

Book Reviews

Perfecto R. Yasay, Jr. *Out of the Lion's Den: The Travails and Triumphs of a Public Servant*. Quezon City: New Day Publishers, 2005. 189 pp.

The Securities and Exchange Commission (SEC) is a quasi-judicial agency tasked with monitoring and regulating the workings of private corporations and partnerships. Together with the Philippine Stock Exchange (PSE), it aims to assist the development of the Philippine financial sector by developing the domestic capital market and making it accessible to both those in need of and those willing to invest capital. Although legally under the Office of the President with its Commissioners appointed by the President, the SEC is supposed to be independent from the Executive and the other two branches of government. It is only by being independent that it can truly be effective in promoting fair and just corporate practice.

The book of Perfecto R. Yasay, former SEC Chairman who served under Presidents Ramos and Estrada, is a window through which the public can see how a supposedly independent office can be easily influenced by those with the will and power to do so. It gives readers a detailed account of Yasay's experience as SEC Chairman through two of the biggest capital market scandals in the country and the deliberate and methodical attempts to remove or at least to render him ineffective as SEC Chairman.

Chapter One (A Crisis in Leadership) tells how upon being sworn into Office, Estrada called for Yasay's ouster. Enjoying security of tenure and not wanting to resign from his post which he earnestly believed to be independent of the President's supervision and control, Yasay was immediately charged before the Office of the Ombudsman and was placed under preventive suspension. It was during this time when the Metro Pacific Group of Hong Kong (Metro Pacific) acquired a substantial block of shares in the Philippine Long Distance Telephone Company (PLDT). This transaction caught the capital market community by surprise as it was cloaked in utmost secrecy in violation of the SEC and PSE rules on disclosure. The public had every right to know of these transactions as it involved Metro Pacific, the owner of Smart Telecommunications (Smart) and PLDT whose subsidiary, the Pilipino Telephone (PILTEL), was a direct competitor of Smart. However, despite the

secrecy and various rumors surrounding this deal, no investigation was ever conducted by SEC under Acting Chairman Fe Eloisa Gloria.

Upon the expiration of his preventive suspension, Yasay immediately called for an investigation of the Metro-PLDT transaction but the said investigation was never carried out as he was again suspended for another ninety days by the Ombudsman—a move which was later declared illegal by the Supreme Court. No investigation was ever conducted not only because of the lack of persons who could shed light on the transaction but also because of Executive Order No. 60 issued by Estrada removing the SEC from the supervision of the Department of Finance and placing it directly under the control and supervision of the President. This move aimed to control any future investigation of violations of securities' laws and regulations.

The book contains stories of how the author was personally berated and at the same time wooed by Estrada during meetings and telephone conversations, showing that Estrada was not as inept as some people would think but perhaps may be one of the most cunning and manipulative political leaders of our time. These traits are shown in Chapter Five (Divide and Rule). Estrada employed the same divide and rule tactics he used with his friends and cronies to put a wedge between the SEC and the PSE and among the Commissioners of the SEC. He and those close to him tried to use various means (friendly overtures, intimidation, threats and bribery, as well as seemingly legal means) to prevent a full investigation of the BW scandal, another major focus of the book.

The story behind the BW scandal and how the President and his men attempted to curb the SEC's powers and gag its Chairman in order to institute a well planned cover-up is laid down in Chapters Three and Five to Nine. Chapter Three introduces Dante Tan, a close associate of Estrada, and shows how Tan managed to acquire through backdoor listing Greater Asia Resources Corporation, which Tan later renamed Best World Resources (BW).

Chapters Five to Nine detail the means by which the SEC Chairman was eventually rendered ineffective to conduct any investigation regarding

the unexplainable rise in the price of BW shares and which eventually led to its sudden decline. What is interesting here are the accounts of how the PSE almost collapsed due to the sudden decline of BW share prices, which left a lot of brokers uncovered to settle their losses, and how the highest official in the land vainly tried to cover up his tracks and participation in the said crisis. It is worth noting here that other persons aside from the President were successful in enriching themselves and earning billions from the BW scandal but none have yet been found guilty and punished for their crime.

Finally, the book ends with the resignation of the author as SEC Chairman (Chapter Ten) and his feeling of hopelessness and futility as he reflects on how the reforms he introduced have been dissipated and wasted. It is a shame since most of these reforms, if only effectively implemented, could have made the country the envy of other stock exchanges and capital markets and would have probably signaled the country's emergence as an economic force and attractive potential market for investors.

