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**Comparative Study of Electoral Systems**  
**Module 2: Macro Report**

August 23, 2004

Country: **PHILIPPINES**

Date of Election: **MAY 14, 2004**

NOTE TO COLLABORATORS: The information provided in this report contributes to an important part of the CSES project. Your efforts in providing these data are greatly appreciated! Any supplementary documents that you can provide (e.g., electoral legislation, party manifestos, electoral commission reports, media reports) are also appreciated, and may be made available on the CSES website.

**Part I: Data Pertinent to the Election at which the Module was Administered**

1. Report the number of portfolios (cabinet posts) held by each party in cabinet, *prior* to the most recent election. (If one party holds all cabinet posts, simply write "all".)

| <u>Name of Political Party</u> | <u>Number of Portfolios</u> |
|--------------------------------|-----------------------------|
|--------------------------------|-----------------------------|

|                 |   |
|-----------------|---|
| Lakas-NUCD-UMDP | 2 |
|-----------------|---|

|  |   |
|--|---|
| Partido Demokratiko Sosyalista ng Pilipinas (PDSP) | 1 |
|--|---|

1a. What was the size of the cabinet before the election? **23**

2. Report the number of portfolios (cabinet posts) held by each party in cabinet, *after* the most recent election. (If one party holds all cabinet posts, simply write "all").

| <u>Name of Political Party</u> | <u>Number of Portfolios</u> |
|--------------------------------|-----------------------------|
|--------------------------------|-----------------------------|

|                 |   |
|-----------------|---|
| Lakas-NUCD-UMDP | 3 |
|-----------------|---|

|  |   |
|--|---|
| Partido Demokratiko Sosyalista ng Pilipinas (PDSP) | 1 |
|--|---|

|                    |   |
|--------------------|---|
| Liberal Party (LP) | 1 |
|--------------------|---|

|                                   |   |
|-----------------------------------|---|
| National People's Coalition (NPC) | 1 |
|-----------------------------------|---|

2a. What was the size of the cabinet after the election? **23**

3. Political Parties (most active during the election in which the module was administered and receiving at least 3% of the vote):

| Party Name                               | Year Party Founded | Ideological Family  | European Parliament Political group | International Party Organizational Membership |
|--|--------------------|---------------------|-------------------------------------|---|
| A. Lakas-NUCD-UMDP                       | Jul 9, 1992        | Christian Democrats | -----                               | Christian Democrats                           |
| B. Laban ng Demokratikong Pilipino (LDP) | 1987               | National Parties    | -----                               | None  |
| C. Liberal Party (LP)                    | Jan 19, 1946       | Liberal Parties     | -----                               | Liberal International                         |
| D. Nationalist People's Coalition (NPC)  | Aug 1992           | National Parties    | -----                               | None  |
| E.                                       |                    |                     |                                     |   |
| F.                                       |                    |                     |                                     |   |

**Ideological Party Families:** (These are suggestions only. If a party does not fit well into this classification scheme, please provide an alternative and some explanation).

- |                               |                                  |                      |
|-------------------------------|----------------------------------|----------------------|
| (A) Ecology Parties           | (G) Liberal Parties              | (M) Agrarian Parties |
| (B) Communist Parties         | (H) Right Liberal Parties        | (N) Ethnic Parties   |
| (C) Socialist Parties         | (I) Christian Democratic Parties | (O) Regional Parties |
| (D) Social Democratic Parties | (J) National Parties             | (P) Other Parties    |
| (E) Conservative Parties      | (K) Independents                 |                      |
| (F) Left Liberal Parties      | (L) Single Issue Parties         |                      |

The following lists provide examples of political groups and organizations to which a particular party might belong. Please report any and all international affiliations for each party.

