

C. POLITICAL MANAGEMENT AND CONGRESSIONAL REFORM

The Need for Stability in the Senate

Political development is often viewed as an "increased capacity of a political system to accommodate essential demands upon it."¹ It may also be considered as the "institutionalization of political organizations and procedures."² In this context, legislative institutions are defined as "stable, valued, recurring patterns of behavior,"³ and institutionalization may thus be equated with "the process by which organizations and procedures acquire values and stability."

Congress and policymaking are intertwined. The kind of legislation that comes out of Congress is a product of the institution, the legislators, congressional staff and stakeholders. Included in the institution is the secretariat. As Ralph K. Huitt said in 1964, "*Congress has the strength of the free enterprise system; it multiplies the decision makers, the points of access to influence and power, and the creative moving agents. It is hard to believe that a small group of leaders could do better. What would be gained in orderliness might well be lost in vitality and sensitiveness to the pressures of change.*" Understanding Huitt leads one to appreciate political institutions better.

Thus, if the majority party is highly cohesive on the issues and most issues are salient, then that party will be in a position to impose policy decisions by virtue of numbers, and a system of party-dominated committees will then develop. The heart of understanding Congress lies in the committee system and everything flows from a coherent Policy Agenda.

Levels of Analysis

The Senate can be examined on three (3) levels. At one level are the members of the Senate (24 individuals), each capable of pursuing the Presidency. The second level of analysis focuses on Congress as an institution: committees, subcommittees, caucuses, leadership organizations, and the formal and informal rules that produce collective action (and inaction). The third level of analysis considers Congress as part of the larger political system, a crucial cog in the constitutional framework of the government.

The lines between individual, institutional and system questions are often blurred. But understanding the interplay of these levels could lead to a better appreciation of the institution by the Members themselves, the Secretariat and the public at large.

The U.S. Model of Congressional Reforms

In the Workshop, certain participants have made clear their reservations of often referring to the U.S. Congress. Some even articulated that the U.S. congressional system cannot be applied to the Philippine setting.

The Philippine Congress was patterned lock, stock and barrel from the U.S. model of representative democracy. It is but logical that we refer to the U.S. congressional reform efforts in order for us to learn how an institution -- a mature Congress at that -- has made itself relevant in the ever-changing political environment of the U.S. As we refer to their experience, we also innovate based on our peculiarities as a nation.

The support services such as the Congressional Budget Office,⁴ Congressional Research Service,⁵ General Accounting Office,⁶ and the Office of Technology Assessment⁷ were all created by Legislative

Reorganization measures. These units gave the U.S. Congress information capabilities that allow it to compete with the Presidency on policies, particularly economic and budgetary bills.

Administrative reviews are continuing tasks of each chamber so as with study groups on committee systems, practices and procedures, etc. In 1993, the U.S. Congress passed a resolution establishing a Joint Committee on the Organization of Congress, underscoring the commitment by the House and Senate to strengthen the effectiveness, credibility, and accountability of the legislative branch.

We strongly recommend that both leaders, Speaker Jose de Venecia and Senate President Franklin Drilon, should pursue an agenda of continually strengthening the Philippine Congress. That is a commitment of leadership for it is only through direct involvement of the leadership can processes and procedures, as well as structures can evolve and take root.

There were three (3) distinct reform themes in the U.S. Congress during the late 60s to early 70s:

- 1) *Democratization*, or breaking down the hierarchical structures and existing power bases, such as, among others the seniority system;
- 2) *Ethics and Transparency*, or the low public evaluations of the morality and capability of institutions thus leading to open-meeting requirements (sunshine laws), ethics codes, and financial disclosure rules; and,
- 3) *Increasing congressional power vis-à-vis the President and strengthening party leaders*, or protecting the constitutional prerogatives of the legislative branch.

In the Philippines, the legislature would still have to evolve. The Philippine Congress has been in existence since 1987 or a total of 16 years now. This is a most opportune time to revisit the reform agenda and institute it in the 13th Congress come June 2004. As everyone knows, the Senate as well as the House of Representatives can readily adopt reforms with every new term.

Congressional Policy Agenda

A recurring problem with the post-Martial Law Congress is its inability to define the Congressional Policy Agenda.

