

Elections and the Crisis of Legitimacy in the Philippines: A Comparative View of the Marcos and Aquino Regimes

LUZVIMINDA G. TANCANGCO AND ROGER L. MENDOZA*

During its last two years in power, the Marcos regime, in an attempt to create a semblance of democracy in the country, held the 1984 Batasang Pambansa and the 1986 Presidential "snap" elections. Both were designed to camouflage the shortcomings and the people's waning support for the regime. A combination of internal and external political, social and economic factors eventually led to the dictator's downfall during the 1986 People's Revolution. Then, the Aquino government inherited the problems from the Marcos regime - the debt burden, socio-economic and political inequity, the insurgency, to name a few. It is up to the new regime to try to rectify the failures of twenty years of dictatorship, and to restore public confidence in government. To this end, the Aquino administration held the 1987 Plebiscite to ratify the 1987 Constitution and the Congressional elections. Although standing on shaky grounds, the Aquino government still enjoys popular support which in a way legitimizes it. What is needed though is technical competence in relation to the government's performance.

Introduction

This paper seeks to analyze the nature and significance of the four political exercises that occurred from 1984 to 1987 in the context of the crisis of legitimacy that confronted the Marcos regime during its last two years and the Aquino regime during its first two years of existence.

An urgent and legitimate question to guide this inquiry is to what extent and under what conditions do elections, represent the procedural aspect of democracy, contribute to or deter the attainment of its substantive content. The complex relationship between the form and substance of democracy is not only an intriguing area of research, but more importantly, a very timely concern. To strive at an understanding of this problematic relationship between the means and the ends of democracy with the hope of deducing some guides to link them in unity, effectivity in the case of the Philippines, constitutes one of the current challenges of redemocratization we confront today.

*Assistant Professor, College of Public Administration, University of the Philippines and Project Director, UP-CPA Elections Study Project; and Assistant Project Director, UP-CPA Elections Study Project, respectively.

In a span of four years, (1984 to 1987) four major political exercises were held in the Philippines to signal the country's transition from authoritarian rule to democratic renewal. The 1984 Batasang Pambansa elections and the 1986 special or "snap" presidential elections were sponsored by the Marcos authoritarian regime at a time when it was rocked by an unprecedented crisis of legitimacy. Under the populist Aquino administration, a plebiscite was conducted for the ratification of the 1987 Constitution after which the 1987 congressional elections were held for senators and representatives of the revived bicameral legislature. Regarded as necessary steps to restore democratic institutions and processes, these were also held amidst open challenges to the legitimacy of the Aquino government.

Based on the primary assumption that the procedural as well as the substantive content and intent of representative democracy may be captured largely in the dynamism of electoral politics and administration, the study highlights the electoral exercises and its implications in the alleviation or aggravation of the crisis of legitimacy of both regimes at different periods in time as focal points of inquiry. Such a comparative view aims to shed light on the prospects and problems of redemocratization in the Philippines.

Theoretical Guidelines

For purposes of this study, the writings of Weber, Gramsci, and Locke are found to be useful in providing theoretical guidelines. Their notions of consent, legitimacy, and revolution embedded in their political theories involving the relationship between rulers and ruled are found to be instructive and appropriate analytical tools in understanding and explaining current political developments in the Philippines and in assessing the prospects of and obstacles to redemocratization in the country.

Weber's Notion of Domination and Legitimacy

At the crux of Weber's theory of bureaucratic domination is the notion of power and consent, the latter being the source of legitimation in the exercise of power. To him, domination is essentially a power relationship in which "the ruler, the person who imposes his will on others believes that he has a right to exercise power" while the ruled consider it as their duty to obey his orders.¹ In short, it is the belief on the legitimation of power that is important in order to attain relative stability in a system of domination.

Weber distinguishes between three principles of legitimation with the corresponding apparatus which he in turn uses to define three pure types of domination. One is *charismatic domination* where extraordinary qualities or deeds personally attributed to the leader serve as main justification for his domination. Faith in the person by his disciples makes the relationship an

enduring one. Secondly, *traditional domination* exists where the leader commands by virtue of an inherited state whose orders are personal and arbitrary, limited only by customs, and obeyed by his subjects out of personal loyalty or respect to the leader's traditional status. Lastly, *legal domination* is premised on the rightness of law and legal processes (elections, appointments, etc.) and the limits prescribed therein by virtue of which the leader exercises power with a bureaucracy serving as an apparatus of control.² These types of domination, however, are never to be found in pure form. Real systems of domination constitute a mixture of these.

Gramsci's Notion of Politics and State

The essence of elections as an institution for leadership selection pertains to the relationship between leaders and led according to Gramsci. In his study of politics, this relationship assumes primacy.

Gramsci defines politics as "the central human activity, the means by which the single consciousness is brought into contact with the social and natural world in all its forms."³ Politics in this definition is both the winning of power and the determination of the core of society itself. It covers the varying mode and degree of domination of the ruled and the particularities of the apparatus used by the rulers to attain both consent as well as coercion in different historical periods.

In this regard, Gramsci's notion of hegemony is never limited to force and coercion for he emphasizes the need for historical analysis of economic, political, social, and cultural forces as bases for formulating political strategy and tactics to win power and be able to determine the basic policies, priorities, and directions of the entire government and society. In this strategic sense, hegemony is said to involve the simultaneous seizure of central power and the achievement of broad social consensus through compromises of a particular nature and within certain limits.⁴ Thus, particular sectional interests are transformed into some concepts of the general interest which, in turn, are then promoted. This is the foundation of Gramsci's argument that the modern state is not simply an instrument of one dominant class which it uses for its own narrow interests.⁵

While Gramsci recognizes that in general, the essential impetus to progress may come from the economically dominant group as in the case of the capitalist states, there are also cases wherein the impetus is not directly linked to local economic development. In the second type, the economic situation is a reflection of international developments which transmit their ideological currents to the periphery -currents born on the basis of the productive developments of the more advanced states. This theoretical position suggests that international initiatives and influences must be linked

to the nature of the relations between the rulers and the ruled.

Finally, according to Gramsci, there can be no abstract approach to consensus in general; it must necessarily be historical because hegemony is differentiated according to classes and historical phases. When the hegemony of the dominant block is seriously impaired, a crisis of consensus is indicated by: 1) crisis of authority; 2) crisis of values; 3) crisis of social ends; and 4) crisis of the state in the integral sense, economic, political, and moral. To Gramsci, the historical maturity and ability of a political leadership is measured in the ultimate analysis, by its success in mustering sufficient democratic consensus to isolate in a minority position its "social enemies" and, at the same time, serve as a prerequisite for the political implementation of a new legitimacy.⁶

Locke's Social Contract Theory.

While the writings of Weber tackle the different types of domination and that of Gramsci's elaborate on the broader context of the hegemonic relation of the ruler over the ruled, Locke's writings explore the spectre of revolution arising from a crisis of legitimacy and the morality of the laws that support such an upheaval.

Locke gives primacy to the element of active consent by the ruled. Men enter into a social contract and unite to form a body politic for the sake of protecting natural rights and civil liberties. They surrender the personal power and freedom to redress wrong to the appointed ruler or the governing entity that represents the people as a whole in whose common will resides inalienable sovereignty.⁷ The power of the state, however, should not extend further than the common good requires for its sole aim, according to Locke, is the promotion of public welfare. Once a sovereign abuses his power and oversteps specified bounds, and society deteriorates into a state of war, the people are justified in rebelling against the leader.⁸

The rules of morality or moral laws govern the conduct of rebellion to bring back civil society into a state of liberty. Only then does society revert to an aggregate of voluntary associations and the state itself is looked upon as an essentially voluntary body because its authority is based once more from the consent of the governed which constitutes the very foundation of the state.⁹

Taking the cues from these political theorists, we then proceed to a discussion and analysis of the Philippine case.

