

ELECTORAL VIOLENCE IN THE PHILIPPINES: THE RESULT OF A WEAK PATRIMONIAL OLIGARCHIC STATE

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This paper explores the Filipino state's failure to achieve a monopoly on violence and the impact on the political sphere today. The paper argues that the highly decentralized democracy established under US colonial rule led to the Filipino state's inability to enforce the rule of law in the 21st century. The lack of state authority and control opened the state up to plunder and manipulation by an elite class with increasingly oligarchic and patrimonial behaviors.

INTRODUCTION AND THEORY REVIEW

In 2009, 58 relatives and supporters of a local politician were killed en route to file the politician's candidacy. Those who were brutally murdered included the candidate's wife, sisters, and more than 30 journalists; the victims were buried in a mass grave while some were still alive.¹ This atrocity, the Maguindanao Massacre, is just one example of a slew of incidents of electoral violence in the Philippines.

The Philippines is home to one of the oldest and most violent democracies in Asia. At first glance, the Philippines seems conducive to a successful democracy. The Filipino constitution is based on the American constitution. There are dynamic civil society organizations, the electorate is engaged with two-thirds participation in elections and mass mobilization movements have occurred in the past. However, rampant corruption and violence lie below the surface.

American colonization left a legacy of both a weak bureaucratic state and extensive decentralization of democratic institutions. The consequence of this was the failure of the Filipino government in enforcing the rule of law and establishing a monopoly on violence. This resulted in the exposure of a weak state to plunder by the elite and a political system that has come to be defined by institutionalized patterns of violent, oligarchic and patrimonial tendencies.

The Philippines is an interesting case to examine using the Leviathan and state-formation theories advanced by Thomas Hobbes, Francis Fukuyama and Steven Pinker. Hobbes' preeminent Leviathan theory contends that the state, an unbiased third party, can enforce a social contract between people and state by establishing a monopoly on violence.² Citizens must sacrifice certain freedoms like the ability to murder with impunity, in return for other rights such as security and protection of property.³ Fukuyama describes a few key distinctions between a state and a tribal society. State-level societies possess a sovereign, centralized source of authority that

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is legitimized by the state's monopoly on coercion and violence. In addition, membership in the state is determined by territory instead of kinship. In the transition to a state, citizens tend to lose a degree of freedom and equality as a political-elite class emerges. Hobbes argues that a Leviathan must exist as a solution to anarchy, which clearly is not the state of affairs in the Philippines. This paper will argue that the Filipino state does not effectively fulfill the role of an unbiased third party. The state is too weak to monopolize violence and to enforce the rule of law on its citizenry.

James Payne's work on political murder establishes a framework for considering the ineptitude of the Filipino democracy. Like Hobbes, Payne concurs that a primitive state exists to fulfill the basic role of wielding force over its territory. Thus, it is unsurprising that a violent struggle for the government ensues.⁴ Payne differentiates between the types of murder. One of these, political murder, occurs when a member of the elite kills a government official in hopes of securing higher rank and accessing power.

In order for a legitimate democracy to be established, violence must be set aside. During the Roman Republic, political murder was unexpectedly rare, due to a constitutional device that made such violent acts unnecessary: term limits.⁵ On the other hand, political murder was common, accepted and endorsed, during the Roman Empire: "kill or be killed."⁶ Payne cites this as one of the reasons for the Roman Republic collapsing into the violent Roman Empire. In contrast, the majority of murders in Western democracies are non-political. Payne concludes that meaningful democracy cannot be established until candidates stop using violence to gain political power.⁷ This paper will contend that violence and political murder have not been set aside in the Philippines and thus democracy cannot flourish yet.

