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***AKBAYAN:
A STUDY OF AN
ALTERNATIVE POLITICAL PARTY***

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APPROVAL SHEET

In partial fulfillment of the course requirement for the degree of Bachelor of Arts in Development Studies, this undergraduate thesis, entitled *AKBAYAN: A STUDY OF AN ALTERNATIVE POLITICAL PARTY* have been prepared and submitted by Ms. Pamela Jane G. Danoco is hereby accepted.



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CHAPTER I

INTRODUCTION

Section 5 (1&2), Article 6 of the 1987 Charter provides the constitutional basis for the party-list system of voting. It states that the House of Representatives shall be composed of not more than 250 members, unless otherwise fixed by law, and 20% of its membership shall be elected through the party-list system of voting. Since there are 206 legislative districts in the Philippines today, 20% of this is 51. Thus, the Commission on Elections (COMELEC) provides for 51 seats available for the party-list.

The enabling law which enforces this Constitutional mandate is the Republic Act (RA) 7941, The Party-List System Act, which was passed by the 9th Congress and signed into law by the President on March 3, 1995. The COMELEC then issued Resolution No. 2847 on June 25, 1996 providing for the rules and regulations governing the election of party-list representatives.

The underlying principle behind this party-list method of voting is the democratization of the party system on the basis of the following: [1] The Party list method of voting provides the disadvantaged sections of the population access to the House of Representatives through their parties and grassroots organizations, an opportunity made difficult by the single member district method of voting; [2] The party list method provides a more favorable climate for developing a genuine multi-party system, given the opportunity for a number of grassroots organizations and parties to win seats in the House; [3] The party list method nurtures a better political environment for the flourishing of genuine, program-

based political parties; and [4] The party list system requires the elected officials of the party to be accountable to their parties and their constituencies.¹

AKBAYAN! was thus conceived as an effort to institutionalize people power and thereby deepen Philippine democracy. To date, it is the most vigorous and determined effort from the Philippine progressive community to break the hold of traditional politicians and political parties in Philippine politics. It seeks to contribute to the development of a political party system that is based on programs and accountabilities and not on political opportunism. And it envisions a political culture where citizens are genuinely aware, responsive and free.²

Being a new concept in the Philippines, however, the voters had a hard time understanding the party-list system. There were a lot of misconceptions and confusion. This was in a way brought about by the COMELEC's inefficiency and lack of interest in the party list elections, which was very obvious in its information dissemination campaign, and was in part the reason why the first ever party list elections in the Philippines didn't turn out well. There was only one primer and maybe two television advertisements, which aired about two weeks before Election Day. Media was not active enough in disseminating information about the party-list either, which saddled party list groups with a double burden: they had to explain the party list system to the people first, before they could explain why their party was the right party list choice.

One striking reality is that had more groups united, more seats would have been filled. But what happened was that a lot of votes were wasted due to the fragmentation of

¹ "Political Parties and the Party-List System: CERCA Voter's Education Module No. IV," The 1998 Voters' Guide (Philippines: Consortium on Electoral Reforms (CER)), p. 24.

² AKBAYAN! Citizens' Action Party.

groups. Moreover, the progressive movement did not prove much to the trapos. On the contrary, the divisions became obvious, which could be used against them.

But there is hope. The basic strength of the party list system is that it is now a living reality—adaptive, open to improvement. Everyone has seen how it works and how it failed to work, and everyone certainly have some ideas on how to make it work better. Following is a summary of AKBAYAN’s proposals for improving the Philippine party list system:

One, blow away the 3-seat ceiling. This distorts the proportionality of the system and undercuts its inherent objectives: the lowering of the ratio of vote percentage to seat percentage, the accurate reflection—in the composition of the legislature—of the political configurations in the larger society, and the promotion of program-based parties and politics. If parties are asked to get as many votes as they can, then they must be allowed to reap the just fruits of their labors: to get as many PL seats as they rightfully (read: proportionally) deserve. The ceiling also sows divisiveness; removing it will encourage the formation of coalitions, of “parties of the future.”

TWO, delimit the system to political parties. Throw away all other categories. After all, it is a party-list system that we are trying to develop! This will simplify our PLS considerably and lighten the load of the COMELEC, especially in terms of accreditation. This will also promote a multiparty system.

THREE, extend the ban on the top five political parties for at least another election. This will go a long way towards leveling the electoral playing field.

FOUR, speaking of leveling, PL representatives must be given their own CDF—if and for as long as district representatives are given their CDF. It would be much better, certainly,

if the CDF and all other “pork barrel funds” were done away with altogether. On top of removing one of the more notorious opportunities for corruption, the scrapping of the CDF would also force all members of the House—PL and district-based alike—to be finally accountable to their constituencies for their primary function, which is none other than legislation.

FIVE, create temporary reserve seats for some sectors. These can be dissolved after one or two terms, or when the ban on the big 5 is lifted.

SIX, increase the threshold to 4% or even 5%. This will discourage electoral adventurism. It will also be a further boost to the formation of coalitions and to the promotion of a multi-party system.

SEVEN, exempt PL representatives from the three-term limit. Of course, this proposal would become moot if and when term limits for all elective officials are lifted, as there seems to be a strong lobby for this particular constitutional amendment. But the point is that the three-term limit was meant as an anti-dynasty measure. Political dynasties refer to clans or, at least, to individuals—not to political parties.

And EIGHT, increase the percentage of PL seats in the House from 20% to 33%, or from one-fifth ($1/5$) to one-third ($1/3$). Actually, 50% looks better at first glance, but this might result in a bloated and unwieldy legislature. The point is to enlarge the party-list pie, for the purpose of political equitability among the parties represented in the House.

The first seven proposals can be effected through a repeal of RA 7941; the eighth requires an amendment of the 1987 constitution.

The first-ever party-list elections did end in failure—because it failed to fill up all the

52 PL seats in the House. The low voter turnout does not indicate the failure of the elections; it only underscores the newness of the system.³

But it is only the beginning and much can still be done to make it work for the better. All things considered, a lot can be accomplished and democratization can be furthered by a party-list system operating on the principle of greater (proportional) representation.

A. STATEMENT OF THE PROBLEM

The party-list system has been implemented, primarily to further democratization of the electoral process in the Philippines. It encourages the formation of genuine political parties representing organizations and groups long-excluded from political process, armed with definitive sets of principles and accountable to their members, so that the marginalized sectors will be properly represented. Thus, the role of the party-list system in the democratization process is something, which couldn't be underestimated.

Despite this marked significance, certain questions have arisen as to whether there is genuine representation and accountability or not. What then are the implications if the representative becomes more prominent than his/her party? How should an alternative political party approach such issues? Based on the factors of leadership, organizational cohesion and ideology, and genuine representation and accountability, is AKBAYAN an effective and relevant alternative political party?

³ Melay V. Abao, "Notes on the May 11, 1998 Party-List Elections," Political Brief, September 1998, pp. 18-19.

B. OBJECTIVES OF THE STUDY

It is then for the purpose of presenting and analyzing the real nature of an alternative political party, specifically the AKBAYAN Citizens' Action Party, and its importance and effectiveness in the contemporary political system, that this paper is being made.

More specific, this study has four major objectives:

1. To trace the historical antecedents and reasons behind the organization of AKBAYAN;
2. To present and analyze their assessment of the current socio-economic and political conditions of the country;
3. To present the party's program of government as a valid alternative political party; and lastly but more importantly
4. To give an overall assessment and analysis on the true nature of AKBAYAN and its effectiveness as an alternative political machine.

C. DEFINITION OF TERMS

ALLOCATION FORMULA the procedure whereby all available Party-List seats are allocated or distributed among those parties that successfully hurdled the 2% requirement.

COALITION is an aggrupation of duly registered national, regional, sectoral parties or organizations for political and/or election purposes.

COMMAND VOTES votes from claimed "bailiwick" areas.

ENTITLEMENT DEMANDS refers to redistribution reforms including agrarian

reform, urban land reform and tax reform.

MARKET VOTES votes from campaigning which is more open and involves media projection.

NATIONAL PARTY is a political party whose constituency is spread over the geographical territory of at least a majority of the regions.

NEGOTIATED VOTES votes gained through a wide range of practices--from the trapo custom of horse-trading to the more honest and decent support for candidates that were acceptable to the groups.

NETWORK VOTES refers to sympathizers within the immediate reach of the party list group who may not be formal members, but still move within the “orbit” of the group.

PARTY-LIST SYSTEM a mechanism of proportional representation in the election of representatives to the House of Representatives from national, regional and sectoral parties or organizations or coalitions thereof registered with the Commission on Elections (COMELEC).⁴

POLITICAL PARTY an organized group of citizens advocating an ideology or platform, principles and policies for the general conduct of government and which, as the most immediate means of securing their adoption, regularly nominates and supports certain of its leaders and members as candidates for public office.⁵

PROPORTIONAL REPRESENTATION is an electoral system that was developed in order to remedy a basic flaw or disadvantage of the majoritarian or plurality system. The number of congressional seats is proportional to the number of votes obtained.

⁴ Section 3 of Republic Act No. 7941, The Party-List System Act.

⁵ Ibid.

REDISTRIBUTION DEMANDS refers to demands for government to fulfil its responsibilities to citizens to provide basic social services, and the second.

REGIONAL PARTY is a political party with its constituency spread over the geographical territory of at least a majority of the cities and provinces comprising a region.

SECTORAL ORGANIZATION is a group of qualified voters bound together by similar physical attributes or characteristics, or by employment, interests or concerns.

SECTORAL PARTY is an organized group of citizens whose principal advocacy pertains to the special interests and concerns of the sectors of labor, peasant, urban poor, indigenous cultural communities, elderly, handicapped, women, youth, overseas workers, fisherfolk, veterans and professionals.

THRESHOLD the minimum number of votes fixed by law, which a party must obtain in order to participate in the allocation of seats.

D. FORMULATION OF HYPOTHESIS

AKBAYAN, as an alternative political party, was conceived as an effort to institutionalize people power and thereby deepen Philippine democracy.

This paper assumes that if its goals and policies will be properly implemented and achieved, then of course, it will doubtlessly, become a major vehicle, as it has envisioned, for the projection and pursuit of a progressive reform agenda which has, thus far, been bypassed and neglected by the Philippine government.

E. THEORETICAL FRAMEWORK

This study used the Political Economy approach as its theoretical framework. The interplay of political economic factors in the country has stimulated the emergence of citizens' political parties offering alternatives to the present dismal set-up.

A significant tool of analysis in this study is the Dialectical Materialist approach. As class struggle resulted to conflicts, it has also brought forth organizations of individuals from the same economic background, to promote economic survival.

Alternative political parties act as a catalyst towards this objective through its promotion of a system of broad-based political participation, which will make the voice of the marginalized sectors heard and will therefore enable them to participate in the decision-making process in the government, thus providing them better and easier economic survival.

This study also made use of the Italian Communist Party leader and Marxist theoretician Antonio Gramsci's theory of "hegemony." The Communists would have to take into account the outlook of the middle class, especially its lack of enthusiasm for class warfare, and learn how to woo the middle class away from capitalist social hegemony. He argued that the power of the capitalists rested more on their domination of propaganda, education, and "socialization" than on ownership of society's productive resources or direct compulsion. He therefore paid particular attention to the part played by "intellectuals"—by which he meant managers, technical experts, and educated people—in organizing social relations so as to minimize the antagonisms between the capitalists and the middle class. The Communist Party would have to become a "collective intellectual" and persuade the middle class that its future lay not with capitalism, but with Communism. And it would have to develop a conception of Communism that both embraced liberal democratic institutions

and went beyond them in a “national and popular” communist revolution.⁶

The appeal of Gramsci’s political theory is evident. It provides the complete justification to the left-wing intellectual in his bid for power. He showed that those on the left are intellectuals, and that left-wing intellectuals have the right to rule.⁷

F. METHODOLOGY

This study made use of historical and documentary method of research. It traced the historical antecedents that led to the organization of AKBAYAN as an alternative political machine, through the written materials pertinent to the topic, which the author will collated. Information regarding the history of the party, its program and political agenda, objectives and organizational structure was gathered from their party pamphlets and other publications.

Additional background data were gathered through library research, making use of books, journals, magazines and old newspapers, and undergraduate theses, which are related to the topic.

G. REVIEW OF RELATED LITERATURE

The study used the following leaflets and magazines published to serve as guides for voters’ education. It also referred to some undergraduate theses, which are related to the topic in one way or another.

THE 1998 VOTERS’ GUIDE: A SERIES OF MODULES ON VOTERS’ EDUCATION by The Consortium on Electoral Reforms (CER). It contains a series of

⁶ “Gramsci, Antonio,” Collier’s Encyclopedia, Vol. 11.

⁷ Roger Scruton, Thinkers of the New Left (UK: Longman Group LTD, 1985), p. 77.

modules that tackles the short history of Philippine elections, the post-Marcos elections, voting behavior of the electorate and the party list system.

AKBAYAN! CITIZENS' ACTION PARTY. This leaflet presents the beginnings, program and political agenda, objectives, and the organizational structure of the party.

DYARYO AKBAYAN! This is the official publication of the AKBAYAN! Citizens' Action Party, which bears news of the activities and efforts at consolidation of the party.

POLITICAL BRIEF, the monthly digest of the Institute for Popular Democracy. The issue referred to was a special one, and which contains assessments on the May 11, 1998 Party-List elections.

THINKERS OF THE NEW LEFT by Roger Scruton. Fourteen of the thinkers most influential on the attitudes of the post-1960 New Left are analyzed in this study by one of the leading critics of leftist orientations in modern Western civilization. In addition to assessments of these thinkers' philosophical and political contributions, the book contains a biographical and bibliographical section summarizing their careers and most important writings. The author also contributes an introductory analysis of the nature of New Leftism and, as a conclusion to the individual studies, a critique of the key strands in its thinking.

One of the New Leftist thinkers discussed is Antonio Gramsci, founder and leading theoretician of the Italian Communist party. His study of Marx, Engels, and later Lenin, convinced him that reality centers on the struggle for power. He was elected to Parliament, but his outspoken criticism of Mussolini led to his arrest in 1926, and spent 11 years in prison. In the Prison Letters (1947), he probes human nature, stressing the active individual

constantly involved with other men and with nature. In the *Modern Prince* (1949), he proposes an alliance of workers and intellectuals in political activism and the complete secularization of life.

UNDERGRADUATE THESES

The Nature of an Opposition in the Contemporary Philippine Political Environment: A Case Study of the Nacionalista Party by Rene M. Barrion, CAS, U.P.M. (1994). This undergraduate thesis is about the Nacionalista Party and its nature as an opposition party in the contemporary Philippine political society. It presents a brief historical background of the party on the first part of its text for the purpose of tracing the antecedents that led to their reorganization and revitalization.

A Comparative Analysis of Multi-Purpose Cooperatives: The Novaliches Development Cooperative, Inc. And the Philippine Livelihood Cooperative by Liezel G. Bautista, CAS, U.P.M. (1994). This study centers on the effectivity of cooperatives in dealing with basic issues on development, based on two multi-purpose cooperatives, the NOVADECI (one of the leading primaries in Manila and Quezon City) and the PLF-TILCO, which was hailed as the cooperative model during Aquino's administration.

A Case Study on the Liberal Party of the Philippines by Peter John Javier, CAS, U.P.M. (1992). This paper describes the configuration of the Liberal Party upon the restoration of democracy in the Philippines, assesses how it has prepared itself for the 1992 Presidential elections, and whether it is a major contender in Philippine politics or not.

H. SCOPE AND LIMITATION

The study limits itself to the alternative political machine which participates in a democratic and legal means of political exercise, the party which stands for program-based politics, and one which hopes that through citizens' participation in policy-making, the country's economic environment, would become accessible to the general population.

The author believes that this alternative political party in the contemporary political society is represented by AKBAYAN, the newest yet the most vigorous and determined effort from the Philippine progressive community to break free from the tradition of shading dealings and horsetrading between and among politicians towards more participatory and rational decision-making.

The main bulk of the discussion therefore will be devoted to AKBAYAN and its nature as an alternative political party in the contemporary Philippine society. A brief historical background of the party-list system shall also be included in the first part of the text for the purpose of tracing the antecedents that led to the organization of AKBAYAN.

