

Philippine Electoral Distortion and Perpetuation of Corruption in the Government

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Abstract

The present study was undertaken for four purposes: to determine how the Filipino politicians and the electorate distort the electoral system, to determine how the socio-cultural structure of the Filipino acts as a fertile ground for corruption to occur, to determine how corruption is used in the Philippine government in order to win an election and to determine how the Philippine electoral system provides an avenue through which corruption can occur.

The study is significant because corruption in the Philippines is a political phenomenon. The study is urgently needed because electing a candidate is a critical factor in developing and successfully implementing an integrated framework to fight corruption.

The public choice theory tries to explain a politician's motivations that depend upon on whether rent-seeking is "primarily" a consequence of electoral necessity, constituent preferences, personal financial gain and personal non-financial gain.

In an asymmetrical relationship, the variable affecting change is the electoral distortion characterized by the Filipino behaviour of patrimonialism, as exemplified by patron-client relationship, personalism, money politics, pakikisama (camaraderie) system and utang na loob (debt of gratitude) that transforms the government into a weak state of equilibrium of corrupt rent seeking motives as the consequent variable.

1. Introduction

The present study was undertaken for four purposes: to determine how Filipino politicians and the electorate distort the electoral system, to determine how the socio-cultural structure of Filipinos acts as a fertile ground for corruption to occur, to determine how corruption is used in the Philippine government in order to win an election and to determine how the Philippine electoral system provides an avenue through which corruption can occur.

The focus is an empirical inquiry on two causal asymmetrical variables. The electoral distortions characterized by the Filipino behavior of patrimonialism is a variable that transforms the government into a weak state of equilibrium of corrupt rent-seeking motives as the consequent variable.

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. Rationale

The study is significant because corruption in the Philippines is a political phenomenon. De Dios and Ferrer (2001) identify corruption in the Philippines as the presumed relationship between polity and politician and between politician and bureaucrat. The premise is that Philippine corruption is a political, not a bureaucratic phenomenon (a political phenomenon that it is pervasive and essential part of the political system and an accepted political reality).

Although bureaucratic corruption exists in the Philippines in almost all agencies in charge of large amounts of resources, it is of subordinate importance for the following reasons: a. It pales in comparison with the grand corruption involved in corruption among politicians; b. It is often abetted and controlled by politicians through appointments and undue influence on bureaucrats.¹⁾

The study is urgently needed because electing a candidate is a critical factor in developing and successfully implementing an integrated framework to fight corruption. Political commitment to fight corruption among elected officials is indispensable since the appointing authority and general supervision of all government structures emanate from the politicians.

. Background

Lambsdorff (2001) describes the traditional role of politics as being a rent seeking approach that embraces a principal and an agent. Competition for the role of a principal involves the emergence of a vacuum of power which invites lobbying warfare. This lobbying warfare involves a squandering of resources that is wasteful for the public but may be helpful for the politicians (principals) if donations include money to finance election campaigns or to harass rivals.

The rents created by political interference invite private parties to compete for preferential treatment, which is at the disposal of the politicians and bureaucrats. Therefore, the donations received by the politicians to finance election campaigns may result in corruption once they are elected to office by providing preferential treatment to the private party who expended such resources.²⁾

Khar (2001) explains that political corruption in developing countries is an unavoidable phenomenon for maintaining stability in a politically unstable environment. Patron client exchanges are used to destroy interest groups that threaten the political status quo. The resources of the political incumbents which enable them to give money to the interest groups are funded by economic corruption.

Theobald (1999: 491-502) relates corruption to patrimonialism saying that it is the private appropriation of the spoils of office, such as taxes, customs, gifts, land and the like. There are two dominant frameworks of patrimonialism. He labels these as Patronage I, or peripheral patronage and

Patronage II, or patronage from the centre.

Patronage I is the lopsided dyadic relationship between landlords and tenants that endures through times, even across generations. It is usually a relationship between a high-status landlord and a low-status peasant, in which scarce resources such as land, loans, intercessions with outside agencies are exchanged for labour, loyalty, information, votes, and perhaps armed support. Patronage II pertains to the more familiar exchange of favours between politicians and interest groups such as job contracts, contacts, useful information and protection from the law in exchange for contributions to campaign funds, use of property or vehicles, banks of votes, favourable articles in newspapers and so forth.³⁾

In these modern times, Patronage II supersedes Patronage I if there is a need for funds, staffing and the like for election campaigns. Corruption in Patronage II results from several factors. First, the higher a person ascends in the hierarchy the more unspecified the required qualifications for entry and performance. Second, the incumbency of such positions yields highly valued opportunities for self-aggrandisement.⁴⁾

Third, members of such an elite are clothed with responsibility that affects a large number of people. Since they are the potential targets of criticism, they naturally protect themselves with a circle of trusted supporters and protectors.

Fourth, the departure from conventional merit principles in associated appointments, together with the scale of the rewards that usually accrue, increases the premium on trustworthiness of those who are "chosen." They must be the "right type," "one of us," discreet "chaps" who will "not rock the boat."⁵⁾

Rose-Ackerman (1997) comments that in some systems corrupt politicians coexist with democratic forms even though citizens are aware of their practices. Corrupt payoffs are used, in part, to fund political parties and election campaigns. In a democracy people may seek political office, not to fulfil an obligation for public service, but to extract as many rents for themselves and their supporters as possible.

. Anti-corruption measures: comparative analysis of Singapore, Hongkong and the Philippines

A. Anti-corruption measures in Singapore

Quah (1999) shows that Singapore is the least corrupt country basing on the 1998 International Corruption Perception Index for average ranking of twelve Asian countries on transparency. However, the situation was quite different in Singapore during the British colonial period, when corruption was a way of life.

