Seminar Paper

The Political Economy of Absenteeism of Lawmakers in the Senate of the Philippines

Submitted in fulfillment of the requirements in Political Science 198 by:

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INTRODUCTION

Our history tells us that the Philippines is struggling to have a better economy and a strong government system. The country has faced many adversities and the Filipino people are seeking for a brighter future. The Philippines was known to be rich in natural resources but despite that fact, it has not yet reached development.

Critics say that the government system is the problem. News show that today, the Philippines is the most corrupt country in world. Corruption is rampant and it is believed that dealing with it is the most difficult thing to do.

The significance of the study is to show the problem of absenteeism in Congress. The problem could be associated with corruption. This problem should be addressed so that there will be no innocent Filipino people affected.

This paper will describe the roles of the lawmakers in the Philippines. The functions of the Congress will be discussed. This research aims to show the causes and effects of absenteeism by legislators during sessions at the plenary hall. The legislators' behavior is examined if they are able to do their responsibilities even if there is a practice of absenteeism.

The research will focus on the legislators and their behavior in Congress, and how their legislative performance affects the society and economy as a whole. This paper also aims to look into possible solutions to the problem of absenteeism by implementing new rules that would motivate the legislators to avoid being absent.
REVIEW OF RELATED LITERATURE

The Legislative Department

The 1987 Constitution vests legislative power in the Congress of the Philippines. The Congress is a bicameral (two-chamber) legislative body consisting of a Senate and a House of Representatives. The Senate is composed of twenty-four senators who are elected at large and have a term of six years. On the other hand, the House of Representatives is composed of no more than two hundred and fifty members, unless otherwise fixed by law. These members are either elected from legislative districts or through the party-list system and serve a term of three years (Politics and Governance, 1999).

The Legislative Functions

The primary function of the legislatures is to legislate—to make, pass and repeal laws. The level and form of legislative involvement in law-making varies from one system to another. In some systems, legislative law-making bodies serve primarily to legitimize policy choices made by a Prime Minister, central committee, or a chief executive. In other systems, the legislature affirms decisions made by the executive.

Other functions performed by legislatures include representation. The legislature represents the people and acts on their behalf. In both democratic and non-democratic systems, legislatures elect or appoint at least some upper-echelon governmental officers. In presidential systems, the chief executive is directly elected by the people and normally cannot be removed from office by parliament.

Legislatures also act in a judicial capacity, hearing charges brought against presidents, judges, and individual legislators and then deciding on the appropriate sanction such as impeachment, censure, etc. They also have the authority to investigate governmental operations. The information gathered by the investigative bodies may be taken into account in new law-making, while this investigative process itself sometimes puts pressure on government officials to change their activities, to alter the ways a law has been interpreted, or simply to become more efficient or step down.
Finally, legislatures also play a role in recruiting and socializing political leaders. Members of the legislature form a pool of talent, experience, and ambition from which leading decision-makers emerge (Politics and Governance, 1999).

**How a bill becomes Law**


Every member of the House or the Senate is entitled to file bills or resolutions for deliberation in each Chamber. The Constitution provides that a bill or resolution (essentially the formal documents that embody legislation) has to undergo three readings in each Chamber.

The First reading is basically the reading of the title, Number of the bill or resolution and referral to a particular while in Plenary Session. The Committee, where the bill was referred to, evaluates the bill, conducts public hearings, introduces amendments, and consolidates bills on the same subject matter, or it can propose a substitute bill. The final Committee version would come out as the Committee Report to the Plenary.

The Committee on Rules schedules the bill for consideration on Second Reading where the bill is sponsored in Plenary Session, debated upon, further amended and then approved. The Third Reading is actually a mere formality for the Plenary to again vote on the official printed version of the bill after three session days from the passage on Second Reading. Bills on the same or equivalent subject-matter separately approved by the House and the Senate on Third Reading would normally go through Bicameral Conference Committee meetings where the differences in their approved versions are reconciled. The reconciled bill is then reported back to each Chamber for ratification as a requirement before the bill is sent to the President for signing into law.

The congressional committees offer the best channels of access for citizens to participate in legislative policy making. This is where the legislative process is visible and interacts with the rest of the population through public hearings and technical consultations. Nonetheless, no existing institutional mechanisms facilitate such participation although no
institutional rules inhibit the participation of citizens. Often, Committees would invite known experts, concerned organizations and individuals as may be referred by the Committee members and/or the Congress staff. In cases where citizens do attend committee meetings, the rules of procedure, language used, manner by which committee meetings are conducted, and the atmosphere generally prevailing in the halls of the House and the Senate may at times deter participation, as these are often intimidating to ordinary citizens.

**The Problem of Absenteeism**

We now know what composes the Congress, its functions and how meticulous and long is the process of making a law. Now let us see what happens in the legislative system itself. The public has to know not just the good side of that institution. The public must also know if there are problems.

According to Randy David’s articulation of a checklist for Philippine democracy, “Corruption is not the most important of our problems but rather an expression of our most urgent problems: mass poverty and ignorance, patronage politics, expensive elections and an underdeveloped economy” (www.quezon.ph). But how are we able to attend to our urgent problems if our government officials are indifferent about creating solutions?

There has been chronic absenteeism happening in Congress. Absenteeism means the habitual failure to appear, especially for work or other regular duty.

Under the Fourteenth Congress, the attendance of the legislators is being checked notably because of the reports that after their names called during sessions, the legislators (senators and congressmen) leave the plenary hall.

There are also reports that the session could not start on time because everybody is waiting for the others who did not yet arrived at the session hall. The senators who were allowed to go on official missions were not listed as absent, and this is unfair to the senators who were physically present in the session hall.

In the House of Representatives, the ones who are leaving after the roll call of attendance are the members of the House who are apparently not interested in the bill that is being discussed. The effects of this absenteeism are lack of cooperation in the Senate and
House of Representatives, uneven votes for lawmakers, slow legislative movements, and pending or death of bills.

The Philippine Senate has adopted new rules in a bid to impose discipline on late or absent colleagues who usually delay passage of bills. One of the new rules, initiated by Sen. Miriam Defensor-Santiago and adopted by the Senate, provides that the absence of a senator will be deemed as a waiver of his right to interpellate the sponsor of any bill. This amends the present practice of an absentee senator delaying passage of a bill when he does not show up during the date that he reserved for interpellation. Delay also results when a sponsor of a bill is absent and there is no one to answer the questions. According to Santiago, if a senator has to be absent, then he should appoint a substitute senator to continue pending business (GMANews.TV).

A second Santiago motion passed by the Senate is for session to start promptly at 3:00 p.m. as scheduled, and not to wait for a quorum which usually happens only at 3:30 or even 4:30 p.m. Under the new rule, a Senate session will start at 3 p.m., on the condition precedent that the session will be deemed retroactively valid, when a quorum is raised, at which time roll call will be held. There could be no problem about the new rules because the Supreme Court has held that the Senate can change its internal rules of procedure at any time (GMANews.TV).

An immediate task for the leadership is cutting down on the absences and tardiness that the members are notorious for. Congressmen love to boast about their productivity, passing each year more bills than the senators have. House watchers, however, have criticized the quality of the measures, especially bills of local applications that shamelessly name or rename a street, a school or a public park after a dead relative. There must be a timeline for the passage of vital bills, the national appropriations act in particular. Deliberations without deadlines are exercises in vanity (Jimenez, 2008).

