Imagining Modern Democracy: A Habermasian Assessment of the Philippine Experiment.
Ranilo Balaguer Hermida
Albany: State University of New York Press, 2014. 338 pp.

Several books have been written about the discourse of democratization in the Philippines, such as: *Democratization: Philippine Perspectives* (1997), *Elections and Democratizations in the Philippines* (2001), *Contested Democracy and the Left in the Philippines After Marcos* (2008), and *Democratization Through Migration? Political Remittances and Participation of Philippine Return Migrants* (2016). Of these books, *Contested Democracy,* written by Nathan Quimpo, stands out as an important contribution of a philosophically informed view on democratization. In this aspect, Hermida's *Imagining Modern Democracy* not only adds another philosophic voice to this discourse but is a worthwhile contribution to the increasing amount of literature on Philippine democracy.

Quimpo's primary objective is to provide an alternative framework to the dominant approaches to the study of Philippine politics which he says is "static, one sided, and top-down."[1] Accordingly, most frameworks on understanding the character of Philippine politics fail to account for people's initiatives and the everyday struggles of the people to make

[1] Nathan Gilbert Quimpo, *Contested Democracy and the Left in the Philippines after Marcos* (Quezon City: Ateneo de Manila University Press, 2008), 41.

Philippine democracy more egalitarian and participatory. In the process, Quimpo claims that democratization hinges on "emergent, democratically oriented, leftist parties and groups."[2] Quimpo highlights the role of contestation and agency to push the formal democratic institutions into its substantive form. In his view, the liberal democratic framework "provides the opportunity for subordinate classes and communities to push for popular empowerment."[3] Like Quimpo, Hermida banks on an engaged citizenry and people's movement to bring about substantive democracy in the country. But while Hermida pursued the same thought with Quimpo, the paths they took diverged. While Quimpo's model builds on citizens' contestations with traditional political actors, Hermida provides the legal grounds of the necessity of people's political actions. By employing Habermas's discourse theory of law and democracy, Hermida shows the indispensability of people's participation to realize the various rights guaranteed by the constitution.

The Habermasian paradigm to reconstruct the normative presuppositions of democracy in modern society is decisive in Hermida's assessment of Philippine democracy. For Habermas, as explicated by Hermida, the possibility of the rule of the people lies on the legitimate enactment of the

[2] Quimpo, *Contested Democracy*, 53.
[3] Ibid.

law. This means that while the making of laws is given to the legislature, it does not mean that it is immune from the opinion and influences from the public sphere, as the legitimacy of legislative decisions springs from its ability to cater and accommodate the opinions of the public. In this instance, the unrestricted flow of public opinion in the public sphere and the will-formation in legislative bodies figure as important spaces for the formation of popular sovereignty—the absence of which renders the law enacted by the legislature highly questionable, if not outrightly illegitimate. In a constitutional democracy, legitimate lawmaking is the harbinger of all legitimate state actions, and insofar as laws are legitimately enacted by the state, the seat of political power that is traditionally perceived as coercive becomes rational. Indeed, the ultimate justification of all state actions lies in the process of lawmaking, because it is only through it that the addressee of the law becomes its authors. The public sphere fills an indispensable role in the functional differentiation in the modern society. While political actions can only come from the state, it does not mean that the people are confined to the role of spectators. Social integration and the legitimacy of state actions can only come from the mobilization of the people's communicative energies to discuss and act on a common platform of actions. Without this the whole democratic enterprise is in limbo. Of course, as Hermida articulated, Habermas's argument is more complicated than this.