I. SIGNIFICANCE OF THE STUDY

This study offers the reader the opportunity to know and understand the importance of the party-list system to further democratization, through proportional representation in contrast to the traditional method of voting through the single member district or constituency. It will also provide the reader the knowledge and understanding of the nature of AKBAYAN as an alternative political party.

BASIC FEATURES OF THE PARTY-LIST SYSTEM

The party-list system is a method of electing representatives to the House by voting for the party to which they belong, in contrast to the traditional method of voting through the single member district or constituency. It is part of the electoral process that enables small political parties and marginalized and underrepresented sectors to obtain possible representation in the House of Representatives, which traditionally, is dominated by parties with big political machinery.⁸

Section 5 (1&2), Article 6 of the 1987 Charter provides the constitutional basis for the party-list system of voting. It states that the House of Representatives shall be composed of not more than 250 members, and 20% of its membership, or a ratio of one` party-list representative for every four legislative district representatives, shall be elected through the party-list system of voting. This constitutional mandate was enforced through the Republic Act No. 7941, The Party-List System Act, which was passed by the 9th Congress and signed into law by the President on March 3, 1995. The Commission on Elections (COMELEC) then issued Resolution No. 2847 on June 25, 1996, providing for the rules and regulations governing the election of party-list representatives.

Section 3 of the law provides for the “participation of national, regional and sectoral parties or organizations or coalitions registered with the COMELEC. Component parties or organizations of a coalition may participate independently provided the coalition of which

⁸ COMELEC. A Primer on the Party-List System of Representation in the House of Representatives (Republic Act No. 7941), Manila.

they form part does not participate in the party-list system” (See Appendix A). For the first party-list election on May 11, 1998, however, the five major political parties on the basis of party representation in the House of Representatives at the start of the Tenth Congress, are disqualified from participation. These are Lakas-NUCD, Liberal Party (LP), Lakas ng Demokratikong Pilipino (LDP), National People’s Coalition (NPC) and Kilusang Bagong Pilipino (KBL), as provided in Sec. 12 of the Resolution No. 2847 (See Appendix B).

The party, organization or coalition must first register with the COMELEC by filing a petition for registration under oath not later than 180 days before the elections. If it is already registered, it need not register anew, but it should file a manifestation of its intention to participate in the party-list election not later than 90 days before the election. The petitions shall be accompanied by the organization’s Constitution and by-laws; platform or program of government; lists of officers and members; coalition agreement, if any; other information required by the COMELEC⁹; filing fee of one thousand pesos (P1, 000); and research fee of twenty pesos (P20.00), to be filed by any authorized representative, with the Clerk of the Commission, COMELEC, Manila, if the petition/manifestation involves a party with a national constituency; or with the COMELEC Regional Election Director if the petition/manifestation involves a party with a regional constituency. The COMELEC office concerned then determines if the petition is in due form and substance and verifies the accuracy of the allegations therein. Within seven days it submits the petition together with its findings and recommendations to the Commission. The gist of the petition shall be published in two (2) national newspapers at the expense of the petitioner, and after due

⁹ A party may submit additional documents to prove its existence in the city or province.

notice and hearing, the Commission resolves the petition within fifteen (15) days from the date it was submitted for decision, but not later than ninety (90) days before election day. Afterwards, the Commission will prepare and publish a certified list of the qualified entities, which will be posted in all voting booths on election day, minus the list of the party's nominees.

The COMELEC, however, may, on its own, or upon verified complaint of any interested party, refuse or cancel, after due notice and hearing, the registration of any national, regional, or sectoral party, organization, or coalition on any of the following grounds: (1) It is a religious sect or denomination, organization or association organized for religious purposes; (2) It advocates violence or unlawful means to achieve its goal; (3) It is a foreign party or organization; (4) It is receiving support from any foreign government, foreign political party, foundation, organization, whether directly through its officers or members, or indirectly through third parties for partisan election purposes; (5) It violates or fails to comply with laws, rules or regulations relating to elections; (6) It has made untruthful statements in its Petition; (7) It has ceased to exist for at least one year (applicable after the 1998 election); or (8) It fails to participate in the last two preceding elections or to obtain at least two per cent (2%) of the votes cast under the party-list system in the two preceding elections for the constituency in which it has registered (applicable after the 2001 elections).

A party/organization/coalition shall, at least 90 days before the election, submit to COMELEC a list of at least five nominees to represent said party/organization/coalition. Once the party/organization/coalition obtains the required number of votes, the COMELEC

shall proclaim the party-list representatives according to their ranking in the list of nominees submitted to COMELEC.

Section 9 of the law, however, prohibits the nomination of party-list representative “unless he is a natural born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one year immediately preceding the day of the election, able to read and write, bona fide member of the party or organization which he seeks to represent for at least ninety days preceding the day of the election, and is at least twenty-five years of age on the day of the election. Any youth sectoral representative who attains the age of thirty during his term shall be allowed to continue until the expiration of his term.”

Furthermore, Section 8 provides for the limitation of the nomination. It states that “a person may be nominated in one list only. Only persons who have given their consent in writing may be named in the list. The list shall not include any candidate for any elective office or person who has lost his bid for an elective office in the immediately preceding election. No change of names or alternation of the order of nominees shall be allowed after the same shall have been submitted to the COMELEC except in cases where the nominee dies, or withdraws in writing, his nomination, becomes incapacitated in which case the name of the substitute nominee shall be placed last in the list. Incumbent sectoral representatives in the House of Representatives who are nominated in the party-list system shall not be considered resigned.”

A party should obtain at least 2% of the total votes cast for the party-list system nationwide in order to be allocated with one seat; 4% for two seats; and 6% for three seats.

The party-list seats shall then be allocated as follows: First, the parties/organizations/coalitions shall be ranked from highest to lowest based on the percentage of votes garnered during the election. Only a maximum of three seats may be allowed per party/organization/coalition. Seats are allocated at the rate of one seat per 2% or votes obtained. Unallocated seats shall be distributed among the parties/organizations/coalitions, which have not yet obtained the maximum of three seats, provided they have mustered at least 2% of votes. The variance of percentage in excess of 2% or 4% (equivalent to one or two seats that have already been obtained respectively) shall be ranked and be the basis for allocating the remaining seats.

Party-list representatives are considered elected members of the House and as such, entitled to the same deliberative rights, salaries and emoluments as the regular Members of the House of Representatives. They shall serve for a term of three years with a maximum of three consecutive terms. However, if a party-list representative changes his political party or sectoral affiliation during his term of office, he shall forfeit his seat. Moreover, if he changes his political party or sectoral affiliation within six months before an election, he shall not be eligible for nomination as party-list representative under his new party or organization.¹⁰

¹⁰ COMELEC, A Primer on the Party-List system of Representation in the House of Representatives (Manila), p. 19.

BRIEF HISTORICAL BACKGROUND OF THE AKBAYAN! CITIZENS'

ACTION PARTY

Universal suffrage became a basic principle of the 1935 Constitution because it was when women were granted the right to vote. By November of 1937, the women trooped to the polls to cast their vote in their first election.

Like the women voters, the peasants from Pampanga won their first two mayorships and the majority of council seats in two municipalities under the Popular Front ticket when the Popular Front first participated in the elections of 1937. However, the most significant evidence of the peasantry's increasing political awareness was the 1940 election in Pampanga involving the Aguman ding Maldang Talapagobra (AMT), the Kalipunang Pambansa ng mga Magbubukid sa Pilipinas (KPMP), the Pasudeo Workers Union and the small Socialist Party (some of whose members were peasants) who ran a slate of candidates on a Popular Front ticket. The ticket won 9 mayorships and a majority of council seats in 8 of the 9 municipalities. Six of the mayors were prominent leaders in the peasant movement while seven were themselves peasants. It was Casto Alejandrino, who won as Popular Front mayor in Arayat, who has been a principal spokesman for peasant organizations there. He said that the most important objective after taking office was "to show by word and deed that the power of the local government was on the side of the common person and not on the side of the propertied."

The landslide success of local elections at the level of mayorships and councils inspired the grassroots movement to try for national seats. In the April 23, 1946 congressional polls, the peasant movement decided to field its own candidates for Congress in order to work for justice and reforms.

The Pambansang Kaisahan ng mga Magbubukid (PKM) peasant movement, which was the combined KPMP and AMT units, joined the Democratic Alliance, a political party of civil libertarians, to field their candidates for Congress.¹¹ All six Democratic Alliance candidates in Central Luzon won congressional seat—Luis Taruc in the second district of Pampanga, Amado Yuzon in the first district, Jesus Lava in Bulacan, Jose Cando and Constancio Padilla in Nueva Ecija and Alejandro Simpauc in Tarlac.¹²

However, the DA candidates, along with 3 senators of similar sentiments, were not allowed to take their seats in the House, invalidating their votes through trumped up charges of election terrorism and fraud allegedly committed by their supporters. There were two reasons beyond these trumped up charges:

First. The election of six DA Congressmen would prevent a two-thirds majority for President-elect Roxas in the Lower House. This would imply stronger opposition to the Ruling Administration and greater opportunity for the mass-based democratic movement in Congress.

Second. The unseated senators and congressmen strongly opposed the Bell Trade Act of 1946 which would give huge amounts of postwar reconstruction money to the Philippines

¹¹ “The Early History of Philippine Elections: YCER Voter’s Education Module No. I,” The 1998 Voter’s Guide (Philippines: Consortium on Electoral Reforms), p. 4.

¹² Lachica, Eduardo, HUK: Philippine Agrarian Society in Revolt. (Philippines: Solidaridad Publishing House, 1971), p. 120.

only if its government approved the Bell Trade Act, once the country became independent. Opposition to the Act stemmed from the fear that this would open Philippine markets to American manufacturers and grant Americans parity in the exploitation of Philippine natural resources. The Act would extend for another 28 years after political independence all the free trade agreements between the Philippines and the United States since 1909.

But such a favored status for Americans necessitated charter changes, through Congress. This would be impossible, with the six DA congressmen in the House and the three senators in the Senate. With the ouster of the elected solons, the Roxas Administration succeeded in incorporating the controversial parity amendment in the charter through congressional amendment that won by one vote.

So, the ousted DA congressmen, along with their organized mass base, ultimately changed gear and returned to the terrain of armed struggle that subsequently saw relentless repression from the soldiers of government in the era of McCarthyism and the cold War.¹³

And then, after twenty years of dictatorship under the Marcos regime, formal democracy in the Philippines was restored in 1986 through a broad “people power” movement. The moving force behind the anti-dictatorship struggle—concerned citizens and progressive groups—has been given the chance to participate in the May 11, 1987 polls.

The grassroots and cause-oriented candidates under the coalition of the Alliance of New Politics (ANP) won two seats in the House, but lost all 7 seats it aspired for in the Senate. ANP was made up of the following political parties and organizations that were registered individually in the COMELEC: Partido ng Bayan (PnB), Islamic Party of the

¹³ Ibid.

Philippines (IPP), Kababaihan Para sa Inang Bayan (KAIBA), Partido Kordilyera (PK) and Volunteers for Popular Democracy (VPD).

Bagong Alyansang Makabayan (BAYAN) registered with COMELEC and was granted party status on 2 April 1997 with Lorenzo Tanada, Chairperson and Jaime Tadeo, president.¹⁴ Its decision to register stemmed from the fact that there was no consensus in Bayan to recognize PnB as its official party. For one, its chair, Lorenzo Tanada, was involved with other political parties. Tanada chaired the Lakas ng Bayan (LABAN), which COMELEC registered on 26 December 1979. On `` December 1985, COMELEC registered the Laban ng Bayan, with Lorenzo Tanada and Cecilia Munoz Palma as co-chairpersons.

When the official election results came out, Laban's Jovito Salonga with 12,988,360 votes garnered the highest senatorial vote. LABAN garnered 22 seats while GAD got two seats. Joseph Estrada got 14th place with 10,029,978 votes while the 24th seat went to Juan Ponce Enrile with 7,964,966. LABAN's Bobbit Sanchez got the 25th seat with 7,891,932, or a difference of 73,034 votes.

In the party lineup, only Bobbit Sanchez and Mr. Defensor of LABAN lost in the senate slate. Meanwhile, the Grand Alliance for Democracy (GAD), of known Marcos linkage, was able to win only two candidate—Joseph Estrada and Juan Ponce Enrile.

On the other hand, there was a systematic dagdag-bawas that was undertaken in deliberately eroding the votes of Partido ng Bayan, sees as a threat to the Ruling Administration. While recognizing the reported cheating that took place within COMELEC,

¹⁴ Officially, BAYAN did not form part of the ANP, as its candidates were the same candidates of PnB.

PnB made its own assessment of internal factors that contributed to its defeat in the congressional polls.

In its post-election assessment, the PnB Secretariat pointed out several assumptions that guided the political party in engaging in the 1987 polls:

- 1) The sustained anti-dictatorship struggle against Marcos had succeeded in raising the political awareness of the people to the extent where traditional politics would no longer be able to dominate. Equally, even if New Politics candidates are not able to dominate, they will be able to win substantial seats in the elections.
- 2) Even while traditional politicians still prevail in the political system, they are no longer as strong as before, especially as the citizens view their dirty politics and practices with utter contempt. While they remained passive under Marcos' one-man-rule, their major political parties have splintered; or opposite factions of the traditional forces appear to be evenly balanced, such that it may even be possible to work out a three-cornered fight among the Aquino bloc, the Marcos-Enrile bloc and the progressive bloc.
- 3) While Cory Aquino's high popularity is recognized, and this can be used for the victory of many candidates identified with her bloc, this is not decisive, given the continuing crisis and acute militarization that is already hurting her high popularity.
- 4) The strength, power and organization of the progressive forces have already reached a certain level that enables them to effectively intervene in electoral

politics, not only in thwarting the manipulations of the reactionary forces but also in being able to attain numerous victories and gains.

From the events that have taken place, from the data and reports of the past elections, Partido ng Bayan, the Alliance for New Politics and for that matter, the cause-oriented movement reflected severe weakness in understanding and adjusting to the following factors:

- 1) the electoral system of the country;
- 2) the sentiments of the people;
- 3) The conditions of the mass base and the capacity to transform its strength into electoral strength.

During the 1988 local elections contrary to their performance in the congressional polls, the cause-oriented and grassroots organizations not only participated actively, but won a sizable number of seats principally through the Partido ng Bayan, PDP-Laban and the Liberal Party.

Samar and Zamboanga provinces showed distinguished performance on the part of these three parties where many progressives were able to win substantial seats mostly in the municipal, and some in the city and provincial executive and legislative councils.

While the LP and the PDP-Laban continued to gain seats in other Visayan Mindanao municipalities, PnB was able to show its relative strength in the island of Samar.

Out of 25 municipalities, 12 has PnB presence, 6 with majority of seats, 4 of which garnered the mayoralty posts.

- This means 12/25 presence or 48% PnB presence in town local government units;
- 24% or 1/5 of the municipalities enjoyed majority of PnB slate;
- 16% of all municipalities had PnB mayor and council seats.

In the municipalities of Mindanao and Visayas, it was the PDP-Laban and the Liberal Party, who dominated in capturing both executive and legislative seats, with a significant number of independents winning as councilors.

The May 11, 1992 Synchronized Elections completed the electoral process for setting up the formal democratic structures with the election of the president under the 1987 Charter.

The grassroots progressive movement participated in separate ways. For one, Partido ng Bayan decided to field candidates only at the local level, mostly as municipal mayors, vice-mayors and councilors. However, the candidates did not identify with PnB but deliberately ran under local mainstream political parties in order to ensure their chances of victory.

The revival of Partido ng Bayan for the 1992 Polls was not popularly accepted by forces of the national democratic movement who were badly hurt by the 1987 Polls and were not fully aware of their gains in the Samar 1988 local elections. Feeling the red scare attacks from conservative sections of the church, business and government, PnB candidates decided to run through local parties and coalitions. PnB supported Salonga as president and a progressive slate for both the senate and House, with local seats left to PnB's local chapters.