**European Parliament Political Groups:**

- (1) European People's Party
- (2) European Democrats
- (3) Party of European Socialists
- (4) European Liberal, Democrat and Reform Party
- (5) Confederal Group of European United Left
- (6) Nordic Green Left
- (7) Greens
- (8) European Free Alliance
- (9) Europe for the Nations
- (10) Europe of Democracies and Diversities
- (00) Not Applicable
- (98) Don't Know

**International Party Organizations:**

- (11) Asia Pacific Socialist Organization
- (12) Caribbean Democratic Union
- (13) Christian Democratic International
- (14) Christian Democratic Organization of America
- (15) Council of Asian Liberals and Democrats
- (16) Democratic Union of Africa
- (17) Eastern European Social Democratic Forum
- (18) Green Movement
- (19) Humanist Party

- (20) International Communist Union  
(21) International Democrat Union  
(22) International League of Democratic Socialists  
(23) Liberal International  
(24) Natural Law Party  
(25) Pacific Democratic Union  
(26) Organization of African Liberal Parties  
(27) Socialist International  
(28) Socialist Inter-Africa  
(00) Not Applicable  
(98) Don't Know

3a. Were there any significant parties not represented in parliament *before* the election?

**NONE**

3b. Were there any significant parties not represented in parliament *after* the election?

**NONE**

3c. Were there any other non-represented parties or independent actors whom you believe to have had a significant effect on the election?

**NONE**

#### 4a. Ideological Positions of Parties:

Please indicate Parties A-F's positions on a left-right dimension (in the expert judgment of the CSES Collaborator). If this dimension is not appropriate, please provide an explanation of the salient cleavages, and parties' relative positions.

*We will consult other political scientist to get some consensus on this question. We will provide you the answers ASAP.*

4aa. Do you believe there would be general consensus on these placements among informed observers in your country?

***We will consult other political scientist to get some consensus on this question. We will provide you the answers ASAP.***

4b. If you have asked respondents to rank political parties on an alternative dimension, other than the left-right dimension, please also provide your own rankings of the parties on this dimension.

***We will consult other political scientist to get some consensus on this question. We will provide you the answers ASAP.***

Name of dimension:

Label for left hand position:

Label for right hand position:

| Party Name | Left |   |   |   |   |   |   |   |   |   | Right |  |  |
|------------|------|---|---|---|---|---|---|---|---|---|-------|--|--|
|            | 0    | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10    |  |  |
| A.         |      |   |   |   |   |   |   |   |   |   |       |  |  |
| B.         |      |   |   |   |   |   |   |   |   |   |       |  |  |
| C.         |      |   |   |   |   |   |   |   |   |   |       |  |  |
| D.         |      |   |   |   |   |   |   |   |   |   |       |  |  |
| E.         |      |   |   |   |   |   |   |   |   |   |       |  |  |
| F.         |      |   |   |   |   |   |   |   |   |   |       |  |  |

4bb. Do you believe there would be general consensus about these placements among informed observers in your country?

***We will consult other political scientist to get some consensus on this question. We will provide you the answers ASAP.***

5. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)?

1. **The split of the opposition:** The opposition did not field a single candidate against the current administration paving the way for the candidacies of four different candidates against the incumbent administration which basically spilt their chances of garnering enough votes to win the election.
2. **The citizenship case against the leading opposition candidate:** During the first months of the campaign, groups who were allegedly identified with the administration filed a disqualification case against the leading opposition candidate claiming that he is not a natural born Filipino since his parents were allegedly foreign born. The case took some time to be resolved. Some observers believed that this case eventually affected the his candidacy.
3. **The allege misuse of government funds to help fund the campaign of the administration candidate:** Some sectors of the society along with the different opposition groups were complaining because they believe that the incumbent candidate was using government funds in her campaign.
4. **Sickness of Another Opposition Candidate:** During the last month of the campaign an alternative opposition candidate abruptly went to the United States. The opposition candidate did not specify his reason for leaving. He just assured the public that his candidacy would go on. Upon his return he called a press conference revealing that he was currently sick but was treated while he was in the U.S. After the revelation, succeeding surveys revealed that there was a shift in voting preference that benefited the current administration.
5. **Disorganized Voters List:** During election day, there were many complaints because so many voters were allegedly disenfranchised or were exasperated to go to the voting centers because of disorganized voters list in many precincts. Most of the voters complained that they could not find their names or that their voting precincts were allegedly changed.

5a. Do you believe there would be general consensus about the importance of these factors among informed observers in your country?

**Yes, as these events were greatly discussed during the campaign.**

6. Electoral Alliances:

Sometimes, electoral alliances are made at the constituency level as, for example, in Finland. Documenting who is allied with whom, and how, in each constituency is a large task and we do not expect you to do more than make some general reference to the existence of constituency-level alliances. Sometimes, electoral alliances are made at the national level -- these are the alliances that we would like you to identify. Information is sought on who is allied with whom and on the nature of the electoral alliance.

a) Were electoral alliances permitted during the election campaign?

