: 2)

The keen interest of the United States in the conduct of the 2004 election can be traced to its historical and current foreign policy stance towards its former colony – the

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National Democratic Institute (identified with the Democratic Party); the International Republican Institute (representing the Republican Party); the Center for Private International Enterprise (associated with the US Chamber of Commerce); and, the Free Trade Union Institute (affiliated with the American Federation of Labor-Congress of Industrial Organizations). See www.ned.org.

[39] The US observers were supposedly invited by President Marcos. However, it was the Reagan administration, through presidential adviser Paul Laxalt, who pressured Marcos to accept international observers to monitor the 1986 presidential election to prevent civil unrest (Paez, 2004).

Philippines. The September 11, 2001 terrorist attack in the United States has ushered a major transformation in the world order. The bipolar framework of the Cold War that largely shaped regional and global policies has been replaced by a new world order characterized by a more complex and disparate multipolar world. The rise of global and domestic terrorism is one of the major threats that have emerged under this new world order. Similar to its Cold War anti-communist strategy, the active "promotion of democracy" as a tool against terrorism has become a foreign policy orthodoxy of the American government under the administration of President George W. Bush. In Southeast Asia, the Philippines is one of the countries saddled by a long running Muslim secessionist movement in its southern region and domestic terrorism perpetuated by fringe Islamic fundamentalist bandit groups linked to al-Qaeda and Jemaah Islamiya. Thus, the Philippines continue to possess a significant and strategic importance for the geo-political interest of the United States in the Asia-Pacific region.

V.   Conclusions and Policy Recommendations

The Philippines is among the few East Asian nations that have had a rich historical tradition in electoral politics. However, just like most polities in the region, its quality of electoral democracy has been corroded by the fusion of wealth and power brought about by political connections. Elections in the country are saddled by several problems such as massive fraud, political violence, patronage, and money politics. Hence, the quality of democratic representation as an outcome of elections was always held in doubt.

Electoral reforms are aimed at addressing these issues. Several efforts have been exerted in the past to broaden the electoral base by the introduction of measures that will encourage greater competition, a level playing field, and integrity of the voting process. These include the constitutional provisions that called for banning political dynasties; the introduction of term limit and recall elections; and, the institutionalization of a party-list system for the marginalized sectors. Legislated attempts at reforming the electoral process consist of the party-list system enabling act; computerization of elections; election of local legislative council members; and the sample ballot. Yet, the political elites have managed to masterfully work around these legal policies through adaptation and the effective use of political resources. Nonetheless, possible future changes are still forthcoming in the medium- and long-term.

Among the immediate areas for reform in the medium term are electoral modernization, campaign finance reforms and political party development. Despite several efforts, the electoral process in the Philippines remains antiquated and vulnerable to manipulation. The Electoral Modernization Act (Republic Act 8436) of 1997 has authorized the use of automated systems in national and local elections. The implementation of the law has been delayed since the 1998 elections. Efforts by the COMELEC to implement the law in 2004 elections failed due to a Supreme Court decision nullifying the COMELEC's award of contract for the purchase of vote counting machines and equipment to a private consortium without the benefit of public bidding. Given the problems encountered during the 2004 elections, there is a growing consensus among various sectors in Philippine society to immediately address the issue of electoral modernization and push for its full implementation in the succeeding electoral cycles. Indeed, a modernized electoral system will help facilitate the modernization of political campaigns in the country.

One crucial area of electoral reform in the Philippines that had barely been ventilated in the national discourse is the issue of campaign finance. The funding of campaigns and elections has been a source of political problems in the country's checkered political history. The perennial evil of graft and corruption is intrinsically linked with money politics, as candidates and their financial supporters seek to recoup the expensive campaign expenses. The high costs of elections have also resulted in unfairness and distortion of electoral competition, as financial barriers prevent ordinary citizens from standing as candidates. A "Campaign Finance Reform Bill" has been discussed in the Philippine Senate that would seek external audits of political campaign funds. The bill would create government subsidies for hiring professionals to run campaign secretariats, and for training and related matters to lessen the dependence of political parties on "vested interest" money.

Another major area for immediate reform is political party development. In a representative democracy, political parties are the only vehicle for legitimate transfer of power. Unfortunately, political parties in the Philippines are loose coalitions of personalities and political clans organized around clientelistic machines that are oriented toward one sole objective – to gain power. The major political parties have failed in

offering a programmatic basis for selecting their candidates and gaining voters' appeal. Thus, they continue to be ineffectual in addressing the fundamental socio-economic issues plaguing Philippine society. Together with efforts at introducing campaign finance reform, the House of Representatives passed on third reading the "Political Party Act of 2003." The proposed law contains provisions that promote a more transparent and democratic selection of party officers and candidates, a more transparent and broad-based party finance system that include publicly financed incentives for grassroots organization and party development, and provisions that would create sanctions to discourage and penalize political party switching (International Republican Institute, 2004).

