



# Democratic Survivability and the Parliamentary Critique of the Presidential Form of Government in the Philippines

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*This paper assesses the argument of the superior democratic survival record of parliamentary over presidential forms of government in the comparative constitutional design literature used by Filipino parliamentary advocates in calling for a shift to a parliamentary form of government in the Philippines. The paper does this by tapping the other side of the comparative constitutional design literature that is critical of the pro-parliamentary position. The main argument of this literature is that the impressive empirical evidence used to support the claimed superiority of the parliamentary over the presidential systems in ensuring democratic survivability suffers from fatal methodological flaws. The paper argues that if these flaws are considered, they would have serious conceptual and policy implications to the pro-parliamentary position in the Philippines.*

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## Introduction

The claim by pro-parliamentary scholars that parliamentary democracies have better survival rates than presidential democracies constitutes the most devastating critique against the performance of presidential democracies.<sup>1</sup> Because democracies with presidential forms of government are said to be more prone to regime breakdowns than democracies with parliamentary forms, the parliamentary form of government is prescribed by pro-parliamentary scholars as both superior to and more desirable than the presidential form of government in the all-important goal of ensuring that democracies endure in the countries where they are found.<sup>2</sup>

While this argument that presidential democracies are especially prone to democratic breakdowns has a long history in the discipline of political science and the broader constitutional design and institutional analysis literature,<sup>3</sup> the current

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revival of this concern has largely been fueled by the recent dramatic wave of democratization which started in Southern Europe in the mid-1970s, sped to Latin America and Asia in the 1980s, and swept Eastern Europe, the former Soviet Union, and sub-Saharan Africa by the late 1980s and early 1990s.<sup>4</sup> With this proliferation of new (or renewed) democracies, the central concern of constitutional design scholars has been in terms of recommending a form of government that would help promote the stability, survival, and consolidation of these new democracies.<sup>5</sup>

This revival of interest in searching for the superior form of government specific to the recent wave of democratization found its way to the Philippines, one of the countries that democratized in the

1980s. In particular, this search for the superior form of government is a central component in the debate to change the Philippines' 1987 Constitution as this debate has continued in the three successive administrations that came after President Corazon Aquino—the 1994-1997 Charter Change (Cha-cha) campaign under the Ramos administration, the 1999-2000 Constitutional Correction for Development (“Concord”) campaign under the short-lived Estrada administration, and the 2001-2003 re-launching of the Charter Change (Cha-cha 2) campaign under the present Arroyo administration.

In this debate to change the 1987 Constitution, Filipino parliamentary advocates have praised the claimed superior democratic survival record of the parliamentary form of government as one of the most important justifications for shifting the Philippines' existing presidential form of government to a parliamentary one. In arguing for their case that the parliamentary form of government would be more conducive to the goal of democratic consolidation in the Philippines, Filipino parliamentary advocates employ comparative insights into the form of government. These insights are drawn not only from distinguished democratization scholars like Juan Linz but also from constitutional design scholars like Alfred Stepan and Cindy Skach, who collaborated to provide quantitative support to the Linz argument about the superiority of the parliamentary form of government in ensuring democratic survivability.

This paper argues that the claim made by Filipino parliamentary advocates of the superior democratic survival record of parliamentary over presidential systems has remained unchallenged for two reasons. First is the one-sided appropriation of the comparative insights to the local debate on the form of government. While Filipino parliamentary advocates are able to employ comparative constitutional design literature to argue for the superior democratic survival record of the parliamentary system, they fail to employ works that are critical of the pro-parliamentary position. For example, the important and influential works of scholars like Mark Gasiorowski, Stephan Haggard, Robert Kaufman, Scott Mainwaring, Timothy Power, and Matthew Shugart, have been ignored in the local forms-of-government debate.

Second is the failure both of the local opposition against the shift in form of government and of the local skeptics of parliamentary democracy to confront head on the theoretical validity of the democratic survival record of the parliamentary democracies as advanced in the Philippines. Instead, the opponents and skeptics of the parliamentary position have confined themselves to the argument that constitutional change for the Philippines is not appropriate at this time since it will be too divisive and disruptive to the nation's political life.

Given the one-sidedness of the constitutional change debate in the Philippines, this paper undertakes the first step towards presenting the other side of the comparative output on this issue of democratic survivability. This is done by employing the comparative constitutional design literature critical of the pro-parliamentary argument on democratic survivability.

Employing this other side of the comparative literature to the presidential-parliamentary debate in the Philippines is crucial. Not only would it inject a healthy dose of skepticism to the claimed superior democratic survival record of the parliamentary system but, more importantly, it will also offer a fuller appreciation of the vast array of positions on constitutional reform issues. In short, it would guarantee that the debate will not only be familiar with just one side of the comparative argument.

Thus, by employing the comparative literature critical of the pro-parliamentary position, this paper tries to answer two central questions: (1) how robust methodologically is the scholarship of the comparative literature that argues for the superior democratic survival record of parliamentary over presidential ones and which forms the basis of one of the most important arguments of the pro-parliamentary position in the Philippines in advocating the shift from the presidential form of government to a parliamentary one?; and (2) what would be the conceptual and policy implications to this particular pro-parliamentary position in the Philippines if the methodological critiques of other constitutional design scholars on the claims of the superior democratic survival record of parliamentary over presidential democracies are considered or accepted?

In answering these questions, this paper is organized as follows. First, it presents the conceptual explanations raised by Filipino parliamentary advocates on the

superior democratic survival record of the parliamentary form of government. Second, it presents the empirical evidence they raised from the pro-parliamentary comparative literature on constitutional design to give support to their conceptual arguments. Third, it assesses the empirical evidence of the claimed superior democratic survival record of the parliamentary system by employing works from the comparative literature on constitutional design that are critical of the pro-parliamentary position. Finally, it offers some implications to the local pro-parliamentary position if the criticisms raised against the claimed superiority of the parliamentary system in ensuring democratic survivability are considered.

### **Conceptual Explanations on Parliamentarism's Democratic Survival Record: A Local Perspective**

The fact that since the 1986 restoration of presidential democracy, the Philippines has faced numerous threats to democratic stability and survival helps explain why the claimed superior performance of the parliamentary form of government in ensuring democratic survivability attracted at least three Filipino parliamentary advocates, namely Florencio Abad, Jose Abueva (in his later works), and Pablo Tangco. Among the reasons they gave for proposing to shift the country's existing presidential form of government to a parliamentary one is because the parliamentary form is better in promoting the consolidation and deepening of Philippine democracy than the presidential form of government embedded in the current constitution.

Of these three Filipino parliamentary advocates, Abad represents by far the most significant position. There are three reasons for this. First, it is the central concern of Abad to recommend an institutional framework that would ensure the survival of Philippine democracy.<sup>6</sup> Second, Abad is one of the few—if not the only one—among Filipino parliamentary advocates who systematically draws and discusses at length comparative insights on the form of government.<sup>7</sup> Third, the work of Abad has been used as the reference material by other Filipino parliamentary advocates like Abueva to argue their pro-parliamentary position.<sup>8</sup>

Because Abad's work represents the most sophisticated version of this position in the Philippines, it is therefore useful to center on the conceptual arguments he

raises regarding the superiority of the parliamentary over the presidential form of government in ensuring democratic survivability.

