



BEYOND THE VISIBLE

How and why election monitoring tools should promote efforts for electoral reform

With the 2010 national and local elections barely a few days from now, the necessity of conducting educational gatherings and trainings for poll watchdogs and the general population's information becomes more necessary than ever. The unprecedented conduct of an automated election puts forward new challenges and problems highlighted for maintaining the integrity of the ballot. Creation of monitoring and accountability modules requires overhaul of knowledge made accessible

It must be noted that a majority of the election monitoring tools being sent out by civil society groups and active participants from both private and public sector cover the necessary information for accountability and participation in the electoral process. With the election process becoming automated, a majority of the electorate is still unaware or confused as to how their practice of suffrage really will be in the new system. There is also the grave challenge of addressing the contentious nature of electoral reform itself.¹ With election's conduct of politics becoming divisive along lines, we have to find points of intersection among people, sectors and interests in society.

This article, therefore, seeks to know how current modules on electoral monitoring are used by varying sectors of civil society and non-governmental organizations. We also try to propose another method via which monitoring of the holistic nature of elections itself be possible.

Surveying Materials

Pooling from a variety of monitoring and educational tools, we can see how majority of them are somewhat repetitive in telling people how to vote and make sure these votes are counted. While these are nonetheless highly important in ensuring electoral integrity, it must be noted that these are not solely the means by which elections could and should be monitored. The following monitoring tools are illustrative of the situation:

1. COMELEC (Commission on Elections)

As the public office responsible for elections, it is COMELEC's prime duty to disseminate information regarding the validity, necessity and capability of conducting

automated elections in the 2010 national and local elections. From a module on the Automation Scenario presented in Pampanga,² we can see that COMELEC's information dissemination program is primarily concentrated on how the automated election process will be conducted and secured. Accountability is assured by showing the relative infallibility of the Precinct Count Optical Scan (PCOS) system and the assistance given to civil society monitoring watchdogs. They have also released informational videos and commercials.³

2. COMPACT-International Observers Mission 2010

IOM released a guide for voters which basically reminds voters of the

clerical process of voting: to "never accept a ballot that is marked or damaged in any way;" "use only the marker pen provided by COMELEC;" "not making any other mark, apart from shading the ovals beside your chosen candidates on the ballot;" "not folding or making any creases on the ballot;" "not over-voting" and, most importantly, "feeding the finished ballot carefully into the PCOS." The logic behind this is that, "the possibility of having one's ballot rejected by the Precinct Count Optical Scan (PCOS) Machine is quite high given the many grounds for voiding a ballot specified by COMELEC;" and that "we have no way of predicting how the Filipino Electorate will react if there are mass rejections of ballots nationwide."⁴

¹ The desire to "replace dirty politics with clean politics" comes across as more often than not as "disproportionately a middle- and upper-class project." Frederic Schaffer, *The Hidden Costs of Clean Election Reform* (Ateneo de Manila University: Quezon City, 2009), 138.

² Accessible and downloadable at <<http://www.slideshare.net/ibanangayon/pampanga-temie2>>

³ One might already be familiar with the commercial jingle "May Bilog na Hugis Itlog" (There's An Egg-Shaped Circle) by novelty TV personalities Sexbomb Dancers, referring to the shading process voters should do on the printed ballots.

⁴ "COMPACT for Peaceful and Democratic Elections-International Observers Mission 2010," 1.

3. NAMFREL (National Citizens' Movement for Free Elections)

Known as the pioneer in election monitoring, the organization was traditionally accredited for conducting quick counts of the election since 1984. However, with NAMFREL not being accredited this year, they nonetheless pushed forward with "Bantay ng Bayan," intended to revert NAMFREL to its original mission of "observing the entire election process through specific and measurable criteria and reporting its findings directly to the people."⁵ Their process entails data gathering in 1,497 Municipalities and 137 cities (for a total of 1,634 LGUs) using one common instrument of analysis, followed by consolidating data from 80 provinces and the NCR, before formulating their analysis of national events and report it to the people.⁶ As illustrated below, NAMFREL views the monitoring process as an effort of various sectors in various fronts:

objectives are "lobbying/advocating for electoral reforms," "conducting public education," "pursuing criminal and administrative cases" and "building and strengthening institutional ties."⁸ Through conducting voters' education and accountability training sessions, it aims to equip people with the basic legal acumen in order to more effectively monitor election processes, regulations and violations, as well as legal assistance in order to pursue these violators and bring them to court, in a way serving as deterrence to future violators.