According to some reports, lawmakers that are not interested about the bill being discussed on the Floor intend not to attend the session so that he/she could not show support and to purposely delay the process in creating that particular bill (Diaz, 2008).

Speaker Prospero Nograles expressed disappointment on lack of quorum during session and proposed new method on checking lawmakers’ attendance. “There will be two roll calls, one at the 4:00 pm and another one at 7:00 pm, to ensure quorum.” The House
leader added, “Padlock is unnecessary. It’s just failure to communicate and constant reminder to attend and not to leave after roll call.”

Nueva Ecija Rep. Nonato Joson wanted the House leadership to adopt a “no work, no pay policy” so taxpayers won’t be shortchanged. “The leadership must show to the taxpayers the value of their money. But in the end, lawmakers should be taught about sense of duty – their duty as a member of legislature,” Joson said (Jimenez, 2008).

As duly elected legislators, the members of the Congress are therefore entrusted to champion the interest of the electorate through legislation. Absenteeism is a manifestation of betrayal of this public trust. And as such, it should be met with a corresponding punishment.

With a thin legislative output in the past Congress, most of the more important economic legislation necessary for addressing vital issues, like fiscal rationalization and land administration reform, were sidelined for reasons that the public could only speculate upon (Llorito, 2007).

While legislators in the rest of the Asia-Pacific region were preoccupied with sharpening their policies to maximize gains and adjust to changes brought about by the global economy, our legislators were busily haggling over pork barrel, or grandstanding on endless investigations that led to nowhere. Focusing legislation on economic issues relevant to this economic transformation, therefore, should be the primary business of the new Congress (Llorito, 2007).
DEFINITION OF TERMS

1. ABSENTEEISM - a habitual pattern of failure to appear, especially for work or other regular duty and obligations.
   
   In regular session, tardiness can be considered absent especially when a senator did not yet arrive after calling the roll.

2. BILL – a draft of a proposed law presented to parliament for discussion.

3. CONGRESS – a national legislative body

4. CORRUPTION - willing to act dishonestly in return for money or personal gain

5. HOUSE OF REPRESENTATIVES – lower house; is composed of no more than two hundred and fifty members, unless otherwise fixed by law. These members are either elected from legislative districts or through the party-list system and serve a term of three years.

6. PORK BARREL - the term is “probably derivative of the [American] pre-Civil War practice of periodically distributing salt pork to plantation slaves from huge barrels.” They say “pork barrel” insinuates the “derisive tradition of its American origin of unbridled patronage” (Lagman and Nograles).

7. QUORUM- In law, it is the minimum number of members of a deliberative body necessary to conduct the business of that group. Ordinarily, this is a majority of the people expected to be there, although many bodies may have a lower or higher quorum. A quorum in a legislative body is normally a majority of the entire membership of the body.

8. SENATE – upper house; is composed of twenty-four senators who are elected at large and have a term of six years.
THEORETICAL FRAMEWORK

The paper focuses on the legislative body as part of the government system. It shows that the problem of absenteeism by the lawmakers during session is not being dealt with because it seems acceptable to tolerate it for the longest time. Now it became an immense unsettled problem in the system.

The research is using David Easton’s “Systems Theory in Political Science” to this study. The following steps simplify his model:

- **Step 1.** Changes in the social or physical environment surrounding a political system produce "demands" and "supports" for action or the status quo directed as "inputs" towards the political system, through political behavior.

- **Step 2.** These demands and supporting groups stimulate competition in a political system, leading to decisions or "outputs" directed at some aspect of the surrounding social or physical environment.

- **Step 3.** After a decision or output is made (for example, a specific policy), it interacts with its environment, and if it produces change in the environment, there are "outcomes."

- **Step 4.** When a new policy interacts with its environment, outcomes may generate new demands or supports and groups in support or against the policy ("feedback") or a new policy on some related matter.

- **Step 5.** Feedback leads back to Step 1, it’s a never ending story.

If the system functions as described, then we have a "stable political system". If the system breaks down, then we have a "dysfunctional political system".

People are experiencing major problems in the society like poverty, unemployment, human trafficking, and so on and so forth. These changes in the social environment produce demands and support. Their needs are supposedly being met by the legislative system. The function of the legislative system or the Congress is to create laws that would help solve the problem of the people.
The legislature represents the people and acts on their behalf. They are the ones who make policy decisions. The laws they create are their output. Their output generates feedback from the people, whether it is benefiting them or not.

The legislative system will not be able to create a better output if they don’t have excellent legislative performance. Habitual absenteeism may affect the legislators’ performance because they fail to participate in discussions; therefore, it derails the passage of a bill.

By using this theory, the researcher will be able to evaluate the actors and their behaviors in the legislative system. This approach could help in looking how habitual absenteeism by the legislators affects the society. By imposing new rules or policies in the Senate and House of Representatives, the actors’ behavior could be motivated to change and bring positive outcome for the benefit of everyone in the society.

CONCEPTUAL FRAMEWORK

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Political System: Philippine Senate weakened by absenteeism of legislators

Environment | Environment
METHODOLOGY

This research is an attempt to look how habitual absenteeism affects the legislative performance by the lawmakers in the Senate of the Philippines. This is done by conducting interviews, participant observation and secondary data gathering.

The said methods for collecting data are deemed appropriate for this research to observe the dynamics between and among all the actors involved in the study. The researcher will use books, journal articles, newspaper clippings, and internet sources as secondary data for this paper.

The research may rely primarily on review of existing documents and conducting interviews with some staffs from the Philippine Senate.

The main objective of this research is to evaluate the effects of absenteeism of the lawmakers in the Senate of the Philippines in relation to political and economic issues. It also aims to find possible solutions to the problem of absenteeism. The design of this research is predominantly qualitative, employing data gathering and data analysis methods that are qualitative in nature.

The data that is gathered from the observation, interviews and use of secondary resources are analyzed using the concept formation. Concept formation or conceptualization is said to be an integral part of the data analysis.

The scope of the research will cover primarily on Senate budget, bills and legislative performance. Since the Philippines have a bicameral legislature, the Senate and the House of Representatives, the research will touch some issues on the lower house.

The limitations of the research could be the incompleteness of statistical information because the records in the Senate are in reality not open for the public. I think that the Senate refuses to give data especially regarding the attendance of the senators because absenteeism is a very sensitive issue today.
COST OF LAWMAKING

Facts and figures are presented below to better understand the cost of lawmaking. Table 1 shows the declining efficiency of bills being enacted into law from 8th Congress to 13th Congress.

