

Guidelines for Communal Discernment and Action to Address the National Crisis

The Context

1. The ZTE-NBN controversy has once again raised questions about abuse of power and systemic corruption in the government of President Gloria Macapagal-Arroyo (GMA). This is just the most recent in a series of events that indicates a worrisome pattern of behavior in government, particularly of anomaly and cover-up, leading to the weakening of Philippine democratic institutions. Among these are the “Hello Garci” scandal, the fertilizer scam, the promulgation of calibrated preemptive response (CPR), EO 464 and PP 1017, the unresolved extrajudicial killings and disappearances of activists and media practitioners, the undermining of impeachment proceedings, the pursuit of self-serving charter change, and the lack of a decisive response by the government to the farmers of Sumilao, Bukidnon due to political compromises in the implementation of agrarian reform. Good governance and long-term reform are being sacrificed for short-term political survival.
2. Many Filipinos are outraged by this situation because of what appears to be a deliberate suppression of truth, and the refusal of the government to be made accountable. Many also feel confused and powerless, leading to a sense of hopelessness and deepening distrust of political leaders and institutions. There is a real danger that citizens will become disempowered and disengage themselves from politics. At the same time, there are also those whose frustrations have led them to join armed insurgent groups or are seriously considering insurrectionary and other unconstitutional options because of the inability of government to effectively address the issues of the poor and respond to the call for truth and accountability. Then there are some members of the economic and political elite, who out of pragmatic considerations, have adopted a “wait-and-see” position and have therefore not helped in providing clear leadership in terms of clarifying the issues and options. These include the politicians who are potential presidential candidates in the 2010 elections.
3. While there is anger and despair because of what is happening to the country, there are also possibilities that have opened up with the recent events, for bringing about serious and much-needed changes in the political and governance institutions and culture of the country. How we respond as a people to this crisis will determine whether we can make the most of this opportunity for a renewal of Philippine democracy.

Diversity of Responses

4. Part of the reality of the present crisis is the diversity of views and even division among people, across and within sectors, in their analyses of and reactions to the situation. Therefore, it is important to note the range of political positions and options among those who have responded. This range represents a continuum, that allows a capture of the essential differences across groups, while at the same time

recognizing that there are real overlaps among the positions and those who represent them.

- a. **“The economy is good. Let’s move on.”** The Arroyo government and its allies insist on projecting a picture of a growing economy, on the one hand, which is undermined by unnecessary and debilitating “political noise,” on the other hand, created by “partisan” groups whose only agenda is to unseat the President. This type of politics is seen as bad, not just for economic growth, but also for addressing the poverty problem because it is the poor who are most affected by political instability. Therefore in this view, the country must move on, since it argues that the administration has a mandate to rule until 2010. Likewise, there are those who may not explicitly support GMA, but believe that given the alternatives, the President represents the lesser evil. Effectively, they do not support any moves to hold the government accountable.
- b. **“All politicians are corrupt. Let’s focus on jobs, services and the poor.”** Some business associations, socio-civic organizations and faith-based groups are highly cynical of national politics or have given up on it altogether, and thus do not see it as the avenue for meaningful change. They concentrate on what they see as the more important tasks of job-creation and service-delivery (e.g., housing, health, education). They believe that what they are doing has more long-term impact because they address the more basic issues of poverty and hopelessness, which breed corruption and a culture of dependence.
- c. **“Let the 2010 elections resolve the crisis.”** Strict rule-of-law advocates hold that President Arroyo legitimately won the 2004 elections, even if there are serious and impeachable questions of cheating. They believe in accountability through constitutional mechanisms like an independent fact-finding commission, impeachment and ultimately elections. In this perspective, there is no doubt that the search for truth must be pursued, even as they believe that the crisis can only be eventually and truly resolved through the electoral exercise scheduled for 2010.
- d. **“Bring out the truth, hold GMA accountable, and work for reform.”** There are faith-based and civil society organizations that call for “truth, accountability and reform,” emphasizing concrete measures like resolving the issue of executive privilege, calling for an independent counsel (with investigative and prosecutorial powers), pushing for possible impeachment, and advocating long-term reforms pertaining to freedom of information and transparency, electoral and civil service reform, and social justice (especially agrarian reform). These initiatives are meant to provide constructive ways for people to participate in meaningful democratic governance and institution-building.
- e. **“No real reform is possible under GMA.”** There are prominent concerned individuals and groups who also adopt a truth-accountability-and-reform

framework, but are more emphatic that a precondition for genuine long-term reform is holding President Arroyo directly accountable for the undermining of institutions. Thus, they would tend to be more explicit in taking a principled position that the government should step down, and that a succession should hew as much as possible to the Constitution.

