

Your Vote. Our Future.

IPER Citizen-Voter Education Module

The monumental event that was People Power II or EDSA DOS called for new politics based on political and electoral reforms targeted at the traditional elite-dominated, patriarchal and personalist political system.

Such reforms are aimed at broadening the genuine participation of the grassroots in politics and governance, ensuring universal suffrage, assuring clean, honest and fair elections, and developing a politically mature citizenry. These are further directed towards making Philippine elections a more meaningful political exercise through an enlightened electorate.

A key part of these reforms concern the education and raising of the political consciousness of the electorate towards a responsible, democratic, and sustained participation in the electoral and governance processes. Immediately, citizen-voter education targets the marginalized and underrepresented sectors who constitute the vast majority of voters.

Your Vote. Our Future.– the module then serves to contribute to the efforts at effecting matured and informed political attitudes and decisions of Filipino citizen voters. As a generic citizens education module, it covers the broader aspects of the political and electoral system, human rights and governance. Contents of this module are the basic concepts and ideas to be considered in creating messages according to various forms of communication for the education campaign.

Part I gives a note on the right of suffrage and a brief history of elections in the Philippines. Part II advances the concepts of elections and democracy and various mechanisms for people's participation in such set-up. Part III discusses the government structure and electoral process and system and outlines the duties and responsibilities of both the public servants and the citizen voters to watch out for. A review of electoral procedures and processes is also done in Part III, which aims to guide voters in the actual conduct of elections. Part IV deals with the existing voter behavior and elections: attitudes and decisions of the electorate; and of political candidates; dynamics and mechanisms employed by stakeholders in the electoral and political processes. Finally, Part V shares a vision of ideal government, citizen-voter and political leaders and enumerates action points for the citizen voters before, during, and after elections.

I. The Right of Suffrage and Brief History of Philippine Elections

A. The Right of Suffrage (See Annex 1)

The human right to vote is embodied in three instruments: Universal Declaration of Human Rights (UDHR); the International Covenant on Civil and Political Rights; and in the 1987 Philippine Constitution. The Philippines is governed by these three documents which similarly mandate universality of the right; equality in access to public service; and secrecy of votes.

B. History of Elections (See Annex 2: *History of Philippine Elections: Year and Type, Contenders and Results*)

During the pre-colonial period, leaders were chosen based on his/her capacity to ensure the survival of his/her tribe and clan. Wisdom, skills, and respect for people were the important qualities for leadership.

A system of election was first practiced in the Philippines during the Spanish and American colonial period. But the process was only limited to male voters and was more of a ceremonial rather than a genuine democratic mechanism.

Sectoral struggle and political participation were only realized in 1937: when Act 4112, granting women the right of suffrage, was implemented; and when the peasant movements gained meaningful participation in political parties and in actually filling of government positions.

The first democratic elections after WW II was the 1946 election for President and Vice-President of the Republic, Members of the Senate and of the House of Representatives. From then on, the country operated on a two-party system where two major political parties, the Nacionalista Party and the Liberal Party, figure in succeeding elections.

When Marcos declared Martial Law in 1972, the 1935 Constitution was scrapped, an Interim Batasang Pambansa was created and a new (1973) Constitution was adopted.

Election for the Interim Batasang Pambansa was called for in 1978. The *Kilusang Bagong Lipunan (KBL)* became the administration party. The election was claimed to be towards restoration of old political order but Marcos' purpose was to gain legitimacy for his unpopular administration and to create a rubber stamp legislature. The exercise defied democratic procedures, and was characterized by rampant electoral manipulation done by the Marcos government to ensure victory.

Local election in 1980 was characterized by widespread terrorism, violence and wholesale fraud.

Intense opposition coming from the peasant and student sector in the countryside supported peasant and labor unrest. In 1981, Marcos submitted himself to the electoral process to regain legitimacy. This is mandated by the constitutional provision of a parliamentary system.

The Aquino assassination in 1983 resulted in waves of protest forcing the creation of wider democratic space. Batasang Pambansa elections happened in 1984 to replace the Interim Batasang Pambansa. The exercise was intended to divert the people's attention away from the Aquino assassination. Still, the period was marked by weakening popularity of Marcos and the people's growing political will to guarantee that their sentiments are reflected in election results.

Snap elections were held in 1986. The widespread election manipulations and irregularities and the worsening social, political and economic order triggered the EDSA uprising in the same year. The mass action known as the People Power Revolution of 1986 led to the ouster of Marcos, the collapse of KBL and the installation of Corazon Aquino as the President.

Aquino's program of restoring democracy, promoting stability and establishing political legitimacy involved three major electoral exercises: national plebiscite for the approval of the 1987 Constitution in February 1987; election for members of the Senate and House of Representatives in May 1987; and local elections in January 1988. The 1987 Constitution provided for a multi-party system.