<table>
<thead>
<tr>
<th>Source: Congress of the Philippines and PCIJ Research</th>
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**Table 1: Declining Efficiency**

<table>
<thead>
<tr>
<th>Congress</th>
<th>House Bills</th>
<th>Senate Bills</th>
<th>Total</th>
<th>Bills Enacted into Law</th>
<th>Laws Vetoed</th>
<th>Total Passed</th>
<th>% of Bills Filed to Bills Passed</th>
</tr>
</thead>
<tbody>
<tr>
<td>8th Congress</td>
<td>35,420</td>
<td>2,211</td>
<td>37,631</td>
<td>1,000</td>
<td>39</td>
<td>1,039</td>
<td>3</td>
</tr>
<tr>
<td>9th Congress</td>
<td>14,632</td>
<td>2,079</td>
<td>16,711</td>
<td>534</td>
<td>37</td>
<td>571</td>
<td>3</td>
</tr>
<tr>
<td>10th Congress</td>
<td>10,551</td>
<td>2,518</td>
<td>13,069</td>
<td>573</td>
<td>17</td>
<td>590</td>
<td>5</td>
</tr>
<tr>
<td>11th Congress</td>
<td>12,961</td>
<td>2,283</td>
<td>15,244</td>
<td>415</td>
<td>20</td>
<td>435</td>
<td>1</td>
</tr>
<tr>
<td>12th Congress</td>
<td>6,720</td>
<td>2,750</td>
<td>9,470</td>
<td>173</td>
<td>0</td>
<td>173</td>
<td>2</td>
</tr>
<tr>
<td>13th Congress*</td>
<td>6,114</td>
<td>2,619</td>
<td>8,733</td>
<td>84</td>
<td>0</td>
<td>84</td>
<td>1</td>
</tr>
</tbody>
</table>

*as of April 13, 2007

As we can see, the percentage of bills filed to bills passed is only one percent in the Thirteenth Congress.

What could be the reasons for this inefficiency in legislation? The leaders of this nation are supposed to help in the development of the country but what happens is that the system is getting more and more unproductive. Fewer bills are filed and fewer bills are enacted into law. Is not being unproductive also means being wasteful? Later in this paper we will see why there has been declining efficiency in legislation.

Next, Table 2 shows that from the 1st Congress to the 13th Congress, there is an increasing cost in the budget for legislation. If the budget becomes costlier and costlier, then why is there a declining efficiency in legislation? What could be the reasons for the unproductiveness of the legislature?
Table 2: Costlier and Costlier Budgets of 1st to 13th Congress**

<table>
<thead>
<tr>
<th>CONGRESS TERM</th>
<th>SESSION YEAR</th>
<th>BILLS PASSED</th>
<th>CONGRESS BUDGET</th>
<th>BUDGET/BILLS PASSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>1946-1949</td>
<td>428</td>
<td>P15,106,160.00</td>
<td>P35,294.77</td>
</tr>
<tr>
<td>2nd</td>
<td>1949-1953</td>
<td>543</td>
<td>24,825,219.68</td>
<td>45,718.64</td>
</tr>
<tr>
<td>3rd</td>
<td>1953-1957</td>
<td>1,078</td>
<td>30,122,930.00</td>
<td>27,943.35</td>
</tr>
<tr>
<td>4th</td>
<td>1957-1961</td>
<td>1,401</td>
<td>50,916,263.00</td>
<td>36,342.80</td>
</tr>
<tr>
<td>5th</td>
<td>1961-1965</td>
<td>1,192</td>
<td>150,318,700.00</td>
<td>126,106.29</td>
</tr>
<tr>
<td>6th</td>
<td>1965-1969</td>
<td>1,481</td>
<td>157,889,900.00</td>
<td>106,610.33</td>
</tr>
<tr>
<td>7th</td>
<td>1969-1972</td>
<td>512</td>
<td>210,625,556.00</td>
<td>411,378.04</td>
</tr>
<tr>
<td>8th</td>
<td>1987-1992</td>
<td>1,000</td>
<td>4,498,495,562.00</td>
<td>4,498,495.56</td>
</tr>
<tr>
<td>9th</td>
<td>1992-1995</td>
<td>534</td>
<td>4,634,149,000.00</td>
<td>8,678,181.65</td>
</tr>
<tr>
<td>10th</td>
<td>1995-1998</td>
<td>573</td>
<td>6,054,386,000.00</td>
<td>10,566,118.67</td>
</tr>
<tr>
<td>11th</td>
<td>1998-2001</td>
<td>415</td>
<td>8,876,539,000.00</td>
<td>21,389,250.60</td>
</tr>
<tr>
<td>12th</td>
<td>2001-2004</td>
<td>173</td>
<td>11,231,882,000.00</td>
<td>64,924,173.41</td>
</tr>
<tr>
<td>13th*</td>
<td>2004-March 31, 2007</td>
<td>84</td>
<td>12,511,239,000.00</td>
<td>148,943,321.43</td>
</tr>
</tbody>
</table>

*as of April 13, 2007

**Budgets for each Congress are computed by adding the full legislative budgets for the first to the second to the last years of each congressional term. The budget of the last year of each term is excluded; instead this is computed as the first year’s budget of the next Congress.

Table 3 shows that local bills are given more importance than national bills.

A study on the Philippine Congress shows that district concerns, rather than national ones, are given more importance by the legislature. Yet as Social Watch Philippines Executive Director and University of the Philippines Professor Leonor Briones points out, “Congress is not the Congress of the District of so-and-so. It is the Congress of the Philippines” (Ordenes-Cascolan)

Professor Briones continued, “But since legislators do not look beyond the next elections, crafting policies that would have an impact at the national level does not seem to be their primary concern. Instead, they are more interested in ‘bringing home the bacon,’ as one legislator says, or providing constituency rather than legislative services.”

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Table 3: Local and National Bills Filed

Source: Congress of the Philippines, Office of the President, and PCIJ Research

<table>
<thead>
<tr>
<th></th>
<th>NATIONAL BILLS Filed</th>
<th>LOCAL BILLS Filed</th>
<th>RATIO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Bills Filed</td>
<td>% of All Bills Filed</td>
<td>Number of Bills Filed</td>
</tr>
<tr>
<td>9th House (1992-1995)</td>
<td>3,184</td>
<td>22</td>
<td>11,448</td>
</tr>
<tr>
<td>10th House (1995-1998)</td>
<td>3,785</td>
<td>36</td>
<td>6,766</td>
</tr>
<tr>
<td>11th House (1998-2001)</td>
<td>4,197</td>
<td>32</td>
<td>8,738</td>
</tr>
<tr>
<td>12th House (2001-2004)</td>
<td>2,920</td>
<td>43</td>
<td>3,800</td>
</tr>
<tr>
<td>13th House (2004-2007)*</td>
<td>2,670</td>
<td>44</td>
<td>3,444</td>
</tr>
</tbody>
</table>

*as of April 13, 2007

LEGISLATIVE BUDGET

The Congress is given its budget for legislation through the PDAF or what we call the Pork Barrel. They can use it for “soft and hard” projects, and for making a bill. Some of the yearly allowance received by the Congress and other government institutions are stated in the General Appropriations Act.

Priority Development Assistance Fund (PDAF)

The Countrywide Development Fund (CDF) was created in 1990, with an initial funding of P2.3 billion in for projects in all congressional districts and the national constituency of Senators. The CDF aims to support small local infrastructure and other priority community projects which are not included in the national infrastructure program involving massive and costly projects. It has been regularly included in the annual General Appropriations Acts since 1990 (Nograles and Lagman).

