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## Presidential versus Parliamentary Democracy

*Emil P. Bolongaita, Jr.*



For better or for worse, political institutions matter. Whether formal or informal, political institutions exist to enforce particular patterns of political behavior. Depending on the set of political institutions in place, certain political beliefs and actions are encouraged and rewarded, while others are rejected and punished. Few will deny that a set of political institutions, totalitarian, authoritarian or democratic, makes a difference in people's lives. They undeniably make a difference because each commands its own set of rules and penalties for the ways people engage in politics. How political institutions are structured may also affect the very efficacy and sustainability of the institutions themselves. For new and reemerging democracies, political institutions especially play a pivotal part in the survival and protection of democracy itself. Thus, the choice of political institutions is crucial.<sup>1</sup>

In overthrowing their previous totalitarian and authoritarian masters, new and reemerging democracies have accomplished their "first transition:" They have replaced communism and authoritarianism with some form of democratic government. Many, however, have yet to accomplish the "second transition" from a democratic government to a democratic regime.<sup>2</sup> The Philippines achieved its "first transition" in February 1986. After a decade and a half of dictatorship, presidential democracy was restored. Yet no sooner did presidential democracy begin to consolidate itself than calls were heard for it to be replaced by parliamentary democracy. The first months of 1994 especially, witnessed an unprecedented acrimonious debate about presidential and parliamentary democracy among high-ranking politicians. Will this recurrent clamor for parliamentary reforms threaten to sidetrack, if not derail, the Philippines' "second transition"? Or

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will it, as its advocates claim, actually help the Philippines arrive at the elusive destination of democratization *and* development?

### **The Politicians Debate**

Leaders of the Philippine House of Representatives have proposed to reform the presidential system by replacing it with a parliamentary system. The claim that an overwhelming majority of its members back the move for parliamentary government, even as they work to persuade a skeptical Senate. These advocates of parliamentary government have adopted a two-part plan: first, they will push for a shift from a bicameral to a unicameral presidential system; then, second, from a unicameral presidential system, they will work towards a change to a parliamentary system. The House initiative has met fierce opposition from the Senate, which stands to be abolished if the unicameral proposal succeeds. President Fidel Ramos, while attempting to mediate between the clashing chambers, indicated he is not opposed to the unicameral proposal. Echoing the House claim, President Ramos said that "there is already a people's initiative, which neither Malacañang (the Presidential Palace), the House, nor the Senate can stop."<sup>3</sup>

House Speaker Jose de Venecia claimed that the proposal for parliamentary reforms is needed to cut the costs and hasten the pace of legislation.<sup>4</sup> Many senators and other observers, however, argued that the real reason is not legislative economy and efficiency, but the perpetuation of power by the incumbent president and representatives. Senator Ernesto Herrera argued that "this move is intended to allow Mr. Ramos to stay in power, first as president and later as prime minister."<sup>5</sup> Senator Raul Roco also charged that the House members were pushing for the proposal to circumvent term limits: "Underneath all these is an effort to change the rules so that people can run for reelection."<sup>6</sup> The Presidential Palace repudiated the allegations against the president<sup>7</sup> while House leaders denied using "dirty tricks" to advance their proposal.<sup>8</sup>

Even if the motivations of House leaders were less than honorable, their claims for parliamentary government deserve to be examined seriously. The House parliamentary proposal should not be dismissed by the Senate and its supporters simply because of perceived Machiavellian motivations. If the House proposal is to be dismissed, it

should be dismissed because, after analysis, it has been shown to have little or no merit. Motivations should not be confused with merits, and vice versa.

Unfortunately, House leaders were not blameless for the spate of accusations about a hidden agenda. The House not only abandoned its responsibility to seriously study the matter, it virtually closed off debate by hastily pushing for a plebiscite. The objections by several senators to the House initiative—not so much against the parliamentary principle but the process by which the House pursues it—appears to be merely slowing, not stopping, the phalanx of parliamentarians. While a plebiscite may be less appropriate than a constitutional convention (which many senators want), I argue here that the doubting senators and the representatives should be cautious about the applicability of the principle of parliamentary government to the Philippines. As presently articulated, the House proposal will merely change the political facade of Philippine government. Its structural defects will remain, if not worsen.

At the very least, the uncharacteristic speed that House leaders have shown in pushing for parliamentary government has not altered the fact that critical questions remain unasked and unanswered. Much of the muddle is partly due to the imputation of sinister motives, but it is also due to the lack of extensive analyses. It is unfortunate that the debate between presidential and parliamentary government in the Philippines has not been supported by a corresponding debate among international scholars concerning constitutional choices for reemerging and new democracies.<sup>9</sup>

These questions remain: Transplanted in the Philippines, will a parliamentary system really perform better than the present presidential system in producing sound legislation? In what ways will a unicameral presidential system be an improvement on the present bicameral system? What kind of parliamentary system should the Philippines adopt in place of its presidential system? As discussed in the academic debates about presidentialism and parliamentarism, there are other important issues besides economy and efficiency in legislation, such as political stability, democratic accountability, development of parties and party competition, and economic growth. Since these issues have yet to be discussed in the current political debate, this article will focus only on the components of the House view of presidential government.

