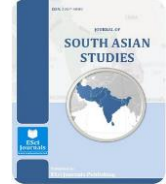




Available Online at ESci Journals

Journal of South Asian Studies

ISSN: 2307-4000 (Online), 2308-7846 (Print)
<http://www.escijournals.net/JSAS>



A HUNGER FOR POWER AND A THIRST FOR WEALTH: ESTABLISHING A LINK BETWEEN EARLY POLITICAL CORRUPTION AND THE PORK BARREL SYSTEM

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ABSTRACT

The NBN-ZTE scandal which involves allegation of corruption about the proposed national broadband project between the government and China's ZTE Corporation drew too much attention worldwide ("Arroyo suspends telecom deal with Chinese firm", 2007). During the Senate hearing, we have heard about their use of the term "moderate greed" as a paradox ("NBN-ZTE Executive Summary", 2009). Moderating the question of how far will you go and how much is too much is an open question that needs self-assessment and agreement in the definition of what excessive and greed is all about. At the present, the Philippine government is facing another issue of corruption through the abuse of the pork barrel system. This paper aims to discuss the issue of political corruption in the Philippine government by giving an overview of the pork barrel system, a political act of appropriating lump-sum budget for local projects which brings money to a representative's district (Drudge, 2008). The research also aims to cover how it can be a tool for corruption and cite the underlying failures in the roots of early Philippine politics. A famous philosopher, George Santayana, once said, "Those who cannot remember the past are condemned to repeat it" (Santayana, 1905). This signifies that the present is a mere representation of the past. The purpose of this study is not to criticize the issues but to identify the flaws that are obnoxiously or intentionally ignored in this present time.

Keywords: Pork barrel, Philippine politics, political corruption, Philippine government.

INTRODUCTION TO THE PORK BARREL SYSTEM

The greed from the 2007 NBN-ZTE scandal, which drew too much attention in the Arroyo administration, was actually the same ingredient of the pork barrel and its filthy origin. It is a derogatory and negative terminology, which has been carried on from generation to generation by individuals in the world of politics. The use of the term *pork barrel* is assumed to have originated from the early 18th century custom that depicts a barrel of salted pork allotted to black slaves by southern plantation landlords of the pre-civil war era in the United States (Rowley, 2013a; "Short History of Pork Barrel", 2013b) Edward Everett Hale used the term "pork barrel" in print for Frank Leslie's Illustrated Newspaper for January 24 and January 31, 1863 (Hale, 1891).

This term refers to the appropriation of national funds to the members of the legislation to be used for their local

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projects. While it is true that the pork barrel is allotted for project development, the definition had moved away from being used for nation building to political patronage. When the pork is put up on a political scale, it adds weight and becomes a tool that carries out wrong motives to earn the support of the legislators (Galang, 2013).

In the Philippines, the current professional term for the "pork" is called Priority Development Assistance Fund or simply PDAF. It is defined as a discretionary lump-sum fund available to members of Congress, which allows legislators to fund small-scale infrastructures or community projects that are outside the scope of the national infrastructure program (Nogralas and Lagman, 2012). For the current administration, the allotment is 70 million pesos for each member of the Lower Chamber and 200 million pesos for each member of the Upper Chamber (Mangahas, 2013). One common misconception about the Philippine pork barrel allotment to legislators is that the funds are handled and

transferred to them personally like cash to be spent with less or even without accountability. This is wrong. While it is true that these funds can be used by legislators, their participation should be limited only to the identification of soft or hard projects and designation of beneficiaries (Nograles and Lagman, 2012). Also, there are parameters and legal controls defined in the Constitution, which may limit a legislator to touch the fund aside from the President's veto power (Dizon, 2013).

HOW DOES THE PORK ADD WEIGHT TO THE SCALE OF CORRUPTION?

If there are controls and parameters, then how does the use of pork barrel funds connect to corruption? Political corruption using the pork barrel funds enters the picture when a legislator:

1. Identifies the project where the PDAF will be used. For example, free fertilizers for the farmers of Batanes.
2. Designates the beneficiary. For instance, Kapuso, Kapatid, Kapamilya ng mga Magsasaka Foundation, Inc.
3. Chooses the implementing agency. For example, Department of Agriculture.
4. Assigns the contractor that should "win the bidding in advance" such as Abono Kudipya Fertilizers, Inc.
5. Executes the project.

While bribery is one of the most classic forms of corruption, other forms have been developed and vary from extortion, cronyism, nepotism, patronage and graft which are now labeled as institutional corruption (Thompson, 1995).