In the long term, proponents of constitutional reforms are arguing for a total overhaul of the political system. They assert that political parties tend to flourish under a parliamentary, instead of the current presidential, form of government. However, a shift in the form of government is no guarantee for improving the quality of electoral and party politics in the Philippines. As Croissant and Merkel (2001) notes "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 exarcerbated." 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. Indeed, much work still needs to be undertaken in order to provide substance and raise the quality of electoral and party politics in the Philippines. The implementation of reforms in the electoral system will definitely impact on the manner campaigns by individual candidates and political parties are to be undertaken.

Postscript

Despite serious charges raised by the opposition regarding the conduct and outcome of the 2004 presidential election, Gloria Macapagal Arroyo managed to claim a new mandate and was proclaimed victorious by Congress. In March 29, 2005, the Supreme Court, sitting as the Presidential Electoral Tribunal (PET), dismissed the election protest filed by defeated opposition candidate Fernando Poe Jr. "on the ground that no real party in interest has come forward within the period allowed by law, to

intervene in this case or be substituted for the deceased protestant." (Cited by Clapano, 2005) Poe died from a stroke in December 14, 2004, with the resolution of his election protest still pending. The PET dismissed the request of his widow, Susan Roces, to substitute for her deceased husband since the rules allowed only the registered candidates who obtained the second and third highest votes for the presidency may file an election protest.

Nonetheless, doubts concerning the election results continued to linger. A significant portion of the public was predisposed to believing that she cheated in the 2004 election. In an SWS survey conducted in the first quarter of 2005, 47% of respondents nationwide agreed that the Poe protest should continue in order to know who really won in the election. On the other hand, President Arroyo has repeatedly invoked the relatively positive report of the international election observers, the results of the SWS exit poll and the NAMFREL quick count to insist on her winning the presidential election. Apparently, these were not enough to validate the President's victory for a number of reasons.

The international election observers organized around the Consortium for Elections and Political Process (CEPPS) were forthright in their admission of the limitations of their Final Report in assessing whether massive fraud occurred or not. In previous elections, the results of the SWS exit polls and the NAMFREL quick count were fairly close to the official COMELEC tally. In 2004, however, discrepancies in the tally of the three organizations further raised doubts about the outcome of the elections. The COMELEC tally, as reflected by the official Congressional Canvass, had Arroyo garnering 40 percent of the votes and Poe 36.5 percent, a difference of 3.5 points. The SWS exit poll showed that 45 percent of the respondents voted for Arroyo and 34 percent for Poe, a difference of 11 points. The SWS exit poll, also mistakenly stated that Arroyo defeated Poe in Metro Manila. Subsequent independent review of the exit poll concluded that "the mistake stemmed from the high number of nonresponses and the understated margin of error used in the survey." (As cited by Chua, 2005: 12)

A cursory look at the NAMFREL tally would tend to validate the official results – 39 percent of the votes went to Arroyo and 37 percent to Poe. However, a deeper analysis of the regional and provincial breakdown of the count will reveal deviations that are too sharp to ignore. These major discrepancies were highlighted in a study conducted by

Robert Verzola (2005), a computer expert who volunteered to monitor the NAMFREL tabulation for the NGO Coalition of Hope in 2004. Using the NAMFREL figures as a benchmark for evaluating the Congressional Canvass, the study found discrepancies in five regions and seven provinces that were skewed in favor of President Arroyo. The study also noted the unusual discrepancies in voting turnout in eight regions. Verzola concluded that President Arroyo could not have won by 1.1 million votes. Extrapolating from the NAMFREL and Congressional figures, he estimated *dagdag-bawas* (vote-shaving) to have been 4.5 votes per thousand in favor of the President. Hence, it was a very close contest, with the most probable results ranging from the President winning with around 156,000 votes or less, to Poe winning with around 84,000 or less.

The allegation of massive fraud committed by the administration during the 2004 election was reinforced in June 2005, with the sudden and mysterious release of taped wiretapped conversations between COMELEC Commissioner Virgilio Garcillano and various personalities led by President Arroyo. Garcillano was a career bureaucrat at COMELEC implicated in previous election irregularities. His appointment as Commissioner prior to the 2004 election was met with criticism from various sector and further reduced the credibility of COMELEC. The taped conversations, which allegedly took place from May 17 to June 18, 2004, exposed the cabal of political operators who tampered with votes upon orders of Garcillano. While the President has admitted to being one of the voices in the taped conversations, she has denied any wrongdoing. Nonetheless, she profusely apologized for the impropriety of her "lapse in judgment." Beyond the legal question, the controversy highlights the issue of ethics in politics and the failure of the 2004 election as an institutional mechanism for mitigating the continuing crisis of legitimation in the Philippines. The political backlash in the wake of the controversy has threatened the presidency of Gloria Macapagal Arroyo as she faces massive street protests and impeachment charges in Congress.

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