In 2000, the CDF was transformed into the Priority Development Assistance Fund (PDAF). The act of providing congressional allocations like the CDF and the PDAF is an exercise in the appropriation of public funds (Nograles, Lagman).
According to the Nograles-Lagman paper, all congressional districts are entitled to “soft” and “hard” (infrastructure) projects in equal amounts per district to be identified by the district Representative concerned. Sectoral constituencies have the same entitlements through their party-list Representatives. Likewise, the national constituency of Senators has allocations to be identified by the respective Senators.

The “soft” projects are identified and implemented under the PDAF following a shortlist or menu of projects as presently provided for in the General Appropriations Act. These are basically non-infrastructure projects like scholarship programs, medical assistance to indigent patients in government hospitals, livelihood support programs, the purchase of IT equipment and financial assistance to local governments (LGUs) for the latter’s priority projects and programs. However, the PDAF can also be used to fund small infrastructure projects like roads, bridges, footbridges, pathways, multipurpose buildings, school buildings, potable water systems, flood control, drainage systems, irrigation facilities and electrification projects.

The “hard” projects cover relatively small infrastructure projects similar to those funded under the PDAF. These projects are reflected in the General Appropriations Act under individual district allocations and under the DPWH locally funded nationwide lump sum appropriations.

Nograles and Lagman also note that the current form of the PDAF is subject to clear parameters of “transparency, accountability, utility and relevance.” They write, “The utilization of the CDF or PDAF is strictly circumscribed by a shortlist or menu of qualified projects, requirement of utility and relevance, stringent procurement and public bidding procedures, accountable implementing agencies and mandatory post-audit review by the Commission on Audit, among other safeguards.”

The 2008 budget reserves P71 billion for pork barrel allocations. It is equally divided between the Congress and Senate. Each representative is entitled to P70 million while senators receive P200 million each. Only Senator Panfilo Lacson has refused his PDAF allocation. Senator Antonio Trillanes IV, meanwhile, only accepted P100 million (Tiongson, 2008).
The PDAF and other budget used by the government are all from the tax being paid by each Filipino. We don’t know how much exactly one bill costs but it is estimated that billions of pesos are spent. The process of lawmaking is long and it needs great effort to accomplish one bill or resolution. A good legislator is not just expected to be articulate in debates and discussions, but he/she must also know how to use the budget wisely.

**LEGISLATIVE PERFORMANCE**

After seeing some facts and figures about the bills and budget, let us now see how well the performance of the legislators is. Let us see the criteria for a good legislative performance. In this part, we will also see the issue on absenteeism. Is attendance a measurement for good legislative performance? What are the rules of the senate regarding attendance?

**Quorum**

There are rules of order adopted by the Philippine Senate that govern its procedure. The rules are set by the Senate itself set down in the Philippine Constitution. The Constitution provides that a majority of the Senate constitutes a quorum to do business. The quorum requirement is fifty percent plus one.

Under the rules and customs of the Senate, a quorum is always assumed to be present unless a quorum call explicitly demonstrates otherwise.

The following states **Rule XV** of the Rules of Senate regarding the **quorum**:

**SEC. 44.** Except during the election of officers as provided in Section 2, a majority of the Senators shall constitute a quorum and, in its absence, a smaller number may adjourn from day to day and may compel the attendance of absent Members in the manner provided in Section 99 hereof.
SEC. 45. Should the question of lack of quorum be raised, the Chair, without debate, shall immediately proceed to a verification thereof by causing the reading of the roll of the Senators and announcing forthwith the result.

SEC. 99. Notwithstanding the provision of the preceding section, the lack of quorum shall compel the President to adjourn the session, unless, by means of motion, which shall not be subject to debate, a majority of the Senators present agree to its suspension and ask the President or Presiding Officer to order the Sergeant-at-Arms to require the appearance of the absent Members or, if it is deemed necessary, to order their arrest so as to from the necessary quorum.

**Attendance checking**

It is clear to us that the purpose of attendance checking is to know who are the absent and present. Attendance checking in Senate is just the same with checking the attendance of students in school. The students’ grade reflects not only on his attendance. Most importantly, his grade reflects on the output of his performance in class, it depends on whether he participates or not. It is the same way with the legislators. A legislator will not be able to have good output if he is not always present in session or in hearings. He will not be able to participate.

Now, let us see the record. The news report the most absent and most tardy in the first regular session (July 23, 2007, to June 11, 2008) in the Fourteenth Congress (thepino.net).

Senator Rodolfo Biazon is the leading absentee having been absent for nine session days. He was followed closely by Senator Loren Legarda with 7 session days. Senator Maria Ana Consuelo “Jamby” Madrigal is the tardiest. She was late for 24 sessions or nearly a third of all the sessions, followed by Senator Juan Miguel Zubiri with 22 tardy days.

Senator Edgardo Angara is the most traveled among the 23 members of the Senate. He was out of the session hall 27 times on official missions both here and abroad with Senator Richard Gordon trailing closely with 19 session days on official mission. More often than not, Senator Lito Lapid is present during roll calls but disappears to God-knows-where.
Those who have perfect attendance at session are the following:

- Edgardo Angara - had perfect attendance but was out of the session hall 27 times on official missions both here and abroad
- Benigno Aquino III – never late
- Jose “Jinggoy” Estrada – never late
- Panfilo Lacson – never late
- Manny Villar – never late because he is the Presiding officer
- Joker Arroyo
- Juan Ponce Enrile
- Gregorio Honasan
- Francis Pangilinan
- Aquilino Pimentel Jr.

Senators are considered present when they are on official mission whether in the Philippines or abroad. Thus, Angara had a perfect attendance even if he was on official mission during 27 session days.

Attendance in the Senate has become such a touchy issue among senators that Senator Juan Ponce Enrile had proposed to review how absenteeism and tardiness were tallied. Enrile complained that senators who were allowed to go on official missions were not listed as absent which was unfair to the senators who were physically present in the session hall.

Manny Villar is never late for the simple reason that he is the presiding officer. A session starts only after his arrival so only those who come after he has banged the gavel are considered late. The session is supposed to start at 3:00 in the afternoon. Villar usually arrives and start the session at 3:30 p.m. or 4:00 p.m. and still, he is not considered late.

Most of the reports presented by the media are just the list of attendance recorded by the Senate secretariat. They fail to show what really happens in senate – who participates or not, who leave the plenary after the roll call and who stays, who sleeps, who comes to the plenary minutes before the session adjourns, and so on.