### **The House's View of Presidential Government**

The two main congressional criticisms of the present presidential system are that it is wasteful and it is inefficient. House leaders argue that with a unicameral presidential system, there would be a single legislative assembly; thus, it would be less expensive than the present two chambers. One house, their argument goes, would be cheaper to run than two. A unicameral presidential system would also be more efficient than a bicameral arrangement, since there would be no need to resolve interchamber differences before submitting legislation to the president. Conference committees tasked to reconcile contending bills between the House and Senate—the political equivalent of commercial middlemen—would be eliminated and the political process thereby simplified.

A parliamentary system would supposedly enhance the economy and efficiency of such a unicameral presidential system. (Presumably, House parliamentary advocates will push for a one-house Parliament, unlike the two houses common among parliamentary democracies.) Since Parliament selects the prime minister—usually the leader of the parliamentary majority—a common party or coalition necessarily influences both the prime minister and Parliament. The reverse is often true in a presidential system, where the separate election of the president and Congress may lead to different parties controlling either branch of government.<sup>10</sup> By ensuring party or coalition ties between the prime minister and Parliament, a parliamentary system is supposedly able to work with less cost and more speed than either a bicameral or unicameral presidential system. As evidence, parliamentary advocates point to the fact that virtually all the established and economically strong democracies are parliamentary (namely, Western European countries, Canada, Japan, Australia, and New Zealand); the presidential democracy of the United States remains the exception.<sup>11</sup> The fact that the prosperous East Asian neighbors of the Philippines—which achieved their prosperity in record time—are incipient parliamentary democracies is not lost on the parliamentary advocates.<sup>12</sup>

What is deceptive about the congressional charge that the present presidential system is wasteful and inefficient is not that it is not so. What is deceptive is the claim that a unicameral presidential system would be more economical and efficient than the present bicameral arrangement, and that a parliamentary system would be the most efficient of all. The proposed initiative for unicameralism simply re-

duces the number of chambers and if the subsequent move towards parliamentary government merely ensures executive-legislative unanimity, it is likely that both systems would be just as wasteful, if not more, than the present presidential system. While a unicameral presidential system or a parliamentary government might be more efficient than the existing bicameral presidential system, they are likely to be more efficient for the wrong reasons.

If there is a culprit of waste and inefficiency among Philippine political institutions, it is not the institutional arrangement between the executive and legislative branches, or the number of legislative chambers. Rather, the culprit is a political environment devoid of institutionalized accountability between the executive and legislative branches. This is a condition whose origins may be traced to the 1935 constitution's founding of an extraordinarily powerful presidency. Intended to ensure the Philippines' passage to independence and stability, the presidency's powers, instead, helped maintain economic dependency and invited political instability. Understanding the institutional history of the Philippine presidential system is, thus, crucial to comprehending its present problems.

### **Classifying the Philippine Presidential System**

Except for the intervening periods of World War II and the authoritarian regime from 1972 to 1986, the Philippines since 1935 belonged to the group of presidential democracies. As a presidential democracy, the Philippines cannot be understood without reference to the historical precursor of presidential government, the United States. Since its founding, the U.S. presidential system has been a model not just for the Philippines, but for all other presidential systems, mostly in Latin America.<sup>13</sup>

The U.S. presidential system was designed to separate the powers of government and thereby prevent tyranny.<sup>14</sup> The chief executive (the president) is popularly elected and the tenures of the executive and the assembly (the Congress) are fixed and independent of each other. In effect, the president and Congress cannot fire each other; each can only be removed by regular elections. (Exceptionally, the president may be ousted by impeachment.) The U.S. Founding Fathers, however, did not intend that the powers of government be fully separated. They believed that if the president and Congress were left solely to their own devices, there would be no checks and balances

to ensure that each institution keeps and exercises its powers properly. To foster checks and balances between the executive and legislative branches, the U.S. constitution allows congressional review of executive actions and provides the president with a legislative package veto. Thus, the U.S. presidential system may be aptly characterized, in the well-known words of Richard Neustadt, as having "separated institutions sharing powers."

While presidential democracies share to some degree the common features of separation of powers and checks and balances, there is a significant institutional difference among them. Presidential democracies differ in the nonlegislative powers constitutionally conferred on their respective presidents.<sup>15</sup> Like the U.S., many presidential democracies accord package veto authority to their presidents. Unlike the U.S., other presidents also have partial or line-item veto powers. Still, in greater contrast to the U.S., other presidents possess some decree-making powers, authority to introduce certain matters for legislation, set budget caps, and propose referenda. (Venezuela is an exception since its presidents have none of the preceding, legislative powers.)

