

An Assessment of the 1986 Special Presidential Elections: A Summary of Findings

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The 1986 snap elections results has been surrounded by controversies and conflicting claims. Based on the criteria of free, fair, orderly and honest elections, the study on which the article is based documents the events that characterized the various phases of the electoral exercise. A thorough investigation of these documents and evidences has shown that the incumbent President and Vice-President truly won in the past snap elections.

Conflicting claims to victory compounded by the apparent helplessness of the Commission on Elections to resolve the controversy have marred the official results of the historic 1986 special presidential and vice-presidential elections. In recognition of the need for a full documentary evidence to show as a matter of historical record who won the snap elections, this paper aims to contribute towards the resolution of the issue on the term of office of the incumbent President and Vice-President. The study on which this paper is based seeks to provide a detailed documentation of events that characterized the various phases of the electoral process and a precinct-level analysis of the unofficial Commission on Elections (Comelec) and National Citizens Movement for Free Elections (Namfrel) electoral quick counts as compared to the official Batasang Pambansa count. Taking the electoral results as a focal point of inquiry, the report essentially contains an assessment of the electoral process using the criteria of free, fair, orderly and honest election and its impact on the credibility of available counts.

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The 1986 Election Study Project is the second of a series of continuing elections study program launched by the University of the Philippines - College of Public Administration (UP-CPA). Initially, the 1984 elections project was conceived within the research agenda of an umbrella organization for public administration in the Asia-Pacific region known as the Eastern Regional Organization for Public Administration (EROPA). The UP-CPA took primary responsibility for an in-depth Philippine country study focusing on the 1984 Batasang Pambansa, and now the 1986 special presidential elections as part of a comparative study of electoral systems participated in by 12 other countries in the Asia-Pacific region and another country in Latin America.

Historical Context of the 1986 Snap Elections

The conduct of the 1986 snap presidential elections and its results do not exist in a vacuum. They become intelligible in the context of the present socio-economic, political and moral crises. The dynamics of the electoral process and the results it had engendered are historically specific to contemporary Philippine society. After the Aquino assassination in 1983, the economic, political, and moral malaise that have afflicted the Filipino nation for quite sometime became explicit.

The Socio-Economic Context

There is no more eloquent evidence of the close interplay between politics and economics than the debt crisis that was unfolded after the Aquino assassination. The vigorous demand for President Marcos' resignation had adversely affected the country's international credit standing. Rocked by instability, waning credibility and confidence on the political leadership, capital flight accelerated. Likewise, the debt trap became a tragic reality. For the first time, the top leadership called a moratorium of payment for the country's staggering \$26 billion debt from 483 creditor banks. Subsequent unemployment and peso devaluation from 1983 to 1984 exacted heavy tolls on the ordinary people. The economy rapidly declined up to 1986 with the failure of the economic recovery program of the Marcos regime. With the loss of their jobs and the steady erosion of the small purchasing power left, people from all walks of life were driven to join mass actions and demonstrations to denounce the US-Marcos dictatorship and to press for holding presidential elections in the Philippines.

The Political Context

The Aquino assassination served as an eye-opener to a great majority of the Filipino people. The communist and secessionist movements only escalated, instead of abated, during the pre-martial law period. Opposition political parties, cause-oriented groups, and the various sectors of the society led by the middle class which found itself allied with the studentry, labor, the urban poor, the religious, the business sector, and other progressive groups openly articulated their views against the US-Marcos dictatorship in the so-called parliament of the streets as they came to realize that Marcos' authoritarianism did not bring about its promised economic advantages. Their anti-Marcos stance was largely responsible for the cultivation of their anti-American sentiment with the people's realization of the US-Marcos partnership in deciding the destiny of the Filipinos. This process of staging mass actions had sown the seeds for a new type of politics, one that departs from the traditional type based on personalities and parochial considerations rather than platforms, issues, and programs of government.

The people's political re-awakening spawned forceful demands for basic changes in the economic and political structures starting with the top leadership, i.e., the election of a new president. Since 1983, the opposition had constantly harped on the issue of presidential succession as the hegemony of the Marcos administration had been seriously threatened. The core of the New Society Movement was not only doubted but challenged with growing political determination which became largely evident in 1985. Issues like accountability of public officials to the people, morality in politics and government service, and the need for checks and balances have been forcefully raised in a massive open display of dissent against the regime. These political developments definitely tarnished the international image of Marcos' 20-year rule.

The International Context

The US government and international lending institutions dominated by the IMF-World Bank consortium were naturally alarmed by the increasing dissent directed against President Marcos along with the growing anti-American or anti-imperialist sentiment among the populace.

For all its heightened economic, military, and socio-cultural ties with the Marcos dictatorship, the US was seen as a close ally of the regime to maintain itself in power. Whenever the country would be rocked with serious political instability and growing internal dissension from all sectors, the US would be alarmed because of its economic, political and military stakes. With increasing pressures at home and rising fears that its major concern in the Philippines may be in danger, the Reagan administration had to take measures to steer the nation back to political stability. It is from this standpoint that the Americans derive their interest in Philippine elections, particularly the 1986 snap presidential elections.