Quah (1999: 483-495) recalled the 1879 and 1886 Commissions' findings report that bribery and corruption were prevalent among the Straits Settlement Police Force in Singapore. In the 1950

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Annual Report, the Commissioner of Police revealed that graft was quite rampant in government departments. Syndicated corruption and greasing the palms of public officers in return for services was common.⁶⁾

Singapore's first fight against corruption began in 1871 through the enactment of the Penal Code of the Straits Settlements.⁷⁾ The first anti-corruption law was introduced with the enactment of the Prevention of Corruption Ordinance. In 1952, the Corrupt Practices Investigation Bureau was established. In 1960 the Prevention of Corruption Act was enacted.⁸⁾ On March 3, 1989 the Confiscation of Benefits Act of 1989 was enacted to confiscate the benefits derived from corruption: it stipulates that if the defendant is deceased, the court may issue a confiscation of his/her estate.⁹⁾

B. Anti-corruption measures in Hongkong

Next to Singapore, according to the 1998 International Corruption Perception Index, Hongkong is the least corrupt. De Speville (1997) traces syndicated corruption in pre-war Hongkong, i. e. paying for convenience, protection rackets, extortion, squeeze, kickbacks and commissions. Corruption infected the police and all government departments that provided any opportunity for its occurrence.

After World War II, corruption in Hongkong was deeply rooted, widespread, generally tolerated and in some sectors, highly organized. Every part of the public service was infected, specially the discipline services, namely the police, the customs and excise service, the immigration department, the fire and ambulance services and prison service. Other government departments shared the notoriety of the discipline services: housing, public works, education and health.¹⁰⁾

Hongkong's first fight against corruption began in 1898 when the Misdemeanors Punishment Ordinance was enacted. In 1948, the Prevention of Corruption Ordinance was introduced.¹¹⁾ On February 15, 1974 the Independent Commission against Corruption was established with the sole purpose of fighting corruption. A three-pronged anti-corruption strategy evolved: investigating allegations of corruption, preventing corruption by improving the government system, educating people concerning the evils of corruption and enlist their support.

C. Anti-corruption measures in the Philippines

The problem of corruption in the Philippines remains chronic because of the tendency of the politicians to use government resources for electoral objectives. The most systematically corrupt of all government administrations in the Philippines occurred during the authoritarian rule of President Ferdinand E. Marcos, who governed from November 9, 1965 to February 26, 1986.

President Marcos is credited with amassing \$15 billion¹²⁾ of personal wealth. He amassed his wealth through bribe-taking and kickbacks from crony monopolies; through the diversion of government loans and contracts; through the profits from over-priced goods and construction; through un-audited

government revenue usually raised from taxes and from the expedient taking over of businesses by decree and the diversion of funds from government-controlled entities.

After twenty years in power President Marcos was toppled by means of the people power revolution on February 26, 1986. In the so-called re-democratisation process, there was a general feeling that eventually good presidents would follow as exemplified by the next President, Corazon C. Aquino. Despite her saintly image, her administration had its own share of corruption and did not effectively control the problem.

De Castro (1998) exposed the administration of President Aquino as having released P240 million¹³⁾ of the National Reconciliation and Development Program money direct to the administration candidate. The said money was supposedly released to the rebel returnees but it was realigned to finance the electoral campaigns of the Secretary of National Defence, Fidel V. Ramos.

On May 11, 1992, Fidel V. Ramos was elected as the twelfth President of the Republic. Contemporary critics hailed him as the best president in the Post-Marcos dictatorship. However, toward the end of his administration he was accused of similar anomalies in the government as those of his predecessor, President Aquino. Florentino-Hofilena and Saylor (2000) exposed President Ramos as soliciting campaign contributions from the contractors, smugglers, duty-free shop owners, importers, lessees and buyers of disposed equipment and materials, channelling the money through the Bases Conversion Authority and the Clark Development Council.¹⁴⁾ Contractors who contributed campaign funds were promised, in return, favours that violated bidding rules and procedures.¹⁵⁾

On May 11, 1998, Joseph E. Estrada was elected president. At that time, many thought that the only college dropout to become a president would compensate for his academic weakness by his genuine concern for uplifting the poor. However, they were proven wrong because President Estrada was impeached in the Senate of the Philippines on December 7, 2000.

Magasano (2000) enumerated the four counts of the impeachment trial: First, intervening in the investigation of a stock manipulation for the benefit of an election campaign contributor; second, accepting a P414 million commission from an illegal numbers game; third, malversation of P130 million tobacco taxes; and fourth, mixing business interests of his 68 family companies with the Office of the President.¹⁶⁾

Not only many Presidents of the Philippines are suspected of corrupt acts but also many Congressmen of the House of Representatives. Parreño (1998) reveals that the pork barrel of congressmen is the favourite source of money to fund their electoral campaigns. With wide ranging powers to identify the type, amount and location of projects, legislators hold major stakes to bargain for kickbacks from conniving contractors and their accessories.

In order to address the problem of corruption, the Philippines is the Asian country that has crafted the greatest number of anti-corruption measures, relying on eight laws and thirteen anti-corruption

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agencies. The first anti-corruption law was the Forfeiture Law of 1955. The Republic Act (R. A.) No. 3019 entitled as the Anti-Graft and Corrupt Practices Act, was the second law and it was passed in April 1960.

