

## **Does political entrenchment dilute the quality of public policy?\***

### *Electoral persistence and particularistic legislation in the Philippine House of Representatives*

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#### **Abstract**

Does political entrenchment lower the quality of policies Congress legislates? Conventional wisdom holds that particularistic legislation congeals electoral success and, in the case of the Philippines, there is evidence that well-entrenched politicians can afford to be unproductive (for instance, see Panao 2016; Capuno and Panganiban 2012). Politicians who bring home the bacon, are supposedly rewarded with their constituencies' approval in the polls. Does this notion apply in fledgling democracies where patronage and family politics gives politicians little incentive to engage in vote-seeking behavior?

This paper argues that the electoral connection between particularistic legislation and vote-seeking is not what it seems in the Philippines. Examining bills deliberated and approved by the Philippine House of Representatives from 1987 to 2016, I show that while the crafting of particularistic policies is a common preoccupation among legislators, it is not the case for well-entrenched legislators or those whose families have dominated their districts for decades. Estimates from mixed effect survival models utilizing several approaches for robustness show that, in general, the proximity of elections motivates lawmaking, particularly of policies that entail particularistic spending. Consistent with literature on legislative dynamics, Philippine legislators conveniently shift priority from programmatic to particularistic policies as election nears. However, electorally persistent legislators who come from well-entrenched political families are less inclined to reorient salient legislative preferences into pork barrel measures. In addition, electorally persistent members of the House appear to give more deliberative attention on bills of national significance, whether driven by prospects of reelection or pursuit of higher elective office.

The results have several interesting implications. One, conventional notion has overestimated the electoral connection of pork barrel legislation in the Philippines by assuming that politicians are homogenous and behave under the same set of preferences. Two, even though well entrenched legislators unconstrained by the accountability mechanism of electoral institutions produce less, they are nonetheless more likely to produce quality laws in the long run, whether motivated by altruism or aspiration for higher office.

**Keywords:** particularistic legislation, Philippine congress, Philippine House of Representatives, pork barrel legislation, lawmaking

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Does political entrenchment lower the quality of policies Congress legislates?

Conventional wisdom holds that particularistic legislation congeals electoral success and, in the case of the Philippines, there is evidence that well-entrenched politicians can afford to be unproductive (see, i.e., Panao 2016; Capuno and Panganiban 2012). Models of political accountability hold that politicians who bring home the bacon are rewarded with their constituencies' approval in the polls. Does such wisdom apply in fledgling democracies where patronage and family politics gives politicians little incentive to engage in vote-seeking behavior?

This paper argues that the electoral connection between particularistic legislation and vote-seeking is not what it seems in the Philippines. Using a unique dataset containing the legislative history of 10,598 bills deliberated at the Philippine House of Representatives from 1987 to 2016, I show that while the crafting of particularistic policies is a common preoccupation among legislators, it is not the case for well-entrenched legislators or those whose families have dominated their districts for decades. The dataset consists of bills that have at least undergone committee referral for all nine congresses that held sessions since democracy was restored in 1987. The dataset spans all six post martial law presidential administrations in the last three decades.

The study contributes not only by presenting an alternative view on the institutional utility of political entrenchment in the Philippines but by showing how the analysis of event histories can give a more nuanced perspective on legislative policymaking in nascent democracies. In the Philippines the failure of democracy to be responsive to the local citizenry is easily blamed on the entrenchment of political families which are able to circumvent a three term limit. However, in many studies about dynastic politics in the Philippines, there is no conceptual clarity regarding what constitutes membership in political families. Moreover, findings are inconclusive on many important questions, such as whether political families really breed democratic capture or if they what actually gives a semblance of stability in fragile democracies. Ubiquitous political families in the Philippines are construed to be deleterious, for instance, but such line of thinking cannot explain the provinces and cities similarly dominated by well entrenched political clans that achieve sizeable levels of progress.

A common methodological approach in many studies of congressional dynamics utilize statistical estimates of legislators' ideal points using interest group scores or roll call data (Cherryholmes and Shapiro 1969; Clausen 1973; Matthews and Stimson 1975; Weisberg 1978;

Poole 2005). This presupposes however that roll call data are readily available and that there is a formal system of recording and safekeeping this data as part of public information. In many young democracies, however, roll call data are generally meager, if not conspicuously missing in periods of transition, tumultuous regimes or instability. In fact, in the Philippines roll call votes show little disparity and legislators appear to vote unanimously on the issues that are subject of their legislative activities (Kasuya 2008). As a methodological alternative, I utilize mixed-effects survival models to estimate Philippine legislators' shifting policy attention. Survival models have can accommodate directly the notion of political risk in estimation parameters and can take into account "many information on many observations over time" (Box-Steffensmeier and Jones 2004, 3).

Results of my estimates suggest that, in general, the proximity of elections motivates lawmaking, particularly of policies that entail particularistic spending. Consistent with literature on legislative dynamics, Philippine legislators conveniently shift priority from programmatic to particularistic policies as election nears. However, electorally persistent legislators who come from well-entrenched political families are less inclined to reorient salient legislative preferences into pork barrel measures. In addition, electorally persistent members of the House appear to give more deliberative attention to bills of national significance, whether driven by prospects of reelection or pursuit of higher elective office.

The results have several interesting implications. One, conventional notion appears to have overrated the electoral connection of pork barrel legislation in the Philippines by assuming that politicians are homogenous and behave under the same set of preferences. Two, even though well entrenched legislators unconstrained by the accountability mechanism of electoral institutions produce less, they are nonetheless more likely to produce quality laws in the long run, whether motivated by altruism or aspiration for higher office.

The paper proceeds by first examining the literature on dynastic politics in the Philippines and how the current limited empirical introspection narrows conventional wisdom on electoral accountability. I then introduce a theoretical framework that explains the functional utility of political persistence in the crafting of quality legislative policies, in the context of term limits. Afterwards, I lay down my hypothesis in relation to other alternative factors which are known in the literature to explain legislative behavior. I then discuss what my data on legislative attention covers, its limitations, the empirical model used to test my conjectures, and the motivation for

adopting a mixed level duration analysis as estimation approach. This is followed by a presentation of descriptive statistics and a discussion of the results of the main hypotheses. The final section ties the findings to the theoretical premise and discusses possible implications on Philippine legislative policymaking.

### **The empirical puzzle**

Numerous studies have long tied the problems confronting Philippine politics to institutions dominated by powerful and wealthy political families (Gutierrez, Torrente, and Narca 1992; McCoy 1993, Rivera 1994; Simbulan 2005; Rivera 2012). Over time, of course, the socioeconomic profile of dynastic clans also underwent changes and otherwise non-traditional families begun establishing their own political turfs. The likes of the Villars, Binays, Syjucos, and of late, Pacquiaos, for instance, are but few of modern day political elites whose families do not necessarily belong to the traditionally landed gentry but in time were able to secure wealth and influence through business, industry, or sheer talent.

