

ONLINE PAPERS

First Time Voters: A Case of Continuing Political Disenfranchisement

By Jonas Bagas, Akbayan! Citizens Action Party

A few months before the scheduled termination of voter's registration in December 2000, several youth activist organizations denounced the Commission on Elections (COMELEC) for its seeming lack of effort to mount an intensive information campaign on the process. At the time, the registration period coincided with the impeachment trial of then-President Joseph Estrada. Considering how the trial overshadowed other issues, the youth activists were concerned that lack of public awareness of the registration process could lead to the disenfranchisement of approximately 4.5 million first-time voters [1]. The youth organizations launched various campaigns to have the registration process extended, but the COMELEC refused. The effort regained momentum after the fall of the Estrada administration in January 2001. Heady from the success of "people power" and cognizant of the youth's active participation in the movement to oust a corrupt regime, newly installed President Gloria Macapagal-Arroyo, other politicians, sociopolitical institutions and civil society organizations joined in the call for the holding of a special registration for first-time voters.

However, despite various protests, the filing of a case against COMELEC before the Supreme Court, and a rare presidential intervention to enjoin the Congress and the Senate to legislate a two-day special registration, the efforts to enlist the disenfranchised voters failed. The highly disorganized and divided electoral commissioners disagreed over their capability to hold another voter's registration. In an effort to save an embattled institution from further shame, the commissioners ultimately maintained that the first-time voters did not want to enlist in the first place, and thus not be considered "disenfranchised."

Barely two years later, and with a new Chairperson at the helm, the COMELEC seems bent on committing the same mistake. On January 15, 2003, it unanimously suspended the registration of voters. The decision treaded on a very weak legal basis, since the COMELEC possessed no explicit power to change the nationally mandated schedule of registration. Republic Act 8189, or the Voters Registration Act of 1997, unequivocally sets the schedule of the registration process. First, the registration shall be continuing and conducted every working day during regular working hours and, second, that no registration of voters shall be conducted 120 days before regular elections and 90 days in cases of special elections. Several months later, the COMELEC announced the resumption of registration until October 31, 2003.

From the Margins to the Mainstream: Institutionalizing Youth Participation

What characterizes youth political participation in the Philippines? At the height of the campaign for special registration in 2001, opponents argued that the youth's growing apathy was to blame for their failure to register. Indeed, if one were to look at the formal and informal venues for youth participation, one would easily conclude that Philippine politics is receptive toward youth participation, unlike many countries in Southeast Asia.

As a sector, the youth have consistently taken up a variety of issues such as students' rights and welfare, human rights violations, corruption, and the like. The mode of

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political action covers a broad spectrum as well. This ranged from electoral participation to militant, extra-parliamentary action; from reforming the system as young politicians and civil servants, to seeking its overthrow through participation in revolutionary movements like the Communist Party of the Philippines (itself organized by student leaders in the 1960s).

That youth politics in the Philippines takes contrasting directions is evident in recent history. On the one hand, there are youth groups advocating various anti-Establishment ideologies, from the national democratic Kabataang Makabayan (Nationalist Youth) of the 1960's to the socialist Movement for the Advancement of Student Power of the 1980's. On the other hand, numerous youth groups have also mobilized in support of conservative politicians, although few attempts have been made at systematically enlisting youth support for a particular regime. A notorious example in this regard is the Kabataang Barangay (KB, roughly translated as Village Youth). In 1975, two years after the declaration of Martial Law, then-President Marcos created the KB as his administration's youth wing. Headed by Marcos' eldest daughter, the KB was principally aimed at creating an institutionalized vehicle for co-opting youth politicians, dispensing patronage and organizing a counter-movement to student radicalism. Needless to say, the more politicized youth groups rejected the KB.

The ouster of the Marcos dictatorship in 1986 paved the way for the abolition of KB. The various youth organizations that participated in the anti-dictatorship movement proposed the establishment of a national youth assembly that would comprise different groups, and a national youth commission that would serve as the main policy-making body for the sector. The response of the then-President Corazon Aquino, however, was to create the Presidential Council for Youth Affairs, which had limited powers and functions.

Despite this setback, the strength of youth organizations could not be denied. They succeeded in having the 1987 constitution mandate the appointment of a youth representative in Congress, thereby giving the sector a valuable opportunity for asserting its role in post-Marcos politics. Seeking to expand the space for participation, various youth groups subsequently lobbied for the passage of the 1991 Local Government Code, which called for creation of an elected Sangguniang Kabataan (SK, literally 'youth council'). The SK, in effect, replaced the Marcos-era Kabataang Barangay, albeit with more fiscal capability and greater representation in other local political units. The law provided that the SK would receive 10% of the barangay's (village) budget, and that the SK chairperson would be an ex officio member of the municipal or city council.

