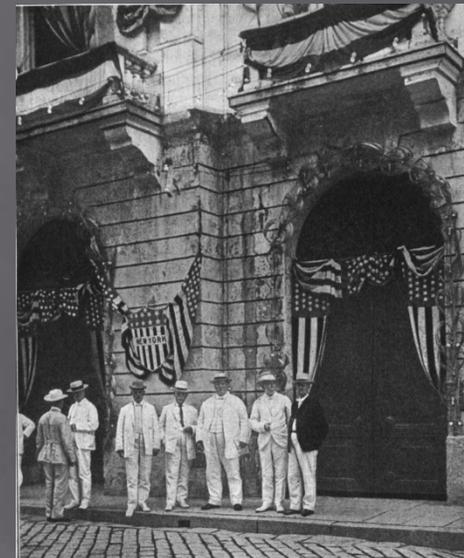
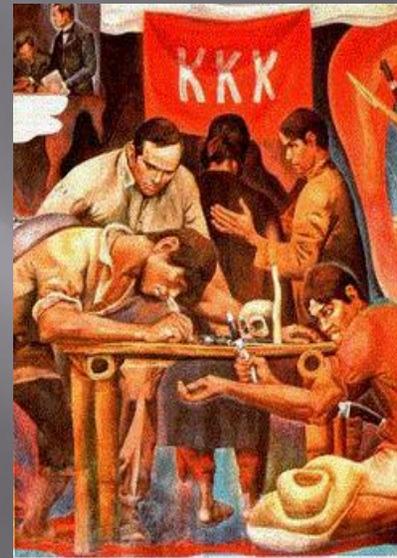


THE NEVER ENDING DEMOCRATIZATION OF THE PHILIPPINES

Malaya C. Ronas

A Long View



Cadiz
Constitution

Propaganda
Movement

Philippine
Revolution of
1896

"Colonial
Democracy"

Democratization-Reversal- Democratization Again



Independence
Act of 1946

Martial Law
under Marcos

1986 EDSA
Revolution

Post-EDSA
Administration
s



Coup d'état of 1989, extra constitutional transfer of power in 2001, the Oakwood mutiny in 2003, insubordination of the Marines at Fort Bonifacio & the Scout Rangers in the attempted military withdrawal of support in 2006, rebellion at the Peninsula Hotel in 2007



Communist insurgency and the Moro secessionist movement



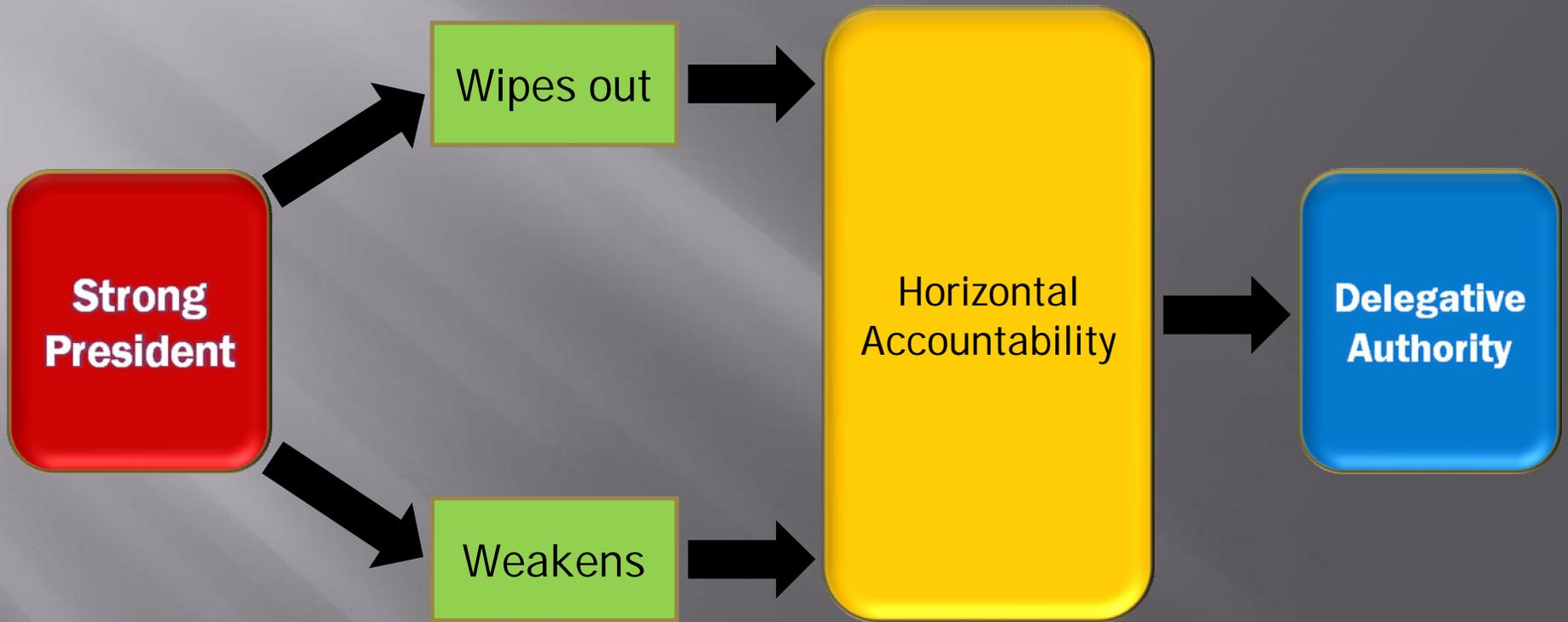
To understand why the democratization since 1986 under the presidential, formally democratic of government in the Philippines has been stalled, and has not transformed into a substantive, much less a consolidated democracy

