

philippine studies

Ateneo de Manila University · Loyola Heights, Quezon City · 1108 Philippines

The Philippine Legislature and Social Relationships: Toward the Formalization of the Polity?

Rupert Hodder

Philippine Studies vol. 53, no. 4 (2005): 563–598

Copyright © Ateneo de Manila University

Philippine Studies is published by the Ateneo de Manila University. Contents may not be copied or sent via email or other means to multiple sites and posted to a listserv without the copyright holder's written permission. Users may download and print articles for individual, noncommercial use only. However, unless prior permission has been obtained, you may not download an entire issue of a journal, or download multiple copies of articles.

Please contact the publisher for any further use of this work at philstudies@admu.edu.ph.

<http://www.philippinestudies.net>
Fri June 27 13:30:20 2008

The Philippine Legislature and Social Relationships: Toward the Formalization of the Polity?

Rupert Hodder

Government in the Philippines is widely described as inefficient, chaotic, and corrupt. With particular reference to the legislature, this article considers the nature of problems with government in the Philippines, the direction from which possible solutions may emerge, and the possibility of the polity's transformation from a condition of comparative informality to one of greater formality. It is suggested that many of the problems with the legislature may derive as much from institutional and procedural arrangements in themselves as from broader structural, or deeper cultural, features; and that these institutional and procedural arrangements may also be working in more positive ways to constrain and shape the behavior of legislators and the people they help to govern.

KEYWORDS: Congress, patrimonialism, social relationships, transformation, democracy

Government in the Philippines is widely described as inefficient, chaotic and corrupt. So distorted is it by personal interests that the state has been unable to fashion and implement coherent policies and legislation for the country's economic development. An understanding of these qualities, and so of the requirements for effective reform, are seen to lie more with broader structural, and deeper cultural, elements, than with attempts to reengineer political institutions (Bolongaita 1995).

Scholarship looks, then, to the broad structural and cultural features of Philippine society for explanation and solution. Writing some forty years ago, Landé (1965) argued that the informal structures devised by

Filipinos, who operated the formal institutions, undermined the solidarity of political parties and so left national policy and legislation without a clear sense of direction. These informal structures comprised, in particular, vertically-aligned patron-client relationships and local factions based on dyadic ties. Although these local factions could act as agents for national parties, they also had their own strong and independent *raison d'être*.

This emphasis on personalistic relationships has remained central to many studies of the Philippine political economy. Of particular note is Hutchcroft's (1991, 1994, 1998, 2001) patrimonial analysis. Drawing on a number of writers, including Crouch (1979, 1985), Evans (1989, 1992), and Weber (1968, 1981), Hutchcroft provides a broad historical and structural explanation for patron-client relationships and the generally personalistic quality of the political economy. The Spanish failure to engage in colonial state building provided room both for the emergence of strong British, American, and Chinese trading houses, and for the entrenchment of a Chinese-mestizo landed élite. This decentralization of power was reinforced by the Philippines' American rulers, who concerned themselves mainly with the construction of representative institutions, while leaving outside those institutions oligarchs with their own strong economic and social bases. After independence, these oligarchs, either directly or through their proxies, moved in and out of those institutions at will and, as they did so, maintained and built up their own external social and economic power bases. Any disquiet that might have been felt in America was easily salved by opening up the archipelago's military facilities to the Americans. Meanwhile, in the provinces local patrons drew money, materials, and authority toward themselves through their personal relationships with the center. Faced with unpredictable and often hostile circumstances, family businesses established complex and aggressive networks of relationships through which they could influence the political economy to their own advantage and the disadvantage of their enemies and competitors. Thanks in part to this competition and in part to public education and examinations, the membership of the elite proved to be socially mobile. But the center remained weak and the state was left vulnerable to influence from powerful individuals and factionalized groups operating outside its insti-

tutions. Thus was the Philippines exposed to exploitation by competing oligarchies and cronies.

A Framework of Informal-to-Formal Transition?

In its personalistic, informal, and irregular qualities, the Philippine state lies some distance from a strong, regularized, formal, impartial, legal-rational economy and polity of the kind described by Weber as a bureaucratic administration. In particular, argues Hutchcroft, the Philippines lacks calculation in the administrative and legal sphere; and family and business are not clearly separated. The essential question facing the Philippines (and many other developing countries) is this: how might it transform itself from a patrimonial to a regularized, legal-rational, and bureaucratic state? As Hutchcroft (1998) and Callaghy (1989) point out, no theory exists to account for transformation. But Hutchcroft, following Weber, suggests that change might come from two directions: (1) from above, through selected reforms, particularly of the relationship between government and business; and (2) from below, prompted by the gradual balancing out of interest groups as competition among them intensifies, and by the entirely pragmatic demands of private capital for the rule of law and greater predictability. In short, the liberalization of the economy and top-down reform may bring about transformation in the Philippines. Yet such is the influence of rich and powerful families that the prospect of transformation is, at best, uncertain.

The patron-client framework, and an emphasis on the personalistic nature of Philippine society, has not gone unquestioned. Kerkvliet (1995) argues that, although the patron-client framework is deservedly influential, analyses should move beyond it and develop a more textured view of the Philippine polity. In its broad historical and structural sweep, Hutchcroft's patrimonial analysis does meet this concern to some extent. But other more radical variants and alternatives have been suggested (Thompson 1995; Wurfel 1988). Putzel (1999), by marrying institutional analysis with the concept of social capital, attempts to uncover those underlying cultural features that may explain why the Philippines is a weak or shallow democracy. By shallow it is meant that the Philip-

pires meets only to a minimal extent the defining qualities of democracy—free and regular elections, universal suffrage, freedom of expression, the flow of accurate information, associational autonomy, and the rule of law effected by an impartial judiciary. The “depth,” or shallowness, of democracy depends upon what North (1990) calls the informal institutions, and what Putzel describes as the cultural features (such as customs, traditions, and codes of conduct), which partly govern behavior in state, society, and economy. These features—in combination with the social capital (the trust, norms, and networks) that accrues from familial relationships—are held to explain shifting coalitions of clan power, the appearance of regionally-based language groups, the exchange of votes for favors, the granting of public contracts to cronies, and other problems exhibited by the Philippine polity. There are similarities between this interpretation and Landé’s (1965); but, whereas Landé saw little sign or hope of change, Putzel, by the end of the century, saw evidence of a deepening of democracy. And in this process, civic associations, whose members are independent of the state and who quite consciously promote democratic norms and values, may have a vital role (*ibid.*; see also, in particular, Magadia 2003). These associations, as they gather around the existing democratic framework, may act as a vigorous stimulus for change. Landé (2001, 101), too, although cautious, appeared to see indications of change in a polity now groping to strike a balance “among the rights of the citizenry, the rights of public officials, and the needs of public institutions.”

This opening out of debate from its concentration on the patron-client framework, through to patrimonial analyses and beyond, is to be welcomed. But it does not make any easier our attempt to consider problems with government in the Philippines (with particular emphasis on the legislature) and the likelihood of the polity’s transformation from a condition of comparative informality to one of greater formality. To begin with, the suggestion that a political economy is (or should be) moving toward a more formal, rational, and institutional condition may be equated by some writers (see, for example, Haller and Shore 2005) with what they hold to be the somewhat puritanical understanding of institutional existence favored by the Anglophone social sciences. Equally, however, it is also recognized that, were such a view to be

overplayed, it might give succor to highly personalistic and damaging behavior. Secondly, and more fundamentally, there is a strong case to be made that, without a theoretical framework with which to account for informal-formal transformation, we cannot be sure whether what we are looking at reflects the status quo or is indicative of significant change. Thirdly, and conversely, we must ask ourselves if we have yet made the case that such a framework is really needed. Any framework that claims an ability to account for transformation would have to capture and explain the essence of an entire society. The consequences of any framework making such claims, argues Kerkvliet (1995), may not be desirable. A more productive use of time and energy would be to examine Philippine politics carefully "while bearing in mind all or as many available interpretations and approaches as possible and remaining open to being surprised by findings that do not fit any of them" (ibid., 419). Although we would still be left with a multitude of possible interpretations of transformation, each of which is, from their own perspective, equally valid, it may be that this is indeed the best we can hope for, and that in the end each of us will have to be content to exercise our own judgment. But then again, can we rid ourselves entirely of the thought that we might be able to bring a degree of coherence to that multitude of interpretations and that we might be able to do so without being prescriptive and "totalizing"?