Certainly it is not uncommon for contemporary democracies to encounter political families. Current Japanese prime minister Shinzo Abe is a third generation politician from a well-known political family. Former US president George W. Bush, on the other hand, continued not only his father's name but the latter's legacy in the oval office. Studies suggest that political perpetuation is a cycle as those who are able to hold on to their office for a longer period of time are likely to have relatives in elective office in the future (Dal Bo, Dal Bo and Snyder 2009; Rossi 2010). Family politics in the Philippines, however, is particularly notorious not only for the magnitude of family dominance in political institutions but for its supposed pernicious effects on democracy (Coronel et al 2004). Those who had been elected as representatives or governors in the Philippines, for instance, are four times more likely to have relatives in office in the future (Querubin 2016). Querubin's study suggests that the Philippines' institutionally induced, dynastic politics stifles political competition. However, it is less clear about the implications of political families on redistributive democracy.

Mendoza et al (2013, 22) believes there is "strong evidence" that political dynasties proliferate in the most economically depressed provinces but admits that political dynasties may not necessarily be inducing poverty. The study claims to map a landscape of political dynasties at the provincial level and yet, rather interestingly, contented itself with data at the regional level.

Moreover, the findings are arguably in sharp contrast to Rivera's (2011, 64) earlier observation that "on the whole, provinces with better income, health and education indicators (HDI) show a higher number of political families."

Focusing their study on members of the Philippine House of Representatives from 2001 to 2006, Tusalem and Pe-Aguirre (2013) found that representatives who belong to "political dynasties" substantially degrade the quality of local governance. There is a theoretical flaw in the assumption, obviously, because district representatives by definition are not responsible for the day-to-day management of local governments. Panao (2014), in a more recent article, showed that political ties can influence policy preferences in legislative policymaking (as opposed to local governance) but this seems to hold true only for district representatives whose families have ties to local politics.

Solon and colleagues (2013) observed that it is not so much the presence of political families that derail local development but the absence of political competition among competing political families. Interestingly, what their estimates actually suggest is that the probability of reelection among incumbent governors from political clans is higher when these same governors invest more on development expenditures.

The lack of a widely accepted or standard definition of what constitutes membership in a political dynasty only adds to the muddle. Scholars studying dynastic politics in the Philippines come up with their own definitions and warn about the conceptual limitation. The 1987 Philippine Constitution supposedly outlaws the proliferation of political families as a matter of state policy. Under section 26 Article II, "the state shall guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law." Unfortunately, the Constitution also left upon Congress the charge of defining what political dynasties are. After several attempts, there has yet to be an implementing law defining what pernicious political dynasties are and to what extent members of such families should be barred from public office. The closest explicit mention of political dynasties in Philippine statutes can be found in Title 2, Chapter 1, Sec 43 of the Local Government Code (Republic Act 7160) which stipulates the term limit of local government officials. But there is no provision barring relatives of incumbents from running in different public offices. There is also no limitation on the holding of multiple elective positions by members of the same family.

## **Political accountability in dynastic settings**

Classic principal agent models construe political accountability as “a relationship between citizens (subjects) as ‘principals’ and political representatives and decision makers as ‘agents’ (Kitschelt, Freeze, Kolev, and Wang, 2009, 742). Politicians are responsive when they deliver benefits that their constituencies value or when they answer to some group or coalition that retains them in power (Bueno de Mesquita, Morrow, Siverson, and Smith 2003).

In the language of empirical research, this relationship is often translated into models where incumbents undertake an action or choice and such, in turn, is reciprocated through votes for the incumbent’s reelection. Elected policymakers, under this view, are assumed to be rationally motivated either by an expectation of reelection or sheer altruism (the non-material payoff of doing good exceeds all other alternative). Elections are modes by which citizens sanction an incompetent incumbent (Key 1966; Barro 1973; Ferejohn 1986) or select a worthy challenger (Persson and Tabellini 2002; Duch and Stevenson 2008; Ashworth 2005, Padro-i-Miguel and Snyder 2006; Alt et al. 2011) whose policies approximate voters’ preferences.

This idea of competitive elections as mechanisms of accountability has been extended widely in studies assessing public policy and welfare distribution where it is held to reduce political rentseeking and minimize inefficiency in the provision of public goods (Stigler 1972; Wittman 1995; Lindbeck and Weibull 1988; Besley et al 2005; Healy and Malhotra 2013). Holbrook and Van Dunk (1993), for instance, find that political competition not only induces more liberal policy outcomes but encourage higher voter turnout. Policies that encourage political competition are also found to reduce the size of government (Aidt and Eterovic 2011) and reduce the tendency of political incumbents to spend substantial public funds to secure or maintain power (Mulligan, et al 2004). The relationship between competition and tangible public outcomes, however, is not always shown to be direct or positive. Moreover, the link between quality of public policy and political competitiveness varies depending on institutional context. Lizzeri and Persico (2005) demonstrate that when a larger number of parties compete, focus is shifted to a narrower constituency leading to less efficient special interest policies. The results echo Chhibber and Noorudin’s (2004) findings that less competition is welfare superior in delivering public goods.

Legislative lawmaking is, by and large, an activity whose ultimate end is the creation of goods, whether or not these goods are intended for the public in general or particular stakeholders in line with redistributive policies. By legislation, I mean “proposals to issue binding authoritative

decisions that incur costs and award benefits to citizens regardless of whom they voted for in the election” (Kitschelt, et al., 2010, 16).

Legislative enactments are concrete manifestations of political accountability. And whether or not legislations are primarily intended to reward a specific group or coalition, there are transaction, monitoring and enforcement costs to ensure that policies reach their intended targets. Where there are programmatic citizen-politician linkages, such as through organized and institutionalized political parties, this cost is reduced as parties create scale economies in pursuit of voters (Kitschelt, et al., 2010; see also Kitschelt and Wilkinson, 2007). Programmatically structured party systems allow voters to choose candidates based on alternative packages of policies creating an accountability relation that distributes valence goods enjoyed by the larger public (Kitschelt, et al., 2009; Kitschelt, et al, 2010).

Programmatic linkages between citizens and politicians require the presence of institutionalized parties. Where parties are weak, as in the Philippines, personal and social networks such as families serve as functional surrogates (Simbulan, 2005; Rivera, 2012). Manacsa and Tan (2005, 759) notes that “institutional choices have historically inhibited the development of strong parties by denying the articulation of certain cleavages and impeding the rise of counter-elites. They identified certain structures they consider inimical to the creation of strong parties such as the dominance of executive branch, the ‘synchronized’ system of elections, and the institutional defects in the party list law. Political parties are reduced to mere “channels of political recruitment” by dominant political families (Ufen 2008, 339), or transient organizations (Manacsa and Tan, 2005) whose political fate is tied to the most viable presidential candidate (Kasuya, 2008),

### **Dynastic ties as political capital**

Given the discussion above I shall now proceed to the theoretical argument of this paper. In the Philippines, political families are construed as substitutes of political parties and perform many of the latter’s traditional functions at the local level (Rivera 2011). Political arrangements are expectedly clientilistic. However, it does not mean that in the Philippines’ clientilist and family-dominated political context, politicians do not develop tight bonds of accountability and responsiveness.