The third anti-corruption law or R. A. No. 6028 was passed in August 1969. The latest anti-corruption law is Republic Act No. 7080 which declares plunder as a non-bailable offense and is punishable by life imprisonment or death. The other laws were the four Presidential Decrees issued by President Ferdinand E. Marcos after the declaration of martial law on September 21, 1972.¹⁷⁾ Since becoming an independent country on July 4, 1946 the Philippines has had thirteen anti- corruption agencies, the first one being established in May 1950 and lasting for six months. The most recent commission, the Presidential Commission Against Graft and Corruption, was established in February 2001.¹⁸⁾

D. Content Analysis

Singapore and Hongkong have five things in common: first, they are the most successful countries in the fight against corruption; second, they are both the product of a particular social environment and polity - a small "city state" with a Confucian culture; third, they are both former British colonies; fourth, corruption in Singapore and Hongkong is generally a bureaucratic phenomenon and fifth, they have a highly efficient administrative machine operating in a society characterized by sustained high economic growth.

Based on the 1998 International Corruption Perception Index, the Philippines is ranked as the fifth most corrupt country for average ranking of twelve Asian countries on transparency. The Philippines is a country colonized by two different masters i.e. Spain and the United States of America. Corruption in the Philippines is a political phenomenon. The Philippines has a big population but is plagued with low economic growth. Nevertheless, Singapore, Hongkong and the Philippines have similar anti-corruption measures: the anti-corruption agency is removed from police control and opportunities for corruption in vulnerable agencies have been reduced.¹⁹⁾

However, the issue of raising the salaries to reduce corruption remains moot and academic. Why are Singapore and Hongkong successful in combating corruption and why has the Philippines lagged behind?

First, the commitment of the political leadership to combat corruption is crucial. Anyone found guilty of corruption must be punished, regardless of his position or status in society. Lo (1993) points out one of the significant successes of the anti-corruption struggle in Hongkong was the Prosecution of Police Chief Superintendent Peter Godber. He was found guilty of control of pecuniary resources or property disproportionate to his present or past official emoluments with assets equal in value to

HK\$4.30 million,²⁰⁾ approximately six times his total net salary from August 1956 to May 1973.

Police Chief Superintendent Godber was sentenced to four years' imprisonment. Halligan and Turner (1995) show that although the Philippines has an independent judiciary, there is an absence of a strong political leadership to combat corruption by prosecuting the biggest criminals who commit grave plunder of government resources.

Second, an effective comprehensive strategy is necessary. It is futile to combat corruption using incremental measures as in the Philippines, which has the greatest number of anti-corruption measures in Asia. The Philippines doesn't have a comprehensive strategy. Singapore and Hongkong have comprehensive strategies and that is why they've been successful in the fight against bureaucratic corruption. However, corruption in the Philippines is a political phenomenon and needs to be fought differently. Eiger (2001) states that a country needs to enact anti-corruption measures designed to cure the disease of that country and not just treat the symptoms of the problem.

Third, the anti-corruption agency itself must be incorruptible. To ensure the integrity of its staff, the agency must be controlled or supervised by a political leader who is honest and incorrupt.²¹⁾ Singapore's incorrupt and capable political leaders were able to demonstrate strong political will to combat corruption. In order to sustain colonial hegemony, the British colonial administration in Hongkong was able to censure corruption.²²⁾ Rocamora (1998) comments that since much graft begins with politicians, it is not surprising that corruption has crept into the nook and cranny in the Philippine society.

V. Review of theories of corruption and their applicability to the Philippines

The theories concerning corruption can be categorized into three tendencies. First, according to Neo-Marxism Theory,²³⁾ it is argued that due to the subservient, neo-colonial peripheral and exploited position of the Third World, and the role of the local political elite as puppets of multinational corporations and Western governments, authoritarianism and political underdevelopment, including corruption, will only persist. The solution suggested is a radical break with the capitalist world, or at least national protection in the form of "self-generating" or "endogenous" growth and import substitution industrialisation policies.

Hutchison (1997) stated that something resembling this Neo-Marxism Theory was applied in the Philippines since the 1950's as shown by its adopting protectionist trade and macroeconomics policies and import-substitution industrialisation. However, the effort applied to competing in the political arena over sources of rent, particularly in the form of quotas, tariffs and public monopolies resulted in a particularistic policy and demands for resources by a politically and economically powerful oligarchy. These eventually resulted in the most systematically corrupt of all government administrations in the Philippines, which happened during the authoritarian rule of President Ferdinand E. Marcos.

Second, according to the theory of the causes of corruption,²⁴⁾ public officials in some countries misuse public office for private gains more frequently and for a larger payoff than officials in others. The said official may be analysing the expected cost of a corrupt act including psychological, social, as well as financial costs, against expected benefits. It is suggested that a variety of characteristics of the countries' economic, political and social situation may affect expected cost, benefits or both.

Treisman (2000: 399-475) theorises that anti-corruption measures designed to make corruption a high-risk and low-reward activity help make a country transparent. He argues that there must be continual change of administrations to have a greater chance to reform the corrupt practices of predecessors.

According to the Organisation for Economic Co-operation and Development, the Philippines has enough well-designed laws to prevent and apply sanctions against corruption in public office.²⁵⁾ However, because of the backlog of 14,652 cases, which represented 65 % of its total workload²⁶⁾ the laws are not being put into effect. From President Elpidio Quirino in May 1950 up to the present, President, Gloria M. Arroyo, anti-corruption campaigns launched by the succession of nine administrators have mostly remained in the realm of rhetoric and best-effort pledges.