The Crisis of Legitimacy under the Marcos Regime and Demonstration Elections in the Philippines (1983-86)

The assassination of former Senator Benigno S. Aquino, Jr. on August 21, 1983 marked a turning point in the two-decade rule of President Ferdinand

E. Marcos as it ignited simultaneous and interlocking crises that engulfed an entire nation under a lingering authoritarianism. A wave of public indignation and protest was unleashed over the murder and against all other excesses of the Marcos regime whose legitimacy was put to a crucial test for the very first time since Marcos assumed office in 1965 and imposed martial law in 1972. Such massive display of public protests alarmed the foreign creditors and the US more than anyone else.

The domestic and external environment, the economic situation, as well as the social conditions which existed after the gruesome murder and precipitated the crisis of legitimacy under the Marcos regime preceded the holding of the 1984 Batasang Pambansa elections and, subsequently, the unscheduled 1986 special presidential elections in the Philippines.

The Political Environment

The Aquino assassination of 1983 heightened the political awareness of the people and somewhat galvanized the political opposition which found a common ground to rally their forces against the Marcos regime. Such a political reawakening coalesced the traditional opposition political parties like the United Nationalist Democratic Organization (UNIDO) and Pilipino Democratic Party - Lakas ng Bayan (PDP-LABAN) with the so-called "nationalist" or "cause-oriented" groups coming from the various sectors of society like the students, urban poor, workers, professionals, and the religious. Even the erstwhile apolitical business sector came out openly in a common struggle against the US-backed dictatorship. Together, they continuously pressed for reforms from the government through regularly held protest marches and rallies, prayer vigils, and multi-sectoral forums.¹⁰

The dramatic display of the people's outrage was sufficient to spawn instabilities. The middle class and the business sector which led the anti-government rallies through their "confetti revolution" tackled issues of cronyism, mismanagement of the economy, human rights violations, moral decadence under the conjugal dictatorship, and leadership succession issue. One of their demands was the resignation of Marcos and the holding of free, clean, and honest elections. Meanwhile the cause-oriented groups became more visible through what they called "parliament of the streets" where issues regarding justice, freedom, democracy, and US imperialism were vigorously articulated. The ruling *Kilusang Bagong-Lipunan (KBL)*, on the other hand, was rocked by some resignations of party members which were viewed as gestures of sympathy as well as protest against the abuses of the Marcos regime and the farcical handling of the murder investigation by the *Sandiganbayan*. With the perceived weakening of the government, the Communist Party of the Philippines - New People's Army (CPP-NPA) expectedly became bolder in launching offensives. As they made their presence strongly

felt in many parts of the country, top military officials were forced to concede that "the communist insurgency is the foremost threat to the national security of the Philippines."¹¹ Since the insurgency problem is deeply rooted in the socio-economic structure of the Philippines, the growing threat from the CPP-NPA suggests the utter failure of the US-backed New Society of Marcos, which was conceived within a dictatorial framework, to promote the interest of the greater majority.

The Socio-Economic Situation

The seeds of the worst economic crisis were sown in the Philippines over a decade ago. The country had operated beyond its capacity since the late sixties, borrowing extensively to finance its staggering development programs, oil imports and investment projects, but failing to secure a more adequate return to pay for its multi-million dollar debt and to provide a margin of profit. The recession in the international scene in the late seventies triggered increased protectionism among Western economies and depressed the country's agricultural exports. Weakened export trade exacerbated the country's debt problem.¹²

Worse, the extent of plunder of the nations' wealth by Marcos, his relatives, and cronies that went beyond anyone's imagination dimmed hopes for economic recovery. With the Aquino assassination in 1983, the Philippines was immediately catapulted to the forefront of international news. Immediately following the August 1983 incident were two successive peso devaluations, heavy capital flight, withdrawal of credit facilities, shortening of loan terms, and dramatic rise to unprecedented levels of interest rates on international lendings. Simultaneously, import and exchange controls were imposed, new taxes and duties levied, and expenditures for infrastructure projects and other capital outlays scaled down by the government in response to the socio-economic crisis. Successive rounds of austerity measures had to be instituted to placate international lending institutions like the IMF and World Bank for leniency in debt negotiation and provision of standby credit facility. Prime Minister Cesar Virata admitted that the resulting socio-economic crisis not only damaged the country's international image but further threatened the very foundation of the existing political order.¹³

Government measures to cope with the crisis brought about a *domino effect* which bore heavily on the people's general well-being, particularly the poor and underprivileged sectors which, then as now, constitute the bigger percentage of the population. As more households slid below the poverty line due to massive unemployment, factory closures, production slow down, inflation, and critical shortage of commodity, labor unrest reached fever pitch. During this period, an increasing number of strikes and pickets were staged by workers and labor unions. The same may be said about the educational sector where teachers, composing the largest group of professionals, became

the most vocal in articulating various demands to the government. All these events captured the world's attention which saw a country undergoing severe crises - the economy was completely in shambles and political life was unstable.

In the meantime, the ostentatious way of life institutionalized during the Marcos regime as personified by the First Lady, Mrs. Imelda Romualdez Marcos, signified the moral decadence and insensitivity of the government to the plight of the masses. Leakage about the Marcos hidden wealth that were safely kept or invested abroad effectively undermined the government's integrity and morality.

The External Milieu

More than any other country, it was the United States which had closely watched the events that unfolded in the Philippines beginning 1983. Considering the economic, political, and military interests of the US in the Philippines, it is not surprising for the American Government to be concerned with having a government in Manila which can best serve its own interests.

Relations between the US and the Philippines had been generally harmonious since Marcos first assumed the presidency in 1965. But discordant strains occurred following the Aquino assassination as the Reagan administration began to reexamine its policies toward the Philippines. With the uncertainty over the stability of the Marcos government, the credibility of the Philippine opposition grew. Of course, there was the awareness about the relation between Philippine internal developments and the future of American military installations and transnational corporations in the country.¹⁴

The period after the August 1983 incident was crucial in charting the direction of America's relations with the Marcos government which, at that time, was largely deriving its sustenance from external or international sources. The authoritarian regime, which had been nurtured through the years by the US and advanced in the form of the "Kirkpatrick Doctrine" by the Reagan administration, was obviously in deep trouble. The external dependence of Marcos' dictatorial rule placed the US government in a position of strength to exert overt and covert pressures on him by way of setting specific conditions in return for its continued economic and military assistance. The military-economic compensation mix in the RP-US Bases Agreement was altered for FY 1984 and 1985 accompanied by demands for reforms in the military. There were also strong pressures for holding credible elections. Most observers agreed that the US was bent on using its aid as a leverage to extract economic and political reforms from the Marcos government in the face of increasing dissent directed against Marcos along with the growing anti-American sentiment among the local populace.

As in the past, the American government had pressured the Marcos government for holding "demonstration" type of elections primarily intended to assure a foreign population that the Marcos regime was still clothe with legitimacy. By 1984, the United States was seriously concerned with the credibility of the electoral process. In a letter delivered to Marcos on March 29, 1984, in time for the holding of the May 14, 1984 Batasang Pambansa elections, Reagan expressed his belief that continued movement toward a fully functioning democratic institutions appropriate to the Philippines is the key to rebuilding economic and political confidence in this country.¹⁵ Taking this as a cue, Marcos saw the need for credible parliamentary elections to assure himself of continued American support and, hence, his entrenchment to power. Obsessed by personal concerns, Marcos missed the point that, actually, such emphasis on the integrity of the electoral process was part and parcel only of a long-range political agenda drawn by the US for the Philippines in order to effect transfer of political power through peaceful means.