5. GMA News.tv

Via the concept of GMA News and Public Affairs, an interactive guide called "Journey of the Vote" was created to show to people in a more accessible, understandable and "fun" manner the electoral process. Pooling data from COMELEC, CenPEG and AESWatch, the guide shows voters what is expected to happen, what

disseminating information and education, majority concentrate on the electoral process. To fully monitor elections and assure accountability, a more comprehensive and itemized means of analyzing the aspects of elections should be given.

Beyond the Soundbites

In the same manner that civil society organizations have already taken to creating standards and methods of data gathering to better monitor electoral processes, our notion of elections itself would be further enriched if we would be able to identify observable factors regarding its execution. It would also help in evaluating the actors involved in the electoral processes, helping citizens to further nuance their choices and beliefs. We divide the proposed monitoring tool into three categories: party and platform, issues and performance:

Party & Platform

As any political party is seeking to represent sectors or the aspirations of the Philippines, they should be expected to value the principles of the Philippine state.¹⁰ To assure that a party is worthy of participating in the electoral process, the following should be met:

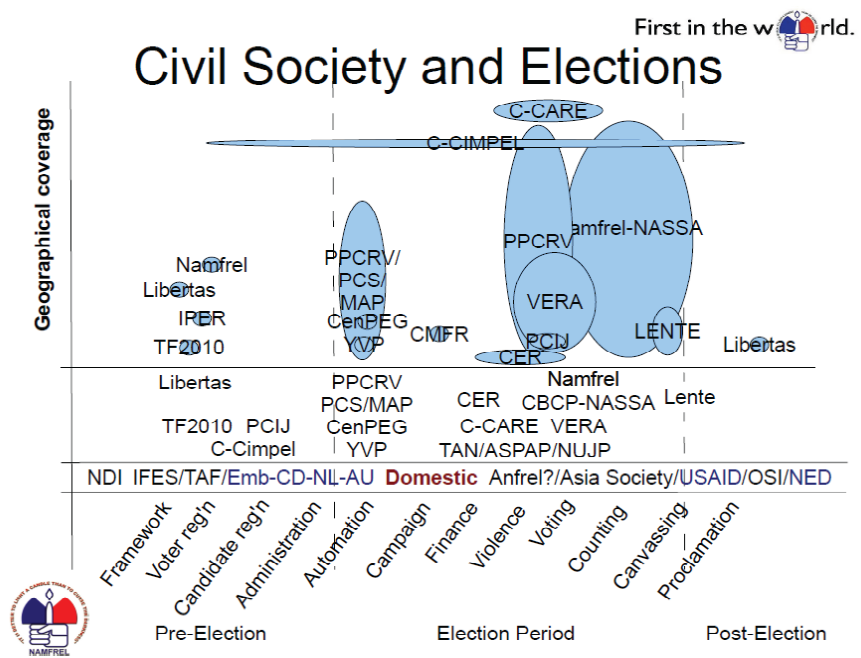
1. **Presence of concrete action plan in election paraphernalia.** They should be expressed in pamphlets, poster, radio and TV ads
2. **Action plans of parties/candidates identify local/national issues/problems.** They should therefore identify their list of local/national issues/problems.
3. **The actions plans include the participation and interest articulation of the people.**
4. **The action plans adheres to the respect and preservation of human rights.**
5. **The action plans promote the active maintenance of civil authority.**
6. **The action plan should not privilege or malign any individual or group via their religious, ethnic, political affiliations or views.**
7. **(For sectoral parties/party-list organizations only): The action plans should identify the sector their party represents and accord appropriate action plans benefitting the sector.**