According to the theory of the causes of corruption, in a democratic form of government where the political system is open - literacy, freedom of association, and freedom of the press - the probability of containing corruption is high. An educated citizenry is motivated to expose a corrupt act and closely monitors government transactions.²⁷⁾

The Philippines is a democratic and republican state with a literacy rate of 94.6 %;²⁸⁾ the civil society is composed of more than 70 thousand²⁹⁾ Non-Government Organisations of which 154 groups³⁰⁾ actively participate in the party list elections; and the press is one of the most flourishing in Asia with a total of 62 newspapers nation-wide.³¹⁾ Nevertheless, the World Bank estimated that the Philippines lost \$48 billion to corruption over the 20-year period from 1977 to 1997 as against receiving \$40.6 billion in foreign loans over the same period.³²⁾

The third trend to be investigated is called the public choice theory. Public choice can be defined as the economic study of non-market decision making, or the application of economics to political science. The subject matter of public choice are: the theory of the state, voting rules, voting behavior, party politics, the bureaucracy, and so on. The behavioral postulate of public choice as for economics, is that man is an egoistic, rational utility maximizer.³³⁾

Self (1993) assumes public choice thought as individuals who act as “ rational egoist ” who pursue their private interests in both economic and political life. Sutter (1999) attempts to explain public choice theory as an agent of the political process such as the candidate, voter and interest group that rationally pursues its self-interests; equilibrium results when no agent unilaterally alters his behavior given the behavior of others.

The World Bank defines another kind of equilibrium³⁴⁾ that prevails in a systemic corruption “ trap ” in which the incentives are strong for firms, individuals and officials to comply with and not fight the system. Andvig and Fjellstad (2000) explains equilibrium will be sustainable in the assurance case; if many people are cheating, the moral cost is low, but if only one person is cheating, the moral cost is high.

The logic of collective action specifies an outcome of political necessities; incorporates the impact of campaign contributions, lobbying and even bribes; and illustrates that the willful choices of politicians, hence, their motives, are important outcomes.³⁵⁾ The purpose of public choice theory is to explore the role that politicians play by the use of models which predict interest group dominion of politics. As long as interest groups are not completely ineffective in bargaining with politicians, the agreed upon price or support will reflect the interest group 's willingness to pay and the legislator 's reservation price.

Thus, rent-seeking requires specification of legislator 's (politician) motivations, e.g. a legislator may have multiple motives in voting a particular bill. A politician 's motivations depend upon on whether rent-seeking is “ primarily ” a consequence of electoral necessity, constituent preferences, personal financial gain and personal non-financial gain.³⁶⁾

Rent-seeking is sometimes used interchangeably with corruption, and there is a large area of overlap. Corruption involves the misuse of public power for private benefit, rent-seeking derives from the economic concept of “ rents ”, i.e. earnings in excess of all relevant costs, and equals monopoly

profits.

Rent-seeking, is largely “ directly unproductive ”, wasteful and very often economically inefficient.³⁷⁾ The theoretical framework of public choice theory attempts to clarify the politician 's motives in rent-seeking:

The first motive is electoral necessity. Modern electoral campaigns are relatively expensive requiring campaign staff, polling and advertising. Because of intense competition to win, politicians face constraints and need logistical support; these drive them to make deals with interest groups.

In the Philippine setting, a Non-Government Organisation(NGO)can be used for soliciting votes and organisational campaign contributions to secure more votes. An NGO is a social action group which is non-governmental in nature e.g. the rebel returnees, multi-purpose cooperatives, youth organizations, business associations, etc. The NGO has the capacity to meet the obligations to garner votes in exchange for a bargain with the politicians once elected into office. The bargain would be in the form of a behest loan used for vested interest and may result in not paying back the government.

The second motive for rent seeking is constituent preferences.³⁸⁾ In the Philippines, this may result in a culture of people where an election is used as an opportunity for earning money from the politician. The Filipino politician may influence a large number of the electorate to sell their votes to support his/her candidacy. The money spent by the politician may be recovered from the government if she wins the election by means of graft and corruption.

The third motive is personal financial gain derived from elected position. The payment can be direct, as in bribery, or indirect, as in directing benefits to favoured businesses and providing post-elective positions. In the Philippines, it can also be in the form of commissions earned from government projects and office supplies.

The fourth motive involves personal non-financial gain. Prolonged intensive lobbying influences mendacious beliefs among politicians.³⁹⁾ In the Philippine bureaucracy, the appointment of unqualified candidates to government positions according to recommendations by members of the big family clans may result in bias against other applicants who are more qualified. Another case is favoritism in the granting of a project because of lobbying by a Barangay(Village)Captain who is a staunch supporter of the politician. The lobbying may create bias against a certain barangay, which is more in need of and should have priority for the government project.

VI. A case study of the Municipality of Bantu

The case study uses a fictitious name for the municipality, province and the name of the incumbent municipal mayor in order to protect the security and privacy of the respondent. Nevertheless, all of the data considered are factual and up to date. The choice of the Municipality of Bantu is appropriate because like the other 1524 municipalities in the Philippines, Bantu has more or less the same

organizational structure and staffing pattern designed under Section 76 of Republic Act No. 7160, known as the Local Government Code of 1991. Therefore, it is a typical representative of local governance in the Philippines.

The research fieldwork in the Municipality of Bantu was undertaken in the years 2000 and 2001. Relevant documents were searched for and retrieved at the Local Government Unit of Bantu, Anuevo del Sur. The electoral experiences of Ben C. Raki-in in the 1987, 1988, 1989, 1992, 1994 and 1995 elections were analysed. In order to prevent redundancy all statements without endnotes are considered to be the words of Ben C. Raki-in.

1. Socio-economic profile of Bantu

a. Profile and overview of the municipality

The Municipality of Bantu was created 53 years ago during the administration of President Manuel Roxas. The population has increased three-fold from 8300 in 1948 to 26,000 in 2000, or a total of 4200 households.⁴⁰⁾ The majority of the population is young. The original settlers are members of an indigenous tribe. They had the habit of clearing forested areas by means of the kaingin system (slash and burn technique) Later on, the areas so cleared were sold to emigrants from the Visayas islands.