- No  
 Yes

If yes, please complete the following:

| <u>Alliance Name</u>                  | <u>Participant Parties (please indicate dominant members with an "")</u>   |
|---------------------------------------|--|
| <b>Alliance 1: K4</b>                 | (*Lakas-NUCD-UMDP, Liberal Party, Nationalista Party, Kampi, and half of the members of the Nationalist People's Coalition)  |
| <b>Alliance 2: KNP</b>                | (*Laban ng Demokratikong Pilipino, Partido ng Masang Pilipino and half of the members of the Nationalist People's Coalition) |
| <b>Alliance 3: Alyansa ng Pag-asá</b> | (*Aksyon Demokratiko, Promdi)  |

7. Party Leaders and Presidential Candidates:

In legislative elections, please report the leader of each party.

In presidential elections, list presidential candidates and their parties. If candidates were endorsed by more than one party, please indicate this below.

| <u>Party of Candidate</u> | <u>Name of Party Leader or Presidential Candidate</u> |
|---------------------------|---|
| A. K4                     | <b>GLORIA MACAPAGAL-ARROYO</b>                        |
| B. KNP                    | <b>FERNANDO POE, JR</b>                               |
| C. INDEPENDENT            | <b>PANFILO LACSON</b>                                 |
| D. ALYANSA NG PAG-ASA     | <b>RAUL ROCO</b>                                      |
| E. BANGON PILIPINAS       | <b>EDDIE VILLANUEVA</b>                               |

## Part II: Data on Electoral Institutions

If possible, please supplement this section with copies of the electoral law, voters' handbooks, electoral commission reports, and/or any other relevant materials.

### A. QUESTIONS ABOUT ELECTORAL DISTRICTS.

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**Definitions:** An electoral district is defined as a geographic area within which votes are counted and seats allocated. If a district cannot be partitioned into smaller districts within which votes are counted and seats allocated, it is called primary. If it can be partitioned into primary districts, and during the counting process there is some transfer of votes and/or seats from the primary districts to the larger district, then the larger district is called secondary. If a district can be partitioned into secondary districts (again with some transfer of votes and/or seats), it is called tertiary.

In some electoral systems, there are electoral districts that are geographically nested but not otherwise related for purposes of seat allocation. In Lithuania, for example, there are 71 single-member districts that operate under a majority runoff system, and also a single nationwide district that operates under proportional representation (the largest remainders method with the Hare quota). Neither votes nor seats from the single-member districts transfer to the nationwide district, however. The two processes are entirely independent (with voters having one vote in each district). In this case, the nationwide district, although it contains the 71 single-member districts, is not considered to be secondary. It is primary. One might say that there are two segments to the electoral system in such cases.

1. How many segments (as just defined) are there in the electoral system?

- 1 segment
- 2 segments
- more than 2

Please answer the following questions (questions 2 through 11) for each segment of each directly elected house of the legislature:

2. How many primary electoral districts are there?

***211 Primary Electoral districts***

3. For each primary electoral district, how many members are elected from each district?  
(If district variation exists, answer 3a)

3a. If districts elect varying number of members, please list the districts, indicating the number of members elected from that district. (Attach separate sheets, as required).

*CSES electoral districts in the Philippines per province.doc*

4. How many secondary electoral districts are there? **NOT APPLICABLE**

5. How many tertiary electoral districts are there? **NOT APPLICABLE**

If possible, please summarize the information above for questions 1-3 and 4-5 in the table here:

| Chambers/Houses     |                 | Lower                        |   |           | Upper |   |           |
|---------------------|-----------------|------------------------------|---|-----------|-------|---|-----------|
| Segments            | Number          | 1                            | 2 | 3 or more | 1     | 2 | 3 or more |
| Primary districts   | Number          | 211                          |   |           | 24    |   |           |
|                     | No. of members* |                              |   |           |       |   |           |
| Secondary districts | Number          | <b><u>NOT APPLICABLE</u></b> |   |           |       |   |           |
|                     | No. of members* |                              |   |           |       |   |           |
| Tertiary districts  | Number          | <b><u>NOT APPLICABLE</u></b> |   |           |       |   |           |
|                     | No. of members* |                              |   |           |       |   |           |

\*Please report the total number of members for all districts, per segment.