The Philippines stands out among other presidential democracies, chiefly because of the extraordinary legislative and nonlegislative powers constitutionally granted and legislatively delegated to the president.<sup>16</sup> Among presidential democracies, the Philippine president virtually has no equal in terms of aggregate executive power. The president's main legislative powers are the package and the line-item veto. The president may certify bills for immediate legislation, which would dispense with the constitutional requirement that a bill must go through three readings on separate days, be printed and distributed to members of Congress three days before final reading. The president also has the authority to transfer funds from any item in the budget to another if certified as urgent in "the national interest." Presidential certification is required in the disbursement of all budgetary items legislated "subject to the availability of funds." Under the 1935 constitution, the president as commander-in-chief was authorized to suspend the writ of habeas corpus and declare martial law without need of congressional consultation, much less concurrence. Regarding nonlegislative powers, the president has extensive powers of appointment and removal, which, in the 1935 constitution, included not just national but even local officials. The president also has vast powers of government reorganization. The president's authority over government financial institutions, notably the Central Bank, gives him decisive control not only over macroeconomic poli-

cies but also over microeconomic details such as providing preferred access to government credit facilities.<sup>17</sup> (The president's financial control, however, was formerly stronger than today, due in part to the increased role of international and commercial lending institutions concerned about their stake in the Philippines' external debt.) With few exceptions, such as paring the president's martial law powers and loosening presidential control of local governments, the 1987 constitution sustains similarly extensive powers for the presidency.

### **A Historical Sketch of Philippine Presidential Powers**

By granting sweeping executive powers to the president, the 1935 constitution founded a presidential system in which the principles of separation of powers and checks and balances were fundamentally, if not congenitally, undermined. To be sure, the drafters of the 1935 constitution were concerned less about the structure of government, and more about the strength of government. Aware then of the bruising battles between President Franklin D. Roosevelt and the U.S. Congress over New Deal programs designed to combat the Great Depression, many of the 1935 constitutional delegates were wary of governmental paralysis if the Philippines were to face such grave crises. Thus, few contested the extensive powers accorded the president, and none opposed the provision allowing the president to declare martial law and exercise emergency powers. In the words of the 1935 Constitutional Convention President Claro M. Recto, the delegates "have thought it prudent to establish an executive power which, subject to the fiscalization of the Assembly, and of public opinion, will not only know how to govern, but will actually govern, unembarrassed by vexatious interferences by other departments, or by unholy alliances with this or that social group . . ." (emphasis mine)<sup>18</sup>

In so establishing extensive executive powers and limiting congressional checking capacity, the 1935 constitution compromised the system of checks and balances as the defining virtue of a presidential democracy. By weakening executive and legislative accountability and strengthening the presidency, the 1935 constitutional delegates revealed their hope that sufficient personal virtue and competence accrued to those who ascend to the presidency. The Philippines' consequent economic maldevelopment and political instability find their hope sadly akin to wishful thinking.



The willful and wasteful exercise of these vast executive powers by various presidents, beginning with President Manuel Quezon in 1935 up to President Ferdinand Marcos in 1972, hardly gave a fighting chance to institutionalize the checks and balances required of a presidential democracy.<sup>19</sup> Instead, what was institutionalized was a supreme presidency and a subservient Congress. (Without the integrity of the Supreme Court during the years following independence, the balance between the executive and legislative branches would have been more lopsided than they were.)<sup>20</sup>

Given a political culture that relied more on ethnolinguistic affinity, personal qualities and patronage resources and less on disciplined political parties and ideological agenda, these vast presidential powers helped to sway oppositionists in congress to support the presidential legislative agenda, if not to switch to the president's party. President Diosdado Macapagal explained: "Except in rare cases, the political position of the congressmen depends on the releases of public funds for public works and appointments of officials within their districts. These are in the hands of the President."<sup>21</sup> The defection of numerous newly elected representatives to President Ramos' Lakas-NUCD coalition after the 1992 national elections was, of course, no exception in Philippine politics. So, too, was the selection of the president's preferred candidate, Rep. Jose de Venecia, as Speaker of the House. These party switches and presidential influence in the House were merely the latest examples of the capacity of the President to influence Congress (notably the House). Similar incidents were common in Philippine politics before 1972. President Macapagal chose Speaker Cornelio Villareal while President Marcos, during his first term, picked Speaker Jose Laurel and, during his second term, selected Speaker Villareal again. President Macapagal was, thus, not boasting emptily when he said that "the president, if he wishes, can decisively influence who the Speaker of the House will be irrespective of party affiliation."<sup>22</sup> As Representative Edcel Lagman recently put it: "There is only one vote that can oust the speaker. The vote of the President."<sup>23</sup>

