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**strategies of corruption  
prevention in the  
Philippines:  
mobilising civil society**

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### Abbreviations

AusAID	Australian Agency for International Development
NCDS	National Centre for Development Studies
NGO	non-government organisation

## Strategies of corruption prevention in the Philippines: mobilising civil society

This paper argues that one effective strategy for tackling corruption in the Philippines is to more actively involve civil society groups in the governance of the country. This paper examines how this approach is effective for two major areas of corruption, election irregularities and the misuse of public funds by elected officials. Civil society groups can galvanise community support for change and provide ongoing public pressure to ensure better practices are maintained. The paper begins with general background information on the Philippines before reviewing the overall situation of corruption. This review shows that appropriate anti-corruption laws are in place but have not been enforced due to a general public acceptance of corruption. The two areas of corruption under particular focus are then examined. A range of corruption prevention strategies are offered in each case.

### Background

The Philippines has a democratic system of government modeled on the United States. The executive, the legislative and the judicial branches of government are independent of each other in a system of separation of powers. Of particular relevance to corruption prevention mechanisms, the Philippines constitution provides for the creation of independent commissions that monitor the performance of public officials both those elected and civil servants. The members of these bodies are constitutionally assured of security of tenure and insulation from political influence. These constitutional bodies include the Civil Service Commission, the Commission on Audit, the Commission on Human Rights and the Office of the Ombudsman.

The government of the Philippines consists of fifteen political sub-regions spread out among the archipelago's 7,101 islands, 78 provinces, 88 cities, 1525 municipalities, 44,000 *barangays* (villages). This political structure has been recently transformed by the introduction of the Local Government Code (1991). This empowers local government units who were once wholly dependent on the central or national government to become self-reliant communities. More power, authority, resources and responsibility have been devolved to the local level. A provision of the Code facilitates people's participation in local government affairs by requiring that there be 25 per cent of local community involvement in the areas of local planning (local development council), law enforcement (people's law enforcement board), tendering (pre-qualification bids and awards board), education (local health board) and health (local health board). Not all of these so-called special bodies are institutionalised in all local government units. The Code also incorporates a system for proposing development agendas and a system for recalling local officials if constituents become disgruntled with them. The Code is perceived as a

mechanism of governance that will empower the participation of people.

Since the 1900s, a civil service composed of career and non-career officials and employees carried out the policies of government. Career positions were positions in the Armed Forces, the Foreign Service and academic positions in state colleges and universities (closed career) as well as those positions in the bureaucracy covering first (clerical, custodial, trades and crafts), second (technical, professional) and third (managers, executives, undersecretaries) level classifications (open career positions). Non-career positions cover elective and appointive officials and employees, including national and local executives, departmental secretaries, chairpersons and members of commissions with a fixed term of office and contractual personnel.

At present, the civil service in the Philippines comprises 1.6 million and caters to a population of 72 million people. A constitutionally mandated Civil Service Commission administers the entire bureaucracy.

## Corruption in the Philippines

Table 1: Factors impacting the reform of key areas of corruption in the Philippines

Areas of corruption	strengths	weaknesses
Elections	<ul style="list-style-type: none"> <li>• independent constitutional body</li> <li>• adequate laws</li> </ul>	<ul style="list-style-type: none"> <li>• laxity in enforcement</li> <li>• inadequate voters information</li> <li>• lack of funds for computerisation of election results</li> </ul>
Legislative perks	<ul style="list-style-type: none"> <li>• adherence to democratic principles</li> <li>• broad sectoral representation (65% of national congress are neophytes; 75% of local government are neophytes)</li> </ul>	<ul style="list-style-type: none"> <li>• weak leadership</li> <li>• vast discretion in the use of development funds</li> </ul>
Revenue assessment and collection	<ul style="list-style-type: none"> <li>• adequate laws, rules and regulations</li> <li>• promotions arranged internally</li> </ul>	<ul style="list-style-type: none"> <li>• culture of blindness in reporting acts of corruption</li> </ul>
Regulation and licensing	<ul style="list-style-type: none"> <li>• adequate rules and regulations</li> <li>• competent and dedicated personnel</li> </ul>	<ul style="list-style-type: none"> <li>• procedures not transparent</li> <li>• inadequate facilities and equipment</li> <li>• low salaries</li> </ul>
Law enforcement	<ul style="list-style-type: none"> <li>• adequate laws and rules</li> <li>• primacy of civilian authority</li> </ul>	<ul style="list-style-type: none"> <li>• public ambivalence about the role of the police and the military;</li> <li>• low salaries, untrained personnel</li> </ul>
Appointments and promotions	<ul style="list-style-type: none"> <li>• adequate laws,</li> <li>• independent centralised personnel agency</li> </ul>	<ul style="list-style-type: none"> <li>• political intervention</li> <li>• regionalist attitudes,</li> <li>• lack of ethical conduct</li> </ul>