From the American perspective, the 1984 Batasang Pambansa elections was a significant step to gradually transfer power from Marcos' hands to another with least bloodshed. Faced with an intensified communist insurgency problem and growing anti-American sentiment among the people, the Americans had to scout for a friendly successor in a post-Marcos scenario. Subtly, American leaders began to meet with Filipino opposition leaders. The US way of inducing power-sharing between the ruling party and the moderate legal opposition was to emphasize free, fair, and honest elections. In response to increasing pressures at home and rising fears that its major concerns in the Philippines be endangered, the Reagan administration pressured the Marcos regime to ensure the credibility of the 1984 elections.

1984 Batasang Pambansa Elections

The holding of the May 14, 1984 parliamentary elections was greeted by the Filipino people and by a larger segment of the opposition to the Marcos regime as a significant political opening to voice out dissent and express their overwhelming desire for change. With the National Movement for Free Elections (NAMFREL) providing an organizational vehicle for people's vigilance at the polls complemented by a minimal organizational preparation by the participating opposition, the 1984 Batasang Pambansa elections had served the purpose of the Americans in testing the political currents, so to speak. The people showed their preference to register active, rather than passive, consent through the exercise of their right of suffrage, a major factor that made the 1984 elections meaningful even if the political exercise might not have been meant to be so. It is in this respect that the emerging new political consciousness among the masses became more discernible. Apparently, some convergence of interests between the US and the Filipino people

in ousting Marcos could eventually hasten the process. As it happened, the 1984 electoral exercise became a full-dressed rehearsal for the 1986 special presidential elections.

The 1984 electoral contest was marked by the extreme advantages of the candidates of the ruling party. Under the leadership of the First Couple, the KBL launched an "overkill strategy" to insure a numerical majority in the regular Batasang Pambansa.

With the decision of the larger segment of the legitimate opposition to participate despite the obvious built-in unfairness in election laws and institutional safeguards, the participating opposition had to virtually contend with other inequalities typical of a demonstration type of electoral contest. The resurging remnants of the old political parties that were put together to form a nucleus of the opposition's organizational machinery for the 1984 elections were pitted pitifully against no less than the entire governmental machinery from the top to the lowest barangay. This enabled Marcos and the KBL to have complete control over the mass media, public programs, services and resources utilized for organizational and campaign purposes as well as in buying political leaders and voters. Civil servants who were theoretically expected to get out of partisan politics were actively drawn into electoral campaigns to win votes for the KBL candidates. Allowing incumbent ministers or heads of government offices to run for an elective post without resigning from their present posts made the bureaucracy vulnerable as a partisan tool during the 1984 elections.

Also, despite its avowed political neutrality, the partiality of the military was inferred from the active role of many military personnel to promote and support the KBL on one hand and to harass and intimidate opposition candidates, leaders, and supporters, on the other. Precincts inside military bases were haven for enough KBL votes to compensate for losses suffered in traditional opposition bailiwicks. Several uniformed men in collaboration with local government officials and their private armies or goons were similarly responsible for employing "scare tactics" on NAMFREL volunteers.¹⁶

Local government officials in the thirteen regions of the country also went out of their way to support the KBL bets. The overcalousness of barangay officials during the registration and political campaign was observed especially throughout Metro Manila, Region III, Region IV, Region VII, and Region XII which were mostly opposition bailiwicks. Several of them figured prominently in vouching for flying registrants; also in vote-buying, ballot box snatching, and intimidation of voters and opposition leaders and supporters. These barangay officials were reported to be direct beneficiaries of a series of cash dole-outs from Malacañang, local officials, and the more prominent candidates of the KBL.¹⁷

The poor performance of the Commission on Elections (COMELEC) to regulate the mass media to guarantee equal access to all political contestants during the campaign period, the failure to check on overspending, and the use of government facilities for partisan purposes during the 1984 Batasang Pambansa elections showed the wide room for improvement. The poll body's decisions on pre-proclamation controversies and its prosecution of election offenses, borne out of denial of substantive and procedural due process, adversely affected its credibility as an independent constitutional body.

Given the KBL's overwhelming control of all government instrumentalities vis-a-vis the legalization, and even institutionalization of inequalities between the competing parties, the lopsidedness of the 1984 Batasang Pambansa elections was obvious. The competition for the 1984 parliamentary seats was, in short, grossly unfair.

Yet, despite such generally unfair rules of the games and uneven resources of all kinds possessed by the competing parties, the opposition, was still able to win one-third of the total seats in the Batasang Pambansa. With a high voter's turn-out rate reaching 89 per cent, the number of votes cast for the opposition and the independents surpassed those cast for the KBL. More specifically, only 46.6% of the total votes cast were for the KBL. Although the opposition obtained a slight majority of 53.3% or a nominal lead of 3.7 million votes, they got only a little less than 40% of the total number of Batasan seats compared with the KBL's 60% as a result of tampering and manipulation of election results.

This implies that, in fact, the people had already rejected Marcos and his KBL minions as early as 1984. However, owing to his well-oiled political machinery, full control of the legal instrumentalities of government including the COMELEC, the military, the civil service, local governments, and the judiciary, in addition to his astuteness in political strategies, Marcos was able to maintain a KBL majority in the parliament. The 1984 Batasang Pambansa elections proved the superiority of one-man rule over the supremacy of an unorganized majority. This was a lesson Marcos was bent to use to insure his perpetuity as President of the Philippines come the presidential elections. However, little did he know that the same lesson gave the people and the opposition a better understanding of the importance of organization which gave them more determination to organize and assert the supremacy of their number against a monolithic party structure and a divided military.

After the Batasang Pambansa elections in 1984, the Philippine economy continued to decline, bringing forth greater poverty, unemployment, and social inequality especially in the countryside where the communist insurgency movement had taken firm root. Worse, the mopping up operation of excess liquidity as a result of election spending meant another round of misery for

the greater majority. Compounded by an increase in the price of oil effected only a few days after the parliamentary elections, there seemed to be some truth to what the boycotters all along stood for: that the elections were being used simply as a diversionary tactic to draw away the attention of a restive population from the urgent problems confronting the country. The elections, they continued, were designed to arrest the momentum gained by the progressives in spawning revolutionary spirit among the majority. However, the Filipino people vowed not to go all the way to armed struggle to institute change. Imbued with a new level of awareness, people from all walks of life began to clamor more vigorously for substantive changes, starting with change in the political leadership, through peaceful means. Issues like public accountability, morality in politics, and the need for checks and balances were forcefully raised in a massive open display of dissent against the Marcos regime especially in the months prior to the announcement of the holding of the special or "snap" presidential elections.

1986 Special Presidential Elections

On November 4, 1985, Marcos called for a special presidential elections on February 7, 1986, as he submitted to the Batasang Pambansa his controversial letter of resignation which was to take effect only after the election of the new president. The decision, however, was largely a response to placate the Americans and his foreign creditors as growing international pressures were being exerted in exchange for continued financial assistance. American concern over its economic and military interests in the Philippines and the holding of early elections as the IMF-World Bank's precondition for the grant of additional loans and debt restructuring may be isolated as the two major international forces that led Marcos to render such a decision *force majeure*.¹⁸ At this stage, the participation of the United States in helping to bring about a unified Aquino-Laurel opposition ticket at a time when the opposition forces were highly divided, and its active role in ensuring the accreditation of NAMFREL as citizens' arm of the COMELEC and the adoption of adequate electoral safeguards in preparation for the 1986 elections tend to support the view that the snap polls were but part of the American design "to effect a smooth transition of power from a long-time trusted ally that had already lost popular support to another who are at least sympathetic to American military and economic interests in the country."¹⁹ For espousing the cause of clean and honest elections, the US was able to establish an effective rapport with the significant sectors of society like the so-called alternative press, church, professionals, business sectors, and cause-oriented groups.