After seeing the record of attendance in the first regular session of the Fourteenth Congress, let’s look at the record of bills filed and its expenditure.
**Bills Filed and their Cost**

The website of Filipino voices showed a study of bills filed by senators and it’s expenditure in the Fourteenth Congress. **The number of bills filed covers the period from July to December 2007 only.**

<table>
<thead>
<tr>
<th>Senator</th>
<th>Expenses in 6 months</th>
<th>No. of bills filed (July-December 2007)</th>
<th>Expenses in 12 months</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Sonny Trillanes</em></td>
<td>P8,167,433.95</td>
<td>41</td>
<td>P16,334,867.90</td>
</tr>
<tr>
<td>Ramon Revilla</td>
<td>P7,944,813</td>
<td>98</td>
<td>P15,889,626.66</td>
</tr>
<tr>
<td>Jinggoy Estrada</td>
<td>P7,724,315</td>
<td>423 bills (12 months) 1/3 of which was co-authorship</td>
<td>P15,449,229.69</td>
</tr>
<tr>
<td><em>Francis “Kiko” Pangilinan</em></td>
<td>P7,635,121</td>
<td>17</td>
<td>P15,271,305.21</td>
</tr>
<tr>
<td>Lito Lapid</td>
<td>P7,521,621</td>
<td>48</td>
<td>P15,103,242.15</td>
</tr>
</tbody>
</table>

*Among the biggest spenders, Trillanes and Pangilinan are the none–show biz people.*

Based on the blog of Senator Antonio Trillanes IV (www.senator.trillanes.org), he has allocated the P200 million pork barrel funds that are supposed to go to each senator to mostly military hospitals. In his campaign for elections, Senator Trillanes promised that he would not be using his PDAF, Since however, these had already been allocated, he decided to fund the V. Luna Medical Center P5 million.

<table>
<thead>
<tr>
<th>Senator</th>
<th>Expenses in 6 months</th>
<th>No. of bills filed (July-December 2007)</th>
<th>Expenses in 12 months</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loren Legarda</td>
<td>P7,511,829.43</td>
<td>95</td>
<td></td>
</tr>
<tr>
<td>Mar Roxas</td>
<td>P6,905,088</td>
<td>20</td>
<td>P13,810,176.81</td>
</tr>
<tr>
<td>Panfilo Lacson</td>
<td>P7,228,080</td>
<td>7</td>
<td>P14,456,161.38</td>
</tr>
<tr>
<td>Manny Villar</td>
<td>P6,221,112</td>
<td>213</td>
<td>P12,442,323.98</td>
</tr>
<tr>
<td><em>Joker Arroyo</em></td>
<td>Did not file a single bill.</td>
<td>Did not file a single bill.</td>
<td>P12,293,084.06</td>
</tr>
</tbody>
</table>

*Senator Joker Arroyo claimed he had no staff except for his driver. But what happened to the budget allotted to him in making law? Where is he spending all the money?*
TABLE 3. THE MID-RANGE SPENDERS:

<table>
<thead>
<tr>
<th>Senator</th>
<th>Expenses in 6 months</th>
<th>No. of bills filed (July-December 2007)</th>
<th>Expenses in 12 months</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edgardo Angara</td>
<td>P6,726,253</td>
<td>Filed and co-authored 66 bills</td>
<td></td>
</tr>
<tr>
<td>Jamby Madrigal</td>
<td>P7,152,889.</td>
<td>Filed and co-authored 11 bills</td>
<td></td>
</tr>
<tr>
<td>Richard Gordon</td>
<td>P7,285,782</td>
<td>Filed and co-authored 34 bills</td>
<td></td>
</tr>
<tr>
<td>Rodolfo Biazon</td>
<td>P7,447,594</td>
<td></td>
<td>36</td>
</tr>
<tr>
<td>Juan Ponce Enrile</td>
<td>P7,696,852</td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>Aquilino Pimentel, Jr.</td>
<td>P6,726,53</td>
<td>Authored and co-authored 50 bills</td>
<td></td>
</tr>
<tr>
<td>Miriam Defensor Santiago</td>
<td>P6,726,253</td>
<td></td>
<td>484</td>
</tr>
<tr>
<td>Pia Cayetano</td>
<td>P6,958,154</td>
<td></td>
<td>46</td>
</tr>
<tr>
<td>Peter Cayetano.</td>
<td>P7,490,153.03</td>
<td></td>
<td>2 bills (which are just co-authorship)</td>
</tr>
</tbody>
</table>

Senators Enrile and Pimentel, being a veteran lawmaker has mid-range expenses. There are two Senator Cayetano’s but only one of them is productive.

TABLE 4. OTHER NEW SENATORS WITH BIG EXPENSES

<table>
<thead>
<tr>
<th>Senator</th>
<th>Expenses in 6 months</th>
<th>No. of bills filed (July-December 2007)</th>
<th>Expenses in 12 months</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noynoy Aquino</td>
<td>P7,223,950</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Juan Miguel Zubiri</td>
<td>P7,486,542.34</td>
<td>authored and co-authored a total of 82 bills</td>
<td></td>
</tr>
<tr>
<td>Francis Escudero</td>
<td>P7,782,864.79</td>
<td>31 bills mostly co-authorship</td>
<td></td>
</tr>
<tr>
<td>Gringo Honasan</td>
<td>P8,109,000.39</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

In terms of absences in session, Senator Miriam Santiago always uses indefinite sick leave. Despite that she was the most cost-efficient senator. Based on the statistics above, she
is also the most productive senator, followed by Jinggoy Estrada. Santiago’s bills however were mostly her own.

The media can present many charts for the summary of bills filed and its cost. But how can the people be assured that the senators are doing their best to make quality bills? Are the attendance and the number of bills passed can be considered as criteria for good legislative performance?

The Issue on Quorum

On April-May 2008, I was assigned, together with my other classmates to have our practicum at the Senate of the Philippines as part of the requirements in my course. I had my duty at the Legislative Bill Drafting Service. The bills are being drafted there by lawyers. Some of my tasks are to do clerical jobs and research. There are times that I am asked to observe the session and take notes so that the bill drafters could have updates about the deliberations in the session.

At the plenary, I saw how bills are being discussed by the senators. But the thing that caught my attention was the senators’ attendance. The session usually starts late but it is supposed to start at 3:00 PM. After calling the roll, some stay in the session hall but others are leaving. When the session is on its half way, there are only few that are left on the Floor. Those who are left are the ones who are assigned to do the interpellations.

Do people give too little attention to absenteeism done by our legislators? Or they just don’t know that there is absenteeism happening? Is it really a problem or is it acceptable to tolerate it? Will it not be unfair to other senators who are always present and participating on the Floor?

I went to the Senate to read the transcript of the session for January 9, 2009. Senator Legarda asked for the Record who are the senators on official duty and on official mission. She asked about it to clarify if the number of official missions that a senator could have within a calendar year is stated in the Rules of the Senate. She also asked who are the
Senators considered absent or late and/or on official mission that day. She wants to clarify how absences are recorded, whether official in nature or not.

Senator Madrigal supported Senator Legarda by asking who are on official business that day and who were on official mission since the past weeks or since November 17. She said it is unfair for the senators who come to the session hall and sometimes marked late and there are certain senators who are always on official business but they have a perfect attendance.

There are some instances that the senators can’t help but blurt out their opinions about their colleagues who are always absent in session. It is true that the rules of the senate regarding this matter are very lax. The only chance to attack the senators who are always absent or late is when they are on the Floor. The media can’t always reveal this kind of issues. The senators take their chance to say it on the Floor so that their opinion would be known to the public.

Senator Escudero subscribed to parliamentary procedure and practice when he was still a member of the House of Representatives. He said, “If one is on official mission, he is absent but his absence is excused. Para kang pumasok sa eskwelahan, walang paliwanag iyong absence mo kapag wala kang sulat na pinadala, pero may paliwanag iyong absence mo kapag may sulat kang pinadala. But he is still marked absent and not present. Because if that is the case, then all those on official mission, if they are marked present, should be considered in counting the quorum. Kasi present naman pala sila, di, bilangin po natin sa pagbilang ng quorum.”