Faced with an intensified communist insurgency problem and growing anti-imperialist sentiment among the people, the Americans were already convinced that the legitimacy of the Marcos regime was definitely eroding in 1985. The US way of inducing power-sharing between the ruling Kilusang Bagong Lipunan (KBL) and the moderate opposition led by the United Democratic Opposition (Unido) was to emphasize free, fair and honest elections. Subtly, American leaders began meeting with Filipino opposition leaders including would-be presidential standard-bearer Corazon C. Aquino. In this concrete instance, elections was regarded by the US and the International Monetary Fund-World Bank as a democratic alternative to transfer power from Marcos' hand to another with least bloodshed.

Pressured by the US to immediately call for elections for President and Vice-President, Marcos saw the need for credible parliamentary elec-

tions to assure himself of continued American support. This was crucial at a time when the lifeblood of the Philippines was highly dependent on foreign loans. On November 4, 1985, Marcos personally appeared before American television to formally announce the holding of snap presidential elections by 1986.

From Marcos' personal and political standpoint, the special presidential elections could provide him another opportunity with which to perpetuate himself in power. As in past "demonstration" elections he had called, the 1986 snap elections was intended to assure not only the increasingly restive home population but more importantly the international community that the Marcos regime still enjoyed popular support. By clothing his regime with a facade of consensus, Marcos hoped to finally resolve the crisis of legitimacy which had haunted his twenty-year rule over the last few years.

Legal and Institutional Framework of the Snap Elections

The Constitutionality of the Snap Election Law

President Marcos' formal announcement of the holding of presidential elections by 1986 and his subsequent letter of resignation to the Batasang Pambansa which would take effect only upon the proclamation and qualification of the duly elected President paved the way for the passage of *Batas Pambansa (B.P.) Blg. 883*, otherwise known as the Snap Election Law, on December 2, 1985. Thereafter, B.P. Blg. 884 creating the Presidential Electoral Tribunal was passed by the Batasan to serve as the sole judge of all contests relating to the election, returns, and qualification of the President.

B.P. 883 or the Snap Election Law became the subject of controversy even before the official campaign period commenced, since it was held to be a clear violation of the provision of the 1973 Constitution pertaining to the election of the President in case a vacancy exists in such office. Article VII, Section 9 of the 1973 Constitution provided that only in case of permanent disability, death, removal from office, or resignation of the President may special presidential elections be called prior to 1987 when no Vice-President shall have been elected yet. President Marcos' resignation, effective only after the holding of the snap elections under B.P. 883 and the proclamation and qualification of the President-elect, did not create the actual and permanent vacancy in the Office of the President stipulated under the aforementioned provision of the charter. It was on this basis that eleven petitions for the nullification of B.P. 883 were filed with the Supreme Court.

On December 19, 1985 the Supreme Court, by a vote of 7-5, denied all petitions to declare B.P. 883 unconstitutional and to nullify the holding of the snap presidential elections. It ruled that recent developments such as the participation of both the ruling KBL and the opposition united under the Unido banner, as well as the clamor of the people to formally announce the holding of a snap presidential and vice-presidential elections, have transformed the issue into a political one which is beyond the power of the judicial branch to decide. Hence, there was no more judicial obstacle to the holding of the special presidential elections in 1986.

The 1986 Omnibus Election Code

Prior to the passage of B.P. 883, the Batasang Pambansa enacted B.P. Blg. 881 in anticipation of the holding of special presidential elections. Otherwise known as the 1986 Omnibus Election Code of the Philippines, the Code would "govern all elections of public officers and to the extent appropriate, all referenda and plebiscites."

The 1986 Omnibus Election Code contained several new provisions, not otherwise contained in the 1978 Election Code. They were intended to correct the loopholes of the old Code. This was apparently, Marcos and the KBL's own way of legitimizing the conduct of the 1986 snap elections on the one hand, and giving in to some of the electoral reforms demanded by the opposition, cause-oriented groups, and the United States on the other. The US had consistently pressured the regime to hold free and honest elections for its continued economic and military assistance.

A comparison of the 1978 and 1986 election codes would therefore show that the latter has relatively more effective electoral safeguards than the former. At its face value, legal safeguards designed to promote free, fair, orderly and honest elections are not lacking except that loopholes have likewise been spotted. The numerous cases of fraud, terrorism, and other election anomalies committed by the ruling KBL during the various phases of the electoral process, as documented in this study could have stemmed from Marcos pre-election statement, "the idea of losing never entered my mind." Setting the tone of the electoral contest by himself, such a statement served as a license for his followers to set the machinery of manipulation in full gear to ensure Marcos electoral victory. As if sanctioned by the top leadership, KBL partisans could not care less to violate the formal and legal provisions found in the Omnibus Code. This is evidenced by the variety, extent and nature of the electoral fraud, anomalies and irregularities documented in this study, which were largely committed by the ruling party.

The Administration of Elections

Various institutions of government were mandated by law to enforce and administer all laws relative to the conduct of the 1986 snap elections. These included: (1) Commission on Elections (Comelec); (2) Board of Election Inspectors/Board of Canvassers; and (3) Batasang Pambansa.

The Comelec, as the constitutional body mandated by law to ensure the holding of free, fair, honest and orderly elections, is composed of nine members. The independence and impartiality of the central electoral agency, is however, impaired by the following: (1) exclusive power of the President to appoint all members of the Comelec without legislative confirmation; (2) advantage of the ruling party to initiate impeachment proceedings against Comelec members due to numerical superiority in the Batasan; and (3) diminution of the power of the Comelec with respect to the authority to mobilize the law enforcement agencies.