The indigenous tribe has now become marginalized and lives in the hinterlands where it continues to use the kaingin system. There are a total of 4680 people or 700 households representing 18 % of the total population of the municipality.⁴¹⁾ The Municipality of Bantu is geographically located in Mindanao. It is an inland municipality located in a district of the Province of Anuevo del Sur. Anuevo del Sur is composed of fourth to sixth class municipalities plus component cities.

The Municipality of Bantu is classified as a fifth class municipality with an estimated annual income of P28 million.⁴²⁾ According to the 1998 Minimum Basic Survey conducted by the Bantu Office of Municipal Social Welfare and Development, the ten most unmet needs of the municipality are ranked as following: Low income comprising 1974 households, 1838 households lack access to potable water, 6400 family members aged 15 to 65 other than the head of the family are unemployed, 1462 heads of the family are unemployed, 417 households lack access to sanitary toilets, 1000 children aged three to five are not in day care centres, 1000 teenagers or 41 % of those aged thirteen to sixteen are not in high school, 1044 households are not involved in non-government organizations, 835 children are malnourished and 787 houses are poorly built.

b. Analysis of the situation

Agriculture is the main source of livelihood. About 96 square kilometres or 85 % of the total land area is planted with coconuts with inter-cropping of corn, banana, vegetables and various high value crops. The remaining land is used for rice (11.20 square kilometres or 10 %) and urban settlement,

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including residential, commercial and light industries (5.60 square kilometres or 5 %) ⁴³⁾ As for land tenure, 85 % of the total number of farmers are tenants. The remaining 15 % are farmers who own the land. ⁴⁴⁾ The landlords receive regular revenue because of the share of crops they receive from the tenants. At present, the usual division of crops is 50-50 % ⁴⁵⁾ between the landlords and the tenants.

The working population of Bantu those who are employed and self-employed, aged 15 to 65 years old totalled 10,900 or 42.92 % of the total population. ⁴⁶⁾ As of the present time, there is no data available giving detailed figures on the different occupations of the people of Bantu. There are twelve Barangay (Village) Health Centres out of nineteen barangays and one Rural Health Unit. The remaining seven barangays are clustered into three groups and use the nearest major Barangay Health Centre.

The 27 NGOs in Bantu are organised by the Office of the Municipal Social Welfare and Development under the supervision of the Municipal Mayor. The Sangguniang Bayan (Municipal Council) through the enactment of an ordinance, registers the 27 NGOs of Bantu. The candidate who can offer the best benefits to an NGO is likely to get the support of its members. If an NGO supports a particular candidate, she can be almost assured of the votes of family members and friends of the NGO members. Because of this, the civil society in Bantu consists of politically co-opted NGOs.

As a liberated area influenced by the communist insurgency, Bantu has composite units of protective services. ⁴⁷⁾ There are 24 members of the Philippine National Police, 190 Barangay Tanods (Civilian Volunteer Organisations) and a platoon of the Philippine Army and Civilian Armed Forces Geographical Unit. Each barangay has ten Barangay Tanods controlled by the Barangay Captain, but under the overall supervision of the Municipal Mayor.

2. Politics and elections in Bantu

Traditionally, the first requirement to run for an elective office in Bantu is to have a big family clan. In all but one instance, the past eight Municipal Mayors, including the incumbent, have had big family clans. However, among the eight major family clans in Bantu, only two can be considered as province wide in strength.

From the time of the declaration of independence on July 4, 1946 up to the time of the declaration of martial law on September 21, 1972 the Philippines adopted a two party system. In Bantu, this resulted in a divisive struggle between two family clans, each allied with other big family clans. However, after the declaration of martial law when President Ferdinand E. Marcos changed the constitution in favor of a multi-party system, the two leading family clans in Bantu disintegrated and other big family clans rose. After the multi-party system were introduced, other big family clans administered the Municipality of Bantu.

Traditional politics in Bantu are dictated by the economy of the land. Since only 67 families in

Bantu own land of ten hectares and more,⁴⁸⁾ tenants comprise the greatest number of farmers. In the political realm, most contemporary landlords have the influence to sway the votes of their tenants by means of Patronage I. Due to the close competition among candidates, landlords are widely divided as to whom to support.

Traditionally, it is a belief that the more Barangay (Village) Captains that support a candidate, the greater are the chances of winning an election. Along with the big family clans, landed families and enterprising families in Bantu, the Barangay Captains are the most adept and the most experienced when it comes to political mobilization.

Belonging to the grassroots level, they know all the people within their area of responsibility, their behavior and status, and can easily distinguish between friend and foe during political exercises. However, it is very hard to estimate the percentage that a Barangay Captain can contribute out of the total number of votes garnered in a certain barangay. The main reason is that during the campaign period, all allies pool together to maximize the number of votes.

Most of the time, Barangay Captains expect pork barrel favors in the form of development projects in their own respective localities being prioritized by the local chief executive. In that way, they will have a say in labor contribution and supply of materials. Moreover, it is counted as part of their accomplishments during their term of office as a Barangay Captain. Barangay Captains also sometimes irritate the municipal government by insisting on organizing illegal gambling.

The Municipality of Bantu is a Christian community consisting of eighteen different religious sects. The Iglesia ni Cristo (Church of God) , which is the third largest denomination of Bantu, votes as one block depending on the decision of the elders. Members of other religious sects, such as members of the largest denomination, which is the Roman Catholic Church, followed by the Philippine Independent Catholic Church and fourteen other minor religious sects, are divided on how to vote.