This systematic trend takes more than just a single and average legislator to master. The process above maybe specifically suitable to members of the Upper and Lower House, but they are practically the same *modus operandi* by other power players in the other branches of government. Of course, if one has been sitting in the office for as long as two consecutive terms, how much more if all one's family members are either in the same office or distributed across different government sectors, then it will be practically easy for anyone in the position to commit such an act. There is a famous proverb that "birds of a feather flock together," even so as a family of thieves in Philippine politics.

The Supreme Court ruled over a case before declaring that the pork barrel is constitutional. There is no

question that the appropriations of the national budget belong solely to Congress, as it is stated in the Supreme Court decision: "Under the Constitution, the spending power called by James Madison as 'the power of the purse,' belongs to Congress, subject only to the veto power of the President. The President may propose the budget, but still the final say on the matter of appropriations is lodged in the Congress" ("Philippine Constitution Association v. Enriquez et al", 1994).

While this rule denotes a significant separation by the "power of the sword," which belongs to the executive and "the power of the purse," which belongs to the legislature (Madison, 1788), this form of checks and balances, which aims to distribute and separate roles is flawed. While sharing is considered a good virtue, sharing political power is a clear manifestation of corruption in a constitutional form of government. Whenever the three co-equal branches of government use the principle of borrowing and sharing political powers, they are acting outside the scope of their roles and mandate, which boils down to a conflict of interest.

In this case, the constituents are lucky if the project was just overpriced a hundred times the original market value but still distributed to the farmers. The problem is if it had been overpriced, and the farmers received no fertilizers at all, it resulted in a classification of being a "ghost project" ("PCTC Paper on Graft and Corruption", 2013). These are projects that were funded and probably started but never completed or most likely never executed.

UNDERLYING FAILURES IN HISTORY AND THEIR CONTINUANCE IN THE PRESENT

While the current issue of political corruption is a hunger for wealth, the early historical incident of corruption in the Philippines happened due to hunger for power. It was May 10, 1897 when it all began. It was a period of greed that boiled conspiracies and resulted in betrayal and execution of fellow revolutionaries. It was the time when Andres Bonifacio, together with his men, were executed as per ordered by a fellow Filipino leader, Emilio Aguinaldo ("Andres Bonifacio - The World of 1898", 2011).

There were two factions of the Katipunan at that time—the Magdalo and the Magdiwang. The former is headed by Aguinaldo and the latter by Mariano Alvarez which is the uncle of Gregoria De Jesus, Bonifacio's wife (Duka, 2008).As pointed out by renowned historian, Ambeth Ocampo, Bonifacio is actually not a Magdiwang, but

above all factions, because he was the 'Supremo' (Ocampo, 2013). On March 22, 1897, the two factions met in Tejeros to have a strategic military meeting. However, the real agenda of Aguinaldo's men was the appointments in the leadership. The shady votes of the leadership election made it possible that Aguinaldo won the appointment of President. Bonifacio received the second highest number of votes, but instead of getting the vice presidency position, he was subject to be elected and appointed as the Director of the Interior, when Daniel Tirona argued about his credentials. Due to anger, Bonifacio was about to shoot Tirona when Artemio Ricarte stopped him ("Tejeros Convention", 2013). Aguinaldo is not present in the meeting; as "textbook history" says, he won *in absentia* (Ocampo, 2007). Everything had been carefully planned ahead of time. The next morning, Aguinaldo took his oath of office as the President. While the legitimacy of the election results is of a questionable nature, it is a clear entrapment for Bonifacio to be present in that meeting. The election was done in Aguinaldo's perimeter with ballots prepared, created and distributed by Tirona, who happens to be a loyal follower of Aguinaldo. There is no way he can win the election.

Two months after that incident, on May 8, 1897, Aguinaldo ordered the execution of Bonifacio for the charges of treason ("Transcript of the trial of Andres Bonifacio", 2013). It was a murderous act by Aguinaldo's men and a historical cover-up (Nakpil, 1964).

Even if Aguinaldo had secured the seat of Presidency and the leadership of the revolution, he knew it wasn't enough to win the war. He signed the Treaty of Biak-na-Bato on December 14, 1897, upon agreed terms and conditions (Aguinaldo, 1899). There are monetary figures involved as part of the amnesty agreement between Spain and the restoration process. Aguinaldo's choice to be self-exiled in Hong Kong is a good tactic because he knew that time is essential. From enmity to alliance, Britain has always been a close ally of the United States, and at that time, Hong Kong, which is a British colony is the closest spot to the Philippines, which can be sailed in a few days ("From Enemy to Ally (John Bull and Uncle Sam)", 2010). While stationed in Hong Kong, negotiations between Aguinaldo and Dewey's men took place during the evening of March 16 and April 6, which urged him to return back.