By appropriating Habermas's insight, Hermida provides a reliable model of democratization as he highlights the constitution and the various provisions that guarantee the people their rightful place in politics. For Hermida, the constitution provides an indispensable resource for the country's democratic project as it weaves and binds both the state and society toward a vision of a "just and humane society."[4] Furthermore, it outlines the norms and standards that define state and human actions. Zeroing in on the constitution, Hermida throws the burden to both state actors and citizens to achieve a vibrant democratic society. This means that the pursuit of private and political autonomy, as well as economic and social wellbeing, is a responsibility that belongs both to the state and the people. Ideally, for the state, the full implementation of which is not a moral option. For the citizens, legal entitlements are not enough. Hermida insists that the realization of the constitutional visions can only come about when people seize, own, and act on them.

Hermida, however, is not blind about the brazen disparity between the constitutional ideals and the actual practice of democracy in the Philippines. He is well aware of the political conundrum the country is faced with. The

[4] Ranilo Balaguer Hermida, *Imagining Modern Democrary: A Habermasian Assessment of the Philippne Experiment* (Albany: State University of New York Press, 2014), 113–114.

entrenched position of the elite in the political and social hierarchy and their deliberate and clandestine efforts to hinder meaningful social reforms to undermine the country's democratic project is paramount in his thinking. Well-grounded on the origins and development of Philippine democracy, his hopes for a truly democratic society lie on an engaged citizenry rather than on traditional state actors. Echoing the Kantian spirit, he believes that by anchoring the people's actions on the constitution, actions are informed by a vision (read as theory) and the vision is realized by practice. Indeed, political actions unaided by a theory are blind while theory devoid of actions is empty. Hermida presupposes that by acting on the basis of the constitution, the impulse for social reform is no longer prompted by self-interest but on the vision within which the society is founded.

True to his intent—"to underscore [the] possibilities [and] deficiencies" of the country's democratic politics—Hermida focuses on the system of initiatives and referendum, the party-list system, civil society and nongovernmental organizations, and local government autonomy and decentralization because these aspects bestow popular sovereignty concrete expressions. For instance, the system of initiatives and referendum confers "a power [otherwise] reserved to one of the three branches of the government"[5]: the party-list system expands the representations in Congress

[5] Hermida, *Imagining Modern Democracy*, 121.

by granting a seat to the marginalized and unrepresented sectors; the civil society and nongovernmental associations mediate the state and the society by serving as harbinger of the people's welfare through developmental projects, advocacy for social reform, and "meaningful inputs to lawmaking and innovative alternatives to traditional frameworks of addressing social problems"[6]; and lastly, local government autonomy and decentralization disperses political power and state resources, which enables local communities to respond directly to their needs. However, Hermida laments that there is so much to be done to realize these ideals. Particularly, he notes that the system of initiatives and referendum have not been fully explored as a mechanism to push for the enactment of policy measures that respond to people's interests; the party-list representatives have not become "a power bloc to reckon with" to equalize and challenge traditional political players"[7]; the civil society and nongovernmental organizations are also beset with internal and external challenges; while the principles of local government autonomy and decentralization are subverted by "certain provisions [in the local government code] that retain [the] substantial influence of the national government over local units." [8] However, Hermida is

[6] Ibid., 155.
[7] Hermida, *Imagining Modern Democracy*, 135.
[8] Hermida, *Imagining Modern Democracy*, 164.

relentless that whatever shortcomings those provisions may have, these are still a potent resource for the people to penetrate the interstices of political power that have been the bulwark of the elite. Hermida notes that there is always tension between actual political practice and political ideals. He hopes that when citizens consistently build up this tension, the political order is shaken enough to slowly open the alleys for social and political reforms.

Hermida's awareness of the glaring shortcomings and failures of the country's political system to forge a strong, dynamic, and equitable society do not make him cynical. While he recognizes the enormous challenges at hand, he sees windows of hope wherein which Filipinos can build a truly democratic society.

