

Political Clans Remain Dominant: Prospects of Modernizing Democracy

PANEL 35: MODERNIZING DEMOCRACY:

The Philippine Experience

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Will poll automation really modernize democracy?



Election modernization project (1992-2010)

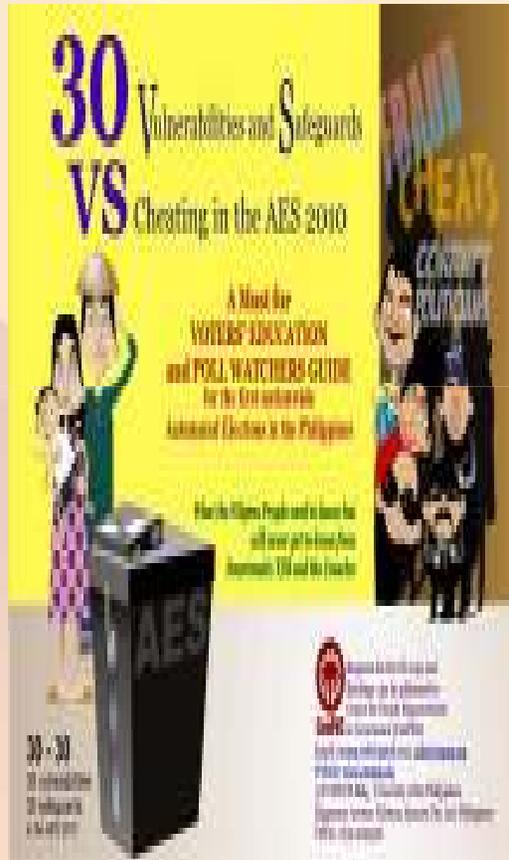
- Goals: Less human intervention, reduce/stop fraud, speed up the election process
- *“Automating our elections is a signal that we are taking steps towards really modernizing our democracy. After 111 years of independence from colonial rule, we have yet to free our nation from the shackles of electoral fraud and cheating.”* (Sen. Richard Gordon, “father of election modernization,” 2009)

Search for appropriate technology:

- OPERATION MODEX (Modernization & Excellence, 1992-1998)
- Outsourcing technology
- Pilot tests: ARMM elections 2008
- Finally, May 10, 2010: first synchronized national & local elections using AES with 17,000 elective national and local positions, 85,000 candidates; each ballot lists 300+ candidates 30 of whom were voted upon by each voter; 51M registered voters



30 vulnerabilities of the AES*



- Non-compliance with major provisions of the election modernization law (e.g., technology should be compliant with or appropriate for the country's actual conditions)
- Lack of transparency, security and accuracy features (no source code review, digital signature)
- Flawed mock elections and field tests,
- Inadequate infrastructure support (e.g., telecommunications, power & road system)
- Weak IT capability of election management, disregard for best practices in ICT, an unwritten policy of exclusiveness

These made the automated system (provided by Smartmatic) vulnerable to tampering, fraud, and other problems.

* Automated Election System



What happened in May 2010?



Antipolo: 60 PCOS machines exposed



Disfranchised woman voter in Nasugbu, Batangas



How election modernization fared in 2010

- High incidence of technical glitches;
- Erroneous Certificates of Canvassing (CoCs) in 56 of 80 provinces;
- Disfranchisement of up to 2-3 million voters; a 99.6% accuracy in the random manual audit (the law requires 99.995%) exponentially disfranchising 4-7 million voters.;
- In the 2010 polls, the proclamation of the presidential winner took 30 days vs 19 days in 1998 (a manual election);
- More election protests (at least 100 cases at the national level in 2010) compared with previous manual elections;
- Comelec revised its claim of “resounding success” to “qualified success”.



