A Second Look at Philippine Democratization: Developments in Policy-making

JOSÉ C. J. MAGADÍA
ATENEO DE MANILA UNIVERSITY
PHILIPPINES

Students of Philippine politics have viewed the restoration of democracy following the fall of Ferdinand Marcos, in terms mainly of the reinstatement of conventional democratic institutions. I propose to take a closer look at this redemocratization process, focusing on the policy process, the principal framework for which was put in place during the Aquino administration. For through the instrumentality of this process, an expansion and variegation, by agents and agencies of both state and society, of repertoires for mutual engagement has come about, with the result that, in the very structure of political opportunities in post-authoritarian Philippines, spaces have opened up for the creation of institutional mechanisms designed to engender a more robust interaction between government and civil society than was ever possible in the pre-1972 democracy.

In 1991, and close to the end of her six-year term in Office, President Corazón Aquino herself put political democratic restoration at the head of the list of legacies that she felt she could rightly claim to have bequeathed to the Filipino people,¹ and not many could dispute her claim. Many were those, in fact, who concurred with her recognition that her most significant contribution to the work of rebuilding the Philippine nation was the reinstatement, under her watch, of the various democratic political institutions that Ferdinand Marcos had dismantled —

a Constitution that restored all basic human and civil rights; an emancipated electoral system for supplying the personnel for key posts; a more powerful and autonomous legislature; a liberated Supreme Court; a gradual (if traumatic, for the military personnel most affected) depoliticization of the military; a more decentralized local government system; a Chief Executive who was subject to greater constitutional and institutional restraint. Topping the list was the peaceful transfer of power from her administration to that of Fidel V. Ramos, who succeeded her to the Presidency.

Yet, as critics have never ceased to point out, as good as these developments were, they were not nearly enough. They carp that, under her watch, quite the reverse of being eliminated, a number of weak, paralysis-prone, pre-Marcos institutions were rehabilitated or restored, particularly in the policy process, of which, for them, the restored bicameral Congress — national policy-making’s formal institutional locus — is a case in point, reincarnating its old pre-authoritarian self, instead of laying it to rest.

Prior to 1972, under the impact of the great inequalities that had dominated the Philippine social landscape for centuries, Congress, particularly its Lower House, became a center of power for the old oligarchic families, with the result that it was not so much collective demand-making, as it was various forms of patronage-based relationships, that fueled Philippine politics in general (Landé 1965; Machado 1974; Wolters 1984; Sidel 1995). Built cosmetically over this core of social inequalities was an electoral system that served, not so much as a medium for representation and democratic accountability, as a venal bargaining table. Consequently, not many substantial policies were really crafted within the legislature, as it was mainly a body for particularistic law-making (Grossholtz 1970:109). The parties from which legislators were chosen were ideologically indistinguishable, as policy positions had little to do with electoral victories.² At the same time, great leverage and

²The literature has pointed out that the two parties are really identical — in their cadre- rather than mass-membership structures, in the socio-economic and cultural profiles of their leaders (mostly landowning elite and professionals), in the non-ideologically-based policies which they claimed to espouse, and in their lack of internal cohesion and solidarity: hence the frequent occurrence of party-switching among the professional politicos who run the system. (Wurfel 1988; Corpuz 1965; Landé 1965).
power was vested in the person of the President, who held vast discretionary prerogatives in policy-making which tended to centralize governmental processes (Wurfel 1969, 1988). All this made for a political system that was heavily top-down. Critics claim that it is this same dynamic that rears its ugly head once more in post-authoritarian policy-making.

Facile general evaluations like this, however, tend to overlook subtle yet important developments that should not be altogether dismissed, especially as they point to significant shifts in the patterns of Philippine policy-making. We shall focus in this paper on two obvious developments: an authentic liberalization within the post-authoritarian regime, and a corresponding and continued opening of a vibrant civil society. On the one hand, the new regime institutionalized consultation and dialogue with organized societal groups. On the other hand, organized groups in society learned to explore creative new strategies in dealing with a friendlier government. The two succeeding sections will highlight these changes, and special attention will be given to processes within the restored Congress.

Moreover, it is important to look back to the Aquino administration, because it was in that period that these changes took place — changes that have been preserved in Philippine politics to this day. Through a focus on national policy-making as this was worked out in the Eighth Congress of those years (1987-1992), this paper will argue that the interaction engendered by the simultaneous and mutual engagement by both government and civil society, has radically altered the national political opportunity structure of the Philippines, in the aftermath of Marcos’ downfall. Thus, what one cannot miss in the new Philippine politics is a re-ordering of the conduct of state-society relations — which is a major component in the consolidation of Philippine democracy.

**Changes in the State**

The democratization of the Philippine government proceeded immediately after the exit of the dictator in February 1986. The new trend of liberalizing political processes was set in the euphoric days of the early Aquino period, when the “people power” battlecry called for the dismantling of all authoritarian structures from the former regime. Par-
alleling the reinstitution of formal democratic processes was the other significant component of liberalization — an additional and new element in the state's prevailing strategies for governance: the direct consultation of organized popular constituencies and their leaders. This was done initially in the context of a transitional and provisional "freedom constitution" which abolished the Marcos legislature and granted Aquino virtual dictatorial powers, until a new constitution could be set in place. In the absence of an officially-ratified-and-promulgated charter, the President firmed up her claim to legitimate rule through her populist approach to policy-making during this interim period. Aquino herself made it a regular practice to meet the ordinary folk, for instance, in semi-formal dialogues with groups, or in informal small talk on the streets, on various provincial tours. There were also more formal meetings and dialogues with different groups by sectors (e.g. labor, fishermen, farmers, businessmen, indigenous communities).