COLONIAL LEGACIES AND EARLY DEMOCRACY

Typically, colonists focus on forming a powerful bureaucratic state, one that achieves the basic assumptions of a Leviathan, before establishing democratic institutions.⁸ However, the opposite has occurred in the Philippines. American colonizers emphasized the establishment of representative institutions before a strong bureaucratic apparatus was established, which exposed the weak state to patronage-seeking politicians. In an effort to win over the elite, who had already secured an economic base, the U.S. began to offer them political power in the form of strong local governments. Over the period of U.S. colonial rule from 1898–1946, the colonizers gradually expanded the political arena for the elite, endowing them with meaningful political authority. Thus, the enfranchisement of the economic elite and exclusion of the masses was a deliberate decision made by the American colonizers.⁹

Internally mobilized political parties emerged at the start of the 20th century, before a strong bureaucratic apparatus had been established, resulting in patronage-oriented parties. The political parties were founded by elites who already filled seats in the government. Thus the parties were "internally mobilized" and functioned within the regime, where patronage resources were centralized. The party leaders

quickly began to use the readily available financial resources to attract supporters.¹⁰ Wealthy patrons exchanged material favors for votes from poor, dependent local clients.¹¹ If a strong bureaucratic apparatus existed, the state would have been able to resist pillage by internally mobilized parties, but the Filipino bureaucratic apparatus was weak and poorly developed.

The Filipino commonwealth was established in 1935, under the direction of American colonizers. The commonwealth was a governing body that further centralized patronage resources in the hands of the executive. The deliberate endowment of the executive branch with uncontested authority exacerbated the issue of favor based patron-client relationships. The president plainly controlled the distribution of funds. Therefore, political-economic elites were increasingly motivated to manipulate local networks in order to gain access to the executive.¹² As a result, there was a decline in ideological variation among the elite and parties became entirely focused on accessing patronage.¹³ The U.S. colonizers' decision to establish a decentralized democracy with a strong executive branch prior to entrenching the bureaucratic apparatus facilitated the emergence of a weak state with non-ideological, patronage-oriented parties.

The Philippines achieved independence in 1946, with an increasingly clientelistic political system. A clientelistic political party is a confederation of elites. The party exists to coordinate campaigns via the exchange of material benefits for political favors in hierarchical networks of personal relationships. Clientelism typically wanes as a country modernizes and the electorate becomes increasingly involved. However, the opposite has occurred in the Philippines. Post-independence, the Filipino electorate base expanded massively through a series of reforms, creating the need for elites to capture the votes of the non-elite.¹⁴ During the first decades of independent Filipino democratic rule, power alternated between two clientelistic parties. These two parties were defined, not by ideological differences, but by networks of personal relationships. In order to secure votes, vertical networks existed in each party, involving extensive patron-client relationships from the national to *barangay* (village) level, based on kinship, friendship and the exchange of favors and money.¹⁵

Even as the economy diversified, the economic elite solidified as a group and engaged in increasingly patrimonial and coercive behaviors causing clientelism to balloon into patrimonialism. Patrimonialism is defined by the merging of the public and private sphere in a system ruled by a small group of oligarchs. The oligarchic elite had an economic base outside the state: their property. Hence, rather than being subordinate to the state, the elites manipulated it.¹⁶

At the local level, local "bosses" achieved monopolistic control of major economic resources and solidified profitable patron-client relationships. These patron-client ties and access to the state became fundamental to the generation of wealth for bosses, which marked the transition to patrimonialism.¹⁷ Like the pre-martial law period of democracy, the synergetic relationship between the bureaucratic apparatus and the political elite caused the privatization of public resources, which further weakened the state. Rent-seeking activities plunder of the state took place in

the capital because funds were centralized at the hands of the executive. Meanwhile political violence was used to secure votes in the provinces. In areas of weak central government control local politicians, or warlords/bosses, imposed their rule through mafia-style coercion and private armies.¹⁸

The oligarchy consolidated its power, thus demonstrating the state's inability to impose the rule of law and successfully uphold a social contract with the citizenry. During the first decades of democratic rule in the Philippines, the decentralized system and seemingly horizontal dispersion of power veiled the strong vertical patron-client networks. By the 1971 elections, however, this cover vanished and "guns, goons and gold" openly dictated activities in the political sphere.¹⁹ Political intimidation and killings became increasingly common, as the competition for votes intensified. The 1971 election saw an astonishing 905 deaths and 534 violent incidents.

