

RECENT AND FUTURE ELECTIONS IN THE PHILIPPINES

By:

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The May 14, 2007 elections in the Philippines produced three electoral rarities that lent the political exercise a novel and refreshing dimension:

1. An independent candidate winning a seat in the Senate despite being in detention and thus unable to campaign in person.
2. A Catholic priest breaching the wall separating two disparate worlds by running for, and winning, as provincial governor; and
3. A wisp of a girl knocking the daylights out of a boxing icon in a congressional election, in the process teaching Manny Pacquiao the lesson that while he was a giant in the island of Liliput, he was a pygmy in the Island of Brobdingnag.

(But this remarkable and ironic turn of events is ^x twice told tale to a well-informed group like you.)

While media appear to have left out nothing of significance of what transpired on the May 14 electoral stage, they hardly bothered with what it had taken to put the political production on the road, pardon the resort to theater jargon.

Let me, therefore, focus on what did not come under the glare of publicity – the pre-election activities as reflected in the Comelec calendar, and the various measures and initiatives undertaken to invest the last elections with the attributes of a true democratic political exercise.

Let me first run through a number of statistical data which you may find relevant in assessing the magnitude of the challenge posed by the elections.

Total number of registered voters	- 43,094,640
Total number of registered voters	

Who actually voted	-	29,491,488
Percentage of Voting	-	68.4%
Total number of precincts established	-	308,058
Total number of precincts that functioned	-	215,080

Total number of positions voted for and
breakdown thereof:

Senator	-	12
PartyList Representative	-	55
Representative	-	215
Governor	-	81
Vice-Governor	-	81
Board Member	-	770
City Mayor	-	118
City vice-mayor	-	118
City councilor	-	1,314
Municipal mayor	-	1,510
Municipal vice-mayor	-	1,510
Municipal councilor	-	12,092

The data on the number of registered voters and number of precincts to be established determined the logistical and manpower requirements of the election. Thus, for each precinct established a board of election inspectors was constituted to conduct the voting and counting of votes in the polling place.

The same data served as the basis for the budget estimates that we submitted to Congress for purposes of the hearings on the appropriations for the elections.

The Commission is mandated to enfranchise all qualified citizens wherever they may be, from Aparri to Jolo, ^{from the south} and beyond as, in fact, we once conducted elections in Freedomland for Filipinos living in that disputed territory.

from the north
to the south

And since the Absentee Voting Law came into effect, we have been setting up the complex mechanism to enable Filipinos abroad, whether on land or at sea, to vote in the elections for President and Vice-President, Senator and Party-List sectors, organizations or coalitions.

Enabling all qualified Filipinos to exercise their right of suffrage is however, by no means our sole concern. Complementary thereto is our duty as provided under the Omnibus Election Code, to "carry out a continuing and systematic campaign through newspapers of general circulation, radios, TV and other media forms, to educate the public and fully

inform the electorate about election laws, procedures, decisions, and other matters relative to the work and duties of the Commission and the necessity of clean, free, orderly and honest electoral process.”

Beyond being informed about election laws and about the Comelec, there is a need for the electorate to be imbued with a deeper sense of appreciation of the value of their vote in order that they may be able to relate their choice of candidates to the public interest.

Filipino voters are often faulted for questionable preferences to which is attributed the pervasive presence in the august halls of government, an assortment of characters.

The political maturation of the citizenry is therefore, a matter that merits high priority in the Comelec agenda.

In the last elections, our voters education campaign received a boost when four advertising agencies in an admirable manifestation of civic spirit, waived their creative and agency fees amounting to P 20 million, in coming up with commercials for use in said campaign. Similarly moved by the same sense of affinity with the public interest six (6) of the country's leading TV and radio networks aired the commercials likewise for free. IFES paid for the production of the commercials.

As one involved in the effort to bring about an enlightened voters' participation in the electoral process, I find it greatly reassuring that in our midst there are individuals and entities of high purpose and selfless motivation.

