

DEMOCRACY WITHOUT PARTIES

THE PHILIPPINES IN THE PATRONAGE TRAP

Peter Köppinger

During the mid-term elections in the Philippines on 13 May 2013, as expected the presidential party candidates for the (Liberal Party) and their allied old patronage parties NP and NPC came out on top, thereby confirming the permanent loss of power by the previous presidential party, Lakas-Kampi. Once again, the electoral system offered the opportunity for candidature nearly exclusively to well-known personalities and wealthy families during the country-wide senatorial election. Similarly, the elections for the Lower House and local elections were dominated by political clans and dynasties. Vote-buying and controlled voting in polling stations turned the election into a farce in many ways.

Against a backdrop of patronage systems with close connections between economic and political power on all government levels inherited from colonial times, the central problems of the country – consolidated poverty in large parts of the population, entrenched and closed markets, daily violence, a non-functioning judicial system – have not been tackled effectively by the current president, who profiles himself as a reformer. The largest obstacle for the development and political implementation of reform perspectives is the lack of programme-orientated member parties as necessary actors in a functioning democracy. However, the population's growing frustration as well as the increasing levels of suffering under this system, reaching into the competing political dynasties faced with the enormous funds required for vote-buying and retaining power, offers hope of leading the country out of this impasse. In addition, this will require a modern party law,



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the successful creation of newly founded, genuinely democratic parties and constitutional reform.

2013 ELECTIONS – THE STARTING POSITION

On 13 May, nationwide communal and national parliamentary elections took place. Twelve of the 24 senators were elected for a six year term of office. 291 members achieved a seat at the House of Representatives (second chamber of the national parliament) for a three year term of office, 81 provincial governors (including the governor for the autonomous region for Muslim Mindanao), 1,634 city and municipal mayors as well as more than 15,000 local councillors also came into office. The president and vice-president, as well as twelve senators did not stand for election, as they had been elected in 2010.

In light of the over-powering position of the president in the Philippine presidential government system, the elections were only of limited significance for the country's political development. As the president may only be elected for a single six-year term, the media spotlight was occupied with the electoral performance of potential presidential candidates for 2016.

The current favourite for the presidential elections is the 70 year-old vice president Jejomar "Jojo" Binay, whose approval rates are even higher than those for the popular president, Benigno "Noynoy" Aquino. In 2010, Binay, allied with previous president Estrada, surprisingly won the election for vice president against the chairman of the Liberal Party, Mar Roxas, held independently from the presidential election. For the 2013 elections, he formed a coalition consisting of the previously influential in the 1980s but now hardly visible PDP-Laban party and former President Estrada's PMP which influential 86 year old senatorial president, Juan Ponce Enrile, has joined. Their United Nationalist Alliance (UNA) attempted to send as many promising candidates into the 2013 senatorial, parliamentary and communal elections as possible in preparation for Binay's forthcoming presidential candidature in 2016. This was supposed to create a counterbalance to President Aquino's alliance formed from the three traditional

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parties – the NP, NPC and Liberal Party – which should on the other hand create a beneficial starting position for the as yet unknown Liberal Party's (or its allied parties') presidential candidate. As the popular President Aquino may not stand for election in 2016 and because his popularity is not automatically transferrable to a liberal presidential candidate due to the population's low regard for traditional patronage parties, such alliances of rich parties with well-functioning campaigning organisations are the most effective way to retain power.

IN THE PUBLIC EYE: TEAM "PINOY" VERSUS TEAM UNA AT THE SENATORIAL ELECTIONS

With this complex background, it is understandable that the 2013 electoral campaign for the twelve senatorial posts was portrayed by the media as a fight between "Team UNA" and "Team Pinoy" (the president's nickname) first and foremost. Nine of the currently twelve elected senators belong to "Team Pinoy", while three of the UNA candidates were elected, including vice-president Binay's daughter and a son of former president Estrada. This sounds like a clear dominance by the president's alliance, but this should not be over-interpreted. After all, the president's Liberal Party was only able to get one of their three candidates through the president's nephew. Four of the nine winners from "Team Pinoy" are from the partners NP and NPC who only have loose relationships with the Liberal Party. Four are personalities from influential families who stood as independents or represent smaller party groups and who – faced by the political weight of the incumbent president – preferred to join his "Team" rather than vice-president Binay's.