3. The emergence of Ben C. Raki-in

Perhaps the most practical, efficient, promising and readily available way to look at electoral distortion and perpetuation of corruption in the government is to consider one example. For that reason, the Philippine hands-on electoral experience of Ben C. Raki-in from April 21, 1986 to June 30, 1995 is described. The author chose Ben C. Raki-in because he is one of the rare cases in the Philippine politics of a person who refused to run for re-election. Ben C. Raki-in was an advocate of transparency in governance but the Philippine political system proved it unsustainable; this eventually led him to economic deprivations.

After toppling the Marcos dictatorship on February 26, 1986, President Corazon C. Aquino instituted her first sweeping reform, that of replacing the Kilusang Bagong Lipunan (New Society Movement) accomplices of Marcos, both at the national and local government level. One typical case was the

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Bantu town, Anuevo del Sur. All officials of the local government unit were replaced by a new slate of appointments as Officers-In-Charge (OIC) according to a memorandum issued by Minister Aquilino Q. Pimentel of the Ministry of Local Government.

One of those given an appointment was the eldest son of a martyred Provincial Chairman of the United Democratic Opposition party, the party of President Corazon C. Aquino, named Ben C. Raki-in. His father was an emigrant from Negros Oriental while his mother was an emigrant from Ilo - Ilo. When his father was still alive, until February 21, 1986, he was a successful trial lawyer, a bold businessperson and a member of the Sangguniang Panlalawigan (Provincial Board). Along the way, his father was able to accumulate a total of about forty hectares of land, mostly coconut plantation. He also ventured in various enterprises like copra trading, established a 24-bed hospital, operated a 13-hectare fishpond, managed a rice mill and ran an ice plant.

Because of his young age and political inexperience, Ben opted to take a position as the OIC Vice Mayor. He took the oath of office on April 21, 1986. As a licensed civil engineer he was designated Chairman of the Committee on Infrastructure which meant that he was the general supervisor of the Office of the Municipal Planning and Development Coordinator. The office is in charge of the designs, estimates, prioritization and implementation of various physical infrastructure projects approved by the municipal mayor.

As a youth leader, he was elected a President of the Bantu Graduates Club. All new college graduates hunting for jobs are members of this organization. On January 18, 1988 OIC Vice-Mayor Ben C. Raki-in was elected as the Municipal Vice-Mayor. The electoral campaign was devoid of any platform except a promise to the people that the candidates were well qualified to serve the populace.

The opponents of OIC Vice-Mayor Raki-in criticized him, saying that he was too young to serve as the Vice-Mayor Elect. During the *miting de avance* (mass rally), OIC Vice-Mayor Raki-in had to exemplify great young people in the world and recalled the Filipino heroes who became immortals in history despite their youthful age. Vice-Mayor Raki-in won with an overwhelming majority under the *Lakas ng Bansa*⁴⁹⁾ (LABAN) -- Liberal Party (LP). The population was about 19,930⁵⁰⁾ and the number of registered voters was 7703. The number of voters who actually voted was 6475 or 84 %.⁵¹⁾

On December 27, 1988, the Communist Party of the Philippines/New People's Army ambushed the LABAN-LP Mayor on board a Toyota Mini-Cruiser Police Jeep traveling on a national highway. He died on the spot together with his police bodyguard and many other bodyguards were wounded when the police jeep fell off a cliff after the police driver lost control of the steering wheel. Vice-Mayor Raki-in took the oath of office the following day after as the Municipal Mayor by succession.

As a requirement, the Department of the Interior and Local Government (DILG) administers public administration training to all municipal mayors in Anuevo del Sur. During the first term of the administration of Mayor Ben C. Raki-in, the DILG training happened to be very late during the last

year before the 1992 national and local elections. At first, all the municipal mayors attended the opening ceremony but when the boring lectures started, one by one all the municipal mayors left except Mayor Raki-in and members of the bureaucracy. After that, Mayor Raki-in never attended the poor training sessions conducted by the DILG.

Moreover, the DILG assigns at least one Local Government Operations Officer(LGOO) to all municipalities in the Philippines. Their function is to assist with technical advice and to monitor local government administration. In the case of Bantu, the LGOO is a close friend of Mayor Raki-in. The LGOO never insisted on giving any technical advice; nor did it report graft and corruption in the local government unit. In return, Mayor Raki-in approved the statutory benefits intended for the LGOO.

In the May 11, 1992 national and local elections, Mayor Raki-in was elected as the Municipal Mayor under the Nationalist People ' s Coalition(NPC) This time, Mayor Raki-in presented his platform of government. His objective was to continue his administration to complete the unfinished infrastructure projects and to introduce livelihood loans to the populace. He advocated the use of Non-Government Organizations, specifically the co-operatives organized under his administration, as an engine of growth for his micro-finance.

However, his opponent under the National Union for Christian Democrats(NUCD) --United National Democratic Party(UNDP)used all his time during a miting de avance to accuse Mayor Raki-in of being involved in graft and corruption and abuse of government authority. After the municipal treasurer of Mayor Raki-in had made it clear that he would not provide prima facie evidence to his political opponents that could be hurled against the mayor, his NUCD-UNDP opponent was forced to fabricate figures out of thin air. Mayor Raki-in answered all accusations satisfactorily, one by one, with a box full of official documents provided by his Municipal Treasurer. He invited the public to scrutinize the official documents either on stage or at the Office of the Mayor.

Mayor Raki-in spent P400 thousand for the whole campaign period. The only national contribution was from the NPC, which could only contribute less than P100 thousand. Mayor Raki-in solicited P200 thousand from two contractors. His gubernatorial line-up was short of money; thus, the balance of P100 thousand was charged to his personal accounts.