Often, Congress adopts what the President seeks in the State of the Nation Address or during meetings of LEDAC. Without a Congressional Policy Agenda, support services cannot develop and challenge governmental statistics, the budget, proposed taxes, the Executive Branch policy agenda and to a certain extent, cannot challenge/clarify the President's Agenda.⁸ In an era of rising deficits, the Secretariat has to exert its power to reform policymaking.

With a Congressional Policy Agenda, the three (3) units that have direct roles on policy formulation: PSG, LBRMO, LRS can jointly study the measures included in the Agenda and prepare alternatives and options for the chamber to consider. This would also force units and individuals to share information and build expertise as a team.

It would also be a lot easier to assess the performance of Congress at the end of its term because there would be a baseline. With a Congressional Policy Agenda, all effort is made to pursue such commitments and there is proper optimization of limited resources: human and financial. With a Congressional Policy Agenda, leadership can also quite easily characterize the kind of issues it will seek to pursue and enable the public to take account of the leader's accomplishment. With a Congressional Policy Agenda, we move from mere quantity of legislation filed to quality of measures enacted.

A major part of the public's alienation of Congress is due to the lack of effort on the part of the institution to define its Agenda and consistently pursue them.

Career Senate Secretary

It is also critical for the Senate to have a permanent Secretary just like the House of Representatives. With a permanent Secretary, the management style takes roots and reforms can evolve even as Senate Presidents change with the shifting alliances of Senators.

For the Senate to grow and mature as a service organization to its Members, their staff and the public, the Secretariat has to perform its varied roles in a stable and predictable manner. No leaders would want to leave an institution in disarray or moreso, with no regard for the institution that nurtured their careers.

Congressional Reforms via Laws

The forms of effecting changes in the institution have to be grounded in law and not be mere administrative policies that can readily be amended with a new leadership. The reforms have to bind future leaders of the Senate, as well as the Minority.

If reforms are made by mere administrative acts, then the Senate Secretariat will forever be mired in revolving doors and sandy foundations. The mere creation of an office, outside and independent from the organization, creates confusion and breeds dissention. It also puts to naught qualification requirements of the holder of position.

It is not a good excuse that just because the Senate is a political institution, one can just readily sign appointments left and right. The leadership has to rise above the fray and remember that the Secretariat stays even as he/she ends his/her term of office.

Opening Communication Lines: The First Step

In all organizations, communication is of essence. This is all the more needed in a political institution such as the Senate. When the informal channels are the means to communicate then organizations wither and no effort of reform can be made effective.

The only way to reckon if change is possible is to start talking about it, forming teams to push the reform agenda and building a consensus with the people across the aisle. Only then can situations be appreciated, challenges identified and innovations jointly implemented.

Your Best and the Brightest

The Senate is supposed to be the repository of the "best and the brightest". In 1987, when Congress opened, the Senate had experts to assist and train neophytes/pioneers who wanted to work in the institution. As the senior experts retire, some congressional staffers ended up joining the Secretariat. **This unique combination of men and women who had the chance of working for Members and opted to join the Secretariat is a wealth the institution can rely on in effecting reform. They have been to both worlds and they would know what reforms worked and are needed.**

The best and the brightest are the future talents of the Senate and involving them in the process of reform ensures a generation of career personnel in the Senate. Even with constructive critics, leaders would have to strike a collaborative effort for the sake of the institution. When leaders extend a hand, critics should be engaged in the discussion. That is the essence of building an institution together.

Continuing Legislative Education

There is no school of university that prepares a politician or a legislator to be one. There is also no institution to train neither the Senator's staff nor the Secretariat. A new Member's learning curve takes too long and is shaky because he/she goes unguided in a very unfamiliar terrain.

It is also true that one could not learn various parliamentary rules and procedures overnight that is why harnessing retired or soon to retire talents become important.

People working in Congress would need specialized training on conducting research, policy analysis and bill drafting. The problem that besets the Secretariat is that they would rather get training from foreign experts than retired talents coming from within. **Those who have retired or are set to retire are talents that have been polished in the so-called "battlefield" of legislation. These talents need to be tapped and harnessed for the strength of the Secretariat. They can develop and handle a system of continuing education among Members, staffs and the**

