

# World Governance Survey Philippines

## I. Assessment of the Data Collection Exercise

### *Survey questionnaire*

On the whole the questionnaire was clear and easily understood. (But see discussion below on matters of substance.) All respondents were fluent in English, yet at least one would have preferred a translation. More than a translation, a process to enhance the capacity of the representatives of people's organizations may have increased and improved participation.

### *Selecting experts*

Selection was done on the basis of expertise and representation. Expertise was ensured through objective and subjective assessments. Objectively, respondents were selected on the basis of rank, that is, selection was focused on heads or senior members of agencies or leaders of church, media, political/ideological groups and the academia. Subjectively, respondents were selected based on their public involvement in the last few years in national or local issues that went beyond their professional or occupational concerns and dealt with what are generally considered governance concerns. The participants were experts from various fields and sectors in order to mirror the broad scope of governance.

Representation was considered crucial for two reasons:

1. Governance is viewed (by the project team, and probably by most stakeholders involved in policy) as a process or an activity involving interaction among polity, civil society and the economic society. The views of all three sectors therefore must be sought in any assessment of governance in the Philippines, to ensure comprehensiveness and accuracy.
2. The multi-faceted nature of the government sector and civil society required that sufficient "sub-sectoral" categories within each were likewise recognized.

Roughly 70 experts were targeted, from which 35 responded. Government representation was broken down into the three branches (executive, legislative and judiciary); local governments were also represented. Representation was ensured from each or as many of the cabinet clusters as possible, and also from the constitutional bodies. Both houses of Congress were sought, as well as minority, majority and party-list groups. Members of the Supreme Court, law schools and human rights centers were included. Civil society included NGO representatives, academia, media (print, radio and TV), church and ideological groups. Business included representatives from large business groups, associations and foundations.

Most questionnaires returned came from the civil society groups and the House of Representatives, as opposed to the other groups in the governance realm. It can be assumed that the reason for the poor participation of members of the executive branch is that they were generally hesitant to participate in a survey with implications on the performance of the Estrada administration. The same observation can generally be made of the local governments. Many of the heads or senior officials of all sectors were less available or less inclined to participate. On the latter, it may be precisely because they represented a larger group. Members of the judiciary are normally, and perhaps appropriately, reticent, particularly on political matters. This is unfortunate as it perpetuates the mystery surrounding them, and leaves assessment of the institution to outsiders.

Given the limited time and resource allotments, greater participation from the various geo-political and geo-cultural groups could not have been achieved. The same factors constrained the greater

participation of people's representatives who would need more than mere translation of the questions to meaningfully participate.

Perceptions of governance in some dimensions (particularly the judiciary) had at times little basis because they were outside the range of experience or exposure of the respondents. It can also be assumed that political allegiances influenced one way or another the tenor of the assessments made at this crucial juncture. Absence of high-level local executives and people's representatives greatly impoverished the survey effort and affected the accuracy of the assessment.

Despite the difficulties of pursuing high-level respondents, the quality of the perspectives that they bring cannot be matched. Given this approach therefore, and its inherent challenges, greater success may have been secured by equally high-level active endorsement (e.g. UNU, UNDP, Ateneo) and by allotting more time and resources to implement the process, thus allowing for greater creativity. This would also have opened the way for achieving more geographic dispersion and for including more representation.

### ***Conducting the survey***

Because of the exigencies of time and circumstance—a little over three months to conduct the survey that ran through the Christmas break and, more problematic, the impeachment trial and eventual ouster of the President and change of government—the conduct of the survey was based on direct interviews. It was hoped that through administered questionnaires high-level respondents would be more inclined to participate

A number of the respondents requested that the survey be faxed or e-mailed to them. This would allow them to complete the questionnaire at their own time and pace. The circumstances under which the survey was conducted, much more than the mode of conduct, was a more important factor.

The Christmas holiday is always a difficult time to undertake any project. People are either not available or less inclined to entertain requests at this time. The impact of the impeachment trial on the conduct of the survey is considerable. These are probably only some of the implications:

- Many respondents became involved in one way or another in the impeachment, and the people's action that resulted. Many of the potential respondents, including the Chief Justice of the Supreme Court, the Senate President and two representatives from civil society, who eventually became part of the new, were unable to participate. Media, NGO and even church personalities were extremely occupied at the time.
- Members from the executive department and the Senate became very wary about any discussion on governance.