In its assessment, PnB figured that out of 17,260 local seats including the House, 622 or 3.6% of the total number of candidates who won were either fielded or supported by PnB.

PnB joined other national democratic groups in building a broad-based coalition around a progressive platform while supporting the progressive slate in both the House and senate. This did not materialize because of differences with other political blocs.

PnB was, however more effective in its propaganda work against private armies and Cafgus who, until then, were deputized by COMELEC for election work. PnB was able to get an anti-Cafgu campaign ongoing such that all-mainstream political parties joined PnB in announcing their anti-Cafgu position including the KBL and Danding Cojuangco.

In a meeting requested by PnB with COMELEC immediately before the elections, COMELEC agreed that the Cafgus would not actively participate in the elections. In fact, they would be deputized by COMELEC in order to make sure that they stay out of the way during elections.

AKBAYAN was then an electoral coalition among three blocs—Bisig, Pandayan and the MPD (popular democrats). Essentially it was able to tie up with the LP-PDP alliance as its grassroots component. Unfortunately, the LP-PDP party leadership did not include AKBAYAN in major decision making throughout the election period. Hence, AKBAYAN functioned as the mobilization unit of the party alliance.

The positive gains were the initial contacts AKBAYAN was able to gain in the local political machinery of the party alliance. On the other hand, because it was not rooted at the precinct level, AKBAYAN failed to deliver the necessary votes to help make Salonga and

Pimentel win the two highest seats. On its own, AKBAYAN did not field local bets but campaigned principally in support of the LP-PDP national slate while building contacts at the local level.¹⁵

Despite the dynamism of Philippine movements, formal institutions of democracy remained in the hands of the few and the wealthy. It was within this context that the idea of building an alternative, a citizens' political party, first emerged. Social movement groups wanted to be part of formal processes of government. AKBAYAN was thus conceived as an effort to institutionalize people power and thereby deepen Philippine democracy.

Consultations on the party-building project began in 1994. Throughout the country, pro-democracy groups were enjoined to help shape the party concept and strategy. Aspirations of various sectors—labor, peasants, youth, workers, urban poor—were discussed and consolidated into a program of governance while adhoc structures were formed in Luzon, Visayas and Mindanao. Four years later, in January 1998, AKBAYAN was formally established through its Founding National Congress. In May of the same year, the new party tested its strength by participating in the local and party-list elections and won seats in the House of Representatives and several local government units.

To date, AKBAYAN is the most vigorous and determined effort from the Philippine progressive community to break the hold of traditional politicians and political parties on Philippine politics.¹⁶

¹⁵ "The Post-Marcos Elections and the Election Code: YCER Voter's Education Module No. II," The 1998 Voters' Guide (Philippines: Consortium on Electoral Reforms), pp. 6-11.

¹⁶ AKBAYAN! Citizens' Action Party.

PROGRAM AND POLITICAL AGENDA

AKBAYAN is envisioned to be a major vehicle for the projection and pursuit of a progressive reform agenda, which has, thus far, been bypassed and neglected by the Philippine government.

AKBAYAN primarily stands for program-based politics. It seeks to transform the dominant practice of personality-and-patronage based politics. It aims to break the tradition of shading dealings and horse trading between and among politicians towards more participatory and rational decision-making.

In AKBAYAN's analysis, members of the elite who join government to further vested, economic interests have undermined for public welfare too long. It is AKBAYAN's hope that through citizens' participation in policy-making, the country's economic environment would become accessible to the general population and not just big corporations. AKBAYAN also seeks to engage government for better social policies that would include redistributive reforms, delivery of basic services and appropriate safety nets.

Moreover, AKBAYAN seeks to contribute to the development of a political party system that is based on programs and accountabilities and not on political opportunism. It envisions a political culture where citizens are genuinely aware, responsive and free.¹⁷

OBJECTIVES

To pursue its main goal of instituting greater participation in public decision-making, AKBAYAN seeks to intervene in the following arenas: (1) Governance: To fully understand

¹⁶ AKBAYAN! Citizens' Action Party.

¹⁷ Ibid.

the workings of government and to actually run government, particularly at the local executive level, for the maximum benefit of ordinary citizens; (2) Electoral Exercises: To engage in elections at every level possible so as to secure public office in the pursuit of its governance objective, as well as to utilize elections as a means of conscientization; (3) Advocacy: To contribute to and help sustain the broad-based effort to bring the concerns of marginalized sectors into the agenda of both the government and the general public; (4) Reform: To institute political and electoral reforms, with the end in view of making government more accessible, genuinely accountable and truly responsive to the people.¹⁸

ORGANIZATIONAL STRUCTURE

AKBAYAN's structure is guided by the principle of internal democracy (See Appendix C). Thirty percent (30%) of all leadership positions at every level is reserved for women. Its basic unit is the Chapter, which is organized at the barangay level with a minimum of twelve members. A Section, which is organized at the Municipal, City or Sitio level, is comprised of a minimum of six Chapters. A minimum of three Sections comprises a Division, which is organized at the Provincial, Highly Urbanized City or Legislative District Level. And then, a minimum of three Divisions comprises an Assembly, which is organized at the Regional level. The National Congress is the highest governing and policy-making body. It convenes every three years. The second highest is the National Political Council and it consists of delegates elected by the Party's island groupings, that is Luzon, Visayas and Mindanao. There's also an Executive Committee tasked with implementing Congress and

¹⁸ Ibid.

Council decisions. National Committees are there to assist the Executive Committee: Finance, Education, Legislative, International, Public Information, Women, Policies and Issues. Finally, there is a National Secretariat to manage the party's day-to-day affairs.

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¹⁹ Ibid.

PRESENTATION AND ANALYSIS OF DATA

A. THE AKBAYAN! POLITICAL PLATFORM²⁰

**1. HONEST AND ACCOUNTABLE, RESPONSIVE AND COMPETENT
GOVERNMENT.**

First and foremost, AKBAYAN seeks to establish an honest and accountable, responsive and competent government. It aims to develop governments loyal to their democratic mandate, and served by honest, competent, professional people, through careful and patient reform of the political system. It is high time that the rule of traditional politicians be ended. The people want to have and deserve political leaders who have a measure of respect for the people and some commitment to shared ideals, and leaders with integrity. This, however, is impossible with the traditional politicians around, because they are corrupt and their commitment is only to themselves. Moreover, because the trapo is concerned firstly with his personal/family interests and because he can easily be bought by interest groups, he makes it virtually impossible to formulate coherent policy. And if by some stroke of luck, a decent piece of legislation passes, the trapo makes implementation possible by continuously intervening in the bureaucracy. One of the hallmarks of the Filipino trapo is a congenital inability to uphold Philippine national interest. Because of their unquestioning adherence to American neo-liberalism, their fiscal and monetary policy has mainly served foreign and national finance capital. They have sacrificed the people's

²⁰ The AKBAYAN! Political Platform.

welfare and the requirements of the economic future by insisting on budget surpluses at the expense of economic and social services.

AKBAYAN sees the need to create a political system better suited to the challenges of the Philippines at the turn of the century. There should be a government that is better able to lead, to mobilize the national energies to the economic challenges of sustained and sustainable growth, asset reform, poverty eradication, and global competitiveness, where the people can trust their children's future into. One of the most important requirements of a more just and responsive government is change in the political system that will facilitate policy formulation and implementation. And the party believes that it is a parliamentary form of government and a party-list electoral system which will generate political parties better able to perform the function of identifying interests and opinions in society, shaping these opinions into a coherent program and facilitation, policy formulation in government. This is because in a parliamentary system, coordination between the executive and the national legislature will be accomplished through a link provided by the majority party, guided by the party program.

a. Tasks of Government

AKBAYAN is opposed to the exercise of government economic powers mainly for the benefit of rent-seeking, parasitic elites, that's why it supports the privatization of government corporations which serve as milking cows for a limited few, and drain limited budget resources. At the same time, it doesn't subscribe to the anti-state bias of neo-liberalism because it believes that a truly democratic government should play an active, regulatory and developmental role in the economy.

(1) Social Policy. The party supports the struggle of sectoral organizations for a genuine social reform. It believes that poverty eradication is a basic responsibility of government. It must provide basic education and health care for the majority of the population not for profit. In addition, the government should provide resources and facilitate conditions, which will enable urban poor to acquire decent housing.

Social services are fundamental obligations of government, and not subsidies that can be cut at will to produce budget surpluses. So, instead of cutting the budgets for such, the government should raise corporate and property taxes and cut out subsidies to the rich masquerading as investment incentives.

(2) Regulatory System. One of the main obstacles to Philippine economic development has been the absence of a stable and predictable regulatory system for economic activity, which is why foreign investors would rather put their money in speculative activity, instead of building new productive enterprises.

(3) Development Planning. The Philippine government's capacity for development planning is pitifully inadequate, and will continue to be such, not unless a strong development planning authority is developed. This is what Akbayan seeks to improve.

(4) Nationalism and Globalization. The government's capacity to respond to the challenges of globalization is quite weak, because the elites that dominate the government negotiate mainly for privileged groups who control it. Thus, AKBAYAN aims to work actively for a government capable of negotiating with multilateral institutions, multinational corporations, and governments on the basis of the national

interest and following the guidelines of a long term development plan. However, old style nationalism is incapable of telling the difference between problems and opportunities. Thus, what is needed is for a robust, realistic nationalism to advance the interests of the whole nation instead of only the few.

Foreign policy should be anchored on effective negotiations for national interests, on building mutual respect in the country's relations with United States and other advanced capitalist countries, on shared interests among Asian peoples and governments, on support for human rights and democratization.

With regards to the ports and airports, these should be accessible to all friendly commercial and military traffic without special privileges to any country. This is why the party is opposed to the previous administration's plans to restore extra-territorial powers to the American military, because this means favoring United States over other countries.

b. Issues and Problems

- (1) Corruption in the Philippines is embedded in the political system. Thus, to remove incentives to corruption and reward honest government service, reformation of the political system must be a priority.
- (2) One of the biggest obstacles to development today is the terrible peace and order situation. This can be overcome by the presence of political leaders who do not benefit from these illegal activities, leaders who have the political will to organize a tough, no-holds-barred clean-up of the Philippine National Police and the armed services. AKBAYAN also proposes that growing citizen concern with the peace

and order problem be harnessed through the creation of citizens' review boards for local police.

- (3) One of the most important reasons for the people's alienation from the government is the corruption and slowness of the judicial system. Judicial reform is thus vital to democracy. While the provisions in the 1987 Constitution strengthening the judiciary in relation to the executive are valid, recent experience shows that there needs to be a more careful delineation of the judiciary's powers of review especially over the executive's economic policy decisions.
- (4) A major reform of the bureaucracy is also called for, because it is mainly through this department that the people come into contact with government on a day-to-day basis. Thus, the people's faith in government cannot be restored without it. A good place to start is to limit the powers of the President, to reduce the number of political appointments in the bureaucracy and to increase the number of officials covered by professional civil service rules. There is also a need to amend laws and remove rules and regulations that encourage corruption instead of preventing it. But without political reform that strengthens representations and decision-making, other reforms will have limited effect.
- (5) The party also supports industrialization, for a number of reasons. Using the principle of subsidiarity, government functions should be performed by the unit of government best able to perform those functions. Second, decentralization should not mean weakening the central government, but to strengthen Local Government

Units in order to increase their capacity to implement international policy. Third, participatory democracy can best be promoted at the level of government where it is easiest for citizens to understand and therefore participate most actively in decision-making and/or make their elected representatives accountable. Representation at higher levels of government should be strengthened at the same time.

- (6) AKBAYAN also proposes for the strengthening of the Autonomous Region of Muslim Mindanao and other autonomous regions so they can more effectively serve indigenous peoples' aspirations for self-determination, social justice, economic well-being and preservation of their religious and cultural heritage.
- (7) Another concern of the party is the people of Mindanao, which have been neglected, by the central government. Within the context of the implementation of the Local Government Code and autonomous regions, it seeks to initiate discussions on the possibility of a federal structure as an end point of the decentralization process.

2. PARTICIPATORY DEMOCRACY.

AKBAYAN considers the restoration of constitutional democracy in 1986 an important achievement of the anti-dictatorship movement. Formal democracy, however, isn't enough. It can't be maintained with an undemocratic economic system, because in this situation, those with economic power will continue dominating the system. Much needs to be changed and developed.

Asset reform is imperative for deepening democracy. It is not just a matter of social justice or laying down a domestic base for sustained economic base. Of equal importance are those institutions connecting government with citizens, media, to name one. Apart from reforms in this particular institution, it's also required that government operations be made transparent. A freedom of information law needs to be passed.

The long-term goal of AKBAYAN is to facilitate, and to directly organize greater popular participation in politics. This will be realized through direct participation at the barangay level, by deepening and giving real content to Non-Government Organization-People's Organization participation in government bodies as mandated in the Local Government Code, most importantly through reform of the system of representation at all levels of government.

In and out of government, AKBAYAN will work to remove obstacles to political participation, especially restrictions on the self-organization of the poor such as those on labor unions. It will also organize special programs to encourage greater political participation of women, indigenous peoples and other disenfranchised groups. Moreover, it will push electoral reform to remove cheating in elections. It also supports the electoral reforms proposed by the COMELEC especially computerized voters lists, absentee voting by Overseas Filipino Workers, modern counting machines, and full implementation of tamper-proof voters' IDs.

3) A NEW POLITICAL PARTY SYSTEM.

The political party system is one of the most important elements of the political system as a whole. Political parties link the non-formal part of politics with the formal, civil society with the government.

AKBAYAN believes that reforms in the system of representation leading to changes in political parties will provide a firm base for solving the problem of violent and fraud ridden elections, and corruption in government. And the most important change in the system of representation is a shift to a system of proportional representation as a means to significantly lessen the use of 'guns, goons and gold' that is prominent in the elections. In this system, political parties will be forced to campaign on the basis of programs to distinguish themselves from each other. Party programs can become the basis of accountability of elected officials. If campaign expenses are significantly lessened and elected officials are accountable to their parties and to the electorate at large for the implementation of their campaign platform, corruption can be significantly lessened. Furthermore, if elections are not determined by money and violence, political parties will cease to be the monopoly of the rich and powerful. It will then be possible for poor citizens to organize themselves to compete in elections.

B. THE AKBAYAN! ECONOMIC PLATFORM²¹

POLITICAL FEASIBILITY OF AKBAYAN'S ECONOMIC AGENDA

AKBAYAN believes that a better democracy is essential to realizing a better economy. In the past, economic reform proposals were rather the result of essentially technocratic deliberations, and not of the political interplay among truly representative

organizations engaging each other in the terrain of representative institutions whose rules are widely respected. This is where Filipino politicians failed.

AKBAYAN's political platform, on the other hand, details the wide-ranging political reforms that the party will pursue in this regard. Among others, it proposes creating a situation where political parties that subscribe to long-term programs can prosper. The party's economic platform then adds a necessary complement to that in the form of three guarantees: (1) That others, especially the economic and political elite, and foreign investors will also be made to bear sacrifices; (2) That the poor will be given effective access and voice in policy making circles so that they may have a direct handle in determining how the gains from present restraint and sacrifices will be distributed in the future; (3) That the welfare of those who are already in very vulnerable circumstances does not deteriorate below tolerable limits in the face of difficult economic reforms. Public goods provision, social security institutions and safety net programs will be important in this respect. When people have these three guarantees, it will then be possible for political parties to earnestly pursue the task of implementing difficult policies without undue fear of reprisals through the ballot box. These proposals represent hard choices. They cost money, require a reordering and a clearer definition of government's priorities and most of all, they can be threatening to elites who have had it easy up to this time.

EIGHT PLANKS OF THE ECONOMIC REFORM

²¹ The AKBAYAN! Economic Platform.

1. Growth and Equity. AKBAYAN believes that growth and equity should not be pitted against each other. In fact, one of the surest and effective ways to lessen poverty is to promote more rapid growth. The experience of fast-growing Asian economies proves it.