From the viewpoint of Marcos, on the other hand, the snap elections was intended not only to secure the passive consent of the governed whose political consciousness began to assume distinct characteristics but to serve a

diversionary function as well, camouflaging the shortcomings of the regime and providing a tool to absorb the people's outrage over many issues against the government. In view of the foregoing, the election may have represented a political gamble for Marcos who saw in it not only the opportunity to further extend his tenure but also a means to accommodate international demands while resolving simultaneously his own crisis of legitimacy.

The overwhelming control of Marcos over the entire electoral machinery in every stage of the electoral process must have given him the courage to accept the challenge of submitting himself to an electoral contest. For the same reason, the opposition had to work harder to attain greater concessions in the interest of free, clean, and honest elections. International election observer missions were sent to help local groups like NAMFREL to promote the integrity of the electoral process. Marcos' determination to win at all cost was made more manifest as he sensed the extent of international support given to the opposition. Subsequently, the same patterns of lopsidedness in terms of organizational machinery, resources, and access to mass media typical of demonstration elections were observed even in more methodical manner and unprecedented magnitude.

As Marcos fought for political survival in what proved to be the hardest political battle he had ever waged in his entire political career without the crucial support of the US, he mobilized the government personnel of both national and local offices for partisan purposes to the consternation of some, the silent resistance of others, and the willingness of a few. To assure compliance, the KBL leadership employed veiled threats of dismissal or demotion along with positive inducements of increased salaries, benefits, and incentives. Government funds were also used to underwrite the KBL campaign as deduced from government borrowings from the Central Bank during the election period, aside from contributions by government corporations to the KBL's campaign chest and cash advances of various ministries withdrawn at the height of the campaign. Government programs from housing, agriculture, and livelihood to economic recovery and insurgency which were intended to favor or appease almost every sector of society were either emphasized or promised.²⁰

The tense balance between force and consent was observed in greater magnitude during the 1986 snap elections. The use of violence, coercion, and intimidation and the nature and mechanics employed in the commission of election anomalies showed the connivance of electoral officials, the military, and regional and local dynasties of political warlords to ensure the victory of the Marcos-Tolentino ticket. These were intended mainly to disrupt, contain, or even completely stop the electoral activities of individuals or groups who were perceived by the KBL as threats to the victory of the Marcos-Tolentino ticket. These further served to complement the commission of wide-scale

electoral fraud, especially voter disenfranchisement which became a nationwide phenomenon during the elections. Expectedly, the over one-thousand reports of intimidation and violence occurred mostly in regions, provinces, and cities known as political bailiwicks of the opposition, in the process, victimizing largely opposition leaders, supporters, and sympathizers, NAMFREL volunteers, and the voting public. A few KBL partisans also became victims of electoral violence, in addition to the fact that reports of violence and intimidation were minimal in KBL bailiwicks.²¹

The use of the 1984 registration list that provided a built-in reserved of about two-million votes for purposes of the 1986 elections attests to the well-conceived plan of manipulating election results on a wholesale basis during the canvassing stage. Padding of voters' list was likewise highest in the Ilocos, Cagayan Valley, Eastern Visayas, and Mindanao regions which were acknowledged to be Marcos' domains.

The lopsidedness of the 1986 snap elections affirms Marcos' determined efforts to win at all costs. At the same time, he had to show to the international community that he won in a credible election. Thus, the accreditation of NAMFREL was a big concession for the cause of clean and honest elections; it compensated for the serious organizational deficiency of the opposition to prevent massive cheating on election day. The unequal access to the establishment and government-run mass-media, on the other hand, was compensated by the time and space provided by the alternative press to the opposition.

On election day, the disturbing low turn-out of voters in opposition bailiwicks like Metro Manila, Southern Tagalog, Bicol, and Western Visayas as contrasted with the extremely high participation rate in KBL bailiwicks, particularly in Marcos' Solid North, i.e., the Ilocos and Cagayan Valley regions, point to an intricate vote addition-vote subtraction strategy designed to maximize Marcos' lead in his traditional strongholds and minimize losses in opposition areas. Vote-buying was also observed on a nationwide scale as evidenced by reports coming from all regions of the Philippines. The magnitude of the amount involved indicated the highstakes of Marcos in his desire to entrench himself in power.

The overwhelming control of Marcos over the entire electoral machinery in every stage of the electoral process greatly undermined the integrity of the February 1986 snap elections. For an electoral process that was not intended to be free, fair, and honest, the results were expectedly manipulated to bring about a Marcos victory. The subservience of the COMELEC, Batasang Pambansa, and Presidential Electoral Tribunal to the executive, finally assured the incumbent of the legal mantle with which to claim victory based on manufactured results.

But the overt intransigence of the dictatorship to respect the sovereign will expressed through the ballot led the Filipino people to stage a non-violent People Power Revolution from 22-25 February 1986 after a certain faction of the military declared its breakaway from the government in order to directly install Corazon C. Aquino and Salvador H. Laurel as President and Vice President, respectively. The phenomenon of people power defied the simplistic notion of demonstration elections held under a dictatorship and refused to bring the argument to its logical conclusion. In regarding the snap elections as an auspicious opportunity to topple the Marcos regime through non-violent, democratic means, the process of political change has taken off. The People Power revolution of 1986 was a clear affirmation of the time-honored democratic principle that, indeed, "sovereignty resides in the people and all government authority emanates from them."

Laying Down the Groundwork for Redemocratization under the Aquino Government (1986-1987)

The message of the 1986 People Power Revolution that culminated in the ouster of the twenty-year old Marcos dictatorship was loud and clear: substantive, not cosmetic, change through peaceful means. By her own admission, the newly installed first woman President of the Republic made it her main mission to lay down the groundwork for democratic renewal. For a sincere and non-power hungry chief executive, the role history curves for her seemed perfect at the beginning. Thus, the historic process of transition from authoritarianism to redemocratization in the Philippines under President Corazon C. Aquino instantly became a world-wide sensation.

But how does a former housewife stir a country with a plundered and deeply indebted economy, aggravated by serious threats to its territorial integrity, into the path of genuine democracy? Under what conditions can democracy in the Philippines be rebuilt and be made to flourish? In what way can the US hasten or hinder the process of redemocratization in the Philippines? These are the questions people raise these days.

After the euphoria of victory in the aftermath of the people power revolution, what essentially took place in February 1986 was limited to change in the political leadership. Questions of legitimacy and legality of the Aquino government along with open challenges to its capability to govern, suggest the various obstacles the present government has to hurdle in charting the direction toward democracy.

The Aquino government that ascended into power following the February revolution was, from the very beginning, a loose and unstable coalition of interests and tendencies united only by the common desire to oust the Marcos dictatorship and institute a civilian government that would once more

subscribe to democratic tenets and principles. The traditional political parties provided the organizational machinery which launched a united opposition ticket during the snap elections and an array of political leaders wherein most of the officials of the new government were drawn. The cause-oriented groups and organizations which launched Aquino's candidacy and from which she largely derived support during the snap elections similarly provided a choice of leaders for the new administration. Then, there was also the reformist faction of the military that rendered service to the Aquino government by shortening the popular struggle to get Marcos out.

It is from this unstable coalition of competing, if not conflicting, interests and tendencies where the Aquino government derives its political power base. During its first year in office, internal factionalism and dissension within the ruling coalition was deemed natural for a democracy in transition. Tension was apparent between the liberal democrats and the nationalists, on one hand and the militarists on the other, but there were much accommodation and adjustments too, as everyone wanted to present a united front behind a very popular political leadership in the aftermath of the people power revolution. On its second year, however, a fractious government in the face of a slowly waning people had to contend with more daring challenges that seriously threaten its own legitimacy. The division within the ruling coalition had destabilizing effects on the economy and the political order. After August 28, substantial sectors of the Filipino people have begun to view Aquino's ascendancy to power with mixed feelings.