In 1995, the passage of the Youth in Nation-Building Act created the institutional framework by which government could systematically address the needs of the sector. Yet, while the law claims to promote the welfare of the Filipino youth, it also presents an explicitly conservative agenda. It emphasizes the "inculcation of patriotism, nationalism, and other basic desirable values to infuse in them faith in the Creator, conviction for the strength and unity of the family," and the encouragement of youth understanding of "world economic commitments on tariffs and trade." The framework obviously seeks to instill civic-mindedness, volunteerism and a limited concept of youth participation with the state acting as an institution that "polices" or "guards" youth involvement. Not surprisingly, the Youth in Nation-Building Act is silent on youth empowerment and does not acknowledge youth participation's positive contributions to the country.

On the other hand, the law established the National Youth Commission (NYC), a policy-making and implementing institution under the Office of the President, and the National Youth Parliament, which was supposed to aid the government, particularly the NYC, in defining its youth agenda. As an autonomous body, the National Youth Commission's principal mandate is to develop the national policy for the youth, although it is expected to consult with youth organizations, raise resources to

supplement the government's budget for the youth, conduct training for SK officials, and liaise between international and local organizations. Another task of the NYC is to convene the National Youth Parliament every two years. Compared to the NYC, however, the functions of the parliament were vague and did not seem to play any significant role in advancing youth participation.

On the level of macro-social intervention, the passage of Republic Act 8425 creating the National Anti-Poverty Commission gave the sector an opportunity, albeit limited, to engage and influence the government's anti-poverty agenda. Perhaps a more significant law is the Party-List Act of 1998, which granted youth groups the chance to compete for sectoral representation in Congress.

The post-Marcos era was thus marked by the creation of an ever widening space for youth participation in the country's formal political institutions. Why, then, the declining interest in sociopolitical affairs?

Form and Substance: Constraints on Institutionalization

Last year's SK elections were marred by such low rates of participation in terms of voters' enlistment and candidacy for positions in the youth council, that the critics of SK felt justified to advocate its abolition. Certainly, it did not help the SK's cause that majority of the youth councils elected in previous years created the impression that they were but a younger replica of traditional politicians, i.e. corrupt, wasteful, concerned with nurturing political careers rather than serving constituents. That many SK's are infamous for limiting their activities to cleanliness projects, beauty contests and basketball competitions, significantly contributed to the perception that the SK is a trivial and useless institution.

The 2002 SK Elections at a Glance*

Expected Number of Registrants: 5,026,685

Actual Number of Registrants: 2,374,566

Number of Disenfranchised Voters: 2,652,119

*Data from the 2000 Census and the Commission on Elections

Generally speaking, the design of particular institutions contributes to their failure to attract youth participation. For instance, the electoral system is not designed to encourage participation: enlistment of voters, unlike in other countries, is not a requirement and there is very limited effort to educate voters on the necessity of registering as well as the processes that registration entailed. The situation is worsened by the politicization of the Commission on Elections, what with the appointment of partisan Commissioners whose political preferences often hamper the commission's performance.

Besides these defective structures, patronage and clan-based politics have reared their ugly heads in SK elections, National Youth Parliament assemblies, and even in appointments to the National Youth Commission. During the 2001 elections, for example, the youth groups that opposed the enlistment of first-time voters were often led by SK officials; the latter were mobilized, in turn, by traditional politicians who felt threatened by any significant expansion of the voting population.

More troubling is the insufficient effort to reform these institutions. Both government and civil society have focused on simple (and ineffective) remedies even as proposed legislation that can contribute to significant political reforms—such as the prohibition of political dynasties—languish in Congressional archives. Such indifference may be attributed to short-sightedness on government's part (not to mention that most

elected legislators come from established political families) while, for the civil society, limited resources compel it to focus on central institutions of government, which are perceived to be a more accessible target.

Political education for the youth has also been inadequate and neglected. In the months preceding the May 2001 elections, for instance, several voters' education sessions were held. Yet these education programs, mostly organized by civil society groups, were focused on the tactical goal of preventing supporters of deposed President Estrada from winning. These education sessions provided technical knowledge on voting and some reminders about the characteristics of a "good" politician, but failed to deepen the youth's appreciation and understanding of their political entitlements and how they can mobilize to push for reforms. For instance, in a voters' education program organized by the La Salle Institute of Governance, most participants attributed their lack of interest to vote in the 2001 elections to the perception that their votes were of no use: "The trapos (traditional politicians) will win anyway."

Muted Voices in the Ballots

The cynicism of many young people over the state of electoral politics in the Philippines is a cause for alarm. Such cynicism is bound to deepen if the institutions for democratic participation make it even more difficult for those who wish to exercise their right to participate, to do so. This appears to be the case for first-time voters.