Given the class composition of the Philippine government, however, “equity” goals are not going to be served by government without pressure from progressive forces. Given the transient and opportunistic nature of political alliances in the country, it will continue to be difficult, even were intentions are good, for a government to pursue difficult but necessary

reforms affecting electoral constituencies and electoral backers. Growth-promoting policies today require short-term sacrifices from virtually all sectors and can only offer hope that everyone will be better off in the not so distant future. The recent devaluation of the peso and the difficult fiscal and monetary policies that must yet complement it is one such set of policies that is potentially growth-promoting—yet divisive. The rich will have to be forced to stop evading their taxes, congressmen will have to give up their pork barrel, and the employed workers will be asked to moderate their wage demands.

While economic growth and redistributive reform are the most important instruments against poverty, an anti-poverty program targeting the poorest of the poor is necessary. In the face of present difficulties, equity demands the urgent expansion of the state’s role and fiscal policy in the provision of basic social services: Health, education, social security and housing. While in periods of economic adjustment and fiscal difficulties, it will be important to focus scarce resources in the provision of these for the most vulnerable sectors. In the longer term, AKBAYAN will push for the adoption of the following reforms:

a. Social Security

In the collection of social security contributions, it will institute the principle of “from each according to his ability,” through the removal of contribution ceilings to high earners. It will also adopt an automatic indication of the amount of social security benefits to inflation. Social security coverage will then be extended to contractual and other workers not properly in the formal sectors. Finally, it will require that labor unions rather than retired generals be given strong representation in social security institutions that oversee the disposition of large sums of money collected from workers and their employers.

b. Education

It will also stress public education by ensuring access to all levels of education. There should be significant investment in teacher training and better compensation schemes to attract capable teachers into public education, so that state funded university education will be made more cost-effective and more relevant to communities they are supposed to serve.

2. Fiscal and Monetary Policy. Although the ongoing financial crisis in the Philippines is partly the result of contagion from Thailand and other Asian economies, it is equally clear that the Southeast Asian countries affected had a common set of monetary policies that made them vulnerable to speculative attacks. The most important are those policies that encouraged massive foreign borrowings by often weak banks and other unregulated financial institutions and the investment of these funds in real estate and stocks. Everyone, including neo-liberal ideologues generally accepts these conclusions.

However, for obvious political reasons and for less obvious doctrinaire fixations of the president's technocrats, the recent devaluation and the ensuing financial difficulties are being presented by the authorities as the cause of problems that arose from nowhere. AKBAYAN believes that this is patently false. In fact, the devaluation is merely a belated recognition by highly mobile investors that certain developments in the economy cannot be sustained and was about to be reversed by normal economic process. The devaluation was an effect even before it was subsequently blamed as the cause of the country's economic situation. The growth and asset inflation in the services sector, and in important segments of the property market could no longer be sustained. Rising imports and stagnant non-electronic exports could not be financed indefinitely and cheaply from foreign borrowings; the wider the trade deficits, the more costly it would be to attract borrowings. Beginning 1996, the declining non-electronic export, import-substituting and agricultural sectors presented no vigour and, therefore, no attraction for money that was losing its appetite for property and the various services sectors. The country was not competitive, and the original enthusiasm of foreign investors cannot be sustained by reality so the dollar had to go elsewhere—out of the country or into domestic hoards. This is what the devaluation was all about; it did not come from nowhere.

The present crisis represents the crest that must be endured to correct the previous situation created under the stewardship of President Ramos. As long as a breakdown in the financial system does not overtake, the devaluation also, i) raises the costs of imported manufactures, agricultural products and raw materials—thus compensating for some of the de-protection that has happened since GATT and for the artificial cheapness of imports in

recent years, ii) it creates opportunities for exporters outside of the electronic sector who have been losing markets, and iii) it creates a greater demand for local raw materials needed by industry. But these remain opportunities and they will be missed if a prompt shifting of gears—in financial and banking regulation, in the public sector's generation of savings and in monetary policy—is not seen as urgent policies in view of the recent devaluation. AKBAYAN believes that it is necessary to maintain fiscal and monetary prudence and foreign investments. But the precise mix should be different from those maintained by the previous administration in the last few years. These policies should encourage investment in infrastructure and productive capacity instead of real estate speculation. It should encourage domestic investors and promote entrepreneurship by keeping interest rates low instead of artificially high to attract foreign hot money. It should encourage higher-value-added exports. It should not sacrifice public investment in physical and social infrastructure to maintain budget surpluses. Finally, it should tax the rich, instead of borrowing money from them.

AKBAYAN proposes that financial regulation policies be designed to protect the economy from transient capital in search only of arbitrage. In particular, while there should be few administrative constraints on foreign financial transactions, a tax should be levied on funds that do not stay in the country for a given minimum time period. Once the peso's slide against the dollar has ceased, a wider band of weekly variability of the peso around its target exchange rate may be allowed by the Bangko Sentral ng Pilipinas. This will then be as good as a direct tax on short-term transactions. It will not discourage investors who intend to operate in the country for a long time or for good. Rather, it will discourage activities of

international fund managers capable of moving large volumes of money quickly across Philippine borders in search of the slightest differences in potential earnings between currencies. Secondly, the Bangko Sentral should take it as its task to strengthen the country's capacity to regulate banks' lending practices. It would be a good idea for the BSP to maintain the limit on bank lending for real estate development. In the present period, the most urgent task of the BSP is to intervene promptly and restore confidence in the banking system by identifying the ailing financial institutions and corporations from those that are healthy. The BSP's foot dragging and lack of transparency are compounding uncertainty about the general health of the financial system. This will dramatically weigh down on investments and it can cause a recession.

Government should contribute to the fund of money available to the private sector that is potentially benefited by the devaluation by borrowing less. The social programs being proposed by AKBAYAN cost money, which is something that the government doesn't have in abundance. The currency turmoil has suddenly increased the costs of government debts and projects and diminished the revenue that it is able to collect. In such circumstances, what is important is a clear sense of priorities. The party proposes that the pork barrel be abolished even as the internal revenue allotment of local governments has to be maintained. The government should spend its resources and make its presence felt first where (1) the equity impact will be greatest and (2) where it is impossible to bring in the private sector as an investor, service provider or franchise holder to take on the government's previous role as main provider.

With regards to the government objective of trying to generate savings, AKBAYAN emphasizes the importance of well-designed and broadly based taxes as well as competent tax administration in keeping the government solvent.

On the other hand, with foreign savings (lending) momentarily out of the country, credit markets become tight and the private sector is distressed. Interest rates should be kept down by preventing government from excessively competing with the private sector through unnecessary spending and domestic borrowing. Both foreign and domestic investors should be enticed back into the financial markets not through excessively high interest rates but through support for those economic sectors that will potentially benefit from the devaluation. Investment incentives should support enterprises whose prospects have been improved by the recent devaluation but are having difficulty because of the economic uncertainty and the tightness in the credit markets.

3. Industrial Policy. The government should formulate a long-term strategy for industrialization based on the use of resource that there is in relative abundance and on the Filipinos' comparative advantage. Aside from the import substitution strategy, industrial policy will also need to have a rural focus if it is to have a poverty focus. The rural areas should not only provide the purchasing power for goods produced in the urban-based industries but should also become locations for non-farm, industrial production. If agricultural growth will come from small farms, then every peso earned will translate into demand for rural non-farm goods that are produceable in the rural areas. This is the basis of the Asian miracle even before exports started to rise.

Little by little, policies should encourage rural non-farm enterprises that are able to process agriculture products, manufacture simple farm tools, clothing and items needed for building houses. If agrarian reform makes any headway in increasing incomes beyond subsistence, these are the first items that farming households will wish to purchase. As technologies are learned and skills are expanded and as scale economies are achieved, these small, rural-based industries may venture into more technologically demanding markets in urban areas and then perhaps even as suppliers for export enterprises. This is a sequence of developments observed in the Newly Industrializing Countries, particularly Taiwan.

The expansion of rural credit and the reinvigoration of the agrarian reform program are therefore not only tools for poverty alleviation, together with quality basic education and rural infrastructure, they point the way to an industrialization strategy that does not trickle down but starts where the poor are to be found. Today, however, credit is unavailable because families have no property that may be used as collateral. Entrepreneurs do not prosper in the rural areas because education is substandard and therefore skills cannot be easily acquired. Second, a large portion of agricultural incomes (those earned by rich families) leaks out of rural economies and does not translate into demands for goods that can be produced in small rural based industries. And third, costs of production are high where roads are not paved and electricity and telecommunications is non-existent. Cooperatives are the central institutional plank of this strategy. But their success is premised on a reversal of this bias of government programs for the urban areas and on the reinvigoration of agrarian reform.

4. Selective Liberalization. AKBAYAN proposes selective trade liberalization with protected industries selected on the basis of a long-term strategy for industrialization. Protection here will be limited to a specific number of years and will be allocated based on strict performance targets. It supports efforts to develop global competitiveness, but this cannot be achieved without active government support. More importantly, international competition is not based only on price and quality. The ability of the government or individual firms to compete internationally is also determined by the size and purchasing power of the domestic market. But at the same time, earnings of those employed in a growing export sector should also be seen as contributing to the expansion of the purchasing power within the domestic market.

Traditionally, the core of what is known as industrial policy is the protection of infant industries until they are able to compete both in a competitive domestic market and are able to establish firm footholds in foreign markets. In addition, however, industrial policy, especially in the Asian region has increasingly also implied location competition—the ability of a country to attract those high technology segments of production processes that take place in different countries. This takes on increased significance because the Philippine government is not in a position to take a direct hand in financing and developing new technologies except perhaps in biotechnology and computer software development. In this respect, the challenge for government and business is to anticipate the infrastructure capabilities that will make the country an ideal location for fairly high technology segments of production that are being hive-off from Singapore, Taiwan, Korea or even Japan with the support of governments.

AKBAYAN wants to have a vibrant and socially responsible private sector. Through a combination of market means and regulation, it will create a business environment that will check monopoly behavior, encourage entrepreneurship, reward productivity and innovation, and produce reasonably priced quality goods and services.

5. Agriculture. AKBAYAN will also reverse the Philippine government's bias against agriculture. Raising the productivity in this sector is necessary because agriculture's share of Gross Domestic Product and employment remains high. With adequate government support, it should be possible to raise productivity in both high value crops for both the domestic and export markets, and food cooperatives. Without productivity increases in food crops, there will be no guarantee of food security in a highly volatile international rice market. Under current conditions, the best way to raise productivity and, at the same time, social justice goals, is for government policy to be anchored on support for small holder farmers.

The encroachment of real estate developers and speculators upon irrigated lands has been going on for over half a decade now. The promulgation and strict enforcement of a national land use policy as well as the concurrent application of windfall taxes should be promoted.

6. Asset Reform. The domestic market cannot be built without asset reform, in particular, land reform, urban reform, and tax reform. Land reform is necessary not just to provide land to small farmers, but to promote modernization of Philippine agriculture as well. Urban land reform must be undertaken to provide urban poor with decent housing.

Tax reform is necessary not just as a redistributive measure but to provide more revenue to government.

Even if genuine land redistribution (confiscatory or otherwise) were to suddenly become feasible, this could benefit only a small portion of the rural poor—perhaps no more than half. What must be stressed is that land reform is a fundamental requirement for creating opportunities even for those who have no land.

The inequality in land has been further worsened by government policies. Asset inequality is also worsened by the concentration of public infrastructure like irrigation and roads in the vicinity of lands owned by wealthy families and by government officials. Local as well as national expenditure policy should eliminate this modern form of private wealth creation through public means. A progressive tax on real property will also be a crucial part of the nation and local agenda of the party.

A new agrarian reform law that avoids the loopholes of the previous programs among other things should be targeted.

Beyond land, tax reform is important not only because it takes wealth from the rich and therefore assures the public that there is an equitable sharing in the costs of development. Tax reform is central because in an economy that is no longer mainly agrarian, assets embodied in people (human capital) become more important. Taxes are the means for expanding the role that the state needs to take in improving the quality of education and health above everything else.

7. Sustainable Development. The elements of this program, growth and social justice, prudent and growth-oriented fiscal and monetary policy, selective liberalization, an

industrial policy, and asset reform are required for balanced and sustained growth. Poverty alleviation and in particular, the generation of quality employment can only be secured with steady levels of GNP growth averaging at least 6% per year. Levels of growth, however, have to be calibrated to the carrying capacity of the Philippine environment. In the past two decades, low growth has been accompanied by massive environmental degradation because of the failure of government regulatory mechanisms.

Investing in environmental sustainability is investment in the country's future. Another investment in the future that needs to be made is investment in the youth, most importantly, through increased budgets for education at all levels.

8. Strong and Activist Government. A strong and activist government can only achieve this development framework that the party proposes. In turn, this kind of government cannot be achieved without political reform, broadening participation outside of rent-seeking factions of the upper classes and developing new political institutions especially political parties.

AKBAYAN is opposed to the authoritarian tendencies manifested by the past administration in its attempt to develop a stronger, more effective government. It believes that the government must be capable of the following functions: (a) formulate a stronger, more effective regulatory framework that can assure a transparent and predictable legal and administrative environment; (b) provide basic services to the people, in particular, education, health and housing; (c) formulate and consistently implement a long term economic development plan; (d) negotiate with foreign governments and multinational agencies and

corporation on the basis of its long term economic plan and for the interests of the broad majority of the people instead of only for a selected few.

Finally, it aims to build a mixed economy that accentuates complementation of the roles of a developmental state, an animated, socially responsible private sector, a thriving cooperative sector and an organized civil society. The quality of state intervention in the economy depends on the quality of the democratic institutions.

C. THE AKBAYAN! CULTURAL PLATFORM²²

Democracy is the anchor of AKBAYAN. Its idea of “state” is one that imposes distinct limits on the state’s powers over society. It is therefore, against a totalitarian state, which insinuates itself into all the spaces of society including private spaces. It operates within a conscious, explicit “state and civil society” framework.

The party aims to defend and promote the integrity and autonomy of civil society organizations as one of its central tasks. It doesn’t agree with the proposition that a strong civil society makes the state weak. The kind of democracy it wants to promote is one where the government is strong and competent precisely because civil society groups are strong.

AKBAYAN recognizes that while it is an organization oriented towards the state, it traces its roots to civil society organizations, to social movements, to NGOs, POs, cooperatives and other groups in civil society. As such, it will consider its relations with civil society groups—its joint projects and advocacy with these groups, a major part of its organizational life.

²² The AKBAYAN! Cultural Platform.

At the same time, AKBAYAN does not claim any vanguard role for itself in relation to these groups. Whatever leadership role it plays will be in the context of specific issues, where its leading role is willingly recognized, and hopefully, deserved.

In and out of government, in its internal life and its relations with other groups, AKBAYAN will operate on the basis of the following beliefs:

- **Cultural Freedom**—Cultural freedom is a strong basis for engendering and promoting authentic democracy. AKBAYAN affirms the country's cultural diversity as a national treasure. It is precisely this diversity, affirmed and promoted, which can lay the basis for a strong and dynamic Filipino nation.
- **Spirituality and Religious Freedom**—AKBAYAN believes that the Filipino's spirituality is one of the sources of strength of the society. Whatever form religiosity takes, it has provided a base for the Filipino sense of fair play, of self-sacrifice, social justice, respect for the sanctity of the person and all creation. While defending the right to religious expression, moreover, AKBAYAN will also promote religious tolerance not just between religions, but also between religious beliefs and the person's right to choice on matters such as reproductive rights.
- **Gender Issues**—AKBAYAN is also conscious of the need to actively struggle against aspects of traditional culture, which buttress the oppression of women. AKBAYAN actively supports women's organizations and their struggles. Seminars on gender sensitivity for party members will be organized. Initially at least 30% of the membership of AKBAYAN leadership bodies will be reserved for women.

- Young—AKBAYAN offers itself as an instrument that young Filipinos, working with other members, can use for dealing with the problems—of inaccessibility of quality education, unemployment, displacement and homelessness, drug addiction and exploitation—which confront them. Young Filipinos won't have to wait to solve their problems in the future, because they will shape their future now, with and within AKBAYAN.

The Filipinos can reshape their political culture by reforming the political institutions in such a way that success is the result of skill and dedication instead of family connections and patronage. There's an urgent need to move away from the politics of political clans towards the politics of principled and program-based political parties. And this is what AKBAYAN is all about.