Senator Escudero continued, “…there is slight technicality with respect to a member outside the country. Because a member outside the country, since he is outside the coercive jurisdiction of the Senate and the Sergeant-at-Arms, according to the Supreme Court, he is not counted for the purposes of computing the quorum and therefore cannot hurt, one way or the other, the business of this Chamber should the quorum be questioned at any point in time.”

The opinion of Senator Gordon about the issue is that many of them report for work. Some are having meetings outside and had to rush back to the Senate because there is a
Committee hearing. Others come and report at the proper time (at 3:00) and then disappear. He said, “This is really tragic because that is cheating the people. They appear and say, I am present, and then they go out. Maybe they are doing something else, maybe campaigning to be very frank. But that is not fair to the people of this country...”

Reading from the transcript of the session, on the next day (February 10, 2009), Senator Gordon expressed his opinion about the roll call. He was doing drafts on the Blue Ribbon Committee Report and had to go to the session hall so they could call for a presence of quorum. He thinks that it is stressful to be going up and down the elevator when the quorum call is made. He said that they are just living in technicalities. According to him, a senator is not present in the session hall because he has other duties to perform like talking to constituents, making drafts of bills, and attending to other matters. Senator Gordon is appealing to everybody to have cooperation and understanding, respect and acceptance about that matter.

Senator Pimentel’s expressed his opinion. He insists that they must abide by the Rules that there are a sufficient number of senators to constitute a quorum so that they could proceed to do business. He said it is his first time in his career as a senator where amendments have not been heard but were already rejected because they are moving to adjourn from time to time when there is no sufficient number of senators to constitute a quorum. He requests that the session would avoid quorum call from time to time because it brings inconveniences to other hardworking colleagues.

Senator Villar has seven local official missions, and it was the eighth day on Feb. 10, 2009. Senator Madrigal said, “out of 18 session days, Senator Villar has been on official local mission, perhaps, campaigning for eights days. But what is unbelievable is, he has been marked present when we do not really see him.”

Senator Madrigal is being critical about this because she sees it unfair for those who are present participating in the debates and keenly listening. She wants to emphasize that they have to prioritize their coming to the session. She said, “...the official business leave is being abused by certain members of the Minority. That is why I have to put on record that eight out of 18 session days, the good gentleman has been on official business leave and out of those 18 days, we have not seen him at all.”
Senator Zubiri then, said to the presiding officer (Senator Honasan), “It is at the discretion of the Senate President to authorize an activity, business travel or a particular member on official business or mission. Maybe we could come up with parameters to identify the activities as official business or mission to be able to answer them.”

There was an instance that Senator Madrigal voiced out her disappointments about the habitual absentees. She attacked two particular absentees: Senator Pia Cayetano and her brother Sen. Allan Peter Cayetano. She asked the chair to order the arrest of those absent. Of course Senator Pia got mad about it. That incident was known to the public and labeled it as “cat-fight” (Palacios, 2009).

The Cost of Absenteeism in the Congress

The leaders are corrupt and the lawmakers adopted the attitude of being corrupt. According to Atty. Alan R. Cañasares in his discussion entitled “Corruption: the Philippine Experience” in the Corruptionary ConFest last December 8-9, 2008, the Congress/Senate is perceived to be the second most corrupt among the national institutions and sectors in the Philippines.

The absenteeism happening in the Congress can be considered as bureaucratic corruption. How is absenteeism connected to corruption? First, let us define *bureaucratic corruption*. It is the use of public office to maximize pecuniary advantages.

The attendance of congressmen and senators on every session is very significant in making the deliberations excellent. Their attendance speaks of cooperation and intelligent remarks on each issue being discussed.

What could happen if there is habitual absence? There could be uneven votes for lawmakers, slow legislative movements, and pending or death of bills. They are being paid to do their functions as elected officials. They can only perform their assigned tasks if they are present in the most important activities of lawmakers.
For every bill and resolution, there is a corresponding budget for that and the legislators are expected to perform. For every absent of a senator, we cannot quantify how much is the lost opportunity cost. But politically, the institution itself weakens if members of the senate are absent and not active in session (Delos Reyes, 2009).

It is difficult to quantify the economic cost. There are some senators who are always absent but they can craft quality bills more than the others and those are being successfully enacted into law. There is no clear measurement for legislative performance. It just depends on public perception (Torres, 2009).

The Thirteenth Congress was given Php12.51 billion as its budgetary allocation, yet the number of laws it has passed is 84. The present Congress passed the lowest number of bills with national and local importance since 1987. Out of the 84 bills that the Congress has enacted into law, only 32 of them were of national significance. A single law now costs the Filipino people about **Philippine P148.94 million** (Ordenes-Cascolan). This dismal lawmaking shows evidently that there is corruption happening, and one of the reasons could be absenteeism.

So where the budget does goes? There are only few bills that have national importance. It means the Congressmen are prioritizing on their respective districts. What they do is to beautify their districts by making small-time projects that have big budget like changing the name of a street or making overpass, restructuring fine roads, and the like. Abad says, “Deliberations in the House of Representatives are bereft of policy discussions. Congress is no longer a marketplace for ideas but a marketplace in haggling for funds for our respective districts” (pcij.org).

For every bill that is not being passed into law, there are millions of poor Filipinos who get to have even worse situation because their every need is not being met. There is increasing number of children not having access to education. Families can’t afford to have good health. People can’t have jobs. The voice of Filipinos isn’t heard. They cannot even make use of their rights as a citizen of this country.

Each senator/senator’s office has a budget. Given this, each is expected to perform their duties for cost effectiveness. To put it in economic terms, a senator's physical performance should be commensurate or even more than the peso value of his/her salary,
plus the office budget, plus overhead cost of the Senate support staff, MOOE, and so on (Delos Reyes, 2009).

I did not find an empirical study that supports the financial costs of absenteeism. However, a senator receives thirty thousand pesos (30,000) per month as a salary regardless of his attendance record.

Is Absenteeism a Big Deal?

Absenteeism in Congress is now considered as chronic. Why? Absenteeism by our legislators in session is persisting for a long time and is constantly recurring.

Mr. Herrell Madla, a Legislative Staff Officer in Senate was interviewed. According to him, some of the possible reasons for a senator to be absent during sessions are as follows:

1. The senator could have attended a committee hearing. Various Committee Hearings are held every morning and if the discussion is too long, it usually ends in the afternoon. For instance, being the Chairman of the Committee, the senator cannot just leave the committee hearing even if the session has already started especially if the senator believes that the issue being discussed in the committee hearing is much more important than in the session.
2. The senator is in an official mission. The schedule of the official mission is decided upon by the senator. The official mission could be locally or abroad. The Senate President is the one signing the approval for the official mission.
3. The senator is in office attending the needs of his/her constituents.
4. The senator has attended a legislative forum abroad.
5. The senator is in an official sick leave.
Madla believes that there is chronic absenteeism happening during sessions in the Senate of the Philippines. Without his presence in the session hall, that person will be considered as absent no matter what would be his/her reason for not being there.