This paper argues that
**the strong position of the president or
the executive hegemony**

relative to the legislature and the judiciary
in the presidential form of government

**weakens horizontal accountability and
even threatens the very existence
of this accountability**

such as in the case of executive coups
(Diamond, Linz and Lipset: 1995, 39-42, also in O'Donnell
in Diamond and Plattner: 1996, 94-108).



Wiped out/
Weakened

Horizontal
Accountability

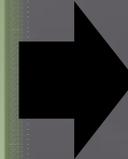


Delegative
Authority



Bad
Governance

•**Opaque**
•**Uncontrollable**
•**Unanswerable**



Low
Legitimacy

&

Low
Performance

**Agenda for
Institutional Reforms:
Towards a Stronger
Horizontal
Accountability**

The claim that everything that happens in our country is the responsibility of the president should be questioned.

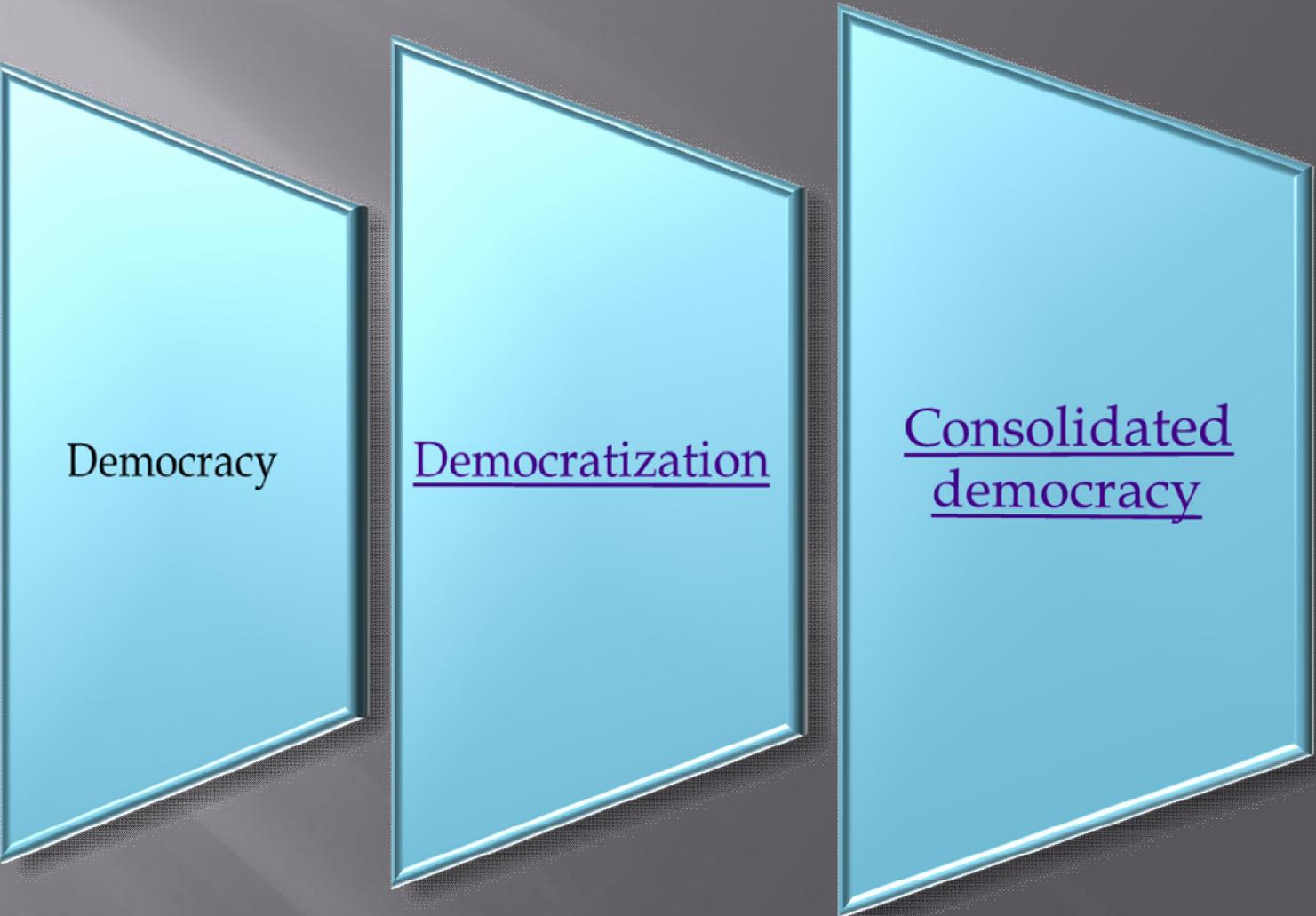
The better postulate for a democratic polity is that everything that happens in governance should be the joint responsibility of the **executive, **legislative** and **judicial** branches of our government.**

While these bodies are vested with specific powers, they should be jointly responsible for the policies and policy performance of the country.