As senators are elected nationally and the financial support for such an electoral campaign through their parties – which, with a population of 95 million, costs at least ten million Euros – is faced with a lack of paying members and only rudimentary party financing, only members of wealthy families or rich actors and celebrities are able to successfully compete for a senatorial seat. Twelve of the 16 senatorial candidates with the most votes belong to political dynasties or are rich, nationally known celebrities.

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RESULTS OF PARLIAMENTARY AND PROVINCIAL ELECTIONS IN COMPARISON TO 2007 AND 2010¹

In the results for the parliamentary election, 107 of the successful candidates in single member precincts decided by a simple majority vote system were from the Liberal Party. The NPC and NP parties, which formed a coalition for the senatorial campaign, gained 40 and 19 directly elected members respectively for the House of Representatives. In contrast, only eight members of the UNA as well as 42 members of smaller parties or independents were elected.

Table 1

Number of members of House of Representatives elected in precincts, by party

Party/Alliance	2007	2010	2013	
Lakas-Kampi CDM	105	107	13	Presidential party to 2010
Liberal Party (LP)	13	47	107	Presidential party after 2010
NPC	18	29	40	Alliance with LP on national level from 2013
NP	6	26	19	Alliance with LP on national level from 2013
PMP	1	6	0 (in UNA)	from 2013 part of UNA
PDP-Laban	3	2	0 (in UNA)	partly integrated with UNA from 2013
UNA	0	0	8	since 2012 Alliance of PMP and PDP-Laban – with exception of PDP Laban Party chairman Senator Pimentel
NUP	0	0	24	2010 founded by former LAKAS-KAMPI-representatives
Other small or local parties and independents			18	

1 | All figures stated here originate from the electoral results on the Commission on Elections website on 6 Jun 2013, <http://2013electionresults.comelec.gov.ph> (accessed 23 Jul 2013).

Besides the 229 direct mandates, up to 58 further MPs are elected to the House of Representatives via a nationwide party list according to the proportional system. These party lists may not be connected to the parties nominating candidates in the precincts and should represent sectors or marginalised population groups. 131 lists from more than 200 applicants were permitted and printed on the ballot papers. A maximum of three MPS can be voted on each list – independent of how many percentage points can be combined in one list. As in past years, leftist groups, regional groups and “one-topic parties” dominate this complex and chaotically organised system. This time the “Buhay” party list, supported by the charismatic Catholic movement which campaigns for the absolute protection of life and is against the liberalisation of marital rights and abortion, seems to have received the most votes. Even many weeks after the elections, the final results have still not been announced. In addition to the problem of numerous precincts not providing final binding results despite electronic vote counting, the whole counting process for the party list results is being blocked by several preliminary injunctions from the Supreme Court against decisions by the Commission on Elections to disqualify various party lists.

On the level of provincial governors, a similar picture to that of the House of Representatives can be seen (Table 2). During the mayoral elections for 122 cities and 1,512 municipalities, the results announced so far show that the Liberal Party gained 634 wins, 254 went to the NPC, 167 to the NP, 165 to the UNA including the PMP and LDP Laban, 114 to the NUP and only 41 to Lakas Kampi CMD.

Table 2

Number of provincial governors elected by party

Party/Alliance	2007	2010	2013	
Lakas-Kampi CDM	44	42	1	Presidential party to 2010
Liberal Party (LP)	9	10	36	Presidential party after 2010
NPC	10	11	14	Alliance with LP on national level from 2013
NP	0	9	8	Alliance with LP on national level from 2013

PMP	2	2	0	(in UNA)	from 2013 part of UNA
PDP-Laban	0	0	1		partly integrated with UNA from 2013
UNA	0	0	3		since 2012 Alliance of PMP and PDP-Laban – with exception of PDP Laban Party chairman Senator Pimentel
NUP	0	0	8		2010 founded by former LAKAS-KAMPI-representatives
Other small, local parties or independents	15	6	10		

