



“Popularizing” Technocratic Decision-Making: The Formulation of the Philippine Negotiating Position in the WTO Agreement on Agriculture

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ABSTRACT. One argument raised on the economic crisis, which the Philippines has continuously encountered since the 1970s, is the absence of transparency and accountability in the economic decision-making process. Technocrats who were appointed by the executive had a free rein on deciding economic matters and were only accountable to the Philippine president—a situation that led to failed economic policies which were not attuned to the needs of the people. This was challenged by the 1986 People Power Revolution. With the downfall of the Marcos dictatorship, the martial law technocrats saw their end. However, despite the return in the post-martial law years of “liberal democratic” structures for people participation, technocratic decision-making continued, particularly in the advent of neoliberal globalization. This, however, is continually challenged by civil society and social movements. Such a challenge is seen in the formulation of the Philippine negotiating position in the World Trade Organization (WTO), particularly in the Agreement on Agriculture (AoA) whereby technocrats and civil-society actors have to negotiate and come up with mutually acceptable terms. The following factors brought about this engagement: 1) the failure of the neoliberal paradigm which brought about the 1997 Asian financial crisis; 2) the need to involve civil society in crafting economic policies because of massive worldwide demonstrations against the WTO; 3) the state having to contend with domestic pressures brought about by the democratization process; 4) the public demand for transparency and accountability in economic decision-making; and lastly, 5) the existence of “reformist” technocrats who are open to alternative economic paradigms. These paved the way for the institutionalization of civil-society participation in designing the country’s position on the AoA through the Task Force on WTO Agreement on Agriculture (Re)negotiations (TF-WAAR). Corollary to this is the development of civil society’s technical expertise in the negotiation process and the support of coalition blocs on the Philippine position in agriculture in the WTO.

KEYWORDS. technocrats · economic decision-making · globalization · WTO · civil society · neoliberalism · AoA · TF-WAAR

INTRODUCTION

A major criticism that has been heaped on economic decision-making in the Philippines is that it is too “technocratic,” i.e., it is done by experts who are out-of-touch with the interests of the majority in society. An exception seems to be the shaping of the country’s negotiating position on the Agreement on Agriculture (AoA) in the World Trade Organization (WTO). The decision to participate in the WTO was a technocratic decision that was made by so-called economic experts who are strong advocates of the neoliberal ideology—the free market and liberalization. Still, the formulation of a negotiation position in agriculture has seen the active participation of civil-society actors, reflecting the broader interests of the affected sectors. This seems to be the exception rather than the norm considering the general criticism of WTO negotiations: that it has generally locked-out people in the decision-making process, leaving this to the executive and the bureaucracy. Top-down technocratic policymaking can jeopardize political representation as the Congress is marginalized from the policy process and is “not well positioned to effectively represent constituents whose policy preferences may differ from those of executive technocrats” (Williams 2006, 123). The practice, however, is that economic decision-making, in general, and the shaping of the country’s negotiating position in the WTO, in particular, have been relegated to so-called economic experts who have an understanding of technical issues, which are generally not easily grasped by the country’s legislators and cannot be understood by ordinary citizens. “Many new democracies in the 1990s developed highly assertive actors, bombarding legislators with complex bills” which they could do nothing about as they have not developed the technical capacity to evaluate these bills” (Corrales 2004, ii). Some have pointed out that these have shielded the shaping of the country’s negotiations from partisan and even patronage politics usually associated with the Philippine Congress. But it also deprives the policy decision-making process with a sense of legitimacy and the inputs from the stakeholders. It is in this light that Javier Corrales (2004) and Mark Eric Williams (2006) argued for the need to improve the technocratic policymaking of the parliaments as well as the political parties in Argentina, Mexico, and Venezuela. They pointed out that this was to make the process more democratic as well as accountable and transparent.

This paper offers another dimension in “popularizing” technocratic decision-making—that is through civil-society intervention—

in the executive's shaping of the country's WTO negotiating position. It argues that the process that shaped the Philippine negotiating position in the WTO, particularly on AoA, shows a way in which technocratic decision-making could be popularized in the country, whereby the so-called experts are not only government functionaries but also civil-society members. This has not only strengthened the negotiating leverage of the Philippine negotiators, it has also become more acceptable to those directly affected.

The first part of the paper will focus on the nature of technocratic decision-making in the Philippines during the martial law period and its adverse effects. The second part will examine the challenges confronted by technocratic decision-making during the post-martial law period. And lastly, the paper will discuss the emergence of "reformist" technocrats who are more attuned to civil-society participation in economic policymaking.