- ▣ A priority for institutional reform is to make the powers of Congress and the Supreme Court stronger to enable these bodies to check the powers of the executive.
- ▣ A significant initial step is to attempt to restore to Congress the power of the purse.
 - The executive has encroached on this power during the authoritarian regime of Marcos through Presidential Decree 1177—Institutionalizing Budgetary Reforms.
 - This automatic appropriation removes from the Congress the power to decide on the matter of payment for the country's foreign debt.

- The revision of laws that do not specify the appointing authority of a public officer and make the appointing explicit.
 - This legislation will have the effect of removing from the president the appointing power for such officers
- Another possible legislation is transfer to the heads of departments, agencies, boards, and commissions the appointment of officers in their respective offices presently appointed by the president.
 - These prospective legislations should provide for the participation of the Civil Service Commission in regard to the ascertainment of the position qualifications.
 - Plantilla positions in the government service that are supposed to be “confidential and technical in nature” should be greatly reduced by this proposed legislation.

- The challenge to pass this legislation is formidable. Strengthening the participation of Congress in the LEDAC is also an option.
 - Strengthening the participation of Congress in the LEDAC is also an option.
 - The minority in Congress and the Civil Service Commission should be represented in the Committee.
 - The information available to Congress and the Civil Service Commission should deter the appointing power from abusing his power by appointing unqualified officials.
- The Judicial Executive Legislative Advisory and Consultative Council (JELACC) should also be strengthened.



Democracy

Democratization

Consolidated
democracy

Accountability has three aspects—
transparency
answerability
control l a b i l i t y

In the Philippines, the strong executive has vast powers to distort the rules on accountability allowing him to achieve the opposite of good governance—

opaque, unanswerable, & uncontrollable governance.

The **absence or weakness of accountability** among delegative democracies is primarily **due to the stronger power of the president relative to the powers of the legislature and the judiciary.**

“Horizontal accountability

is a matter of interaction, not between rulers and ruled, but between the arms and branches of the regime and state acting according to preset constitutional or legal rules”

(Philippe Schmitter, 2004).

- ▣ The focus of this research is on the constitutional structure of the Philippines
 - Formal political rules
 - Country's constitutional structure in the last 25 years
 - ▣ Ouster of the Marcos authoritarian regime in 1986 up to the end of the Arroyo administration
 - ▣ Covering four administrations of Aquino, Ramos, Estrada and Arroyo

The adverse effects of the strong president on horizontal accountability are manifested in at least three ways:

1 Wiping out horizontal accountability

2 Weak horizontal accountability and employment of delegative authority

3 Immunity from suits and rigid impeachment process

Delegative Authority

- ▣ “For those who hold political authority that I call “delegative”, the republican notion of restraint is counterintuitive. Why recognize power other than one’s own when one is striving for the public good? Why not help your self, your relatives, and your associates while in office, if at the same time (at least notionally) you are aiming at some aspect of the public good?” (Guillermo O’Donnell: 1998, 118)

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Strong President and Horizontal Accountability

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The Practice of Separation of Powers and Systems of Checks and Balances in the Philippines

Wiping out horizontal accountability



In the Philippines, the strong president is manifested in his military power, power to prepare the budget, power to appoint, pardoning power, immunity from suits, executive privilege, and the difficult impeachment process.

- ▣ **Weak Horizontal Accountability**
- ▣ **Power over the Budget**



Senate hearing on Fertilizer Scam



Manipulation of stock exchange
under Estrada

The claim that everything that happens in our country is the responsibility of the president should be questioned.

The better postulate for a democratic polity is that everything that happens in governance should be the joint responsibility of the executive, legislative and judicial branches of our government.

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Acknowledgments

▣ Pictures taken from:

- www.abc.net.au
- www.aipasecretariat.org
- www.asianews.it
- www.bbc.co.uk
- www.ccun.org
- www.chinadaily.com.cn
- www.dwiz882.com
- www.freerepublic.com
- www.gmanews.tv
- www.gulfnews.com
- www.inquirer.net
- www.knowledgerush.com
- www.mundoelectoral.com
- www.peopledaily.com.cn
- www.peoplepower.e-workers.de
- www.philippinerevolution.net
- www.philstar.com
- www.reuters.com
- www.seasite.niu.edu
- www.senate.gov.ph
- www.southasiarev.files.wordpress.com
- www.static.guim.co.uk
- www.stuartxchange.org
- www.timeinc.net
- www.tourism.gov.ph
- www.washingtonpost.com
- www.watoday.com.au