Although the book is replete with hearsay accounts, one cannot discount the personal accounts of the author as he narrated his experience in the world of Philippine government and politics. The book's narration is not arranged chronologically but the Chronology of Events found at the end is very helpful. Throughout the book, the narration of facts is combined and intermingled with the author's personal opinions, making it a showcase of one man's reflections of his first and only stint as a public servant. It is anecdotal and full of personal accounts which will titillate the readers' imagination. At the same time, it contains useful information regarding the SEC, the PSE, the world of corporations and stock trading, as well as an elaborate account of the reforms made and the setbacks suffered within the corporate and the financial market sectors. Readers are given a crash course on capital markets and the roles played by securities and stock exchanges in ensuring that the capital market is democratic and free from any manipulation. One need not worry about the technical or legal terms used as these are sufficiently explained.

The book gives readers valuable insights on how the finance market works and the roles played by the PSE and SEC. It treats the readers to an understanding of the potentials of the domestic capital market and how it is

still very much vulnerable to criminal and manipulative conduct like inside trading and stock manipulation of those desiring to get rich quick without having to work hard for it but are in positions to do so.

The book is but another addition to the literature dealing with how so much of the country's potentials are betrayed, wasted, and misused by intelligent but unscrupulous individuals who find themselves in power. ❖

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Ma. Glenda Lopez-Wui and Chantana Banpasirichote, editors. *Peoples' Initiatives: Engaging the State in Local Communities in the Philippines and Thailand*. Manila and Bangkok: Third World Studies Center and Center for Social Development Studies, 2003. 273 pp.

People's Initiatives is an attempt to bring civil society back to its originator before being captured in the rhetoric of international aid development agenda. Contextualizing the discussion within the community where the real initiators of communal initiatives are, the book paints the *interventions* and *innovations* by local civic organizations in their struggle to revise, challenge, or reject the development plans charted by the state.

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The common theoretical thread discusses state-civil society engagement in terms of confrontation, cooperation, and cooptation. The book also typecasts the factors affecting state-civil society relation in the Philippines and Thailand: (i) an enabling environment, (ii) activist stance of civil society organization, and (iii) civil society's capacity or competence (25).

Exuding variances in the distribution of these factors, the book shows that power relations between state and local civil society in the six localities examined are classic examples of how the state uses the instrumentalities of government to protect and enhance its interest on one hand, and how civil society groups select their means and tactics in pushing for their claim on the other.

Theoretically, local level citizen participation is seen by the contributors as one of the means to balance the power of the state and influence of private capital in governance. In actuality however, what the case studies represent are attempts of concerned, if not victimized citizens to address the issues affecting their respective community.

In the case of Child Watch Phuket, indifference by local authorities to confront the problem of child neglect and abuse in the community resulted in the establishment of a civic unit that coordinate and engage with the state in the aim of addressing the problem. In contrast, the Concerned Citizens of Abra for Good Governance (CCAGG) was established by citizens to check on the excesses of local authorities in one of Philippines' poorest provinces.

Collectively and subtly, each of the cases presented argues for and in behalf of those who find the need to civilize the state. The cases of CCAGG, the Mapalad Farmers in Sumilao, and the citizens of Kanchanaburi, reiterate the need to cultivate sympathy and civic consciousness within those in the apparatuses of the state.

Hence, one of the strengths of the book lies in its successful depiction of civil society as part of the strategies and usually, the only effective and reasonable means by citizens to negotiate with the state; to reshape its policy away from the immoderate dictates of the market towards a more equitable, sustainable form of development.

Still, the most important, yet less developed theme relates to the inherent contradiction between democracy and capitalism. *People's Initiatives* raises empirical and normative questions on whether democratization *cum* decentralization *actually* helped address issues on equity and participation. It also emphasizes, albeit inadvertently, a unilateral conviction that the struggle for democracy has always been a battle to expand the limited space allotted by the state for citizen participation.

However, when one ponders about the democratic form taken by some countries belonging in the so-called *third wave* literatures such as the Philippines and Thailand, one is led to the conclusion that democracy in these countries has become nothing but a response to the "global consolidation of competitive capitalism". Using this perspective, a more complicated picture of civil society-state engagement in Thailand and the Philippines other than that painted in the book emerges.