During the 1992 synchronized national and local elections, the people voted for president for the first time under the 1987 Constitution. The main campaign issue was doing away with "trapo" or traditional politics. In 1995, congressional and local elections were held. A new form of fraud dubbed as "dagdag-bawas" or the subtraction of votes from one candidate to be added to the contending candidate was in practice during these two major elections.

In 1998, the first party-list elections were held. Joseph Estrada was seated as President of the Republic with popular support. However in January 2001, EDSA DOS, a repeat of the 1986 People Power removed Estrada from Malacañang and seated Gloria Macapagal-Arroyo as the new president.

Time and again, the struggle for our independence and for democratic governance resulted in a kind of political system, political leaders and electorate that we have right now. Election has been one major feature and mechanism in practice and through a more informed electorate is hoped to continue to serve as a vehicle towards genuine democratic governance.

II. Elections and Democracy

- The Constitution guarantees that we are a sovereign people, where *all* government authority comes from. Sovereignty or the power to govern is exercised directly through suffrage and indirectly through public officials elected by the people. The will of the people, then, is best expressed in clean, orderly and honest election.
- The representative democratic structure, in which the people govern through elected representatives, is based on the idea of "consent of the governed". Thus, the government officials chosen and elected by the people become servants and not masters of the people from whom and for whom these officials exercise their power and authority.
- The citizen voters are entitled to free and informed choice on whom to vote and must be dictated by the genuine welfare of the majority. Every individual political choices and decisions made by the citizen voters will determine the kind of government that will serve them.

Specific Mechanisms

- Since the enactment of the 1987 Constitution, elections for President and Vice-president are held every six years, while elections for Senators and members of the House of Representatives and local government officials happen every three years.
- At the local level, barangay elections and Sangguniang Kabataan elections are also held periodically.
- In 1993 and 1996, elections for the Autonomous Region of Muslim Mindanao (ARMM) were held. The 1996 ARMM elections also served as pilot-test for automated system of elections.

Aside from voting, our Constitution mandates other mechanisms to advance democratization and citizen's stake in governance.

- The system of initiative and referendum gives the people power to directly enact, propose and reject laws at the local level.
- Also through initiative, the people may directly propose amendments to the Constitution by a petition of at least 12% of the total number of registered voters, in which 3% of registered voters in each legislative district is represented.
- Through plebiscites, the people approve or reject the call for a constitutional convention to propose changes to the Constitution, approve or reject proposed changes in the Constitution and, at the local level, express their will with respect to certain local issues.
- The party-list system of representation allows for marginalized and underrepresented sectors to be represented in the national legislature. The system serves as an attempt to depart from the personalistic character of political and electoral system by giving focus on the party and its issue-based platform.
- The Constitution and the 1991 Local Government Code (LGC) mandate sectoral representation in the legislative bodies of local governments.
- People participation is also provided for by the Local Government Code through representation in consultative bodies such as the local health boards, local school boards, local peace and order councils and local development councils in all local levels.
- There is also the LGC-mandated *barangay assembly (peoples' assembly or meeting of all over-15-year-old-residents of the barangay)*. The assembly has the power to hear and pass upon the report of Sangguniang Barangay's (SB) performance. It can also recommend measures for legislation by SB.
- The Barangay Assembly is one manifestation of people's power and a (truly) direct and participatory democratic exercise.
- The latest development in upholding the right of suffrage is Republic Act 9189, which provides for a system of absentee voting for qualified Filipinos abroad.

III. Government Structure and the Electoral Process

National and Local Elective Public Servants (See Annex 3)

At the national level, we vote for:

President
Vice President
12 Senators
1 District Representative or Congressman/woman
(1 Party-list group).

At the provincial level, we vote for:

Governor
Vice Governor
Sangguniang Panlalawigan Member

At the municipal/city level, we vote for:

City/Municipal Mayor
City/Municipal Vice-Mayor
Members of the Sangguniang Panlungsod (City Councilors) /Sangguniang Pambayan (Municipal Councilors)

At the barangay level, we vote for:

Punong Barangay
Members of the sangguniang barangay (barangay kagawad and sangguniang kabataan chair)

Powers and Functions of Public Servants

Executive power is vested in the President of the Republic. This power covers:

- control of all executive departments and all implementing agencies of the government;
- appointment of high officials in the government (heads of executive departments/cabinet members, ambassadors, public ministers, consuls, officers of the armed forces);
- seeing to the execution and implementation of laws and policies

Local government units also exercise executive functions through the governors of provinces, municipal and city mayors.

Legislative power is lodged in the Congress of the Philippines: the Senate and the House of Representatives. Legislative functions include:

- Statute making, constitution making, and amending of constitution;
- Appropriations/financial function;
- Oversight function;
- Informational or the power to conduct inquiries in aid of legislation.