CONFIRMATION OF THE PRESIDENT'S STRONG POSITION – NO POLITICAL CHANGES

In evaluating these results, one must take into account that the candidates in the traditional Philippine parties, who – financed by one or a few rich patrons – are only active during the electoral campaigns, make party membership mainly dependent on who might provide the greatest personal advantages. This leads to elected representatives switching parties on a large scale, particularly in the House of Representatives – especially just after the presidential elections. Therefore, of the 107 MPs elected to the national parliament belonging to the former president's party, Lakas-Kampi-CMD, less than 30 were still members of the party at the end of the three year legislative period. In the months following the election, the others had moved to either the newly elected president's Liberal party or joined a newly founded party (the National Unity Party, NUP). This served as a coalition partner for the Liberal Party, after the new president made it clear that he would put his predecessor, who continued to control Lakas-Kampi, into jail for corruption and electoral fraud. The MPs financial dependency on the president is especially due to the direct financing of their "political projects" from the government budget (so-called "pork barrels"). These local projects for which an MP receives an average of one million Euros a year are highly significant for both re-election and the "refinancing" of the horrendous electoral campaign costs.

A similar picture of financial dependency on government means is found in a large majority of all provinces, cities and municipalities. These results display a comparable tendency: Celebrities who generally have good electoral potential for such local positions prefer to stand as a candidate for the “presidential party” or, at the latest, switch to that party after the election.

According to expectations, the senatorial, parliamentary and communal elections provided confirmation of the president’s strong position. However, this isn’t connected to big changes in the political scene or a stronger support for possible reform projects in the next three years. After all, the House of Representatives was firmly under the president’s control, and the senators elected for six years will continue to focus on their own thematic and personal interests. Apart from that, they will have started to adjust themselves to the next president – even if they belong to the president’s loose electoral alliance partially characterised by considerable tensions.



Vice President Jejomar Binay: The UNA was unable to attain their objective of creating a solid starting position for Jojo Binay’s presidential candidature in 2016 by demonstrating strength. | Source: © Rolex Dela Pena, epa, picture alliance.

The UNA was unable to attain their objective of consolidating the starting position for Jojo Binay’s presidential candidature in 2016 through displays of strength. One result of the election is the confirmation of the end of the “Lakas-Kampi era”, which had dominated political life in the Philippines since 1992 with a short interruption from 1998 to

2001, and its replacement by the Liberal Party. For 2016, a Lakas and Kampi revival, which have formally separated in the meantime, is not to be expected – especially since there are no strong presidential candidates amongst them. How the NUP, mainly recruited from former Lakas-Kampi politicians – who after all emerged from the elections with 24 MPs and eight provincial governors – will develop in the future remains to be seen.

In the 2013 communal elections – much more prevalent than in previous elections – the vote-buying and controlling votes by inspectors of the financiers declared as electoral observers became a decisive phenomenon in the majority of cities and municipalities. In many places one can no longer speak of free, secret elections.² The huge sums spent on vote buying – which in part were equivalent to the average monthly salary of a voter – have now become part of the voted representatives' debt, which can only be repaid through increasing corruption and abuse of the public funds entrusted to them.

CONDITION OF THE PARTIES AND PARTY SYSTEM IN THE PHILIPPINES

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- The term “political party” leaves a bad taste in people’s mouths in the Philippines. In general, political parties are seen as groups of people who attempt to attain political power in elections – manipulated in various ways – and to use this power to prosper themselves or for personal benefit. When looking at the internal constitutions of the large traditional parties, it is unavoidable to deny them the qualification as a democratic political party with regard to usual international standards:
- Neither the NP nor the oldest Philippine party (founded in 1907), nor the LP, the NCP, PMP, Lakas-Kampi, NUP nor PDP-Laban have paying members.
- With the exception of the LP which has announced necessary reforms and liberal economic policy in a four-page, very general party program, none of the parties have

2 | See for example “Comelec: Vote buying rampant”, *The Philippine Star*, 16 May 2013.

programmatic profiles. In the meantime, the PDP-Laban, too, founded in 1982 as a Christian-democratic party left of the middle and currently deeply divided in supporters of the populist vice-president Binay as party chairman, and the re-elected senator and son of former party founder Pimental as party president, has lost its former programmatic profile.