In answering why the parliamentary system is a more appropriate framework of government compared to a presidential system in facilitating the consolidation of democracy in the Philippines, Abad argues along the ideal-typical institutional distinctions between presidential and parliamentary democracies. From here, he demonstrates how each of the institutional features affects the performance of the presidential and parliamentary forms of government in promoting democratic survivability in the Philippines.

Drawing conceptual support from Linz, Abad believes that the parliamentary system is a more appropriate framework of government compared to a presidential system in improving government capacity to function more effectively and in facilitating democratic consolidation in the Philippines. This is because the parliamentary system is less prone to suffer from institutional problems such as executive-legislative gridlock and prolonged political crisis that are said to be inherent in a presidential system. These institutional problems are inherent in a presidential system because of its two main institutional features. These are the “separate but co-existing democratic legitimacy” enjoyed by the president and members of the legislature since both are directly but separately elected by the people and the fixed terms enjoyed by the executive and legislative branches which guarantee that their tenure is independent of each other.<sup>9</sup>

The institutional features of separate elections and fixed terms work hand-in-hand to hinder the presidential system’s capacity to ensure democratic survivability in the Philippines. Abad identifies at least two problems directly brought about by these two basic institutional features of presidential democracies that make them more prone to democratic breakdown than parliamentary types.

### **The problem of executive-legislative gridlock**

One problem that presidential democracies face is executive-legislative gridlock. According to Abad, this problem is brought about by the presidential system’s institutional features of separate elections and fixed terms of the executive and

legislative branches. The separate elections of the executive and legislative branches in a presidential system provide weak incentives for cooperation between the two branches since direct election gives each of them a direct mandate to represent the people. On the one hand, the executive has the feeling of superior democratic legitimacy over the legislative.

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This feeling of superiority springs from the fact that the president does not only hold the highest office of the land but also represents the nation as a whole. As a result, the president is said to be unwilling to compromise with the legislature on crucial policy issues.<sup>10</sup> On the other hand, the legislative branch also feels that it cannot be dictated upon by the executive since it too enjoys a direct mandate from the electorate and, in its collective capacity, also represents the whole nation. This “dual democratic legitimacy” may make it difficult for the executive to achieve the necessary cooperation needed to push its policy agenda in the legislature, even in situations when the executive has majority control of it.

This problem becomes more acute in cases wherein the president does not have majority control in the legislature. Since they are elected separately, presidentialism is prone to situations where the executive and majority of the members of the legislature come from different, even opposing, parties. As Abad points out: “This problem is aggravated by the inability of presidential democracies to obtain strong congressional cooperation through majority control of the legislature. As a result, the legislature rests in the control of politicians who represent a constituency with a different political choice from that of the constituency that supports the president.” (1997, 60) Where outright conflicts between the two branches happen, these conflicts then degenerate into a prolonged and unproductive gridlock or impasse since, and this is the crucial part, there is said to be no clear democratic mechanism to resolve the conflicts.

In such cases, presidential democracies will most likely fail to respond in an efficient and timely manner to the many challenges and opportunities that they face. When the deadlock reaches crisis proportion, Abad warns that it is probable that the executive may resort to extra-constitutional measures which may lead to a

reversal to an authoritarian regime as can be seen in the experiences of a number of developing countries.<sup>11</sup>

Being a presidential system, the Philippines has been plagued by the same problem of executive-legislative gridlock. Abad offers as his evidence the “endless political squabbling among legislators and between government and Congress on almost any major policy issue that comes for deliberation.” (1997, 59-60) This “problem of wasteful and time consuming stalemates” serves as one of Abad’s justifications for calling for a change in the country’s form of government.

The executive’s failure to secure majority legislative control prompted Philippine presidents to adopt measures that ranged from “anti-party” practices to secure approval of their policies by the legislature to extra-constitutional actions to coerce the legislature. Abad notes the enduring practice in the Philippines whereby presidents dangle “pork barrel” to legislators in order to secure the latter’s approval of the former’s policies and the party-raiding and party-switching that follow the start of every presidential term.<sup>12</sup> Far more brazen is the extra-constitutional measure used by Marcos when he decided in 1972 to close down Congress and to impose “constitutional authoritarianism” in the Philippines, using Congress’ intransigence as an alibi.<sup>13</sup>

According to Abad, this problem of executive-legislative gridlock inherent in presidential democracies does not affect parliamentary systems. Where the legislature is the only directly elected institution and from which the executive—the prime minister and cabinet—emanates, there is said to be no dual democratic legitimacy conflict. Moreover, the flexibility of the tenure of both the executive and the legislature where each has the power to dismiss each other, the prime minister abolishing parliament and calling for new elections and the legislature securing a vote of no confidence on the prime minister and/or cabinet, provides a built-in powerful incentive for cooperation between the branches absent in a presidential system.

Following Linz’s argument, Abad believes that this mutual dependency between the executive and the legislative branches found among parliamentary systems allows these systems not only to avoid deadlocks between the two branches but more importantly, it allows the executive to muster majority support from the legislative.



Because of this, he urges that a parliamentary system must be preferred over a presidential system.

### The problem of rigidity of presidentialism in responding to crisis

Another problem that presidential democracies face is their rigidity in responding to changing and unexpected events or circumstances. This problem is said to be largely brought about by the institutional feature of the fixed term of office of the president. Abad echoes Linz's point that because presidents are elected for a fixed term, their term of office cannot be modified under normal circumstances. This means that the term can neither be shortened nor, in countries that ban reelection, be prolonged.

The inability to shorten or prolong the chief executive's term of office would have at least two implications to presidential democracies. On the one hand, because the president's term cannot be shortened, this means that even if a president has been tainted by scandals or deemed incompetent, presidential democracies will have to wait until the president's term of office expires before he or she could be replaced by a new president. This happens because the institutional mechanisms for the removal of a president in presidentialism such as voluntary resignation and impeachment are impracticable to ensure an early termination of the president's term.<sup>14</sup> On the other hand, because the president's term cannot be prolonged due to the reelection ban in most presidential democracies, then this means that presidential democracies will be denied the chance to extend an incumbent president who is deemed to be performing well in office.

But while prolonging a competent president's term of office may not be as urgent, the same cannot be said when faced with a situation that requires cutting short the term of office of an erring and incompetent chief executive who has lost much of his or her mandate to govern. Without the necessary institutional mechanisms to address this impasse, presidential democracies tend to suffer a "crisis of government," which, when

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prolonged, may escalate into a “crisis of regime.” Faced with this situation, the president either bypasses the legislature or rules by decree. In other instances, the military might exploit the situation and take over from the civilian authorities:

The absence of these self-correcting devices in the presidential regime leads to a paralyzing stalemate that ensures that nothing substantial gets done until a new government is elected to replace the previous one—that is, if the people are patient enough to wait until the next election cycle. In many instances, most notably in Latin America, either the president bypasses the legislature and rules by decree or a military coup overthrows the government. In both situations, the institutional framework collapses and those who take power rule extra-constitutionally. (Abad 1997, 65-66)

Abad argues that because parliamentary systems do not guarantee a fixed term of office to the executive, crisis of government escalating into crisis of regime that may bring an end to democratic rule is a more remote possibility among parliamentary democracies.<sup>15</sup> A sitting prime minister who has become unpopular and discredited may be removed in-between elections through the vote of no confidence in parliament. Alternatively, a prime minister at loggerheads with parliament can dissolve parliament and call for elections for a new parliament. In both cases, the executive and the legislative need not wait to finish each other’s term to resolve serious inter-branch deadlocks. The presence of such an institutional mechanism therefore prevents a crisis-of-government situation in parliamentary systems from escalating into a crisis-of-regime situation that gives the executive or the opposition the incentive to pursue drastic extra-constitutional measures.