Legislative functions are carried out in the local level by the different “sanggunians” or local legislative bodies.

In the statute-making process, the president can either approve or veto the bill. It would require 2/3s vote by the legislative body to finally pass the bill into law. At the local level, chief executives can also veto any ordinance on the ground that it is prejudicial to the public. In turn, the *sanggunian* or the local legislative body can override the veto, also by 2/3s vote of the whole *sanggunian*.

Election Process (See Annex 4: Diagram of Election Process)

- *Qualifications and Disqualifications of a voter*

All citizens of the Philippines, eighteen years of age or over, and a resident of the Philippines for one year and in the city or municipality wherein he proposes to vote for at least six months immediately preceding the election are qualified to vote.

The following shall be disqualified from voting:

- a. Any person who has been sentenced by final judgment to suffer imprisonment for not less than one year. However, he/ she may reacquire the right to vote upon expiration of five years after service of sentence.
- b. Any person who has been adjudged by final judgment by competent court or tribunal of having committed any crime involving disloyalty to the duly constituted government such as rebellion, sedition, violation of the anti-subversion and firearms laws, or any crime against national security, unless restored to his full civil and political rights in accordance with law: Provided, That he shall regain his right to vote automatically upon expiration of five years after service of sentence.
- c. Insane or incompetent persons as declared by competent authority

In addition, RA 9189 or the Overseas Absentee Voting Law entitles *all* Filipino citizens overseas, not otherwise disqualified by law, and immigrants and permanent residents with affidavit of intent to resume residence in the Philippines, to vote for elective positions in the national level: President; Vice-President; Senators; and Party-List Representatives

- *Registration*

Preliminary to the voting exercise is the registration of voters. During the **registration** process, the qualified voter accomplishes and files a sworn application for registration before the election officer of the city or municipality wherein he resides and including the same in the book of registered voters upon approval by the Election Registration Board. This process is currently guided by RA 8189 or the Continuing Voters' Registration Act of 1996.

The Overseas Absentee Voting (OAV) Law applies the mechanics in RA 8189 of personal registration either with the Election Board of Inspectors in their place of residence before their departure or with the representative of the Commission in the Philippine embassies, consulates and other foreign service establishment in their temporary residence overseas.

- *Election Day*

After undergoing the registration process and during election day, the voter proceeds to the **casting of votes**, which is conducted by the Board of Election Inspectors (BEI). All voters whose name appears in the list of voters will be allowed to vote. Official candidates and registered political parties and party-list groups are represented in the precincts by watchers.

Public **counting of votes** starts immediately after the close of voting at 3:00 p.m. Votes for candidates, simultaneously with the reading, are entered in the tally board and the election returns. Official watchers shall be permitted full access to the proceedings, but only the members of the BEI can write or place marks on the tally board and on the election returns. All questions on appreciation of ballots are decided by BEI by majority votes.

After all ballots have been read and recorded, the BEI signs and thumbmarks the election returns and lets the principal watchers of six major political parties do the same. Six copies of the election returns are placed inside corresponding envelopes, sealed and submitted to officials concerned. These returns are then distributed to the Comelec, to designated canvassers, and candidates/parties through their watchers and are then used for **canvassing of votes**.

- *Modernized Election Process*

Republic Act 8436 or the Election Automation Law, legislated in 1997, mandates the use of automated election system in the country as early as the May 1998 elections. This system will comprise the use of appropriate technology for voting and electronic devices to count votes and canvass/consolidate results.

The law also provides for the following features of the automated system: a) use of appropriate ballots; b) stand-alone machine which will count and consolidate elections results; c) provision for audit trails; d) minimum human intervention; and e) adequate safeguard and security measures.

However, the succeeding elections in 1998, 2001, and 2002 (except for the 1996 ARMM elections, which pilot tested an automated system) came and went but still under a manual system of voting and counting. The approaching 2004 elections will again not see through an automated system. Only Phase I (voter registration and validation) of the automation was implemented by the Comelec. Phase II (automated counting and canvassing) will not push through for the 2004 elections, while according to the Comelec Phase III (electronic transmission of election results) will still be implemented during the May 2004 elections.

IV. Voter Behavior and Elections

- A 2003 update study on voter behavior suggest the top four factors on what determines the vote of Filipino electorate:
 1. candidate's public servant image;
 2. political machinery;
 3. candidate's popularity; and
 4. endorsement of traditional network and organizations which include the family, the church, the ward leaders, and formal groups and association.
- The conduct of elections is made complex by the practices and values, which in turn are reflective of the behavior and attitudes of the electorate and the politicians and of the actual practices before, during and after elections. Further, voter behavior reflects the personalistic and patronage orientation of traditional Filipino politics or "trapo".