D. THE AKBAYAN! PLATFORM: SPECIAL AREAS OF CONCERN²³

1. AGRARIAN REFORM AND RURAL DEVELOPMENT

Agrarian Reform is central to the country's development. It unlocks the door to economic growth, social equity and citizen participation which are crucial to the thrusts of sustainable development and community development in the countryside.

AKBAYAN proposes the following reforms that remove the obstacles to the attainment of equitable and sustainable growth.

- Pursue agrarian reform based on the land to the tiller principle that responds to the farmers' security of tenure, empowerment and support service delivery. The welfare of non-

²³ The AKBAYAN! Platform: Special Areas of Concern.

landowning farmers and non-tilling landowners shall be prioritized, with preferential option for the poor.

- Energize and re-orient the bureaucracy towards sustainable development, community empowerment and people participation.

- Improve the welfare of the farmer-beneficiaries through the expansion of the cooperative movement and participation of the beneficiaries in all phases of community development.

- Pass legislation on land use to further protect the farmer's security of tenure, ensure food security and support agriculture-based industrialization.

2. EMPLOYMENT AND LABOR

Unemployment remains the biggest problem afflicting Philippine labor. To effectively address this requires a strategy that would aspire for full employment yet guarantees decent jobs, a comfortable life and respect for the rights of the Filipino workers. In this age of labor globalization, selective protection and selective liberalization are keys to achieving sustained job generation. Such strategy is anchored on the development of the domestic market and the competitive ability of local enterprises in global and regional markets.

AKBAYAN proposes the following that would guarantee Filipino workers' protection.

- The Filipino workers' right to free unionism and concerted action must be guaranteed and protected.

- During times of economic crises, their purchasing powers must be protected through the passing of wage legislation.

- Expanding the social wage of the workers would enable them to access to better housing, health, and educational, cultural and recreational opportunities.

- The rights of the informal sector to self-organization and concerted action must be upheld. This is crucial since the informal sector comprises 60% of the total labor force.

- Equal rights and opportunities for women in the work force shall take leap from legal documents to real life since labor standards and unionization have hardly touched their lives.

- To finally embark on the road to labor empowerment, labor's participation in decision-making and management as well as labor's self-management of productive enterprises must be renewed.

- The state enterprises and labor unions shall also explore the potentials of labor management of councils and cooperative enterprises.

3. MIGRANT WORKERS

The export of labor is not the solution to the economic ills prevailing in this country. It is equitable and sustainable development that would deter massive labor migration.

While equitable and sustainable development can only be achieved through time, there is a need to formulate strategies and/or mechanisms that would protect the Filipino migrant workers. Some of these are the following:

- Re-orient the Overseas Employment Program of the government so that Filipino migrant workers are deployed only in countries and job categories that would not endanger their lives.

- Streamline overseas employment institutions for effective delivery of services.

- Eradicate illegal recruitment that exploited and endangered the lives of many Filipino workers abroad.

- Forge bilateral, multi-lateral and regional labor arrangements to guarantee the protection of Filipino migrant workers.

- Facilitate the reintegration of returning migrant workers into the mainstream of Philippine society through a series of incentive packages that would harness their skills, experiences and other resources generated in the course of overseas work.

4. HOUSING AND URBAN DEVELOPMENT

Housing is a basic human right and a fundamental requisite of human development, as well. Thus, the government shall protect the housing rights of its citizens by ensuring that access to land and housing is broadened to all sectors of the society. The attainment of this goal requires a systematic program for urban land and housing reform which shall seek to regulate land use to effect the most productive and socially equitable use of urban land, grant security of tenure to presently informal settlements of the urban poor, and restructure the use of housing funds to ensure a more equitable distribution of financing assistance.

- Prioritize the distribution and on-site upgrading of existing slum and squatter communities.

- Expand the Community Mortgage Program (CMP) by increasing its budgetary allocation, streamlining its procedures for processing mortgages and decentralizing its operations.

- Strengthen the capabilities of local governments to implement socialized housing projects.

- Increase the budgetary support for the government's Socialized Housing Program in order to ensure adequate fund banking, land acquisition and resettlement.

- Institutionalize the establishment of Local Housing Boards (LHB) that shall draw representations from local communities, non-governmental organizations and the private sector. The LHB shall formulate the LGUs social housing policies and oversee its implementation of social housing programs.

5. INDIGENOUS PEOPLE'S ANCESTRAL DOMAIN

In the course of modernization, the indigenous people's rights to their ancestral domain have been sacrificed in the name of development goals.

AKBAYAN proposes the following:

- Legal and policy reform and/or implementation in recognition of ancestral land rights. This would include the identification of ICCs nationwide, clear delineation process to cover the ancestral domains being claimed by the ICCs, recognition of the indigenous land tenure system, dispute processing system and political structure specific to each tribe.

- Immediately and seriously implement the interest of the DENR Special Order 31 which aims to convene a task force directly under the office of the DENR, with NGO and PO

representation, to take over these cases for immediate action and decision. And to convene an interdepartmental body composed of DENR, DA and DAR representatives to identify possible roles for each department in support of ancestral land rights.

- Review all existing policies, laws and proposed bills which bear on the issues of ecological/natural resource management, with the objective of proposing revisions or amendments where required.

- Appoint and confirm sectoral representatives to Congress from the ICCs. The appointment must be drawn from the list endorsed by genuine ICC organizations and not by traditional politicians.

- Immediately halt physical assaults on ICCs and their ancestral domains by stopping development and enterprise projects, which intrude into and destroy ancestral domains.

- Develop and strengthen public and political advocacy for ancestral land rights through the building of an ICC constituency, development of a multi-sectoral constituency, support for the delineation of ancestral domains and creation of a multi-sectoral lobby for ancestral land rights.

6. EDUCATION

Philippine education faces two perennial problems--quality and accessibility. The main reasons identified by the members of the Education Committee are: that the government is not simply investing enough in the country's education system; and that the education establishment is poorly managed.

To make education accessible and upgrade its quality, AKBAYAN proposes the following:

- Stress basic public education--elementary and high school—because it is all the formal schooling the masses of the people get.

- Encourage alternative learning modes, especially for the illiterate.

- Make the vernacular and Filipino the medium of instruction for basic education.

Several studies showed that students learn faster when taught in Filipino.

- Enlarge and enrich technical/vocational education for young people whose aptitudes incline in this direction.

- Restructure the Department of Education—to ensure that program focus is clear, resources are allocated rationally, and plans are realistic and attainable.

- Ensure that only the best and qualified professionals become teachers and administrators—by making the rewards of teaching match its importance as a career.

- Plan and support private and public education together.

- Make it possible for private industry workers, teachers, parents and local government to plan, deliver and finance education and training.

- Ensure the children of the poor greater access to all levels of education.

- Make public college and university education more cost-effective and curricular programs more relevant to the communities they serve.

7. SCIENCE AND TECHNOLOGY (S&T)

S & T activities in the country are generally disjoint from the activities of the production sectors, especially in manufacturing. The reason for this is that the country just

accepted the role imposed to it by the advanced countries as the supplier of cheap, raw materials and cheap labor in the international division of labor.

The following is proposed to upgrade S & T.

- Link S & T to the development of the sectors in Philippine society such as farmers, “traditional” products such as coconut closely supported by domestic capital and industry.

- Develop technologies and tools that will improve the capabilities of labor such as appropriate training in design and operation of machinery and factories.

- Develop sound S & T-based agriculture, particularly small farm technologies.

- Protect the environment even while continuing to harness our natural resources.

- Design and use limited space intelligently for optimized use of urban and land resources.

- Develop and coordinate health care services, since that requires not only professionals but also pharmaceuticals, nutrition, environmental sanitation, control of disease vectors and others.

- Pursue energy research more vigorously.

- Pursue more aggressive changes in the educational sector, addressing the issue of science literacy.

8. TRANSPORTATION

A poorly designed transportation system can have adverse affects on the poor, women, youth, people with disabilities and the environment.

To address the issue of transport, the party proposes the following:

- Support an integrated transport policy approach which explores the full array of technical and management options and pays due attention to the needs of all population groups especially whose mobility is constrained because of disability, age, poverty and any other reason.

- Coordinate land use and other transport planning in order to encourage spatial settlement patterns that facilitate access to basic needs such as workplaces, schools, healthcare, places of worship, good and services and leisure, thereby reducing the need to travel.

- Encourage the use of optimal modal composition of transport including walking, cycling, and private and public means of transportation; through appropriate pricing, spatial settlements, policies and regulatory measures.

- Promote and implement distinctive measures that discourage the increasing growth of private motorized traffic and reduce congestion which is damaging environmentally, socially and to human health and safety, through pricing, traffic regulation, parking and land use planning, traffic calming methods, and by providing and encouraging effective alternative transport methods, particularly to the most congested areas.

- Provide and promote effective, affordable, physically accessible and environmentally sound public transport and communication system giving priority to collective means of transport, with adequate carrying capacity and frequency that supports basic needs and the main traffic flows.

- Promote, regulate and enforce quiet, use-efficient and low-polluting technologies, including fuel efficient engine and emission controls and fuel with a low level of polluting emissions and impact on the atmosphere and other alternative forms of energy.

9. ENVIRONMENT

AKBAYAN advocates an ecologically informed political policy, which seeks to promote a model of development that does not compromise the security of future generations. Mindful of the consequences of human interference in nature, it demands the following:

- Implementation of the total commercial logging ban policy in order to reserve and protect the country's remaining natural forests.

- Regeneration and expansion of the country's forests in order to biologically cleanse the air, secure the water supply and provide recreation.

- Creation of mechanism for the full participation of local communities in the control and use of natural resources so that they will be consumed in an equitable and environmentally sustainable way.

- Promotion and implementation of a sustainable agriculture policy in line with the aim to reduce and eventually eliminate chemical inputs and pesticides in agriculture.

- Preservation of the country's remaining genetic resources and biodiversity by preserving local seeds, nurseries, livestock and animals, participation in in-site genetic reconstruction-preservation efforts complementary to sustainable agriculture.

- Ban on imports of hazardous wastes-producing technology repudiated in the countries of origin, including the systematic denouncement of the practice of linking financial loans to the acceptance of such technologies.

- Total reduction in the amount of waste generated by replacing disposable packaging and short-lived consumer items with standardized packaging and durable products. Reduction of consumption and source reduction should have priority over reuse or recycling of products.

- Complete and environmentally sound demilitarization. Military activities destroy life and wreak havoc on the environment.

10. HEALTH

As a fundamental right, health deserves to be a top national priority. AKBAYAN sees the need for the adoption of five nodal points as major policy directions for public health in the Philippines. First is about the basic minimum need strategy to address the requirements of the vision of health for all Filipinos. Next is the formulation of a National Health Plan (NHP) that will guide the development of the health system and define its integral role in national development. Third is the strengthening of the policymaking and regulating functions for health and health related concerns across the executive arm of the government. Participation of the communities should also be encouraged, as well as that of the non-government sector, local government units and national government in policy and

decision-making arenas of governance. Finally, the proposed National Health Insurance system should be pursued because it will provide the framework for an appropriate mix of public and private health care providers.

To translate these points into a legislative agenda for health, the following are the areas, which need legislation and implementation.

- Health, Human Resources and Development (HHRD). Implementation of the Magna Carta for Public Health Workers which would create a mechanism for continuing policy development in HHRD.

- Health Care Financing. Increase in the budget of the DOH and efficient use of its resources.

- Health Products. Creation of a Bureau for Health Technology, which expands the mandate of the DOH over products and processes to foreign health equipment and technology which, will increase with globalization of trade.

- Health Services. Approval of two bills that seek to strengthen public health—Bill Establishing a National Preventive Health Program and Allocating Funds thereof and Other Purposes; and the National Public Health Standards Act which seeks to set national standards for major public health programs and ensure a constant source of funding factoring in population growth over a period of time.

- Health Facilities. Approval of the Bill on the Comprehensive National Health Facilities Enhancement Program which rationalizes hospital development, infrastructure and equipment support throughout the country.

11. WOMEN

It's high time that the inferior status of women in society be changed. The following are considered as the priority areas, which should be given due attention.

- Economic Equity and Financial Autonomy. This includes the promotion of women's equity in pay and promotion and the enactment of the proposed Magna Carta for Home-Based Workers.

- Alleviation of Women's Double day. This includes the establishment of government day care centers in all barangays.

- Women's Reproductive Rights. Design and implement policy measures such as the DOH's current National Family Planning Program, to ensure and promote the rights of women to informed choice on and access to all methods of contraception, in consultation with organized groups.

- Protection of Women and Children against Violence. This would include the enactment of laws on rape, wife battering and sexual harassment, and establishment of the office of the Ombudsman for the protection of children against abuse and violence of all forms.

- Political Protection for Women. Women should also be represented as a sector in the legislative-making body of the country.

- Political Representation for Women. Study and enact an implementing law on the party list system, which will encourage the fielding of women candidates and work towards greater equity for women in political office.

- Support Agenda. Continued and intensified action on consciousness raising, capability building and organizing.

12. YOUTH

Today and even tomorrow's youth are inheritors of the country's socio-cultural, economic and political problems. It is in this context that genuine youth empowerment and promotion of a youth development program is being called for.

On genuine youth empowerment:

- The immediate passage of the Magna Carta of Student's Rights.
- Create a mechanism that will set the national guidelines in the conduct of school rallies and other student mass actions.
- Reform the Sanggunian Kabataan (SK) through the strict implementation of the LGC.
- Review and amend the relevant laws concerning the protection of the rights of the youth—the Campus Journalism Act (RA 7079).
- Strict implementation of Anti-hazing and Anti-harassment Act to all colleges and universities.
- Representation of the youth in all government special bodies under the LGC.
- Advocate for active, responsive and responsible youth participation as a goal for national development.
- Advocate for a Magna Carta on the Youth that will consolidate all legislative efforts on the sector.

On Youth Development Program:

- Provide free primary education and socialized tuition fees in the secondary and tertiary levels.

- Re-channel the government budget at different levels toward the delivery of basic social services.

- Support the national Anti-Poverty Summit Resolutions to update the Youth Development Plan so that it addresses the immediate needs of the youth.

- Support initiatives for a youth agenda for sustainable development.

E. AKBAYAN! AND THE MAY 1998 PARTY-LIST ELECTIONS

AKBAYAN won a total of 222,039 votes, which made it to the top 9 out of 12 winning groups and 123 competing organizations. It is the only national political party—with no presidential candidate to back it up or a previous track record to exonerate it—, that made it to the two percent (2%) mark.

The average vote necessary to elect a single-member district Representative is 60,000 but it was able to elect a Congresswoman with more than threefold the average. Loretta Ann “Etta” Rosales is now a respected and very visible member of Congress. The party is still awaiting COMELEC’s proclamation of the other two nominees (Danny Edralin and Benjie de Vera) for the Lower House. The party didn’t have the resources nor the experience to equal the strength of their competitors (most of whom were coddled by “trapo” parties or politicians”) but it had 40 provincial divisions and chapters which mobilized actively for the campaign, despite seemingly insurmountable odds.

The votes earned by the party were basically “command” or “network” votes. As a new party, it had to rely mainly on the existing membership base and those of their allied organizations (i.e. trade unions, peasant organizations, women organizations, student groups,

urban poor associations, etc.). What saved the day was the spread of the party's presence and those of its allies in 40 provinces across the nation. It is interesting to note that even in areas where there were no AKBAYAN locals; the party was able to get votes. In Rizal, for instance, the party got more than 4,000 votes even without an AKBAYAN chapter in place. Most probably, these votes came from "clan" votes or those, which the members got from their local relatives and friends.

In some areas, there were some local candidates (i.e. AKBAYAN members) fielded alongside the party-list campaign. Some of these candidates won with staggering numbers but surprisingly were not able to deliver at par for AKBAYAN. In most areas, AKBAYAN candidates had difficulty campaigning for basically two reasons: they had to downplay their AKBAYAN identity to solicit support from non-AKBAYAN and/or competing party-list groups, and, there were not enough resources—human and material—to launch simultaneous campaigns. Nevertheless, these AKBAYAN candidates exerted extra effort to get party-list votes and AKBAYAN as a national party also tried its best to support these local aspirants.