- None of these parties, with the exception of small groups within the Liberal Party carry out regular activities at a local or district level between electoral campaign periods.
- Moreover, policy-making and the nomination of candidates does not follow democratic principles in any of the parties. These are parties which – financed or dominated by a rich patron or rich clan – choose their local and national candidates for election according to two criteria: Is he or she a favourite of the patron or the group in charge? And does he or she have good chances of winning?

As a consequence of this situation in the dominant traditional parties in the Philippines, the party system cannot carry out its most important democratic functions: Neither the parties nor their candidates offer the voters political options regarding content for

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electoral decision making, nor are they an instrument for interested citizens and party members to hold a dialogue with their elected representatives in between elections, to hold them accountable, or to influence current decisions being made in parliament and government on a local level. Besides, individual personalities numerous political and also active groups in civil society are unable to find partners in the political arena, whom they could use to effectively introduce their ideas into the political decision-making process.

For the overall political direction, this means that medium and long term reform concepts hardly have a chance of step-by-step implementation, as there aren't enough individuals and political actors who are independent of whether they remain in office or not – or in other words, political parties with programmatic profiles – who would pursue

such reform concepts on a long term basis. Furthermore, parties do not perform the function of cultivating and selecting qualified leaders. In addition, when choosing local candidates, patrons and clans at the head of parties at a national level usually ally with locally dominating families and clans in the respective cities and provinces in order to secure their money and influence so their candidate will be voted for.

The 2013 elections have shown that the Liberal party too, which likes to surround itself with the aura of a reform party, is not an exception to this system. So, for example in the autonomous region of Muslim Mindanao, where the president broke up the completely corrupt and lawless structures by implementing a transitional parliament and administration with reform-orientated Muslims in 2011/2012. However, during the May 2013 elections these reform groups were mostly bypassed and candidates from local political dynasties who were previously allied with President Gloria Macapagal Arroyo's administration were nominated instead.

INCREASING LEVELS OF SUFFERING – BETWEEN RESIGNATION AND HOPE

If political concepts and real solutions do not influence voting decisions, then only personalities remain. This provides rich families who dominate the economy in the provinces and cities of the country with the opportunity to invest in the elections using their well-known names and money to

dominate. In the 15th congress from 2010 to 2013, more than 70 per cent of the representatives were members of the 180 national or local political dynasties – more than ever before. Both during the senatorial elections in 2013, and the parallel local elections taking

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place at the same time, the influence of political dynasties has been amplified, which has led to vehement, until now ineffective discussion amongst the media and civil society. In a much-acclaimed empirical study, the Director of the Policy Centre at the renowned Asian Institute of Management, Ron Mendoza, proved a statistically highly relevant connection between poverty and political dynasties: In provinces, cities and municipalities governed by

political dynasties (often a family nominates the provincial governor, the MP and the mayors in the most important cities and many further office bearers), the poverty rate is clearly higher than in other municipalities and regions. The poor vote for the representatives of these families, hoping for traditional patronage – help in emergency situations faced with the hardly existent state social system, improved health facilities, increasing and also higher sums for vote-buying before the elections which take place every three years. However, employment – and with it the voters' economic independency – is hardly created in the regions governed by political dynasties.³

At first glance, it seems that the vicious cycle of poverty, patronage systems and personalised elections without real political parties is impossible to halt in the foreseeable future.

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However, things are percolating below the surface. In many areas, not only one, but two, sometimes three political dynasties buy votes at an enormous expense and compete for the most sought-after political offices since the introduction of automated vote counting has complicated the direct manipulation of results. The system is felt to be a cul-de-sac with no way out without fundamental change. This is the only explanation for the modern party law passed in February 2013 by the political dynasty-dominated House of Representatives with a large majority. This law made it a condition that political parties use internal democratic procedures for candidate selection, are obliged to maintain financial transparency and programmatic profiling, forbidding changing parties in the years after being elected and to weaken patronage funding by introducing government funding for political parties. Although the law was drafted in the senate where it also had a clear majority on the second and final third reading, the president removed it from the agenda. Faced with the general mood amongst the country's political elite, observers believe there are good chances the law will still get passed in coming years. In programme-orientated circles of the Liberal Party which have been overrun by opportunists and the reform-orientated parts of civil society who are close to it, there are growing fears that at the end of

3 | Ron Mendoza, "Inclusive growth", Policy Center, Asian Institute of Management, Manila, Feb 2013.