## B. QUESTIONS ABOUT VOTING.

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6. Exactly how are votes cast by voters?

- The casting of votes shall start at 7:00am and end 3:00pm except when there are voters present within 30 meters in front of polling places who have not yet cast their votes, in which case the voting shall continue but only to allow said voters to cast their votes without interruption.*
- The voters shall vote in order of their entrance into the polling place. The voters shall have the right to freely enter the polling place as soon as they arrive unless there are voters waiting inside, in which case they shall fall in line in the order of their arrival and shall not crowd around the table of the board of election inspectors. The voters after having cast their votes shall immediately depart. (Sec. 193 Omnibus Election Code)*
- The voter shall approach the chairman and shall give his name and address together with other data concerning his persons. In case any member of the Board of Election Inspectors (BEI) doubts the identity of the voter, the BEI shall check his voter's identification card or, if he does not have any, the BEI shall refer to his photograph and signature in the voter's application for registration. If the BEI is satisfied with his identity, the chairman shall distinctly announce the voter's name in a tone loud enough to be plainly heard throughout the polling place. If such voter has not been challenged, or having been challenged the question has been decided in his favor, the voter shall forthwith affix his signature in the proper space in the voting record, deliver to the voter one ballot correctly folded. No person other than the chairman shall deliver official ballots nor shall more than one ballot to be delivered at one time. (Sec. 194 Omnibus Election Code)*
- The voter, upon receiving his folded ballot, shall forthwith proceed to one of the empty voting and shall there fill his ballot by writing in the proper space for each office the name of the individual candidate for whom he desires to vote*

*No voter shall be allowed to enter a booth occupied by another, nor entered the same accompanied by somebody, except as provided for in the succeeding section hereof, nor stay therein for a longer time than necessary, nor speak with anyone other than as herein provided while inside the polling place. It shall be unlawful to prepare the ballot outside the voting booth, or to exhibits its contents to any person, or to erase any printing from the ballot, or to intentionally tear or deface the same or put thereon any distinguishing mark. It shall likewise be unlawful to use carbon paper, paraffin paper, or other means for making a copy of the contents of the ballot or make use of any other means to identify the vote of the voter. (Sec. 195 Omnibus Election Code)*

- (a) *After the voter has filled his ballot he shall fold it in the same manner as when he received it and return it to the chairman. (Sec. 198 Omnibus Election Code)*
- (b) *In the presence of all the members of the board of election inspectors he shall affix his thumbmark on the corresponding space in the coupon, and deliver the folded ballot to the chairman. (Sec. 198 Omnibus Election Code)*

- (c) *The chairman, in the presence and view of the voter and all the members of the board of election inspectors, without unfolding the ballot or seeing its contents, shall verify its number from the voting record where it was previously entered. (Sec. 198 Omnibus Election Code)*
- (d) *The voter shall forthwith affix his thumbmark by the side of his signature in the space intended for that purpose in the voting record and the chairman shall apply silver nitrate and commassie blue o the right forefinger nail or nay other available finger nail, if there be no forefinger nail. (Sec. 198 Omnibus Election Code)*
- (e) *The chairman shall sign in the proper space beside the thumbmark of the voter. (Sec. 198 Omnibus Election Code)*
- (f) *The voter shall then depart. (Sec. 198 Omnibus Election Code)*

6a. How many votes do they or can they cast?

*The general rule is one vote per position. This rule applies to the national positions of President, Vice-President. It also applies to the local positions of Governor, Vice-governor, Congressman, Mayor, and Vice-Mayor.*

*But in cases of multiple positions the voter can vote the maximum number of candidates allotted. These positions are: Senator (national) and (Local) Provincial Board members and Local Cit/Municipal Councils.*

6b. Do they vote for candidates, for lists, or for both? (please explain)

*For all positions except that of Party-List representatives, voters vote for particular candidates for specific seats. Party-List representatives are chosen through a list of national, regional, and sectoral parties or organization duly accredited by the Commission on Elections or Comelec.*

7. Are the votes transferable?

*The general rule is the votes cannot be transferred to any candidate.*

- 8. If more than one vote can be cast, can they be cumulated? **NOT APPLICABLE**
- 9. Are there any other features of voting that should be noted? **NONE**

### C. QUESTIONS ABOUT CONVERTING VOTES INTO SEATS.

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10. Exactly how are votes converted into seats?