Aside from Aquino herself, many of the key figures in her government were likewise consultation champions and advocates. Many of these figures were drawn from the leadership, or from among the supporters, of nongovernmental organizations (NGOs), that entered into major alliances with the protest movement against Marcos. The presence of recognizable allies in executive line agencies facilitated the spirit of dialogue with and openness towards civil society. Among such Aquino appointments to top government posts in the early years for instance were: Augusto Sánchez (Minister of Labor and Employment), Mita Pardo de Tavera (Minister of Social Welfare and Development), José Diokno (Chairman of the Commission on Human Rights), Joker Arroyo (Executive Secretary), Alfredo Bengzon (Minister of Health), and Fulgencio Factoran (Minister of Environment and Natural Resources). Many others were appointed to second-level positions. Of the 48 Aquino appointed to the Constitutional Commission of 1986, nine were identified with various grassroots organizations and NGOs.3

The same trend showed itself in the legislature. In the elections to the first post-authoritarian Philippine Congress, the political victories scored by many new legislators who, as perceived allies of grassroots

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3 On these appointments, see McCoy (1987: 17), and Silliman and Noble (1998: 297).
organizations and cause-oriented movements, gave a further boost to the trend of government openness. Among the key figures in the Senate were: René Saguisag, Wigberto Tañada, Agapito Aquino, Teofisto Guingona, and Aquilino Pimentel. In the lower house there were, among others, Florencio Abad, Edcel Lagman, Rogaciano Mercado, Venacio Garduce, Gregorio Andolana, and Lorna Yap.

Even more crucial to longer-term democratic consolidation than these *ad hoc* agent factors was the fuller integration of such consultative strategies in formal institutional structures introduced after 1986. This afforded societal organizations greater leverage and bargaining space in policy-making and implementation.

The most foundational expression of the new orientation was the enshrinement in the Philippine Constitution of 1987 of various provisions requiring government to incorporate input from autonomous organized societal sectors. Included in its declaration of basic principles and state policies was the provision that the state should “encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation”; it should respect their independence and allow them to participate effectively in all levels of policy-making and implementation. Moreover, the state was given the mandate to “facilitate the establishment of adequate consultation mechanisms.” In another section, the President was obliged to provide for the creation of regional development councils and other such bodies that would bring together local government and nongovernment representatives “for purposes of administrative decentralization to strengthen the autonomy of the units therein and to accelerate the economic and social growth and developments of the units in the region.”

These many provisions alone, in being ensconced with the basic law of the land, set a precedent in Philippine constitutional history, which for the first time effectively and explicitly opened spaces for nongovernment participation in regular politics.

In this, the Constitution mirrored and reinforced the openness to societal organizations that had already earlier been initiated in many

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of the government’s executive offices. One major effort, for example, was the “Policy Agenda for People-Powered Development” (1986) and the “Philippine Medium-Term Development Plan, 1987-1992” (1987), mandating consultations between the government’s National Economic and Development Authority (NEDA) and organized basic sectors (NEDA 1987: 38-40). Similar efforts at bringing non-government actors into government deliberations or activities were carried out in other line agencies, notably the Housing and Urban Development Coordinating Council, the Presidential Management Staff, the Presidential Commission for the Urban Poor, and the cabinet-rank Departments of Health, Environment and Natural Resources, Agriculture, Social Services and Development, Trade and Industry, Labor and Employment, and Agrarian Reform. In all of these agencies, provision was made for the creation of consultative mechanisms with NGOs; for the establishment of liaison bureaus, offices or desks for civil society organizations; for the design of special programs with a civil society participation component; for the provision of financial assistance programs for specific projects. (Quizon 1989: 7-16)

The other explicit provision in the Constitution that institutionalized the integration of societal actors and interests in policy-making came in the form of functional representation in the legislature. The 1987 Constitution explicitly mandated that 20 per cent of the membership of the Lower House of Congress be drawn from such marginalized sectors as labor, peasants, disabled, women, youth and others. This was the result of the recognition that the unique interests of these sectors are best addressed by means of spokespersons with concrete membership ties to these groups. More importantly, this provision was an acknowledgment of the basic inequalities in the prevailing socioeconomic and political structure of the Philippines, and of the reality that it could not be undone in the near future. As a consequence, and as a further expression of the strong social justice bent among its drafters, the Constitution stipulated that marginalized sectors and groups that ordinarily would not have stood a chance in sending their representatives into the oligarchy-dominated Congress by means of a territory-based electoral exercise, be afforded functional representation.