President Aquino's six-year term presidency, a successor only counting on populism will drag the country back to the cycle of open corruption and lawlessness, which President Aquino has declared to fight. In this connection, it should be noted that in the 2013 May elections, the first representative of a member-based programme party managed to get elected to the Lower House. Rufus Rodriguez, president of the Centrist-Democratic Party of the Philippines (CDP) founded at the start of 2012, won in his precinct, Cagayan d'Oro with around 80 per cent of the votes and will campaign for fundamental reforms of the party system and electoral law. There is a wide consensus amongst experts and the media, as well as in large parts of civil society, that this is absolutely necessary. This is the only way of preventing communal elections from degenerating into a farce.



Philippine voters at improvised voting boxes. The practice of vote-buying is rampant. | Source: © Rolex Dela Pena, epa, picture alliance.

A further signal that changes to the previous system may be possible in the near future, is the wording of a framework agreement for the creation of an autonomous region "Bangsamoro" in the Muslim area of Mindanao, agreed by the rebel organisation MILF and the Philippine government in October 2012.⁴ The agreement explicitly states that the government in this autonomous region – in contrast to the

4 | Miriam Fischer and Atty Benedicto Bacani, "Fighting for Land and Identity – The Perpetual Struggle of the Indigenous Peoples in Southwest Mindanao", *KAS International Reports*, 7/2013, 12 Jul 2013, Konrad-Adenauer-Stiftung, <http://kas.de/wf/en/33.34965> (accessed 18 Jul 2013).

Philippine central government – will be formed on the basis of a “ministerial”, or parliamentary, system and that the electoral system should encourage the formation of genuine programme parties.

WHAT WOULD NEED TO CHANGE IN ORDER TO MAKE DEMOCRACY WORK?

Besides the introduction of a modern party law, many other reform steps are under discussion, which would be required to turn the oligarchy-dominated democratic façade⁵ in the Philippines into a functioning democratic community: On the one hand it would be sensible to change the chaotic party list system for the disadvantaged “sectorial groups” for the House of Representatives elections into a generally proportional element, which would offer programme orientated member parties the opportunity to influence the House of Representatives and to integrate various groups of society at the same time by means of their own candidate lists independent of the domination of political dynasties in individual precincts. Secondly, the passing and subsequent implementation of a comprehensive competition law with a focus on the decartelisation and control of numerous national and local monopolies and cartels and the permanent opening up of local markets in particular which would make the abuse of linking political elected posts with economic interests considerably more difficult.

A revision of the very attractive remuneration and expenses regulations for political electoral posts and the abolition of directly funding projects of chosen MPs using public funds could strongly reduce the existing incentive to attain political office in order to achieve personal gain. After all, for many years now a number of Philippine experts and foreign observers have been demanding a stronger regionalisation of the centralised state structure and a transformation of the presidential system into a parliamentary one, which would only offer considerably better opportunities for an effective control of the executive, but would offer programme orientated parties more weight

For many years now a number of Philippine experts and foreign observers have been demanding a transformation of the presidential system into a parliamentary one.

5 | See Reynato Puno, respected former president of the Supreme Court in *Transcending our democratic mediocrity*, Konrad-Adenauer-Stiftung, Manila, 2010.

against the personalised interests of political families and clans. Realistically however, such far-reaching reforms – in particular if they require constitutional change, can only be achieved if a process of developing and strengthening genuine member-based programme parties of political actors has formed, and who follow such a political decision process in the middle term as well.

WHERE WOULD THE MAJORITIES LIE IN REAL ELECTIONS?

Even if the current situation of election results in the Philippines cannot be used as a gauge to evaluate the population's approval of politic concepts or a fundamental long term orientation, it is however possible to draw some conclusions on what the majorities would look like in the case of the development of political of political programme parties. The most relevant for this purpose are the results of the senatorial elections and – partially – the party lists, where the influences of vote-buying and patronage structures of local political dynasties do not play a dominant role.