- f. **“Oust GMA.”** Various groups from both the Left and the Right of the political spectrum, many of them not sharing a long-term agenda, are tactically coming together on the objective of ousting the Arroyo government, even through extra-constitutional means. This may take the form of an EDSA-like people power, military withdrawal of support, a Cabinet coup, or some combination thereof. They are not in agreement on who or what should assume power in the aftermath of an Arroyo ouster. Some may accept Vice President Noli de Castro taking over, while others prefer special elections (on the premise that the Vice President will also step down or be made to do so) or “snap elections” or an interim civilian-military junta that will put key reforms in place and oversee a return to constitutional government. It is important to note that groups on the Left recognize the need for bringing in more long-term structural reform, beyond merely replacing the President.

Non-negotiable Principles

5. Given these and other options that may be taken, it is important to identify some non-negotiables, for more thoughtful and responsible communal discernment and action:
 - a. **Uphold the truth.** Truth, especially regarding cases of graft and corruption, cannot be sacrificed in the name of stability. Stability that is the product of unresolved issues tends to be shallow and short-lived, as the credibility and capacity of institutions designated to pursue the truth are weakened, and other cases of corruption surface again and again. Moreover, this situation contributes to the reinforcement of a culture of impunity.
 - b. **Exact accountability.** Government must be held accountable by the people, for all its actions and decisions, in all policy areas, and at every point of its stay in power. This means that the exacting of accountability should not take place only at the time of elections because democracy cannot be confined to the single act of casting a vote, but is a continuing process of citizen participation. Nevertheless, elections are also a core mechanism of accountability, especially since the present political crisis is linked to unresolved questions of electoral cheating. Part of the response necessary at this time involves the rebuilding of public trust and confidence in institutional mechanisms of accountability.
 - c. **Pursue meaningful reforms.** Even in situations of crisis, efforts at electoral, bureaucratic, and social reform should not cease because many of the

country's problems are really of a structural and institutional nature, needing continuing transformation. There is a need to recognize the problems and propose concrete solutions.

- d. **Build and strengthen democratic institutions.** The country needs to establish and fortify democratic institutions, which provide consistent, organized and self-regulating procedures, applied to all citizens equally. Among these institutions are due process, civilian supremacy, rule of law, checks and balances. While Philippine democracy is still flawed, the genuine gains that came with the dismantling of the Marcos dictatorship and the restoration of democratic institutions should not be lost. The alternatives (e.g. a military junta, a civilian-military authoritarian regime, a communist government) are even more unstable, unpredictable, unsustainable, and potentially harmful. A second democratic breakdown, moreover, will be much more difficult to undo. Strong democratic institutions can likewise help address the present conditions of real divisions among Filipinos. By providing agreed-upon rules and mechanisms which are accepted as credible and fair, institutions facilitate the peaceful resolution of conflicts among dissenting positions and approaches.
- e. **Promote responsible and engaged citizenship.** Moral outrage in the present moment is called for, and is critical for a committed response; but it must also lead to a serious and responsible consideration of consequences for the medium and long term. Hopefully, such a responsible and engaged citizenship will lead to the transformation of the present culture of one-sided dependency on leaders. The country's problems have been reinforced by generations of patronage that have led Filipinos to depend disproportionately on those who have more resources and more power, in politics and society at large, in the Church, and even in the ordinary *barrio* or *baranggay*.
- f. **Champion active nonviolence and protect human rights.** Action is to be guided by principles of active nonviolence. "Violence is evil... violence is unacceptable as a solution to problems.... Violence destroys what it claims to defend: the dignity, the life, the freedom of human beings" (*Compendium of the Social Doctrine of the Church*, 496). Human and civil rights must always be respected and promoted (*Centesimus Annus*, 22). Any coercive means is unacceptable, including forms of harassment, detention without due process, and policies that seriously undermine the freedom of the press and the right to self-expression and organization.
- g. **Prioritize the poor.** The real and urgent concerns of the poor should be given highest priority amidst all efforts to search for the truth and promote accountability. If many Filipinos seem to be uninvolved or uninterested, it is primarily because of an overriding concern for economic survival during very hard times. Indeed, the search for the truth is integrally linked to the fate of the poor. Corruption and dishonesty have made the lot of the poor worse. Programs and initiatives from both government and the private sector to address poverty and inequality, and to respond to the urgent needs of the