An attempt to bring coherence to a multitude of perspectives and interpretations through the formulation of a theory of transition (and the resolution of questions surrounding the value of such a framework and its universality) does not lie within the scope of a single paper. However, we can at least begin to feel out possible directions for analysis, and perhaps in this way contribute to the further expansion of what are already increasingly dimensional understandings of the Philippine political economy. More specifically, and perhaps most obviously, we might begin gently to direct attention a little more toward the politicians' own representations of the polity and their place within it. For it is their own representations which are most likely to inform their subsequent behavior and which, therefore, may provide an indication of whether, and in what ways, the polity may be changing.

Take, for instance, Sen. Jinggoy Estrada's frank admission (referred to below) that political parties are no more than expedient vehicles for the politician's electoral ambitions; and contrast this with the view of Rep. Benigno Simeon (Noynoy) Aquino III that the weakness of political parties is rooted to some extent in the mismatch between, on the one hand, the more personalistic attitude of the representatives' constituencies (among whom expectations of specific material rewards in return for votes are high) and, on the other hand, the appearance of a genuine desire among a slowly increasing proportion of representatives for a more institutional and less particularistic relationship with their constituencies. The former admission would seem to suggest a strongly personalistic attitude and behavior; the latter view might indicate the strengthening of more formalized attitudes and behavior.

Or take Sen. Edgardo Angara's claims that drug money is being accepted by Arroyo's administration, and that businessman Lucio Tan has improperly influenced the legislative process in his favor. Allegations such as these are difficult, if not impossible, to verify. But they deserve to be considered as statements that are *possibly* factual; and, more importantly within the context of this article, the genuine sense of outrage which accompanies them may well reflect the politicians' sincerely held perception of themselves as islands of integrity surrounded by a sea of dishonesty and uncertainty.

No claim, then, is made that the following account of the Philippine polity, its problems, and its possible transition, is definitive. It draws quite deliberately upon the politicians' own representations. This emphasis is no less free of difficulties than, say, an attempt to interpret events and actions through patrimonial analysis or notions of sultanism or shallow democracy. This is especially true in a place like the Philippine Congress where politicians "express opinions in order to advance their interests as well as disparage, criticize and undermine opponents,"¹ and where observers (including academics) are all too easily caught up in political disputes and, indeed, hubris. Yet, by the same token, one cannot afford either to be too suspicious or to allow oneself to believe that an interviewer (especially if an academic) is more important to the interviewee as a channel for seeding rumor and allegations than is probably the case: for otherwise it becomes impossible to see beyond one's

own doubts, cynicism, and self-belief. We must do what we can to weigh up the politicians' representations as carefully as possible. But we must also consider the possibility that that politician, or civil servant, is either telling the truth or, more likely, recounting what they believe to be a true representation of their world. It is with these considerations in mind that, in the course of the interviews, the representations of each interviewee were introduced into interviews with subsequent interviewees. In this way representations have been contrasted each with the other, and considered alongside the views of congressional staff, civil servants, and businessmen and women.² While particularly telling and specific comments are explicitly referenced, the intention has been to build up a generalized account of the polity and its problems. It is, therefore, imperfect by definition: it is one among many interpretations or representations. But significant parts of it, held in the minds of many of the actors in whom we are interested, may have a bearing upon their subsequent actions and, therefore, may harbor indications of change within the polity toward greater formality or, indeed, greater informality. Into this account documentary materials are also drawn. These are treated not as factual benchmarks against which the truth may be measured, but as additional, often contrasting and occasionally supporting, representations of the polity, its problems, and its more hopeful tendencies.

Tension, Splintering, and Distortion

Details on the organization of the legislature and executive, and on the procedures for drawing up and enacting legislation, are set out clearly in numerous sources (see, for example, Chua and Coronel 2003). These need not detain us here. But it is essential to note certain features of the legislature and, in particular, the division of authority and responsibilities among the Lower House (the House of Representatives), the Senate, and the Executive.

Members of the Lower House are of two kinds: those who represent districts, and those who are admitted under the party list system. The vast majority of members are district representatives whose constituencies are clearly defined geographically. Members admitted under

the party list system are fielded by particular sectors (such as the Association of Philippine Electric Cooperatives) that have garnered enough votes.³

The relationships linking district representatives to their constituencies—whether through elected local government officers (mayors, vice-mayors, councilors, and barangay captains) or directly with voters themselves—are complex and fluid. But when all is said and done, representatives are under considerable pressure to secure as large a share of the national budget as they can, and to deliver material improvements to their districts. To this end, for certain kinds of projects (such as converting a local school into a national high school) they must secure the passage of legislation in the form of local bills. As with all bills, these must be passed not only in the Lower House but also in the Senate, just as bills passed in the Senate must be passed through the Lower House before they can be enacted. District representatives must also do their best to ensure that as large a share as possible of funds held by departments of the Executive (such as the Departments of Health, Education, and Public Works and Highways) are spent in their district; and that their share of the community development fund—which is one component of the “pork” that representatives may distribute within their own district and at their own discretion—is indeed released as and when required. Thus, although it is the Lower House alone that has the power through the budget to raise taxes and allocate funds required by the Executive, the Lower House is dependent upon the Senate and the Executive for the approval of projects and certain categories of funds, for the release of funds, and for implementation.

In common with representatives, senators are also provided with discretionary funds. But these are necessarily spread thinly for, unlike representatives, senators are elected nationally and have no clearly defined constituencies. They are normally twenty-four in number, and each is elected for a term of six years, a period equal to that of the president and twice that given to a member of the Lower House. But whereas the president is restricted to a single term in office, senators are permitted two consecutive terms, and representatives three, before they are required to take leave; and both senators and representatives may run again after their enforced absence. Senators are expected to

take a broader and longer view of national and international affairs (it is the Senate alone that has the authority to approve international treaties), and to pursue more substantial legislation of national importance. However, as we have said, the Senate is dependent both upon the Lower House for the passage of its legislation and upon the Executive for the effective implementation of that legislation. While the Executive, centered upon the Office of the President, is thus dependent upon the legislature for budgetary appropriations and for the passage of such legislation as is needed to implement its policies.

As a consequence of this mutual dependence, each body acts to strengthen as far as possible its bargaining position and influence over the other. This, in turn, generates considerable tensions between the Executive, the House, and the Senate. From the point of view of the Executive (this is especially true of those who have also served in the Senate), the legislature appears to be something of a free-for-all. From the Lower House (whose members' concern is, first and foremost, to bring home the bacon) emanates an overwhelming flow of bills. Most are local, and the few that are more nationally oriented reflect the gamut of special interests. From the Senate, meanwhile, spring individual manifestos written in proposed legislation, as if each senator is his or her own administration-in-waiting.⁴ When looked at in their entirety, bills originating in the Senate and House, if they achieve any coherence, do so only by chance. The sheer volume of legislative traffic and the accompanying competition, bargaining, and compromise make it extremely difficult for the Executive to realize their visions and ambitions. Viewed from the Lower House, the Senate's cavalier and summary treatment of local bills is exasperating. The representatives' frustration is made still more acute by the slow passage through the Senate even of bills that are of material and national importance, such as those granting franchises to airlines, television stations, and telecommunications companies. Bills which may find their way through the Lower House in a matter of months may linger on in the Senate for two years. Whether the fact that the senators are only twenty-four in number should be thought to slow down or speed up the passage of bills (the same number of which is scrutinized by the Lower House with its two hundred or so representatives) depends upon the initial

degree of frustration with which the Senate is viewed. The Senate is similarly frustrated by, and often contemptuous of, the Lower House—a chamber in which time and money is washed away with torrents of petty legislation.