The astounding violence associated with elections in the Philippines can be examined through Thomas Hobbes' code of honor. Hobbes' theory states that men fight for three reasons: competition, diffidence, and glory. John Linantud, who studies Filipino politics, argues that the prevalence of political turmoil has resulted in a political subculture that places a premium on defending one's manhood and pursuing elected office, in order to achieve upward mobility. The honor code, according to Linantud, justifies political violence among local politicians who are supported by a small clan-like network.²⁰ Men compete for resources and the general unrest and violence allows the honor code to perpetuate a destructive political subculture. Linantud recognizes that the Hobbesian honor code is not a sufficient explanation for the political violence that plagues the Philippines, but elucidates underlying behaviors.

Some scholars theorize that the Philippines is not a weak state but, in fact, a strong predatory one. In a predatory regime, clientelism devolves from the exchange of favors to rampant corruption and systematic exploitation of the state.²¹ John Sidel, a specialist in comparative politics, argues that it is the very structure of the state that creates conditions conducive to the survival of local strongmen and politicians.²² Neither profitable patron-client relations nor the wealth of the landowning elites can explain such established relationships by local bosses. Instead, Sidel argues that the rapid enfranchisement of the Filipino citizenry by American colonizers relative to the Philippines' geographic neighbors established a framework that empowered local governments and politicians.²³ Elsewhere in Southeast Asia, colonizers first insulated the central bureaucracy from the power of local governments preventing the emergence of a powerful and predatory state. Other scholars of Filipino politics point out a key point Sidel misses: the relationship between powerful local politicians and the federal state continually depletes the state's resources and weakens the bureaucratic apparatus.²⁴ Thus, the power dynamic falls in favor of predatory local politicians and not the impotent state.

The violence of the early democratic era led the struggling Filipino democracy into a period of crisis: the Philippines collapsed into authoritarianism. In 1972, President Marcos declared Martial Law, to supposedly "end the rule of the oligarchs."

Even the drastic shift to authoritarianism did not sufficiently strengthen the state to unseat clan-based political parties.²⁵ Seeking legitimacy from the public, Marcos reintroduced presidential rule in 1978 and established his own political party, *Kilusang Bagong Lipunan* (KBL). However, the semi-democratic reforms were introduced without reinstating most of the other civil liberties. While the pre-Martial Law parties had begun to shift towards patrimonialism, the KBL was the first openly patrimonial Filipino political party that blatantly plundered the state.²⁶ Under the guise of Martial Law, Marcos sought to undermine the extensive network of clans and accompanying diffuse centers of power. However, through selective expropriation and endorsement of particular cronies, Marcos heightened the problems of the distinctly undemocratic political party system that merely sought wealth from the political machinery.²⁷

RE-ESTABLISHMENT OF DEMOCRACY AND INSTITUTIONALIZATION OF POLITICAL PARTIES

Martial Law ended in a mass mobilization movement that triggered a military uprising in 1986 and restored democracy. The result was an unusual multi-party system that further weakened the central government causing uncontrolled provincial violence. The People Power Revolution, a civil resistance movement against the fraudulent regime, brought hundreds of thousands of Filipinos into the street, ultimately overthrowing Marcos. Unfortunately, the incredible display of civilian engagement simply reinstated pre-Martial Law institutions, which returned power to the local clan networks and brought a member of a powerful oligarchic family into office.²⁸ Unlike pre-martial law democracy, multiple political parties emerged, which is unusual for a single-member plurality system (a system in which one elected candidate represents the district in the legislature). Scholars contend that the appearance of the multi-party system is a result of the exceedingly weak political party system, thus the number of candidates defined the number of parties.²⁹

The contorted existence of multiple parties became a regular feature of Filipino democracy. Local politicians, who are seen as the source of patrimonial ills, are nicknamed *trapo* meaning dishrag and head their own parties. *Trapo* parties are amorphous organizations characterized by pathetic membership bases, exclusion of the masses and the utter absence of a defining ideology. *Trapo* parties are patrimonial: elites used the parties to secure elections and thus access the state's resources. Parties often merge with other parties or entirely re-invent themselves. Politicians regularly switch parties in a phenomenon called *turncoatism*.³⁰ Like the clientelistic parties that existed before Martial Law, the *trapo* parties are internally mobilized.