Some views may have become very polarized and subjective depending on respondents' views on the impeachment issue. Most if not all of the pro-Estrada potential respondents declined participation, resulting in little representation from the administration whose rule was to be contrasted with that of the Ramos administration (5 years ago). A number of the comments, and the ratings that they qualified, gave a perhaps inordinate amount of weight to the impact of the impeachment and related occurrences upon assessments of governance. While a majority of the respondents answered the questions as the impeachment trial proceeded, some of the respondents answered the survey under drastically different circumstances, i.e., under the new government that succeeded that of the ousted administration.

## II. Assessment of the Survey Questionnaire

### *Problems Encountered or Lessons Learned*

This study highlights the effect that the Estrada administration's governance style has on the ratings; it causes a drop in almost all aspects covered by the governance survey. In at least two cases the drop is by as much as a full point. This may be a problem when averaging out scores for "five years ago" and "now" and raises the question of whether the final country rating is an accurate reflection of governance in the Philippines.

As pointed out by some of the respondents, historical and cultural influences of governance in the Philippines make it resistant to some aspects of the general framework and even the tenor of some of the questions. The Philippines is a democracy with weak institutions and powerful church, business, elite media and even civil society stakeholders. The country has some of the best laws in the region, and arguably in the world, but many of them are not or cannot be implemented. The government has effectively instituted the consultative processes, but these often work against the poor. The questions are unable to draw out these nuances and therefore require that the respondents often qualify their responses—which at times seem more significant than the numerical rating.

### *Possible credibility or accuracy issues*

Perceptions of governance clearly varied from one respondent to the next. Whereas some assessments were apparently formed on the basis of an understanding of governance as a process or as the activity of institutionalizing aspects of governance, others were clearly assessing the results or the outcome of these activities or processes. It is difficult, for instance, to assess the respect for property rights or the progress in adopting global trade and technology policy without considering the impact that these have on the poor and marginalized sectors. Another telling instance is the low rating for political competition and representative government despite the institution of the party-list system and sectoral representation. The perception that the people's representatives remain powerless is the more reliable indicator.

"Ownership", or the extent to which the stakeholders are able to claim any project, policy or process, particularly at the local level, is to many a more reliable gauge of good governance. This is a frequent critique on the processes run by government.

On the other hand, it has been pointed out that there have been instances where practices that are clearly offensive to good governance (e.g. patronage like the presidential assistant system, pork barrel and the centralization of power in the president) have resulted in improved, albeit not systematic, service delivery.

In sum, respondents may not have been proceeding from the same conceptual framework. Answers may have been given therefore from entirely different perceptions of governance. This needs to be resolved before a meaningful comparative analysis can be made.

As mentioned above, the fact that the "Now" column covers two different and opposing administrations (President Arroyo has quickly moved to reverse a number of key policies and practices of the Estrada administration) may have confused the assessment of present governance in the Philippines.

### ***Recommendations for improvement***

The survey adequately covers the areas of accountability, competence and respect, but is weak in analyzing the area of legitimacy. In the context of developing countries, it needs to consider the capacity of the State to conduct free and fair elections (e.g. the prevalence of vote-buying, competence of election agencies and existence of effective electoral watchdogs, the power of political dynasties and clans).

The survey takes a very Western liberal government model approach with its emphasis on formal governmental processes and structures. Other governance players: presence of an organized and independent civil society, effective strength and reach of underground movements and insurgencies, the power of religion and the churches, monopolization of the economy by political families and scope of monetary and policy dependence on international and bilateral donor groups that may play a decisive governance role are not considered. Measuring the role of such groups in governance will also measure the effective scope of formal governance and how effectively it manages power with competing groups.

The effect of global markets on national economies should also be considered. The survey looks only at how government incorporates the framework of the global economy and of international human rights. It should also look at the ability of government to maximize the benefits of a globalized economy while protecting its vulnerable groups from its worst effects, the role of multinational corporations in the economy and in politics, the capacity of governments to manage their capital markets, monetary and fiscal policy, and banking system in the face of global capital markets.


This survey does not distinguish sufficiently between national and local government and therefore misses a big development in governance dynamics in the Philippines. Local officials are, on the whole, able to be more responsive, effective and accountable.