The views which the Senate, the Executive, and the Lower House have of each other are, then, direct and unflattering. Senators are, as a body, commonly regarded by the House and the Executive as a lazy, obdurate, odd, and selfish gaggle of egotistical little presidents who “behave as if they feel they owe you nothing.” The Lower House is viewed by the Senate and Executive as ineffective and parochial. And both House and Senate see the Executive as already too powerful and greedy for more. These frustrations, and the language, are only to be expected given that intended division of interest and authority in this tripartite system of government (executive, legislature, and judiciary). The problem, however, is that political parties—which would otherwise bridle and direct these frustrations, temper bargaining, focus energy, and impose across both Houses and the Executive a sense of cohesion and direction—are weak and commonly regarded, quite openly and unashamedly, as electoral vehicles.⁵ The consequence is a splintering of interests, and a search for other methods of control and cohesion. The methods to hand are obvious. But, in the absence of the relatively clear ideologies, values, principles, manifestos, codes of conduct, and discipline of strong parties, the use of policy, funding, the legislative process, legislation itself, and preferment as a means of securing leverage only makes still more uncertain the alliances which gather round the transitory issues of the day. The need for leverage becomes still more intense; and soon the maneuvering necessary to secure that leverage begins to take up so much time and energy, that securing leverage becomes an end in itself. Thus the procedures of government are fouled, and political vision dissolves. The more specific ramifications of weak parties, and the splintering of interests, are numerous.

Cabinet and Bureaucracy

A sense of considerable insecurity is created in an executive that is faced with the unenviable task of cobbling together the larger number

of supporters within the legislature. Not only individual senators (who are already difficult enough to read) could become kernels of opposition, but so could members of the Executive itself. And both, if not effectively isolated in time, could be capable of turning shoals of representatives against the incumbent. The Office of the President must also bear in mind, in particular, the views of the Armed Forces of the Philippines (AFP) and the Catholic Church, whose own factional divisions make uncertain their support for the president. With these doubts in mind, the president, surrounded by a small and informal group of trusted confidants, is prompted to take into her hands as much power and authority as she can, for she believes that otherwise she can neither hold together a strong enough base for support nor begin to provide for her policies and their implementation any sense of direction whatsoever. The effect of the president's insecurity on the cabinet and bureaucracy is particularly damaging. Members of the cabinet must look over their shoulder at the president for whom they work to please, and in fear, as they maneuver to secure leverage, win support, field criticism, and compete with each other and with members of the legislature for time in the legislative calendar. Such an atmosphere does not allow departments to be run independently; it does not foster the judgment needed to make good or hard decisions; nor is it conducive to the formulation of imaginative solutions, or to the transmission of reliable information. It is also likely to prove most unattractive to anyone with administrative ability and flair.

The stern reach of an insecure president is also felt by the civil service. Whatever their claim of independence, and however much bureaucrats might wish to see themselves as being independent, the executive treats its civil servants as a political extension of itself. Bureaucrats down to the level of bureau heads are removed and appointed with a change in president; for their subsequent careers they are dependent upon their political masters. This has a considerable effect on the lower ranks, both at the center (in the National Capital Region) and in the provinces. In the provinces, most especially in the south, civil servants feel somewhat isolated—a sentiment enhanced by linguistic differences and by what they feel to be the center's rather dismissive view of the *provincia*. The center is, from their point of view, a political

jungle. Partly for this reason, and partly because of the cost of living in Manila, civil servants in the provinces are often reluctant to seek advance beyond the rank of director. After that point, they are afraid that their prospects will be even less dependent upon competence and even more dependent upon uncertain connections either with politicians or with higher ranking civil servants who are, to all intents and purposes, political appointees. For those within the service who are both highly educated and committed it is particularly disheartening to find oneself under the thumb of politicians with neither of those attributes; and the possibility of languishing in such a position for much of one's career discourages others from joining the service.

Largely in response to the Executive's influence, and its willingness to open the bureaucracy up as a political battlefield, both the Lower House and the Senate also have an interest in seeking to extend their influence over the bureaucracy. The representatives' intention is to ensure that projects within their district are indeed implemented such that they benefit their constituencies or themselves or both. Contacts with bureaucrats are also useful in the event of crises of one kind or another, such as an outbreak of dengue. It is therefore always useful to know, in particular, the secretaries of the Departments of Public Works and Highways, Budget and Management, Education, and Health. For senators, too, influence over the bureaucracy is necessary for similar reasons. In the face of competition from many other priorities and items of legislation, a senator interested in seeing a favored bill acquire its intended effect will need to reach into the bureaucracy. Still more important for the senator is that this reach will unlock the accurate information needed when drawing up legislation and exercising oversight functions. Without that reach, bureaucrats are likely to let the senator know only what they wish the senator to know. But, unlike representatives, the senator does not need (though it will do no harm) to cultivate personal relationships within the bureaucracy. They may, of most levels of the bureaucracy, simply demand. This authority derives not only from their office, but also from what the senator can do to the bureaucrat. Senators can have an anonymous constituent file a complaint with the ombudsman against a civil servant—and this appears to be a standard technique known to both sides. Alternatively, a senator

may report the bureaucrat's uncooperative behavior to a superior, knowing that the superior, with an eye on forthcoming attempts to gain a better share of budgetary appropriations in the annual round of negotiations, will tend to favor the senator. Or the senator can simply drop hints that a congressional investigation may be launched on this or that matter. From the point of view of the Senate, then, bureaucrats tend to be compliant. The only time they balk at cooperation is when the president attempts, for whatever reason, to stop or restrict the flow of information. Then the bureaucrat must be imaginative in dealing with these conflicting pressures.

The extent to which the civil service may become a political battleground should not be underestimated. Neither should the ferocity with which the bureaucracy can be wielded as a weapon. This is true even, or perhaps especially, of the ombudsman. Although the ombudsman is a prosecutorial arm of the judiciary, the latter has no jurisdiction over the former; and it is also implied within the constitution that the ombudsman should be independent of the executive. In practice, however, the ombudsman looks to the president and is marshaled for political ends—a role made easier by the fact that the ombudsman alone has authorization to follow up allegations made anonymously. Thus, for example, Sen. Miriam Defensor-Santiago, who refused to concede to Pres. Fidel V. Ramos in the 1992 elections and who continued to accuse him of electoral fraud, found herself facing criminal charges of corruption brought against her as she lay in hospital seriously injured after her car was hit by a military vehicle, allegedly on Ramos's order.⁶ Not until three years later were the charges against her dropped in the absence of any evidence. One cannot bring true rigor to a consideration of these kinds of allegations and counterallegations; but certainly in the regional offices younger antigraft officers (who are qualified attorneys) are well aware of political influence both upon their case loads, and upon the direction of those cases.

The influence of the president upon the ombudsman derives in part from the latter's need for funding. Although as a constitutional commission its funding is supposed to be guaranteed, in practice it suffers perennially from shortages of staff, low morale, and a backlog of dockets. Moreover, should the ombudsman have ambitions to become,

say, a justice of the Supreme Court or to run for the Senate, the support of the president will be needed. And it is to the president that the ombudsman owes his position in the first place.

This brings us back to the Commission on Appointments, another body through which the executive and legislature attempt to counter one another. As we have said, the commission approves key appointments to both the executive and the judiciary⁷ and to other constitutional commissions, including the Ombudsman and the Civil Service Commission. The Commission on Appointments, an organ of legislative power, comprises twelve senators and twelve representatives. Were the members of the commission willing to put their own interests to one side, and were they suffering the discipline of parties that recognized that a nonpartisan and corporate (rather than personalistic) outlook was, on occasions, of the utmost importance, its political composition need not prevent it from being impartial. In practice, however, the commission is—from the point of view of those who have both sat on it, and have had to bear its scrutiny—a bargaining shop of some interest to legislators, particularly during the first two years of an administration when most of the key appointments are made. In this forum representatives will attempt to extract from candidates as much as they can for their own districts; and both senators and representatives are likely to ask candidates about pending contracts, applications for the conversion of land, or about their willingness, once appointed, to favor the placement of the legislators' allies in such posts as are within the candidate's gift. It is also here that old scores will be settled—as candidates, who once denied favors, now have their own appointments blocked—and where new grudges are formed.