*Generally, the votes cannot be converted into seats because voters vote for a particular candidate and for a specific position. Votes can only be converted into seats if one is voting for a Party list representative which is a special provision that is provided for in the Constitution.*

10a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

*Yes, there is a mandated threshold that a party list must exceed in order to convert their votes into seats.*

If so, what is the threshold?

*Only those parties garnering a minimum of two percent of the total votes cast are qualified to have a seat in the House of Representatives. A maximum of three seats can be allocated for each qualified parties.*

10b. What electoral formula or formulas are used?

*There are two formula in determining the number of allocated number of seats for each qualified party. The first formula is used to compute the number of seats to which the first party (top vote getter) is entitled to.*

$$\frac{\text{Number of votes of first party}}{\text{Total votes for first party-list system relative to total votes for party -list system.}} = \text{Proportion of first party}$$

*If the proportion of votes received by the top party without rounding it off is equal to at least six percent of the total valid votes cast for all party list groups, then the top party is entitled to two additional seats for a total of three seats overall.*

*If the proportion of votes without rounding off is equal to or greater than four percent, but less than six percent, then the first party shall have one additional seats for a total of two seats.*

*If the proportion of the is less than four percent, then the first party is not entitled to any additional seat.*

*Formula for solving additional seats that other qualified parties are entitled to*

$$\frac{\text{Number of votes of concerned party}}{\text{Additional seats for concerned party}} = \frac{\text{No. of allocated seats allotted for first party}}{}$$

11. If there are lists, are they closed, open, or flexible?

- closed
- flexible, but in practice virtually closed
- flexible
- flexible, but in practice virtually open
- open

**Definitions:** A list is closed if the seats that are awarded to that list are always occupied by the candidates in order of their appearance on the list (i.e., if the list gets x seats then necessarily the top x names on the list get the seats). A list is open if the question of which candidates on the list get the seats that are awarded to the list is determined solely by the votes that each candidate receives. A list is flexible if parties place their candidates in the order they would like to see them elected, but voters can, with varying degrees of ease, change this order through votes they cast for individual candidates.

**Please repeat questions 2 through 11 of this section for each segment of each directly elected house of the legislature.**

#### D. QUESTIONS ABOUT THE POSSIBILITIES OF ELECTORAL ALLIANCE.

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**Definitions:** A joint list refers to one on which candidates of different parties run together.

Apparentement refers to a legal agreement between two or more lists to pool their votes for the purposes of an initial seat allocation, with seats initially allocated to the alliance then reallocated to the lists in the alliance.

12. What are the possibilities of forming alliances in the system?

*For all positions except that of sectoral representations voters vote for particular candidates for specific seats. Sectoral representations are chosen through a list of parties accredited by the Commission on Elections.*

12a. Can parties run joint lists?

- Yes
- No

12b. Is there apparentement or linking of lists

- Yes
- No

12c. Can candidates run with the endorsement of more than one party?

- Yes
- No

12d. Do parties withdraw their lists or candidates in some constituencies, urging their supporters there to vote for an ally's list or candidate?

- Yes
- No

12e. Other? NONE

13. Are joint lists possible?

13a. If joint lists are possible, are they subject to different regulations than single-party lists?  
For example, higher thresholds, different numbers of candidates that may appear on the list, etc.

*No, since we elect them directly it is subject to the same voting regulations as explained previously.*

14. If apparentement is possible, what lists can participate in such agreements: **NOT APPLICABLE**

- lists of the same party in the same constituency
- lists of the same party from different constituencies
- lists of different parties in the same constituency

15. If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

 No

- No party endorsements are indicated on the ballot paper
- Yes, candidate's name appears once, together with the names of all supporting parties
- Yes, candidate's name appears as many times as there are different parties endorsing him/her, each time with the name of the endorsing party
- Yes, other (please explain):

### Part III: Data on Regime Type

Below are various questions about the type of regime--presidential, parliamentary, semi-presidential--in your country. There are two potential problems with these questions that should be noted at the outset. First, in some countries there may be a discrepancy between the *de jure* (or legal) situation and the *de facto* (or practical)situation. For example, in Great Britain the Queen still possesses a legal right to veto legislation, but this right has not been exercised since 1707. In the case of such obviously obsolete powers, please answer according to the de facto situation. Otherwise, describe the *de jure* situation. A second potential problem is that the questions may not be phrased optimally for the situation in your particular country. In such cases, please answer as best you can, providing some indication of the difficulties as you see them.