While it is impossible to get the absolute number of youth voters in the country, figures from the national census and COMELEC suggest that millions of youth voters have been disenfranchised since the 1998 elections.

Under the Voter's Registration Act of 1997, a new registration system was introduced in time for the 1998 presidential elections. All citizens aged 18 years and above were allowed to register in a series of voters' registration in 1997, on the basis of which a permanent list of voters was established. The law also stipulated that the permanent voters' list undergo regular review in order to remove those who have died or have ceased to be eligible voters for various reasons.

For succeeding elections, the COMELEC was to enlist only those who failed to register in 1997; youth voters, particularly those between the age of 15 and 18 before an election year, must register to be able to vote in the next elections. (One can therefore assume that first-time voters are predominantly youth voters.)

As mentioned early on in the paper, the Voter's Registration Act of 1997 provided for "continuing" registration, which shall be terminated 120 days before a regular election and 90 days before special elections. Application for registration is to be filed before the office of COMELEC in the applicant's area of residence. The Voter's Registration Act of 1997 also decreed the permanence of the timetable of registration and no provision was made for "special" registration. Any revision in the schedule of registration required new legislation.

How did the new legislation fare? In 1997, only 34,117,056 persons managed to register compared to the expected number of 38,500,141 registrants^[ii]. Note that the 1997 general registration was a special enlistment provided by the law. All citizens who were eligible to vote were asked to register anew for the permanent list of voters. In the 2001 elections, the number of registered voters increased by 2,192,656 but fell short of more than two million to reach the total number of expected registrants. The cumulative number of disenfranchised voters from 1998 to 2001 is 6.9 million.

In response, a campaign was launched in 2000 by the Akbayan! Youth, the Movement for the Advancement of Student Power, the Student Council Alliance of the

Philippines, and the Alyansa ng mga Nagkakaisang Kabataan (Alliance of the United Youth) to push for the extension of registration. Using the 1995 census, the groups alleged that a total of 4.5 million youth voters would not be able to vote if COMELEC terminated the registration in December 2000 [iii].

The disenfranchisement of youth voters was an accidental discovery. The groups, which had been active in the anti-Estrada campaign, wanted to introduce a new approach to voters' education by focusing on first-time voters. The assumption was that this fresh batch of voters, having no experience with the "guns, goons, and gold" characteristic of Philippine elections, would bring in the progressive vote in the ballots. In the course of researching for the First-Time Voters project, the groups came across figures from COMELEC and the National Statistics Office (NSO) that revealed a massive disenfranchisement of youth voters taking place.

Number of Registered Voters, Expected, Actual and Disenfranchised Per Election Year				
Year	Expected Number of Registrants	Actual Number of Registrants	Number of Disenfranchised Voters	Total Number of Disenfranchised Voters (Cumulative)
1998	38, 500, 141	34, 117, 056	4, 383, 085	4, 383, 085
2001	4, 754, 748	2, 192, 656	2, 562, 092	6, 945, 117
2004	4, 914, 896	<i>No available data</i>	<i>No available data</i>	

Note:

1. *Expected Number of Registrants refers to the total of those who are eligible to vote and register for a particular period. This figure is based on the figures from NSO.*
2. *Actual Number of Registrants refers to those whose registration were approved by the Commission on Elections*
3. *Number of Disenfranchised Voters refers to the difference between the Expected and Actual Numbers of Registrants*

The First-Time Voters project therefore focused on getting the youth voters registered. Formal requests and petitions were filed before the COMELEC. The campaign was also launched in several schools and became the focus of the organizations that were active in the various movements for Estrada's ouster. The last day of registration lapsed in December of 2000 and by January the clamor for an extension started to grow. The call for an extension was still a viable and legal option, since the 120-day prohibition was to begin in February.

The campaign attracted the support of the youth sector, as it was the first campaign to highlight discrimination against and disenfranchisement of the youth. The sense of marginality was heightened by the dismissive attitude of the COMELEC, and the fact that legislators who supported Estrada also opposed special registration helped to popularize the campaign. By January, Akbayan! Youth conducted a mock registration, which obtained the support of youth groups from various parts of the country.

The campaign presented errors in the country's registration process and electoral system. It was made clear for the first time that the continuing registration scheme is not working, either because people were not aware of it or because the scheme—especially its provision that registration take place during regular working hours—actually discouraged enlistment. Voter's registration used to be declared as a non-working holiday, thus giving students the chance to go home to their provinces and register. The new process was also unknown to many voters, since the Commission on Election, failed to inform the public about it. COMELEC's ineptitude was likewise aggravated, if not directly influenced, by politicking and the bickering between the

newly appointed commissioners and former President Estrada's appointees.