Impact of technology on election fraud



Vote buying in
Catbalogan, Leyte

- Automation did little to minimize vote buying, cheating, violence, and human rights violations in both the 2008 ARMM and 2010 synchronized automated elections ;
- Cases in 2010: Pervasive vote buying, casting of multiple votes and phantom votes, relatives of local officials serving as BEIs, technology confusion among voters, climate of fear at voting centers leading to **failure of election** (People's International Observers Mission (PIOM), Kontra Daya, Asian Network for Free Elections (Anfrel), Namfrel, the Social Weather Stations (SWS) in post-election surveys, the paralegal group Lente, Healing Democracy, CARE-Mindanao
- *“At the national level, our assessment is of a mixed success. Automation showed no substantial advantage. On the local level, our assessment is profound unease...Automated election...is the least transparent kind of elections...”* Rep. Teddy “Boy” Locsin, former chair of the House Committee on Suffrage and Electoral Reform in June 2010



ITs, election watchdogs call for assessment

Never again to system failure

Take heed, Comelec



Filipino ITs, Oct. 2010



Poll watchers picket Comelec
March 2011



Real winners in AES 2010: Political dynasties



Presidency



House of Representatives

- Increase & expansion in the number of political dynasties holding elective positions at all local levels
- House of Representatives: From 64% dominance by political families, to 68% (or 115 families) after May 2010. Higher in the Senate: 80% of the current 23 members.



Horizontal & vertical expansion of dynasties

- Members of the lower House expand by having their kin elected as district representatives in other provinces (e.g., the Macapagal-Arroyos) while those in local government units (LGUs) such as governors and mayors have blood relatives as vice-mayors & councilors (e.g., the Ampatuans of Maguindanao and Singsons of Ilocos);
- Party-list system: Entry of traditional politics with 52 or 91% of the 56 seats held by millionaires and multi-millionaires; 10 nominees come from political clans.



The system of political dynasties today

- There are 178 dominant political dynasties today (excluding those in local areas); 100 or 56% are old elites and 78 or 44% are new elites emerging from Edsa 1 (1986) and the 1987 post-Marcos elections.
- Single family monopoly in 6 provinces: Ynares (Rizal), Ortega (La Union), Dimaporo (Lanao del Norte), Villafuerte (Camarines Sur), Petilla (Leyte), and Plaza (Agusan del Sur).
- Same period: 19 families exclusively controlled elections in their congressional districts. In 2010, 17 provinces had political families with governors and representatives; eight of these had the same family as governor and lone congressional district



Feudal politics despite election modernization

- Resiliency of feudal politics in the Philippines in this age of computers & social media, with the country described as the text capital of Asia.
- Elections traditionally characterized by fraud, vote buying, and violence confer legitimacy to the power wielded by the political families.
- In feudal politics, dynastic candidates are 22% more likely to “win” over non-traditional candidates. The political system perpetuates the dynasty system: Non-dynastic individuals who access office are four times more likely to create a political dynasty of their own.
- Material base of dominance: A social structure where a tiny elite of families maintains economic hegemony with the key power institutions held by political dynasties for 2-4 generations.



Top 10 High-Profile Clans in Phil. Politics

- **AQUINOS** (1898-present)
- **COJUANGCOS** (1907-present)
- **MARCOSES** (1925-1986; 1992-present)
- **MACAPAGAL-ARROYOS** (1949-present)
- **BINAYS** (1986-present)
- **EJERCITO-ESTRADAS** (1969-present)
- **REVILLAS** (1992-present)
- **CAYETANOS** (1978-present)
- **SINGSONS** (1823-present)
- **AMPATUANS** (1960s-present)



‘Modernizing democracy’: Philippine experience

- “Fallacy of electoralism” applies here – equating election with democracy or seeing elections as a sufficient condition for democracy;
- Lack of a functioning political party system: weakly institutionalized, personalistic, and unstable political parties driven mainly by clientelistic rather than programmatic concerns (Rivera);
- Poor electoral governance (Comelec) & weak legislative oversight;
- Clan politics: fraud machineries, warlordism, private armed groups



- There is a monopoly of political and economic power in the Philippines; democracy is procedural and is challenged further by the economic monopoly of the elite; hence, no democracy consolidation (Asian Democracy Index, 2012)



Revisiting 'modern democracy'

- 'Modernizing democracy' arises in coherence with economic, political, and cultural change; it comes about with the decline of old social cleavages, the rise of new politics and people participation in governance, with check & balance, rule of law, a new quality of life
- Election for an accountable government
- Technology: Not just for end-use but for people empowerment



Conclusion

- Fallacy: Modern technology will modernize the election and modernize democracy in the Philippines;
- No technology that is 100% perfect and fraud-free has been designed and all election technologies available in the world market have generated questions and skepticisms;
- Technology can computerize election fraud. Who controls the technology controls the vote?
- The unwarranted outsourcing of election technology may undermine a sovereign election especially if driven by profit under a 'privatization' scheme.



Till the next election in 2013!



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