The Board of Election Inspectors (BEI) which conducts the voting and counting of votes in their respective polling places and the Board of Canvassers which canvasses the votes based on election returns, have representatives from both the ruling and dominant opposition parties in their respective compositions. Mere representation of the opposition parties in these two boards however, cannot guarantee free, fair, and honest elections since they are still subject to supervision and control of the Marcos-controlled Comelec whose integrity and credibility had been severely diminished since the declaration of martial law.

The Batasang Pambansa officially proclaims the duly elected President and Vice-President after canvassing the votes based on the electoral returns duly certified by the Board of Canvassers in each province or city. The numerical superiority of the ruling KBL in the Batasan, however, makes certain the victory of its very own candidates for President and Vice-President. Furthermore, given the composition of the Presidential Electoral Tribunal, headed by Marcos' classmate Chief Justice Ramon C. Aquino with Marcos' loyal allies Assemblymen Leonardo Perez and Arturo Pacificador, among its members, it would be quite impossible for the opposition to win any election contest elevated before this tribunal. The fact alone that Marcos never entertained the idea of losing in the snap elections would clearly show that there was neither desire nor intention on his part to give in, or perhaps even submit to a free, open and fair electoral contest. Marcos' effective control of all government institutions involved in the elections were mobilized notwithstanding existing prohibitions if only to ensure his political survival.

Summary Assessment of the Electoral Process

The question of free, fair, orderly and honest elections is inextricably intertwined and directly related to the question of legitimacy. These criteria are operationalized to arrive at a set of indicators pertinent to each particular evaluatory concept adopted in this appraisal of the electoral process.

How FREE Were the Elections?

The free expression of consent strikes at the very foundation of the right of suffrage. To vitiate the freedom of choice through intimidation, violence and harassment in effect amounts to a distortion much worse fabrication of consent.

Intimidation and violence ranges from the subtle to the brazen. These include politically-motivated and election related incidents such as intimidation, harassment, conspicuous presence of military men and goons deployed by local warlords, grave threats, mauling, gun-toting, physical injuries, ballot box snatching, arson, abduction, murder attempts, and assassination. Although these forms of negative inducements were usually committed in certain localities, their repercussions extend beyond these places to create a general atmosphere of fear.

Intimidation and violence were recorded on a nationwide scale throughout the election period. In most cases, national and local officials, military men, recognized hired goons, unidentified armed men and KBL partisans were identified as perpetrators. In a few cases, opposition partisans, NPA and MNLF dissidents were responsible for these acts. On the other hand, the victims were usually Namfrel volunteers, opposition watchers and the general public as there were a few KBL leaders and supporters who also suffered from harassments and violent incidents.

Certain trends are discerned from an examination and analysis of the various reports on intimidation and violence. There is a high degree of positive correlations between the incidents of violence and terrorism on one hand and the commission of manifold forms of frauds and anomalies on the other, particularly in various areas where the opposition gained some headway. Conversely, there were minimal reports of violence, largely intimidation in areas considered as KBL strongholds but the prevalence of anomalies in these areas would suggest the willingness of local leaders to commit them without the use of force.

The high degree of violence and the brazenness of terrorism in Tarlac, an indisputed Aquino bailiwick in the predominantly opposition inclined Central Luzon, is an extreme case. This may be explained by the intense rivalry within the Cojuangco clan and the resolute determination of Eduardo Cojuangco to assert his political supremacy in the province, and at the same time to prove that Aquino could not even win in her own province. Likewise, violence and intimidation was massive and widespread in the Bicol region, making it one of the most critical hotspots in Luzon. Furthermore, it can be noted that the incidence of ballot box snatching was most prevalent in Region V of all the regions in the country. Despite these, Aquino registered the highest margin over Marcos in the Bicol area. The case of Region V illustrates the limitation on the use of force and manipulation of results by any ruling party given an overwhelming popular sentiment for change.

Another permutation of the pattern that may be deduced from the reports was the low incidence of coercive means or threats/infliction of physical force in areas considered as KBL bailiwicks. For instance, in the entire Ilocos region, there was no report of violent incidents but only cases of intimidation and harassments victimizing Namfrel volunteers and opposition leaders to prevent the former from their organizational work and discharge of pollwatching function. Another region falling squarely under this pattern was the Eastern Visayas, where the elections may be considered relatively peaceful compared to the other regions of the country. The experience in the Ilocos Region and Eastern Visayas attests to the balance of force and consent. Where consent is freely given, force becomes unnecessary.

On the whole, intimidation was a nationwide phenomenon, a situation hardly conducive to the free exercise of the right of suffrage. More than anything else, it is the people's readiness for meaningful political participation and the level of political awareness that made them see the elections as a significant opening to effect political change despite the real or imagined risks on their lives and limbs.

The use of positive inducement which influences the voters' supposedly free choice as manifested in vote-buying is thus classified under this criterion.

Vote-buying was one of the most conspicuous electoral anomalies reported throughout the thirteen regions of the country. In magnitude, the amount of expenditures allocated for electoral bribery in the 1986 elections was unprecedented. The widespread scheme of vote-buying was systematized through the *Kabo* system wherein a person was assigned to monitor and deliver the votes of ten families to the KBL. The use of carbon papers or glossy KBL calendars and the payment of the amount on

an installment basis until some kind of proofs had been submitted were safeguards to insure KBL votes. Reports of negative vote-buying activities, whereby opposition-inclined voters were given money and told simply not to vote, were also rampant. In both cases, the buying rates ranged from as low as ₱5 to as high as ₱200 depending on the locality and stature of voter being bribed.