Kinship and Business

The absence of strong parties and the insecurity that arises also provides the space, and plenty of incentive, for the intrusion of kinship and business as politicians scout around for dependable allies. Extensive webs of relationships exist within the Lower House; and these extend into both the Senate and provinces. Links with the provinces are largely vertical, that is, relatives holding elected local offices concurrently with

the representative generally do so within the representative's district or, if not, within the province where that district is to be found. And, as one might expect if they are working to secure the representative's political base, the offices most commonly occupied are those of mayor, vice-mayor, counselor, and barangay captain. About two-thirds of the relatives of members of the Ninth Congress holding elected offices concurrently with representatives were to be found in these posts. This proportion rose to around three-quarters during the Eleventh and Twelfth Congresses.⁸ If we then include the relatives of members of both Houses who have held elected public office at any level and at any time in the last 100 years, then another dimension of the picture emerges: more than half their relatives served in the Lower House, Senate, or highest posts of the Executive. This historical view also reveals that the proportion of members of the Lower House with political ancestry hovered around 60 percent during all three congresses. The proportion of senators with political ancestry is higher still, ranging from between two-thirds and more than three-quarters.

One cannot dismiss altogether the possibility that these dynasties reflect the transmission of interest and experience from one generation to the next; and it must be noted that they are not uncommon (although, for the most part, not as prevalent) in the democracies of the U.S. and Europe. However, even within the Senate and the Lower House, many are unforbearing. They are scathing of those scions of political families who never attend sessions, whose wealth is sufficient to enable them to delegate such that they need never appear in their districts (preferring instead the comfort of their homes in Manila), and who now hold office only because they bear the name and have the connections and money to determine, one way or another, the results of the elections. They are, it is said, determined to keep the office within the family or, when circumstances require, to hand it temporarily to a close ally over whom they have a strong influence. They desire power, both for its own sake and because they fear that they and their family might suffer all kinds of retribution were their office to fall into the hands of their opponents. Indeed, those representatives and senators from more professional, but more modest, backgrounds (and some with revolutionary credentials) see its domination by political dynasties as the crux of the

legislature's problems, and as the main deterrent to the true reform of public institutions more generally.

As for business interests, we find that around four-fifths of all representatives in all three congresses have interests of one kind or another, from minor share holdings and directorships to ownership. Some of these interests were acquired during Ferdinand Marcos's rule when, as in the case of Juan Ponce Enrile's Jacinto group or Eduardo (Danding) Cojuangco's stake in various agribusinesses and in San Miguel Corporation, many elected representatives and ministers were awarded direct control of particular companies or large parts of whole industrial sectors (Celoza 1997). But there are other more immediate reasons for the extent of the legislators' interests. Low salaries (the equivalent of a few hundred pounds sterling every month even for the president) and the absence of state funding of elections leave politicians with little choice but to fend for themselves and their families. By implication they are expected to solicit funds to cover election costs. A large donation for a campaign cannot but have an influence upon the subsequent actions of a politician. And it is said that there are representatives who are heard from only in those debates that impinge upon their own businesses, or upon the businesses of small cliques of merchants who, in effect, sent the representatives to congress and for whom the representative works. Antonio Floirendo Jr., for example, a member of a prominent merchant family in Mindanao, is commonly viewed as a placement for Mindanao's banana exporters. Other merchants, it is commonly alleged, operate on a far grander scale. Cojuangco, though he sat neither in the Senate or Lower House, helped to fund the campaigns of members of the National People's Coalition and rival parties.⁹ Lucio Tan, who seemed to be even less discriminating, was said to finance most of the campaigns of most of the representatives from Luzon (Twelfth and Thirteenth Congresses). Indeed, practically all the members of the tax-writing committee (Ways and Means) were in his pocket. Consequently, he escaped P20 billion of documentary stamp tax and avoided excise tax, while a proposal to impose index tax on cigarettes in the wake of the depreciation of the peso could not even get out of the committee stage of the Lower House. A still more serious allegation is that the flow of dirty money into the administration

has been strengthening: money from illegal gambling, which found its way into the pockets of Pres. Joseph Estrada, has now been joined by a flow of unlauded narcotics money¹⁰ into the coffers of the Arroyo administration.

Media Storms and Electoral Fraud

Weak parties, the splintering of interests, the insecurity of the executive, the politicization of the bureaucracy, and intrusion of kinship and business have worked together to enhance two further problems.

(1) The first is a tendency to by-pass the whole legislative arena and play directly to the street through the media. This is seen to be vital to election success for those politicians who need a high national profile; and it is part and parcel of building support for certain kinds of bills. Whipping up a maelstrom of allegations can also be a means of creating additional leverage. So common is this practice, however, and so proficient have its practitioners become that, rather than by-pass the legislature, members of the Executive and both Houses have drawn the media into their world and turned it into a mere extension of the polity. The press corps to be found in both Houses (the larger in the Lower House) provide one route through which stories may be channeled. Seeding stories in this way may require some payment to the journalist or to their desk editor or to both, especially if those stories are placed "anonymously" and are clearly serving the political ends of the source. Members of congress and their relatives, with ownership or part ownership of newspapers and other media organizations or with personal connections with individuals working in those organizations, provide other routes. Alternatively, if the allegations are of sufficient interest, then press releases, public statements, privilege speeches, or debates on the floor of the chamber may be all that are needed to generate enough coverage.

The stories supplied and the charges made are limited only by the imagination. They vary from doubts about the sanity of colleagues to the invention of problems in order to claim easy credit for their solution, to charges of widespread corruption. A case in point concerns the allegations made by Enrile following Arroyo's proposal to raise

taxes in order to deal with the fiscal crisis that appeared to deepen in 2004. Enrile's argument was one that many had made: citizens should not be asked to pay more taxes until existing taxes were collected and used properly. To do otherwise simply shifted intolerable burden on to the honest. An illustration of the kinds of problems, which the government had not only failed to deal with but had also had a hand in, was the development of a lucrative secondary market in tax credit certificates. Fictitious companies armed with raw material import complements, export documents, and bank credit memos purporting to record inward remittances of export proceeds had applied for and had been granted tax credit certificates. The certificates were then sold on: the largest buyers had been Petron and Shell whose stock of illegally acquired certificates amounted to somewhere between P2.7 billion and P8.4 billion.

The collusion of the Executive and bureaucracy in this market was extensive: the one-stop-shop in the Department of Finance responsible for issuing the certificates was involved, as were the Board of Investments, Customs, and the Bureau of Internal Revenue. The Inter-Agency Committee, an ad hoc body set up to investigate this illegal market and to bring prosecutions, was also implicated. Very few prosecutions were in fact brought, and those that had (against the director of the one-stop-shop, and against an undersecretary in the Department of Finance) had either failed or stalled as a consequence of the deliberate incompetence of government prosecutors, or so Enrile alleged. Had not the Executive also provided many of the key players in the market with other forms of protection?

We cannot know whether, or how deeply, these allegations are rooted in truth. The system for tax collection is very weak; evasion is undoubtedly widespread; and tough bank secrecy laws make investigation and conviction extremely difficult. Yet, for many—particularly for those in the Central Bank who argued that, while a more efficient collection was always needed, so was a tax increase—there was little doubt that Enrile and others were attempting to fashion a stick that could then be laid aside should certain aspects of the tax proposals be withdrawn.