Although presidential powers were enormous in themselves, they were made even more so because of the absence of strong party loyalty and discipline of congressional members, qualities that Congress needed to mount sustainable checks on the president. Even as other scholars persuasively argue that the weakness of Philippine parties is significantly due to a pervasive patronage system (which undermines party development, discipline and loyalty),<sup>24</sup> the vast powers

of the president are partly to blame. Without these vast executive powers, the president would have had few inducements to compromise the necessary separation between public duties and personal interests. Specifically, the president would have had less leverage over Congress and, thus, Congress would have been able to perform its checking function with more intensity and integrity than it has shown in the past and at present.

Despite the formidable powers of the presidency, there were occasions of successful congressional checks on presidential powers such as the reduction of the president's delegated powers to transfer funds. During the Commonwealth period, President Manuel Quezon secured from Congress the full authority to transfer funds from any item of the budget to another if the transfer was "in the national interest." In effect, this allowed President Quezon to rewrite the budget after it was passed into law. However, during the tenure of President Elpidio Quirino, Congress reduced the president's transfer powers to 50% of any budgetary item, and then to 25% during the latter part of Quirino's term. Despite presidential resistance, this transfer ceiling of 25% continued up to the first-term of President Ferdinand Marcos, although during the first part of his second term, Congress reduced the transfer power to 12% of any budgetary item.<sup>25</sup> This notable example of congressional checking suggests that Congress can hold its own against a powerful presidency. Congress, to be sure, had a strong financial stake in restraining presidential transfer powers. Otherwise, their own budgetary allocations were not safe from presidential incursions.

The preceding example, however, is the exception, not the rule, in executive-legislative relations before martial law. If the tenures of Presidents Macapagal and Marcos (1962 to 1971) are examined, the evidence shows that about a third (or 34%) of the president's certified bills passed Congress. In comparison, during the same period, less than a tenth (or 7.7%) of congressional bills became law.<sup>26</sup> In this regard, President Ramos' batting average has been uncharacteristically and surprisingly dismal. Most recently, only five (or 7%) of the seventy bills President Ramos certified from last year's "Social Pact for Empowered Economic Development" were passed by Congress.<sup>27</sup>

Unless tensions ease between the Senate and the House concerning the parliamentary proposal, it seems doubtful that the rest of President Ramos' bills will see increased chances in passing congress. His support of the parliamentary proposal—and thus, of the abolition of the Senate—surely does not help in persuading the senators

to pass presidential bills. In resisting the president, the Senate, however, helps prove the criticism of the president that Congress is responsible for poor legislative performance and should thus be reformed. The Senate is, thus, compelled to pass the president's economic bills. As Senator Blas Ople observes: "In criminal law, this can be called blackmail, but in politics, it's called bargaining."<sup>28</sup> The Senate has recently indicated it will work to pass President Ramos' economic bills, even as it resists the unicameral proposal.<sup>29</sup>

President Ramos' dismal legislative record notwithstanding, the few instances before martial law in which Congress checked the president were due to the help of the Supreme Court adjudicating in its favor (such as when the court nullified President Quirino's attempt to pass the budget by executive order, and when the court voided President Marcos' executive order creating 33 municipalities). In these and other instances, the resurgence of Congress was not because it was inherently strong, but because the president was not skillful enough to utilize his vast powers without overextending them.

Common in these few instances of successful congressional checks against the president was the relatively independent stance of the Senate, whose members were more disposed than their House counterparts to challenge the president. This vigilance and independence of the Senate continues. Because senators are elected at large, the whole country becomes, in effect, the senators' district. This allows senators to claim a national mandate and broadens their political perspectives. Partly because of the widespread media exposure, the senators rely less on presidential patronage than representatives in congressional elections. For these reasons, senators are less fearful of presidential retribution at the polls than representatives. Thus, senators more than representatives are often at the forefront in legislative battles with the president.<sup>30</sup>

### **Consequences of Changing to a Unicameral Presidential System**

The immediate institutional casualty of the House proposal for a unicameral presidential government will be the Senate. It will be abolished, while the House will be preserved, and perhaps expanded to absorb some senators. Except for the extinction of the Senate, little else will change in the presidential system when it shifts from a bicameral to a unicameral arrangement. Although the functions of the Senate in the bicameral system will presumably be assumed by

the single assembly in the unicameral system, such an assembly will not possess the scope and strength of the Senate. Because assemblymen will be elected by local districts, they will not have the self-image of being national leaders as the senators are. Their political perspectives will be more provincial and less national. They will likely be as dependent on presidential patronage as representatives are.