Two mechanisms were instituted by the Constitution to implement functional representation: the party-list system and sectoral representation. The party-list system was envisioned to allow for the direct
representation of sectoral, regional, or cause-oriented organizations and interests in policy-setting, and thus provide for their greater empowerment. The first party-list representatives were scheduled to be integrated into the House of Representatives by 1998. Transitorily from 1987 to 1998, the Constitution granted the President the power to appoint sectoral representatives. It was hoped that during this interim period, the alternative groups would begin organizing and strategizing in order to effectively take their posts in the legislature in 1998. In keeping with this constitutional mandate, Aquino proceeded to nominate sectoral representatives from labor, peasants, urban poor, women, youth, the disabled, veterans, elderly, and fisherfolk. Of the 900 names submitted by societal organizations in the course of the Aquino administration, 26 were nominated, and 14 were accepted and confirmed by Congress.\(^8\)

Significantly, the openness of Congress in actual praxis was recognized by societal organizations themselves. In a national conference sponsored in 1995 by the University of the Philippines, called “Philippine State-Civil Society Relations in Policy-Making,” some 50 participants from NGOs, POs, academe and government, identified several crucial channels through which societal organizations have de facto been able to successfully influence Congress. These were: bill or motion drafting and sponsorship; membership or participation in consultative or technical bodies in Congress; participation in public hearings and committee meetings; lobbying through petitions, signature campaigns, submission of position papers; participation in fora, dialogues, and consultations with legislators or candidates present; and dialogues with individual legislators. (Wui and López 1997: 7-9)

Finally, critical laws were subsequently passed by Congress that further concretized constitutional principles calling for greater participation by societal actors and organizations. In 1991, the Local Government Code (RA 7160) was a major watershed. It provided for civil society penetration to the smallest local government unit, providing for

\(^8\)Ibid., Article VI, Section 5 (2). See Corral (1993: 21ff) for more details on Aquino’s appointments and appointees. Corral notes, further, some of the very serious problems which became obstacles to the greater success of sectoral representation during Aquino’s time (pp.86ff). This, however, does not preclude the novelty of the experience, and the improved accessibility to policy-making provided by this institution.
sectoral representation and promoting projects of partnership and mutual assistance between government and nongovernment actors. Earlier in 1989, the Initiative and Referendum Act (RA 6735) gave teeth to the constitutional provision that allowed citizens and citizen organizations to directly propose, enact, or reject legislative acts from the national to the local levels.

In summary, from the developments in the regime after the demise of authoritarianism, what one sees in the Philippines is a state sector that provided more than ample space for the movement of societal actors and the expression of societal interests by groups seeking to be heard. In particular, the orientation towards and praxis of consultation in both the executive and legislative branches of government have allowed for the insertion of societal organizations in the policy process.

An Open Civil Society

After the downfall of Ferdinand Marcos' authoritarian regime in 1986, there were important changes in the conduct of politics, besides the reinstatement of conventional democratic institutions (e.g. the Constitution, civilian rule, civil rights, the Congress, political parties, etc.). The continuing proliferation of and key roles assumed by new civil society actors (e.g. nongovernmental organizations or NGOs, people's organizations or POs, citizens' associations, sectoral or multisectoral alliances or federations), which acted autonomously of political parties or state powers, point to the emergence of significant new actors whose overall impact upon the process was to significantly alter the political configuration of policy-making. In various issues of national concern, different societal organizations actively participated in the policy process, in the reinvigorated liberal context of a restored democracy — way beyond the confines of merely electoral politics.

These societal actors have been accepted as new players in public policy, and to this day continue to exert significant influence over the conduct of Philippine politics through their issue- or sector-based demand-making. Considering the grassroots support organizations, for instance, the Aquino period saw a proliferation never seen before in

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9 For a full discussion of the potentials and effects of this law, see George (1998). This article also includes significant local cases. See also Pimentel (1993).
Philippine history: government figures show that the number of registered NGOs rose by 96%, from 27,100 in January 1986 to 53,000 in September 1992. Paralleling this proliferation was the phenomenon of societal organizations actively engaging government on all levels, coordinating closely with particular line agencies, assisting or substituting in the delivery of services, while jealously guarding their autonomy from the state.\footnote{This data from the Security and Exchange Commission of the Philippines is cited in Clarke (1998: 70). See Alegre (1996: 27), for a more focused view on the basic features of NGOs, and the variation in the types of NGOs. Also see Constantino-David (1998: 37). Both Alegre and Constantino-David point out that the quality of NGOs has been uneven. Despite this, the evidence is that there is also greater number and involvement of authentic NGOs.}

However, the existence alone of organized societal groups does not automatically lead to participation; nor does their increased number. Indeed, as data presented below show, some civil society organizations making demands on government were not able to enter more formally into the policy process. Indeed, what the data highlights is an additional element that allowed for institutional participation and inclusion in policy-making — a liberalization among societal organizations that paralleled the opening of the state. This more critical element was the concrete strategies these organizations employed in relating to government, and making demands of it, which greatly facilitated their inclusion in the policy-making process. Specifically, organized groups that used a key strategy I call “programmatic demand-making” (PDM) were the ones included in the policy process. By programmatic demand-making, I mean the presentation and communication to government of an articulated position regarding a policy issue, wherein societal concerns are expressed comprehensively, so as to include general principles, particular provisions, and even some implementing guidelines. The most developed form of PDM is a proposal in actual legislative format.