This has left the United States with much room to maneuver. Being the first nation to announce its recognition of the legitimacy of the new government in an apparent move to dislodge the position previously taken by Russia, its major opponent, in congratulating the ousted President for his flawed victory in the snap elections, the United States also laid claim to the success of the people power revolution and the direct installation of the Aquino government. From this recognition granted by the United States to the new government, other members of the international community followed suit, thereby providing substantial testimonial evidence to the legality of the duly constituted government. Yet, it must not also be forgotten that Marcos remained in power for two decades with US approval and that the US assisted in plotting his ouster only because the Americans had decided that it was in their best interest to do so.²² It is from this standpoint that US intervention in the political, economic, and socio-cultural affairs of the nation ought to be acknowledged and examined.

Question on the Legality of the Aquino Government

At its inception, the revolutionary government formed by the newly installed President of the Republic of the Philippines, Mrs. Corazon C. Aquino,

lacked constitutional basis; hence, it was illegal, so goes the argument of a handful "Marcos loyalists." In a desperate destabilization campaign against the new government, this flawed argument was peddled to a people who generally accepted the new government as the duly constituted authority. There was no question in fact, that the revolutionary government had acquired a *de jure* status after it had won continuous public acceptance and support and recognition by practically all foreign governments. Since it is in full control and possession of power and authority and is recognized by the majority of foreign governments, then, for all intents and purposes, it is recognized as the legal government of the territory, to the exclusion of any other.²³ On this basis, the Supreme Court upheld the legality of the Aquino government whose acts became valid and binding in the succeeding months by the general acquiescence of the people and by performing acts pursuant thereto, such as direct participation in the plebiscite for the ratification of the Constitution and the congressional elections which were both held this year.

Open Challenges to the Legitimacy of the Aquino Government

Be that as it may, the *de jure* status of the Aquino government and its subsequent acts that included the adoption of the provisional constitution, reorganization of government, appointment of a Constitutional Commission to draft a new constitution for ratification by the people, and the holding of elections for members of the bicameral Congress failed to set at rest any doubts as to its legitimacy. Open challenges were staged one after the other. At first, the intermittent threats by a handful of Marcos loyalists were only a pitiful site until lately, when they became magnified due to a temporary alliance with reformist members of the military. This occurred as the new government failed to appreciate the problems of a highly politicized military vis-a-vis the tasks of solving the problems of insurgency and the Muslim secessionist movement.

The Politicization of the Military. The contemporary Philippine military can be aptly described as a political partner, if not chief protagonist, of government. Since the imposition of martial law in 1972, the military has acquired a wider sphere of responsibility, one which transcends "normal military responsibility," i.e., the promotion of external defense, internal security, and law and order. Under the Marcos regime, the military underwent role expansion that it soon found itself not only keeping order and maintaining internal security but also managing military-related industries, public corporations, and even diplomatic posts, dispensing justice as well as political patronage, and serving as an active participant in the electoral process. Role expansion, however, was neither initiated nor developed by the military but instead by the civilian political authority which governed through dictatorship.²⁴

The problem of civilian control under the present Aquino administration stems largely from the high level or degree of politicization of the military, a situation inherited from the previous regime which used it to its own advantage (until it was toppled by a reformist faction), but which now seemingly runs counter to the notion of civilian supremacy under a liberal democracy in transition. Complicating the situation further was the partnership of military and civilian leaders in the EDSA revolution of 1986, an uneasy alliance whose only binding force was the desire to terminate the Marcos regime. It is from this standpoint that the military derives its power and influence within the ruling coalition.

The failure to flesh out a political credo - not even an agenda of the future - was evident from the time the coalition government was established. The first few weeks of Aquino's rule were marked by sharp, though muted, conflicts with the military over the release of top Leftist political prisoners in fulfillment of a campaign promise. When the administration and the reformist faction of the military led by then Defense Minister Juan Ponce Enrile appeared headed for a collision course, the President responded by forming a Presidential Commission on Human Rights whose members vowed to investigate and prosecute all "official terrorists" of the previous regime all the way to the top of the military hierarchy. Against Enrile's and the military's preference for a mailed-fist approach toward the insurgency problem, Aquino unveiled a counterinsurgency program which opted for reconciliation and reformist cooptation. Lastly, the bias against the military was also obvious within the Cabinet and "inner circle" of the President, most of whom were victims of military harassment and oppression in the previous regime and whom the military accused of leaning towards the Left.²⁵

The strains and stresses of political adjustments and accommodations between the civilian government and the military soon split the military with the reformist faction loyal to Enrile, who was ousted from the Cabinet, supporting a *coup d'etat* and the pro-Aquino faction opposing it. In a span of a little over one year, no less than seven coup attempts were staged by the reformist faction to overthrow the Aquino government, bringing forth destabilizing effects on a highly fragile democracy. From the Manila Hotel fiasco to the siege at Channel 7, from Operation God Save the Queen to Oplan Inang Bayan with its Luisita I and II components, and from the November *coup* and Fort Bonifacio mutiny to the most recent and bloodiest Colonel's Recipe of August 28, the military has constantly posed an inevitable challenge to the legitimacy of the Aquino government. What seems more alarming is the universal recognition that the grievances aired by the military in the latest *coup* attempt are legitimate ones. This is compounded by the waning visibility of people power as indicated by the passiveness of the general public during the last *coup* attempt. Whether or not its demands are legitimate, the fact remains that the military holds guns and, therefore, raw power. In the event

that the present crisis of legitimacy surrounding the Aquino government remains unsolved and the people do not actively assert their numerical supremacy to prevent a military take-over, resurgent democracy may be prematurely aborted.

Insurgency Problem. The series of *coup* attempts by the reformist military faction allied with the extreme Right were paralleled by the orchestration of communist attacks against both military and civilian targets, on one hand, and the escalation of the war in the south spawned by the secessionist movement under the aegis of the Moro National Liberation Front (MNLF), on the other.

The boycott stance advocated during the 1986 snap elections by Leftist elements such as the CPP-NPA, National Democratic Front (NDF), and Nationalist Alliance and by Left-leaning cause-oriented groups like Bagong Alyansang Makabayan (BAYAN) virtually left them with no opportunity to gain a significant influence within the new administration. The alternative view, however, posits the argument that the US-backed elite populism of the Aquino movement even prior to the snap elections led the Left to realize the fact that the Aquino forces "were not only trying to oust Marcos but also trying hard to outmaneuver the Left and prevent a real revolutionary solution to the Philippine crisis."²⁶

Hence, the nobly intentioned release of top communist leaders after the installation of the Aquino government failed to win most of the ideologues back to the democratic fold. Neither did Aquino's own program of national reconciliation, forged through a 60-day ceasefire agreement with the communists following three months of negotiation, bring about a lasting solution to the two-decade insurgency problem. In the meantime, the division within the ranks of the military and the endless coup attempts has proven to be counter-productive to the objective of a pro-American military to contain and solve the communist conspiracy. Instead, all these made the insurgents bolder in carrying out its offensives against the government. What may be perceived at the moment is a virtual race between the extreme Right and the extreme Left as to which could overthrow the Aquino government and grab power soonest.

Muslim Secessionist Movement. The secessionist movement represents another front that seeks the final collapse of the present government through armed conflict.²⁷ Since the inception of the movement in the late sixties, its primary objective has been the attainment of complete independence for Muslim Mindanao. The Aquino government departed from the armed confrontation approach adopted by Marcos by forming a Mindanao peace panel and initiating a ceasefire agreement with the Muslim rebels belonging to the Misuari faction of the MNLF. The peace efforts of the government, however,

were doomed from the very start as a result of irreconcilable differences between the negotiating parties which had accused each other of bad faith. Taking advantage of the factionalism within the military, it is not surprising that the MNLF forged links and sought a "tactical alliance" with reformist soldiers five days after the August 28 *coup* took place.²⁸ The crisis buffeting the administration is thus further aggravated by a renewed secessionist war that lends support to the cause of one faction of the military and drains the capability and resources of another.