Kitschelt argues (2000, 848) that “all bands of politicians that run in competitive elections under joint label may be called *parties*” even though they may not necessarily be engaging in

solving collective action problems as parties in the functional sense. This view implies that even in clientelist political systems, politicians who limit their political investment to administrative technical infrastructure can still create bonds with the citizens through direct, personal, or material side payments. Thus, even in clientelist dynasty-dominated political settings such as the Philippines, there is reciprocal commitment between politicians and voters. Candidates from well-entrenched political families still risk losing votes when they are not responsive. Of course, once citizens are successfully bought off with club goods, the incumbent is free to pursue programs, including the option not to provide programs at all. Candidates who run in perpetuation of their family's political foothold are also competing, albeit with candidates from equally entrenched political families, and are also susceptible to formal voter-citizen linkage.

In many studies, political competition is directly related to the delivery of public goods (Barro 1973; Ferejohn 1986; Holbrook and Van Dunk 1993; Besley and Burgess 2002; Fearon 1999; Hiskey 2003; Landa, Dimitri, and Meirowitz 2009; Rozensweig 2015). But the goods that constituents expect their legislators to provide are generally particularistic. District voters want their representatives to bring as many roads, schools, or hospitals to the districts as possible for a given fiscal cost through the legislation they sponsor and pass. Like all candidates, when scions of political clans do not deliver, they risk forfeiting reelection. The political cost can be even higher because bad record of public service trickles as bad reputation to the entire political family. Relatively young political families whose candidates lost their bids due to bad performance would likely find it more difficult to regain their control in the presence of viable challengers.

When a candidate's family has become firmly secured, however, entrenchment gives dynastic candidates political leverage and access to resources. Political dynasties through their networks and influence can effectively secure reelection and no longer need to invest in particularistic vote-courting activities (Dal Bo and Rossi, 2008). They can afford to forego the future utility of legislating district-targeted projects because family ties can secure votes in the next election, even in the presence of term limits (Capuno, Quimbo, Kraft, Tan, and Fabella, 2012).

Families also serve as tools of political socialization (Hess 1966) and vectors of human capital (Laband and Lentz, 1985; Kurtz II, 1989). Candidates from families with a tradition of public service enjoy brand recognition, goodwill, and skills which may be transferred from one member to another (Feinstein 2010). One old study observed that the children of legislators tend to enjoy greater and earlier political success than non pedigreed counterparts (Laband and Lentz,



1985). And while knowledge and political savvy cannot be handed down to descendants, children of politicians are nevertheless exposed to the workings of elections through conversations with their parents, meetings with their parents' peers and through their interactions in such environment. The family is a source for useful advice on where to campaign, where to get funds, and whose support to solicit when it is finally their time to run for office.

Members of the Philippine House of Representatives are of two kinds. District representatives are elected from single party districts where candidates with the most number of votes from their constituencies win (first past the post). Twenty percent of the members of the House of Representatives are direct nominees of parties elected at large from national, regional or sectoral parties competing in the party-list system. Both types of representatives are eligible for three consecutive three-year terms.

Conceptually, political entrenchment refers to being continuously reelected in office even in the presence of term limits. In this study, entrenchment is a categorical variable that characterizes members whose family members has previously held the same office continuously for nine years or more. Because of the three term limit an incumbent can serve for no more than nine consecutive years. There is no bar, however, to run again for the same office after the interim. In fact, in the Philippines it is fairly common for representatives on their third and final term to field spouses and children as benchwarmers or political successors. Out-termed former representatives, on the other hand, compete for higher offices (such as the Senate or the presidency<sup>1</sup>) or other positions at the local level.

I simplify my conceptualization of dynastic incumbents to mean those who are related to their immediate predecessors up to the fourth degree of consanguinity or affinity. This definition is consistent with the restriction set forth in laws governing public officials such as Republic Act 7160 (Local Government Code) and Republic Act 3019 (Anti Graft and Corrupt Practices Act). Some studies (e.g. Querubin 2016; Mendoza, et al. 2012) use a name identification approach to determine which members belong to political families. Proponents of the aforementioned studies warn, however, that the approach suffers from a number of limitations such as not taking into account relationship by affinity and the fact that two complete strangers can share the same family name (Querubin 2016). This study does not use a name identification approach and resort instead to qualitative evidence to establish kinship. Among the secondary materials analyzed include

newspaper reports, personal declarations,<sup>2</sup> and data from the Philippine Center for Investigative Journalism (PCIJ).

In this study, dynastic persistence is operationalized two ways. One operationalization construes it as a continuous variable that counts the total number of years that incumbents or their relatives (as defined) have held the district seats without break. This means that entrenchment continues for a family even if an incumbent is out-termed, as long as a relative is fielded and succeeds. The clock stops if a family is deposed and counting reverts to one if they are able to regain their district posts. The other operationalization categorizes representatives between budding dynasties and those whose families have held their district posts for more than nine years. As mentioned, representatives are allowed three consecutive three-year terms. Persistence threshold is set to nine years to distinguish between dynastic representatives and those who are maximizing their three terms.

Since narrow particularistic subjects of legislation no longer becomes a preoccupation, I argue that incumbents from well entrenched political families can afford to shift focus to allocating public goods (Tusalem and Pe-Aguirre, 2013), as well as serve a coordinative role for public programs in a context where political parties are less cohesive and incapable of interest aggregation (Kawanaka, 2010; see also Falguera, 2004; Panao, 2014).

Construing dynastic ties as political capital, I expect politically entrenched members of the House of Representatives to be more attentive to the production of bills that generate public goods than to particularistic measures benefiting narrow constituencies. Similarly, incumbent dynasts are less vulnerable to electoral cycles and have little incentive to shift legislative priorities to particularistic policies to court votes.

But what is legislative attention? In this study, what does shifting legislative attention towards the production of salient policies mean?

Effective legislation depends largely upon the savvy of legislators as policy peddlers and the willingness of members of Congress to compromise to produce legislation. Members engage in series of proposal and counter proposals and in a sequence of offer and counter offer. As such, the study construes legislative attention as the commitment legislators make to ensure the passage of a bill into law. Here, it is denoted as the time it takes a bill to hurdle the lower chamber, from its proposal until its passage on third reading (engrossed bill). Legislative proposals are understood to be policy alternatives requiring time and effort to produce. Other observable forms of attention

in the literature include amendments and participation (roll call votes) but unlike duration they occur at certain stages of the legislative process and only capture particular instances of intermediate legislative outputs.