poor, in fields such as education, health, housing, livelihood and the environment should continue to be supported, and indeed intensified.

- h. **Engage and involve the youth.** It is important that all activities should seek to involve the youth, and harness their energies, especially for truly sustainable reforms and institution-building. Significantly, recent events have awakened many young Filipinos and stirred them to become more politically involved. Today, there is an opportunity to do political education and mobilization of the youth on a scale not seen for many years.

Analysis of Options

6. Given these guiding non-negotiable principles, the different positions and options presented above can now be reviewed, in order to help build common ground and move towards a consensus on how best to respond to the ZTE-NBN scandal and the broader political crisis:

“There is no problem with GMA.”

- a. **Business as usual, status quo.** Not holding government accountable in any way is unacceptable. “Political authority is accountable to the people.... Those who govern have the obligation to answer to the governed” (*Compendium*, 408, 409). The nature of the allegations of corruption in this particular case is so serious, that any government with some sense of responsibility to its citizens cannot but respond, to work towards establishing the truth beyond any major question or doubt, and so confirm its legitimacy. “Political corruption... betrays both moral principles and the norms of social justice.” (*Compendium*, 411) Moreover, there is much truth to the view that fighting corruption is not against the economy. Indeed, corruption is anti-development and anti-poor.

“GMA is not the main problem.”

- b. **Give up on politics.** Among those who hold this position include a range that spans from the exhausted, to the cynical, to the apathetic. All of them move towards a position that views all politicians as being equally self-interested. Effectively, none of them focuses on GMA as the problem. Such a view that disengages from all politics and does not identify concrete points of action and reform only contributes to the sense of hopelessness and paralysis. At all times, participation in the social and political realms, either as individuals or as members of organizations, is a duty to be fulfilled with responsibility and with a view to the common good (*Compendium*, 189).
- c. **Focus on the delivery of services to the grassroots.** The preferential option for the poor necessitates a long-term perspective on development

beyond mere regime change. It also makes the delivery of services to the grassroots essential, regardless of who is in power. Thus, those who have opted to concentrate on this course of action are to be commended. However, while citizen-involvement in particular areas of social development and local politics is a form of participation, they will always be constrained by large-scale anomalies and abuse of power on the national political level. All citizens must work towards the eradication of the evils of patronage politics and national political corruption, in order to promote the common good.

“How does one address the GMA problem?”