In this context, the prospects for a truly effective system of checks and balances in a unicameral presidential system is much less than in a bicameral system. The Senate and its twenty-four national representatives would be taken off the president's back. The president will then only have to contend with a single assembly, whose elected members are all locally chosen (unless, of course, electoral laws are changed). If the president's party or coalition controls the assembly (and the chances are high that such will be case, considering the president's historical dominance over the House of Representatives), then what little checks and balances exist will diminish, if not disappear. In this regard, unicameral government will indeed be more speedy than bicameral government. This expeditiousness, however, is bought at the expense of institutionalizing accountability. In lessening accountability by abolishing adequate checks and balances, the unicameral system increases the likelihood that the extraordinary executive powers of the president will be used less for public interests and more for private gains. The president, with help from his "cohorts" in the assembly, will continue to rule only with the use of personal virtue, on which no government should rest. Thus, the very purpose for which presidential democracy was invented—to prevent tyranny—will increasingly be defeated in the shift from a bicameral to a unicameral presidential system.

### **Consequences of Changing to a Parliamentary System**

If extraordinary executive powers are maintained, then the danger of tyranny presented by a shift to a unicameral presidential system becomes more real in a parliamentary system. Instead of the separation of powers distinctive in presidential government, there is the fusion of powers in parliamentary government. The chief executive (the prime minister) is not popularly elected; instead the executive is chosen by the party or coalition that controls the assembly (the Parliament). The tenures of the prime minister and Parliament are mutually dependent: the prime minister can dissolve Parliament

and call for new elections, while the Parliament can remove and replace the prime minister with a vote of no confidence. In general, parliamentary systems also have presidents who are popularly elected, but they are not the chief executives of government. Often the roles of these presidents are ceremonial and detached from partisan politics.

Given the history and institutionalization of excessive presidential powers in the Philippines, I contend that a unicameral presidential system carries the risk of unchecked executive power, especially when the president is the unquestioned leader of the party or coalition that controls Congress. This danger of unbridled executive power is virtually guaranteed if the Philippines changes to a parliamentary system because the prime minister is necessarily the leader of the majority in Parliament. In this case, there is no institutionalized checking mechanism, except the force of rhetoric by the minority opposition. There would hardly be any incentive for the parliamentary majority to severely criticize the prime minister who, after all, is their leader and a fellow member of Parliament. To do so would only be self-destructive. Perhaps the only circumstances that would prompt a vote of no confidence or a call for new elections are when the prime minister and the cabinet or members of the parliamentary majority have been exposed for blatant corruption or other heinous crimes. But such circumstances would be exceptions, given the rather discreet tradition of official corruption in the Philippines and the decay of the judicial system. Thus, virtually the only time a parliamentary government would be checked and held accountable would be during the next regular election.

Yet even if parliamentary elections offer periodic opportunities for popular checks on the government, these opportunities are likely to be few due to the weight of incumbency. If the balance of resources among candidates is a significant factor in determining the winners of parliamentary polls (as it is in congressional elections), then candidates from the parliamentary majority will have the upper hand. The prime minister and the parliamentary majority will have at their disposal the government's resources to use for their campaigns. If Philippine presidents have been able to abuse government resources in reelection campaigns with impunity without congressional checks,<sup>31</sup> then so too will a Philippine prime minister during parliamentary elections. So long as the conduit of patronage is unimpeded, such a prime minister will have little to worry about checks from the parliamentary majority that selected him. A prime minister will probably

spend as much as a president, if not more, because he has to assure the victory of all the candidates needed for a parliamentary majority to ensure, in turn, his reelection.

### **Consequences of Adopting the French Semiparliamentary Model**

An oft-mentioned parliamentary model for the Philippines is the French style of semiparliamentary (or, as Maurice Duverger calls it, semipresidential) government.<sup>32</sup> In the Senate, Senator Leticia Ramos-Shahani has been an ardent supporter of the French example.<sup>33</sup> The obvious difference between the French model (akin also to systems in Austria, Finland, Iceland, and Portugal) and the "pure" parliamentary model is that, unlike the ceremonial status of presidents in parliamentary systems, the French president possesses considerable powers. These powers include the power to propose bills in a referendum (thus bypassing Parliament), the power to dissolve Parliament and call for elections, and sweeping emergency powers. Thus, because of the coexistence of a president with some considerable executive and legislative powers, a prime minister with strong executive powers, and a Parliament with legislative powers, the powers of government in the French model are neither separated nor fused, but dispersed. (The 1972 Philippine Constitution ostensibly adopted the French model, but its design and implementation were subverted by the martial law regime.)