The stability of a developing political system depends on the quality and strength of its political parties.³¹ Most theorists argue that socio-economic development and globalization ultimately erode clientelism and patrimonialism, leaving behind transparent, ideology-based, democratic political parties. The institutionalization of *trapo* parties in the Philippines defies most theories on modernization and democratic consolidation. In another step away from democracy, the non-ideological,

patronage-based political parties became an institutionalized component of Filipino democracy. Taken as individual entities, the *trapo* parties are weak and have short lifespans. However, the constant adjustment and regeneration of the *trapo* parties as a collective system is powerful and predatory. The corruption of the economic elite has evolved to leverage the liberalized economy.³² Furthermore, as *trapo* parties worsen political corruption, they simultaneously re-establish their institutional presence, thus creating a vicious cycle. The nebulous *trapo* parties have become the defining institution of the patrimonial oligarchic state present in the Philippines.

In 2001, the Filipino people gathered again in a four-day demonstration of People Power II. People Power II occurred when the military was persuaded to withdraw support from the incumbent government, again demonstrating the state's lack of monopolization of violence. The movement criticized critical institutions and attempted to revitalize the debate over the political and economic reform process.³³ People Power II paradoxically resulted in the appointment of a leader with growing authoritarian tendencies: President Arroyo. She did little to capitalize on the momentum for reform. Despite the mass mobilization, the *trapo* parties proved resilient. They maintained their control over government institutions at local and national levels and did not struggle to re-emerge after the enormous upheaval of People Power II.

Election violence returned to astonishing levels in the Philippines under President Arroyo. The 2004 elections were the most violent since 1971: 189 people were killed and 279 were injured. Then, in 2006, Arroyo essentially declared war against the communist insurgency. The extrajudicial killings of 900 leftist activists and disappearances of 180 more are attributed to Arroyo's campaign against communism.³⁴ All levels of the government failed to condemn the killings.³⁵ According to Reporters Without Borders, the Philippines was the second most dangerous country for journalists after Iraq.³⁶ Under the Arroyo administration, there were at least 56 journalists killed with just two of the cases resulting in convictions.³⁷ The absence of justice demonstrates the state's inability, or rather its unwillingness to enforce the rule of law. During Arroyo's 10-year period of leadership, the civil and political liberties of the Filipino citizens were grossly disregarded.³⁸

President Arroyo demonstrated unmistakably authoritarian tendencies, adding to the ills of the patrimonial oligarchic system. Arroyo managed to further centralize power in the executive, whilst being involved in some of the most blatant and shocking political scams to date. Notably, a phone call was recorded in which Arroyo requested a one million vote margin in an election. According to a 2007 survey by Pulse Asia, Arroyo was more corrupt than the five preceding Filipino presidents, defeating even Marcos who declared Martial Law.³⁹ Corruption, coercion, fraud and violence were perceived to be at their worst under her leadership.

The democratic institutions that remained in 2001 rapidly disintegrated under Arroyo. The House of Representatives, which is designed as a check on the President's power, was simply populated with her personal "cheering squad." The commission on elections provided no oversight to the democratic process but facilitated

the fixing of elections. Meanwhile the justice system did little to defend victims of this predatory system and often participated in political intimidation. The national police and Philippine armed forces failed to provide security to the electoral process. In fact, the forces are often exploited in favor of one candidate or another.⁴⁰ The fragmentation of the bureaucratic apparatus and erosion of key branches of government left the state incapable of imposing the rule of law or protecting the citizenry from reckless political violence.