Factionalism Within the Civilian Government

The open challenges to the legitimacy of the Aquino government launched boldly by a segment of the military, the CCP-NPA, and the Muslim secessionist groups are direct reflection of the magnitude of problems that plague the civilian government. At the root of crisis of legitimacy is the failure of the civilian bureaucracy to address political and socio-economic ills that brought about these problems in the first place. It is noteworthy to be reminded that, in the final analysis, the legitimacy of the government rests not only on its legal premises but also on its sincerity and determined ability to institute substantive and structural changes which the Filipino people rightfully deserve. While it is admitted that changes cannot be done overnight and more so under a democratic framework wherein public debates and discussions can further delay speedy action, the least that people expect is a sense of assurance, in word and in deed, that the direction taken by the government is dictated by public interest.

Sad to say, the present government is unable to sustain any impression that radical changes will ever happen. From the intense factionalism and political intrigues within the Aquino government, personal ambition and vested interests well represented in the loose coalition seem to take the center stage leaving important policy considerations unattended.

The fragmentation of the Center, if the loose coalition may be called, was evident from the early days of the Aquino administration. The major political parties under the coalition – UNIDO and PDP-Laban locked themselves in bitter struggles not only over cabinet appointments but also over the apportionment of OIC positions for local governments. At the beginning, these were interpreted as a healthy sign of a resurging democracy. The conflicting stand taken by Cabinet members gave people more options. However, when the Cabinet became a fractious body, rather than a working team, confusion arose and doubts on the President's ability to govern crept in. The irreconcilable persuasions within the Cabinet generated endless debates and bickerings over major policies and programs which, more often than not, obstructed the policy-making process. As the tensions between the elite reformists and liberal democrats on the one hand, and the militarists on the other intensified, purges in the bureaucracy in the guise of reorganization,

although a clear violation of security of tenure, continued unabated while the designation of OICs of local governments, many of whom were proven corrupt or incompetent, was prolonged due to the postponement of local elections.

All these resulted to a serious breakdown of law and order and disruptions in the delivery of public goods and services. In both cases, the people became the hapless victims. Innocent civilians got killed in the crossfire while the poor and the disadvantaged waited in vain as civilian leaders, military officials, and dissident leaders got so preoccupied in positioning themselves to maintain or grab power for their own ends. For this reason, the present government has so far failed to rally into a cohesive group its traditional power bases - the civilian and military bureaucracy - with those of the other groups in society, (i.e. the urban poor, workers, business groups, etc.) who used to support the Aquino government. That, combined with the "packaging" of the President and her isolation by a *cordon sanitaire* from the realities of developing events, contributed instead to building up tensions to explosive levels.²⁹

The August 28 *coup* triggered a second major Cabinet reshuffle which saw the acceptance of the resignation of no less than the Vice-President and Secretary of Foreign Affairs with whom Aquino and her "inner circle" had consistently differed in policies and political strategies. If ever, the falling apart of the President and the Vice-President is suggestive of the gravity of the political fragmentation within the ruling coalition. While the recent Cabinet revamps may present golden opportunities for another fresh start, they should be maximized rather than be squandered again. In the end, it is incumbent upon the chief executive to prove that she can govern. This means providing the much-needed direction and vision and proving her capability to integrate the diverse demands and needs of her diverse constituencies to sustain the "people power" that was responsible for her ascendancy to the presidency. Continued popular support and proven competence are essential ingredients to increase the government's leverage in dealing with the US and the foreign creditors especially at this crucial stage of transition. Without them, pledge of support from them are reduced to mere rhetorics. These same foreign allies in the name of democracy are likewise capable of adopting an opportunistic policy in the midst of the present instabilities to gain an upperhand in the country's negotiation of the \$26 billion debt and the US military bases agreement. Preservation of US interests is still first and foremost; support to the cause of redemocratization in the Philippines only assumes secondary importance which can be sacrificed if it does not serve US interests.

The Elite Social Order

The fact that the Aquino administration has the popular support of the masses as its power base, dilutes its ruling class character. Largely composed

of different elite factions, the commitment to restore formal democracy complete with the democratic institutions and processes, i.e., Congress and elections, is consistent with their desire to maintain the country's landlord-dominated semi-feudal agrarian structure and keep the unstable economy structurally tied to the US. The President herself is linked by consanguinity and affinity to two of the most prominent landlord families in Central Luzon while the Vice-President is the chieftain of the most powerful landlord political dynasty in Southern Luzon.³⁰ The desire not to disturb the economic *status quo* is reflected in the choice of pro-elite presidential advisers and lieutenants. The congressional elections last May, further made alive and active the quasi-feudal autonomy of the political dynasties all over the country.

The conservative instincts of the Aquino regime are also manifested in its views on agrarian reform, the principal social issue confronting the government. Much of the operating details of the reform program that was signed into law by the President after the congressional elections were left for an elite-controlled Congress to decide in an apparent attempt to divert public attention from a presidency beset by a crisis of legitimacy to a popularly elected legislature whose composition and interests parallel those of the ruling coalition. The conservatism of the elite-controlled organs of the state could only fuel further discontent among various sectors of the society which have begun to realize that the significant gains made during the February 1986 revolution were mere trappings to effect a peaceful transfer of power from one faction of the Philippine elite to another that is sympathetic to the US because of shared economic interests.

The limitations of elite-dominated political structure are likewise reflected in the economic structure. This relationship becomes clearer in the succeeding discussion on the crisis of the economy.

The Crisis of the Economy

Problem of an Open-Economy and Inadequate Responses

The substance of Philippine democracy hinges largely from the nature or quality of economic relations existing in the country today. Equality of economic opportunities and a guarantee for decent living lend substance to political rights and civil liberties.

On the other hand, from the viewpoint of the western and affluent economies located at the center of the global capitalist system, support for redemocratization efforts in the peripheral economies like the Philippines and other Latin American countries, is premised on the latter's ability to generate

social conditions consistent with the requirements of an open economy. The inherent contradictions in the capitalist model of development have boldly surfaced in the complex mix of economic problems and political instability in the Philippines. -

The grossly inequitable and exploitative character of the prevailing economic relations shape the content and direction of social change. Without drastic alteration in the requirements of an open economy, which had been deeply rooted in Philippine colonial history, calls for redemocratization at this time become empty and hollow.

The crisis of the economy, therefore, is not simply due to the plunder by Marcos and his cronies though it has definitely aggravated it. Nor is it merely a conjunctural problem associated with the on-going international recession. Rather it is a structural crisis associated with the economy's neo-colonial character at a time of global recession, reduced demand for the country's traditional agricultural exports, and rising protectionism in the West against labor-intensive manufactured exports. The import-dependent and export-oriented nature of the industrial sector cannot bail the country from its indebtedness and underdevelopment. The response of the Aquino government so far has been to buy time by exposing the full extent of Marcos' pillaging of the economy, partly by converting the presidential palace into a museum of decadence, kindling some hopes in recovering ill-gotten wealth deposited in foreign countries, reorganizing the bureaucracy allegedly to rid it of rampant graft and corruption, and launching a moral crusade against extravagance and depravity.