The nature of the consequences of the French model for the Philippines depends in great part on the extent to which the model is replicated. If the model is copied rather faithfully, then the achievement of the espoused objectives of House parliamentarians—economy and efficiency in legislation—would be questionable. Economy in legislation would not be guaranteed since the national assembly in the French model—as with variants of the "pure" parliamentary system—has two houses. (Given their argument that one house is cheaper than two, Philippine parliamentary advocates would presumably change this French characteristic and only call for a single house.) The pace of legislation would perhaps be just as speedy as in other parliamentary systems because the prime minister is the leader of the majority party or coalition in Parliament. But this is not necessarily assured, because the president, while not having a legislative veto, may submit bills to a plebiscite if the prime minister and Parliament are hostile to presidential interests. Political battles over legislative agenda

between the president and Parliament would hardly be conducive to efficient legislation.

Such presidential-parliamentary tension is more than likely, because the president is popularly elected independent of Parliament and because the president wields considerable clout, which is magnified by a national mandate. As has happened in France, the president may be of a different party than the majority party in Parliament. Thus, passing important legislation becomes a balancing act between the president's interests and the majority party's interests. In this case, like presidential government, modified parliamentary government offers the possibility of checks and balances that "pure" parliamentary government does not. However, the dispersed distribution of powers in a modified parliamentary government suggests perhaps more antagonism between the different branches of government than in a presidential government. Unless presidential and parliamentary jurisdictions are clearly explicated in modified parliamentary constitution, there will likely be conflicts between the president and the prime minister about their respective executive responsibilities, and between the president and Parliament about their respective legislative duties.

### **Counsel for Constitutional Reformers**

As argued above, a historical institutional cause of the waste and inefficiency of the present presidential system is not the bicameral arrangement or the separation of powers distinctive of presidential government. Rather, it is the institutionalization of extraordinary presidential powers that has enfeebled Congress and weakened the checks and balances necessary to compel presidential power to restrain itself. Thus, reforming the presidential system by changing the bicameral legislature into a unicameral congress and then eventually transforming it into a parliamentary system does not address institutional sources of the profligacy and paralysis of the system. Such measures will not restrain excessive executive powers, empower legislative functions, and restore the effective checks and balances required of a responsible and responsive presidential democracy.

With regard to political institutions, a necessary, albeit insufficient, step towards reforming the present presidential system is to narrow expansive (and expensive) presidential powers in both executive and legislative domains. Similarly, even as Congress's criticisms of the

president are given more bite, excessive congressional behavior, such as exorbitant "pork barrel" allocations must be checked by presidential vigilance.

Restricting presidential powers, augmenting congressional capacity, and facilitating effective checks between these branches of government are actions that mean no less than the reinvention of the Philippine presidential system. To say the least, this would be a formidable task for constitutional reformers. Any president would understandably resist, if not retaliate against, restrictions on presidential powers. Executive-legislative conflicts would easily ensue. Constitutional adjudication by the Supreme Court or constitutional amendments would, thus, be inevitable in any attempt to initiate reforms in the presidential system. The recent Supreme Court petition by a Senate majority questioning President Ramos' veto of several provisions in the 1994 budget is a significant step in the right direction.<sup>34</sup>

Clipping excessive presidential powers, however significantly, would only be the beginning of the reinvention of the Philippine presidential system. Other conditions need to be addressed as well. The historical development of excessive presidential powers has contributed to other factors that conspire against reforming the presidential system. Among other political factors that contribute to the corrupt and chaotic operation of presidential government are a weak congress, a personality-, not issue-, oriented electorate, puny political parties, feeble party competition, and flawed electoral laws. Chief among social factors is the persistence of patronage relations that weaken the state against the intrusion by society's strong sectors. Among economic factors are a debilitating external debt structure and a perverted internal revenue bureaucracy symptomatic of the government's susceptibility to rent-seeking economic behavior.

## Conclusion

The combined complexity of these factors should immediately suggest that the problems of Philippine presidential democracy will not be addressed by mere maneuvers of constitutional change. Even assuming meritorious motives, constitutional engineering of political institutions can only do so much. Attention should be given to the significance of social, cultural, and economic factors in shaping the intended effects of political institutions.



In this regard, even allowing for the best of intentions, the House initiative for parliamentary reforms suffers, at the least, from insubstantial analysis and unconvincing advocacy. This is not to say that parliamentary government will not do better in the Philippines than a presidential system. Variations of either system would probably work better than the existing arrangement, given corresponding institutional reforms in other areas of politics, economics, and society. Unquestionably, political reforms are badly needed by the country, but the House parliamentary plan—as presently proposed—has no merit whatsoever. As it stands, the House parliamentary proposal pledges economy and efficiency in legislation on the grave of checks and balances, a perilous condition due to the institutional deficiency in government accountability and responsibility. Thus, House leaders and other representatives would do the country well to rethink, at least, their proposal. Otherwise, they cannot refute the charge that their parliamentary plan is a Machiavellian maneuver of the highest order: it will prolong those in power, expand their power, and prevent those who might constrain them from hasty and personal legislation. The collapse of Philippine presidential system and its replacement would not be any better.