Table 2: **Broader contextual influences on anti-corruption measures in the Philippines**

Opportunities	Threats
<ul style="list-style-type: none"> <li>• vigilant civil society groups and a free media</li> <li>• a nationally accredited citizen's watch group</li> <li>• public demands for more integrity and accountability in government</li> <li>• on-going initiatives to involve people in dialogue with the government</li> </ul>	<ul style="list-style-type: none"> <li>• dispersed population</li> <li>• government lacks credibility in the eyes of of the population</li> <li>• uninformed, apathetic population</li> </ul>

Table 1 provides a summary of the strengths and weaknesses of government in the Philippines in relation to seven broad areas of corruption. Table 2 examines the broader Philippines environment and identifies the opportunities that exist for tackling corruption and the existing threats to such measures.

### **Elections**

Election anomalies in the Philippines are produced by vote-buying and manipulation of election results. Opportunities for corruption in this process are created by a cumbersome procedure for counting votes. After the final votes are cast, ballot boxes are transferred through four different layers of bureaucracy before a winner is announced. Ballot boxes go from the precinct to the municipal board of canvassers to the provincial board of canvassers to the national board of canvassers. However, voters accept these wrong doings out of fear of reprisals, lack of other avenues for redress or ignorance of their rights.

### **Legislative perks and privileges**

Member of congress have a wide degree of discretion in how they use development funds. Local leaders are not consulted about how money is spent. Many development project are consequently redundant, wasteful and unnecessary. The members of congress, however, are assured of their own congressional budget and the commissions that go with it.

### **Existing anti-corruption mechanisms**

Corrupt practices of public officials are sometimes blamed by the public for the deterioration of their standards of living. Elected officials hate allegations of corruption leveled at them and their government. There are two existing approaches to minimising corruption—formal and informal mechanisms. Formal mechanisms include laws, rules, regulations and issuances promulgated by government to prosecute, investigate and/or prevent corrupt practices. Informal mechanisms are located outside of the government structure and include civil society groups and non-government organisations, both those based locally and those with international connections.

Fighting corruption or corrupt practices has been a pre-occupation of Philippine presidents starting with by President Elpidio Quirino who created the Integrity Board in 1948. Since then, succeeding presidents, including Marcos, have created anti-corruption

committees or task forces. Under the present administration, there is a Presidential Commission Against Graft and Corruption. The commission is mandated 'to investigate on its own or on complaint, administrative charges of graft and corruption involving presidential appointees in the executive branch of the government from the rank of Assistant Regional Director to Cabinet Secretary and equivalent officials in government owned or controlled corporation'. The constitution create the office of the Ombudsman through the Ombudsman Act. There is also an Anti-Graft and Corrupt Practices Act which defines corruption. To guide the action of employees in the public service, the Philippines has enacted a Code of Conduct.

Other mechanisms, aside from laws, have been instituted to stop corruption before it occurs. These include

- staff education and training programs on values of honesty and integrity in the performance of public duty
- the inclusion of training on honesty and integrity in public office in early education programs
- a system of incentives and rewards to encourage appropriate conduct by public officials and employees
- a 'Mamamayan Muna' (Citizens First) Program
- the posting of 'resident Ombudsmen' to graft-prone departments and agencies, including government-owned and controlled corporations
- organisation of a Junior Graftwatch program to involve youth in the fight against corruption.