- d. **Call on GMA to resign.** There are individuals and groups who have been calling for President Arroyo’s resignation since 2005 and continue to hold that position as a matter of principle. At that time, the CBCP itself recognized the call for the President’s resignation, as well as for a “Truth Commission” and impeachment, as legitimate options under the guiding principles of accountability, constitutionality, non-violence and effective governance. While the bishops did not call on President Arroyo to step down, they asked her to discern “to what extent she might have contributed to the erosion of effective governance and whether the erosion is so severe as to be irreversible.” Therefore, those who in conscience have made a decision that the President should not remain in office deserve respect. Their call for her to resign voluntarily is one of the options provided for in the Constitution. However, it also needs to be pointed out that while this position is one of principled moral conviction, it ceases to be a real political option if GMA remains resolute that she will not resign voluntarily.
- e. **Cabinet declaration of incapacity of the President.** The Constitution provides that a majority of Cabinet members can declare in writing to the Senate President and the House Speaker that “the President is unable to discharge the powers and duties of his [her] office” (Article VII, Section 11). This is a constitutional way of removing a President who is seen to be physically or mentally incapacitated, but the meaning of this provision may be interpreted more broadly. This is one scenario for an “internal or Palace coup” within the GMA regime. But such decisions on regime change tend to be elitist, as they are dependent on so few people. This declaration can be challenged, however, by the President, in which case Congress may confirm the Cabinet decision by a two-thirds vote of the two houses of Congress voting separately. Note that this requirement is even more stringent than the one-third percentage required for the House of Representatives to send an impeachment complaint to the Senate for trial.
- f. **Oust GMA.** When faced with the President’s refusal to resign voluntarily, those who are willing to push the demand for her to step down to the point of employing even extra-constitutional means must be reminded that democratic institutions may be harmed in the long-term, especially if a

political vacuum is created for groups with an anti-democratic, adventurist or power-grabbing agenda to try to seize power and hold on to it indefinitely.

- g. **People Power.** People power is a precious legacy from the struggle against the dictatorship and the restoration of democracy in the Philippines. EDSA I was the culmination of a long process of political education, organization and mobilization throughout the martial law years and especially during the nearly three years after the assassination of former Senator Benigno Aquino. Active nonviolence was a defining characteristic of EDSA People Power. It is enshrined in the Constitution, which values initiatives from below as a way of harnessing the direct participation of the people in politics and governance. In its current usage, however, it is problematic because it is often equated with popular insurrection and takeover as a method of regime change. This creates a dynamic where crisis situations continue to be resolved through extra-constitutional means which are not predictable, weaken democratic institutions and install leaders with questionable mandates. Thus an endless series of EDSA's spells serious instability.
- h. **Snap elections.** Any call for "snap elections" would be extra-constitutional, since there is no such provision in the present charter. What the Constitution provides for is the holding of "special elections," should vacancies arise in the offices of both the President and the Vice President. Therefore, those who are advocating this option presume that both the President and Vice President will step down or will be made to do so. Moreover, special elections before 2010 without meaningful preparation and electoral reforms will only lead to a contest between those already entrenched in power and thus will not produce genuine change.
- i. **Military intervention.** Some have called for an interventionist role of the military to effect regime change. While recognizing that there are reform-minded members of the military who have a genuine concern for the good of the country, military intervention in whatever form must be eschewed, especially in the present context of a weak Philippine democracy. Allowing the military to become the arbiter to resolve political conflicts and stalemates undermines civilian supremacy, long-term democratization and political stability.
- j. **An Independent Counsel.** Some have called for an independent institution with the credibility and capacity for investigating and prosecuting government corruption at the highest levels. This proposal has been made because some see the Senate investigations as partisan, while the Ombudsman is overloaded with corruption cases and is perceived as partial to the government in power, given its recent track record. For this option to prosper, however, three difficult issues need to be addressed: (i) creating such a body through a law approved by Congress, (ii) defining the scope of its power and responsibilities, especially in relation to the Ombudsman, and (iii) giving it real autonomy, particularly from the President, who would be the appointing official.

- k. **Impeachment.** This mechanism is provided for by the Constitution to exact accountability from the President. It is also a way by which allegations can be verified, thus giving the President a fair hearing and an opportunity to defend herself. However, impeachment will only work if people are willing to participate actively in pushing for and making sure that this process is effective (e.g. sustained lobbying, pressuring their representatives in Congress to prioritize the search for truth and accountability). Thus, it can provide excellent opportunities for active political participation, especially for citizens outside Metro Manila.

“How does one go beyond GMA?”

- l. **Elections.** The forthcoming elections in 2010 will be critical. Not only will a new president be chosen, but this national exercise will also be crucial in the restoration of trust in the democratic system and the emergence of a new alternative leadership. It is imperative that they are conducted freely, honestly and credibly. Furthermore, there is a need for responsible citizens to organize around candidates, leaders and parties who are upright and capable, and who can contribute positively to the strengthening of weak institutions.