I clarify that the interest in this study is to approximate legislative attention measured in terms of how quickly legislative proposals pass through the policymaking process, not the quantity or volume of bills passed by the lower house. Duration does not imply quantity. Legislative volume is a factor of cost-benefit maximization—legislators tend to file more bills of local significance, among other things, with the hope of enhancing legislative success and ensuring reelection bid. Duration, on the other hand, is a matter of attention, priority, and strategic timing.

Meanwhile, the choice of policy alternatives—whether to engage in pork barrel legislation or work for something that benefits the common good—is conceived as involving a number of effort-intensive activities of legislators. It is assumed that legislators work toward the success of bills that are important to them, whether or not such is motivated by sheer altruism, prospect of reelection, or higher political ambition. A representative’s choice of bills to file can also be a strong indicator of issues he or she wants to be identified and the reputation he wants to earn. Bills can be a sincere manifestation of the demands of constituencies. For the more ambitious, it can also be a strategic act of weaning out specific concerns to help catapult one’s political career. Bill authors are not just proposers but policy entrepreneurs for the voters they represent.

The duration or delay corresponding to the total time it takes until a bill becomes legislation is a continuous positive integer. Delay is taken as a proxy for the amount of attention legislators allocate to policy issues. In many studies time has been known to guide strategic behavior (Cheibub, Feigueredo, and Limongi 2000; Binder and Maltzman 2002; Fresno 2006). Delaying or speeding up political processes, such as the passage of legislative proposals, is not a random behavior but a means by which political actors attempt to set the legislative agenda.

I now expound on the two variables upon which my view on political entrenchment is conditioned.

### **Bill salience: national over particularistic legislation**

Members of the Philippine House of Representatives engage in the production of two kinds of legislative measures: bills of local significance and bills of national import. National bills often reflect government’s macroeconomic programs and create policies that affect the public at large

or the nation in general. These are policies that everyone needs but may not necessarily earn votes for a reelectionist or afford venues for credit claiming. Bills of local application, on the other hand, include public works and infrastructure projects that benefit constituencies. Although the Philippine Congress is bicameral, under the 1987 Constitution (Sec. 24 Art. VI) there are certain bills that are required to originate exclusively from the House of Representatives. They include appropriation bills or bills which appropriate a sum of money from the public treasury for a public purpose, revenue bills or those which are specifically designed to raise money through imposition or levy, tariff bills, bills authorizing the increase of public debt, bills of local application, and private bills. It is known that legislators can influence the distribution of program benefits to their districts and are in turn rewarded with reelection for securing program benefits to their districts (Evans 1994).

Although constituencies may not necessarily directly benefit from laws of national significance, politicians who seek higher office may capitalize on these bills as platform to gain wider public attention. Members from well entrenched political families who have little incentive to engage in narrow constituency oriented measures is likewise expected to devote more attention towards passing more salient legislation. Stein and Bickers (1994) suggest only electorally “vulnerable” incumbents are most likely to seek benefits from particularistic legislation to address their thinning reelection prospects by winning the attention of constituencies. The public itself is generally indifferent to new projects and only the sectors who are attentive such as interest groups, would likely evaluate legislators based on the flow of projects. Thus:

*H1: The propensity of bills of national significance is higher for legislators from well entrenched political families*

### **Electoral proximity**

It has long been known that legislators’ decisions are influenced by the electoral cycles that structure their political lives and that the proximity of reelection exerts an influence on their legislative activities (Evans 1991; Mayhew 1991). A study of the US Senate, for instance, revealed that senators alter the tenor of their roll-call voting, shifting ideologically in the direction of their likely electoral opponents as election approaches (Thomas 1985).

If the extent and timing of an election has a “likely” effect on the incidence of divided government, as extant literature suggests, then naturally it also has implications on legislative success. As Mueller (1989, 1996) sums up, “cycling introduces a degree of indeterminacy and inconsistency into the political process that hampers the observer’s ability to predict outcomes, and clouds the normative properties of the outcomes achieved.” Elections, however, also grab the time and resources of legislators away from their regular task of crafting measures. Hiroi (2008), for instance, hints legislative productivity may actually decline during election years as legislators become preoccupied with local campaigns.

I frame the holding of elections as having a degenerative effect on legislative productivity but not necessarily on legislative attention. Instead, the closeness of election is expected to increase the propensity of bills to be passed into law as election approaches. This is particularly the case for particularistic measures providing local benefits since legislators would tend to logroll the passage of proposals for which they can claim credit and recognition, without necessarily introducing new ones. Therefore:

*H2: The propensity of local bills to be engrossed in the lower house increases during the year prior to the election.*

Dynastic incumbents, however, have little incentive to invest in vote courting activities and rely instead on their own networks and machineries to secure electoral foothold. Politicians from well entrenched political families are less susceptible to electoral cycles and have no need to adjust their legislative activities to accommodate campaign uncertainties. Thus:

*H3: The propensity of bills by dynastic legislators to be engrossed in the lower house does not increase during the year prior to the election.*

### **Other determinants of bill attention**

To arrive at robust estimates of how political entrenchment shifts legislative attention towards salient policies, I take into account a number of variables known to influence legislative output. These variables include partisan alignment (Neustadt 1960; Neustadt 1990; Abramowitz 1985; Cover 1986; and Gronke, Koch, and Wilson 2003; Choi 2005; Kasuya 2008), cosponsorship

support (Kessler and Krehbiel 1996; Aleman, Calvo, Jones, and Kaplan 2009; Kirkland and Harden 2016), gender difference (Poggione 2004; Schwindt-Bayer and Mishler 2005; Volden, Wiseman, and Wittmer 2010), president's influence on lawmaking (Ostrom and Simon 1988; Hager and Sullivan 1994; Johnson and Roberts 2004); and socioeconomic conditions (Boix and Stokes 2003; Przeworski et al. 2000; Przeworski and Limongi 1997).

Partisan alignment is a dichotomous variable which distinguishes legislators who are copartisans of the president from those affiliated with other political parties. Legislative proposals by the president's core constituents in the lower house are assumed to enjoy greater legislative attention.

Cosponsorship as a determinant of legislative attention is operationalized two ways. One is a dichotomous variable that indicates the presence of cosponsorship support. The other is a continuous variable that indicates the magnitude or number of cosponsors for a particular measure. Cosponsorship is here construed as an indicator of a legislator's ability to solicit intracameral support. Both the presence and the magnitude of cosponsors, therefore, are expected to hasten legislative attention to proposed measures.

I categorized legislators into gender (coded 1 if male) to gauge whether there is a difference between male and female legislators in terms of policy preference.