4. LENTE (Legal Network for Truthful Elections)

The networked was formed by IBP (Integrated Bar of the Philippines) and other election monitoring groups who "decided to respond to the long-felt need for a citizen's arm dedicated especially to the legal aspect of elections."⁷ Its main

troubleshooting methods could be undertaken, and what could be done by ordinary citizens in order to maintain the efficiency and smooth flow of elections.⁹

While most efforts of COMELEC, civil-society groups and non-government organizations were very helpful in



Issues:

Representation in government office entails that the interests and needs of the sectors would be dealt with properly. Therefore, a political party should then be able to carry the sentiments of their constituents, which should be manifested in the following issues:

- **Population Control**
 - o Does the party/candidate support modes of family planning?
 - o Does the party/candidate have a stand on reproductive health legislation?
 - o Does the party/candidate push for education of people regarding reproductive health
- **Genuine Land Reform**
 - o Does the party/candidate support reforms/overhaul of the agrarian reform laws, whenever necessary?
 - o Does the party/candidate push for negotiations with land-owning elites regarding the legality of their holdings?
- **Quality Education**
 - o Does the party/candidate push for more funding for public schools?
 - o Does the party/candidate push for the inauguration of liberal education but nonetheless grounded on the values of a community?
 - o Does the party/candidate advocate training/professionalization of teaching staff in public educational institutions?
 - o Does the party/candidate advocate a manageable teacher-student ratio?
 - o Does the party/candidate push for construction of standard quality school buildings?
- **Social Justice**
 - o Does the party/candidate moves for the emancipation of marginalized sectors?
- o Is the party/candidate, while not necessarily be partial of marginalized sectors in litigation/deliberation, expected to hear their interests first and foremost?
- **Corruption**
 - o Does the party/candidate push for accountability in all sectors of government?
 - Do they promote transparency with providing access to public documents?
 - Are they Encouraging citizens to pursue corrupt/illegal practices and practitioners?
 - Do they respond to citizens' clamor to pursue corrupt officials/citizens?
 - Are they willing to cooperate with watchdog sectors (i.e. media, civil society)?
 - o Is the party/candidate is willing to pursue erring officials via rule of law?
 - o Will the party/candidate streamline bureaucracies in order to allow for faster reportage and resolution of corruption cases?
- **Environment**
 - o Is the party/candidate for the preservation of the countries' national resources?
 - o Does the party/candidate propose policies that would curb pollution and resource degradation?
 - o Is the party/candidate willing to weigh trade-offs of modernization against the "environmental/carbon footprint" it would cause?
 - o Does the party/candidate protect the interests of environmental resources belonging to indigenous peoples?
- **Poverty**
 - o Does the party/candidate push for fair distribution of national wealth?
 - o Are the party/candidate crafting policies for the creation of new jobs and industries that will allow for reducing unemployment and underemployment rates?
- o Does the party/candidate promote progressive taxation and efficient financial systems?
- o Shall the party/candidate improve working/investment conditions for local industries to promote craftsmanship and national production?
- o Will the party/candidate push for improving rural development and education to decongest highly-populated urbanized areas, where poverty is most obvious?
- o Shall the party/candidate help undeveloped sectors to rehabilitate in order to gain decent living?
- **Local Governance**
 - o Does the party/candidate push for the streamlining of the bureaucracy?
 - o Is the party/candidate willing to battle patronage systems in order to create a more political and people-representative society?
 - o Does the party/candidate ensure that the basic needs of their constituencies are delivered and sustained?
- **Economy**
 - o Does the party/candidate enact economic policies primarily benefiting the nation?
 - o Is the party/candidate wary of entering bilateral/multilateral trade organizations with other countries, assuring that the country will reap benefits in its current condition as evidenced by past literature and experience?
- **Political /Electoral Reform**
 - o Is the party/candidate open to ideas and ideologies, even if they are advancing their own ideology?

⁵ "Bantay ng Bayan: NAMFREL-NASSA's Role in the May 2010 Elections," 1.