How FAIR Were the Elections?

The criterion of fairness refers to the equality of access to the mass media, resources, and even political machinery of all participating parties/candidates. A fair electoral contest means that candidates are afforded equal opportunities to reach out to the electorate. Undeniably, the incumbent enjoys certain built-in advantages in terms of machinery and resources under its control. Thus, the task of ensuring fair play lies in the poll body to enforce the provisions of the election code regulating campaign activities.

The lopsidedness in terms of campaign coverage by both the broadcast and print media in favor of the KBL candidates had been sufficiently documented in this report. The fact that majority of media facilities throughout the thirteen regions of the country are owned and controlled by acknowledged KBL partisans may be considered as an impediment to fair coverage of the campaign. Quantitative measures of space allocations and broadcast time afforded to candidates prove this point. In addition to space allocations, the general slant in reporting and treatment of news on the campaign of the candidates indicate the bias of crony papers in favor of the KBL candidates. The alternative press, however, had to a certain extent compensated for the opposition's limited coverage in the establishment papers.

The Marcos administration exploited its advantage on account of its incumbency to the hilt. Government personnel of both national and local offices were mobilized on a massive scale for electioneering activities, in an open show of partisanship. To assure compliance with "instructions" for civil servants to perform partisan election-related functions, the KBL leadership employed both veiled threats of dismissal or demotion; and incentives such as salary increases, bigger bonuses and removal of 300-day limitation on leave credits. Government offices were also reported to have been ordered to take a "census" of their personnel whereby the latter are required to state their addresses and voting precincts. Likewise, government employees were asked not only to vote but even deliver some votes for the KBL ticket.

The use of government funds for campaign purposes may be deduced from the big amount of money borrowed from the Central Bank. Net

government borrowings jumped from ₱14.206 billion in December to only ₱10.363 billion a week earlier. Such an unexplained increase coincided with the KBL national convention on December 11, 1985. In addition to this, the Commission on Audit disclosed ₱3.2 million unliquidated cash advances. A significant portion of these funds was believed to have been used to campaign for the KBL.

Aside from mobilization of civil servants and use of government funds, government programs were utilized as campaign materials. Public works spending was disbursed wantonly during the campaign period.

The president issued instructions, ordered disbursement of funds, decreed certain benefits and a host of other moves ostensibly to favor or appease almost every sector — teachers, veterans, landless, urban poor, farmers, fishermen, businessmen, professionals, youth, workers, among others. The political motivation behind the purported exercise of authority and prerogative of the executive was readily apparent.

The built-in structural advantages of the KBL ticket intrinsic in its incumbency clearly tilted the electoral contest in its favor to unduly prejudice the chances of the opposition ticket.

How ORDERLY Were the Elections?

Orderly elections involve matters of procedures governing the electoral process as contained in the provisions of the law. It also refers to the extent of adherence to these legally prescribed norms of electoral conduct during elections. At the same time the orderliness and disorderliness of the electoral process may indicate the adequacy or loopholes of these set procedures.

The state of confusion that obtained in a large number of provinces throughout the country on election day may be accounted for by the inability of the Comelec to perform its functions for the orderly conduct of the polls. The crowding of voting precincts due to the inadequate notification of voters on precinct transfers, missing names, missing or late arrival of voters' list, posting of only one voters' list for the whole polling place, centralized voting, arbitrary clustering of precincts all contributed to disorderly voting process and long queues. To compound the chaos in the voting centers were reports of massive last minute court inclusion orders, uneven and lopsided voters distribution in precincts. All these would not have been made possible without the knowledge, consent or collusion of Comelec officials with certain groups to be able to exploit the confusion as a smokescreen for the perpetration of fraud.

BEI members had also a very important share and role in assuring the orderliness of the electoral conduct. The inadequacy of their training for poll duties, and unfamiliarity with pertinent provisions of the election code directly bred disorderliness. For these reasons, the voting process was slowed down resulting in bottlenecks and chaos in the polling places. Late arrivals of BEI members, early closures and late opening of voting centers shortened the voting time resulting in disenfranchisement of voters. Moreover, certain standard procedures such as inspection of official ballots and ballot boxes were omitted in several voting centers. Thus, the probability of stuffed boxes and unsequential numbering of ballots cannot be discounted. It was also noted in certain polling places that only one book of registered voters was thumbmarked instead of four books required by law. Leniency of the teachers may account for instances of open balloting and unauthorized assistance to illiterates. Certain procedures in the closing of precincts, commencement of counting, appreciation and tallying of ballots were reported to have been disregarded or violated.

The disorderliness that marked the election proceedings in most of the voting centers throughout the country provided opportunities for the perpetration of fraud which are difficult to detect. In cases of utter disregard with procedures, glaring material defects bred suspicion of fraud as in the case of the 70 percent of certificates of canvass submitted to the Batasan as basis of the official count.

How HONEST Were the Elections?

The criterion of honesty in assessing elections involves adherence to the rules as a matter of ethical commitment to preserve the sanctity of the ballot and uphold the integrity of the electoral process. When there is an element of deliberateness in the commission of particular acts violative of set-rules, there are reasons to impute some dishonest motives in the perpetration of such acts. Registration padding and tampering of election returns outrightly indicate dishonesty owing to the presence of malicious intent. Bribery of BEI members also run against the essence of this evaluatory concept.