(2) The second problem is electoral fraud. In such fissionable conditions, there is little means or incentive to restrain ambition. And, while the legitimate costs of elections alone continue to rise (a single TV commercial of 30 seconds on prime-time national channel will cost P182,000), there remains no state funding of the politicians' costs. The need for a good result after so much money has been spent is, therefore, pressing. The kinds of practices that emerge vary somewhat with the office. In general, the first hurdle for candidates is to ensure that their names appear on the ballot. This often requires some form of payment to be made over to local political leaders (governors and mayors), and this is so even if the candidate and local politicians are of the same party. Direct personal advances, or promises of funding for local projects, are also necessary if the support of the barangay captains is to be secured. Bearing promises of projects and incentives of other kinds, the barangay captains and their *purok* leaders will work through their networks of kinship and friendship to solicit votes from the heads of families. In turn, they will exert what influence they can over their family and friends, although perhaps in return for some consideration—a job for their son or for a friend who has been out of work for some time? Once the pitches have been made and the deals done, the barangay captain will report back on the number of streets that can be delivered; in this way candidates can build up a picture of the districts, municipalities, cities, and provinces they might be able to count on. Local merchants, too, may exert considerable influence on votes, either through their employees, charity work, social rounds, and membership of associations, or by organizing and directing local campaigns. And again, some quid pro quo may be expected and given—perhaps a seat on an influential planning body or on the board of a bank or government corporation? Some of the haggling for votes can be more unseemly than illegitimate. But it is into this grayness that the blacker arts of the electoral process can blend more easily. The provincial certificates of canvass, which are rather commonplace documents, are particularly vulnerable to counterfeit. For the election of the president these documents, as they arrive at congress for scrutiny, trigger a new bargaining spree as candidates attempt to buy up members

who they hope will be less than vigilant, and then offer their support in numbers sufficient to assure the eventual winner a hold over congress.

Both these problems—the use of the media and electoral fraud—may weaken parties further. The use of the media to pursue political ends and vendettas simply highlights the irrelevancy of parties. And election fraud, by undermining the confidence of the president in the support she commands both in congress and in the country at large, is likely to deepen the president's sense of insecurity such that the emergence of any strong party, even within her own camp, will be regarded as a threat. In 1998, when LAKAS-CMD had control of the House and could have formed an effective counterbalance to President Estrada, the party was decimated by the migration of its members to the administration. Following the 2004 election, LAKAS-CMD, although it was now the president's party, suffered another exodus of its members who—lured by promises of funding, influence, and financial and legal solutions to personal problems—joined another party, this time within the coalition. This party, Kampi, founded by Arroyo in 1998 before she joined LAKAS as its president, had been revived by the president's husband together with his brothers (one of whom served as a party whip). The president's husband denied involvement; but the general consensus was that his was the guiding hand, motivated very likely by fear of, or doubts over, the loyalty of LAKAS in the bumpy times ahead. Kampi would be a second string to his wife's bow. The Liberal Party, too, which, in the view of its members, had propelled Arroyo to office as Estrada fell, then found itself being increasingly marginalized by the president. Disillusioned, the party had only continued to support her in 2004 after some persuasion that they indeed would have influence over policymaking. But with an offer of deputy speakership to Noynoy Aquino came the proviso that he should be willing to fall into line when asked.¹¹

Toward the Formalization of the Philippine Polity?

We have provided an account of some of the problems with the Philippine legislature. Arising from this are two comments of some interest.

The first is that these problems often seem to derive as much from the institutional arrangements in themselves as from underlying cultural and structural features. The contrasting nature of constituencies and roles of senators, representatives, and members of the Executive; the permitted length of their terms in office; the budgetary procedures especially with regard to the funding of local projects; the respective functions of Senate, Lower House, Executive, and civil service; and the position of the legislature within the tripartite division of government all go some way to explain certain problems (such as incessant bargaining, the pressure on the legislative timetable, the splintering of interests, and the politicization of legislative and funding processes). It is also clear that the weakness of parties is not only exacerbated by these problems, but also provides the room and, by sharpening a sense of insecurity, the incentive for politicians to send out tendrils of personalistic relationships as they attempt to isolate and forestall each other, politicize the bureaucracy, and draw in family and business interests—and in the process weaken parties still further. In short, we are led to the suggestion that weak parties are perpetuated by the problems they help to exacerbate or create. And indeed, by the mid-1990s, Landé (1996, 131–33) had reached a similar conclusion: personalism and particularism were the result of the weakness of parties, and that weakness could be explained in part by the write-in system of voting and by a lack of ideology or programmatic glue. Although the structures of clientelism and machine politics are not so very different from each other, the former was being supplanted by the latter.

If this is right—if many of the problems with the legislature do indeed derive more from the institutional and procedural arrangements in themselves—then institutions may have the potential, if reformed, to offer some hope of improvement in the political economy. Strengthening parties and restricting or prohibiting dynastic succession, for instance, may not be wholly dependent upon first dealing with the deep personalistic quality of Philippine society. Legislation may well have a positive effect.

The second comment, which is a corollary of the first, is that the legislature and other institutions and their rules, procedures, practices, and conventions, do seem to be acting to constrain the behavior of

both legislators and of the people they help to govern. This appears to be indicated not only by the problem referred to above, but also in a number of other respects. These are outlined below.

(1) Although tensions occasionally spill out onto the street where blood is shed, they are contained for the most part within political institutions and procedures. Securing political leverage may have become an end in itself, and legislation and the legislative and funding process may have become the means to that end. But at least the battles take place for the most part within institutional bounds. Equally important are attempts to reclaim the polity's dignity through the use of existing institutions, procedures, and conventions, and, when this seems insufficient, to introduce reform. The more frequent use of the Legislative-Executive Development Advisory Council (LEDAC) and the Presidential-Legislative Liaison Officers (PLLO) in order to improve coordination and sharpen a sense of direction are small examples. There are also attempts underway to introduce a Party Development Act that, if realized, would strengthen political parties, transform them into accountable public bodies with legal personalities, and end the periodic migration of their members en masse.¹² There are also efforts to draw up legislation to put an end to political dynasties, to limit the flow of local bills, and, most dramatically, to change the constitution. Whether these changes will be realized, or work as intended, is another question. Yet the fact that something is being tried, and that tensions, disappointments, and frustrations are being routed through such discussions and measures, is surely an important sign of maturity and tolerance.

(2) A similar observation is that sharpening class divisions are being played out within the legislature. The divisions seem to be three-fold: (i) between the educated and often, though not always, wealthy and established families with a political heritage; (ii) the educated professionals, often from modest families, with relatively modest incomes and, in some cases, revolutionary credentials; and (iii) those with little formal education from poor families, who have made "new" money outside politics, or have risen through the ranks of the army, police, or local government, and who have turned the poverty from which they emerged to their advantage. Across these divides lie other cleavages: between those who see a strong man-of-action, capable of bringing

unity and direction, as a solution to the country's problems, and those who believe the future lies in the reform of institutions and in shifts in values; and between those who are of the political dynasties, and those who are not. There is always present the inevitable risk of oversimplifying the complexities of sentiments and very fluid perceptions. But, while some divisions are often more stark within the mind than they really are in practice, they do inform the thoughts and actions of legislators, the executive, and the electorate, and in this sense they have a truth about them. They certainly feel very sharp. Sen. Manuel "Lito" Lapid was clearly stung¹³ by Enrile's description of him as the "Little Senator"; and by the dismissive remarks circulating in the Senate and Lower House about his poor education, complete lack of professional training, and inability to participate in formal debates on the floor and in committees that are conducted mostly in English.

Thus, from the point of view of the educated professional with comparatively modest bank accounts, the rich have had it too good and have been too comfortable for too long to ever contemplate true reform, while the uneducated populists, if they are not merely a less sophisticated version of the old elite who will protect and build up the influence of their own families at the expense of the country, are thought likely to be seduced by the simplistic formula of the left. And indeed, the populists' clarion call is decisive action and unity. They have contempt for the complacency of the old establishment, they see themselves in their stead, and they believe that they can bring to the poor, from whose ranks they have emerged, more of what the rich have kept for themselves. Meanwhile, the more open and progressive of the old elite understand the impatience and attraction of the populist, sympathize with the professional, and see danger in the growing divide between the "haves and have nots" in the country at large. But they also see danger in moving either too quickly or too slowly.