By and large, the party delivered the votes necessary to meet the 2% requirement of the Party-List law.²⁴ Admittedly, however, it was not able to meet the target of one million votes. It delivered only 20% of what it had aimed for. Furthermore, it wasn't able to change the rules of the party-list race in a way that would provide this party, a new one, with a more leveled playing field. But despite this, the victory achieved by AKBAYAN is a qualified victory: one that isn't bad for a first try.

²⁴ Melay V. Abao, "AKBAYAN and the May 11, 1998 Party-List Elections," Dyaryo Akbayan! (August 1998), vol. 1, Issue 1, pp. 2-3.

Now, what the party needs to do is to affirm its victory. Building electoral power takes more than just joining and winning one electoral race. Furthermore, the party is building electoral power not just for electoral battles. So, now that the elections are over, the real party work begins. And it calls for more commitment from everybody concerned.

CHAPTER V

ANALYSIS AND CONCLUSION

AKBAYAN is considered as the most vigorous and determined effort from the Philippine progressive community to break the hold of traditional politicians and political parties on Philippine politics. Its programs and policies were based on its five basic principles—of democracy, equity, justice, freedom, and sustainability—which are all the government needs. It aims to establish a new political order wherein the accountability of public officials is based on their party programs, so as to end the old politics of patronage, elitism, exploitation and people's disempowerment.

The foremost problem of the country is rooted out from democracy, which is not being exercised. The Filipino citizen has not been given the chance to participate in the government, most especially the poor ones who constitute the majority of the country's population. Their voices have not been heard clearly because of the elites that dominate the government, who would rather implement policies for their class' and even personal gains, thus, sacrificing the poor people's right for equity, justice and freedom.

These problems are what AKBAYAN seeks to solve through the implementation of programs specifically designed for the welfare of the broad masses of people. However, there is no foolproof guarantee that these programs will be properly implemented. There is still the danger of elites maneuvering the system, of the representative becoming more prominent than his/her party. But the party can easily avoid this possibility, if it is to promote genuine representation. After all, isn't this what AKBAYAN is all about—to represent the broad masses of people more effectively in the government?

If AKBAYAN's goals and policies will be properly implemented and achieved, then of course, it will doubtlessly become a major vehicle, as it has envisioned for the projection and pursuit of a progressive reform agenda which has, thus far, been bypassed and neglected by the Philippine government. As for the moment, much has to be done basically with the party-list system. We have seen how it has failed, primarily as a result of the electorates' lack of knowledge regarding the system. Much remains to be improved with regards to the law, the procedures, and the competence of our COMELEC officials.

More specifically, if AKBAYAN's performance is to be analyzed, one must start from the campaign period which is considered by its poets and thinkers "a leap of faith," because its victory has been brought about by sheer hard work, by not looking back and by believing that if they had the right cause, the mysterious force of history would lead them to victory. And this is what happened. The party was able to have elected officials in key positions of local government, and Loretta Ann Rosales is now a visible member of Congress. So, now the real party work begins. Consolidation, party building and political reform call for more commitment. Now that the leap of faith has been made, the party members must position their feet squarely on the shifting sand of politics. Indeed, the journey to a new political order demands sustained hard work and greater solidarity.

Finally, Gramsci's theory of hegemony needs to be analyzed because it can best explain the importance of the Left in society, particularly its advocacy of Communist politics, which involve the systematic replacement of the ruling hegemony. Implied here is the steady transformation of the superstructure to the point where the new social order is at last able to come forth under its own impulse. This process, called 'passive revolution,' can

be accomplished only by the conjunction of two forces: that exerted from above by the communist intellectuals, who steadily displace the hegemony of the bourgeoisie, and that exerted from below by the masses who bear within themselves the new social order that has grown from their labour. And this is where the role of the party becomes most significant, because the party is considered the single agent of true political change, which can transform society only because it absorbs into its collective action all the smaller actions of the intelligentsia, and combines with the sheer force of the proletarian masses, giving strength to the one and guidance to the other. Hence, the party must be integrated into civil society—it must gradually impose its influence throughout society, and indeed replace every organization that holds any position within the hegemony of political influence.

Gramsci initiated a standard communist evasion that a vast popular movement that is anti-Communist is never a movement of the masses, whereas a coup d'état by Communist intellectuals is always supported by the 'masses,' whatever the strength and nature of the opposition.²⁵

AKBAYAN, on the other hand, is guided by the principle of internal democracy towards a new political order, with the end in view of making government more accessible, genuinely accountable and truly responsive to the people. After everything has been said, what the people must do is wait and see how these goals will be achieved, of course, without being unmindful of the need for them to actively engage in the process.

²⁵ Roger Scruton, "Antonio Gramsci," Thinkers of the New Left (United Kingdom: Longman Group Limited, 1985), p. 84.

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APPENDICES

APPENDIX A

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

THIRD REGULAR SESSION

Begun and held in Metro Manila, on Monday, the twenty-fifth day of July, nineteen and ninety-four

(REPUBLIC ACT NO. 7941)

AN ACT PROVIDING FOR THE ELECTION OF PARTY-LIST REPRESENTATIVES THROUGH THE PARTY-LIST SYSTEM, AND APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title. - This Act shall be known as the "Party-List System Act".

SEC. 2. Declaration of Policy. - The State shall promote proportional representation in the election of representatives to the House of Representatives through a party-list system of registered national, regional and sectoral parties or organizations or coalitions thereof, which will enable Filipino citizens belonging to marginalized and underrepresented sectors, organizations and parties, and who lack well-defined political constituencies but who could contribute to the formulation and enactment of appropriate legislation that will benefit the nation as a whole, to become members of the House of Representatives. Towards this end, the State shall develop and guarantee a full, free and open party system in order to attain the broadest possible representation of party, sectoral or group interests in the House of Representatives by enhancing their chances to compete for and win seats in the legislature, and shall provide the simplest scheme possible.

SEC. 3. Definition of Terms. - (a) The party-list system is a mechanism of proportional representation in the election of representatives to the House of Representatives from national, regional and sectoral parties or organizations or coalitions thereof registered with the Commission on Elections (COMELEC). Component parties or organizations of a coalition may participate independently provided the coalition of which they form part does not participate in the party-list system.

(b) A party means either a political party or a sectoral party or a coalition of parties.

(c) A political party refers to an organized group of citizens advocating an ideology or platform, principles and policies for the general conduct of government and which, as the most immediate means of securing their adoption, regularly nominates and supports certain of its leaders and members as candidates for public office.

It is a national party when its constituency is spread over the geographical territory of at least a majority of the regions. It is a regional party when its constituency is spread over the geographical territory of at least a majority of the cities and provinces comprising the region.

(d) A sectoral party refers to an organized group of citizens belonging to any of the sectors enumerated in Section 5 hereof whose principal advocacy pertains to the special interests and concerns of their sector.

(e) A sectoral organization refers to a group of citizens or a coalition of groups of citizens who share similar physical attribute or characteristics, employment, interest or concerns.

(f) A coalition refers to an aggrupation of duly registered national, regional, sectoral parties or organizations for political and/or election purposes.

SEC. 4. Manifestation to Participate in the Party-List System. - Any party, organization, or coalition already registered with the Commission need not register anew. However, such party, organization or coalition shall file with the Commission, not later than ninety (90) days before the election, a manifestation of its desire to participate in the party-list system.

SEC. 5. Registration. - Any organized group of persons may register as a party, organization or coalition for purposes of the party-list system by filing with the COMELEC not later than ninety (90) days before the election a petition verified by its president or secretary stating its desire to participate in the party-list system as a national, regional or sectoral party or organization or a coalition of such parties or organizations, attaching thereto its constitution, by-laws, platform or program of government, list of officers, coalition agreement and other relevant information as the COMELEC may require. Provided, that the sectors shall include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, elderly, handicapped, women, youth, veterans, overseas workers, and professionals.

The COMELEC shall publish the petition in at least two (2) national newspapers of general circulation.

The COMELEC shall, after due notice and hearing, resolve the petition within fifteen (15) days from the date it was submitted for decision but in no case not later than sixty (60) days before election.

SEC. 6. Removal and/or Cancellation of Registration. - The COMELEC may motu proprio or upon verified complaint of any interested party, remove or cancel, after due notice and hearing, the registration of any national, regional or sectoral party, organization or coalition on any of the following grounds:

(1) It is a religious sect or denomination, organization or association organized for religious purposes;

(2) It advocates violence or unlawful means to seek its goal;

(3) It is a foreign party or organization;

(4) It is receiving support from any foreign government, foreign political party, foundation, organization, whether directly or through any of its officers or members or indirectly through third parties for partisan election purposes;

(5) It violates or fails to comply with laws, rules or regulations relating to elections;

(6) It declares untruthful statements in its petition;

(7) It has ceased to exist for at least one (1) year; or

(8) It fails to participate in the last two (2) preceding elections or fails to obtain at least two percentum (2%) of the votes cast under the party-list system in the two (2) preceding elections for the constituency in which it has registered.

SEC. 7. Certified List of Registered Parties. - The COMELEC shall, not later than sixty (60) days before election, prepare a certified list of national, regional, or sectoral parties, organizations or coalitions which have applied or who have manifested their desire to participate under the party-list system and distribute copies thereof to all precincts for posting in the polling places on election day. The names of the party-list nominees shall not be shown on the certified list.

SEC. 8. Nomination of Party-List Representatives. - Each registered party, organization or coalition shall submit to the COMELEC not later than forty-four (45) days before the election a list of names, not less than five (5), from which party-list representatives shall be chosen in case it obtains the required number of votes.

A person may be nominated in one (1) list only. Only persons who have given their consent in writing may be named in the list. The list shall not include any candidate for any elective office or person who has lost his bid for an elective office in the immediately preceding election. No change of names or alteration of the order of nominees shall be allowed after the same shall have been submitted to the COMELEC except in cases where the nominee dies, or withdraws in writing, his nomination, becomes incapacitated in which case the name of the substitute nominee shall be placed last in the list. Incumbent sectoral representatives in the House of Representatives who are nominated in the party-list system shall not be considered resigned.

SEC. 9. Qualification of Party-List Nominees. - No person shall be nominated as party-list representative unless he is a natural born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one (1) year immediately preceding the day of the election, able to read and write, bona fide member of the party or organization which he seeks to represent for at least ninety (90) days preceding the day of the election, and is at least twenty-five (25) years of age on the day of the election.

In case of a nominee of the youth sector, he must at least be twenty-five (25) but not more than thirty (30) years of age on the day of the election. Any youth sectoral representative who attains the age of thirty (30) during his term shall be allowed to continue until the expiration of his term.

SEC. 10. Manner of Voting. - Every voter shall be entitled to two (2) votes. The first is a vote for candidate for member of the House of Representatives in his legislative district; and the second, a vote for the party, organization, or coalition he wants represented in the House of Representatives: Provided, That a vote cast for a party, sectoral organization, or coalition not entitled to be voted for shall not be counted: Provided, finally, That the first election under the party-list system shall be held in May 1998.

The COMELEC shall undertake the necessary information campaign for purposes of educating the electorate on the matter of the party-list system.

SEC. 11. Number of Party-List Representatives. - The party-list representatives shall constitute twenty percentum (20%) of the total number of the members of the House of Representatives including those under the party-list.

For purposes of the May 1998 elections, the first five (5) major political parties on the basis of party representation in the House of Representatives at the start of the Tenth Congress of the Philippines shall not be entitled to participate in the party-list system.

In determining the allocation of seats for the second vote, the following procedure shall be observed:

(a) The parties, organizations, and coalitions shall be ranked from the highest to the lowest based on the number of votes the garnered during the elections.

(b) The parties, organizations, and coalitions receiving at least two percent (2%) of the total votes cast for the party-list system shall be entitled to one seat each: Provided, That those garnering more than two percent (2%) of the votes shall be entitled to additional seats in proportion to their total number of votes: Provided, finally, That each party, organization, or coalition shall be entitled to not more than three (3) seats.

SEC. 12. Procedure in Allocating Seats for Party-List Representatives. - The COMELEC shall tally all the votes for the parties, organizations, or coalitions on a nationwide basis, rank them according to the number of votes received and allocate party-list representatives proportionately according to the percentage of votes obtained by each party, organization, or coalition as against the total nationwide votes cast for the party-list system.

SEC. 13. How Party-List Representatives are Chosen. - Party-list representatives shall be proclaimed by the COMELEC based on the list of names submitted by the respective parties, organizations, or coalitions to the COMELEC according to their ranking in said list.

SEC. 14. Term of Office. - Party-list representatives shall be elected for a term of three (3) years which shall begin, unless otherwise provided by law, at noon on the thirtieth day of June next following their election. No party-list representatives shall serve for more than three (3) consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

SEC. 15. Change of Affiliation Effect. - Any elected party-list representative who changes his political party or sectoral affiliation during his term of office shall forfeit his seat: Provided, That if he changes his political party or sectoral affiliation within six (6) months before an election, he shall not be eligible for nomination as party-list representative under his new party or organization.

SEC. 16. Vacancy. - In case of vacancy in seats reserved for party-list representatives, the vacancy shall be automatically filled by the next representative from the list of nominees in the order submitted to the COMELEC by the same party, organization, or coalition, who shall serve for the unexpired term. If the list is exhausted, the party, organization, or coalition concerned shall submit additional nominees.

SEC. 17. Rights of Party-List Representatives. - Party-list representatives shall be entitled to the same salaries and emoluments as regular members of the House of Representatives.

SEC. 18. Rules and Regulations. - The COMELEC shall promulgate the necessary rules and regulations as may be necessary to carry out the purpose of this Act.

SEC. 19. Appropriations. - The amount necessary for the implementation of this Act shall be provided in the regular appropriations for the Commission on Elections starting fiscal year 1996 under the General Appropriations Act.

Starting 1995, the COMELEC is hereby authorized to utilize savings and other available funds for purposes of its information campaign on the party-list system.

SEC. 20. Separability Clause. - If any part of this Act is held invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SEC. 21. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed.

SEC. 22. Effectivity. - This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved.

(SGD) EDGARDO J. ANGARA
President of the Senate

(SGD) JOSE DE VENECIA, JR.
Speaker of the House
of Representatives

This Act, which is a consolidation of House Bill No. 3043 and Senate Bill No. 1913 was finally passed by the House of Representatives and the Senate on February 28, 1995.

(SGD) EDGARDO E. TUMANGAN
Secretary of the Senate

(SGD) CAMILO L. SABIDO
Secretary General
House of Representatives

Approved: March 3, 1995

(SGD) FIDEL V. RAMOS
President of the Philippines

APPENDIX B

Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

IN RE: RULES AND REGULATIONS Present:

GOVERNING THE ELECTION
OF THE PARTY-LIST REPRESENTATIVES THROUGH
THE PARTY-LIST SYSTEM.

PARDO, BERNARDO P.	Chairman
MAAMBONG, REGALADO E.	Commissioner
FERNANDO, REMEDIOS S.A.	Commissioner
GOROSPE, MANOLO B.	Commissioner
DESAMITO, JULIO F.	Commissioner
FLORES, TERESITA D.I.	Commissioner
GUIANI, JAPAL M.	Commissioner

Promulgated: June 25, 1996

RESOLUTION NO. 2847

WHEREAS, it is the policy of the State to promote proportional representation in the election of representatives which will enable Filipino citizens belonging to marginalized and underrepresented sectors, organizations and parties, and who lack well-defined political constituencies to become members of the House of Representatives. Towards this end, the State shall develop and guarantee a full, free and open party-list system in order to attain the broadest possible representation of party, sectoral or group interests in the House of Representatives by enhancing their chances to compete for and win seats in the legislature, and shall provide the simplest scheme possible.

WHEREAS, Section 5 (1) of Article VI of the Philippine Constitution provides: "The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities and Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional and sectoral parties or organizations."