This can be seen in the experience of policy-making in the major issues faced by the Aquino government, through its main policy institution, the Congress. A review of this experience is now in order. Table 2.1 lists these policy issues, based on a review of two major Manila dailies, The Philippine Daily Inquirer (PDI) and The Manila Chronicle (MC) — the former with the second highest readership nationwide in this
period, and the latter with the best reputation for “progressive” reportage in this period (Maslog 1994: 48-49).

Table 2.1: Policy issues from August 1987 to June 1992, as reported in PDI and MC

1. Agrarian reform
2. Nationalization of the oil industry
3. Generic drugs use
4. Ethical standards for those in public office
5. Labor relations reform
6. Disband vigilantes
7. Transfer military human rights cases to civilian courts
8. Dismantle the US military bases
9. Grassroots initiative for policy-making
10. Fisheries reform
11. Autonomy for Muslim Mindanao
12. Establish a federal form of government
13. Foreign debt management
14. Decentralization
15. Urban land reform
16. Autonomy for the Cordillera Region
17. Emergency powers for the President
18. Promotions for small entrepreneurs
19. Clarifying the functions of the Ombudsman
20. Private sector participation in public works
21. Total ban on commercial logging
22. Clarify police jurisdictions
23. Create guidelines for cooperatives
24. Restore capital punishment
25. Women’s role in development
26. Consumers’ protection

\[11\] The use of these dailies as credible sources is based on the assumption that the political redemocratization of 1986 brought about the complete liberation of mass media, and the restoration of full confidence among media personnel that the right of free expression could be practiced without any fear of censorship from the state. This became the *status quo*, and the proliferation of broadsheet dailies in Manila during
Then, Table 2.2 below expands on Table 2.1, and identifies those groups associated with these policy issues, and distinguishes those that were able to participate in formal policy-making in Congress. From PDI and MC sources, the second column names those societal organizations that made demands on Congress in the listed policy issues, reproduced in the first column. The third column pinpoints which of the societal organizations employed PDM; and the fourth column pinpoints those that did participate in any way in Congressional policy processes.

The societal organizations listed in the second column were selected based on very specific criteria. The list contains the names of single societal organizations that presented demands to Congress in the specific and single national-level policy issue areas listed in the first column. It includes formally-constituted coalitions, but excludes alliances between loosely-organized groups that make common cause on some specific concern, but that have not coalesced into a single united super-organization. For instance, the issuance of a joint solidarity statement published in newspapers in support of redistributive agrarian reform by allies of CPAR was not considered an instance of demand-making.

Also excluded are cases involving a policy issue, wherein a demand was made by single societal organizations as merely one in a series or package of multiple demands in different policy areas that the group was known to sponsor. For instance, multi-sectoral groups like left-leaning BAYAN or BISIG constantly made demands on single issues, but it was known to speak on behalf of a host of other issues; the subsequent actions and statements of these groups bore this out when they strung together these reform demands in a package. Excluded as well are cases of single-issue demands by isolated societal organizations that are merely expressions of support for a cause for which the group made no sustained demand-making. One other important form of data that

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this period is evidence to this liberal atmosphere. Moreover, the listing also assumes, fairly, that in this free press milieu, policy issues and demand-making by societal organizations regarding these issues of national import will be recorded by one or another of Manila’s major competing dailies. It is worth noting that, for all cases on the list, both PDI and MC had coverage, thus confirming the verity and importance of these issues. Maslog (1994: 46-47) points out, in addition, that the political context that produced newspaper proliferation also pushed press freedom to the point oflicense, sensationalism, and even irresponsibility.
the table does not reflect are demands made by single groups involved in sustained demand-making in single policy-issues, wherein the group was or subsequently became part of a larger single-issue coalition. For example, KMP (Kilusáng Magbubukid ng Pilipinas, a peasant group) articulated demands for agrarian reform early in 1987; later it joined CPAR; in the table, only the CPAR demand is reflected, because its membership in the CPAR notwithstanding, KMP continued to issue public statements on its own behalf. In all of these cases, only the more encompassing coalition is listed, given the fact that a particular group’s demands came usually to be integrated into the coalition demands.

These qualifications are important in order to be able to identify societal organizations that are indeed comparable in terms of demand-making.

The third column is based first on both PDI and MC sources, and then, as well on newsletters of nongovernmental organizations and associations, interviews with various leaders, and some previously written analytical works. The indicator used for PDM was the presentation of a group’s demands in terms of a comprehensive statement of an alternative position. Such a comprehensive statement came in one of two forms: an actual legislative draft proposal (i.e. the submission of a societal group’s position and arguments encased in the proper format of a bill or resolution for the Senate or the House of Representatives) or an extensive position paper submitted to legislators. What clearly distinguished this type was the extra step taken by some societal groups in the articulation of their positions, beyond just listing a set of demands. This extra step consisted in the further repackaging of proposals in a format that included general principles, particular provisions, and implementing guidelines. After repackaging, and where an actual legislative draft was involved, supportive legislators sponsored the proposal as a bill in their respective legislative chambers. From this point on, the proposal entered the official legislative mill, became subject to the internal rules of legislation, and was given the opportunity for full exposure in Congress.