What is most interesting and telling, however, is that views and sentiments such as these, and the presence of people from such varied backgrounds, should find a place in political institutions. Perhaps as valuable a contribution as any other that politicians make during their times in office is to play out political dramas often touched by personal tragedy and, in so doing, to create true theater. There, upon the stage,

represented by the sacrificial politician, citizens may be content to leave their own frustrations, grievances, disappointments, prejudices, fears, and hopes, rather than give vent to them on the street. In this sense, too, the relationships between citizen and politician, and their exchange of tangible benefits for political support, seem to make democracy incarnate, if only for a moment. Were the citizens' walk-on part to be written out, or were cynicism to become so intense that the theater began to seem like a tawdry charade designed to fool, then it may be that the citizen will turn to what they believe to be the easy solution of the strong man.

(3) A third possible expression of the constraint on behavior might be indicated by the influence of political dynasties and business interests that, although still strong, may be weakening. The "class war"; hostility to dynasties and business; charges of corruption and the willingness of the media to broadcast such allegations; recognition within the legislature and on the street of the problems that are created by the intrusion of kinship and business; and what appears to be a genuine desire among some businesses for a level playing field: all may be taking their toll on dynastic politics and the influence of business.

(a) If we give a little more attention to kinship links among members of the legislature, local government, and the upper levels of the Executive who are serving in elected public office concurrently, we find a complex picture.¹⁴ Less than 20 percent of representatives (members of the Lower House) in each of the Ninth, Eleventh, and Twelfth Congresses were interrelated; and less than 7 percent were related to senators. Both these groups (representatives who were related to one another within the Lower House, and those who were related to members of the Senate) overlap to some extent, but by no means completely; and less than half also had relatives in local governments within the provinces in which their districts are to be found. The vast majority of representatives, then, had no relatives serving in congress, and only 20 percent to 25 percent had relatives serving in local government. In short, most members of the Lower House had no relatives serving concurrently in either the Lower House or Senate or local government; and those relatives who were serving concurrently, tended to be found *either* in the Senate *or* in local government.

A consideration of the survival of representatives across the three congresses also raises doubts about the significance of political dynasties. We find that fifty members survived all three congresses. Those fifty had had on average more relatives serving in elected office at some time during the last 100 years than those members who had not survived all three congresses. But two-thirds of this fifty either had no relatives (serving concurrently) at all, or less than the average number of relatives (serving concurrently) of those representatives who did not survive. In short, pedigree does not hurt, but it would seem that survival is not dependent upon it.

If we turn now to the Senate, and consider senators' relatives serving concurrently in other elected posts, we find that kinship appears to be more prevalent than among members of the Lower House, but it is less significant in some respects than implied earlier. During the Eleventh and Twelfth Congresses, 16 percent of senators were interrelated. The proportion of senators with relatives in the Lower House and local government rose from 16 percent (Ninth Congress) to 38 percent and 46 percent (Eleventh and Twelfth Congresses, respectively). Another 16 percent of senators in the Eleventh and Twelfth Congresses had relatives in local government *only*. The average number of relatives of senators serving in elected office either concurrently or at some time in the past 100 years is also higher than the number for representatives.

(b) We can also find a more complex picture of business interests than our earlier observation (that four-fifths of representatives have business interests) might seem to imply. During the Ninth Congress some 19 percent of members had mutual business interests, but only for 3 percent of members did these business interests and kinship links coincide. These proportions rose to 21 percent and 4 percent (Eleventh Congress), and fell a little back to 19 percent and 2 percent for the Twelfth Congress.¹⁵

If we take into consideration all members with business interests (including all those with no mutual business interests), then we find that 17 percent of members of the Ninth Congress had interests in companies ranked among the top 5000. That figure of 17 percent embraces the 13 percent of members with interests among the top 2000, and 6 percent of members with interests in the top 100. The nested propor-

tions for the Eleventh Congress were 21 percent, 17 percent, and 6 percent; and, for the Twelfth Congress, 15 percent, 13 percent, and 6 percent.

Within the Senate we find that during the Eleventh Congress only three members had mutual business interests; eight members had mutual business interests with members in the Lower House; and in only one instance did kinship and mutual business interests coincide. But there also existed kinship links with seven members of the Lower House who held interests in companies which ranked among the top 5000. Two of these companies also ranked among the top 100. During the Twelfth Congress, seven members of the Senate had mutual business interests, and, altogether, ten had shared business interests with members of the Lower House. Only in two instances did kinship and mutual business interests overlap. As a whole, five members of the Senate had business interests in companies ranked among the top 100; and seven had interests in companies ranked among the top 2000.

We must treat these figures with a deal of caution. The dynasts might not seem to be as strong as they might have been, and business interests may seem thinner than we might have thought. But these are numerical estimates rather than measurements of influence; business interests may be disguised. Certainly the Philippine Center for Investigative Journalism (2004), from which these figures were mostly drawn, would argue that political families remain a dominant force—a view which, as we noted earlier, is supported by many representatives themselves. Nevertheless, these are also figures that would seem to support the interpretation that, in the round, kinship is more significant in the Senate than in the Lower House; and that while there is some overlap kinship links in congress tend to be oriented *either* between the Senate and the Lower House, *or* between the Lower House and local government. It would seem that membership of political dynasties does not hurt and may often help, but does not seem to be a precondition for initial election success or survival. Similarly, while political dynasties in local government may help to secure political bases, they do not necessarily propel members into the highest political offices. The hostile views within the Senate and Lower House toward political dynasties, and the

emergence of what appear to be class tensions within political institutions, would seem to fit this interpretation. We can also suggest that more significant kernels of association within the legislature were business interests; but that most business interests of most members of both houses in all three congresses were, as far as the broader economic picture is concerned, fairly small, local affairs that did not rank among the top 5,000, let alone the top 2,000 or 100 companies that dominate national economic life. While there are exceptions, there would appear to be no simple correlation between political office and business prowess: the translation of political office into business empires, or of business success into political office, is no easy matter. This would seem to fit the more critical view of business held by members of the legislature. It might also reflect something of the attitudes of businesses themselves toward their own profession and toward politicians.

(4) The working of institutional constraints finds its most significant expression through certain patterns of behavior in which attitudinal changes appear to be quite open and explicit. There is, for instance, an unwritten convention within the Senate that one should not take umbrage at disputes over political (or, in other words, professional) matters. The convention is not an easy one to adhere to. Senators are small in number; they are divided by education, past careers, experience, personality, belief, and ego; and they are thrown together for many years. Inevitably disputes will flare up on the floor and in the media; accusations will fly; attempts are made by some to undermine or destroy others politically; and each may in their heart of hearts detest and despise their colleagues. After political opponents had first briefed the press that Defensor-Santiago was losing her mind (after she had suffered a family tragedy), and had then asked her not to take their comments personally, she had wondered bitterly how she should take them. How was Lapid to put to one side Enrile's biting taunts? And what, asked some, were Jinggoy Estrada and his mother doing in the Senate if they were not there solely to protect the disgraced ex-president? Yet senators must find some way of working together if only for their own self-interest and self-respect. Each will, at some time, need as

much support within the Senate as they can muster; and the pursuit of personal vendettas will only prove expensive financially as each side briefs and counterbriefs the press. One cannot afford to be bound by personal relationships, or by a sense of personal obligation or grievance. And so, as a matter of necessity, there is about the Senate something of the atmosphere of an elite club in which the personal and the professional are, or appear to be, kept separate. To their constituents it seems like rank hypocrisy as senators first clash, then shake hands and smile. But without that explicit compartmentalization, the institution would cease to function.