⁶ "NAMFREL is Bantay ng Bayan in the May 2010 Elections," Slide 8.

⁷ "LEGAL NETWORK FOR TRUTHFUL ELECTIONS: A BRIEF BACKGROUND," Slide 4.

⁸ "LENTE: Legal Network for Truthful Elections. <<http://lente.org.ph>>, accessed April 19, 2010

⁹ Downloadable here: <http://www.gmanews.tv/story/187108/new-interactive-guide-plots-voting-obstacle-course>

¹⁰ See Sec. 1-6, Article 2 of the 1987 Philippine Constitution.

- o Will the party/candidate not propose to outlaw any school of thinking that fits in the political spectrum?
- o Does the party/candidate actively promote voters' education with the electorate, not solely with the electoral process but issues as well?
- o Does the party/candidate push that all parties be public-funded?

• **Health**

- o Does the party/candidate promote the improvement and quality of public health?
- o Does the party/candidate push for accessibility of vital medicines for public consumption?

• **Housing**

- o Does the party/candidate work for maintaining an accessible housing system for all citizens?
- o Is the party/candidate not promoting mendicancy?

• **Armed Conflict (Moro Rebellion, CPP-NPA, Terrorism)**

- o Does the party/candidate use peace talks first and foremost as primary mode of engagement?
- o Does the party/candidate push for the de-politicization of the armed forces, as well as weeding out degenerative elements among its ranks?
- o Is the party/candidate willing to pursue and punish human rights violations?

• **Vulnerable Sector**

- o Does the party/candidate consider their interests and integrate them with general citizen's rights?

• **Human Rights**

- o Does the party/candidate actively promote education about human rights?
- o Is the party/candidate willing to pursue and punish human rights violations?
- o Does the party/candidate push for removing/reforming public institutions that conflict with human rights and the people's interest?

• **Charter Change**

- o Does the party/candidate seek to preserve the pro-people and citizen-empowering provisions of the constitution?
- o Is the party/candidate pushing for charter change if and only if it would not be exploited by incumbent public officials to evade accountability?

Performance

In seeking to promote and obtain these desirables, the electoral process should be guarded to the utmost capabilities of involved sectors. In the upcoming elections, the following pertinent actors should be able to conduct these following duties as stated by law and the current situations:

- **COMELEC:** As public polling authority, it has utmost authority and responsibility to guard regularity of Automated Election Process and monitor commission of election offenses. Aside from these, however, the following should also be considered:
 - o Do they have a working definition of political education? What comprises it?
 - o Are they actively promoting citizenship via their voter's education program? How?
 - o Is COMELEC defining citizen responsibility at solely the electoral level?
 - o Are they undertaking steps to empower citizens in the electoral process via teaching them rubrics of accountability?

• **Armed Forces of the Philippines and the Philippine National Police:**

Pursuant to the provisions of COMELEC Resolution No. 8786, Sec. 29, the only role that they should play should be for the protection of the Board of Election Inspectors (BEIs) & election paraphernalia. This, however, can only be done upon request of the BEIs; otherwise, they are forbidden to set foot in the polling areas except if they will vote. Moreover, we propose adding the following:

- o Are these forces mobilized in lawful terms and in lawful situations?
- o Are these forces taught of their responsibility to protect citizens' interests and not selected officials?
- o Are these forces following the chain of command without depriving peoples' freedoms?
- o Are these forces disciplined enough to inhibit involvement with partisan politics?

• **Civil Society Organizations**

(Pollwatchers): As per COMELEC Resolution NO. 8786, Sec. 28, pollwatchers are expected to stay in their allotted space, file protests against election irregularities and document precinct proceedings for monitoring reference. In general, this could also be considered:

- o Are these organizations following their guidelines as outlined by COMELEC?
- o Are these organizations able of apprehending violators as per their functions?
- o Are these organizations teaching political responsibility beyond the electoral process?
- o Do these organizations promote active studying of partisan political groups' platforms?
- o Do these organizations foster increasing citizen interest in public affairs?
- o Are these organizations backed by reliable interest groups?

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