A camp-out was held in front of the COMELEC's central office and when President Macapagal Arroyo paid a surprise visit, the campaign reached the peak of its popularity. She committed to convene an emergency session by Congress to amend the Voter's Registration Act to allow for the holding of a special registration. The groups also filed a case before the Supreme Court. The pressure brought about by the campaign forced the COMELEC to admit in several public hearings conducted by the Senate and Congress that it was still possible to extend the registration of voters. For unknown reasons, however, the COMELEC changed its position, thereby causing the Senate and Congress to decide against the proposal. The Supreme Court made a similar ruling, citing the need to amend the law before any special registration could materialize.

Despite their frustrations, the youth groups continued with their First-Time Voters project and launched a Youth Vote Movement.

History repeats itself?

As stated in the first part of the paper, the COMELEC's suspension of continuing registration in January 2003 presents the likelihood of disenfranchising more voters before the 2004 presidential elections. The COMELEC justified its move by citing the need to "purge" the voters' list first before it could proceed with the registration. But the suspension was illegal, considering the explicit prohibition made by the Voter Registration Act on the alteration of the schedule of the registration. Furthermore, with the growing number of voters that need to register, the COMELEC's decision to suspend the registration would only lead to greater time constraint in accommodating all those who wish to register.

The COMELEC did not lift the suspension until August 4, and registration would go on until October 31. While the COMELEC approved the conduct of registration of voters in malls and big companies through mobile registration machines, registration remains inaccessible in schools and other educational institutions. In an interview with the Philippine Daily Inquirer, COMELEC Chairperson Benjamin Abalos, Jr. announced that they expected to enlist two million first-time voters, a target that is way below current population projections. The Chief of the Records and Statistics Division of COMELEC did not verify the data provided by Chairperson Abalos. She admitted that the data could have been culled from the number of voters that registered for the 2001 elections.

The expected number of registrants for the 2004 elections alone is 4,914,896. Assuming that there are 65 working days from August 4 to October 31, 2003, the COMELEC has to register 75,600 new voters a day to accommodate these numbers. If we are to include those who failed to register during the 2001 elections (see preceding table), around 115,000 voters will have to be registered daily. Is the Commission on Elections, then, ready to register 7.4 million voters in such a short period?

If it fails to do so, then the mistakes it committed in 2001 will most likely be repeated.

Youth in Action

With the recent developments in the registration process, intensified efforts must be renewed to avert the possible disenfranchisement of the youth. The First-Time Voters Movement, which has now grown into a bigger coalition that includes SK officials as well as more student councils and other school-based organizations, should consider this as a strategic issue. Campaigns to register these voters must intensify from now until the end of October. Whether carried out independently or in collaboration with

the COMELEC, the campaign should compensate for the inadequacy of the government in enticing and informing youth voters to register.

However, the First-Time Voters Movement should not miss out on the opportunity to make the necessary critique of the registration system as it would provide the starting point for systematically pushing for electoral reforms. The fact that the current system is biased against youth participation should be stressed: this is no longer an issue of the COMELEC's ineptitude, but a case of discrimination, for it inhibits the exercise of the fundamental right to vote.

Strategies to arrest this trend must be two-tiered. On the one hand, reforming the COMELEC itself must be made a strategic goal. The institution must be de-politicized, its official documents made public, and its employees and Commissioners made to understand the primacy of the right to vote. It is necessary to make COMELEC an activist institution, a tool for democracy rather than being just another ineffectual bureaucratic entity.

On the other hand, efforts should also be invested in educating the youth on their political entitlements. Ensuring their enlistment should be accompanied by a deepening of political values. It must be stressed that this is not the sole responsibility of the government; an equally energetic campaign by the youth—such as the First-Time Voters Movement—must also take place.

Current programs on voters' education, which privilege the technical details of voting rather than the empowerment and reforms that the exercise should bring about, need to be re-designed to include a critique of the lack of representation in the country's "democratic" institutions. Without this component, youth voters will tend to waste their votes on movie personalities or traditional politicians who rely on popularity and money, and who do not to advocate substantive changes in our political structures and culture. By deepening the youth's understanding of their political entitlements and giving them the necessary framework (or critique) for channeling their activism and youthful exuberance, we enable them to become not only discerning and progressive citizens but also potent agents of change.

[\[i\]](#) The figure was based on the single-year population projections of the 1995 Census of the Philippine National Statistics Office. By law, the franchise is extended to Filipino citizens aged 18 years and above.

[\[ii\]](#) Data source: Commission on Elections and National Statistics Office

[\[iii\]](#) The figure that was used in the 2000 campaign was smaller due to the difference in the single-year population projections of the 1995 census from that of the 2000 census. This paper is using the 2000 census, which was only released a year ago, as its main reference.

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