WHEREAS, R.A. No. 7941, provides for the election of party-list representatives through the party-list system and requires the Commission to undertake various activities within prescribed periods: which activities are difficult to accomplish within the periods prescribed therein;

WHEREAS, in addition to the activities required by the aforementioned law, the Commission still has to undertake other mandatory activities preparatory to the conduct of a political exercise which require a period adequate enough to make their execution and implementation conducive to free, orderly and honest elections;

WHEREAS, Section 52 (m) of the Omnibus Election Code authorizes the Commission to fix reasonable periods for certain pre-election activities, "consistent with the requirements of free, orderly, and honest elections";

WHEREAS, it is consistent with the requirements of a free, orderly and honest elections that the periods provided in R.A. No. 7941 for the conduct of activities preparatory to the election of party-list representatives be extended;

NOW, THEREFORE, by virtue of the provisions of the Constitution, R.A. No. 7941, the Omnibus Election Code, and other election laws, the Commission on Elections has RESOLVED to promulgate, as it hereby promulgates, the following rules and procedures on the organization and accreditation of Parties/Organizations and Coalitions thereof for election as members of the House of Representatives through the Party-List System.

SECTION 1. Definition of Terms. - (a) The party-list system, hereinafter referred to as System, is a mechanism of proportional representation in the election of representatives to the House of Representatives from national, regional and sectoral parties, organizations or coalitions thereof registered with the Commission on Elections. Component parties or organizations of a coalition may participate independently provided the coalition of which they form part does not participate in the party-list system. (Sec. 3 (a) RA No. 7941)

(b) A party means either a political party or sectoral party or a coalition of parties.
(Sec. 3 (b) RA No. 7941)

(c) A political party refers to an organized group of citizens advocating an ideology or platform, principles and policies for the general conduct of government and which, as the most immediate means of securing their adoption, regularly nominates and supports certain of its leaders and members as candidates for public office. (Sec. 3 (c) RA No. 7941)

It is a national party when its constituency is spread over the geographical territory of at least a majority of the regions. It is a regional party when its constituency is spread over the geographical territory of at least a majority of the cities and provinces comprising the region.

(d) A sectoral party refers to an organized group of citizens belonging to any of the sectors enumerated in Sec. 2 hereof whose principal advocacy pertains to the special interests and concerns of their sector. (Sec. 3 (d) RA No. 7941)

(e) A sectoral organization refers to a group of citizens or a coalition of groups of citizens who share similar physical attribute or characteristics, employment, interest or concerns. (Sec. 3 (e) RA No. 7941)

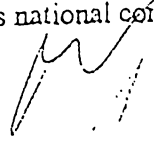
(f) A coalition refers to an aggrupation of duly registered national, regional, sectoral parties or organizations for political and/or election purposes. (Sec. 3 (f) RA No. 7941)

SEC. 2. Registration. - (a) Any organized group of persons desiring to participate in the party-list system as a national, regional or sectoral party or organization or a coalition of such parties or organizations may register as a party, organization or coalition by filing with the Commission, not later than one hundred eighty (180) days before the election a petition verified by its president or secretary, attaching thereto its constitution, by-laws, platform or program of government, list of officers, coalition agreement and other relevant information as the Commission may require.

(b) The sectors shall include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, elderly, handicapped, women, youth, veterans, overseas workers and professionals.

SEC. 3. Petition and Manifestation; Filing fee. - Every petition or manifestation shall be filed by any authorized representative of the political or sectoral party, organization or coalition thereof with any of the following offices of the Commission:

(a) The Law Department, if the petition involves national constituency; or



(b) The Office of the Regional Election Director, in case of regional constituency.

No petition or manifestation shall be accepted without a filing fee of one thousand pesos (P1,000.00) and a research fee of twenty pesos (P20.00).

SEC. 4. Procedures. - (a) Upon receipt of the petition, the Law Department or the Regional Election Director, as the case may be, shall determine whether the petition is in due form and substance and thereafter shall verify the existence of the petitioner in the constituency and all matters required in Sec. 2 hereof, and within seven (7) days after such inquiry, submit the petition and its supporting documents, filing fee, together with his findings and recommendations to the Commission, through the Law Department;

(b) The Commission shall at least seven (7) days before the hearing, publish the petition in at least two (2) national newspaper of general circulation at the expense of the petitioner, and

(c) The Commission shall, after due notice and hearing, resolve the petition within fifteen (15) days from the date it was submitted for decision but not later than ninety (90) days before election day.

SEC. 5. Manifestation to Participate in the Party-List System. - Any party, organization, or coalition already registered with the Commission need not register anew. However, such party, organization or coalition shall file with the Commission, not later than ninety (90) days before the election, a manifestation of its desire to participate in the party-list system.

SEC. 6. Removal and/or Cancellation of Registration. - The Commission may *motu proprio* or upon verified complaint of any interested party, remove or cancel, after due notice and hearing, the registration of any national, regional or sectoral party, organization or coalition on any of the following grounds:

(1) It is a religious sect or denomination, organization or association organized for religious purposes;

(2) It advocates violence or unlawful means to seek its goal;

(3) It is a foreign party or organization;

(4) It is receiving support from any foreign government, foreign political party, foundation, organization, whether directly or through any of its officers or members or indirectly through third parties for partisan election purposes;

(5) It violates or fails to comply with laws, rules or regulation relating to elections;

(6) It declares untruthful statements in its petition;

(7) It has ceased to exist for at least one (1) year, or

(8) It fails to participate in the last two (2) preceding elections or fails to obtain at least two percentum (2%) of the votes cast under the party-list system in the two (2) preceding elections for the constituency in which it has registered.

For purposes of the 1998 elections and the immediately succeeding national elections, subparagraph (8) hereof shall not apply.

SEC. 7. Certified List of Registered Parties. - The Commission shall, not later than seventy-five (75) days before election, prepare a certified list of national, regional, or sectoral parties, organizations or coalitions which have applied or manifested their desire to participate under the party list system and distribute copies thereof to all precincts for posting in the polling places on election day. The names of the party-list nominees shall not be shown on the certified list.

SEC. 8. Nomination of Party-List Representatives. - Each registered party, organization or coalition shall submit to the Commission not later than ninety (90) days before the election a list of names, not less than five (5), from which party-list representatives shall be chosen in case it obtains the required number of votes.

SEC. 9. Limitations on Party-List Nominations. -

(a) A person may be nominated by one party, organization/coalition in one (1) list only, however, that any person giving consent to be nominated more than once shall be disqualified;

(b) Only persons who have given their consent in writing may be named in the list.

(c) The list shall not include any candidate for any elective office in the same election or a person who has lost his bid for an elective office in the immediately preceding election.

(d) No change of name or alteration of the order of nominees shall be allowed after the same have been submitted to the Commission except in cases where the nominee dies, his nomination is withdrawn in writing and under oath or becomes incapacitated, in which case the name of the substitute nominee shall be placed last in the list.

(e) Incumbent sectoral representatives in the House of Representatives who are nominated in the party-list system shall not be considered resigned.

SEC. 10. Qualifications of Party-List Nominees. - No person shall be nominated as party-list representative unless he is:

- a. A natural born citizen of the Philippines;
- b. A registered voter,
- c. A resident of the Philippines for a period of not less than one (1) year immediately preceding the day of the election;
- d. Able to read and write;
- e. A bonafide member of the party or organization which he seeks to represent for at least ninety (90) days preceding the day of the election; and
- f. At least twenty five (25) years of age on the day of the election.

In case of a nominee of the youth sector, he must at least be twenty five (25) but not more than thirty (30) years of age on the day of the election. Any youth sectoral representative who attains the age of 30 during his term shall be allowed to continue in the office until the expiration of his term.

SEC. 11. Manner of Voting. - Every voter shall be entitled to two (2) votes. The first is a vote for the candidate for member of the House of Representatives in his legislative district, and the second, a vote for the party, organization or coalition he wants represented in the House of Representatives.

A vote cast for a party, sectoral organization, or coalition not entitled to be voted for shall not be counted.

The first election under the party-list system shall be held in May 11, 1998.

SEC. 12. Number of Party-List Representatives. The party-list representatives shall constitute twenty percentum (20%) of the total number of the members of the House of Representatives including those under the party-list.

For purposes of the May 11, 1998 elections, the following first five (5) major political parties on the basis of party representation in the House of Representatives at the start of the Tenth Congress of the Philippines shall not be entitled to participate in the party-list system:

1. LAKAS NUCD - UMDP
2. LIBERAL PARTY
3. LDP
4. NPC
5. KBL

In determining the allocation of seats for the second vote, the following procedures shall be observed:

- (a) The parties, organizations, and coalitions shall be ranked from the highest to the lowest based on the number of votes they garnered during the elections;
- (b) The parties, organizations, and coalitions receiving at least two percent (2%) of the total votes cast for the party-list system shall be entitled to one seat each; Provided, That those garnering more than two percent (2%) of the votes shall be entitled to additional seats in proportion to their total number of votes; Provided finally, That each party, organization, or coalition shall be entitled to not more than three (3) seats.

SEC. 13. Procedure in Allocating Seats for Party-List Representative. - The Commission shall tally all the votes for the parties, organizations and coalitions on a nationwide basis, rank them according to the number of votes received and allocate party-list representatives proportionately according to the percentage of votes obtained by each party, organization, and coalition as against the total nationwide votes cast for the party-list system.*

SEC. 14. How Party-List Representatives are Chosen. - Party-List representatives shall be proclaimed by the Commission according to their ranking in said list.

SEC. 15. Term of Office. - Party-List representatives shall serve for a term of three (3) years which shall begin, unless otherwise provided by law, at noon on the thirtieth day of June next following their election. No party-list representatives shall serve for more than three

*(For illustration, please see Annex "A").

(3) consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term.


SEC. 16. Change of Affiliation Effect. - Any selected party-list representative who changes his political party or sectoral affiliation during his term of office shall forfeit his seat; **Provided,** That if he changes his political or sectoral affiliation within six (6) months before an election, he shall not be eligible for nomination as party-list representative under his new party or organization.

SEC. 17. Vacancy. - In case of vacancy in seats reserved for party-list representatives, the vacancy shall be automatically filled by the next representative from the list of nominees in the order submitted to the Commission by the same party, organization, or coalition, such representative shall serve for the unexpired term. If the list is exhausted, the party, organization, or coalition concerned shall submit additional nominees.

SEC. 18. Rights of Party-List Representatives. - Party-list representatives shall be entitled to the same salaries and emoluments as the regular members of the House of Representatives.

SEC. 19. Governing Laws; other matters. - For purposes of the election of Members of the House of Representatives under the Party-List System and other matters in connection therewith which are not provided herein, the relevant provisions of the Omnibus Election Code, as amended, shall apply.

SEC. 20. Information and Dissemination. - The Commission, through the Education and Information Department, shall cause the publication of this Resolution in two (2) daily newspapers of national circulation and shall furnish copies hereof to all government agencies concerned.



SEC. 21. Effectivity. - This resolution shall take effect on the 15th of July, 1996, following its publication in two (2) daily newspapers of general circulation.



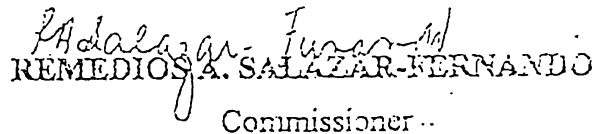
BERNARDO P. PARDO

Chairman



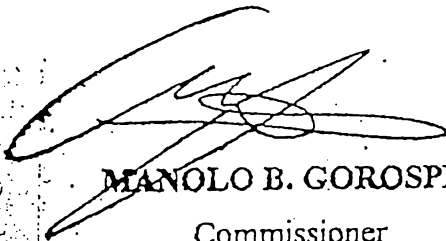
REGALADO E. MAAMBONG

Commissioner



REMEDIOS A. SALAZAR-FERNANDO

Commissioner



MANOLO B. GOROSPE

Commissioner



JULIO F. DESAMITO

Commissioner



TERESITA DY-LIACCO FLORES

Commissioner



JAPAL M. GULENI

Commissioner

ALLOCATION OF PARTY-LIST SEATS

Party/Org./ Coalition	No. of Votes Garnered	Total No. of Votes Under Party List	Total Percentage Obtained	No. of Seats Allocated	Percentage Consumed	Variance	Ranking	Additional Seats	Total Seats
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24,081,034

(b / c)

(e x 2%)

(d - f)

(e + i)

1 seat for
every 2%
maximum of
3 seats

A	1,985,051		8.24%	3	-	-	-	-	3
B	1,639,427		6.80%	3	-	-	-	-	3
C	1,532,256		6.36%	3	-	-	-	-	3
D	1,525,985		6.34%	3	-	-	-	-	3
E	1,500,015		6.23%	3	-	-	-	-	3
F	1,457,040		6.05%	3	-	-	-	-	3
G	1,412,085		5.86%	2	4	1.86	1	1	3
H	1,045,899		4.34%	2	4	0.34	11	0	2
I	1,332,260		5.53%	2	4	1.53	2	1	3
J	1,322,255		5.53%	2	4	1.53	2	1	3
K	1,241,363		5.17%	2	4	1.17	5	1	3
L	1,238,662		5.14%	2	4	1.14	6	1	3
M	1,229,540		5.09%	2	4	1.09	8	1	3
N	1,132,445		4.94%	2	4	0.94	9	1	3
O	1,103,251		4.58%	2	4	0.58	10	1	3
P	977,690		4.03%	2	4	0.05	12	0	2
Q	770,052		3.20%	1	2	1.20	4	1	2
R	756,454		3.14%	1	2	1.14	6	1	2
S	445,657		1.85%	0	0	-	-	-	0
T	370,408		1.54%	0	0	-	-	-	0

40

10

50

APPENDIX C

A k b a y a n !

CONSTITUTION AND BY-LAWS

CITIZENS' ACTION PARTY

P R E A M B L E

We, Filipino Citizens,
guided by the principles of democracy,
equity, justice, freedom and sustainability,
seeking an end to the old politics
of patronage, elitism, exploitation,
and people's disempowerment,
committed to promote a new politics
of principles, programs, accountability,
and people's empowerment,
convinced that these ideals
may be peacefully and effectively realized
through a progressive political party
of, by and for our people,
and in active solidarity
with all like-minded and like-spirited
local, national and global
organizations and movements,
do ordain and promulgate
this Constitution.

Article I
NAME, SYMBOLS AND HEADQUARTERS

Section 1. *Name.* The name of the party shall be AKBAYAN!, and it shall otherwise be known as "Citizens' Action Party."

Section 2. *Colors.* The colors of the Party shall be red, blue and green.

Section 3. *Symbols.* The official logo, slogan, anthem and other symbols of the Party shall be approved by the National Council.

Section 4. *Headquarters.* The Party shall establish and maintain National Headquarters in the National Capital Region and Regional Headquarters in Visayas and Mindanao.

Article II
BASIC PRINCIPLES, OBJECTIVES AND POLICIES

Section 1. *Principles.* The basic principles of the Party are as follows:

- a. DEMOCRACY: which builds upon the right of every citizen to full and effective participation in governance;
- b. EQUITY: which builds upon the need to harmonize the rights and legitimate interests pertinent among sectors, within sectors, between genders, across generations, within nations and among nations;
- c. JUSTICE: which builds upon the right of every citizen to live in the fullest dignity that is due all human beings as well as to an equitable share in the fruits of production;
- d. FREEDOM: which builds upon the right of every citizen to full self-expression and self-realization within the bounds of decency and responsibility, and
- e. SUSTAINABILITY: which builds upon the need for the adoption and maintenance of such structures and processes as will preserve and enhance presently available resources for the benefit of future generations.

Section 2. *Political Objectives.* The basic political objectives of the Party are as follows:

- a. To secure electoral victories at every level possible, from the barangay to the national;
- b. To develop and implement electoral platforms that effectively address the real needs and promote the genuine welfare of its constituencies;
- c. To enlist or otherwise develop electoral candidates who can effectively carry the Party's platforms;
- d. To mobilize and ensure public support for its platforms and its candidates;
- e. To develop, expand and sustain its electoral capabilities, and
- f. To engage in effective governance, through both elected and appointed public officials from its ranks and within its spheres of influence.

Section 3. *Organizational Objectives.* The basic organizational objectives of the Party are as follows:

- a. To develop and sustain financial self-reliance;
- b. To provide its Members such training, support and other services as may be required to develop them into effective leaders in various political and electoral arenas, and
- c. To develop strategic and tactical alliances and other operational arrangements with organizations and individuals, whether domestic or international, pertinent to the pursuit of its basic political and organizational objectives.