Nineteen (19) days after his last recorded conversations with the Americans in Hong Kong, the Spanish –

American war broke out on April 25, 1898 ("The Philippines – The World of 1898: The Spanish-American war", 2011). Arriving in Manila on May 19, Aguinaldo reassumed command of the rebel forces. Less than one month later, Aguinaldo declared the Philippine's independence from Spain on June 12, 1898 (Aguinaldo, 1899).

CORRUPTION FOR POWER

The declaration of independence was not recognized by the United States and Spain because the war between the two powers is ongoing at the time of the declaration. It only proves that independence at that time was just an assumption, not a certainty. It makes sense that a discussion between the two powers are happening, so why would they care about the independence of a land which was yet to be sold and bought eventually? On August 12 of the same year, a peace protocol was signed by the U.S. and Spain in Washington, D.C., and on December 10, 1898, the Philippines was sold by Spain to the United States for 20 million dollars in the Treaty of Peace in Paris, which ended the Spanish – American war ("The Philippines – The World of 1898: The Spanish-American war", 2011).

While independence from Spain and dependence to the Americans is the same as no independence at all, it is highly doubtful that Aguinaldo does not know the meaning of the word "*independence*," because he is a man of intelligence and political strategies. It is clear that the revolutionaries were not able to drive out the Spanish on their own. It was the "dependency" and "collaboration" with the Americans which sent out the Spanish forces. Can the revolutionaries fight the *Spanish Armada* using fishing boats? The Philippines didn't even have a war ship at that time, then how can it engage in a good fight without the Americans? The war was stopped due to a bargaining between the two powers (the United States and Spain); clearly the war was never won.

While Bonifacio is the true republican, Aguinaldo's first declaration of independence was a dictatorial form of government, which then he replaced with a revolutionary form (Titherington, 1900). So what is the probable intention of Aguinaldo's declaration? Was it because the Americans pledged their support to him? Yes. His discussions with the Americans while in Hong Kong is what persuaded him to come back and continue the war with Spain. It was an indication to create a tie that binds. However, since there was only a verbal agreement of what the Americans might have promised

Aguinaldo in bad faith (Aguinaldo, 1899), it never really turned out well.

While the line of heroes belongs to Rizal, Bonifacio, Del Pilar, Jacinto, Luna, Sakay and the rest, it's no wonder that the line of early politicians is headed by Aguinaldo.

HOW THE PORK WAS ADOPTED BY THE PHILIPPINES

Since the pork barrel system originally came as a practice in the United States' politics, it will be nice to understand how it came into adoption in the Philippines. It's no wonder that the Americans brought the practice to the Filipinos. In the early 1900s, the legislature at that time was composed of the Philippine Commission (which is now the Senate) and the Philippine Assembly (which is now the House of Representatives). From an archived article by Nograles and Lagman entitled "Understanding the Pork," it says, "The use of pork barrel funds in the Philippines dates back to the 1930s during the U.S. colonial occupation" (Nograles and Lagman, 2012). In an ABS-CBN News interview, Ateneo School of Government and Political Analyst, Atty. Tony La Viña, said the Americans used the pork barrel to "divide and rule the Philippine assembly" in 1916 ("Short History of Pork Barrel", 2013).

The American rule started in 1898 after the Treaty of Paris ("The Philippines – The World of 1898: The Spanish-American war", 2011) and the first Philippine Legislature began in 1907 (Pobre, 2000). If this can be considered as the early traces in the legitimacy of Philippine politics, then it is worthy to take note that the use of the pork barrel system was started as early as between 1907 to 1930.

If used with honesty and integrity, the pork barrel creates roads, builds bridges, funds research, and molds education through scholarship programs. However, these development programs are merely justifications of motives behind its real purpose which is political patronage ("Short History of Pork Barrel", 2013). To date, the pork barrel in Philippine politics has mutated from different names.

THE CORRUPTION FOR WEALTH

The ability to get a distinct seat in any branch of government, whether it is the executive, legislative or the judiciary symbolizes a stature of fame and power. This is true in the world of politics. As much as the Philippines want to uphold a good and honest government, the principle of checks and balances which should serve as privilege separation is often flawed due

to greed in acquiring wealth. The law and our constitution that should serve in upholding the rights of the Filipino people are nonetheless becoming a personal defensive mechanism for corrupt officials. For a majority of them, it serves as their immunity for protection. It makes them feel invincible, holding the ball of power in their hands and passing their filthy wealth from one generation to another.