Based on the above discussion, it is clear for Abad that the problems of executive-legislative gridlock and the rigidity of presidentialism in responding to political crisis make the presidential system more prone to suffer from democratic breakdown. Worse, these problems could not be addressed in a presidential system because they are claimed to be inherent to the presidential system itself, that is, they are brought about by the system’s basic institutional features of separate elections and fixed terms. In contrast, parliamentary systems are not as prone to democratic breakdown because their institutional features of the election of the executive by

parliament and of the flexibility of tenure are able to mitigate the problems associated with presidentialism.

### **Empirical Support to Parliamentarism's Superior Democratic Survival Record**

The claimed superior democratic survival record of parliamentary systems has been backed up by impressive empirical support. One of the most systematic attempts to provide quantitative support to this claim is the collaborative work of Stepan and Skach, "Constitutional Frameworks and Democratic Consolidation: Parliamentarism versus Presidentialism" published in the journal *World Politics* in 1993. Using various sources of data, they identified a number of empirical evidence that reveal a strong correlation "between democratic consolidation and pure parliamentarism than between democratic consolidation and pure presidentialism." (Stepan and Skach 1993, 4-5) These empirical results are used by Abad to support the conceptual arguments he raises (or adopts from Linz) regarding the claimed superiority of the parliamentary over presidential form of government in fostering democratic survivability.

The first empirical evidence directly related to democratic survivability that Abad draws from Stepan and Skach to support his argument is based on the data set of countries that were categorized as democracies in the Gastil Political Rights scale<sup>16</sup> for at least one year between 1973 and 1989. Democracies that belonged to the Organization of Economic Cooperation and Development (OECD) were excluded to ensure that the variable of economic development would not interfere with the validity of the correlation. They were able to come up with 53 non-OECD members that were democratic for at least one year between 1973 and 1989. Of the 53 countries in their data set, 28 were "pure parliamentary," 25 were "pure presidential" and no semipresidential or mixed types. In order to measure the correlation between constitutional frameworks and their capacity to be democratic survivors, they then set out to count which of these countries managed to survive as democratic for ten consecutive years within this period. They found out that "(o)nly five of the twenty-five presidential democracies (20 percent) were democratic for any ten consecutive years in the 1973-89 period; but seventeen of the twenty-eight

pure parliamentary regimes (61 percent) were democratic for a consecutive ten-year span in the same period.” (1993, 10) These data prompted Stepan and Skach to conclude that “parliamentary democracies had a rate of survival more than three times higher than that of presidential democracies.” (1993, 10)

The second empirical evidence directly related to democratic survivability that Abad draws from Stepan and Skach’s work is the correlation between forms of government and vulnerability to military coups. Using the same data set of 53 non-OECD countries that were democratic for at least a year in the period 1973 to 1989, Stepan and Skach found out that of the 28 pure parliamentary democracies, only 5 experienced a military coup while under a democratic rule. By contrast, 10 out of the 25 pure presidential democracies suffered a military coup while under democratic rule. This translates to a “military coup susceptibility rate” of 18 percent for parliamentary democracies and 40 percent for presidential ones. Hence, Stepan and Skach declared that “presidential democracies were also more than twice as likely as pure parliamentary democracies to experience a military coup.” (1993, 10)

The third empirical evidence directly related to democratic survivability that Abad employs from the Stepan and Skach study is their alternative data set to investigate the correlation between constitutional frameworks and their capacity to be democratic survivors. Data for this correlation are drawn from all the 93 countries—regardless of regime type—that became independent between 1945 and 1979. This time they wanted to know the correlation between the regime form these countries chose at the time of their independence and the chances of surviving (or evolving into—since some were not even democratic during their independence) as continuously democratic over a ten-year period from 1980 to 1989. Examining the regime form that these 93 countries chose at independence, 41 countries were parliamentary, 36 were presidential systems, 3 were semipresidential, and 13 were ruling monarchies. The main finding of Stepan and Skach is damning for presidentialism:

At this stage of our research, we are impressed by the fact that no matter what their initial constitutional form, not one of the fifty-two countries in the nonparliamentary categories evolved into a continuous democracy for the 1980-89 sample period, whereas fifteen of the forty-one systems (36

percent) that actually functioned as parliamentary systems in their first year of independence not only evolved into continuous democracies but were the only countries in the entire set to do so.<sup>17</sup>  
(1993, 11)

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Stepan and Skach believed that the empirical evidence, far from being statistical flukes, is the logical and predictable result of the choice of the basic constitutional framework involving the form of government.<sup>18</sup> Armed with both the conceptual arguments and the impressive empirical evidence to back them up, Stepan and Skach confidently asserted that parliamentarism is a more robust and enduring constitutional framework than presidentialism.

### **Assessing the Empirical Evidence**

Indeed, the quantitative evidence marshaled by Stepan and Skach is impressive enough to lend an empirically grounded justification to the Linz argument that parliamentary systems fare better than presidential systems in sustaining democracy. Employed by Abad, and repeated by other Filipino parliamentary advocates, the evidence from Stepan and Skach's article has served as the reference scholarship backing up the Filipino pro-parliamentary position's claim of the superior survival record of parliamentary over presidential democracies.<sup>19</sup>

Compelling as they may seem, the empirical evidence offered by Stepan and Skach has not remained unchallenged in the comparative literature. As mentioned earlier, the challenges raised against the empirical evidence offered by Stepan and Skach, unfortunately, have not figured at all in the Philippine debate on the two forms of government. While the findings of the work of Stepan and Skach on the superior democratic survival record of parliamentary democracies have been picked up by the pro-parliamentary position in the Philippines, the methodological critiques of these findings have been disregarded not only by the parliamentary advocates but also by the latter's critics.

In this light, this section presents the other side of the debate, that is, the criticisms raised against the empirical evidence offered by Stepan and Skach. Key to the task of presenting the other side of the debate is to be able to employ works of the comparative constitutional design literature that are critical of the pro-parliamentary position. This task is crucial in addressing the one-sidedness of the presidential-parliamentary debate in the Philippines.

Critics accused the works of Stepan and Skach as methodologically flawed because the empirical evidence they generated to support the argument about the parliamentary system's superior democratic performance was in fact a product of selection bias and spurious correlation.<sup>20</sup>

Most critics of Stepan and Skach's work center on the most impressive finding of the two scholars on how not even a single presidential regime that became independent from 1945 to 1979 managed to survive as a democracy for ten consecutive years from 1980 to 1989 while 15 of the 41 parliamentary systems did. Critics have identified at least five serious methodological flaws.