Special attention must be paid to the role of civil society, which has been expected to and has in fact filled in many of the gaps left by government; not only in delivery of basic services, but in providing technical assistance to local governments, addressing peace and order problems, fighting graft and corruption and even assisting with the judicial system in institutionalizing alternative dispute resolution schemes.

Leadership and citizen's education/empowerment themes should also find a place in the governance framework.

Table 1

	5 Years Ago	Now	Change	QUESTION
Socializing 1	4.06	3.94	(.12)	Freedom of expression
2	4.09	4.0	(.09)	Freedom of peaceful assembly & association
3	2.71	2.6	(.11)	Discrimination in politics
4	3.09	2.49	(0.6)	Public discussion on shifts in policy
5	2.97	2.46	(.51)	Respect for system of rule-making
Average	<b>3.38</b>	<b>3.11</b>	<b>(.27)</b>	
Aggregating 6	2.09	2.14	.05	Legislature representative of society
7	2.86	2.94	.08	Real competition for political power
8	2.77	2.43	(.34)	Policy-making reflective of public preference
9	3.0	2.74	(.26)	Legislative function affecting policy content
10	2.37	2.26	(.11)	Legislators accountable to public
Average	<b>2.62</b>	<b>2.5</b>	<b>(.12)</b>	
Executive 11	2.97	2.37	(.60)	Government commitment to personal security of citizens
12	2.6	2	(0.6)	Government commitment to adequate standard of living
13	2.8	2.0	(0.8)	Leaders encouraged to make tough decisions
14	3.31	3.34	.03	Military acceptance of subordination to civilian government
15	3.77	1.97	(1.8)	Government commitment to peaceful resolution of internal conflicts
Average	<b>3.09</b>	<b>2.34</b>	<b>(.75)</b>	
Managerial 16	3.34	2.57	(.77)	Higher civil servants part of policy-making
17	2.91	2.37	(.54)	Merit-based system for recruitment into the civil service
18	2.6	2.14	(.46)	Civil servants accountable for actions
19	2.74	2.37	(.37)	Clear decision-making process in civil service
20	2.4	2.03	(.37)	Equal access to public service
Average	<b>2.8</b>	<b>2.3</b>	<b>(0.5)</b>	
Regulatory 21	3.14	2.77	(.37)	Respect for property rights
22	2.57	1.6	(.97)	Regulations equally applied to firms
23	2.66	2.37	(.29)	Obtaining license associated with corrupt transactions
24	3.31	2.34	(.97)	Consultation on policy between public and private sectors
25	3.94	3.54	(0.4)	Global trade, finance and technological flows taken into account in policy
Average	<b>3.13</b>	<b>2.53</b>	<b>(0.6)</b>	
Adjudicatory 26	2.11	1.97	(.14)	Equal access to justice
27	2.54	2.63	.09	Clear decision-making in judicial system
28	2.46	2.46	(.00)	Judicial officials' accountability
29	3.26	2.94	(.32)	International legal norms in human rights incorporated into national rights
30	3.0	2.94	(.06)	Non-judicial resolution of conflicts
Average	<b>2.67</b>	<b>2.59</b>	<b>(.08)</b>	
<b>Country Average</b>	<b>2.94</b>	<b>2.56</b>	<b>(.38)</b>	

 Improvements

 High rating down turns

**Table 2**

<b>Functional Dimension</b>	<b>Institutional Arena</b>	<b>Content <i>How Rules...</i></b>	<b>5 Years Ago</b>	<b>Now</b>	<b>Change</b>
Socializing	Civil Society	affect the way citizens raise and become aware of public issues	3.38	3.11	(.27)
Aggregating	Political Society	Shape the way issues are combined into policy by political institutions	2.62	2.5	(.12)
Executive	Government	Affect the way policies are made by government institutions	3.09	2.34	(.76)
Managerial	Bureaucracy	Shape the way policies are administered by public servants	2.8	2.3	(0.5)
Regulatory	Economic Society	Influence the way state and market interact to promote development	3.13	2.53	(0.6)
Adjudicatory	Judicial System	Set the stage for resolution of disputes and conflicts	2.67	2.59	(.08)