Worse than sheer vote-buying was the bribery of members of Board of Election Inspectors and opposition pollwatchers due to its corrupting influence. In Camarines Sur, members of the BEI were caught *in flagrante delicto* accepting bribes. In certain polling places in the cities of Cebu and Danao, the election inspectors were offered ₱1,000 each for their copy of the election returns. BEI members in General Santos City, South Cotabato were given envelopes containing cash.

The extent of padding the master voters' list in 1986 may be inferred from estimates of flying registrants in 1984. It was estimated that 2,250,600 entries in the master list of voters were fraudulent. In relation to the total registered voters, the percentage of flying voters was highest in Central Mindanao (22%), Metro Manila (17%), Northern Mindanao (12%), Central Luzon (9%), Southern Mindanao (8%), Cagayan Valley region (8%), Southern Tagalog region (5%), Ilocos Region (4%) and Central Visayas (4%). The voters' lists in the Bicol region, Western Visayas and Eastern Visayas may not be considered padded as statistical computations yielded negative estimates of flying voters. However, the Comelec's failure to act on the petitions for nullification of voters' list which were found statistically improbable means that the padded lists have remained.

Padded lists per se does not outrightly result in the manipulation of the elections. Rather, it is the perpetration of other forms of anomalies to the extent allowed by fraudulent lists that significantly affect the election results.

Tampering of election returns was reported in certain places in Metro Manila particularly in Mandaluyong. In the Ilocos region, the tampered returns were confirmed by statistically improbable election results particularly in the town of San Nicolas, Ilocos Norte where 15,000 voters were recorded to have voted for Marcos as against zero vote for Aquino. "Operation zero" votes was also implemented in most barangays of the Ilocos provinces. Other areas in the Ilocos region where tampered returns had been noted were: Manabo, Abra; Pantay, Fatima and Vigan, Ilocos Sur; San Juan, La Union; and Lingayen, Pangasinan. In the Cagayan Valley region, falsified returns were reported in Isabela and Kalinga Apayao. Substitution of returns was resorted to in areas in Zambales and Tarlac of Central Luzon; Cavite in Region IV; Masbate, Camarines Norte and Catanduanes in Region V. In Cebu, certificates of canvass were prepared by KBL partisans prior to being transported to Manila. Manufactured returns were noted in particular places in Eastern Samar and Southern Leyte. Manipulation of results through tampering of returns was prevalent in eight towns of Tawi-Tawi in Region IX, two towns in Surigao del Norte of Region X, certain areas in Davao del Norte, Surigao del Sur and Davao del Sur of Region XI, and in particular places in North Cotabato, Lanao del Sur, Lanao del Norte and Maguindanao of Region XII.

Tampering complemented the disenfranchisement strategy observed in the 1986 elections. Together, these two "dirty tactics" constituted the elaborate vote addition — vote subtraction scheme well designed to maximize the incumbent's lead in KBL strongholds on one hand and minimize the opposition's lead in concededly opposition leaning areas. The intricateness

of the whole manipulation scheme could be surmised from the phenomenon of hidden disenfranchisement, which means that addition or subtraction had been supplemented by substitution of votes.

When pieced together, it can be deduced from the wide-ranging electoral anomalies documented over the whole length of the election period that the awesome KBL machinery for manipulation was at work to the point of subverting the people's sovereign will.

The overall electoral process in the thirteen regions of the country, based on the foregoing summation of the election anomalies in the light of evaluatory concepts, was intolerable based on modal analysis. In the Ilocos region, Southern Tagalog region and Northern Mindanao, the electoral process was tolerable. The process in Cagayan Valley region and Central Mindanao may be deemed abusive, while the rest exhibited intolerable process. Definitely, such assessment of the process affects the credibility of the results. (See Appendix for a discussion of the possible true counts.)

Conclusion

The overwhelming control of Marcos over the entire electoral machinery in every stage of the electoral process greatly undermined the integrity of the February 7, 1986 snap elections. Using the criteria of free, fair, orderly, and honest elections, an assessment of the electoral process in the country's 91 electoral districts showed the process to be tolerable in only 37 districts (41%), intolerable in 35 (38%) and abusive in 19 (21%). A desired process was not observed in any electoral district.

For an electoral process that was not intended to be free, fair, orderly and honest, the results was expectedly manipulated to bring about a Marcos victory. The subservience of the Comelec, Batasang Pambansa, and Presidential Electoral Tribunal to the executive assured the incumbent the legal mantle to claim victory based on manufactured election results.

The precinct-level analysis of the Comelec and Namfrel quick counts showed that Aquino is the indisputable winner leading by at least 971,037 votes to as high as 2,947,478 votes. These estimates were derived from six possible counts. (See PC-1 to PC-6 of the Appendix.) These are still based on the most conservative estimates and do not include incidents of vote-buying which were reportedly massive.

Despite the absence of estimates for the votes credited to vice-presidential candidates, the similarities in the trends, patterns, and number of

votes involved where statistical improbability in the presidential counts had been observed point to the victory of Unido vice-presidential candidate Salvador Laurel over KBL's Arturo Tolentino.

The intransigence of Marcos to respect the sovereign will expressed through the ballot led the people to stage a non-violent "people power" revolution after a certain faction of the military declared its breakaway from the Marcos regime in order to install into power the first lady president whom they believe truly received their mandate.