Finally, from the same sources cited for the third column, the fourth column pinpoints those societal organizations that were able to participate in Congressional processes on the policy issue that is their concern. The minimum indicator was inclusion in the formal Congressional meetings to discuss the corresponding policy issue, i.e. the legislative
committee given charge of the issue.

Table 2.2 Participation of societal organizations in deliberations in the key policy issues, 1987-1992 (see Appendix A for a legend of the acronyms)

<table>
<thead>
<tr>
<th>Policy Issue</th>
<th>Societal Organizations</th>
<th>PDM?</th>
<th>Participation?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agrarian reform</td>
<td>CPAR</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>FFF</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>CAPP</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Nationalization of the oil industry</td>
<td>CAOPI</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Generic drugs use</td>
<td>PDAN</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Ethical standards for those in public office</td>
<td>None</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Labor relations reform</td>
<td>LACC</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>TUCP</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Disband vigilantes</td>
<td>NMDV</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Transfer military human rights cases to civilian courts</td>
<td>FLAG</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Dismantle US military bases</td>
<td>CSP</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>ABAKADA</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Kasarinlan</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>ATM</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Grassroots initiative for policy-making</td>
<td>None</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Fisheries reform</td>
<td>ARKA</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>NACFAR</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Autonomy for Muslim Mindanao</td>
<td>MNLF</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>MILF</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>MNLF-RG</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Policy Issue</td>
<td>Societal Organizations</td>
<td>PDM?</td>
<td>Participation?</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>------------------------</td>
<td>------</td>
<td>----------------</td>
</tr>
<tr>
<td>Establish a federal form of government</td>
<td>UNLAD-BAYAN</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Foreign debt management</td>
<td>FDC</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Decentralization</td>
<td>None</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Urban land reform</td>
<td>ULR-TF</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Autonomy for the Cordillera Region</td>
<td>CPA</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>CPLA</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>CBC</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Emergency powers for the President various groups associated with</td>
<td>BAYAN</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Promotions for small entrepreneurs</td>
<td>none</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Clarifying Ombudsman functions</td>
<td>none</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Private sector participation in public works</td>
<td>none</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Total ban on commercial logging</td>
<td>TFTCLB</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Clarify police jurisdictions</td>
<td>none</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Create guidelines for cooperatives</td>
<td>NATCCO</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Restore capital punishment</td>
<td>various groups</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Women's role in development</td>
<td>various groups</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Consumers' protection</td>
<td>various groups</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>
There is no certainty that the data from PDI and MC is exhaustive of all cases of societal organizations making demands in the given policy issues, presenting programmatic alternatives and participating in policy deliberations. But their established credibility assures those concerned that most cases were covered.

From the table, it is obvious that in those policy issues where no corresponding societal organizations pressured government, there could be no participation to speak of. Among those issues where societal organizations were present, two groups can be discerned: those that employed PDM and those that did not.

Were societal organizations involved in PDM able to participate in the subsequent policy processes conducted in Congress? Table 2.2 gives evidence for an answer in the affirmative. Though the correspondence is not perfect, the trends do support the generalization that those organizations that cast their demands in terms of programmatic propositions were the ones best able to exploit openings in government. All these organizations entered the legislative process, particularly through participation in Congress meetings in the respective committees tasked to tackle their particular policy issue area; some even went beyond this forum (e.g. CPAR, ULR-TF, LACC). The obverse of this trend is also verified in that, generally, those organizations that did not get involved in PDM were correspondingly not able to participate in policy processes in Congress.

While all groups that employed PDM participated in deliberations, there were those with no PDM that were still included in Congress committee meetings. Three such groups are discernible. The first involved those that had a direct contact in the legislature, through a legislator who brought their respective groups in. Such was the case for the TUCP (a labor federation), whose secretary-general, Ernesto Herrera was also a senator, and chairman of the Senate Labor Committee. Similarly, the CAPP (an organization of rural landowners) counted many members of the oligarchic House of Representatives as its members, and was likewise easily able to join in the deliberations.

The second group of exceptions involved the Muslim groups who called for genuine autonomy. All three groups, MNLF, MNLF-RG, and MILF had armed forces, and were seen as potential direct threats to national sovereignty and integrity. Thus, their positions were given
much weight in the policy discussions and their leaders were consulted. Moreover, unlike their Cordillera counterparts who positioned their members in the Regional Consultative Council established to draft an organic act for autonomy, the Muslim groups did not.

Finally, a third group of societal organizations were able to participate in Congressional deliberations despite the absence of PDM, through their recognized expertise and leadership in the policy issue area, combined with aggressive reformist lobbying. Such was the case for TFTCLB (an anti-logging group) on the logging issue, and NATCCO (a national association of cooperatives) on cooperatives.

**Political Opportunity Structure**

It cannot be denied that important changes have really taken place in the conduct of politics, aside from and beyond the reinstatement of conventional democratic institutions. The continuing influence of civil society actors which act autonomously from political parties or state powers, and the recognition of and continued support for their autonomy by both state and party leaders are indications of development in the system of representation.\(^{12}\) What one sees in post-authoritarian policy-making in the Philippines is a major shift in “political opportunity structure” (POS).

