

Hello Garci and Philippine democracy

Friday 7 September 2007, by [DAVID Randy](#) (Date first published: 25 August 2007).

MANILA, Philippines — The Hello Garci controversy posed two important questions that, to this day, remain unanswered. First, did the military undertake operations, including wiretapping, for partisan political purposes during the 2004 presidential election? Second, did President Gloria Macapagal-Arroyo conspire with election officials to manipulate the results of the 2004 presidential election?

The taped conversations at the center of this controversy furnish enough clues that an independent investigative body might pursue to arrive at a complete picture of what happened. In fact, a number of inquisitive journalists had worked with these leads and found them useful. Their reports were consistently damning accounts of the collusion between the military, the electoral body, and the presidency itself. Yet these were dismissed as merely speculative and without evidentiary value.

In any other functioning democracy, such issues would instantly become the relentless object of investigation by the designated agencies of government. If these agencies were deemed inadequate to the enormity and sensitivity of the task at hand, an independent commission would in most cases be established. A good example is the 9/11 Commission which was given a sweeping mandate to investigate the events surrounding the terrorist attacks on the United States. In the course of its work, this special body inquired into a range of issues “including those relating to intelligence agencies, law enforcement agencies, diplomacy, immigration issues and border control, the flow of assets to terrorist organizations, commercial aviation, the role of congressional oversight and resource allocation, and other areas determined relevant by the Commission.”

One could appreciate the amazing scope of this mandate. For, at stake was no less than the viability of the entire American institutional system of governance.

Consider, in contrast, our system’s feeble response to the crisis spawned by the Hello Garci tapes. The Armed Forces conducted its investigation of the involvement of its own personnel in the alleged wiretapping and the doctoring of electoral outcomes in Mindanao. To no one’s surprise, they found the allegations baseless. The Commission on Elections (Comelec) launched its own investigation of the involvement of Comelec officials in election irregularities in Mindanao, and promptly reported — again, to no one’s surprise — that the suspicions were baseless. None of these supposed reports has been made public.

Both the generals and the Comelec officials have dared their accusers to bring them to court. They know, and everyone knows, that you need solid evidence for this — the kind of evidence that precisely only an authorized and empowered investigative body can put together. But whom should we turn to for this? The National Bureau of Investigation under the Department of Justice headed by Secretary Raul Gonzalez? The Philippine National Police under the Department of Interior and Local Government headed by Secretary Ronaldo Puno?

No one trusts the independence of these government agencies, particularly when it involves Ms Arroyo. Together, Secretary Gonzalez and Secretary Puno have done more than any of their predecessors to undermine the autonomy and efficiency of the investigative and prosecutorial offices

under them. This is the crux of our present institutional crisis. The imperatives of regime survival have assumed a higher priority over the integrity of our institutional system. The outcome of this has been the corruption of institutions. In turn, the weakening of our legal and administrative institutions has encouraged the politicization of almost all issues. This is what eventually turns the public against politics itself, paving the way for a government devoid of politics — a dictatorship.

This is the challenge now facing the Senate as a result of Sen. Panfilo Lacson's revival of the Hello Garci issues. These issues demand a satisfactory closure, for they touch on the very legitimacy — the right to rule — of those who make decisions in our name. Ideally, that closure must come from the legal system, but that is not forthcoming. And so it has fallen on Congress to put these questions to rest. Yet Congress can only do so with one hand tied behind its back. Two years ago, the House conducted its own investigation, and ran into all kinds of legal questions. Nothing much was established. Now it is the Senate's turn. Like the House, it is not properly equipped to conduct the investigation of probable crimes.

I doubt if anything conclusive will result from the Senate's re-opening of the Hello Garci controversy — something that can constitute a firm basis to impeach anyone or to send anyone to jail. But it doesn't mean the investigation will be useless. At the very least, the manner in which our politicians will conduct themselves in the process could decisively shape the political terrain for the 2010 presidential election. On the other hand, a can of worms might suddenly open, setting the stage for another dramatic turn of events.

We continue to live in extremely volatile times. We remain trapped in the shameful inequalities of an obsolete social order. Our people's expectations of government have shifted significantly in the last three decades, rendering the ways of traditional politics increasingly irrelevant. They are looking for new leaders, but right now they are having a hard time telling the new ones from the old ones.

P.S.

* From the Inquirer. Last updated 02:38am (Mla time) 08/25/2007.