Pintobtaeng, in his study of relationship between civil society and government in the fishing district of Koyao asserts that approval of destructive fishing methods in the province can only be made possible through exercise of private influence on politics. He concludes that so long as politics favors those who have the capital, the move to reform the fisheries system in Thailand is near impossible.

Tigno, in his study of the participation of private business organizations in Negros Occidental posits that the business sector engages the state only for its own benefit. This makes one cognizant of the prevalence not only of patronage politics but of direct permeation of private capital in local governance. The reluctance of other civil society groups in the province to criticize the private organization engaging in shady dealings with the local government affirms and strengthens the feudal lineage not only of *political engagements* in Negros Occidental, but even of *civic engagement* by civil society in the public realm.

These two cases illustrate that with the emergence of capitalism as the dominant socio-political structure in many communities, civil society organizations have had to fight for their place in an already narrow space

that is becoming even more restricted by the continuous incursion of politics and economy in the sphere of civil society.

And so, one can say that the book fairly reflects — and affirms the “three traditional areas of contested space between the state and civil society groups: use and management of natural resources, public funds, and public services”. With capitalism using the state as its public image as shown by some of the case studies however, this traditional state-civil society bifurcation becomes theoretically and conceptually untenable.

Songco admits that “the state is, in fact, on the defensive and cannot tolerate much progressive action”. This corresponds to the observation that the neo-liberal globalization prescriptions of good governance has led not to enhanced democracy or participation but instead echoes the manifestations of impositions from above and are largely premised on the subordination of democracy to the pursuit of profit.

This declaration leads us to a paradox. Participation has come to be seen as “an affirmative action that protects and advances the right of marginalized groups to become a major and integral part of public decision-making”. In actuality, the six case studies provide us a sad glimpse of a reality by which civil society participation at the local government level is dependent on state recognition, with the latter dependent on the caprices of capital.

In essence, the attempt of *People’s Initiatives* to return the discourse of civil society at the level of practical discussion of communal initiatives is commendable, but by limiting the conceptual lenses to the struggle between state and civil society, the book stopped short of patronizing the root cause of this academic and practical engagement in the first place: inequalities caused and engendered by *capitalism* itself.

When civil society ceases to challenge the state’s *materialist* roots and rests on finding congruence in the state’s predetermined set of political and economic coordinates, it also stops *imagining* that another world is probable: A world where it is still possible to challenge the intolerant, yet habitually accepted world-image that is neo-liberal capitalism. *People’s Initiatives* is just one small step towards this re-imagination.

By connecting theory to the practical details of communal life, *People's Initiatives* brought the *people* back in the discourse of civil society. The next step is to fill in the huge gap between the beliefs people profess as *impossible* and the beliefs they hold by default as citizens. The second giant step is for people's initiatives around the world to do away with the people's habits of thoughts and start *re-imagining* civil society as a realm where it is still *possible* to have alternatives. ♦

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Perlita M. Frago, Sharon M. Quinsaat, and Verna Dinah Q. Viajar. *Philippine Civil Society and the Globalization Discourse*. Quezon City: Third World Studies Center, University of the Philippines, 2004. 143pp.

The rise of civil society in the post-Marcos Philippines not only changed the country's political landscape but also the way politics is understood and studied. Suddenly, papers that have explored the nature, dynamics, and the role played by civil society in the Philippines emerged as scholars grappled with the new political space that it had spawned. However, the advent of globalization and the ramifications it bring requires a new lens with which to analyze civil society and its activities. The Battle of Seattle for one heralded the global activism that we know today and subsequently ushered in a different prism in understanding the relationship between civil society and globalization. Cognizant of this, the book *Philippine Civil Society and the Globalization Discourse* seeks to fill this gap by looking at the perspectives on globalization of selected civil society groups in the country. In brief, it argues, that civil society's response to and understanding of globalization is informed by its specific mandate/thrust, ideological orientation, leadership,

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and constituency. Thus, it is this framework that guides the book into its investigation of the globalization and civil society nexus in the Philippine setting.