This term hails from the social movement literature. In trying to explain the mobilization of social movement organizations, Sidney Tarrow (1988, 1994) presents a theoretical framework which extends resource mobilization theory. This is done by going beyond the consideration of just the organization and mobilization of social movements (Tilly *et al* 1975, Oberschall 1973, Klandermans *et al* 1988); the theory also seeks to explain their success, by concentrating on political process.\(^{13}\) Here, the concept of *political opportunity structure*, POS, is

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\(^{12}\)This point is made clear in the essays found in the volume by Quizon and Reyes (1989), in the case of non-governmental organizations (NGOs). Also, Clarke (1998: 95) notes that “the great strides made in the period since 1986 suggest a new, durable, tradition of collective action and of intermediate institutional linkages between state and society that help consolidate the quasi-democratic character of the Philippine polity.”

\(^{13}\)Cohen and Arato (1995) presents an excellent review of this literature, as well as of the European identity-oriented school of social movements.
revived: the "consistent — but not necessarily formal or permanent — dimensions of the political environment." In Tarrow's work, it is this structure that provides incentives for people to undertake collective action as expectations for success or failure shift.  

The POS is composed of both relatively stable as well as changing elements. Among the stable elements are political cleavage structures, formal state institutions, and the prevailing set of informal procedures and practices used by political authorities. The fourth, and the more variable and short-term component of the POS, has been termed "alliance structures" — which shift, so that openings are made and the current political conditions are determined, that societal groups respond to through mobilization. Thus, what Tarrow considers the POS is primarily the product of the actions of the state.

In trying to understand the changes in the Philippine redemocratization experience, I propose to go further and modify the idea of political opportunity structures, so as to include, not just the mediation through the strategies of state actors, but also the mediation through the actions of organized entities of civil society. In this expanded conception, the POS is no longer external to societal organizations. It also ceases to be just unidimensional; now it becomes, moreover, the product of the interaction between the agents of both state and society. This aspect is not missed by Tarrow, who points out that once societal groups are mobilized, there will also be a feedback effect on the strategies used by the state. Consequently, an interactive dynamic is set in place, which could, in the long-run even modify the more stable elements of Tarrow's original idea as regards POS as well. This also relocates the POS from a point prior to the entry of societal organizations, to one where the state and societal organizations are already interacting.

In the Philippine case, therefore, while the transitional character of the Aquino administration generated major shifts and openings, the fuller picture of the interactive POS must bring in as well the various

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14 Clearly, Tarrow draws from the work of both his predecessors and contemporaries in the use of this concept: Lipsky (1970), Eisinger (1973), Brand (1985), Kitschelt (1986), and Kriesi (1991).

15 Hanspieter Kriesi (1991) distinguishes between the "formal institutional structure" of a political system and the "informal procedures and prevailing strategies with regard to challengers."

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societal organizations of civil society which have continued to influence politics and make demands in the post-authoritarian period. In particular, participation by societal organizations in the policy process is conditioned by a shifting national POS that is mediated by both the strategies used by a characteristically transitional immediate post-authoritarian administration, and the presence and activities of societal organizations that are able to make programmatic demands of state authorities.

**Gaps**

This discussion of the Philippine policy process, and the introduction of the expanded notion of the POS, fall squarely within recent studies of state-society relations. One of the important outcomes of the debates between structuralists and strict statists is the reaffirmation that while there are political actions by key players that are identifiable as clearly coming from within the state sector proper, and those that are clearly coming from outside (i.e. "society" in its narrower sense), the demarcation line between them cannot, in most cases, be clearly and definitively drawn. Moreover, even where the actions are indeed more distinguishable, a wider contextualization just re-obsures the lines of differentiation. Thus, a more comprehensive accounting for political phenomena must turn to frameworks that are able to incorporate elements from both state and society, and from their interaction as well. This is especially the case in the complex processes of democratic policy-making and implementation, where a premium is placed on consultation and participation.

A recent expression of this apparent tension can be found in the essays contained in a volume edited by Migdal, Kohli and Shue (1994). Reflecting on the cross-country cases in the book, the editors have presented the broadest possible perspective in viewing state-society interactions. Their basic strategy is to view the state as inextricably embedded in its particular societal context, and to view societal factors as necessarily influenced by state action or inaction. In particular, Migdal et al identify four premises that distinguish what they call a "state-in-society" frame of reference:

1. The relative effectiveness of states varies according to their respective links to society. Consequently, the concept of "state
autonomy" is emptied of much of its meaning, as it fails to explain most political outcomes.

(2) The study of state actions in their particular societal contexts calls for a disaggregation of both state and society, and an expansion of studies into more peripheral areas of a given country-case. Here, the authors emphasize the geographical periphery.

(3) On the other hand, the capacities of societal forces depend as well on particular empirical contingencies, as on their respective structural positions. In this view, the presence of relevant political resources that are not class-conditioned is given adequate recognition.

(4) While there are zero-sum interactions between state and society, this type is not the only one. Many other outcomes are possible, and indeed under particular conditions, interactions may be mutually empowering.

These are the theoretical assumptions of this present work.

Admittedly, though, some gaps still remain to be filled, which are beyond the scope of the present work but which nevertheless must be acknowledged.