I use two variables to gauge how socioeconomic conditions influence legislative activity. I use monthly inflation to determine whether increased levels of economic distress tend to heighten attention to legislative proposals that propose economic policies (Hiroi 2008; Fukumoto 2008). To gauge legislators' responsiveness to voters' needs, I employ the Social Weather Stations survey of self-rated poverty which estimates the number of families who consider themselves poor in a given period.

### **Estimation approach**

In the literature, the question of what factors account for variation in legislative duration is mainly framed in terms of time until the occurrence of bill adoption. With respect to survival or event history models, this corresponds to the hazard rate of adoption, namely the conditional probability that a bill is adopted at a particular time interval (Box-Steffensmeier and Jones 2004). Scholars liken this trajectory of a bill to driving a car from the beginning to the end of a variably congested highway. Driving in the hypothetical legislative highway can take longer or shorter,

depending on such factors as traffic at specific times, ruthlessness of the driver, helpfulness of other drivers, and road conditions.

Interest in event history models have been growing in recent years, not only as a matter of statistical sophistication but to address theoretical issues that are frequently raised in political analysis. Admittedly, many questions in political science involve some kind of risk, that is, the risk of a certain political event happening. Legislators desire the passage of their proposals and will devote considerable time and effort to see their priority measures eventually hurdle the legislative mill. Duration models have an advantage of directly incorporating the propensity of passage in the estimation parameters. Moreover, unlike, say traditional time series models where an entity is examined over time, event history can accommodate “many information on many observations over time” (Box-Steffensmeier and Jones 2004, 3). Duration models can also take into account “censored” data or when an observation’s full event history is unobserved. In ordinary least square regressions, censored cases are simply ignored, thus, inducing a form of selection bias in the results. In duration analysis, however, it is possible to construct a likelihood function to accommodate censoring if the censoring points are known in the data.

Legislative records of bills filed by each representative per year from 1987 (8<sup>th</sup> Congress) to 2016 (16<sup>th</sup> Congress), as reported by the Bills and Index Services of the House of Representatives, were examined to test the relationship between legislative attention and political entrenchment. The dataset contains important legislative information such the date of filing, chamber votes, the subject of the bills, number of cosponsors. The dataset indicates the speed by which these bills were able to successfully hurdle third reading in the lower house, as well as how many of these are of local or of national significance. It also contains author and cosponsor information such as family relationship between successors and predecessors, partisan affiliation, years of experience and terms of office.

To estimate the influence of political entrenchment on legislative attention, I employ a mixed effect survival model with the following parameters:

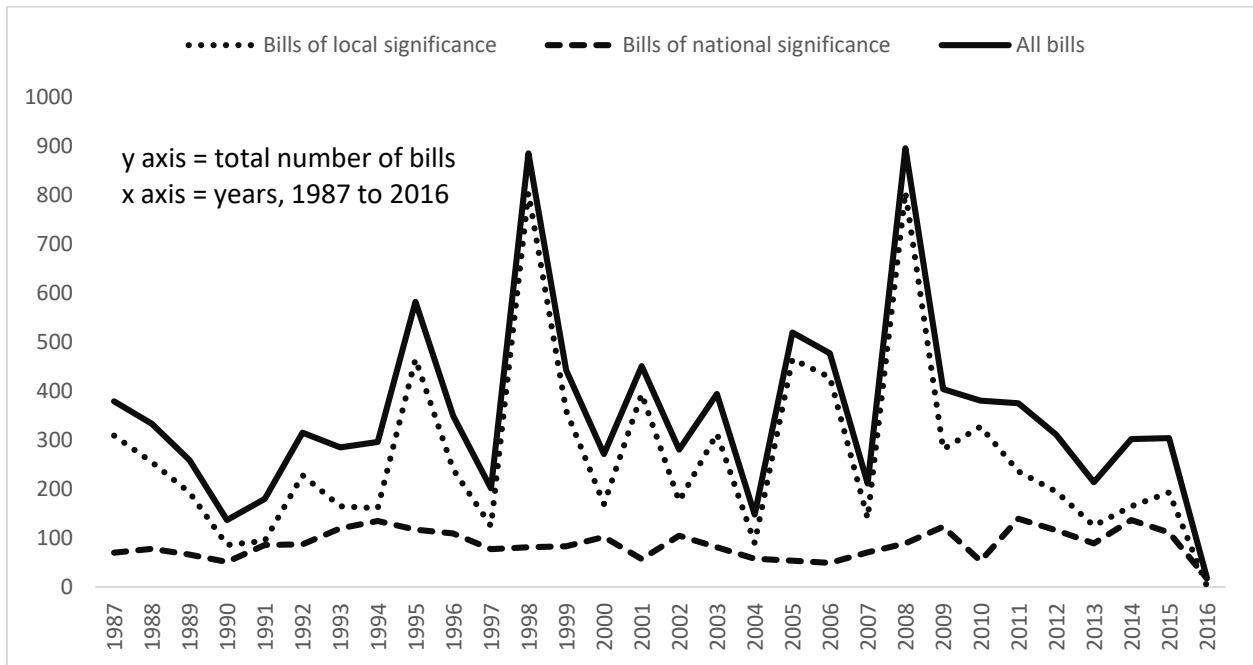
$$h(t_{ji}) = h_0(t_{ji}) \exp(\text{ELECTORAL PERSISTENCE}_{ij} + \text{ELECTORAL PROXIMITY}_{ij} + \text{ELECTORAL PERSISTENCE}_{ij} + \text{COSPONSORS}_{ij} + \text{PERSONAL CHARACTERISTICS}_{ij} + \text{LEGISLATIVE EXPERIENCE}_{ij} + \text{ECONOMIC AND POLITICAL CONTROLS}_{ij} + z_{ji}u_j)$$

Mixed effect survival models allow for both fixed and random effects, which is appropriate since the study analyzes sponsored by each lower house legislators. Mixed effect survival models allow for many levels of nested clusters of random effects (Searle, Casella, and McCulloch 1992; Verbeke and Molenbergh 2000; Rabe-Hasketh and Skrondal 2012). Here, I specify random effects for each legislator to which the bills are nested.

The variable  $t$  refers to the time or period when the bill is under deliberation. Vector  $x_{ij}$  contains the coefficients for the covariates. Vector  $z_{ij}$ , on the other hand, contains the covariates corresponding to the random effects (individual legislators) and represents both random intercepts and random coefficients. The random effects are not directly estimated as model parameters but are instead summarized according to the unique elements of the variance components.

Table 1 gives a descriptive summary of the key variables. Figures 1 and 2, on the other hands, give visual summaries of the distribution of legislative preference by policy salience from 1987 to 2016. The distribution of legislative proposals by bill salience suggests that even though legislators propose more particularistic measures (Figure 1), it is ultimately the passage of bills of national significance that is given greater priority (Figure 2).