First, the selection of successful parliamentary democracies is biased towards microstates.<sup>21</sup> Shugart in his 1995 review of the Stepan and Skach arguments points out that of the 15 continuous parliamentary democracies, 10 are in fact microstates (or island-nations) having a population of less than 1 million, with 4 actually having a population of less than 100,000 (1995, 170). The smallness of the population size of these 4 microstates even prompts two other critics, Power and Gasiorowski, to exclaim that the office of the Brazilian national legislature which employs more than 10,000 employees has more people than the inhabitants of either Nauru or Tuvalu, both of which are included in the success stories of parliamentary democracies in the Stepan and Skach study (1997, 129). Haggard and Kaufman in pointing out that many of Stepan and Skach's survivors are microstates dismiss these states as "of highly dubious comparative significance." (1995, 349)

Choosing from among the microstates to argue for the parliamentary system's more successful democratic survival rate leaves presidential democracies out of the picture since there are no presidential systems among microstates. Many presidential democracies are in large countries such as Argentina and Brazil. If this is the case, then the correlation that Stepan and Skach made for the success of the parliamentary system in ensuring democratic survivability may not lie in parliamentarism per se

but in the countries' population size. Mainwaring and Shugart argue that countries with a very small population have the advantage of enduring democracy since their populations tend to be relatively homogenous in terms of ethnic, linguistic, and religious considerations, thereby helping reduce potential sources of conflict (1997, 21 and 23). On the basis of this, they argue that if population size is conducive to democratic stability, then parliamentary democracies have the built-in advantage of being found in a number of small states.

Power and Gasiorowski similarly argue that "the inclusion of microstates inflates the success rates of parliamentary systems with respect to ensuring democratic survivability." (1997, 130) This methodology is unacceptable to them since they insist

that the problems of governance profoundly differ between the microstates and the far more populous Third World states. They argue that while tiny island republics with small population size can facilitate democratic stability because of its smaller, more homogenous population, it may not be the case for Third World states, which are not only populous but also suffer from "multiple cross-cutting cleavages such as ethnic, linguistic, religious, and urban divisions." (Power and Gasiorowski 1997, 129)

Second, the selection of the successful parliamentary democracies is biased towards the former British colonies. Shugart identifies 14 of the 15 countries (with the exception of Israel) as former colonies of the British empire (1995, 169).<sup>22</sup> Shugart, this time in collaboration with Mainwaring, criticizes Stepan and Skach for underestimating the impact of British colonial rule as an important factor for promoting democracy:

The strong correlation between British colonial heritage and democracy has been widely recognized. Reasons for this association need not concern us here, but possibilities mentioned in the literature include the tendency to

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train civil servants, the governmental practices and institutions (which include but cannot be reduced to parliamentarism) created by the British, and the lack of control of local landed elites over the colonial state. (Mainwaring and Shugart 1997, 23)

Third, the selection of the successful parliamentary democracies is biased towards those that adopted a two-party system. Haggard and Kaufman are relevant in this respect. They observe that an overwhelming majority of these surviving parliamentary democracies approximated a two-party system with only Israel and Papua New Guinea having more than 2.5 effective parties (Haggard and Kaufman 1995, 349-350).<sup>23</sup> This observation leads the two scholars to raise the possibility that it may be the party system rather than the parliamentary form of government that helped ensure democratic stability in these countries.

Fourth, the selection of the successful parliamentary democracies is biased towards a specific time frame. By focusing on the 1980-1989 period, Stepan and Skach were able to highlight the superior performance record of parliamentary systems in enduring democracy. However, serious doubts are cast on this claim if a different set of time frame is employed. For instance, Mainwaring and Shugart argue that a different, contrary picture emerges if the wave of democratic breakdown among the parliamentary systems during the 1920s and 1930s periods was taken into consideration. Among the democracies that broke down during these periods were Germany, Italy, Portugal, Spain, and the three Baltic states. With the exception of Germany,<sup>24</sup> each of these regimes had a parliamentary system.

They also show that if the 1980-1989 period is expanded to the 1977-1995 range, there were in fact more parliamentary democracies replaced by authoritarian regimes than presidential democracies in the Third World (Mainwaring and Shugart 1997, 27-29). They identify eight instances of democratic breakdown in seven countries between 1977 and 1995. Except for Turkey which experienced two instances of democratic breakdown, all these countries suffered at least one instance of democratic breakdown during the said period: Fiji, Grenada, Malaysia, Gambia, Peru, and Sri Lanka. From this sample, parliamentary systems experienced five instances of democratic breakdown (since Turkey had two), while presidential



democracy suffered only one (two countries, Peru and Sri Lanka were classified as hybrid). Table 1 shows this breakdown.

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**Table 1**  
COUNTRIES THAT SUFFERED DEMOCRATIC BREAKDOWN/S BETWEEN 1977-1995

	<b>Parliamentary</b>	<b>Presidential</b>	<b>Others</b>
	Turkey (1980)	Gambia (1994)	Peru (1992)
	Turkey (1994)		Sri Lanka (1989)
	Fiji (1987)		
	Grenada (1979)		
	Malaysia (1984)		
<b>Total No.</b>	<b>5</b>	<b>1</b>	<b>2</b>

*Source:* Based on Mainwaring and Shugart's Table 1.5 "Democracies that broke down between 1977 and 1995." See "Presidentialism and Democracy in Latin America," p. 28.

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Moreover, if the base years used were extended earlier to include the period between the 1960s and 1980s, it could be shown that longstanding parliamentary systems broke down as well. These were Greece in 1967 and Turkey in 1980, both of which broke down after a series of open competitive elections. In addition, democratic breakdowns were also found during the same period in short-lived parliamentary regimes like those in Burma, Kenya, and Somalia (1997, 20).<sup>25</sup>

The same point is raised by Power and Gasiorowski when they expand the time frame from 1930 to 1995. They identify a total of 56 democratic transitions (some countries have two or more transitions) in the Third World from this expanded period.<sup>26</sup> In assessing the democratic survival record of parliamentarism and presidentialism, Power and Gasiorowski arrive at three measures of democratic consolidation, namely, (1) post-founding election; (2) alternation in power; and the (3) twelve year duration.

The post-founding election looks at "whether a new regime survives through the holding of a *second election for the national executive* (subsequent to the 'founding election' that inaugurated polyarchy)." (Power and Gasiorowski 1997, 132, emphasis in the original) The alternation in power looks at whether regimes

that survived democracy are able to effect an alternation in executive power. The twelve year duration looks at democracies that survived after twelve years of democratic experience (1997, 133).

Applying these three measures in their sample consisting of 56 transitions to democracy enable Power and Gasiorowski to test the Linz thesis (and empirically supported by the Stepan and Skach work) that the presidential system of government is more prone to democratic breakdown than a parliamentary system. In all these three measures, they observe that the difference between the survival record of a presidential and a parliamentary form of government is statistically insignificant. They declare that:

On the basis of samples ranging from 48 to 56 countries depending on the test involved, we can find no evidence that constitutional type has had any significant bearing on the success of Third World experiments in democracy between 1930 and 1995. (144)

In terms of the post-election founding measure of democratic consolidation, they find that:

Some 31.3% of the presidential democracies broke down before reaching this milestone, compared with 25% of the parliamentary democracies. Results of a Pearson's chi-square test show no statistically significant relationship between these breakdown rates ( $p=.608$ ). (137)

In terms of the alternation of power measure of democratic consolidation, they show that:

Since 1930 approximately half of all Third World democracies have broken down before effecting one alternation in executive power. Here again, the results do not confirm the Linz thesis. The breakdown rates of presidential and parliamentary democracies are nearly identical, 46.7% and 45.8%, respectively; and again, there is no statistically significant difference between them ( $p=.951$ ). (137)

In terms of the twelve year duration measure of democratic consolidation, they reveal that:

The Twelve Year Duration measure turns up virtually identical breakdown rates for presidential democracies (61.5%) and parliamentary democracies (63.6%), with no statistically significant difference between them ( $p=.881$ ). (137 and 144)

Fifth, the selection of the successful parliamentary democracies is biased against a specific regional grouping. Shugart argues that by focusing on the rise of independent states during the 1945-1975 period while ignoring those that became independent prior to 1945, Stepan and Skach have automatically excluded the Latin American region where many countries won their independence prior to Stepan and Skach's time frame.<sup>27</sup> Since an overwhelming majority of Latin American countries have presidential systems, the exclusion of the Latin American cases left Stepan and Skach with mostly the economically poor and deeply politically divided African states that were then used to illustrate the failure of presidential systems to continue to be democratic. These African states, Shugart argues, would be extremely challenged to evolve into or survive as democracies under any constitution.