President Arroyo secured a degree of loyalty from military generals during her regime but was unable to dictate the patterns of violence in the Philippines. Though the generals helped prevent a coup in 2006, the junior officers of the military were the perpetrators of the potential coup.⁴¹ In addition, Arroyo did not seek to reform the perception (or reality) that elections are about controlling the central government's resources. Thus, politicians who used violence to secure election were rewarded with access to patronage resources.

THE CURRENT PRESIDENCY AND PROSPECTS FOR REFORM

In 2010, Benigno Aquino III was elected President, campaigning on a promise to combat corruption. To date, the Aquino administration has followed through on that promise with an iron will. The Aquino administration has imposed the rule of law on the Philippines for the first time in decades. Aquino arrested and prosecuted former politicians, including former President Arroyo on crimes of plunder, corruption and electoral fraud. The House of Representatives impeached two judges, who were Arroyo's key allies. While one judge preemptively resigned, the other was charged with a slew of misconducts including betrayal of public trust and culpable violation of the constitution.⁴² In addition, Aquino's cabinet is comprised of mostly professional technocrats who are in favor of reform, demonstrating a shift away from patrimonialism.

While Aquino has made strides in the battle against corruption, he has been unable to affect meaningful change in the underlying structure of clientelism. Aquino's zest for reform has shifted the Philippines from a patrimonial oligarchic state back into clientelism, in which established political families continue to plunder the state.⁴³ Aquino must remain steadfast in his reform efforts, specifically contesting the ingrained patronage-seeking behaviors and strengthening the rule of law.

Patrimonial oligarchic states are highly resistant to reform efforts from below, which was demonstrated by the failures of People Power I and II. This makes prospects for fundamental restructuring and improvement in the Philippines seem bleak. The oligarchy, which benefits from the patrimonial system, has also gained from the country's economic growth and liberalization, due to sustained close relations with other public officials. It has managed to resist challenges to the system by lower classes.⁴⁴ While bottom-up efforts seem to be futile, any reforms that are pushed from the top suffer from an incoherent bureaucracy that is unable to exert influence over the powerful oligarchy.⁴⁵

The Philippines needs a strong central state with a much higher degree of bureaucratic capacity. Political parties that seek patronage dominate the existing democratic structures, while the majority of society is excluded and marginal to political activity. Thus, the state must simultaneously be protected from select demands made by the oligarchy and open itself up to the collective grievances and demands of the rest of society.⁴⁶

CONCLUSION

The Filipino state suffers from the absence of a capable and forceful state that can monopolize violence, enforce the rule of law and guarantee justice. Therefore, the state fails to create conditions conducive to free and fair elections with democratic outcomes. In the Philippines, the central bureaucratic apparatus simply serves as a resource for financing and is too weak to act as the impartial third party that enforces a social contract among its citizenry that Thomas Hobbes describes in his Leviathan theory. The weak state, in combination with the establishment of diffuse democratic institutions by American colonizers, facilitated the emergence of political parties that sought access to patronage resources centralized in the hands of the executive. Aggressive politicians who used any means necessary to win elections were rewarded with access to financing. As a result, electoral violence quickly became a regular feature of Filipino political life. Drawing on the arguments delineated by Payne, it is evident that authentic democracy cannot gain a stable footing in the Philippines until electoral violence is curbed. The re-emergence of clientelism under the current administration is a cause for hope. The Philippines needs sustained pressure from the top with complementary pressure from the bottom to reform its predatory political party system and to strengthen the state.

NOTES

1 —, "The Philippines Electoral Security Framework," *United States Agency for International Development and Creative Associates International*, July 2012.

2 Thomas Hobbes, "Chapter XIII: Of the natural condition of mankind as concerning their felicity and misery." *Leviathan* (1651).