## **Observations/Analysis**

### *Individual Questions*

1. Overall, the country and dimension ratings hover around a moderate to low rating.
2. By and large, a drop in ratings is experienced from five years ago to the present.
3. The major (0.6 and greater) downturns are seen in the Government (executive) and Economic Society (market). As far as the government is concerned, the drop in the ratings refer to the following areas: commitments to personal security and adequate standards of living, handling of internal conflicts in a peaceful way and making tough decisions. This would probably reflect, to a significant extent, the government's difficulties in handling the various hostage and kidnapping crises and the resurgent insurgency crisis in Mindanao. Interestingly, there was an improvement in military subordination to civilian government. The other area of deterioration in the ratings had to do with government interaction with the market. The Ramos administration 5 years ago made considerable gains in leveling the economic playing field (e.g. breaking up monopolies, allowing the introduction of foreign competition) and in consulting and making partners of the private sector en route to its vision of becoming a new tiger economy. The Estrada administration, on the other hand, gained much notoriety for its tolerance of cronies and its lack of transparency in dealing with businessmen. The ratings largely reflect this experience.
4. Interestingly, the few improvements come from the political society and the judicial system— institutions not known for reform oriented-ness or transparency. As far as the legislature is concerned, it's worthy to mention the introduction, in the 1998 elections, of the party-list system, a mode of proportionate representation. The judicial system, while even less susceptible to reform, is enjoying the confidence that the public is bestowing upon a particularly well-respected and honest Chief Justice of the Supreme Court. A number of the respondents gave credit to the head of the judiciary appointed by President Estrada, for the improvement in perceptions of the general public. This was confirmed by his even-handed steering of the impeachment court as it looked into corruption charges against the president (whose appointment of him was one of the administration's early and few successes).

### *Dimensions*

1. The drop in ratings seen in each dimension probably represent to a great extent the skewing effect of crisis in governance experienced under the impeached president. In the future, it will probably be argued that the Estrada administration's governance style should be considered an aberration and not at all indicative of the level of governance in the Philippines in general. If this were accepted, the more normative rating at this stage in political, social and economic development would be the "5 years ago" column. As the Arroyo administration continues its leadership, it is likely that the ratings will begin to mirror those of five years ago rather than those of a few months ago.
2. The top two ratings for five years ago refer to the institutional arenas of civil and economic society. This can be reflective of the increasing strength of these two sectors and their increased participation in governance since 1986. Much of the civil and socio-economic liberties currently enforced were introduced in the 1987 Constitution under the Aquino administration. This is about the same time that the market began to gain preeminence over the state in determining economic policy.
3. The growth and mainstreaming of civil society all around the world, and particularly in the Philippines, explain to a certain extent the relatively high scores in comparison with all the other institutional arenas in both timeframes dealt with in the survey; despite the fact that the extent of the role of civil society in governance was not sufficiently captured in the survey.

4. The improvement in ranking in the “now” column for both the legislature/political society (3<sup>rd</sup> highest overall up from 6<sup>th</sup> 5 years ago) and the judicial system (2<sup>nd</sup> highest up from 5<sup>th</sup>) is surprising. Neither institution is seen as strong nor particularly associated with significant efforts to improve governance. In the case of the judicial system, one perspective is that, while remaining the same, the judiciary was largely untouched by the political crisis emanating from the executive branch. In the case of the legislature, it can only be surmised that despite dissatisfaction with the implementation of the party-list system, much hope has been pinned on the same as the locus of future reform.

### ***Country Rating Analysis***

1. Considering the type and nature of the questions asked, perhaps the country rating is representative primarily of the State’s role and performance in governance. Despite the recognition of the tripartite relationship between the state, market and civil society in the questionnaire, the focus of the survey remained on the impact of state action on the rights and activities of other sectors (e.g. how rules “affect the way citizens raise and become aware of public issues” or “influence the way state and market interact to promote development”). A vastly different country rating will emerge should an attempt be made to capture the governance initiatives of other sectors, along with the local governments (whether by themselves or with the support or collaboration of the central government). While the state has largely resisted change and reform, it has in fact seen its powers diminished by liberalization and globalization, by the trend towards decentralization and devolution, and by the rise civil society. For the Philippines, and many other countries, the governance discourse must increasingly revolve around these areas. Sustainable development must then share at least equal emphasis as the issue of human rights. The challenge for the Philippine state for some time has been to effectively re-engineer itself within the context of this evolving paradigm.