His NUCD-UNDP adversary spent a total of P700 thousand according to estimates by his cousin. The NUCD-UNDP candidate borrowed P300 thousand from his cousin after he found out that his P400 thousand personal account was not enough. The richest candidate from Lakas (Strength) -- National Union for Christian Democrats(NUCD)spent P1.20 million. The lone woman candidate under the Liberal Party discontinued her campaign after spending P20 thousand, as her party ticket members admitted.

Mayor Raki-in won with more than 50 % of the total number of votes garnered by his three opponents. The population was about 21,768,⁵²⁾ while the number of registered voters was 9407. The

heat of the election, which frightened many of the electorate, decreased the number of voters who actually voted to 7971 or 77 %.⁵³⁾ On June 30, 1995 the term of office of Mayor Raki-in officially expired after nine years of public service: two years as a Municipal Vice - Mayor and seven years as a Municipal Mayor.

a. Electoral necessity

Since elections in Bantu are relatively expensive, Mayor Ben C. Raki-in had to solicit electoral campaign funds in order to win an election. In the May 11, 1992 national and local election, Mayor Raki-in was short of P200 thousand for his electoral campaign fund. To make up the difference, he solicited P100 thousand from the contractor of a proposed P15 million United States Assistance for International Development Bantu Public Market and another P100 thousand from a contractor of the Department of Public Works and Highways (DPWH) Annual Infrastructure Fund. For this, the rigging of the bidding was approved by the municipal mayor.

Despite the scarcity of government resources, Mayor Raki-in observed that the DPWH Annual Infrastructure Fund is designed solely to maximize opportunities for embezzlement of government money. A contractor discreetly confided to him that an average of roughly 40 % of the total cost of all the DPWH, District Office projects is lost due to red tape and graft and corruption.

During the regular closed-door meetings of the Anuevo del Sur Chapter of the League of Municipalities of the Philippines, held at the DPWH, District Office, all projects are rigged to maximise the bidding. One Municipal Mayor from a South-western Municipality openly demanded that hereceive a flat commission of 20 % of all government projects listed under his municipality.

If a project is not a pork barrel from a Congressman, then a 20 % commission goes to the South-western Municipal Mayor while the remaining 20 % goes to the DPWH, District Engineer and Employees, including the COA. The South-western Municipal Mayor receives it solo without necessarily sharing the commission with his municipal employees.

With regards to a pork barrel project of the Congressman, either the Congressman recommends a contractor to the Municipal Mayor or accepts a bribe from the contractor chosen by the Municipal Mayor. The 40 % leakage may be shared between the Congressman, the Municipal Mayor, the DPWH District Engineer and Employees and the COA. As a whole, there is no fixed rule on how to divide the 40 % leakage; it varies in many cases depending on the circumstances.

Unlike the South-western Municipal Mayor, Mayor Raki-in did not apply the fixed 20 % commission to the DPWH Annual Infrastructure Fund projects but made it flexible. There was no certain percentage rule but he cut the commission as low as possible so that the DPWH, District Office and the COA would not demand high rates as well. However, he shared some reasonable amount with his municipal treasurer who was always short of cash inventory. As a result, the leakage was far below

the 40 % average in the province.

In Bantu, one of the strategies to win an election is the use of a politically co-opted Non-Government Organisation(NGO) In the May 9, 1994 barangay(village)election Mayor Raki-in had to support the candidacy of his Barangay Captains. To counter the moves of their formidable opponents, Mayor Raki-in mobilised the support of politically co-opted NGOs by releasing behest loans of P150 thousand to ANAK(Rebel Returnees), P100 thousand to Bantu Multi-Purpose Co-operative, P220 thousand to Rural Improvement Club, P60 thousand to Young Men and Women Association, P60 thousand to Businessperson Association and P100 thousand to Municipal Officials and Employees Co-operative.⁵⁴⁾

The 81 ANAK members, being combat veterans, were used to suppress armed intimidation. The Bantu Multi-Purpose Co-operative, numbering 200,⁵⁵⁾ was solicited for votes to influence members of their big family clans. The biggest NGO found in all 19 barangays, the Rural Improvement Club, made use of the local youth to campaign among their families and constituents within their area of jurisdiction. The Young Men and Women Association, composed of active youth, was used to organise social events to which the candidates of Mayor Raki-in were invited for prominent exposure.

The Businessperson Association was used to capture the votes of its members and employees. The Municipal Officials and Employees Co-operative with a membership of 88 persons,⁵⁶⁾ was used to encourage electioneering among government employees. None of the NGOs repaid the P690 thousand government loans because the release of the said funds was exempt from strict screening and monitoring because of political objectives.

b. Constituent preferences

Elections in Bantu are used by people as an opportunity to earn money from the politicians. A simple explanation as to why the registration of voters among the electorate of Bantu was high, even among the indigenous tribes, is that it was the only means that the people had to solicit almost every day all kinds of personal needs from Mayor Ben C. Raki-in. These needs included money to buy milk for their babies, college tuition fees for schooling for their sons and daughters, medicines when they got sick, even their daily basic needs like rice and food were solicited, construction materials to build or repair their residences/houses, fares when they traveled to other places and finally the provision of coffins and embalming services when they died.

In the May 11, 1992 national and local elections, Mayor Raki-in distributed P50 to 3000 voters in Bantu to buy votes. In the May 8, 1995 national and local elections, Mayor Raki-in personally assisted his cousin who was running for the position of Mayor in Bantu by contributing P50 to about 400 voters in return for supporting the candidacy of his cousin.