- Patronage politics thrive on a culture where the government leader becomes a politician who serves as a patron accommodating special favors to dole out money or provide jobs, recommendations and contracts to only a few in exchange for votes in the succeeding elections or support for a political agenda.
- A common element of patronage culture is *utang na loob*. The powers-that-be use this to ensure that their political and economic interests will be served. For instance, a “powerful” politician may invite a candidate to run under his political party and in return, the candidate will feel indebted and eventually feel pressured to support the political agenda of his benefactor (even if he is opposed to said agenda).
- For the poor, giving their support to a candidate is seen as an investment so that they can depend on the politician for help, e.g. donations, medicine, school fees. Campaign supporters view their help as a personal favor that the elected official should perceive as *utang na loob*. In return, they expect the official to accept personal invitations from their organizations, to comply with personal requests for donations, to award them perhaps with a government position upon electoral victory.
- In preparation for a coming election, people with plans of running for public office would be seen attending public functions from the barangay (community) to the provincial level. For constituents at the national level, candidates engage themselves in media exposure.
- Conversely, voting has always been determined by popularity of the candidate and financial and party machinery, which enhances the popularity of a candidate. Elections now become a high-spending process to the detriment of the candidates who has neither the financial resources nor the machinery, which can provide for posters and airtime in mass media.
- Consequently, the electoral system becomes bereft of the real issues affecting the electorate. Venues to seriously discuss programs of action and performances of candidates become less relevant in determining who gets elected into office.
- The traditional guns, goons, and gold element of Filipino politics continue to be a real phenomenon in certain districts, provinces, and regions particularly in the local level.
- Massive election fraud and violence are employed in order to win the elections. Instances of cheating range from use of flying voters, registration of disqualified voters, vote-buying, ballot and ballot box switching, padding of votes through *dagdag bawas* and other forms, tampering canvass of votes, etc. Again, these practices become more detrimental to candidates who have neither the financial nor political machinery to guard the integrity of the votes and election results. However, the most powerful safeguard against election fraud is the awareness and vigilance of every voter.

V. Guiding Vision and Action Points for Citizen Voters

A. *Vision of Good Government, Leaders and Citizen Voters*

The government, the leaders and the citizen voters are now faced with the challenge of advancing various reforms in the system and in attitudes and perceptions towards a system of wider and genuine participation of the grassroots in politics and governance, and towards citizen's political maturity.

- *Government*

Advancing democratization and good governance

Making available a meaningful and accessible election process

Maximizing the benefits of democratic mechanisms for the interest and welfare of all sectors of society, particularly the marginalized and underrepresented sectors.

Ensuring that the government agenda and programs of action are genuinely reflective of peoples' agenda.

Advocating new politics and new kind of leaders that engage the participation of citizen voters in running the affairs of the government

- *Leaders*

Capitalizing on the program of action and public service rather than on popularity in winning elections

Promoting the envisioned government and engaging the citizens' stake in governance

- *Citizen Voters*

Exercising the right to vote and the duty of guarding the integrity of the vote itself from any fraudulent maneuvering

Using conscience in choosing the right leaders

Safeguarding and defending the democratic mechanisms and institutions

B. *Action Points*

Below are some action points for the citizen-voters in his/her exercise of the right of suffrage.

- *Pre-Elections*

Engage in preparatory activities that would enable him/her to exercise the right of suffrage and the right to an informed and free choice.

- Register during the period allotted for voter registration
- Be informed of the issues, platforms and personalities of the political candidates
- Set specific guidelines in choosing government leaders in terms of the candidates' social affiliations and interests, competence, lifestyle, performance records.
- Conduct/participate in public debates that would inform citizens and gain the commitment of the candidates to integrate, foremost, the interests and welfare of the citizens in their program of government. This process can be used to remind and hold the elected leaders accountable to the promises made during the campaign.

- During elections

Exercise vigilance and the right to vote

- Vote according to your “informed conscience”
- Practice vigilance by protecting the integrity of your own vote from any undue influence, volunteering in organizations that work for clean and peaceful elections, watching out for instances of cheating in the elections, and informing the rest of the electorate of such activities.

- Post-Elections

Practice continued vigilance and participate in governance

- Be vigilant in the counting and canvassing of votes
- Another arena of participation is open to the citizen voter once the candidates they have voted for assume office.
- Participate in local governance through development planning in the barangay level, consultations and public hearings, representation in local special bodies.
- Aside from direct exercise of legislative power through the system of initiative and referendum, citizen voter can participate in legislating laws through legislative advocacy, a process of engaging with the legislature and other governmental and social institutions to ensure that the concerns and welfare of the general electorate be articulated in the deliberations of bills and other legislative measures as well as in the final versions of laws.
- The citizen voter can also engage in the political and electoral process in other ways such as:
 - a. running for office.
 - b. supporting/campaigning for a political party, candidate or party-list group.
 - c. supporting initiatives of civil society organizations to ensure honest and peaceful elections.
 - d. making views known to the elected representatives.