### Notes

1. Lijphart (1991, 72–84). For an excellent review of the recent resurgence of research on political institutions or what is called “the new institutionalism,” see March and Olsen (1984, 734–49).

2. The notion of “two transitions” is introduced by O'Donnell (1992, 17–56). The distinction between democratic government and democratic regime is a question of institutional consolidation: the former is weaker and less institutionalized than the latter, whose existence is already secure. For an extended analysis, see Valenzuela (1992).

3. *Manila Times* (15 January 1994, A1).

4. *Manila Chronicle* (20 January 1994, 1).

5. *Philippine Daily Inquirer* (15 January 1994, 1).

6. *Philippines Free Press* (22 January 1994, 32).

7. *Manila Standard* (16 January 1994, 3).

8. *Today* (22 January 1994, 1).

9. See, for examples, the articles in Linz and Valenzuela (in press); the series of articles such as Linz (1990a, 51–69) and (1990b, 84–91); Horowitz (1990, 73–79); Lijphart (1992a, 207–23) and Mainwaring (1990, 157–79) and (1993, 198–228). Of course, see also the seminal piece by Linz (1987).

10. For an overview of the institutional differences between presidential and parliamentary governments, see the introduction in Lijphart (1992b, 1-30).

11. For an explanation of the sources of U.S. exceptionalism, see Riggs (1988, 247-78).

12. For a brief account of the official rationale behind the House parliamentary proposals, see the two-part article in *Manila Times* (24-25 January 1994, 1).

13. See Friedrich (1967) for the standard analysis of the international influence of U.S. presidential government. It should be noted, however, that Friedrich erroneously writes that U.S. presidentialism was "generally rejected . . . The only exception was Latin America" (p. 5). The fact the Friedrich does not discuss, much less refer to, the Philippines—a former U.S. colony that patterned much of its constitution after the U.S.—is surprising, to say the least.

14. The classic statement justifying separation of powers is, of course, enunciated by Madison, one of the Founding Fathers of the U.S. constitution in *The Federalist* 51.

15. For a comprehensive review of the differences of presidential powers among presidential democracies, see Shugart and Carey (1993, 148-66). Shugart and Carey's assessment of Philippine presidential powers, however, is incorrect, i.e., they categorize the President's budgetary powers as relatively weak. They also did not consider the Philippine President's other legislative and nonlegislative powers, which would have likely put the Philippines at the top of their ranking of presidential powers among presidential democracies.

16. For a comprehensive survey of Philippine presidential powers under the 1935 Constitution, see Romani (1956) and Cortes (1966). See Bacungan (1983) for a review of presidential powers under the 1973 Constitution.

17. See, for instance Power and Sicat (1971, 67).

18. Recto's full address is appended in Aruego (1949, 1063-69).

19. President Quezon's founding contributions to a powerful presidency are engagingly documented in McCoy (1989, 114-60).

20. For a succinct discussion of the significance of the Supreme Court in Philippine politics, see Wurfel (1988, 88-90).

21. *Manila Times* (2 February 1967), as quoted by Frantzich (1968, 756).

22. *Ibid.*

23. *Philippines Free Press* (22 January 1994, 9), emphasis mine.

24. For the classic analysis emphasizing the cultural sources of the weakness of Philippine parties and party competition, see Lande (1965).

25. See Wurfel (1988, 87-88).

26. See Emmert (1983, 163).

27. *Manila Times* (15 January 1994, 1).

28. *Today* (16 January 1994, 12).

29. *Philippine Daily Inquirer* (24 January 1994, 1).

30. Wurfel (1988, 81-85).

31. The Philippines' pre-Martial Law electoral-driven budget deficits are well-documented and analyzed in Averch, Koehler and Denton (1971). For a general argument concerning the adverse budgetary consequences of democracy's electoral exercises, see Buchanan and Wagner (1977).

32. Duverger (1980, 165-87).

33. *Philippines Free Press* (29 January 1994, 10).

34. *Manila Times* (15 January 1994, 1).