#### A. QUESTIONS REGARDING THE HEAD OF STATE.

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**Definitions:** The Head of State is typically the highest ranking official in the executive branch of government. Often, this position is held by a president or a monarch, and may be more ceremonial than effective. The Head of Government is usually the highest ranking official in the legislative branch of government. In some systems, this may be someone other than the Head of State (i.e. the prime minister in the Westminster systems), while in other cases, the roles of the Head of State and Head of Government are combined (i.e. in the United States, the president serves as both the Head of State and the Head of Government).

1. Who is the Head of State?

- President**
- Monarch
- Prime Minister serves as ceremonial head of state
- Other (please specify)

2. How is the head of state selected?

- Direct election**
- Indirect election
- Birth right
- Divine right
- Other (Explain)

2a. If by direct election, by what process?

- Plurality election**
- Run-off or two-ballot system
- Other (Explain)

2a1. If by run-off system, how are the candidates selected for the final round?

**NOT APPLICABLE**

- The \_\_\_\_\_(#) candidates with the highest vote totals advance to the second round
- Any candidate with at least \_\_\_\_\_% of the popular vote advances to the second round

2b. If by indirect election, by what process? **NOT APPLICABLE**

- Electoral college
- Selection by the legislature
- Other (Explain)

2b1. If by electoral college, how are electors chosen? **NOT APPLICABLE**

2b2. Does the electoral college deliberate? **NOT APPLICABLE**

- Yes
- No

2b3. What is the voting procedure used by the electoral college? **NOT APPLICABLE**

2b4. If by the legislature, by which chamber(s) of the legislature? What is the voting procedure used?

3. Does the Head of State have the following powers? Please check all that apply:

3a. Introduce legislation?

Yes

No

*The President can suggest/initiate through his allies in Congress but it is still needs the approval of Congress.*

3b. Require expedited action on specific legislation? (i.e., set a deadline by which the legislature is required to act on the bill)?

Yes

No

*The President can identify priority legislation but it is still needs the approval of Congress.*

**Definitions:** A Head of State possesses a partial veto when he or she can target specific clauses of a piece of legislation for veto, while promulgating the rest. In the U.S., such vetoes are sometimes called line item vetoes. A Head of State possesses a package veto when he or she can veto the entire piece of legislation submitted by the legislature, but cannot veto some parts and accept others.

3c. Package veto?

No

Yes, and the requirement to override the veto is:

2/3 thirds vote of both Houses of Congress

3d. Partial veto?

No

Yes, and the requirement to override the veto is:

As a general rule, if the President disapproves the provision in a bill approved by Congress, he should veto the entire bill. He is not allowed to veto separate parts of a bill while retaining others. It is only in the case of appropriation, revenue, and tariff bills that he is authorized to exercise item –veto. The requirement to override this veto is a 2/3 thirds vote of both Houses of Congress.

3e. Issue decrees with the power of law?

Yes (via Executive orders)

No

3f. Emergency powers?

Yes

No (Unless provided by Congress)

3g. Negotiate treaties and international agreements?

No

Yes, provided the following additional requirements are met:

**The President can negotiate treaties and international agreements but it will only be valid or effective with the two-thirds (2/3) concurrence of all the members of the Senate of the Philippines (Article VII Section 21)**

3h. Commander of the armed forces?

Yes

No

3i. Initiate referenda or plebiscites?

Yes

No

3j. Refer legislation to the judicial branch for review of constitutionality?

Yes

No

3k. Convene special legislative sessions?