Back in the year 2003, then House Speaker Jose de Venecia, tried to impose a travel ban on foreign trips of all lawmakers in the chamber. What prompted the Speaker to cancel all authorizations to travel abroad was the scene when he learned that over a hundred lawmakers were absent in the House session (www.newsflash.org).

Doing official mission abroad is part of the legislative agenda. The legislators have to attend some international conferences or forum. When a legislator requested to attend an official mission, the Senate President who approves it, should weigh which is more important and which needs an immediate action. If a senator is reserved for interpellation in session, that person must attend the session and do the interpellation rather than being absent from the session (Madla, 2009).

The presence of the senators is greatly needed in the session especially if they are scheduled and reserved to perform the interpellation. But sometimes the senator’s absence in the session is being considered because he/she believes his/her reason for being absent is more important than being in the session (example, the official mission needs an immediate attention).

In Senate, there is a sense of inter-senator courtesy. Whatever the reason of a senator for being absent, he/she has to ask for the permission of the Senate President. They are all equal so they treat each other as colleagues (even the Senate President). You cannot say per se that the Senate President approves or disapproves the request for official mission. There was no instance yet that a senator’s request for official mission is denied because of the” inter-senator courtesy” (Delos Reyes, 2009).

According to one of the staff in Senate library, a lot of the legislators are also engaged in “early (poll) campaigning” in their respective congressional districts that’s why they are not present in session.

Madla mentioned that absenteeism by the lawmakers is one way of wasting money. The Countrywide Development Fund (CDF), now called Priority Development Assistance
Fund (PDAF) is the fund given to each legislator for them to use as budget for meeting the needs of their constituencies and for crafting bills and resolutions. However, the bills are being delayed (and eventually terminated) when senators are always absent in session. These bills, if passed into law, could be a great help for each Filipino.

Absenteeism is really a serious problem that is difficult to cope with. That is just one problem that a person should handle himself. It depends on a person’s outlook if he/she wants to have a good legislative performance or not. If a senator does not do well in his performance, people will not trust him and in the coming election, people will not vote for him (Madla, 2009).

The effects of this absenteeism are lack of cooperation in the Congress. This will bring uneven votes for lawmakers, slow legislative movements, and pending or death of bills.

In the interview, Director Cabarriban said he does not believe that there is chronic absenteeism happening during sessions in the Senate of the Philippines. He said there is no instance that the senators deliberately absent themselves from session just for the sake of being absent. Their absences are always justifiable.

When they leave the session hall after calling the roll, he said that it is not considered as an act of absenteeism. Senators often do not return to the session to hold a dialogue with their constituents or to address matters of utmost importance.

He thinks it is considerable to tolerate absenteeism in the Senate. Senators must be given a leeway in the performance of their mandate, especially when it affects national interest.

Granting that there is a habit of absenteeism among the senators, the passage of bills may be derailed particularly when the senate could not conduct its day to day business because the number of senators present is not sufficient to constitute a quorum.

The people must address the situation as they are the ones who are directly affected by such absenteeism. They may exercise their power through the ballot. They should not vote those candidates for senators who have the reputation of being habitual absentees during sessions (Cabarriban, 2009).
Coping with Absenteeism

In 2008, the Senate adopted new rules introduced by Senator Miriam Defensor-Santiago to punish chronic absenteeism and habitual tardiness. One is that the absence of a senator will be deemed as a waiver of his right to interpellate the sponsor of any bill. And the other is that the session should start promptly at 3:00 p.m. as scheduled, and not to wait for a quorum which usually happens only at 3:30 or even 4:30 p.m. But it seems that even up to now; absenteeism in Senate is still prevalent.

One of the suggested measures to deal with absenteeism in the House of Representatives was proposed by Former Speaker Jose de Venecia. That is to dangle “incentives” in the form of cash and additional pork barrel funds to ensure quorum whenever he wanted important measures rushed and approved. Such incentives had been derisively called “appearance fees” (Diaz, 2008).

When Senator Jamby Madrigal voiced out her disappointment about the habitual absentees, she reminded the people on the Floor about what is stated on the Rules. It is under the Rules of the Senate that whenever the present senators want to proceed the session on that day, they may compel the attendance of absent members by requiring the appearance of the absent members or to order their arrest so as to from the necessary quorum.

The proposal to arrest those absent makes sense because the senators have busy schedules. Sometimes their priorities get mixed up with other activities, which some people describe as curricular and extra-curricular, marital and extra-marital, normal and paranormal or beyond the scope of normal explanation (Romualdez, 2009).

In the House of Representatives, Nograles suggested that there should be two roll calls, one at 4:00p.m. and another at 7:00 pm so they could check the attendance of the Congressmen. Joson also suggested the “no work, no pay” policy.
Habitual absenteeism is a problem of self-discipline. Being absent at work should have valid reason. Not being present at work whether the person is in a legitimate leave means that person is still absent. The Senate President who approves the official leave of the senator must make an investigation if the reason for being absent is really permissible.

The Philippine Congress has ratified the government’s 1.41 trillion pesos budget for 2009, raising state spending by 14 percent this year to boost the economy amid a global downturn. One remarkable part in the national budget is that lawmakers lowered the budget for the Agrarian Reform Department by 13 percent and raised the allocation for their pork barrel -- or funds for priority development projects endorsed by legislators -- by 55 percent (ph.news.yahoo.com).

Hopefully, by raising the allocation for pork barrel of our legislators this year 2009, the Filipino people could expect greater outcomes from lawmakers’ legislative performance.

**A Good Legislator**

People are assumed to vote for a particular official because they believe in his/her capacity to lead. What are the qualities that we have to look for a legislator? When can we say that a senator is good?

According to Marco Delos Reyes, Legislative Officer from Senator Madrigal’s Office, the work of a senator is primarily on legislation but he/she is also a political leader. As a legislator, he is expected to craft policies for the interest of the public. He has to know the public. He has to know what the problems of the country are and what solutions should be provided for them.

He added, “To be a good legislator, his viewpoint or values must be based on the interest of the public. He must prioritize the interest of the public because those values and interest affect the country legislation. The senator as a political leader should also exude moral ascendancy towards the public because the senator is elected at large nationally.”

The qualities of a legislator could vary. It depends on how other people appreciate the performance of a legislator. Their primary responsibility is to enact bills and resolutions that will benefit the country. His position for a particular issue should be benefiting the
majority of the people. He has to be articulate especially in discussing his position in debates (Torres, 2009).

Government officials are placed on their position to serve the people because in the first place, it is the people who put them in that position. If they cannot give quality service to the public, then they are not effective leaders.

When can we say that a senator has a good legislative performance?

First, there must be quality in the bills and resolutions being sponsored, supported and passed. What is always presented by the media is the quantity of bills and the names listed in the attendance (who are absent and who are present) but those are not the indicators of good legislative performance.

“A senator can pass x number of bills but you have to check the senate records what kinds of bills and resolutions they are.” Mr. Delos Reyes and Mr. Torres said that many senators are just passing bills that are just about ‘changing the names of the streets and schools’, and passing resolutions, like congratulating a particular person. Those kinds of bills and resolutions do not have great impact for the livelihood of the people. We can see that quality is better than quantity.

The Congress also has oversight functions. Being the primary policy making body, it has to review what bills and resolutions that the executive department approves (Torres, 2009).