While it might be said that representation in policy-making has expanded in this post-authoritarian democracy, it must also be recognized that an even closer look will indicate greater unevenness and inconsistency. A problem with the data thus far is that it does not factor in the variations in participation or nonparticipation in policy deliberations. What has not yet been accounted for is the more nuanced variation in degrees of participation. For instance, discussions regarding agrarian reform and the foreign debt involved many sectors, and extended negotiations were conducted in a great variety of fora; on the other hand, the issues of privatization and decentralization hardly evoked discussion outside the confines of narrow government circles. While there were signs of more extended societal participation in policy-making in some areas, others saw only the reinstatement of the old top-down political processes. Granting that PDM is a sufficient condition for a minimal degree of participation, there is still a need to explain the difference between more and less extensive participation. Furthermore, the variation in societal organizations indicated by the employment or
nonemployment of PDM point to a further specification of the political opportunity structure, and disaggregation by policy area. This is the direction that future research must take.

Moreover, even the expanded participation in some policy areas was circumscribed, as eventual decision-making in the Congress was still largely controlled by traditional políticos, whose ties with their constituencies were established along old patronage lines. Consequently, in post-Marcos Philippine politics, a traditional electoral political structure has been co-existing with strong extra-electoral societal influence. What one sees here is a sharp split that has developed in Philippine neodemocratic political processes: While actual decision-making of national policies was still dominated by an elitist Congress, it was in the prior and crucial deliberation phase that societal organizations have been able to insert themselves in the policy-making process, and that significant expansion in representation has been seen.16

The Philippine experience is not unique in the developing world. They are empirical manifestations of the recent global phenomenon of the encounter between reinvigorated civil societies in both transitioning and consolidating polities, and struggling governments trying to reorder political institutions in a more liberalized ambit. On the one hand, the breakdown of many authoritarian regimes in the 80s led to the resurgence of democratic rule, in one or another of many versions that varied in their degrees of openness to a range of strategies for societal demand articulation and participation. On the other hand, the various types of civilian mass movements and organizations that accompanied or facilitated the transitions, have had to reconstitute themselves in the aftermath, and discover new ways of relating with the state in the more liberalized political setting. As these two elements come into play in the democracies that have recently emerged or re-emerged, new and often creative modes of state-society relations have arisen.

16The various essays in Goodwin and Nacht (1995) chronicle various experiences in Latin America and Eastern Europe, with regard to the contribution of the extension of public policy debate to both democratic transition and democratic consolidation. The introductory essay by the editors calls attention to the need in emerging democracies for institutions that make it possible for citizens to understand policy choices and to articulate their own positions.
In particular, state and society actors have come together to form and implement policy, lay out plans for contingencies, bargain for redistribution of resources, provide auxiliary services, run programs for education, agree on terms of negotiation, and negotiate for the settlement of disputes, and others. One finds societal organizations participating at various stages of policy-making and in distinct policy areas. Colombia’s Centro de Cooperación al Indígena (CECOIN), for instance, an NGO, has facilitated communication between indigenous communities and public agencies, for such tasks as land titling, administration of natural resources, and the provision of technical resources. (Ritchey-Vance 1993: 71ff). In Argentina, the Movimiento Comunitario was formed in 1987, bringing together into a national federation community cooperatives from several cities, to further a governmental housing policy for self-construction and to access public funds for this purpose (Silva and Schuurman 1989: 58). In Peru, the Centro de Estudios Para el Desarrollo y la Participación (CEDEP) which is a large organization with projects on the national and local levels, in a vast array of development policy areas, has coordinated with government in organizing rural projects for farmers in the Cajatambo region (Theunis 1992: 97). Other cases presented in the 1997 volume edited by Chalmers et al likewise present a similar picture.

These examples point to the pervasiveness of a new politics of interaction that has developed, indicated in this paper in the narrower terms of societal participation. For governments, this has led to a widening of perspectives in the integration of societal actors as participants in extra-electoral political activities, and a shifting from a politics of co-optation to one of devolution. For societal organizations, this has entailed an expansion of repertoires of demand-making, moving from a politics of protest and contention, to one of influence and reform.

Significantly, the participation and influence of societal organizations are more manifest on the level of local government and at the implementation phase of policy-making. This is understandable, since in many developing countries, subnational levels of government, and of the bureaucracy in particular, enjoy less access to resources and welcome all forms of external help. Complementarily, societal organizations at this level have emphasized parallel alternative project-based activities, often not incompatible with local government objectives. These have included organizations for relief and welfare provision,
technology transfer, human development (self-help, education, income-generation), and community organizing (cooperatives, cause-oriented and/or sector-based advocacy groups). In some cases, societal organizations have even cooperated with local governments and subnational bureaucratic offices in implementing various developmental projects.

Yet, as the Philippine case shows, it is possible for societal organizations to expand their influence up to the level of national policy-making, even in and despite a basically inhospitable context. Indeed, even as experiences of consolidation differ, the inescapable reality of glaring and continuing socio-economic and political inequalities in many of these countries casts serious doubts on representativity within political institutions. Worse still, for the poorer sectors that together constitute the vast majorities in these countries, the hegemony of the neoliberal orientation has produced policies that have failed to adequately address basic human needs, even as they are rationalized by classical long-term trickle-down economics. While the failures of extensive state interventionism and the challenges of a more liberalized economic and political environment have taught politicians to survive, the right policy mix still has to be found, to balance the free market with social responsibility.