Yes

No

## B. QUESTIONS ABOUT THE HEAD OF GOVERNMENT.

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**Definitions:** In some countries, the Head of Government is directly elected, in elections that may or may not occur concurrently with legislative elections. In these cases, the Head of Government is said to be elected independently of the legislature. In others, the Head of Government is the leader of the governing party or governing coalition in the legislature, and so, the selection of the Head of Government depends upon the distribution of seats in the legislature. In these cases, the Head of Government is not elected independently of the legislature.

4. Is the Head of Government elected independently of the legislature?

- Yes  
 No

4a. Is the Head of Government also the Head of State?

- Yes  
 No

4b. If the Head of Government is not elected independently of the legislature, how is the Head of Government selected?

- Appointed by the head of state alone  
 Appointed by the legislature alone  
 Nominated by the head of state, and approved by the legislature  
 Nominated by the legislature, and approved by the head of state  
 Other (Please explain):

5. What authorities does the Head of Government have over the composition of the cabinet?  
Please check all that apply.

- Names ministers and assigns portfolios alone
- Nominates ministers for approval by the president
- Reviews and approves ministerial nominations made by the president
- Dismisses ministers and reassigns portfolios at own discretion
- Other (Please explain):

### **NOT APPLICABLE**

6. What authorities does the Head of Government have over the policy making process?  
Please check all that apply:

**Chairs cabinet meetings**

- Determines schedule of issues to be considered by the legislature
- Determines which alternatives will be voted on by the legislature, and in which order
- Refers legislative proposals to party or legislative committees
- Calls votes of confidence in government
- Other (Please explain):

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### **C. QUESTIONS REGARDING THE CABINET**

7. By what method(s) can the cabinet be dismissed? Please check all that apply:

- By the head of state acting alone
- By the prime minister acting alone
  - By majority vote of the legislature where a majority of all legislators is required
  - By majority vote of the legislature where a majority of those legislators voting is required
  - By some combination of the above, acting in concert (Please explain):
  - Other (Please explain):

*The President, through his power of control over all departments and agencies in the executive department has the sole power to remove all cabinet members and head of departments and agencies in the executive branch. Cabinet members as individuals and as an institution has no authority over the President. They serve at the behest and pleasure of the President. (Article VII, Sections 3, 11 and 13)*

**D. QUESTIONS REGARDING THE LEGISLATURE**

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8. Can the legislature be dissolved prior to regularly scheduled elections? No  Yes:

- By the head of state acting alone
- By the prime minister acting alone
- By majority vote of the legislature
- By some combination of the above, acting in concert (Please explain):
- Other (Please explain):

9. If the legislature can be dissolved prior to regularly scheduled elections, are there restrictions on when and how the legislature can be dissolve? Please check all that apply:

**NOT APPLICABLE**

- On the timing of dissolution (e.g. not within one year after a legislative election) (Please explain):
- As a response to action/inaction by the legislature (e.g. only when the legislature has censured the cabinet; only if the legislature fails to pass the budget) (Please explain):
- Other (Explain):

10. Is there a second chamber of the legislature? No \_\_\_\_\_ **Yes**  it is:

- directly elected**  
 indirectly elected through the following process:

*Note: We actually have two chambers of Congress, the Upper House (elected nationally), and the Lower House (elected by districts and Party list representation)*

10a. If there is a second chamber and it is indirectly elected, are those who choose its members:

- wholly regional and/or local officials?  
 partly regional and/or local officials?  
 not necessarily regional and/or local officials?

#### **NOT APPLICABLE**

10b. If there is a second chamber, does it have specific and exclusive legislative powers (i.e. the power to reject the executive's proposed budget)?

- No  
 Yes (Please explain):

*Note: Congress as a whole has the power to scrutinize the budget of the Executive and also has the power to cut or re-allocate funds of the Executive department prior to approval. The Philippine Constitution is explicitly clear on the check and balance of the three branches of government (Executive, Legislative and Judiciary) .*

10c. If there is a second chamber, does it have the power to remove the cabinet or censure its ministers?

- Yes  
 No

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11. Is there a constitutionally guaranteed division of power between the central government and regional and/or local governments?

- Yes  
 No

12. Does the central government have the power to remove elected officials of regional and/or local governments?

- Yes  
 No

## F. REFERENCES

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Please list any resources that were consulted in the preparation of this report, or that the CSES community may find especially helpful in understanding the political system described here.

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