Mainwaring and Shugart point out that presidentialism is more likely to be adopted in Latin America and Africa where obstacles to democracy are formidable while parliamentarism is likely to be adopted in Europe and in former British colonies where conditions for democracy are generally more favorable. Thus they warn about the need to be cautious in readily accepting the correlation, no matter how impressive at first glance, between constitutional form and democratic success.<sup>28</sup>

Taken together, the criticisms raised against the Stepan and Skach work put to question the robustness of the claimed superior performance of parliamentary systems in ensuring democratic survival. At the same time, these criticisms warrant the need to exercise caution in making sweeping conclusions that a country's success or failure in ensuring democracy is brought about by the form of government. As shown, the serious problems accompanying the quantitative evidence offered by Stepan and Skach reveal that the claimed success of parliamentarism in enduring

democracy may not be brought about by the parliamentary form per se but by non-institutional (e.g., size of the population and British colonial heritage) and other institutional (e.g., party system) factors.

### **Implications to the Filipino Pro-Parliamentary Position**

Understanding the criticisms raised against the claimed superiority of the parliamentary over the presidential system in ensuring democratic survivability is crucial in the forms-of-government debate in the Philippines. This is so because the same empirical evidence criticized for its methodological problems is the same evidence used by the local parliamentary advocates led by Abad to launch their campaign to change the country's form of government from the current presidential system to a parliamentary one, thus justifying an overhauling of the 1987 Philippine Constitution. For if the methodological critiques of other constitutional design scholars of the empirical evidence that supports the claims of the superior democratic survival record of parliamentary over presidential democracies are considered or accepted, then this would pose some serious implications to the local pro-parliamentary position. These implications can be found at the conceptual and policy levels.

#### **Conceptual implications**

At the conceptual level, the appropriation of these criticisms seriously imperils the argument of the Filipino pro-parliamentary position on the superior democratic survival record of parliamentary democracies. If one of their central arguments for making the country go through a wrenching process of overhauling the constitution is that the new parliamentary form will improve the chances of political stability and democratic consolidation in the country as proven by the comparative record, the exposure of how shaky the methodological bases on which this claim rests cannot but inflict a serious blow to the credibility of this argument. Either the Filipino parliamentary advocates generate new evidence to salvage the democratic survival claim or drop this particular argument in favor of highlighting other arguments for

justifying the drastic shift in the form of government as a solution to the political ills of the country.

However, the more fruitful conceptual direction to take for those who argue the crucial relation between the type of political institutions a country has and its chances of democratic consolidation is to move away from the grand, ideal-typical distinctions that the parliamentary position in the Philippines has taken and move towards tackling the more specific variations in the form of government and in the other political institutions that have impact on the functioning of a particular form of government. This direction must be pursued both on comparative grounds and on the country-specific level of the Philippines.

In arguing for the superior capacity for democratic survival of the parliamentary over the presidential form, parliamentary advocates in the Philippines like Abad have depicted the presidential form as a homogenous type, disregarding the important fact that presidential democracies in the developing world are marked by significant variations in the powers of the president and the legislature. In turn, scholars contend that these significant variations play important roles in the performance, quality, capacity, and, ultimately, in the survival of presidential democracies.

This approach is best exemplified by Mainwaring and Shugart who stress that the effects of the dual democratic legitimacy and fixed terms on executive-legislative coordination and conflict are mediated by the effects of the balance of legislative powers between the executive and legislative branches particular to a country. They argue that where presidential powers are strong, meaning that the presidents have significant powers to influence legislation such as veto powers and legislative decree powers, “the ability of the congress to debate, logroll, and offer compromises on conflictual issues confronting the society is sharply constrained. Instead, the presidency takes on enormous legislative importance and the incumbent has formidable weapons with which to fine tune legislation to fit his or her whims and limit consensus building in the assembly.” (Mainwaring and Shugart 1993, 14) In short, where the president’s legislative power is strong, his or her capacity to encroach upon a larger arena of lawmaking deemed by legislators to be properly belonging to the legislature becomes greater, hence, potentially exacerbating conflicts with the

legislative branch. On the other hand, where the presidential powers are weaker, the opportunity to widen the areas where the president will seek to arrive at compromises with the legislature on policymaking is enhanced.

Mainwaring and Shugart point out that it is “probably no accident” that presidential democracies (which include the Philippines) that score “very high” in their system of scoring presidential powers are those that suffered democratic breakdowns while those with the lowest scores have been the most stable presidential systems:

In this respect it is probably no accident that some of the most obvious failures among presidential democracies have been systems that score very high according to Table 3: Brazil’s 1946 regime, Chile before the 1973 coup, and the Philippines, for example. Colombia’s former regime (1958-1991) also scored quite high; it had a questionable record as a stable democracy and its presidential powers were recently attenuated. At the other end of the scale of presidential powers we find the three oldest presidential democracies, Costa Rica, the United States, and Venezuela, all with scores of 2 or less.<sup>29</sup>

Since there is a near-universal consensus among scholars studying the Philippine executive that the powers of the Philippine president have been dominant over the legislative branch, there is a wealth of starting-point literature that can be used to investigate which among the powers of the Philippine president may have helped produce the inefficient, at times turbulent, and in 1972, fatal executive-legislative relations in the country. For while the local parliamentary position blames the country’s presidential form of government for the problematic executive-legislative relations that are said to threaten the survival of Philippine democracy, it may yet be the case that the problems are not caused by the form of government per se but, if Mainwaring and Shugart are correct, by, among others, the skewed division of powers between the executive and legislative branches, a problem that other presidential democracies may have helped successfully mitigate by granting less powers to their executive.

Inseparable from this conceptual task is the investigation of the roles of other political institutions that may help explain the performance and longevity of a particular presidential form of government a country has. Here, the most important political institution usually identified by scholars is the country's party system. In turn, the characteristics of the party system, against the contention of some parliamentary advocates, are affected not only by the form of government, but equally (if not more so) by the electoral system.

For example, Haggard argues that a country's party system is as important a factor as the form of government to explain executive-legislative relations.<sup>30</sup> He identifies party discipline as one of the most important features of the party system. According to him, "the key variable in party discipline is the relative strength of the party leadership vis-à-vis the individual politician." (Haggard 1997, 139) If there is strong party leadership, the prospect of enforcing the party program becomes greater. Equally important, Haggard argues that party strength affects not only intra-party dynamics but also the design of legislative institutions: "Strong parties are more likely to favor rules and institutions that further buttress party discipline, such as strong oversight or control committees, extensive agenda-setting and committee assignment powers for party leaders, and weak policy committees." (139) Such arrangements have been identified elsewhere in the constitutional design literature as measures that facilitate executive-legislative coordination and minimize gridlock.