It is true that this distancing is more about a practical civility than propriety. The more noble still have little choice but to heed Machiavelli's words to the Prince that those "who act virtuously in every way necessarily come to grief among so many who are not virtuous." And social relationships formed around kernels such as school, class, mutual friends, membership of associations such as the Rotary Club, as well as kinship, are still the *sine qua non* of any level of political life: they are the means of information and of the trade in favors. When the Central Bank was asked to appear before a congressional committee at a particularly busy time, a phone call to the committee's chairman, who happened to be the fraternity brother of a member of the Central Bank's monetary board, was sufficient to reschedule the hearings and the amount of preparatory work required from the bank for the hearing.¹⁶

But might practicality and politeness mark the turning of excessive personalism into taboo? After all, even the more unscrupulous, for whom the ends justify the means, must alter their behavior such that they give at least the impression that they are abiding by convention and have a more urbane outlook on life. Even for them, politeness and practicality within the Senate can count more than personal relationships. And more generally within the legislature, the bureaucracy, and business it is important, certainly among the sophisticates, not to give the impression that one is trying to foist a sense of obligation upon another. The more professional technocrats would regard it as rude and churlish not to reply to a question asked by a senator in the course of everyday social conversations at, say, a party or on the golf course; but they

will not volunteer information to a senator before the question is asked, lest this convey the sense that something is expected in return.

We can also find what appears to be open recognition of the need to distance social relationships at the level of local constituencies. The sense of *quid pro quo* between legislator and constituents is easier for the senator to shake off. They will think nothing of dismissing a constituent who turns up at their office asking for money to cover their fare back to their home province; and they will think nothing of the constituent who, once rejected, threatens to turn the votes of family and friends against the senator. Representatives, however, have a much harder time of it. The expectation among constituents that, in return for their votes and support, the representative should deliver everything from jobs and medical and legal help to new roads and brass bands during a fiesta is powerful and difficult to move against. Indeed, here we may have another part of the explanation for the weakness of parties. Imposing a party discipline and national policy and priorities upon representatives might only cost them electorally. Given this fact of life, representatives and senators might as well make the best of opportunities for dissent and ambition opened up by the lack of strong parties; while the Office of the President, inured to its need to bring more coherence and order through other means, is likely to view with distrust the emergence of a strong party even within its supporting coalitions. Many representatives are content with the status quo. But others believe that, quite apart from any benefits it might have for political parties, they, as representatives, would gain an enormous sense of freedom if "pork" were cut, the sense of a personalized *quid pro quo* between constituents and representative weakened, and constituents inculcated with the realization that, regardless of how they might vote, congress and government have a duty to serve all citizens.

Conclusion

At the beginning of this article we noted that the broadening of the debate on the Philippine polity, although welcome, has not made its interpretation any easier. Within the scope of an article, however, we can begin to suggest possible directions of travel. By giving a little

more attention to the actors and their representations of the Philippine polity and their role within it, we may be able to gain a sense of possible change. As a consequence we have found ourselves leaning to the view that a degree of formalization may have found expression in the many problems, and in other more positive tendencies, within the legislature. We have also noted that certain reforms have been mooted that would take the polity still further toward a condition of greater formality: there are moves to strengthen parties, weaken the dynasts, shave away the pork, and (if only to reduce the unrealistic pressures layered on the politicians) to encourage attitudinal shifts among the electorate. For the most part, these represent the visions, pet initiatives, and agendas of legislators working either by themselves or in small groups. Without a coherent sense of purpose it is doubtful whether these measures will have the momentum necessary to drive them home. Nevertheless, perhaps the time is right to consider the possibility that the weaknesses and problems of the polity, as much as they may be an expression of skeins of conspiratorial and personalistic relationships, may also reflect the somewhat haphazard working out of the beliefs, values, principles, and good intentions of politicians, civil servants, and merchants who, although weighed down by a sense of moral isolation, are generally honest. After all, the case can be made that the presence of such constraints upon behavior and the appearance of hopeful tendencies is nothing new. It was, in Thompson's (1995) view, precisely their removal by Marcos that led the country from "clientelism under democracy" to "sultanism" or, in other words, to unencumbered personal rule. And it was Corazon Aquino's defeat of Marcos in 1986 and its immediate aftermath that marked a breakdown in the patron-client system (see Wurfel 1988; Thompson 1995).

It is important to reiterate that our account is built largely from the representations of the actors themselves; and we have argued that as such it may reveal indications of possible change. It is, therefore, not intended to be read as a definitive account. We are, for instance, clearly unable to put to one side a problem we raised at the beginning of this article: that any signs of informal-formal transformation that we may think we see are capable of bearing a rather different interpretation—

as *continuing* features of, say, a personalistic state or a shallow democracy. The legislature can still be described *fairly* as a shallow democratic institution; and the constraints on behavior to which we have referred are no more than would be expected in a personalistic state. Unless the underlying cultural and structural features are dealt with first, institutional reform will amount to no more than ineffective tinkering, and will leave parties and the legislature weak. It would also be disingenuous to think other than that the influence of business interests is being hidden through the use of complex intermediaries and illicit practices by competing oligarchs who have suborned the judiciary and hired good lawyers. The apparent class war might simply indicate the longstanding and gradual turnover of the Philippines' socially mobile elite. The newer politicians who have broken into the establishment (and have made it appear as if the dynasts' hold on the legislature is weakening) may themselves in time only reach down to pull up their own kind, and recreate the old elite. Or, it may be that those who appear to have replaced the dynasts have done so only temporarily, or are their close allies. Alternatively, we might look at, say, Sidel's (1999, 1998, 1997) notion of bossism to help account for the apparent disjunction between those kinship links that reach down from the Lower House into local government, and those which reach upwards into the Senate and highest levels of public office.

Indeed, we can make the case that our emerging perspective suggests that we should expect, consider, and accommodate many different scholarly interpretations; and that these should be treated not only as the means with which we study but also as the subject of our studies. For if, as we implied in the introduction, we treat social science constructs as being no less and no more important than what we might call the street representations formed by the actors in whom we are interested, then the appearance of multiple scholarly interpretations should be no surprise. And, should they make it on to the street, then we should also expect that our scholarly representations will take on a particular *interpretative significance* as they are picked up by the actors and bound into their thoughts and action. It is worth noting in this regard that it is not unusual for politicians to describe their representations

with terms such as clientelism and patrimonialism. Perhaps, then, it is as they become part of practice, as they become part of the repertoire of the politician, that scholarly representations take on a very real if unpredictable explanatory power.

Our emerging perspective evidently requires considerable development and refinement. The interest in representations (as distinct from reified institutions and cultures) throws the emphasis on to social relationships. Thus we are left with the suggestion that institutional and cultural phenomena merely reflect shifts in attitude toward the treatment of relationships whose practice is informed by dimensional representations. But how do we account for these attitudes? When and why do these shifts take place? To what extent are they endogenous, and to what extent are they stimulated by external consideration? And what might those external considerations be? Might practical considerations offer part of an explanation? Shifts in attitude are necessary if behavior is to be shaped into political, bureaucratic, and economic forms, with particular qualities. Education in the social sciences with their emphasis on institutional and structural interpretations might also help to explain attitudinal shifts. Is it, perhaps, through the schools and universities that the notion of institutions and processes quite independent and more powerful than individuals has begun to inform thought and behavior of increasing numbers of civil servants, politicians, and business leaders?

A more extensive collection and analysis of the representations of actors, and more detailed and specific understandings and accounts of how these inform behavior, also need to be developed. And here we have an extraordinarily rich body of work to draw on from, say, Collingwood (1946, 1992), Dilthey (1976), Brentano (1976), Weber (1958), and Frege (see Geach and Black 1960), to, say, Tuan (1974) and Fodor (1987). The effort to develop our understandings of how we form representations of the social world, and how these in turn influence our behavior, will be demanding. But it may prove to be rewarding. Our perspective is not exclusive; rather, it seems to fold itself around both street and scholarly representations. At the very least it will add a further and intriguing dimension to our understanding of the political economy of the Philippines.