The passing of the Local Government Code has galvanised the involvement of non-government organisations and the private sector in the task of governance. The media, despite its commercial need to sensationalise stories, has joined the bandwagon of participatory good governance. A number of success stories relating to good governance, especially in local communities, have received media attention. While the situation may be far from ideal, mechanisms for community participation and partnership have been put in place in many areas.

The following examples illustrate the kind of work of currently being undertaken by local non-government organisations in the Philippines.

- The Evelio B. Javier Foundation Inc, is an NGO which works with local governments to strengthen democracy. It is currently implementing a project entitled 'Enhancing Integrity and Transparency in Local Governance'. The project aims to empower civil society to demand greater accountability and transparency in government. This Foundation has formed a partnership with a media organisation known as the Philippine Centre for Investigative Journalism which is committed to documenting cases of corruption.
- The Concerned Citizens of Abra for Good Government is a community-based, multisectoral organisation operating in the province of Abra in the Cordillera Administrative Region. Its aim is to reinvigorate community

organisations and improve government programs.

- Kilosbayan is an ecumenical organisation that seeks to pursue and protect, within the democratic framework, the people's legitimate and collective interests and aspirations through peaceful and lawful means.
- Gising Bayan Foundation Inc, is a non-profit NGO formed to fight graft and corruption through research and other programs that address the problem.
- The Fellowship of Christians in Government is an organisation of born-again Christians from different churches, working in government. It hopes to bring about national transformation by assisting government in its fight against graft and corruption.
- Transparency International-Philippines is an affiliate of Transparency International. It seeks to develop preventive mechanisms and incentives to prevent corruption. It also aims to strengthen integrity systems.
- Moral Recovery Program is a government initiative which aims to instill values of integrity in government employees through the establishment of 'integrity circles'.

There are about 66,000 organised and registered civil society organisations registered in the Philippines. A big number of these organisations are affiliated with the Caucus of Development which is the umbrella organisation of non-government organisations. It is currently in collaboration with the Leagues of Local Governments to set up a Consensus Building Committee for promoting effective governance.

### **Proposed strategies**

To address election fraud and misuse of legislative perks and privileges, the following strategies are proposed.

- Computerisation of the electoral counting process in order to eliminate problems which arise in the current system where ballot boxes travel through multiple layers of bureaucracy from the voting precincts to the national board of canvassers. Computerisation will hasten the time it takes for the proclamation of a winning candidate, enhancing the credibility of the election process and the acceptability of election results.
- More citizens' watch groups need to be deputised to oversee the conduct of elections. So far only one group has been given responsibility. Other organisation which could perform this role include the Parish Pastoral Council for Responsible Voting and the Bishops-Businessmen's Conference.
- The time is ripe for another nationwide voters education program given the success of earlier initiatives. A well-informed citizenry would help create a general anti-corruption environment.
- Expanding the performance reporting system to make elected officials more accountable for election promises. The performance reporting system includes dialogues, citizens' forums and joint public-private action groups which will

work towards increasing the accountability of public officials.

To address misuse of legislative perks and privileges the wide degree of discretion which currently exists in the use of congressional funds needs be minimised. But to ask the legislators to make a law curtailing their own powers may not be realistic. The onus must then fall to civil society groups to play a more active advocacy role.

- Advocating for the strict implementation of the existing provisions in the Local Government Code, particularly in the areas of community consultation and people participation in local government affairs. The provision should make it punishable for any members of Congress to use his development funds without prior consultation.
- Directly releasing congressional development funds to the local government units to reduce the legislator's discretionary powers over this money.
- Installing performance rating system to make members of congress more accountable for election promises.
- Conducting a nationwide anti-corruption awareness program. Educating the citizenry about the risks and circumstances of corruption and developing avenues for redress would help in the fight.

## Conclusion

Addressing corruption in the Philippines requires a multi-pronged strategy to raise general community awareness of the problem and create public pressure to make public officials more accountable for their actions. There are many strengths in the Philippines system of government, including its democratic political system. This paper has suggested practical measures which can reduce opportunities for corruption in two areas where corruption is common, elections and use congressional perks. The success of these measures requires a fundamental shift of culture to a state where the Philippines people no longer accept corrupt acts as just the way government works in their country.