*Appendix***WHAT COULD HAVE BEEN THE TRUE COUNTS***

Given the conflicting results of available unofficial and official counts, it is worth presenting the findings of the study as basis for estimating the possible counts (PCs). A six-point range of estimates is constructed specifying the minimum and maximum margins the winner could claim based on certain computations as defined in the study. Since cases of vote-buying cannot be quantified, the impact of this particular anomaly is not considered in the computation. Each point represents one possible count (PC) with specified set of premises. PC-1 defines the lowest possible margin indicated by the difference between the Marcos and Aquino-votes while PC-6 defines the highest possible margin.

To arrive at these estimates, certain assumptions have to be made explicit. First, in a free, fair, orderly and honest elections, the unofficial quick counts should tally with the official one. The wide disparity among the Comelec, Namfrel and Media Poll Quick Counts, on one hand and the official BP Count is in itself indicative of the commission of electoral fraud and irregularities the proportion of which could have affected the results in a substantial or material way. Secondly, the commission, nature, extent and impact of such fraud and electoral anomalies reflect the political dynamics and realities whereby the executive who ran for his fourth reelection bid dominated Philippine politics and government including the poll body that administers the elections and the legislature that is empowered to conduct the canvass of returns and on that basis, proclaim the winner(s). Thirdly, in view of the above, the vote distribution ratio arising from the poll surveys conducted by partisan and independent groups, despite their built-in political biases are useful starting points for purposes of computation. Actually, the weakness of this measure is also its strength. The sensitivity of the vote distribution ratio to the political arrangements and the party's political strategy to capture power makes it a useful tool.

Thus in areas/regions considered as Marcos' bailiwicks, the vote distribution ratios used are 90:10, 80:20 and 70:30. This assumption is obviously conservative from the opposition's viewpoint but the overwhelming con-

*For a comprehensive discussion and thorough statistical analysis of the official and unofficial results of the 1986 special presidential elections, refer to the technical report on which this article is based. Raul P. de Guzman, Luzviminda G. Tancangco and the UP 1986 Elections Study Team, "An Assessment of the 1986 Special Presidential Elections: A Summary of Findings," College of Public Administration, University of the Philippines. 28 pp. excluding tables (mimeographed copy).

trol of the incumbent over the entire electoral machinery is a critical factor that cannot be denied. Moreover, the opposition's estimated share is much lower than the KBL's own estimates under a 52:48 ratio but consistent with the highest prediction of 90:10 in the Ilocos and Cagayan Valley regions.

On the other hand, the vote distribution ratios applied to the opposition's bailiwicks includes 60:40 ratio up to 90:10. This means that Aquino, in her own bailiwick can garner 60 percent of the votes, a chance lower than the lowest 70 percent assured for Marcos bailiwicks. However, in a relatively free, clean and honest elections, it is also possible for Aquino to get as much as 90 percent of the votes in her own bailiwicks.

Possible True Counts. Six possible counts have been estimated and labelled as PC-1 to PC-6. Each PC contains seven schedules: (1) the computed Marcos and Aquino votes derived from the precinct tallies of Comelec and Namfrel quick counts shown in Schedule A; (2) number of votes involved in precincts where Marcos and Aquino got zero, 1-10 and 11-20 votes summed up in Schedule B; (3) number of votes involved in precincts where the voters' turn-out rate reached nearly 100 percent, 100 percent and over 100 percent depicted in Schedule C; (4) number of added votes to Marcos or subtracted votes from Aquino as shown in Schedule D; (5) estimated visible disenfranchisement contained in Schedule E; (6) estimated total unaccounted vote in Schedule F; and (7) estimated extent of padding of the voters' list in Schedule G. (Refer to Table 1.)

Actually the schedules found in each PC may be divided into three depending on the sources where data are derived. Schedules A, B, C and D contain data derived from the precinct-level analysis of vote tallies submitted to Comelec and Namfrel quick counts. A clear reversal of trend is already observed even at this juncture. Marcos' 98,921 initial lead over Aquino under Schedule A had been easily eaten up after considering B, C and D. Aquino invariably leads Marcos in all the possible counts by at least 312,224 assuming a 90:10 vote distribution ratio, and the figures nearly doubled (624,448) or tripled (936,672) under 80:20 and 70:30 ratios respectively. This finding suggests three (3) meanings: (1) that the extent of fraud covered under Schedules B, C and D have already affected the results; (2) that a Marcos' victory can no longer be sustained even with only 229,578 questioned votes; (3) that Aquino could already claim at least 312,214 margin over Marcos assuming that Marcos indeed garnered 90 per cent of the total questionable votes in his own bailiwicks and the number could increase by two or three times at 80:20 and 70:30 ratios.

The second portion of each PC is Schedule E which shows the extent of visible disenfranchisement. Since those whose names were stricken out from the voters' list or where unable to vote or whose votes were not counted due to reasons cited under Schedule E are mostly inclined to vote for the opposition, the vote distribution ratio used starts from 40:60, 30:70, 20:80 and 10:90 in favor of Aquino. Moreover, these ratios are paired with the 70:30, 80:20 and 90:10 ratios used under Schedules B and C.