Notes

My thanks to the British Academy who funded this work.

1. My thanks to an anonymous referee for this phrase.

2. Both as part of this present study and as part of a broader study on Philippine trade with China, more than seventy interviews were conducted with politicians and their staff, with civil servants (from various agencies including the Bureau of Internal Revenue, Bureau of Customs, Commission on Election, Commission on Audit, the Treasury, and the Civil Service Commission in Davao and Manila), and with businessmen and women in Davao and Manila. I am grateful to them all. I am particularly grateful to Senators Angara, Defensor-Santiago, Lim, Lapid, J. Estrada, Biazon, Revilla, and Enrile, and Representatives Zubiri, Aquino, Ocampo, and Valdez; to Juan Borra, George Regaldo, Anne Manaog, and Ricky Castillo (Congressional Staff); to Alberto G. Mislang and other members of the Office of the Ombudsman in Davao and in Manila; to Melito S. Salazar (Central Bank); and to Commodore Manzón (AFP).

3. Two percent of the national vote for party list candidates is required for each list seat.

4. The defense often raised is that authoring and generating publicity for legislation on well-defined issues throughout one's term is the cheapest and most effective way of keeping down election costs. Interview with Senator Biazon, July 2004.

5. Interview with Senator J. Estrada, August 2004.

6. Interview with Senator Defensor-Santiago, August 2004.

7. More precisely, the Commission on Appointments has the authority to approve (or reject) the president's selection of members of the Judicial and Bar Council. It is the council that is responsible for the appointments of judges and justices of the Supreme Court.

8. Material derived from the Philippine Center for Investigative Journalism (2004) and various documents from the Securities and Exchange Commission, 2002–2003, 2004. Thanks also to Ricky Castillo of the Congressional Staff for piecing together many of these links. The patterns of kinship links and business interests for the Tenth Congress are very similar, and are published elsewhere (Hodder 2002). However, material on the Tenth Congress excludes the help of Congressional Staff and the PCIJ's (2004) use of the government officials' own declarations of interests. For the sake of consistency, details on the Tenth Congress have been omitted.

9. Interview with Representative Ocampo, August 2004.

10. Interview with Senator Angara, September 2004.

11. Interview with Representative B. S. Aquino, August 2004.

12. Interviews with Senator Lim and Senator Angara, July 2004.

13. Interview with Senator Lapid, August 2004.
14. For sources, see note 8.
15. For sources, see note 8.
16. Interview with Melito S. Salazar Jr., Monetary Board Member, Bangko Sentral ng Pilipinas, August 2004.

References

- Bologaita, Emil P. Jr. 1995. Presidential versus parliamentary democracy. *Philippine Studies* 43(1): 105–23.
- Brentano, Franz. 1973. *Psychology from an empirical standpoint*, ed. Oskar Kraus, trans. Antos C. Rancurello, D. B. Terrell, and Linda L. McAlister. New York: Humanities Press.
- Callaghy, Thomas M. 1989. Toward state capability and embedded liberalism in the third world: Lessons for adjustment. In *Fragile coalitions: The politics of economic adjustment*, ed. Joan M. Nelson, 115–38. New Jersey: Transaction Books.
- Celoza, Albert F. 1997. *Ferdinand Marcos and the Philippines: The political economy of authoritarianism*. London: Praeger.
- Chua, Yvonne T. and Sheila S. Coronel, eds. 2003. *The PCIJ guide to government*. Quezon City: Philippine Center for Investigative Journalism.
- Collingwood, R. G. 1946. *The idea of history*. Oxford: Clarendon Press.
- . 1992. *The new leviathan, or, man, society, civilization, and barbarism*, ed. D. Boucher. New York: Oxford University Press.
- Couch, Harold. 1979. Patrimonialism and military rule in Indonesia. *World Politics* 31: 571–87.
- . 1985. *Economic change, social structure, and political systems in Southeast Asia: Philippine development compared with other ASEAN countries*. Singapore: Institute of Southeast Asian Studies.
- Dilthey, Wilhelm. 1976. *Selected writings*, ed. and trans. H. P. Rickman. Cambridge and New York: Cambridge University Press.
- Evans, Peter. 1989. Predatory, developmental and other apparatuses: A comparative political economy perspective on the third world state. *Sociological Forum* 4: 561–87.
- . 1992. The state as problem and solution: Predation, embedded autonomy, and structural change. In *The politics of economic adjustment: International constraints, distributive conflicts, and the state*, ed. Stephen Haggard and Robert R. Kaufman, 131–81. Princeton: Princeton University Press.
- Fodor, Jerry. 1987. *Psychosemantics: The problem of meaning in the philosophy of mind*. Cambridge, Mass.: MIT Press.

- Geach, Peter and Max Black, eds. 1960. *Translations from the philosophical writings of Gottlob Frege*. Oxford: Blackwell.
- Haller, Dieter and Cris Shore, eds. 2005. *Corruption: Anthropological perspectives*. London: Pluto Press.
- Hodder, Rupert. 2002. *Between two worlds: Society, politics, and business in the Philippines*. London and New York: RoutledgeCurzon.
- Hutchcroft, Paul. 1991. Oligarchies and cronies in the Philippine state: The politics of patrimonial plunder. *World Politics* 43: 216–43.
- . 1994. Booty capitalism: Business-government relations in the Philippines. In *Business and government in industrializing Asia*, ed. Andrew MacIntyre, 216–43. Ithaca, NY: Cornell University Press.
- . 1998. *Booty capitalism: The politics of banking in the Philippines*. Ithaca, NY: Cornell University Press.
- . 2001. Centralization and decentralization in administration and politics: Assessing territorial dimensions of authority and power. *Governance* 14: 23–53.
- Kerkvliet, Benedict. 1995. Toward a more comprehensive analysis of Philippine politics: Beyond the patron-client, factional framework. *Journal of Southeast Asian Studies* 26: 401–19.
- Landé, Carl. H. 1965. *Leaders, factions and parties: The structure of Philippine politics*. Monograph 6. New Haven: Southeast Asian Studies, Yale University.
- . 1996. *Post-Marcos politics: A geographical and statistical analysis of the 1992 presidential election*. New York: St. Martin's Press.
- . 2001. The return of “people power” in the Philippines. *Journal of Democracy* 12: 88–102.
- Magadia, Jose J. 2003. *State-society dynamics: Policy making in a restored democracy*. Quezon City: Ateneo de Manila University Press.
- North, Douglass. 1990. *Institutions, institutional change, and economic performance*. Cambridge and New York: Cambridge University Press.
- Philippine Center for Investigative Journalism (PCIJ). 2004. *The ties that bind: A guide to family, business and other interests in congress*. Quezon City: PCIJ. CD-ROM.
- Putzel, James. 1999. Survival of an imperfect democracy in the Philippines. *Democratization* 6: 198–223.
- Sidel, John T. 1997. Philippine politics in town, district and province: Bossism in Cavite and Cebu. *Journal of Asian Studies* 56: 947–66.
- . 1998. The underside of progress: Land, labor and violence in two Philippine growth zones, 1985–95. *Bulletin of Concerned Asian Scholars* 30: 3–12.
- . 1999. *Capital, coercion, and crime: Bossism in the Philippines*. Stanford: Stanford University Press.

- Thompson, Mark R. 1995. *The anti-Marcos struggle: Personalistic rule and democratic transition in the Philippines*. New Haven: Yale University Press.
- Tuan, Yi-Fu. 1974. *Topophilia: A study of environmental perception, attitudes, and values*. Englewood Cliffs, N.J.: Prentice-Hall.
- Weber, Max. 1958. *The protestant ethic and the spirit of capitalism*. New York: Scribner.
- . 1968. *Economy and society: An outline of interpretive sociology*. New York: Bedminster Press.
- . 1981. *General economic history*. New Jersey: Transaction Books.
- Wurfel, David. 1988. *Filipino politics: Development and decay*. Ithaca, NY: Cornell University Press.