**Figure 1. Bill production in the Philippine House of Representatives, 1987 to 2016**



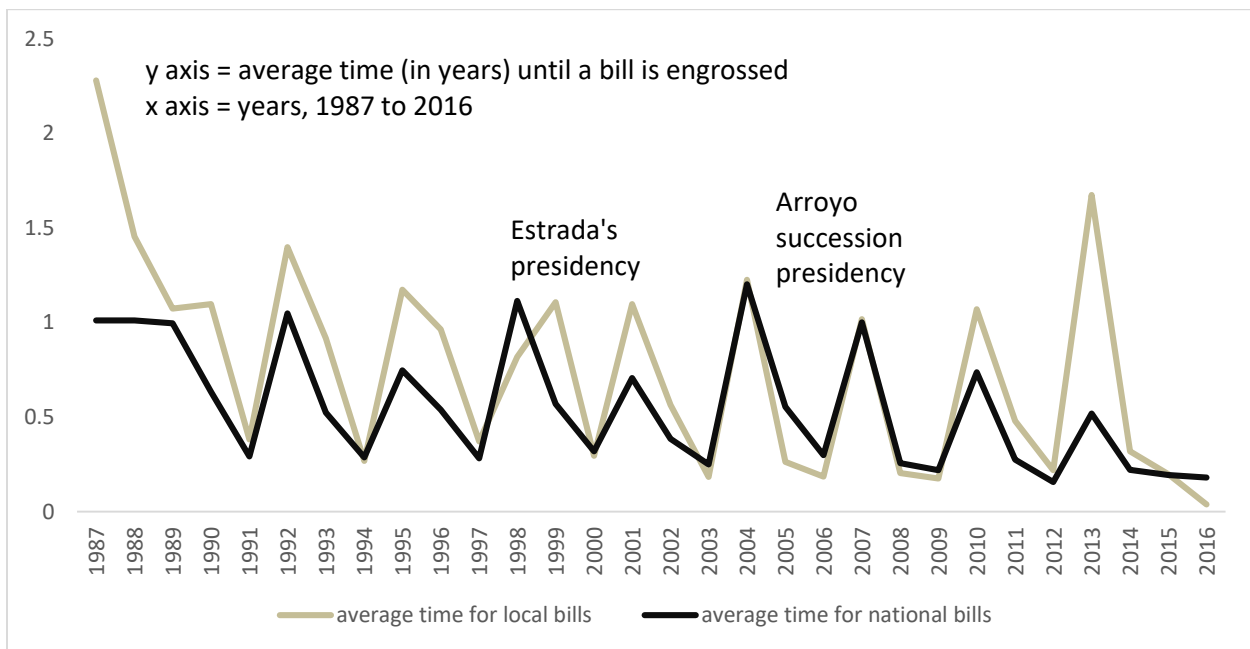


Only in two periods had there been a convergence of legislative attention to both national and particularistic legislations: Joseph Estrada’s precarious three-year presidency<sup>3</sup>, and Gloria M. Arroyo’s succession presidency. In both instances, questions of legitimacy hounded the presidency.

Legislation providing state or local benefits, of course, are generally less controversial and rarely subjected to lengthy deliberation than policies that have statewide or national implications (Anderson, Box-Steffensmeier, and Chapman 2003; Molinas, Perez-Linan, Saiegh, and Montero, 2008). About 75 percent of legislative proposals in the study, in fact, are bills of local significance. But the average time it takes for these bills to become law is about a third slower than bills of national significance.

Electoral proximity also appears to strongly motivate legislative attention. Only one out of five bills are filed one year prior to an election but these measures only takes about 70 days on average to be passed in the lower house. For other types of measures, the average time it takes for them to hurdle the house is about 284 days.

**Figure 2. Legislative attention in the Philippine House of Representatives, 1987 to 2016**



**Table 1. Summary statistics for the covariates**

<b>Categorical variables</b>					
<b>(t = time until passage at third reading in the House of Representatives)</b>	<b>No. of obs</b>	<b>mean t</b>	<b>std dev</b>	<b>min. t</b>	<b>max. t</b>
<b>policy salience</b>					
bills of local significance	7,986	270.13	283.22	1	1713
bills of national significance	2,606	186.38	219.55	1	1677
<b>electoral proximity</b>					
bills filed one year prior to election	1,719	70.31	62.39	1	416
bills filed during the term	8,873	284.25	282.35	1	1713
<b>electoral entrenchment</b>					
bills filed by dynastic legislators	2,371	179.02	204.38	1	1095
bills by other legislators	8,221	269.86	284.58	1	1713
<b>presidential administrations</b>					
Corazon Aquino	1301	473.25	398.26	2	1713
Fidel V. Ramos	2032	304.02	245.67	1	1006
Joseph E. Estrada	1595	291.82	248.41	1	1064
Gloria Macapagal-Arroyo (succession)	1126	222.37	198.20	2	931
Gloria Macapagal-Arroyo (election)	2656	124.33	160.41	2	1071
Benigno Simeon Aquino	1882	193.13	250.23	4	1095
<b>Partisan alignment</b>					
President's co-partisans	7,233	248.59	268.78	1	1713
members from other parties	2,973	250.86	271.39	1	1534
party list representatives	166	175.08	215.54	5	1351
independent	220	318.53	363.17	4	1629
<b>continuous control variables</b>					
	<b>No. of obs</b>	<b>mean</b>	<b>std dev</b>	<b>min</b>	<b>max</b>
legislative experience (in years)	10,598	4.07	4.65	0	26
percentage monthly inflation rate	10,598	0.49	0.93	22.93	6.15
nationwide self rated poverty (in percent)	10,598	57.45	6.28	45	72
President's satisfaction rating (in percent)	10,598	20.63	32.87	-50	69

Note: Legislative data is from the Philippine House of Representatives. Data on inflation is based on monthly Consumer Price Index (CPI) for all goods from the Philippine Statistics Authority. Data on self rated poverty and president's approval rating are from the Social Weather Stations.

Legislators from electorally entrenched families also appear to be more attentive to their legislative projects than the rest of their colleagues. Bills by typical legislators, on average, takes about half longer to be approved in the lower house than those by legislators from political families.

Bills of national significance also require more coordinative efforts in terms of cosponsorship than bills of local significance. National legislations proposed in collaboration with other representatives typically preoccupy legislators although coauthors do not necessarily have a hand in the actual drafting and logrolling of bills. More often these laws remain the sole concern of their principal authors and coauthorships serve merely as nominal indication of support (Campbell 1982; Koger 2003). It is possible for a Philippine legislator to sit with not even a single primary legislation and merely ride on the efforts of colleagues through cosponsorships. Electoral persistence is measured by the number of years the incumbents or their relatives have held the congressional post unbroken. Table 1 suggests there are representatives whose families have monopolized their congressional seats continuously for close to three decades. These families have practically controlled their legislative districts since the restoration of democracy in 1987.