While there are few good men and women in Philippine politics that perform their duties for the sake of the nation, the pattern of political dynasty is also an issue worth discussing. From an elected government official with a wife in Congress and a son as governor with a mistress in the entertainment industry, public service becomes a wealthy family business, not to mention the election-related cases where spouses runs for the same position and eventually secures the seat.

Fame and power is a very distinct phrase, and that is the reason why "show business" and "politics" are often inseparable in the context of Philippine government. While it is an open secret that most public officials do brush shoulders with people in the entertainment industry, the trend for actors and actresses to use their fame in moving slightly from the limelight to the world of politics is also undeniable.

The Philippines is not the only country experiencing corruption. China recently had a corruption trial for one of its political leaders ("Timeline: Bo Xi Lai's scandal", 2013). While the pork barrel issue is currently a hot topic, Filipinos must take note that this is just one of the many government funds that can be subject to misuse and abuse. The corruption for wealth in Philippine politics is far from beyond repair if the individual battle with greed as a person will continue to divide the persona of each government official for good versus evil. This greed for wealth is the same greed for power during Aguinaldo's period which served the interests of the few. This same greed is the link that establishes the corruption of the past to the present time.

CONCLUSION

In order for the government to fight corruption, it must stand against itself and its members. Fighting corruption should be innate to each of us.

James Madison's statement regarding this is clear when he wrote that, "The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of

government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions" (Madison, 1788).

One way to gradually lessen a corrupt official's ability to use his power in abusing public funds would be the passing of the Freedom of Information (FOI) bill (Siraj, 2010; "Cayetano pushes for passage of FOI bill", 2011). This would give the public a looking glass to government records and transactions, which signifies transparency. The confidentiality and integrity of these records and transactions must also be checked, verified and certified correct by the Commission on Audit (COA) ("Article IX-D Constitutional Provisions", 1987), which should be reporting directly to a group under the governance and management of the Office of the President. This group, on the other hand, should oversee the work of COA to eliminate the possibility of conspiracy and connivance. Obviously, the matters of national security should be classified and not be touched by anyone without a security clearance.

In a country where poor audit practices are also a concern, the President must send his COA officials together with its employees for regular local and international training programs for anomaly/fraud detection and moral empowerment. This should also be true to his cabinet officials. Filipinos love to acknowledge education as an important tool for change, so why not feed knowledge to a group of people in exchange for their valuable contributions and thereby build mutual trust? Feeding them well enough along with their families will diligently give them a sense of pride in putting what they learned into good practice. This method will gradually lessen the connivance of the audit sector to the external offices.

The political umbrella is a big umbrella, but if the Philippine government can keep a group of honest leaders with political will, winning the war against corruption is possible. Corruption is contagious, and so are the values of honesty and integrity.

If the government cannot stop the hogs from sitting in political chairs inside its "houses," the people might as well stop feeding its money to these hogs so the natural process of death through starvation from greed of power and wealth can occur. A Biblical proverb says that gold and silver are tested by fire ("Good News Translation", 2013). If each government official will be put to test, those who are destined good leaders will serve unswervingly with or without the pork barrel system. Good leadership is not about having a servant heart only. It takes good judgment and an iron hand for justice and equality to be executed. It should have a stand in its fight against corruption and set an example to the people that crime against the state does not pay.

No amount of People Power Revolution will change the current situation in the Philippines. No matter how many times Filipinos go into the streets, the same issues will be faced upon going home. Each Filipino individual should consider asking the question that if Marcos' dictatorship was the only problem twenty seven years ago, then why the Philippine's economic standing still an issue while almost all other ASEAN neighbors have already progressed in terms of economics and military power? Haven't the Philippines learned its history lessons, or was the people's thirst for democracy the same as Aguinaldo's greed for power? Did the Philippines used that democracy for the good of the state, or was it the same during the Marcos period that eventually corrupted its countrymen by abusing it?

Finally, reformation can never be achieved by drafting more laws or changing the Constitution. The Constitution itself is nothing more than just a pile of textbooks, but what makes them extraordinary are the life-changing effects, which are the result of implementation, application and good practice.

Yes, abolishing the pork barrel is a good way to start cleaning corruption in the Philippine government, but it is by drastically guarding the heart and the mind not to be an object of things that last only a lifetime that can be the ultimate cure for this social cancer.

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