Emphasizing the historical genesis of the present constitution, Hermida argued that direct democracy is highly revered and valued in the current political set-up, which Habermas's account of law and democracy is not keen about. Habermas's theory accentuates the indirect role of the society in the making of laws. Habermas is emphatic that the public sphere—composed of private individuals, voluntary associations, and civil society organizations including the mass media—only serves as "communication networks" that "give[s] voice, make[s] broad demands, articulate[s] public interests or needs" with the sole purpose of influencing the process of lawmaking from a "normative point of view." In other words, the society cannot act on its own. It cannot

take matters into its own hands. Nonetheless, political actions such as lawmaking cannot be left to the state. While political actions are given to special bodies like the legislature, the executive, and the judiciary, they can act only on the basis of a legitimately enacted law. While Habermas highlights the peripheral role of the society, he also underscores its value. Yet, Hermida thinks that the elements of direct democracy in the Philippine constitution are not a deviation of the Habermasian paradigm. They neither override nor replace the legislative function of congress. For Hermida, they are necessary to counterweight elite rule in the country as they give the people political leverage to push for a more democratic and equitable society. Hermida thinks that the elements of direct democracy in the constitution enriches rather than deviates from Habermas.

Although written in 2014, this book is a timely intervention in the political atmosphere prevailing today. Recent events such as the return of the Marcoses as prominent figures in national politics and the election of Rodrigo Roa Duterte as the country's president seem to reinforce—if not confirm—the view that the Filipino people have grown weary—if not totally discontented—with the Philippine democratic project. The political pendulum, after more than thirty years of the EDSA democratic experiment, seems to be swinging back to authoritarianism. Yet, Hermida's book is a gentle reminder that the fulfillment of the visions in the constitution does not lie in the hands of

one person alone. As one of Hermida's vital messages remind us: political power is in the people and it is guaranteed by the present constitution. Given the present political scenario, we cannot afford to ignore his voice: the road forward is not authoritarianism but people's empowerment that is grounded on the constitution.

Despite appearing to be heavily philosophical, the book remains valuable especially to those uninitiated in Habermas's theory of law and democracy. Reading Habermas's *Between Facts and Norms* is a herculean task. Yet Hermida's concise explication of the Habermasian model of democracy is remarkable. His clear grasp of the complexity of Habermas's thought is instructive. Certainly, Hermida succeeded in this herculean task.

However, while Hermida excellently explicates Habermas's theory of law and democracy, he is not so clear which part of Habermas's theory he will employ to assess the Philippine experiment. Perhaps the author's concern to decipher Habermas's concepts to lay readers led him to discuss a mountain of ideas, consequently losing track of the themes relevant to the book's second part on the visions and actuality of Philippine democracy. Hermida could have solely focused his discussion on the role of the public sphere in the process of democratization and on the importance of the system of rights to secure the normative foundation of democracy. By focusing on these topics, he could have prepared his readers for the demanding and exciting tasks in

the second part. A detailed account of other related topics in the first part seems unnecessary. In the beginning of part two, his project becomes clear—"the prospects for democratization offered by the medium of law."[9] Earlier, it was stated broadly as an "assessment of the Philippine experiment." Viewed in this context, the reader may reread the first part and focus on Habermas's idea of popular sovereignty in relation to lawmaking. However, the need for the reader's focus in the first part does not diminish the overall cogency of the author's argument as he successfully appropriates the Habermasian paradigm to underscore the possibilities of Philippine democracy.

Indeed, there is something in the author that most of us fail to utilize: imagination. Armed with a Habermasian perspective, he sees the vision within which our practices are founded. Most of us only see the deficiencies of our political practices and because of it we wallow into pessimism that hinders us from recognizing the existence and emergence of that which is novel. I take Hermida's *Imagining Modern Democracy* as an injunction that political change begins with an imagination of the kind of future we want to have. Political change cannot commence if we do not deliberately act to reconceptualize the present state of affairs. Change cannot come if we cling to our old ways of thinking and

[9] Hermida, *Imagining Modern Democracy,* 107.

doing. Change cannot thrive on the usual and the normal. Rethinking of our political condition is not only important, but imperative, and imagination is a condition *sine qua non* to accomplish this task.

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