The figures also show that since 1987 the president's party has generally enjoyed wide majority at the House of Representatives. The smallest proportion of partisan support at the lower house is 47 percent, while the average is 69 percent for all congresses examined.

Legislators aligned with the president's party appear to enjoy better legislative success than those from other parties. Members under the party list system, on the other hand, appear to be marginalized even in the legislative process. Of the legislative proposals coming from the party list representatives on any typical year, only about three would be approved on third reading. Of this, only two would be eventually enacted into legislation.

In terms of partisan alignment, about 68 percent of the bills in the dataset are sponsored by legislators affiliated to the party of the president. However, between allies of the president and other members, there appears to be no substantial difference in the average time it takes a bill to pass third reading.

With respect to the other control variables, the average years of experience for the representatives in the sample is four years. This suggests that the typical representative has had experienced being elected to Congress for at least one term. The most experienced member has served as representatives for over two decades.

Inflation contracts to about 0.49 percent per month on average. Inflation dipped to its lowest of -22 percent in the data on January 1994. The highest recorded monthly inflation was in January 1988 at 6 percent. Data on self-rated poverty and presidential approval ratings are interpolated from figures from the Social Weather Stations. Poverty was felt to be at its worst in February 1992 (72 percent), a few months before the end of the Aquino administration. On average, about six out of ten Filipino families believe they are poorer than in the previous quarter. Meanwhile, the average approval rating is 20. Gloria Macapagal Arroyo had the lowest approval rating (-50) on July 2008, far worse than Joseph Ejercito Estrada's public approval (14) when he resigned in 2001. Fidel V. Ramos had the highest net satisfaction rating (69) on the second month of his term.

## **Results**

Results of the mixed effect hazard models by issue salience are summarized in Table 2. Two models containing the same covariates are specified. One predicts the propensity of local bills to be engrossed on third reading. The other computes this propensity for bills of national significance. In both models, the choice which between particularistic (local) and salient (national) bills to prioritize is assumed to be true only at the individual level (legislator). The estimated variance at the individual level is 0.528 for particularistic measures, and 0.269 for bills of national significance. The likelihood ratio test suggests there is evidence in favor of the random effects model. If a Weibull function is assumed, the estimated hazard conditional on the covariates and on the random effects indicates a monotonically increasing function.

The results of the regression estimates suggest election has an inducing effect on legislative production and legislators generally try to facilitate the passage of their proposals one year before the next election, although the magnitude is more prominent for local or constituency targeted measures. To compute the hazard ratio, we exponentiate the coefficients for the variables of interest. The hazard ratio for particularistic proposals filed close to the election period, for instance, is computed as  $\exp(1.570) = 4.45$ . In other words, the propensity of local bills to be passed at the House of Representatives is accelerated by about four and a half times (hazard ratio = 4.45) if they are filed within one year prior to the next election. Attention to bills of national significance, on the other hand, are hastened by about three times (hazard ratio = 3.16).

Consistent with the hypothesis, there is strong evidence of national bills becoming a particular preoccupation for legislators from well-entrenched families. Dynasts whose families have dominated their districts for more than three terms are about 42 percent more likely to facilitate the passage of broad national measures in the lower chamber than non-dynastic legislators who filed their bills earlier than the year preceding an election (base category). Even with respect to particularistic legislations, dynasts are 24 percent more likely to concretize narrow policy proposals targeted to their local constituencies.

More interestingly, legislators from politically entrenched families appear to be impervious to the political cycles upon which their political existence are anchored (Evans 1991; Mayhew 1991). The conventional assumption, of course, is that the desire to be reelected constrains the behavior of legislators and induces them to strategically align their policy preferences to secure votes (see, i.e., Ashworth 2012). Elections entice members to frequent their districts more often, to attend to roll-call voting more dutifully and to be more active legislatively even to the point of introducing frivolous legislation that has little to do with constituency concerns or the member's own expertise (Herrick, Moore, and Hibbing 1994). In the case of the Philippine House of Representatives, however, members from well entrenched political families do not appear to capitalize on the number of legislative proposals to which they can claim credit to ensure electoral success. The negative coefficients for the category corresponding to bills filed by dynastic representatives during the year prior to an election can be misleading. This category is actually an interaction between the first two categories (electoral proximity and dynastic persistence). We isolate the effect of dynastic legislators by exponentiating the sum of the coefficients of dynastic persistence and the interaction term:  $\exp(1.494 - 0.477) =$  hazard ratio of 2.76 for local bills, and  $\exp(1.151 - 0.280) =$  hazard ratio of 2.38 for bills of national importance. The results imply reduced legislative activity as election approaches, consistent with the natural inclination of legislators unperturbed by electoral proximity.

The number of cosponsors has minimal impact on legislative attention, although the coefficients are statistically significant for both local and national measures. Curiously, cosponsorship support appears to be more relevant in passing particularistic measures than for broad public policies. Bills of local significance with cosponsors are about 54 percent more likely to become law than those filed without cosponsors.

The model also controls for the personal circumstances of primary bill sponsors. Gender does not appear to figure at all in courting legislative attention, whether in the passage of broad national legislations or narrow particularistic policies. The propensity of local measures to hurdle the house, on the other hand, is lower for copartisans of the president. While this finding sounds counterintuitive, it is hardly surprising. Noda (2011), for instance, found that the partisan loyalties of representatives and governors in the Philippines is negatively correlated with pork allocations for local infrastructures. The president is perhaps driven to spend more buying the support of non-aligned politicians over those who already support the president's programs (Noda 2011, 22). In terms of experience, neophyte legislators are no different from their more senior counterparts in their enthusiasm, or lack of it, in peddling legislative proposals.

Price contractions seem to make the passage of local bills less likely and shift legislators' attention to passing broad economic policies of national significance. This suggests that even though particularistic spending and pork barrel legislation comprise a great bulk of the House's preoccupation, during periods of steep or continuous upward inflationary movements legislators tend to be more prudent and tilt their focus to policies with broader socioeconomic implications. Almost often, however, price movements and what they portend rarely rouse the public as much as hunger and poverty. Periods of deep economic hardship and poverty induce legislators to pass more constituency-oriented measures. The effect is opposite with respect to attention to broad bills of national importance. The president's public popularity, on the other hand, appears to attenuate legislative attention but its impact is minimal to be practically significant.

To test the robustness of the findings, I reestimate the model but this time accounting explicitly for the effect of each additional year of electoral entrenchment. Table 3 summarizes the relationship between legislative attention and policy salience, given the closeness of election and the dynastic lineage of the bill's principal author. The interaction between electoral proximity and electoral entrenchment is negative and significant. Entrenchment is a continuous variable so we evaluate its effect by exponentiating the sum of the coefficients of its constitutive and interaction term for a given number of years of entrenchment (e.g. 12 years):  $\exp[1.753 - 0.0562(12)] =$  hazard ratio of 3.94 for particularistic measures, and  $\exp[1.346 - 0.0402(12)] =$  hazard ratio of 2.37 for broad measures of national importance. The inference for the rest of the covariates based on these estimates are substantially similar to the previous model.