The limits of such a strategy are expected. Economic missions sent abroad, some of which were headed by the President herself, mostly failed to secure much-needed technical and financial assistance. International lending institutions headed by the IMF-World Bank, categorically refused to grant some relief from the onerous payments for the country's \$26 billion debt, thereby effectively denying the Philippine economy of some room for growth. In August, an unexpected 20 percent increase in the price of oil was imposed by the government without public discussion or even consultation. The oil price hike triggered two successive jeepney strikes, rallies and demonstrations, and labor unrest all over the country. Such a decision and the manner of handling it was politically costly. The people came to realize not only the government's ineptitude but, more importantly, its lack of concern for the plight of an already overburdened people. Due to public clamor, the President was forced to lower the increase by 5% percent. Even then, it was not enough to regain the people's full trust in the sincerity of the Aquino government to promote public welfare. The gravity of its impact on people power was immediately felt when no one in government dared to call on people power to quash the August 28 bloodiest *coup* attempt. Even if the issue of oil price

hike was eclipsed by the *coup* attempt, the people's passive response to such a serious threat should be alarming to a regime that depends largely on popular support for its own political survival.

Cynicism toward the regime's ability to provide the people their basic material necessities pervades the atmosphere. While the President still continues to command popular support from a considerable segment of the population, it is equally true that the so-called "Cory magic" begins to unravel its true source, that of the perceived sincerity of the President which when seriously damaged can also spell her political disaster. With her sincerity, people tend to be more patient and understanding on questions of her ability and competence to govern. Once such an aura of sincerity is severely damaged, no one expects that People Power can no longer be counted upon. This point gains significance as the Aquino government seems headed for more serious challenges from her own soldiers, from the NPAs and the MNLF. If these internal challenges continue unabated counting on external support for its political survival may be an overestimation, in the end, it is still People Power that determines the fate of the present regime. This is an asset that must be preserved at all costs. For no popularly backed government can lose its legitimacy during a time of political turmoil and economic crisis. Only with expressed consent from an already awakened people that the multifarious problems attending the process of transition can be overcome.

The Ratification of the Constitution: A Prelude to the 1987 Congressional Elections

The promulgation of a provisional constitution, the appointment of a constitutional commission, and the conduct of a plebiscite for the ratification of a new constitution represented the conscious efforts of the revolutionary government to gain legitimacy as a constitutional form of government. For the Constitution is the law to which all other laws must conform and in accordance with which all private rights must be determined and all public authority administered.³¹ At the same time, the Constitution is a social concept as it embodies the values of a type of government and the system of beliefs on which such mode of government operates.

The official campaign period for the ratification of the proposed Constitution of the Philippines drafted by the appointive Constitutional Commission began on November 4, 1986 and terminated on January 31, 1987 as set by the COMELEC. Public discussion on the constitution took place through "assembly meetings" at the barangay level, multi-sectoral rallies and forums at the municipal, provincial, and regional levels, and media campaign at the national level.

The campaign for the ratification of the Constitution was led by Aquino herself, "whose main argument was that it would restrict the powers of the presidency as provided for in the Freedom Constitution."³² Members of the Constitutional Commission also established itself as a body to support the charter. The other proponents of ratification, however, virtually transformed the plebiscite into a referendum when they popularized the slogan "a vote for the Constitution is a vote for Cory." These included the political parties and cause-oriented groups belonging to the ruling coalition, the Catholic Church, and business community.

In addition to urging voters to support the Constitution, Aquino and her political leaders also used her visits to announce the release of funds for various infrastructure and social development projects. Access to the mass media was also somewhat tilted in favor of the proponents of ratification due to the government's ownership or control of some radio and television stations nationwide. Thus, while the government may have succeeded in ensuring freedom of expression during the plebiscite, the campaign was nevertheless tainted with the use of the civilian bureaucracy and public resources to gain popular adherence to the "yes" vote.³³

Opposition to the draft charter, while spirited and represented the radical Left, nationalist, cause-oriented groups, and the extreme Right, particularly the military, was largely disorganized and consequently, ineffective.³⁴ Many people while doubtful of its provisions, nevertheless approved the proposed Constitution in the end because they felt it would contribute to the political stability which the Philippines sorely needed at that time.

The plebiscite was generally conducted in an orderly and efficient manner with least violence. COMELEC's administration of the plebiscite helped it establish a large measure of credibility. The new COMELEC Commissioners were viewed as honest and independent despite the fact that they were all appointed in 1986 by Aquino. Most importantly, the goal of conducting a free and fair plebiscite was communicated throughout the nation.

NAMFREL's credibility, on the other hand, paled in comparison to that of the COMELEC during the political exercise. This is mainly attributed to the fact that many NAMFREL leaders now hold high positions in government and are in themselves political power brokers. There was even the attempt to remove NAMFREL's accreditation prior to the plebiscite on the ground of partisanship. Many people believed that the organization had lost its independent character the moment it became closely identified with the Aquino regime.

The February 2, 1987 plebiscite resulted in the overwhelming ratification of the Constitution. Over 76.0 percent of electorate had voted in favor, with

only 22 percent against. Such a margin was interpreted as a vote of confidence on the Aquino government. Even those opposed to ratification quickly conceded defeat and did not seek to question the credibility of the results.

After the plebiscite, however, considerable concern was expressed over the conviction and persuasion of the military which supported the Constitution by a mere 60 percent to 40 percent margin. The 40 percent was viewed as a significant number. The "no" vote was, in fact, even larger in certain military camps. This voting pattern affirms the restiveness of the military under the present political order.

1987 Congressional Elections

There is no gainsaying that the overwhelming ratification of the Constitution, as first step to political normalcy, was a stunning and dramatic affirmation by the preponderant majority that they preferred the restoration of democratic institutions and processes such as the bicameral legislature and open electoral contests in the country. Considering the change in the political framework within which the congressional elections prescribed by the Constitution were held, it is significant to ascertain the degree by which the elections held under the democratic space opened by the Aquino government could be different from those held under a dictatorship. Zeroing in on the integrity of the electoral process, the quality of participation of competing political parties, and the level of political maturity of the electorate, the prospects of strengthening democratic processes and institution in the country during this crucial stage of transition may be assessed.

The congressional elections was held three months after the ratification of the Constitution. Aquino issued an executive order setting the election period ninety days before election as starting date and thirty days thereafter as terminal date. The political campaign period for the senatorial election lasted for 60 days from March 9 to May 9, 1987 inclusive, while that for the congressional elections was shorter at 45 days from March 24 to May 9, 1987 inclusive.

Aquino was largely responsible for the selection of the 24 official senatorial candidates of the ruling Lakas ng Bansa (LABAN) coalition. The candidates were chosen from among the traditional political parties, cause oriented groups and organizations, and the professions to represent both the thirteen regions of the country and the various sectors of society. Aquino likewise led the campaign for the administration's senatorial slate, travelling to almost all regions of the country, beginning with Southern Tagalog, except the Ilocos region which remain a KBL bailiwick. During these regional campaigns, the President addressed large crowds which had gathered during the rallies to extend their support for her candidates. The selection of

administration candidates for the House of Representatives, on the other hand, was left for the party leaders and members to decide. Several districts, however, were virtually declared "free zones" as a result of competition among several candidates of the ruling coalition.

The campaign period also witnessed the use of the bureaucracy for partisan political purposes although in reduced magnitude as a result of the policy of restraint adopted by Aquino herself who appealed to the public to ensure the integrity of the electoral process. Many officials and employees of national and local offices were seen joining or participating actively in pro-administration rallies while government vehicles were used to transport some senatorial candidates and their supporters from one place to another. Aquino herself announced the salary hikes of government officials and employees one day before the start of the official campaign period and released medical allowances of teachers during the campaign period. Her regional campaigns were similarly used to announce the approval or implementation of several policies, programs, and projects in an apparent effort to drum up support for her senatorial and congressional tickets especially in provinces where the opposition candidates was known to have an edge over their opponents as a result of competition among several pro-administration candidates.