This feature of the party system for Haggard is largely determined not by the form of government a country has but by its electoral system. One electoral feature he discusses is whether voters choose parties or candidates. According to him, an electoral system that allows the voters to choose the parties rather than the candidates gives little incentives for the politician to deviate from the party platform. Conversely, an electoral system that allows the voters to elect the candidates rather than the parties makes the cultivation of personal vote more attractive to the politician than following party lines. Thus, between these two options, it is when the voters choose parties that will most likely create the incentives for more party discipline and cohesion (141).

In the case of the Philippine party system, there is the same near-universal consensus among scholars that political parties in the Philippines are grossly

undisciplined and that this lack of discipline has seriously affected the performance, capacity, and quality of Philippine democracy. The bone of contention, however, is to explain what has caused this perversion, with some scholars pointing to pervasive patron-client ties,<sup>31</sup> the class nature of Philippine democracy,<sup>32</sup> the country's personalistic political culture,<sup>33</sup> the nature of Filipino elites (more specifically elite families),<sup>34</sup> and, more recently, the presidential form of government itself.<sup>35</sup> Largely ignored is the crucial role played by the country's single-member district electoral system for electing the legislators to the Lower House.

Local parliamentary advocates might learn from one of their own on this topic. Joel Rocamora, one of the most perceptive local *parliamentaristas*, traces the pathologies of the Philippine party system as partly rooted in the country's electoral system. Although he believes that the presidential form of government plays a role in the current indiscipline of Philippine political parties, he gives equal emphasis to the single-member district electoral system that the Philippines has used from the start of the American period and has adopted under both its 1935 and 1987 Constitutions.<sup>36</sup> He argues that one of the most important constitutional reforms for the development of a far more disciplined, programmatic party system is the significant expansion of the current party list for marginalized sectors under the 1987 Constitution or the shift to a full-blown proportional representation (PR)-based electoral system:

What we need is the revision and expansion of the existing party list system, or an outright shift of the whole system to PR. If voters choose between parties instead of individual candidates, it will lessen the intensity of personal and clan contests which are the main sources of violence and money politics. Parties will then be required to strengthen the organizational and programmatic requirements for electoral victory. Minimally, parties will be forced to distinguish themselves from each other enough for voters to make choices. The shift in the center of gravity of organizational work away from individual candidates will force parties to strengthen themselves organizationally. (Rocamora 2002, 24-25)



## Policy implications

At the policy level, if there is some truth to the criticisms raised against the claimed superior empirical record of the parliamentary system in ensuring democracy, then the justifications for the necessity of a wholesale change of the constitution to accommodate a change in the form of government have been overstated by the Filipino parliamentary advocates. In order to improve the chances of avoiding regime breakdown and of enhancing democratic consolidation and deepening, the needed changes as they relate to the issue of the form of government of Philippine democracy may not be in terms of overhauling the form of government but in terms of more modest institutional tinkering in the existing form of government (e.g., reforms involving the powers of the executive) or in the other political institutions such as the electoral system (e.g., reforms involving the reworking and expansion of the party list) that need not involve a wholesale change of the constitution. In the final analysis, these institutional fine-tunings might even be far more effective and sensible than overhauling the form of government itself.

## Conclusion

The debate to change the 1987 Philippine Constitution has run almost a decade now. Yet, through the years, the debate has largely remained a one-sided affair. Up to now, the claimed superior record of the parliamentary over the presidential system stands unchallenged in the Philippine debate on the forms of government. While Filipino parliamentary advocates are able to appropriate works that lend support to the claimed superiority of the parliamentary over the presidential system in ensuring democratic survivability, they fail to appropriate works that are critical of the pro-parliamentary position. At the same time, defenders of the presidential form of government of the constitution have failed to challenge the central arguments of the pro-parliamentary position in the Philippines.

It is in the light of this one-sided affair of the forms-of-government debate in the Philippines that this paper employed the other side of the comparative constitutional design literature. Filipino parliamentary advocates picked up the work

of Stepan and Skach which offered a number of impressive quantitative results showing that parliamentary democracies are superior over presidential democracies in their democratic survival rate and, hence, in avoiding regime breakdown. However, the findings of Stepan and Skach did not remain unchallenged. As this paper has shown, other constitutional design scholars like Gasiorowski, Haggard, Kaufman, Mainwaring, Power, and Shugart are one in criticizing the work of Stepan and Skach as suffering from serious selection bias and spurious correlation. Critics are also one in arguing that, once a different set of methodological criteria is used from that employed by the two scholars, a different picture emerges which undermines the findings on the superiority of the parliamentary over the presidential form of government especially as these findings relate to the Third World experience.

If their criticisms are considered, then this paper argued that the Filipino pro-parliamentary position is bound to suffer some serious implications at the conceptual and policy levels. Conceptually, these criticisms undermine the soundness of the argument of this position on the superior democratic survival record of parliamentary democracies. They also point to the conceptual direction of studying the more specific variations in the form of government and in the other political institutions that impact on the functioning of a particular form of government in order to better highlight the relation between the type of political institutions a country has and its chances of democratic consolidation. At the policy level, these criticisms undermine the political logic and necessity of a wholesale change in the constitution based on the rationale that the proposed parliamentary form of government would be more able than the existing presidential form to promote the stability of Philippine democracy.

On the whole, the paper sees its significance not only in introducing the other side of the debate in this specific argument but in demonstrating the importance of a more systematic employment of comparative insights that would, among others, give a fuller appreciation of the range of positions available in the constitutional reform debate.<sup>37</sup> While the paper only criticized the democratic survival argument, one of the central arguments of the pro-parliamentary position which in some circles has become the conventional wisdom largely because it has remained unchallenged, it is hoped that the paper has pointed the way to a more full-blown critique of the

overall parliamentary position in the Philippines through the employment of alternative comparative literature on constitutional design that is skeptical of the claims of the superiority of one form of government over another.

### Notes

- 1 This assessment does not only come from pro-parliamentary scholars but from two of the most articulate defenders of the presidential form of government, Matthew Shugart and John M. Carey. They acknowledge that: “The suggestion that presidential democracy is prone to breakdown, leading to authoritarian government, is the most troubling of all the criticisms leveled by adherents of parliamentarism.” (Shugart and Carey 1992, 36)
- 2 This democratic regime survival is also understood in the democratization literature—but not always consistently—as democratic consolidation or democratic stability. Although this factor is the most salient, it is but one of the vectors of the claimed superiority of parliamentary over presidential democracies. Among the other vectors of the claimed superiority of the parliamentary over the presidential form of government are: superior efficiency in enacting legislation (i.e., better executive-legislative coordination); superior accountability in governance (i.e., more flexibility in recalling leaders who have lost their mandate to govern); better representation of non-majoritarian interests (i.e., more conducive to multiparty systems, power-sharing, and coalition-forming); stronger inducement for more disciplined political parties (i.e., more programmatic parties); better economic performance (i.e., more effective functioning of political institutions related to economic policymaking); superior incentives for a better functioning bureaucracy (i.e., less patronage involving civil service posts and better bureaucratic oversight functions); and superior set-up in promoting cheaper elections (i.e., election of prime minister by parliament is less costly than direct national elections of the president).
- 3 According to Arend Lijphart, the debate between presidential and parliamentary government is in fact much older than modern democracy itself: “The relative merits of these two forms of democracy have been debated for a long time—considerably longer than the existence of modern democracy, which was not fully established anywhere (if we take the requirement of universal suffrage seriously) until the beginning of the twentieth century.” (Lijphart 1992, 1)
- 4 This, of course, is the famous “third wave” of democratization. From only 39 democracies in the world in mid-1974, constituting only 27 percent of all the independent states, the number peaked at 120 at the end of 2001, representing more than 63 percent of all the independent states (Freedom House 2001).
- 5 See these three quotes below which are representative of the strong consensus in the constitutional design literature that the renewed concern with the superiority of one form of government over another has been spurred by this democratic wave and the question of what form of government would help consolidate these new democracies:  
*“The struggle to consolidate the new democracies—especially those in Eastern Europe, Latin America, and Asia—has given rise to a wide-ranging debate about the hard choices concerning*