Voters are at one end of the spectrum of problems relating to the conduct of elections. At the other end, are the BEIs tasked to conduct the voting and

counting of votes. Theirs is a sensitive and crucial role that brooks no mistakes of a serious nature.

To the ordinary observer, the work of the BEIs appears uncomplicated and easy. In truth, it involves a multitude of procedural details.

These details are laid down in a resolution of the Commission that dates back through countless elections in the past and is updated for use from election to election.

The resolution is couched in legal terminology, rendering it difficult for the teachers, being non-lawyers, to comprehend, accounting for lapses that partisan elements pounced upon to impugn the integrity of the board itself.

To address this problem, we came up with a handbook for the Board of Election Inspectors. A vastly simplified version of the Comelec resolution, it is

written in plain English and profusely illustrated, making comprehension and recall of important items therein infinitely less painful.

For years, the teachers had put up with a mentally indigestible resolution, ironically intended as their bible in the performance of their duties in the polling place. Since the last elections, they have been using a bible they can swear by and quote from memory.

The handbook is the product of the collaborative effort of three groups of high ranking officials of the PPCRV, the Department of Education and the Comelec.

Subsequently, a Handbook for Election Officers and another for Comelec Officials were produced and distributed.

All three served their purposes well, with the BEI particularly benefiting as indicated by the absence of complaints about the conduct of voting and counting of votes.

The development, production and distribution of the handbooks were undertaken at a total cost of 10 million pesos which was borne by the Asia Foundation (TAF) and AusAid (Australian Agency for International Development). The handbook for Comelec Officials and Election Officers with the training conducted thereon by the UP-NCPAG with funding assistance from IFES and USAID amounted to 15 million pesos. The Electoral Assessment Study and the Crafting of the Medium Term Election Program conducted by UP-NCPAG and with fund support from UNDP amounted to 2 million pesos.

These and other related printed materials were required under the Comelec training program drawn up in preparation for the May 14 elections and which

provided for the training of the BEI and the entire Comelec workforce – 6,000 strong – including the Comelec Chairman and Commissioners for whom training on International standards of election administration was conducted.

Manny Pacquiao prepares for bout as if it were his last, no matter that his opponent has made a habit of sleeping on the job.

The Comelec prepares for an election as if it were its first to conduct no matter that many of us are grizzled veterans of countless elections past.

For the last elections, we went the extra mile. For it was that political exercise that offered an opportunity for us to regain credibility.

It is no secret that there has been an erosion of public trust in this body for which we blame no one but ourselves.

We are, however, dismayed that mistakes that otherwise are of little consequence are magnified and made to appear as capital offenses, and dark and sinister designs are read into acts and decisions the legality, fairness and wisdom of which have been subjected to close scrutiny.

Our critics raked us over the coals for including in the senatorial canvass the municipal certificates of canvass submitted by the election officers of Maguindanao, disregarding the resulting disenfranchisement of the voters of that province as an overriding consideration for their votes not to be set aside. While upholding the sovereignty of the electorate, the Comelec ^{is} ~~is~~ cleansing its own rank observing due process and rule of law, administratively, electorally and/or criminally.

Still, we could have thrown out said votes and overnight we would have metamorphosed from heel to

hero. But that would have meant surrendering our conviction for expediency.

The fact is that, except in Maguindanao and a few areas in Lanao del Sur, the elections went very well. But, Maguindanao gave some quarters a reason to see hobgoblins of fraud otherwise, known as *dag-dag bawas* operators, crawling all over the political landscape, tampering election documents or replacing them with fake or manufactured ones.

If *dag-dag bawas* was rampant, how could Antonio Trillanes IV, have been elected senator, given his immobility and the fact that his votes were unprotected.

How could Father Ed Panlilio have captured the Governorship of Pampanga against two formidable opponents? And how could Darlene Custodio have prevailed over a universally acclaimed personality and thereby retained her seat in Congress?