**Table 2. Mixed duration model of legislative attention at the Philippine House of Representatives, 1987-2016.**

	Bills of local significance (t)	Bills of national significance (t)
t = is time from filing of a bill until its passage in the House of Representatives		
Bill type (base is bill filed not during one year prior to the election by a non-dynastic representative)		
Filed during one year prior to the election	1.494 (0.0512) <sup>***</sup>	1.151 (0.0640) <sup>***</sup>
Filed by a dynastic representative	0.213 (0.0658) <sup>**</sup>	0.348 (0.0824) <sup>***</sup>
Filed by a dynastic representative during the year prior to the election	-0.477 (0.107) <sup>***</sup>	-0.280 (0.126) <sup>*</sup>
Number of cosponsors	0.00948 (0.00174) <sup>***</sup>	0.00254 (0.000645) <sup>***</sup>
Whether or not a bill is cosponsored	0.431 (0.0343) <sup>***</sup>	0.136 (0.112)
Personal characteristics of principal sponsor		
Legislator is male	-0.110 (0.0681)	-0.00992 (0.0802)
Legislator is copartisan of the president	-0.250 (0.0495) <sup>***</sup>	-0.0742 (0.0585)
Years of experience as legislator	0.00809 (0.00564)	-0.00553 (0.00685)
Other socioeconomic and political controls		
Monthly inflation (percent)	-0.0960 (0.0135) <sup>***</sup>	-0.0512 (0.0200) <sup>*</sup>
Self-rated poverty	0.0230 (0.00307) <sup>***</sup>	-0.0122 (0.00416) <sup>**</sup>
President's approval rating	-0.0248 (0.000767) <sup>***</sup>	-0.00220 (0.00100) <sup>*</sup>
_cons	-8.703 (0.213) <sup>***</sup>	-5.144 (0.294) <sup>***</sup>
/ln_p _cons	0.336 (0.0102) <sup>***</sup>	0.0755 (0.0195) <sup>***</sup>
Variance for individual legislators _cons	0.528 (0.0389) <sup>***</sup>	0.269 (0.0459) <sup>***</sup>
AIC	20678.6	8223.8
BIC	20776.4	8305.9

**Table 3. Robustness test for the effect of electoral entrenchment on legislative attention**

	Bills of local significance (t)	Bills of national significance (t)
t = time from filing of a bill until its passage in the House of Representatives		
Electoral proximity (filed one year prior to an election)	1.753 (0.0773) <sup>***</sup>	1.346 (0.0980) <sup>***</sup>
Electoral entrenchment (Actual number of years principal sponsors' family has held the district post)	0.0666 (0.00565) <sup>***</sup>	0.0608 (0.00660) <sup>***</sup>
Electoral proximity x electoral entrenchment	-0.0562 (0.00858) <sup>***</sup>	-0.0402 (0.00989) <sup>***</sup>
Number of bill cosponsors	0.00978 (0.00176) <sup>***</sup>	0.00249 (0.000641) <sup>***</sup>
Whether or not bill is cosponsored	0.412 (0.0345) <sup>***</sup>	0.107 (0.112)
Personal characteristics of principal sponsors		
Legislator is male	-0.000499 (0.0702)	0.0764 (0.0800)
Legislator is copartisan of the president	-0.212 (0.0511) <sup>***</sup>	-0.0304 (0.0578)
Years of experience as legislator	-0.0107 (0.00610)	-0.0221 (0.00715) <sup>**</sup>
Other socioeconomic and political controls		
Monthly inflation (percent)	-0.0905 (0.0136) <sup>***</sup>	-0.0473 (0.0201) <sup>*</sup>
Self rated poverty	0.0233 (0.00309) <sup>***</sup>	-0.0127 (0.00410) <sup>**</sup>
President's approval rating	-0.0237 (0.000778) <sup>***</sup>	-0.00165 (0.000986)
_cons	-9.231 (0.222) <sup>***</sup>	-5.501 (0.296) <sup>***</sup>
/ln_p _cons	0.350 (0.0103) <sup>***</sup>	0.0843 (0.0194) <sup>***</sup>
Variance for individual legislators _cons	0.580 (0.0434) <sup>***</sup>	0.249 (0.0442) <sup>***</sup>
AIC	20533.2	8156.7
BIC	20631.0	8238.8



## Conclusion

Does political entrenchment lower the quality of policies Congress legislates?

Evidence from a mixed effect duration analysis of 10,598 bills deliberated at the Philippine House of Representatives from 1987 to 2016 do not indicate that legislators from well entrenched political families restrict their legislative focus on low-level particularistic policies which only target their constituencies. On the contrary, there is strong evidence that incumbent dynasts whose families have dominated their districts long enough are more likely to work toward the passage of broad national policies compared to their non-pedigreed counterparts. Legislators from politically entrenched families are also less disposed to strategically shift legislative attention in response to the uncertainties of electoral cycles. The findings are robust even when controlling for other determinants of legislative attention and accounting explicitly for the effect of each additional year of entrenchment.

The results have several interesting implications. Families dominate politics in the Philippines and it is not unusual to blame the dysfunctions of Philippine democracy to well-entrenched political dynasties. The results suggest, however, that an incentive structure beyond electoral accountability motivates the behavior of politically persistent politicians. Dynastic legislators impervious to the accountability mechanism of electoral institutions may have no incentive to produce more laws. Nevertheless, they are more likely to produce quality laws in the long run, whether motivated by sheer altruism or aspiration for higher office. Hence, there may be a need to reexamine our notion of good politics beyond the conventional and entertain the idea that perhaps political families are themselves symptoms and not the disease in an ailing political system.

In a context where institutions constrain elites to self-perpetuate, political families inevitably will proliferate in the long run. Thus, governance will ultimately be a question—not of political pedigree—but which among similarly well entrenched elites give better service. #

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## Endnotes

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<sup>1</sup> Former president Benigno Simeon Aquino III served as representative of the 2<sup>nd</sup> district of Tarlac from 1998 to 2007. Aquino was succeeded by his great uncle Jose Yap when he was elected senator in 2007.

<sup>2</sup> All public officials and employees are required to state relatives in the government in their statement of assets, liabilities and net worth (SALN). Article XI Sec. 17 of the 1987 Constitution and Sec. 8 of Republic Act No. 6713 or the “Code of Conduct and Ethical Standards for Public Officials and Employees” requires the submission of the SALN for all government officials and employees.

<sup>3</sup> Estrada resigned in the middle of his impeachment trial in 2001. Days later, then vice president Gloria M. Arroyo was sworn as president.