In the political arena, inequality is manifest in the lack of access of societal organizations to policy decision-making. The split mentioned above in the Philippines, between policy deliberation and decision-making, is a phenomenon shared by many of the new democracies in the developing world. Thus, if one were to just analyze policy decision-making, it would seem adequate to focus mainly on the decisions and orientations of policy elite actors. These elite actors are those who can afford to launch expensive campaigns to win seats in national policymaking bodies, who jealously hold on to these powers, who enjoy a high degree of autonomy as they are largely unaccountable to any grassroots interest, and who negotiate and bargain with each other to maximize their gains within conventional political institutions. To break into this elite domain, societal outsiders still often resort to various strategies of protest, which continue to be a valid, effective and even necessary means of articulating alternative demands.

What the Philippine case highlights is that new modes of state-society relations are possible, even on the highest level of national policy-making, and even in political settings dominated by structural
inequality. On the one hand, the informal consensus of recent times as to the minimum features of democracy, has provided the impetus for governments to make ample room for the organization of citizens' groups which act autonomously of conventional political institutions like political parties, and which are given voice, short of voting power, in national policy-making bodies. Hence, alternative arenas for state-society interaction have arisen. On the other hand, societal organizations have correspondingly been able to employ new skills, media, and technology (management, information, communications) to express their ideas, concerns and preferences, to explore new avenues of dialogue and networking, and to negotiate with government agencies and representatives. Characterized by rhetorical and communicative rationality in both substance and strategy, the new approach to government by such societal organizations has given them greater leverage in bargaining with powerholders. It is the further variation in the activities of state and society actors with regard to specific issues that create the structure of political opportunities for interaction.

The preliminary findings in this paper suggest that for similar cases of national policy-making in other emerging democracies, the extent of societal participation can be explained precisely by this conjunction of factors. Moreover, the cases also suggest the fundamental contours of the institutionalization of civil society, not so much in terms of the consolidation of societal organizations, but more in terms of the regularization of their input into political processes. Thus, even while accepting that societal organizations have not as yet become more influential in terms of substantial policy output, their acceptance within conventional political institutions as autonomous dialogue partners provides the condition for the possibility of more substantial influence in policy-making in the future.
Bibliography


**Legend for the Names (Acronyms) of Societal Organizations in Table 2.2**

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>ABAKADA</td>
<td>Anti-Bases Coalition (ABC; the acronym is the Tagalog (Alliance for Aquatic Reform)</td>
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<tr>
<td>ARKA</td>
<td><em>Alyansa para sa Reporma sa Katubigan</em></td>
</tr>
<tr>
<td>ATM</td>
<td>Anti-Treaty Movement</td>
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<tr>
<td>BAYAN</td>
<td><em>Bagong Alyansang Makabayan</em> (New Nationalist Alliance)</td>
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<tr>
<td>CAOPI</td>
<td>Coalition Against Oil Price Increase</td>
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<tr>
<td>CAPP</td>
<td>Council of Agricultural Producers of the Philippines</td>
</tr>
<tr>
<td>CBC</td>
<td>Cordillera Broad Coalition</td>
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<tr>
<td>CPA</td>
<td>Cordillera People’s Alliance</td>
</tr>
<tr>
<td>CPAR</td>
<td>Congress for a People’s Agrarian Reform</td>
</tr>
<tr>
<td>CPLA</td>
<td>Cordillera People’s Liberation Army</td>
</tr>
<tr>
<td>CSP</td>
<td>Campaign for a Sovereign Philippines</td>
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<tr>
<td>FDC</td>
<td>Freedom from Debt Coalition</td>
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<td>FFF</td>
<td>Federation of Free Farmers</td>
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<tr>
<td>FLAG</td>
<td>Free Legal Assistance Group</td>
</tr>
<tr>
<td>Kasarinlan</td>
<td>(Tagalog word meaning “sovereignty”)</td>
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<tr>
<td>LACC</td>
<td>Labor Advisory and Consultative Council</td>
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<tr>
<td>MILF</td>
<td>Moro Islamic Liberation Front</td>
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<tr>
<td>MNLF</td>
<td>Moro National Liberation Front</td>
</tr>
<tr>
<td>MNLF-RG</td>
<td>Moro National Liberation Front Reform Group</td>
</tr>
<tr>
<td>NACFAR</td>
<td>Nationwide Coalition of Fisherfolk for Aquatic Reform</td>
</tr>
<tr>
<td>NATCCO</td>
<td>National Confederation of Cooperatives</td>
</tr>
<tr>
<td>NMDV</td>
<td>National Movement for the Disbandment of Vigilantes</td>
</tr>
<tr>
<td>PDAN</td>
<td>Philippine Drug Action Network</td>
</tr>
<tr>
<td>TFTCLB</td>
<td>Task Force Total Commercial Log Ban</td>
</tr>
<tr>
<td>TUCP</td>
<td>Trade Unions Congress of the Philippines</td>
</tr>
<tr>
<td>ULR-TF</td>
<td>Urban Land Reform Task Force</td>
</tr>
<tr>
<td>Unlad-Bayan</td>
<td>“Nation Movers”</td>
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