The victories of all three were credited to an electorate finally coming of age. Yet no one appeared to have thought of crediting someone for ensuring that the votes of said electorate were honestly and accurately counted and reflected in the overall election results.

For the nth time, we will attempt to bring the electoral process into the computer age. With three full years to do the job, we have every hope of succeeding this time.

The last time around, we also thought the way was clear for a nationwide implementation of RA 9369, the Electoral Modernization Law. We were however, stopped dead in our tracks by a decision of the Supreme Court in 2004 voiding the Comelec contract with Mega Pacific Consortium for the supply of the equipment required by the undertaking.

The decision served as an excuse for us to be pilloried, crucified and drawn and quartered.

What our detractors conveniently omitted was the fact that the decision was not unanimous. Chief Justice Davide and Justices Jose Vitug and Dante Tinga dissented.

Chief Justice Davide in his separate opinion recommending the dismissal of the case against us said, in part:

“Finally there is no suggestion that graft and corruption attended the bidding process or that the contract was excessive or unreasonable”.

If the majority of the Justices in their decision were direct and blunt in declaring the Mega contract null and void and the Comelec's action “illegal imprudent and hasty,” Chief Justice Davide was likewise direct and equally forthright in declaring otherwise and absolving Comelec of any wrongdoing.

We have thus a situation where personages of exceptional discernment contemplating the same question arrived at conclusions diametrically opposed.

One saw white, the other saw black, one saw light, the other darkness. How could two individuals, both possessing 20-20 vision in a manner of speaking, have so contrasting perceptions of an object so readily and unmistakably recognizable?

The majority decision, being deemed that of the Supreme Court *En Banc*, must be respected. But, as no man is endowed with the gift of infallibility so no court decision is encased in the impervious armor of absolute certitude. And assuredly, not a decision diluted with well-reasoned dissents. And less so, a decision beclouded by a compelling contrary view.

Yet, our detractors would turn the Mega decision into a hangman's noose with which to string us up the

nearest Meralco post after the fashion of the posses in the wild and wholly West.

Indeed, the ferocity and virulence with which our individual and collective integrity has been, and still is being, assaulted is incomprehensible. It passeth understanding.

We are sinners as who is not, but we have been "more sinned against than sinning".

I have talked at length of the Comelec of today. Let me, in closing, say a little about the Comelec of tomorrow, or what we, who serve in it perceive it to be like in the future.

The Comelec of the future is envisioned thus:

"Empowered, independent and fully modernized institution, ensuring credible elections in strong partnership with an enlightened citizenry".

Its mission is encapsulated as follows:

“We, the guardians of the sovereign will of the Filipino people, commit ourselves to conduct clean, credible, free, honest, orderly and modernized electoral exercise, and to empower the electorate toward a vibrant Philippine democracy.”

“In pursuit of our mission, we shall be guided by the highest standard of integrity, honesty, accountability, impartiality and transparency. We are driven by the values of respect, teamwork and achievement.”

I am quoting from the text of the “Comelec’s Strategic Plan for 2006 - 2010” dubbed “Operation Merit: Modernization and Electoral Reforms with Integrity and Transparency.”

Discussed in the plan are measures designed to address a slew of concerns and problems that have severely circumscribed the performance by the Comelec of its functions, resulting in its present predicament.

These proposals are grouped as follows:

1. Strengthening of Comelec as constitutional institution;
2. Rationalization and codification of election laws;
3. Modernization of electoral processes;
4. Effective and continuing voter education program;
5. Advocacy and networking

Between the letter and spirit of Operation Merit and our capacity to actualize these in an "empowered, independent and fully modernized" Comelec, there exists a disproportion, considering our very limited resources. To bridge the gap nothing less than the fullest measure of support and cooperation of all is indispensable. All, but especially institutions of enduring fidelity to democratic ideals and values.