While the COMELEC tried hard to strictly enforce the principle of equal access to media contained in the election code, the LABAN candidates still managed to retain an edge over their opposition counterparts due to the government's control of some television and radio stations and the availability of financial resources to be used at the discretion of heads of offices. Thus, for example, the bi-monthly "Dialogue with the President" program aired over government-owned television Channel 4 was used by Aquino in four consecutive programs to publicly introduce each of the 24 LABAN senatorial candidates.

The then Secretary of Local Government, Jaime N. Ferrer, further directed all OICs of local government units to actively support and ensure the victory of the candidates of the administration in the congressional elections. The fear of being replaced by other pro-administration supporters virtually compelled the OICs to resort to everything, even the use of force and intimidation in some areas, to assert their political leadership on the one hand, and comply with the directive of the President's *alter ego*, the Secretary of Local Government, to deliver votes for the administration candidates, on the other.

All these instances placed the opposition parties at a great disadvantage despite the impending crisis of the economy and in the midst of the physical threats to the existence and self-preservation of the Aquino government. Lack of resources coupled with the general perception that most candidates were funded by Marcos, being his former lieutenants, accounted for the defeat of

the opposition parties led by the Grand Alliance for Democracy (GAD) and the Union for Peace and Progress-Kilusang Bagong Lipunan (UPP-KBL) at the polls. However, these parties denounced the May 11 elections allegedly for having been rigged to ensure the victory of the administration. In several instances, though, the defeated candidates succeeded in citing specific areas where massive fraud and election anomalies were committed. The abolition of party representation in the precincts and canvassing boards further contributed to the lopsidedness of the electoral contest.

The ruling coalition parties won 22 out of 24 seats in the Senate and 170 out of the current 196 seats in the House of Representatives to provide a personal endorsement of the charismatic leadership of Aquino. But there were too many instances of administrative failures by the COMELEC to efficiently manage the polls that there ensued questions about the credibility of the balloting in many places in the country.³⁵ Be that as it may, the general perception seems to indicate that the charges of administrative inefficiency, actual delays in the procurement, printing, and distribution of election paraphernalia, counting and canvassing of votes, and the unprecedented number of electoral protests/cases filed at the COMELEC did not outrightly demolish the newly-regained integrity of the poll body. The finer distinction between the criteria of orderliness and honesty in elections may be useful to explain this. Whereas procedural loopholes and administrative inefficiency render the May 11 political exercise as highly disorderly, the results are still considered credible and the judgment on the honesty of people administering elections remains positive. Conversely, an efficiently and orderly run elections cannot escape the verdict of dishonesty if the results are generally perceived as a subversion of the people's sovereign will.

Hence, to label the congressional elections as the cleanest elections by the party in power and as the dirtiest the Philippines ever had by the opposition appears to be biased, if not self-serving, statements from both sides. Although in general, the electorate, foreign observers, and the press as well as local analysts and media people tend to conclude that the May 11 elections were relatively free and honest, but disorderly. The May 11 electoral exercise thus leave important lessons in terms of improving the administration of the forthcoming local elections which will signal the full restoration of formal democratic political processes in the Philippines.

Yet, despite the general acceptance of, and reasoned consensus on the relative credibility of the election results, and if one were to further examine developments after the holding of the congressional elections and the convening of the bicameral Congress on July 27, the Aquino government has been continuously bedevilled by the same forces at work that instigated political and economic turmoil prior to May 11. The prospects of steering the national economy toward increasing the material well-being for the significant majority

and effectively restoring and sustaining political normalcy in the Philippines were virtually halted by an oil price increase that triggered nationwide protests from the various sectors and by two coup attempts of the rebel faction of the military, one prematurely conceived and another staged with almost utmost precision that it became the bloodiest of all aborted coups.

The repercussions of the oil price hike and the coup attempts continue to reverberate all over the land. Unlike the previous interlocking and simultaneous crisis during the Marcos regime, however, the extent of the legitimacy of the Aquino government does not include her claims to moral leadership. If only for this, the President remains to be a unifying force that holds the country together.

Conclusion

From the foregoing comparative analysis of the nature and significance of elections conducted under the Marcos and Aquino regimes in the context of the crisis of legitimacy faced by their respective governments, the following postulates are hereby advanced:

Contemporary Philippine political experience affirms that no government thrives on brute force alone. Rather, stability rests on a balance between force and consent. Acceptance of rulers by the ruled is based on consent which, after having been expressed unequivocally, has to be backed up by a modicum of force to protect itself against any threat. Overemphasis on consent at the exclusion of force which the state is given a monopoly of its use represents a naive appreciation of the phenomenon and dynamics of power. On the other hand, overvaluation of force is potentially and actually destructive. In a war of attrition, there are no victors; only losers.

The process of legitimation therefore entails a careful balancing of consensus and conflicts. And it is the task of the political leadership to set the framework within which competing or conflicting claims have to be resolved in a dynamic process of compromise. Once a resolution has been arrived at, the full force of the law must be applied to insure compliance.

To the extent that election elicits active and direct consent from the ruled, thus clothing the exercise of power by the elected leaders with legitimacy, its main concern is procedural in nature. As such, it does not guarantee the attainment of democracy's substantive content. In a society marked by inequity and asymmetrical relationships, defects in the procedures are expected because by themselves, electoral fraud and irregularities are reflections of the structural deformities prevailing in the larger society. This is to say that electoral fraud and irregularities are rooted in the infirmities of the economic, political and socio-cultural structures of Philippine society.

Redemocratization is more than the improvement of procedures. By necessity, redemocratization involves structural transformation to gain substance. While elections, by its democratic nature, carry the potential of effecting a transfer of power through peaceful means, political exercises mark only the beginning of a democratization process. For they cannot simply be expected to bring about the substance of democracy.

From this comparative study of elections under the Marcos (1983-1986) and Aquino (1986-1987) regimes, two basic sources of legitimacy can be surmised: 1) popular support; and 2) technical competence. Like force and consent, popularity and competence are both essential ingredients of political stability.

Popular support is determined through elections. A primary assumption is that, the elected leaders will decide the way the principal would have it. To be accepted as legitimate, therefore, leaders have to win power through an electoral contest that is generally accepted as free, fair and honest. Failure in elections can lead to or aggravate the crisis of legitimacy. Insofar as elections serve as an effective mechanism to ascertain popular support to a set of leaders, being a necessary condition to establish a government's legitimacy, candidates are expected not to tamper with the integrity of the electoral process. To make a mockery of elections is to treat the people as masses for maneuver. Resorting to this can spell political disaster. In a democracy, it is through elections, wherein numerical superiority can defy total control over all legal instrumentalities to assert the people's sovereign will thus affirming the democratic doctrine that "sovereignty resides in the people and all government authority emanates from them."

Popular support is also a key to the legitimacy of an existing government to withstand major threats. Marcos' ouster became imminent when popular support was clearly withdrawn. Neither would any amount of external support could alter the people's verdict. At most, external support is critical in determining the life-span of a regime whose legitimacy had already been eroded. As long as popular support remains intact, challenges emanating from external sources are all relegated in the background. Any indication of waning popular support, however, increases the leverage of external forces. In any country existing under a neo-colonial framework, domestic and external support are equally important to maintain the government's legitimacy.

The second source of legitimacy is technical competence. In any type of political system, competence is a source of legitimation. Sustained legitimacy presupposes the responsiveness of the government to the needs and problems of its constituencies and prompt, efficient delivery of basic services. Ineffectiveness, ineptness and corruption effectively undermine popular support. In the end, it is government performance that is the final legitimizing

factor. To what extent has the government been able to promote the general welfare? Has it been able to deliver essential public goods and services particularly to the needy and the disadvantaged sectors of the society? Is the government inept and abusive? As barometer of government performance and responsiveness, affirmative answers to these questions can sustain legitimacy of an existing government. Negative answers provide moral basis to overthrow it either by peaceful or revolutionary means.

Endnotes

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