3 Steven Pinker, *The better angels of our nature: Why violence has declined*. Vol. 75 (New York: Viking, 2011), 35.

4 James L. Payne, *A history of force: exploring the worldwide movement against habits of coercion, bloodshed, and mayhem* (Sandpoint, ID: Lytton Publishing Co, 2003), 82–83.

5 *Ibid.*, 87.

6 *Ibid.*, 85.

7 *Ibid.*, 92

- 8 Paul D. Hutchcroft and Joel Rocamora, "Strong demands and weak institutions: The origins and evolution of the democratic deficit in the Philippines," *Journal of East Asian Studies* 3, no. 2 (2003), 265.
- 9 Ibid., 263.
- 10 Ibid., 265.
- 11 Nathan G. Quimpo, "The Philippines: Political Parties and Corruption," *Southeast Asian Affairs* 34 (2007), 278.
- 12 Björn Dressel, "The Philippines: How much real democracy?" *International Political Science Review* 32, no. 5 (2011), 531.
- 13 Hutchcroft and Rocamora, "Strong demands and weak institutions," 269.
- 14 Ibid., 271.
- 15 Quimpo, "The Philippines: Political Parties and Corruption," 278.
- 16 Paul D. Hutchcroft, "Oligarchs and Cronies in the Philippine State the Politics of Patrimonial Plunder," *World Politics* 43, no.3 (1991), 421.
- 17 Ibis., 423
- 18 Nathan G. Quimpo, "The Philippines: Predatory Regime, Growing Authoritarian Features," *The Pacific Review* 22, no. 3 (2009), 341.
- 19 Hutchcroft and Rocamora, "'Strong demands and weak institutions,'" 274.
- 20 John L. Linantud, "Whither guns, goons, and gold? The decline of factional election violence in the Philippines," *Contemporary Southeast Asia* (1998), 308.
- 21 Nathan G. Quimpo, "The limits of post-plunder reform in the Philippines' oligarchic democracy," in *Democracy in Eastern Asia: Issues, Problems and Challenges in a Region of Diversity*, edited by Edmund S. K. Fung and Steven Drakeley (New York: Routledge, 2014), 121.
- 22 John T. Sidel, "Bossism and democracy in the Philippines, Thailand and Indonesia: towards an alternative framework for the study of "local strongmen," in *Politicising democracy: The new local politics of democratization*, edited by John Harris, Kristin Stokke and Olle Tornquist (Basingstoke: Palgrave Macmillan, 2004), 52.
- 23 Ibid., 55.
- 24 Quimpo, "The Philippines: Political Parties and Corruption," 282.
- 25 Ibid., 280.
- 26 Ibid., 281.
- 27 Hutchcroft, "Oligarchs and Cronies in the Philippine State the Politics of Patrimonial Plunder," 416.
- 28 Hutchcroft and Rocamora, "'Strong demands and weak institutions,'" 277.

29 Ibid., 278.

30 Dressel, "The Philippines: How much real democracy?" 534.

31 Quimpo, "The Philippines: Political Parties and Corruption," 278.

32 Ibid., 288.

33 Hutchcroft and Rocamora, "'Strong demands and weak institutions,'" 282.

34 Quimpo, "The Philippines: Predatory Regime, Growing Authoritarian Features," 351.

35 Paul D. Hutchcroft, "The Arroyo imbroglio in the Philippines," 147.

36 Ibid., 148.

37 Dressel, "The Philippines: How much real democracy?" 532.

38 Ibid., 536.

39 Quimpo, "The Philippines: Predatory Regime, Growing Authoritarian Features," 345.

40 Ibid., 349.

41 Paul D. Hutchcroft, "The Arroyo imbroglio in the Philippines," 147.

42 Quimpo, "The limits of post-plunder reform in the Philippines' oligarchic democracy," 119.

43 Ibid., 120.

44 Paul D. Hutchcroft, "After the Fall: Prospects for Political and Institutional Reform in Post-Crisis Thailand and the Philippines." *Government and Opposition* 34, no. 4 (1999), 483.

45 Ibid., 476.

46 Ibid., 491.

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