The 2010 and 2013 election results show that both the social-democratically orientated "Akbayan" party and the left-socialist/communist "Baya Muna" have an election potential of ten to 20 per cent. The two senatorial candidates in both parties were able to achieve their respective results without belonging to any of the big, well-known families and without being a nationally known actor or celebrity. Moreover, they were also unable to invest hundreds of millions of Pesos in the national electoral campaign as most of the other senatorial candidates were able to do. In the party lists as well, where each voter must choose between more than one hundred mostly regional lists, one-topic lists or lists of professional organisations, they were able to attain places amongst the first five.

Against a background of strong cultural and linguistic diversity, the Philippines could play an important role in developing a system of programme parties as well as regional parties with a clear regional development agenda – similar to India. Signs of this can also be found in the 2010 and 2013 party list election results.

Faced with the continuously strong tie to religious values in the majority of the Philippine population (nearly 80 per cent of the population is catholic; besides this there are other strongly Christian communities as well as a value-bound and non-fundamentalist Muslim minority), it is probable that in a programme party system, one or more value-bound moderate parties would play an important role. Whether the liberal party with its more economical-liberal and anti-clerical approach can play this role or the newly founded Centrist Democratic Party of the Philippines (CDP) with its Christian and Muslim social doctrine orientated programme can grow into this role or whether other promising moderate programme parties will be founded in the coming years remains to be seen.

In previous years the reasons for the Philippines falling behind in terms of economic-social development in the dynamic region of Southeast Asia have often been discussed. The country, which was number two behind Japan during the 1960s as regards economic power in Asia, is now far behind Korea, Taiwan, Malaysia, Thailand, and has now even been overtaken by Indonesia in terms of income per capita. Although growth rates have improved considerably in recent years in contrast to other countries in the region, this has not affected a decrease in unemployment and poverty. Today, 28 per cent of the rapidly growing population live below the poverty line – a number that has hardly changed since the end of the Marcos dictatorship in 1986.⁶ Despite an improved standing in Transparency International 2012's ranking, the Philippines dropped down by two places in the World Bank's world-wide "Doing Business" overview and now ranks number 138 out of 183 countries.⁷ Furthermore, in the world-wide *Global Tax Ranking* they fell to a rank of 143 out of 185 countries in 2012, after they were still ranked 135 out of 183 countries in 2011. With that, they now belong to the countries with the most expensive and complicated tax

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6 | Report for the National Statistics Office half-year press conference: *Philippine Daily Inquirer*, 23 Apr 2013.

7 | The World Bank, *Doing Business 2013. Smarter Regulations for Small and Medium-Size Enterprises*, Washington D.C., 2013, 3, <http://doingbusiness.org/~media/GIAWB/Doing%20Business/Documents/Annual-Reports/English/DB13-full-report.pdf> (accessed 23 Jul 2013).

systems in the world.⁸ The income distribution is the most unequal in the region.⁹ In terms of foreign investment, the country is at the bottom end of the ASEAN community only ahead of Laos and Myanmar. At the same time, the Philippines is at the very top of international lists in terms of daily violence and widespread lawlessness.

There is a lot of evidence suggesting that the combination of persistent colonial patronage structures and a weak state controlled by oligarchic and political dynasties, strongly limited economic competition and the lack of a real political party system has led the country into a socio-economic and political cul-de-sac. After the awful experiences of the Marcos dictatorship, the path of fighting poverty and modernisation through an authoritarian but development-orientated regime is sealed. In other states in the region with multiple party systems – Indonesia, Thailand, Malaysia, Cambodia, recently Myanmar and now beginning in Singapore – the political parties and party systems may be lacking and weak in some ways, but none of these countries display a total breakdown with regards to function within a democratic system as in the Philippines. A democracy without parties cannot work. Only the development of a true, functioning party system can provide the Philippines with an opportunity to find its way out of the cul-de-sac.

This article was completed on 17 May 2013.

8 | Yahoo! News Philippines, 14 Dec 2012.

9 | See amongst others Cielito Habito, *Philippine Daily Inquirer*, 4 Mar 2013. Habito was a minister and high-ranking politician in the Philippine's economic planning authority.