Different combinations of ratios are presented in PC-1 to PC-6. PC-1 assumes the highest vote-distribution ratio in favor of Marcos under Schedules B and C and the lowest vote distribution ratio in favor of Aquino under Schedule E. This most conservative combination gives Aquino 894,475 vote margin over Marcos. Thus the floor of possible vote distribution ratio is defined at 48:52 in favor of Aquino. The ceiling is set by assuming 90:10 ratio for Marcos and Aquino in their own respective bailiwicks as shown in PC-6. Apparently, a comfortable margin of 2,690,082 votes is posted by Aquino and yields 44:56 voting pattern to her favor. PC-2 to PC-5 give varying estimates of Aquino's possible lead in-between the minimum and maximum points defined in PC-1 and PC-6.

Up to this point, the estimates can still be considered conservative. The third portion of each PC compares the estimated vote count based on unofficial counts and the Batasan official count. As shown in Schedule F, the difference between these two counts suggests confirmation of earlier patterns of fraud.

Obviously, Marcos' estimated total votes based on the unofficial counts is 1.5 million less than the Batasan official count. This deficiency may be accounted for by the more than 8,000 unaccounted precincts in the Comelec and Namfrel quick counts or may indicate the magnitude of vote addition in the Batasan official count which are based on certificates of canvass of aggregated votes at the provincial and city levels. The latter gains more credence as the Batasan official count (which is supposed to have included complete tabulation of the precincts based on the aggregated votes at the provincial level) credited Aquino with 274,721 votes less than the incomplete unofficial counts. The estimated vote suppression for Aquino and possible vote addition, for Marcos under Schedule F suggests the lack of coordination between the Comelec and the KBL leaders in Batasang Pambansa in their manipulation of the figures. It may also be the case that such inconsistency is inevitable due to Aquino's big margin and that reversal could only result to gross inconsistencies. Region II substantiates this finding where Aquino is credited 139,666 votes only by the Batasan count where all the precincts are presumably accounted for. This is 3,082 lower than the 142,748 votes credited to Aquino by the Comelec count with only

Table 1. Estimate of the Results of the February 7, 1986 Special Presidential Elections

	PC-1		PC-2	
	MARCOS	AQUINO	MARCOS	AQUINO
I				
Schedule A: Computed Vote Tallies Based on 90% of Precincts Derived from COMELEC (62%) and NAMFREL (73%) Quick Count Coverage	9,452,953	9,354,032	9,452,953	9,354,032
Schedule B: Votes Involved in Precincts where Marcos and Aquino Got Zero, 1 - 10 and 11-20 Votes, Computed at 90:10 Votes Distribution Ratio in Favor of Marcos (563,948); in Favor of Aquino (81,417)	7,299 (56,395) 8,142	(7,299) 56,395 (8,142)	21,896 (170,984) 24,425	(21,896) 170,984 (24,425)
Schedule C: Votes Involved in Precincts where Discrepancies in Male-Female Breakdown Had Been Noted; Same Precincts which Registered 100%, over 100% and nearly 100% Voter's Turn-out Rate; Computed at 90:10 Vote Distribution Ratio in Favor of Marcos (1,066,089)	(106,609)	106,609	(319,827)	319,827
Schedule D: Added and Subtracted Votes/Identical Thumbprints Identical Thumbprint Added Votes Computed at Total Votes Tallied less Actual Vote Cast Subtracted Votes Computed at Total Votes Tallied less Total Votes Tallied Identical Thumbprints	(43,015) (23,559)	 56,720	(43,015) (23,559)	 56,720
ESTIMATED COUNT BASED ON QUICKCOUNTS	9,262,375	9,558,315	8,965,448	9,855,242
II				
Schedule E: Estimated Visible Disenfranchisement Computed at 40:60 Vote Distribution Ratio Favor of Aquino (2,992,678)	1,197,071	1,797,567	1,197,071	1,795,607
ESTIMATED AQUINO'S LEAD OVER MARCOS	10,459,446	11,353,922	10,162,519	11,650,849
	(48%)	894,475 (52%)	(47%)	1,488,330 (53%)
III				
BP Recorded Vote (Official Count)	10,807,197	9,291,716	10,807,197	9,291,716
Vote Count (Based on 90% of Precincts Covered in Unofficial Counts)	9,452,953	9,354,032	9,452,953	9,354,032
Schedule F: Estimated Vote Addition/Suppression	1,354,244	(62,316)	1,354,244	(62,316)
Schedule G: Estimated Extent of Padding in the Voters' List		2,250,600		2,250,600

*This estimate is based on a precinct level analysis of the total votes cast in the February 7, 1986 special presidential elections made by the 1986 UP Elections Study Team, UP College of Public Administration.