## References

- Aruego, Jose M. 1949. *The framing of the Philippine constitution*. Manila: University Publishing Co.
- Averch, Harvey A., John E. Koehler and Frank H. Denton. 1971. *The matrix of policy in the Philippines*. Princeton: Princeton University Press.
- Bacungan, Froilan. 1983. *The powers of the Philippine president*. Quezon City: U.P. Law Center.
- Buchanan, James M. and Richard R. Wagner. 1977. *Democracy in deficit: The Political legacy of Lord Keynes*. New York: Academic Press.
- Changing the rules, slyly. 1994. *Philippines Free Press*, 22 January, 1.
- Cortes, Irene R. 1966. *The Philippine presidency: A study of executive power*. Quezon City: University of the Philippines.
- Duverger, Maurice. 1980. A new political system model: semipresidential government. *European Journal of Political Research* 8.
- Emmert, Diana Sabater. 1983. *The Philippine Congress: Policy-making and development*. Ph.D. diss., University of Hawaii.
- Friedrich Carl J. 1967. *The impact of American constitutionalism abroad*. Boston: Boston University Press.
- Horowitz, Donald L. 1990. Comparing democratic systems. *Journal of Democracy* 1:73-79.
- Lande, Carl. 1965. *Leaders, factions, parties: The structure of Philippine politics*. New Haven: Yale University Press.
- Lijphart, Arend. 1991. Constitutional choices for new democracies. *Journal of Democracy* 2:72-84.
- \_\_\_\_\_. 1992a. Democratization and constitutional choices in Czecho-Slovakia, Hungary and Poland 1989-91. *Journal of Theoretical Politics* 4:207-23.
- \_\_\_\_\_. 1992b. *Parliamentary versus presidential government*. Oxford: Oxford University Press.
- Linz, Juan J. 1987. Democracy, presidential or parliamentary: Does it make a difference. Paper presented at the annual meeting of the American Political Association.
- \_\_\_\_\_. 1990a. The perils of presidentialism. *Journal of Democracy* 1:51-69.
- \_\_\_\_\_. 1990b. The virtues of presidentialism. *Journal of Democracy* 1:84-91.
- \_\_\_\_\_. and Arturo Valenzuela, eds. *Presidential or parliamentary democracy: Does it make a difference*. Baltimore: Johns Hopkins Press. In Press.
- Macapagal's memorisl. 1967. *Manila Times*, 2 February.
- Madison, James. *The Federalist* 51.
- Mainwaring, Scott. 1990. Presidentialism in Latin America. *Latin American Research Review* 25:157-79.
- \_\_\_\_\_. 1993. Presidentialism, multipartism, and democracy: The difficult equation. *Comparative Political Studies* 26:198-228.
- March, James G. and John P. Olsen. 1984. The new institutionalism: Organizational factors in political life. *American Political Science Review* 78:734-49.

- McCoy, Alfred W. 1989. Quezon's Commonwealth: The emergence of Philippine authoritarianism. In *Philippine colonial democracy*, ed. Ruby R. Paredes. Quezon City: Ateneo de Manila University Press.
- O'Donnell, Guillermo. 1992. Transitions, continuities and paradoxes. In *Issues in democratic consolidation: The new South American democracies in comparative perspective*, ed. S. Mainwaring, G. O'Donnell and S. Valenzuela, 17-56. Notre Dame: University of Notre Dame Press.
- Power, John H. and Gerardo Sicat. 1971. *The Philippines: Industrialization and trade policies*. London: Oxford University Press.
- President not behind unicameralism—palace. 1994. *Manila Standard*, 16 January.
- President slams Congress for poor performance. 1994. *Manila Times*, 15 January.
- Riggs, Fred. 1988. The survival of presidentialism in America: Para-constitutional practices. *International Political Science Review* 9:247-78.
- Romani, John H. 1956. *The Philippine presidency*. Manila: Institute of Public Administration, University of the Philippines.
- Senate: Yes to urgent bills, no to unicameral. 1994. *Philippine Daily Inquirer*, 24 January.
- Senators ask Supreme Court to stop budget veto. 1994. *Manila Times*, 15 January.
- Senators gird for battle with palace, house. 1994. *Manila Times*, 15 January.
- Senators say unicameral bid a ploy . . . 1994. *Philippine Daily Inquirer*, 15 January.
- Shahani speaks. 1994. *Philippines Free Press*, 29 January.
- Shugart, Matthew S. and John M. Carey. 1993. *Presidents and assemblies: Constitutional design and electoral dynamics*. New York: Cambridge University Press.
- Unicameral campaign gains. 1994. *Manila Chronicle*, 20 January.
- Unicameral drive: 50,000 pesos per solon. 1994. *Today*, 22 January.
- Unicameral fight . . . 1994. *Today*, 16 January.
- Unicameralism: What the House fuss is all about. 1994. *Manila Times*, 24-25 January.
- Valenzuela, Samuel. 1992. The notion of democratic consolidation. In *Issues in democratic consolidation: The new South American democracies in comparative perspective*, ed. S. Mainwaring, G. O'Donnell and S. Valenzuela. Notre Dame: University of Notre Dame Press.
- Who leads the House? 1994. *Philippines Free Press*, 22 January.
- Wurfel, David. 1988. *Filipino politics: Development and decay*. Ithaca, New York: Cornell University Press.