Section 4. *Policies.* The basic policies of the Party are as follows:

- a. Thirty Percent (30%) of all leadership positions at every organizational level shall be reserved for women;
- b. The selection of Party Candidates at local levels (barangay, municipal, city and provincial) shall be the domain primarily of the Party Units concerned;
- c. All Official Candidates of the Party must be Members of, and duly accountable to, the Party, and
- d. AUTONOMY AND SUBSIDIARITY: Local initiatives shall be encouraged and local decisions safeguarded. However, higher Units and Organs may override such initiatives and decisions when higher interests of the Party so require.

Article III
MEMBERSHIP

Section 1. *Qualifications.* The basic qualifications for membership in the Party are as follows:

- a. Voter's Registration;
- b. Certification of Completion of the Party's Basic Orientation Seminar;
- c. Endorsement by the Chair, and full acceptance by all the members, of the Chapter to which he/she shall belong, and
- d. Oath of Membership.

Section 2. *Disqualification.* Any of the following shall suffice as a ground for the disqualification of anyone who aspires for membership in the Party:

- a. Commission of any act contrary to the basic principles of the Party, and
- b. Membership in any organization the interests of which are in conflict with the interests of the Party.

Section 3. *Rights.* Every Party Member in good standing shall have the following rights:

- a. To be fully informed about the Party;
- b. To vote and be voted for as a Party Officer or Candidate;
- c. To avail of Party services and facilities;
- d. To participate in Party activities pertinent to the Party Unit, Organ or Formation to which he/she belongs;
- e. To express opinions and to submit suggestions, through proper and appropriate means, with a view towards promoting the interests of the Party or its constituencies, and
- f. To initiate arbitration proceedings against any Party Officer or Member.

Section 4. *Duties.* Every Party Member shall have the following duties and obligations:

- a. To abide by the Party's Constitution and By-Laws and its Platforms;
- b. To keep himself/herself informed about official Party matters;
- c. To comply with all duly-promulgated Party regulations, procedures and decisions;
- d. To pay, in full and on time, all Party fees, dues and assessments;

- e. To work towards the advancement of the Party's interests by promoting and defending the Party's principles, objectives, platforms, programs and candidates;
- f. To recruit at least one (1) Member;
- g. To assist fellow Members who are in need;
- h. To actively participate in Party activities, and
- i. To safeguard the Party's confidentiality.

Section 5. *Member in Good Standing.* A Party Member in good standing is one who:

- a. is not delinquent in the payment of dues, fees and/or assessments, and
- b. is not under suspension under Article XI, Sections 4 and 5 of this Constitution.

Section 6. *Termination of Membership.* Membership in the Party shall be terminated by resignation or expulsion.

Article IV DUES

Section 1. *Annual Dues.* The minimum annual membership due to be paid by each Member shall be Three Hundred and Sixty Pesos (P360.00) or One Percent (1%) of declared income, whichever is higher. This may be paid in cash or in kind.

Section 2. *Allocation.* Membership dues shall be allocated as follows:

- a. Forty Percent (40%) to the Chapter;
- b. Twenty Percent (20%) to the Section
- c. Twenty Percent (20%) to the Division, and
- d. Twenty Percent (20%) to the National Executive Committee.

Section 3. *Special Fees.* Special fees and assessments may be imposed by the National Executive Committee on Party Members who, through the assistance of the Party, have secured a public office, whether through elections or by appointment.

Article V
PARTY UNITS

Section 1. *Party Units.* Party Units shall be organized as follows:

- a. Chapters at the Barangay or Sitio Level;
- b. Sections at the Municipal, City or Zone level;
- c. Divisions at the Provincial, Highly-Urbanized City or Legislative District level, and
- d. Assemblies at the Regional level.

Section 2. *Chapters.* The Chapter shall be the basic unit of the Party. Thus:

- a. Every Member must belong to one Chapter.
- b. Each Chapter shall have a minimum of twelve (12) Members.
- c. Chapters may, for purposes of better administration or more efficient action, sub-divide into sub-chapters according to sectoral, geographic or other such parameters.
- d. Chapters shall be the primary vehicles for the Party's recruitment, education and expansion programs.

Section 3. *Sections, Divisions, and Assemblies.* A Section shall consist of a minimum of six (6) Chapters; a Division shall consist of a minimum of three (3) Sections, and an Assembly shall consist of a minimum of three (3) Divisions. These Units shall consist of all the elected Officers of their member-Units.

Section 4. *Unit Officers.* All Party Units shall elect, and shall be governed by, at least a Chair, a Secretary and a Treasurer:

- a. The Unit Chair shall preside over all the meetings of the Unit, prepare the agenda for the same, and represent the Unit in the next higher Unit, unless otherwise provided for in this Constitution.
- b. The Unit Secretary shall serve the Unit's records, documentation and communication needs, and shall perform such other functions as may be assigned him/her by the Unit Chair.
- c. The Unit Treasurer shall safekeep and administer the Unit's funds and other resources, ensure the prompt and effective collection of all dues, fees and special assessments from Unit Members concerned, and coordinate with the Treasurer of the next higher Unit regarding the remittance of such collections.

Section 5. *Unit Meetings.* Party Chapters shall meet regularly at least once every month, Sections at least once every two (2) months, and Divisions at least once every quarter.

Article VI
NATIONAL ORGANS AND OTHER FORMATIONS

Section 1. *The National Congress.* The National Congress shall be the highest governing and policy-making body of the Party:

- a. It shall consist of Delegates from, at least, the Party's Divisions, and of all elected public officials, from the municipal level up, who are Party Members.
- b. Representation in the National Congress shall be proportional to the actual membership of the Party Units concerned.
- c. The National Congress shall convene once every three years not later than one hundred and twenty (120) days before local and/or national elections.
- d. A Special Congress may be convened upon the petition of , at least, 50% of the delegates of the previous National Congress or of at least 2/3 of all the Members of the National Council.

Section 2. *Powers of the National Congress.* The National Congress shall have the following exclusive powers:

- a. To elect the Party's National Executive Officers as well as the Members of the Party's National Council;
- b. To ratify and amend the Party's Constitution and By-Laws and its National Platform, and
- c. To elect the Party's national and party-list Candidates.

Section 3. *The National Council.* The National Council shall be the second-highest governing and policy-making body of the Party:

- a. It shall consist of the National Chair, the National President, the National Secretary-General, seven (7) Representatives each from Luzon, Visayas and Mindanao duly elected by the concerned National Congress Delegates from among themselves, and seven (7) Representatives elected at-large by the elected Luzon, Visayas and Mindanao Representatives.
- b. The National Council shall convene within 60 days after the National Congress and every six (6) months thereafter.

Section 4. *Powers of the National Council.* The National Council shall have the following exclusive powers:

- a. To elect from among themselves the Party's National Arbiter, National Treasurer, National Vice-Chair and National Vice-President;
- b. To formulate the Party's stand on issues of national or regional concern, and
- c. To approve any proposal for amendments to the Party's Constitution and By-Laws or its National Platform prior to the submission of the same to the National Congress for ratification.

Section 5. *Advisory Council.* The National Council may create an Advisory Council which shall:

- a. be composed of as many Members as may be elected into it by a simple majority vote of the National Council;
- b. elect its own Chair from among its Members, and
- c. render such assistance as may be required from it by the National Council.

Section 6. *Other Formations.* The National Council may create Parliamentary, Gubernatorial, Sectoral and other such Formations which shall address such issues and concerns and shall perform such functions as may be assigned them by the National Council.

Article VII NATIONAL EXECUTIVE OFFICERS

Section 1. *Composition.* The National Executive Committee shall consist of the following National Executive Officers:

- a. The National Chair;
- b. The National President;
- c. The National Secretary-General;
- d. The National Arbiter;
- e. The National Treasurer;
- f. The National Vice-Chair, and
- g. The National Vice-President.

Section 2. *Functions.* The National Executive Committee shall:

- a. approve the program and agenda for all meetings of the National Congress and the National Council;

- b. approve all fees and special assessments to be imposed on any Party Member; and
- c. ensure the provision of the Party's organizational and operational needs.

Section 3. *The National Chair.* The National Chair shall be the head of the Party and, as such, shall preside over all the meetings of the National Congress, the National Council and the National Executive Committee.

Section 4. *The National President.* The National President shall be the chief spokesperson of the Party and, as such, shall be the official representative of the Party in pertinent local and international assemblies, conferences and similar fora.

Section 5. *The National Secretary-General.* The National Secretary-General shall be the chief operations officer of the Party and, as such, shall:

- a. manage and oversee all of the Party's operations, including resource generation and allocation, research, recruitment, liaison, documentation, communications, and publications;
- b. prepare the agenda, minutes and program for all meetings of the National Congress, the National Council and the National Executive Committee, and
- c. establish and maintain the National Secretariat and preside over all meetings of the same.

Section 6. *The National Arbiter.* The National Arbiter shall be the chief manager of internal conflicts in the Party and, as such, shall chair the National Arbitration Committee. The members of this Committee shall be appointed by the National Executive Committee upon the recommendation of the National Arbiter.

Section 7. *The National Treasurer.* The National Treasurer shall safekeep and administer the Party's funds and other resources, ensure the prompt and proper collection of all dues and other receivables accruing to the Party or to the National Executive Committee, prepare and submit a Financial Report whenever so required by the National Chair, the National Secretary-General or the National Executive Committee, and perform such other functions as may be assigned him/her by the National Chair or the National Executive Committee.

Section 8. *The National Vice-Chair.* The National Vice-Chair shall assume the responsibilities of the National Chair in case of the latter's incapacity,

resignation, impeachment or death, and shall perform such other functions as may be assigned him/her by the National Chair or the National Executive Committee.

Section 9. *The National Vice-President.* The National Vice-President shall perform the functions of the National President in case of the latter's incapacity, resignation, impeachment or death, and shall perform such other functions as may be assigned him/her by the National Chair, the National President or the National Executive Committee.

Section 10. *Creation of Other Committees.* Other national committees, whether standing or ad hoc, may be created by the National Executive Committee.

Article VIII THE NATIONAL SECRETARIAT

Section 1. *Functions.* The National Secretariat shall be the chief administrative and operations arm of the Party. As such, it shall:

- a. attend to the Party's day-to-day affairs;
- b. manage and maintain the Party's National Headquarters;
- c. maintain and update the Party's membership roster;
- d. supervise the Party's recruitment, education and expansion programs;
- e. initiate, supervise and maintain the Party's services for its Members and constituencies;
- f. ensure the prompt and effective exchange and dissemination of information within the Party;
- g. provide for the documentation needs of the National Congress, the National Council and the National Executive Committee;
- h. in coordination with the National Treasurer, ensure the prompt collection and remittance of all membership dues, fees and special assessments, and
- i. perform such other functions as may be assigned to it by the National Secretary-General or by the National Executive Committee.

Section 2. *Local Secretariats and HQs.* Local secretariats and headquarters may be established and maintained by the National Secretariat or by the Party Units concerned, as resources and requirements may warrant.

Article IX
MEETINGS

Section 1. *Quorums.* A simple majority of all its Members shall constitute a quorum for a meeting of any Party Unit, Organ or Formation.

Section 2. *Binding Decisions.* No decision of any Party Unit, Organ or Formation shall be valid and binding if arrived at in the absence of a quorum.

Section 3. *Approval of Motions.* Unless otherwise provided for in this Constitution, a simple majority vote of the Members present shall suffice to approve any motion during a meeting.

Section 4. *Special Meetings.* Special Meetings may be held only upon a minimum of seven (7) days', in the case of Party Units, Committees and Formations, and fourteen (14) days', in the case of National Organs, written notice to all Members concerned.

Article X
ELECTION AND SELECTION

Section 1. *Election of Party Officers.* All Party Officers shall be elected by a simple majority vote of the Party Unit concerned, unless otherwise provided for in this Constitution.

Section 2. *Terms of Office.* All elected Party Officers shall hold office for three years, unless otherwise provided for in this Constitution.

Section 3. *Limitation on Elective Posts.* No Member may hold more than one (1) elective post within the Party. Thus, as soon as an Officer of a lower Unit is elected as an Officer of a higher Unit, the lower Unit shall elect a replacement for the Officer concerned.

Section 4. *Limitation on Elected Public Officials.* No elected public official may serve as a Party Officer in any Party Unit.

Section 5. *Selection of Local Candidates.* All Party Candidates for local elective positions (barangay, municipal, city and provincial) shall be selected through nomination proceedings as follows:

- a. The time-table for all nomination proceedings shall be prescribed and promulgated by the National Secretariat.
- b. FOR OFFICIAL PARTY CANDIDATES: All Aspirants shall inform in writing the Chair of the Party Unit concerned of his/her intent to run for a specified public office.
- c. FOR GUEST PARTY CANDIDATES: Any Member in good standing may nominate, in writing, to the Chair of the Party Unit concerned, a non-Member for adoption by the Party as a Guest Candidate.
- d. The Unit Chair concerned shall call for a Unit Convention, in which all Aspirants and/or Nominators concerned shall be allowed the chance to present and defend their respective intents;
- e. The Unit Members concerned shall, through secret ballot, afterwards select the Party's Official Candidate/s, or adopt its Guest Candidate, by a simple majority vote.
- f. The Unit Officers concerned shall act as the Unit's Selection Committee for the duration of the nomination proceedings.
- g. A Unit Officer who is aspiring for nomination shall be considered resigned from his office in the Party, and elections must be held for his/her replacement prior to the convention of the Unit concerned.

Article XI ARBITRATION AND DISCIPLINE

Section 1. *Composition.* The National Arbitration Committee shall consist of the National Arbiter as Chair and four (4) Members, duly appointed by the National Executive Committee upon the recommendation of the National Arbiter, to represent Luzon, Visayas, Mindanao and Metro Manila.

Section 2. *Powers and Functions.* The National Arbitration Committee shall have the following powers and functions:

- a. formulate a Code of Discipline prescribing all procedures and guide-lines pertinent to arbitration and discipline and implement the same upon approval by the National Executive Committee;
- b. hear and decide all motions for discipline and arbitration filed against Party Officers and Members;

- c. hear and decide all unresolved disputes on the interpretation and implementation of the Party Constitution and By-Laws and of rules and regulations promulgated by the Party, and
- d. perform such other functions as may be assigned it by the National Executive Committee or by the National Council.

Section 3. *Grounds for Disciplinary Action.* Disciplinary proceedings may be initiated by any Party Officer or Member against any Party Officer or Member on any of the following grounds:

- a. gross violation of the Party's Constitution and By-laws, Platforms, policies, regulations or decisions;
- b. malversation of Party funds;
- c. misrepresentation of the Party;
- d. failure in the performance of official duties;
- e. non-payment of dues, fees or assessments;
- f. sexual harassment, even against a non-member;
- g. gross misconduct, or
- h. any act inimical to the interests of the Party.

Section 4. *Automatic Suspension.* Any Party Officer or Member proven errant shall be automatically suspended for three (3) months starting from the date of the promulgation of the decision of the National Arbitration Committee.

Section 5. *Additional Penalties.* Additional penalties that may be meted on any Party Officer or Member proven errant may be any of the following:

- a. simple reprimand,
- b. censure,
- c. removal from office,
- d. extension of suspension,
- e. fine, and/or
- f. expulsion.

Section 6. *Finality of Decision.* Unless overturned by the National Executive Committee, the decision of the National Arbitration Committee shall be final.

Article XII
AMENDMENTS

Section 1. Amendments to this Constitution may be proposed in writing to the National Council by any Member in good standing.

Section 2. If approved by the National Council, after due deliberations, by a two-thirds (2/3) majority vote of all its Members, such amendment proposal shall be submitted to the National Congress for ratification.

Section 3. Proposed amendments shall be ratified by the National Congress by a two-thirds (2/3) majority vote of all its Members.

RATIFIED by the Akbayan! National
Congress in its Founding Session on January 17, 1998, at the
UP Alumni Center, Diliman, Quezon City, Philippines.