Second, the senator’s position on the bills that they supported must be a nationalist outlook. Delos Reyes said, “A senator must be wise in voting. He must know when to say yes and when to abstain. For example, Senator Jamby descended against JPEPA ratification in Senate. She was also firm in her position against the Charter Change and against the Visiting Forces Agreement, and she pushed actions for its study.”

Third, a legislator should be competent in representing the people well. According to Atty. Louie Martinez, “Legislators, senators in particular, are elected to represent the electorate. As one of the people’s representatives, the legislator should be tolerant to different views while upholding the welfare of the citizenry. His proposed laws must be a
reflection of the needs of the society and the interests of the public, for example, the issues concerning graft and corruption. Active participation in every legislative proceeding is paramount. A legislator must not only go through the motions of filing legislative measures but must actively participate in all legislative deliberations.”

Quality attendance can be a measurement for good legislative performance. Without proper attendance, no law can be passed. Quality attendance means the senators are present and are actively participating in the discussions and debates, whether in Senate sessions or in committee hearings.

Attendance is not only important in session. It is also important in committee hearings because it is where the details of the issues are being discussed. A legislator can show his/her effectiveness when participating actively (Torres, 2009).

However, a senator can be always present in session but he is not participating in the discussions. He only attends for the sake of not being listed as absent. There are some who regularly attend sessions but do not have quality outputs when it comes to crafting bills and resolutions.

“The public has to know what is really happening in Congress. Usually, the media only presents the list of the roll call in session. They fail to report who are actively participating. If the media can only present the attendance in a more holistic way, then people would understand what is really happening inside the Halls of Senate. The public should be vigilant to what is happening in the Congress.” said Delos Reyes.

Usually, there is a staff to substitute an absent senator. The substitute takes down notes and records what happens in session. But as long as the senator is absent in session, he waives his right to participate in the discussions.

Delos Reyes mentioned that there are some senators who request for official business but they are just campaigning in some provinces instead of doing consultations. People and other senators can file their complaints, but the rules of the senate as regards to absenteeism and tardiness is very lax and very loose.
It is not stated in the Rules how many official leave can a senator have in one regular session. When a senator is on official mission, he is not marked absent but obviously he is not present. That means it is not stated in the Rules how many absences can a senator have.

Based on the journals, there was not yet a case that a senator’s request for official mission or official business has been denied. There was also no instance yet that a senator has been complained formally in the Ethics and Rules Committee because of doing something else rather than performing their duty.

The Committee on Rules has to come up with clear guidelines regarding the request for official mission or official business. Today there are no clear rules yet. They proposed to have clear guidelines but the Legislative Body has no action yet (Torres, 2009).

Attorney Martinez agrees that it is not considerable to tolerate absenteeism. He said, “Our lawmakers are elected and being paid by our taxes to do their job of formulating laws for our welfare. Absenteeism is a betrayal of the office to which the legislator is elected. A senator cannot fulfill his duty as legislator if he is frequently absent from legislative proceedings, whether they may be legislative sessions or hearings. The senator’s duty is to ensure that the voice of his constituents is articulated in the Halls of the Senate and he is unable to fulfill this mandate if he is always not in attendance. Further, our senators have enough time to consult with their constituents during legislative breaks or when the Senate is not in session.”

Torres said, “The senators must attend sessions. In a week, the senate has three session days. They can extend the session on Thursday or Friday if they want to. It is not also the whole year that there are sessions. The Senate has recess. The senators can do their other appointments or other activities on weekends. During recess, they can have time for consultations and also for Committee hearings.”

Informing the public about what is really happening in Congress is a very important role of the media. The media has to be transparent. The media should expose everything so that each senator would be accountable. If the public will not know who the habitual absenteeees are, the senators cannot get away with it. The Senate can work as long as it has a majority number. With thirteen senators they can proceed with the session. But if there’s
only one or two who is/are always absent, that is okay. It is the absentee's lost because he/she is waiving his right as a senator (Delos Reyes, 2009).

We see the Senate as a government institution. If a senator is always absent, the confidence and trust of people are eroded in the public institution. It’s not good for our country. The institution weakens because of the people who occupy positions that make up the institution. Their actions would matter in the growth or in the fall of that institution (Delos Reyes, 2009).

Internally, the Senate has mechanisms in dealing with absenteeism. It can tighten rules on attendance. The ethics committee can reprimand senators who are always absent in session. The Senate Budget office should also make proper investigation in each senator to know if they are using the money allotted to them efficiently. It’s time to make clear guidelines so that the legislators would avoid doing absences because it somehow derails the passing of bills.

The Senate is a deliberative body and the active participation of each senator is a must. Filing of propose legislations is but a small part of legislative work. Thus, it is impossible for an absentee senator to carry out his function well as a legislator (Martinez, 2009).

I did not find empirical data on the impact of absenteeism on the performance of a legislator. There are no standards to quantify a senator’s legislative contribution. Finding about the senator/s who are absentees but perform well at the same time (in terms of legislation) takes a quantitative measure. I lacked time in researching about it.

However, Delos Reyes gave me a qualitative answer about this: “As a case in point, Senator Trillanes does not attend Senate sessions for obvious reasons, but judging by the kind of bills he has filed, I can say that he is effective in that respect. However, I can safely state that Trillanes' case is exceptional. Generally, absentee senators do not perform well. How can they perform if they are absent, in the first place? Lito Lapid never misses a senate session, but can we say that he is an effective legislator?”

CONCLUSION
Passing bills require diligent paperwork and attendance during sessions to deliberate a proposed law that is supposed to have national impact. The worse thing is when the author of the bill itself is absent and there is no one to satisfactorily discuss the proposal.

Before a bill becomes a law, it undergoes a very long and meticulous process. It has to go through deliberations, investigations, hearings and debates. The drafting of laws may need to be repeated over and over again. Time and cooperation is very much needed because it is very expensive to create single law.

The Congress should surmount in making good quality bills rather than on quantity. A legislator could propose hundreds of bills but at the end make just few laws. These laws may also be not much of national importance. The Congress really needs to change its system by steering clear of habitual absenteeism. The salary of a legislator is “low”, but they still have to do their responsibility because they chose to become legislators, and people naturally expect them to do their work.

Now that the election is near, the Senate should strictly watch in checking the attendance of the senators. Based on the previous Congress, when election is near, the legislators are always absent in session, saying they are on local mission, but actually busy campaigning.

As the budget for legislation increases, the legislative performance should also level up. It was discussed earlier that there is increasing cost in budget but fewer and fewer bills is being passed. The Philippines and the world are facing an economic crisis today and there are greater needs for the people. The lawmakers are expected to improve their performance by giving out the best and by being responsible and cooperative.

The legislative system’s output is greatly dependent on the actions and decisions made by our legislators. We have learned that absenteeism affected the system that’s why it made an insubstantial output. The Filipinos are still seeking help and is now more valiant in fighting for their rights.
An effective legislator is someone who puts his heart in serving the Filipino by giving his full effort in making laws. That person must have the character of true leader, is trustworthy and is a person of integrity. An effective legislator is transparent in all his actions. He attends to the needs of his constituents. He is excellent in debates and discussions, firm in his position, cost-efficient, and is making productive output.
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