Perlita Frago, Sharon Quinsaat, and Vernah Dinah Viajar of the Third World Studies Center have written a book that both describes and advocates. They find that civil society organizations (CSOs) coming from political blocs are those that consistently articulate on issues that pertain to the political economy of globalization such as those on neoliberalism, liberalization, the World Trade Organization (WTO), and the like. For such groups, it is their ideological orientation that greatly influences their mandate and thrust. For those belonging to sectoral organizations, the authors observed that their concerns tend to be those which impact on their specific constituencies such as labor unions and women's groups. Conversely, NGOs that are involved in research and development look to their mandates in responding to issues of globalization rather than on their constituencies.

In analyzing the strategies employed by CSOs, the authors note that 'critical engagement with the state is still deemed fundamental', even as the advent of 'multi-layered governance' has spawned 'new forms of protests' outside of the state. However, they acknowledge that except in agriculture where CSOs are unified against WTO rules and in their struggle against the 'strengthened role of the state along with reforms in existing national policies', 'sustained unity' remains elusive for the CSO community. Notably, their findings point to the fact that 'above all, what has polarized CSOs to a large extent is the fundamental character of the development paradigm that should be pursued and its underlying ideological basis.' Nonetheless, Frago et al. argue that this should not in anyway undermine nor paralyze the efforts initiated by CSOs. Echoing the Gramscian notion of civil society's role, they take on an advocate's stand when they pose a challenge to CSOs that despite their differences, they can still present a viable alternative to the logic of globalization 'in which a cohesive position and practical politics could be advanced.'

As a book based on a study of highly contested concepts (globalization, civil society, and the state), it draws strength from its rich theoretical discourse. The literature review succeeds in contextualizing the study in the theoretical

arena and in bringing to the fore the current debates in the field. It gives an academic novice with enough theoretical material to understand where the authors are coming from. Moreover, the prose is well-written and erudite but it does not turn off the reader as it does away with excessive jargon. Thus, it promises to gain readership even beyond the confines of the academe.

To achieve the goals of the study, the authors purposively selected 33 center-to-left groups and culled their views on globalization through semi-structured interviews, content analysis, focused group discussions (FGDs), and validation workshops. However, the purposive nature of the selection process which, according to the authors was done to capture David's exclusive definition of CSOs, regrettably weakens the study's explanatory power and its potential to generalize the findings. Thus, it cannot claim to capture the whole picture of civil society responses to globalization in the Philippines. What it can truly contribute is an analytical documentation of the responses of a particular segment of civil society in the Philippines. Nevertheless, despite this methodological gap, the book succeeds in its intention to serve as a baseline data for more in-depth studies on globalization and in situating and contextualizing the role of CSOs. The evolving nature of the relationship between CSOs and globalization merits future scrutiny and continued examination of their dynamics.

Philippine Civil Society and the Globalization Discourse, as one of the pioneering efforts to explore globalization from the perspective of CSOs, is a good take-off point for scholars who wish to investigate the politics of globalization. To a certain extent, the activist nature of the research stands to benefit not only CSOs but the policy community as well. For sure, policymakers and other stakeholders in development will find the book helpful in understanding the exclusionary nature of the current neo-liberal paradigm that is being pursued in the altar of globalization. Hopefully, this will serve the great purpose of bridging the perennial gap between the academic and policy community. ❖

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Jose V. Abueva (ed.). *Towards a Nonkilling Filipino Society: Developing an Agenda for Research, Policy and Action*. Marikina City: The Aurora Aragon Peace Foundation and Kalayaan College Riverbanks, 2004. 210 pages.

Per aspera ad astra, says an old Latin saying, which in the common language means 'A rough road leads to the stars'. This does not mean to directly aim at the stars but rather, it postulates that by hard-work, sincerity, and sacrifice, one can achieve good results in life. These essential elements of transition are probably the wisdom behind Plato's defense of his ideal society and centuries later, the inspiration of the fruitful university lecture series jointly sponsored, organized, and later on published by the Aurora Aragon Peace Foundation and Kalayaan College Riverbanks.

Philippine history is one of bloodshed and revolt, one may possibly say. At the turn of the twentieth century, countless men and women sacrificed their lives for a nation's cause. And for better or worse, the liberty Filipinos enjoy today is founded on stories of courage, might, death, and gore. Or maybe, that is just how Filipinos were taught to imagine it.