*economic restructuring, economic institutions, and economic markets. A similar debate has focused on democratic political institutions and political markets. This literature has produced provocative hypotheses about the effects of institutions on democracy. It forms part of the 'new institutionalism' literature in comparative politics that holds as a premise that 'political democracy depends not only on economic and social conditions but also on the design of political institutions.'*" (Stepan and Skach 1993, 1) (emphasis in the original).

*"Over the past decade, comparativists devoted renewed attention to the formal aspects of politics: rules, organizations, procedures, and constitutions. Simultaneously, the worldwide movement toward democratization inspired a large and creative literature on regime transition and consolidation. By the early years of this decade these two trends had cross-fertilized, producing an emerging research program on the institutional design of new democracies. The synthesis of two literatures produced a question whose real-world relevance can hardly be understated: Which institutional arrangements are best suited to promote the consolidation of the unprecedented number of young democratic regimes?"* (Power and Gasiorowski 1997, 123-124).

*"The 1980s were a time of growth in a subfield of political science that has come to be known as the 'new institutionalism'.... There is a renewed focus on the importance of political institutions in accounting for the success or failure of democracy. Recent advances of democracy in Central and Eastern Europe and other parts of the globe have given impetus to the study of designing constitutions and the consequences of institutional choice. Old, long unchallenged assumptions about the efficacy of presidentialism in Latin America have been seriously challenged in recent years."* (Shugart and Carey 1992, 1)

- 6 As Abad states in his paper: "The principal question that will be addressed is this: 'Why is a parliamentary system a more appropriate framework of government, compared to a presidential system, in improving the capacity of government to function more effectively and in facilitating the consolidation of democracy in the Philippines?'" (1997, 50)
- 7 In his work, Abad draws heavily from the 1994 work of Juan Linz (3-87) and from the 1993 collaborative work of Stepan and Skach (1-22) cited above in making the case that the parliamentary form of government would be more conducive to the goal of democratic consolidation in the Philippines.
- 8 Tangco also uses the Stepan and Skach article to argue for the superior democratic performance of the parliamentary form of government. But his discussion on the Stepan and Skach work is limited to a one-paragraph quotation. Abueva, on the other hand, merely replicates Abad's argument on democratic survivability.
- 9 Abad quotes Linz this way: "Linz attributes this problem to an inherent structural weakness in a presidential system: the tenure of the president is fixed independent of the legislature and the legislature can survive without fear of dissolution by the executive. This feature derives from the separate but coexisting democratic legitimacy enjoyed by the executive and legislative branches, being both directly and popularly elected." (1997, 60)
- 10 This time, the equally distinguished pro-parliamentary scholar, Arend Lijphart, is used by Abad to buttress his argument: "Lijphart goes along with this view, but at the same time holds that this is only part of the explanation. For him, 'the real problem is... that everyone—including the

president, the public at large, and even political scientists—feels that the president’s claim (to legitimacy) is much stronger than the legislature’s. Consequently...the feeling of superior democratic legitimacy may make the president righteously unwilling and psychologically unable to compromise.” (1997, 60)

- 11 Abad notes that: “In a number of developing countries, when the legislature is intransigent and refuses to compromise or bow down to political pressure and a serious crisis threatens to embroil the country, the administration—stalemated, powerless and deeply frustrated—is often left with no other choice but to resort to extra-constitutional measures. Martial law, or rule by decree, becomes an option. The case of Alberto Fujimori in Peru comes to mind. Fujimori, to justify martial rule and ruling by decree on April 1992, blamed the lack of progress in Peru squarely on an uncooperative congress.” (1997, 62)
- 12 Abad uses the 1992 Philippine Congress as a case in point. As he argues: “At the time of the proclamation of congressional winners in 1992, the party of the administration, Lakas-NUCD, was a minority in the House of Representatives with only 39 out of 200 seats, or around 20%. The rest of the seats were spread out to seven other parties, with the Lakas ng Demokratikong Pilipino (LDP), the National People’s Coalition (NPC) and the Liberal Party controlling majority of the seats with 87, 39 and 13 members respectively...After a year of intensive recruitment by the administration, Lakas-NUCD gained 69 more seats to control the lower house with 108 seats, while the LDP was reduced to less than a third with only 25 seats. The ordinary voter has come to accept the proliferation of ‘political butterflies’ as a justifiable act of political survival in a system that rewards, not party loyalty, but a politician’s ability to ingratiate himself to an all-powerful, spoils-dispensing president.” (1997, 62)
- 13 As Abad himself notes: “In 1972, Marcos used the same excuse for closing down Congress and imposing ‘constitutional authoritarianism’ in the Philippines.” (1997, 62)
- 14 See this quote from Abad: “Thus, unexpected events may intervene, like fundamental flaws in judgment or serious presidential scandal or indiscretion for which the president is called upon, by popular clamor, to resign from office. Will a presidential government, with its rigid political process, adjust better to crisis? Most likely not, especially when the president is unyielding...There is the option of voluntary resignation through pressure from party leaders, the media and public opinion. But given the psychology of politicians, resignation is highly unlikely to happen. Moreover, the move will encounter opposition from the constituency that brought the discredited president to power... Then there is the extreme measure of impeachment, which is difficult and complicated to execute successfully. Apart from the heavy burden of establishing sufficient evidence of misconduct, it also seems implausible that a legislative majority will support these proceedings, since members of the president’s party would have to go along with the impeachment process. Thus, it is almost impracticable to remove even the most corrupt and inefficient president from office.” (1997, 64)
- 15 As Abad argues: “Thus, the problem that arises as a result of the so-called instability of parliamentary democracies are (sic) simply ‘crises of government, not regime.’ The availability of deadlock-breaking devices and decision mechanisms in a parliamentary regime help (sic) ensure that issues of government do not deteriorate into crises of the regime.” (1997, 65)