The local electorate of Bantu were loyal supporters of Mayor Raki-in who could assure him of

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landslide victories in return for immediate gains. However, the local electorate failed to consider the negative side effects incurred as a result of the prohibitive expenses to sustain an elected office which forced Mayor Raki-in to commit graft and corruption.

Mayor Raki-in directed the Sangguniang Bayan (Municipal Council) to allocate an off-the-record sinking fund out of monetary donations taken from the project contractors working in Bantu. The projects are listings of the Department of Public Works and Highways Annual Infrastructure Fund. The money was to be deposited to the municipal treasurer but unreported to the Commission on Audit. The sole purpose of the sinking fund was to support patron-client relationships, personalism, money politics, pakikisama (camaraderie) system and utang na loob (debt of gratitude)

The sinking fund was an euphemism for a government project cut or commission. Mayor Raki-in did not mean to legalize the sinking fund. He did it that way so that he could morally justify it to the contractors. He anticipated future confrontations with the contractors if they deviated from their confidential agreement.

c. Personal financial gain

On August 24, 1991 Mayor Ben C. Raki-in decided to marry the first runner-up of Miss Bantu Fiesta 1989. Mayor Raki-in invited 3000 guests, including two popular senators, local politicians, a contractor, army officers, and relatives. To help shoulder the P250 thousand total cost of the wedding, Mayor Raki-in received a P50 thousand retention fee from government projects administered by the Local Government Unit of Bantu.

Mayor Raki-in connived with his Municipal Treasurer, the Municipal Planning and Development Coordinator and the Municipal Architect to allocate the retention fee from the project. Retention fee is a euphemism for kickbacks but he preferred to justify it by dividing the money among his working staff as a compensation for their humble salaries.

He did not have the illusion of legalizing it but the main reason was that he did not want to be become morally corrupt in the eyes of his working staff. There is no percentage rule on how to allocate the retention fee because it depends upon the amount of the fund allocated and the type of project implemented. As a whole, Mayor Raki-in received the lion's share of the retention.

To make up the remaining P200 thousand difference, Mayor Raki-in solicited P100 thousand from a contractor of a proposed P15 million United States Assistance for International Development (USAID) Bantu Public Market and another P100 thousand from a contractor of the Department of Public Works and Highways Annual Infrastructure Fund. Previously, Mayor Raki-in solicited the same amount of money from the same contractors to be used for electoral campaign funds but this time the money was used to fund the cost of the wedding. After the wedding, Mayor Raki-in solicited additional P100 thousand from the proposed P15 million USAID Bantu Public Market contractor as additional

capital for managing a 24-bed hospital take-over.

In 1994 Mayor Raki-in used the Ram Boys, a politically co-opted non-government organization as a dummy to channel about P60 thousand worth of government loans to a take-over of a 13-hectare fishpond operation managed by his spouse. The fishpond is an inheritance from Mayor Raki-in's father. His mother bankrupted the operations and Mayor Raki-in took it over.

Therefore, he needed money from government sources to fund the fishpond operations take-over managed by his wife. The Ram Boys is composed of thirty youth advisees of his spouse. Unlike electoral necessity where the money is spent for electoral objectives, the money earned from personal financial gain is used to support personal needs derived from the elected post.

d. Personal non-financial gain

Mayor Ben C. Raki-in was the center of all kinds of lobbying by his political supporters and would-be political supporters. The number of political hacks employed, many of whom were unqualified, reached the statutory limit imposed by the Commission on Audit. This means that the ceiling price for personnel services is the difference of the annual income two years before the present fiscal year deducted from the cost of devolved agencies and the budget for the economic enterprises. The total number of employees hired by Mayor Raki-in from 1989 until the expiration of his term on June 30, 1995 increased by 200 %.⁵⁷⁾

VI. Conclusion

The evidence collected by means of the case study describes, explains, extends, and is in concordance with the public choice theory of corruption. First, the unique Filipino behaviour of patrimonialism distorts the electoral system. The ends of achieving electoral victory means the use of every means that may lead to graft and corruption.

Second, the socio-cultural structures of the Filipinos act as a fertile ground for corruption to occur. Prohibitive election campaign expenditures compounded by expensive maintenance to sustain elected office have left the Filipino politicians with little or no option but to commit government resources in favour of electoral objectives.

Third, corruption in the Philippine government is used to recover the cost of the election, to provide funding to maintain loyalty among the electorate and to enrich the economic needs of the politicians. Fourth, the Philippine electoral system provides an avenue through which corruption is used in the government. Philippine election is a highly personalistic competition between candidates.

The Filipino electorate votes for individuals rather than along party lines. The three year term for national and local elected position is too short to complete a long-term development plan. This may result in virtual campaigning. The tendency is to prioritise projects that have immediate electoral

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gains.

In an asymmetrical relationship, the variable affecting change is the electoral distortion characterized by the Filipino behaviour of patrimonialism as exemplified by patron-client relationship, personalism, money politics, pakikisama (camaraderie) system and utang na loob (debt of gratitude) that transforms the government into a weak state of an equilibrium of corrupt rent seeking motives as the consequent variable.

There are only three options left for a Filipino politician, as can be seen in the case study of the Municipality of Bantu: either preserve the equilibrium of corrupt rent seeking motives in the government to sustain the electoral system, risk losing the elections or face early retirement. Mayor Ben C. Raki-in opted temporarily to take early retirement. However, when Ben C. Raki-in decides to rejoin the political arena, will corruption have been eradicated or will it preserve the equilibrium of the systemic institutionalised corruption in the government?

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- 42) Office of the Budget Officer, Bantu, Anuevo del Sur.
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