PC-3		PC-4		PC-5		PC-6	
MARCOS	AQUINO	MARCOS	AQUINO	MARCOS	AQUINO	MARCOS	AQUINO
9,452,953	9,354,032	9,452,953	9,354,032	9,452,953	9,354,032	9,452,953	9,354,032
14,597	(14,597)	21,896	(21,896)	14,597	(14,597)	7,299	(7,299)
(112,790)	112,790	(169,184)	169,184	(112,790)	112,790	(56,395)	56,395
16,283	(16,283)	24,425	24,425	16,283	(16,283)	8,142	(8,142)
(213,218)	213,218	(319,827)	319,827	(213,218)	213,218	(106,609)	106,609
(43,015)		(43,015)		(43,015)		(43,015)	
(23,559)	56,720	(23,559)	56,720	(23,559)	56,720	(23,559)	56,720
<u>9,114,810</u>	<u>9,705,880</u>	<u>8,967,248</u>	<u>9,902,292</u>	<u>9,114,810</u>	<u>9,705,880</u>	<u>9,262,375</u>	<u>9,558,315</u>
897,803	2,094,875	897,803	2,094,875	598,536	2,394,142	299,268	2,693,410
<u>10,012,613</u>	<u>11,800,755</u>	<u>9,865,051</u>	<u>11,997,167</u>	<u>9,713,346</u>	<u>12,100,022</u>	<u>9,561,643</u>	<u>12,251,725</u>
(48%)	1,788,141 (54%)	(45%)	2,132,115 (55%)	(45%)	2,386,677 (55%)	(44%)	2,690,082 (56%)
10,807,197	9,291,716	10,807,197	9,291,716	10,807,197	9,291,716	10,807,197	9,291,716
<u>9,452,953</u>	<u>9,354,032</u>	<u>9,452,953</u>	<u>9,354,032</u>	<u>9,452,953</u>	<u>9,354,032</u>	<u>9,452,953</u>	<u>9,354,032</u>
1,354,244	(62,316)	1,354,244	(62,316)	1,354,244	(62,316)	1,354,244	(62,316)
2,250,600		2,250,600		2,250,600		2,250,600	

54.70 percent precinct coverage. The statistical improbability of Marcos' recorded votes in the available counts is supported by Dr. Romeo Manlapaz' trend analysis of the Comelec, Namfrel and Batasan counts. He referred to this aptly as the "mathematics of deception."

Finally, the above findings are further corroborated by similar observations made by the computer programmers and tabulators hired by the Comelec to man its quick count at the Philippine International Convention Center (PICC). In their testimonies, they declared that they walked out after they had verified that the discrepancies in the totals found in the computer printouts and the figures posted in the tally-board constituted cheating. According to them, there was no point in time from February 7 to February 9 that Marcos led over Aquino based on the computer printouts. The tallyboard, however, projected otherwise.

The discrepancies between the printout and tallyboard figures has been the bone of contention between Col. Pedro Baraoidan, director of the National Computer Center (NCC) and in-charge of the Comelec SQC, and the computer programmers who walked out from PICC.

From the above, several observations may be deduced. First, it seems that it took more or less two hours for the figures in the printouts to be reflected in the tallyboard. This delay actually caused some wonder among the tabulators. Especially when they were ordered to print only one copy which only Col. Baraoidan or his assistant was authorized to get it straight from the printer contrary to the agreed procedure of printing two copies, one for Col. Baraoidan and one for filing. Delays and secrecy when combined could only reinforce suspicion.

Secondly, it is interesting to note that the reason given by Col. Baraoidan for the discrepancy was the inclusion of votes derived from aggregates. Aggregates refer to the telexes that contain summary results from various precincts without specifying which precincts are covered by the report. Contrary to Baraoidan's claim that aggregation had been authorized by the Comelec as early as February 8, the tabulators maintained that the original agreement to re-transmit these telexes back to its origin for the breakdowns was still the procedure being followed up to the evening of February 9. Even granting that aggregation had started after 2:17 PM, the number of aggregated precincts placed at 900 was lowered to 863 as of 4:25 PM on the same day. For the Comelec tabulators, this is logically unacceptable because the number of aggregated precincts done at an earlier posting period should at least be equal if not more than the number in the next posting period. In these two instances alone in Region I, all indications point to the vote addition strategy that gave Marcos about one hundred fifty thousand (150,000) votes.

As witnesses to these inconsistencies, the Comelec programmers and tabulators refused to be willing instruments of subverting the people's will. What made the computer programmers felt so insulted was the thought that they were being used to manipulate the results. Thus, the dramatic walkout completely eroded whatever little tinge of credibility the Comelec count could claim.

Finally on the Batasan count, the findings of the study suggest that if the Comelec count is found to be fraud-ridden, the Batasan official count is even worse. This is not without basis and empirical support. Comparing the Batasan, Comelec and Namfrel counts in Regions I, II, IX and XII — considered as the most critical regions in the sense that statistically improbable results largely come from these places — it is the Batasan that consistently credit Marcos the highest percentage of the total number of votes cast as shown below.

	Batasan	Comelec	Nanfrel
I	74.17%	72.88%	62.21%
II	85.97%	74.76%	64.03%
IX	59.68%	55.33%	47.68%
XII	65.66%	55.93%	42.83%

This point is further bolstered by Dr. Manlapaz' trend analysis of the Batasan, Comelec and Namfrel counts. Of all the 13 regions, it is in Regions I, II, IX and XII that the Batasan count credits Marcos with substantially more votes than both the projected Comelec and Namfrel counts.

As a final blow to the credibility of the Batasan count, the material defects of the returns used as basis for the canvassing of the official count were simply glaring. Opposition members of the Board of Tellers noted that seventy percent of the returns submitted to the legislative body bore anomalies such as unmatching corresponding envelope seals, incomplete signatures or thumbmarks of election officials or Unido representatives as required, erasures and alterations and use of improvised seals.

Wherefore, in view of the foregoing considerations, the study concludes that opposition standard bearers Corazon C. Aquino and Salvador H. Laurel can rightfully claim to have been duly elected President and Vice-President of the Republic of the Philippines in the February 7, 1986 special presidential elections.