- 16 Raymond Gastils's Democracy Scale rates countries according to their "political rights" and "civil liberties." See Stepan and Skach, "Constitutional Frameworks and Democratic Consolidation," footnote 5, p. 3.
- 17 Stepan and Skach do not rule out three facts: (1) that "the more democratic" countries chose parliamentary regimes at independence; (2) that many of the democratic survivors are island states; and (3) that all but two (Papua New Guinea and Nauru) are former British colonies. Of these three, Stepan and Skach are able to respond only to the British colonial heritage. They argue that "factors other than British colonial heritage are related to the democratic evolution and durability." This is because when Stepan and Skach isolated the 50 former British colonies from the original set of 93 countries, they found out that 13 of the 34 British colonies that began as parliamentary systems during their independence evolved into continuous democracies for the 1980-1989 period while none of the 5 former British colonies that began as presidential systems evolved into a democracy for the 1980-1989 period, and also none of the 11 that began as ruling monarchies evolved into a democracy for the same period. For Stepan and Skach's discussion, see "Constitutional Frameworks and Democratic Consolidation," pp. 11-13. (Note, however, that in contrast, Stepan and Skach's critics like Mainwaring and Shugart consider Papua New Guinea and Nauru as having British colonial heritage.)
- 18 For example, they insist that if the results of the data on the 93 countries "were strictly numerical observations, the chances of this distribution occurring randomly would be less than one in one thousand." (Stepan and Skach 1993, 11)
- 19 In the most recent local pro-parliamentary (as well as pro-federalism) book, a highly abridged version of the article of Skach and Stepan that appeared in *World Politics* is reproduced. See Stepan and Skach, "Parliamentarism vs. Presidentialism," in Jose Abueva et al, eds., *Towards a Federal Republic of the Philippines with a Parliamentary Government: A Reader* (Quezon City: Center for Social Policy and Governance Kalayaan College, Local Government Development Foundation, Lihok Pideral-Kusog Mindanaw, and Konrad-Adenauer-Stiftung, 2002), pp. 183-185.
- 20 Spurious correlation in this context is defined by two of Stepan and Skach's critics this way: "If a background condition that is conducive to democracy is correlated with parliamentarism, then any attempt to correlate parliamentarism and democracy may be spurious unless some effort is made to control for background conditions." (Mainwaring and Shugart 1997, 24)
- 21 Although as earlier mentioned, Stepan and Skach did not rule out the fact that the successful democratic survivor states in the sample included many microstates, they did not explain the impact that being a small island state has on the odds to survive as a democracy.
- 22 However in Shugart's article with Mainwaring, he considers Israel as having a British colonial heritage. See Table 1.2, Mainwaring and Shugart, "Presidentialism and Democracy in Latin America," pp. 22-23.
- 23 Effective number of parties as defined by Markku Laakso and Rein Taagepera is "the number of hypothetical equal-size parties that would have the same total effect on fractionalization of the system as have the actual parties of unequal size," Laakso and Taagepera, "Effective Number of Parties: A Measure with Application to West Europe," *Comparative Political Studies* 12

- (April 1979) as cited by Stepan and Skach, "Constitutional Frameworks and Democratic Consolidation," footnote 14, pp. 5-6.
- 24 Although Germany was not a parliamentary system per se, Mainwaring and Shugart argue that its constitution contains parliamentary features that to some extent were responsible for its failure. Among the parliamentary features of its constitution are "the need to construct cabinet coalitions that could maintain majority support and a provision for dissolution." (1997, 20)
  - 25 In addition to this list of unsuccessful parliamentary systems, Shugart also notes Bangladesh, Pakistan, Sudan, Thailand, and Turkey as among the parliamentary systems that have records of military intervention. See "Parliaments Over Presidents?," p. 169.
  - 26 The two scholars lift the democratic transition data from the Political Regime Change Dataset developed by Mark Gasiorowski in an earlier work. The countries in this dataset have a population of at least 1 million in 1980 in order to exclude microstates. For a further explanation of how they winnowed their data, see footnote no. 11 in Power and Gasiorowski, "Institutional Design and Democratic Consolidation," p. 130.
  - 27 As Shugart notes, "this is the only part of the less developed world that has significant experience—however—discontinuous with presidential democracy." (1995, 170) The same argument is raised by Power and Gasiorowski: "The exclusion of Latin America from examination of the prospects for presidential democracy in the Third World is a serious shortcoming because Latin America is the only part of the Third World with any significant experience with presidential democracy." (1997, 129)
  - 28 The two scholars sum up best their argument and their note of caution: "In summary, presidentialism is more likely to be adopted in Latin America and Africa than in other parts of the world, and these parts of the world may have more formidable obstacles to democracy regardless of the form of government. On the other hand, parliamentarism has been the regime form of choice in most of Europe and in former British colonies (a large percentage of which are microstates), where conditions for democracy may be generally more favorable. Thus, there are reasons to be cautious about the observed correlation between constitutional form and democratic success, impressive though this correlation may at first appear." (Mainwaring and Shugart 1997, 29)
  - 29 Mainwaring and Shugart offer this qualifier to their argument: "Obviously there is no perfect correlation between presidential powers and stable democracy; two countries that have low scores (Argentina and Bolivia) have broken down frequently, and two with high scores (Chile 1932-73 and Colombia 1958-91) survived for a long time. Nevertheless, the fact that the most stable presidential democracies have had weak presidential powers is suggestive." (1993, 14) They can add to the anomalies in their list Venezuela where Hugo Chavez as president was able to abolish the legislature and maneuver a new constitution in 1999 which, among others, dramatically increased executive powers over the legislature.
  - 30 "This review does not imply complete agnosticism on the question of the effects of parliamentary versus presidential rule. However, it suggests that the effects of this fundamental constitutional choice are contingent on other components of institutional design, particularly the party system." (Haggard 1997, 133)

- 31 See Carl Lande, "Leaders, Factions, and Parties: The Structure of Philippine Politics." Yale University Southeast Asian Studies Program Monograph Series No. 6. (1965).
- 32 See Amado Guerrero, *Philippine Society and Revolution* (Manila: Pulang Tala Publications, 1971).
- 33 For a discussion, see David Timberman, *A Changeless Land: Continuity and Change in Philippine Politics* (Manila and Singapore: Bookmark and Institute of Southeast Asian Studies, 1991).
- 34 See Alfred McCoy, "An Anarchy of Families': The Historiography of State and Family in the Philippines," in Alfred McCoy, ed., *An Anarchy of Families: State and Family in the Philippines* (Quezon City: Ateneo de Manila University Press, 1994), pp. 1-32.
- 35 In addition to Abad's work, see the articles in the book Abueva et al. edited, *Towards a Federal Republic of the Philippines with a Parliamentary Government*.
- 36 See Joel Rocamora, "Political Parties in Constitutional Reform," in Abueva et al. eds., *Towards a Federal Republic of the Philippines with a Parliamentary Government*. According to Rocamora: "Our electoral system, and the actual practice of elections have been one of the most important factors shaping political parties. The intensely personalized character of parties derive partly from the fact that individual candidates are elected in a 'first past the post' system." (2002, 23)
- 37 As I have argued in a separate paper: "while a comparative perspective is no guarantee that we would get it right, a comparative perspective tends to be more hard-edged than a parochial one. We can put to our advantage the arguments of this literature by appraising its analyses in the light of our own local research questions and concerns. Tapping the works of first-rate scholars who have worked on these similar questions in their entire careers may easily shorten the time we need to reach the answers to our own constitutional questions. Perhaps as important, by surveying the literature we also become more aware of the vast array of positions and the extent of the debate on specific proposals which would in turn guarantee that we would not only be familiar with one side of the argument." (Torres 2001, 19-20)



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