Action Points

7. It is precisely during times of great upheavals and crises that the call to hope becomes more urgent. Desperation and cynicism cannot be allowed to eat up people’s inner resources. To move forward from this crisis means identifying and pursuing specific forms of action, such as: (a) joining circles of ongoing reflection and discernment, and efforts at political education and organization, including training in anti-corruption advocacy (*Ehem*) and active nonviolence; (b) supporting institutional efforts to get to the truth and creating a broader climate of truth-telling which encourages and protects whistleblowers; (c) joining activities that promote accountability; (d) articulating long-term ideals and policies for national political reform; and (e) establishing sectoral and multi-sectoral organizations and networks to promote dialogue and concerted action.

Concretely, eight action areas fall within the range of options which are consistent with the principles identified above, especially the need to build strong democratic institutions and promote engaged citizenship for socio-political reform:

- a. Support for the ongoing ***Senate investigation*** of the ZTE-NBN case not only to bring out the whole truth on matters of public interest but also to strengthen the institutional system of checks and balances that seek to prevent the abuse of power.

- b. Creation of a credible ***Independent Counsel***, in order to ferret out the veracity of various allegations and promote accountability within the judicial system, in which unfortunately many of the official institutions are seen as severely compromised politically. Thus there is a need for an institutional venue and mechanism that will be viewed as autonomous of the government currently in power and free of the antics of traditional politicians.
 - c. Initiation of a genuine ***impeachment*** process, particularly by pressuring Representatives in the House to hold the President accountable for serious violations of public trust if there are sufficient bases for doing so.
 - d. Pursuit of ***reforms towards government transparency in all its transactions***, especially in processes like procurement, decisions on loans, development projects, social reforms, and on issues such as mining, energy and land use that have a profound impact on poor communities and the environment. There is a need to ensure rigorous implementation of laws and policies, the institutionalization of a culture of social accountability, free access to information, and the enhanced participation of civil society in governance decisions at all levels.
 - e. Promotion of ***electoral reforms*** to ensure the conduct of clean, honest, and credible elections in 2010, including the revamp of the Comelec, beginning with the appointment and confirmation of commissioners of unquestioned integrity and competence; the modernization of the electoral system; the eradication of warlordism; the monitoring of campaign finance and expenditure; and the continuing political education of voters.
 - f. Search for ***worthy candidates and potential leaders, parties/coalitions and platforms for 2010***, through positive preparations, planning and strategizing. This would mean clarifying political values and development priorities, candidate selection and recruitment, resource mobilization, and political organizing.
 - g. Organization of and support for ***basic sectors***, to enable them to have a real say in democratic processes and to address the urgent needs of economic development and social justice.
 - h. Engagement of the ***youth*** in current issues, through political education, organization and mobilization for democratic institution-building, lobbying for transparency and accountability, policy reform, and involvement in electoral politics.
8. These specific and concrete calls for action are not isolated and discrete but are precisely interconnected in a framework that seeks to promote truth, accountability and reform. They address gross injustices in the country through active citizen participation that will support and be supported by efforts at political education, organization, mobilization and network-building in order to strengthen and transform democratic political institutions under the Constitution.

Responding to the Call for Communal Discernment, Conversion and Action

9. We offer these guidelines as a response to the call of our bishops for “circles of discernment” to “pray together, reason together, decide together, act together.” We trust that these reflections help clarify the context, principles and options for people – especially the youth – who seek to respond in action to the current crisis rather than succumb to the temptations of despair. For as Pope Benedict XVI has said, “All serious and upright human conduct is hope in action” (*Spe Salvi* 35).

**Philippine Province of the Society of Jesus
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Albert E. Alejo, S.J.
Xavier C. Alpasa, S.J.
Anna Marie A. Karaos
Antonio M. La Viña
Jose Cecilio J. Magadia, S.J.
Antonio F. Moreno, S.J.
Ermin B. Pimentel
Karel S. San Juan, S.J.
Benjamin T. Tolosa, Jr.
Primitivo E. Viray, Jr., S.J.
Peter W. Walpole, S.J.
Roberto C. Yap, S.J.