Jose V. Abueva *et al.* lift the cloud in the reader's mind on how from a history perceived with lethality, Filipinos can move towards a nonkilling society. Inspired by the work of US scholar Glenn Paige entitled *Nonkilling Global Political Science*, Abueva invited scholars and leaders prominent in their work towards peace to ponder on the questions "Is a nonkilling society possible? Why and why not?", and then later to draw key implementable agenda for research, policy, and action in the Philippine context.

Paige takes the lead with a reiteration of his key propositions that offer both sound theories and remarkable practical scientific confirmation to support the possibility of a nonkilling global society. He first defines a nonkilling society as "a society, local to global, in which there is no killing of humans, and no threats to kill; no weapons designed to kill humans and no justifications for using them; and no conditions of society that depend for maintenance or change upon the threat or use of lethal force" (p.3). Paige founds his definition on what he calls "society's nonkilling capabilities". These are: nonkilling human nature; nonkilling spiritual and humanist teachings;

nonkilling science; and nonkilling public policies. He goes on to show how different countries at various times have idealized a nonkilling society and then elaborates how they tried and continuously try to build nonkilling capabilities and apply them to their communities with mounting success. He concludes that these evidences show that human beings, individually and socially, are capable of liberating themselves from lethality. And most importantly, he illustrates how the discipline of Political Science, among others, can mainstream narratives of hope against the present dominant narratives of lethality and despair and also create ways to use knowledge to problem-solving and institutional/structural reforms and thus contribute to the learning and practice of nonviolence and nonkilling.

But the greatest contribution of the book to the Philippine context comes into view in the subsequent chapters where the authors elicit insights that highlight both challenges and prospects of a nonkilling Filipino society. The diverse fields of expertise of the writers endow the undertaking with a constellation of insights to finally favor a heavily neglected but extremely important aspect of the country's past, present, and future.

Howard Dee raised what he thinks is the limitation of Paige's definition and moves to include in its conception a "life-sustaining society". He argues that killings take various forms that go beyond the use of lethal weapons. "Not only guns, but unjust policies and practices, even prejudice can kill", Dee disputes. He finally qualifies that for a society to be eligible as nonkilling, it must be "a benevolent life-sustaining society in all aspects of life, in all human activity, in all its human relationships, internally and externally" (p. 87). Randy David and Benjie Tolosa's evocation on articulating the imperative for recognizing the sanctity of life and upholding human solidarity is in consonance with this proposition.

Other authors such as Jose Magadia, Macapado Muslim, and Ging Deles identify key areas where initial actions should be taken. The authors think that the Philippines must confront its total environment that promotes death and violence by addressing the problems of inequality, parochialism, cultural intolerance, and isolationism.

On the other hand, inspiring insights can also be drawn from Karen Tañada's and Miriam Ferrer's individual chapters where they elucidate on existing efforts in the Philippines which are consistent with a nonkilling society. Tañada shares her experiences in the peace movement and faithfully utters resistance to violence by all peaceful means. Ferrer also shares this faith as she points to signs in the local and global scene that should provide hope, although in some instances, they may merely be symbolic. Among her examples are: the creation of peace museums; offerings of degree programs in peace studies; global disarmament; "peace-mongering"; and the heightened currency of peace processes. She also identifies key areas where research, policy, and the concrete praxis towards a nonkilling Filipino society may begin. Among these are: Philippine history from a nonkilling perspective (highlighting for example the bloodless struggles such as People Power); Philippine society and nonkilling society; Philippine folklore, literature, and local histories; public policy; and comparative studies of transition to a nonkilling society.

Reynaldo Pacheco and Dennis Arroyo also provide concrete measures to systematically lessen if not fully put a stop on the proliferation and usage of lethal weapons. As founder of NATURE/Gunless Society, Pacheco shares the efforts of their group to push for gun control in the Philippines. Arroyo, on the other hand, showcases breakthroughs in weapons technology that make available creative non-lethal weapons.

All in all, the contributions of the authors open possibilities for Filipinos to "appraise what ethical, institutional, historical and cultural resources we already have, and what we need or have to overcome to get nearer our goal" of a nonkilling society (p. 124). For its noteworthy contributions to opening doors to re-imagining our past and re-directing the goals for humankind, this collaborative work by the most illustrious peace advocates is intended to be a permanent tome in the shelves of not only serious students of social sciences but also everyone interested in making a nonkilling society possible. It will be a requisite fixture in citations of papers and studies in the future.

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