TECHNOCRATIC DECISION-MAKING IN THE PHILIPPINES

The term "technocrats" came into the consciousness of Filipino people in the 1960s. They were appointed to important government agencies and gained further prominence in the 1970s, particularly in the advent of the martial law. Philippine technocracy was generally looked upon as constituted by a select few who had the expertise in economics management and thus could take on the lead in this endeavor on behalf of the government. As developed further by the International Monetary Fund (IMF) and the World Bank in the 1960s, technocracy was viewed as an elite corps of experts who have the last say in development planning (Bello, Kinley and Elinson 1982, 28). Among the technocrats during the martial law years were Cesar E.A. Virata, former finance minister and later on prime minister; Alejandro Melchor, executive secretary; Gerardo Sicat, director-general of the National Economic and Development Authority (NEDA); Vicente Paterno, director of the Boards of Investments and Industry, and Manuel Alba, Budget Minister (Encarnacion 1985). Most of them had graduate degrees from US universities such as Harvard University, the Massachusetts Institute of Technology, the Wharton School of Economics, and the University of Pennsylvania.

Technocratic Decision-making during the Martial Law Period

Technocracy inevitably became one of the major pillars of the martial law regime. Besides their internationally recognized economic expertise, the technocrats also provided the leadership with a credible development program that was endorsed by the agents of foreign capital. They basically espoused liberalization and an export-oriented economy. With regards to the decision-making process, a trait that technocrats possessed was their distaste for politics, which they perceived to be “irrational” and thus “anathema to the development of scientific expertise.” Thus, not a few of them welcomed the declaration of martial law, which witnessed the dissolution of the Philippine Congress and the banning of protest actions, both of which the technocrats generally viewed as their “nemesis” in policymaking. Executive, legislative, and judicial powers were all vested in President Ferdinand Marcos, who gave the technocrats a free rein to run the country’s economy. The technocrats’ preference for an apolitical and probusiness atmosphere gave the leadership a “legitimate” excuse to depoliticize the Filipino people. This was implemented in various forms, e.g., the imposition of authoritarian controls on the flow of information, the elimination of leaders of national movements, and the denial of civilian rights (Stauffer 1974, 173).

The technocracy’s attitude towards martial rule in the country was expectedly shared with the United States and its allies (i.e., the World Bank and the IMF) that saw how the local technocrats were having a difficult time implementing policies favoring foreign capital because of opposition from nationalist economists. Under an authoritarian regime, any opposition to the government could easily be silenced. This enabled the technocracy to pursue its goal of creating a strong state that would play a major role in supporting private accumulation as well as controlling and directing economic development (Hawes 1984, 263).

Opposition to the technocrats’ development program, however, grew in the 1980s with the failure of the export-oriented development strategy as well as the curtailment of civil and political rights to pave way for development projects (Tadem 2005a). The technocrats were attacked for making major economic policies without consulting the local business community and being “too bureaucratic, arrogant and lacking in practical experience” (Bowring and Sacerdoti 1983, 64). The criticisms of the business community were supported in general by social movements, in particular, those identified with the mainstream

Left—the Communist Party of the Philippines (CPP), the National Democratic Front (NDF), its illegal united front, and the New People’s Army (NPA), its military arm. Together with the business community, they pointed out that the failure of the technocrat’s development program was due to wrong policies and economic priorities, the inability of the Marcos regime to curb graft and corruption, and the lack of accountability of public officers. One of the most celebrated cases was the Chico River Dam project in Northern Luzon, which witnessed the opposition of tribal communities against the use of their ancestral lands for a World Bank hydroelectric project. This project promised to bring electricity in the region and attract foreign investments. The result was the militarization of the area and the growth of the communist insurgency in opposition to the project and the consequent loss of lives and livelihood. This was an example of how the technocrats failed to consider the political and sociocultural repercussions of their economic policies. For the business community, the Church, and social movements, their only way to “intervene” in the decision-making process of the technocrats was to hold forums to express their sentiments on the unfair economic policies of the regime. For the business community and the Church hierarchy, these forums were organized by the Makati Business Club, the Bishops-Businessmen Conference of the Philippines, and the Philippine Chamber of Commerce and Industry. Their recommendations, however, were ignored by the technocrats. They would also stage protest actions and demonstrations even if these were illegal. But the more important evidence of the disillusionment with the technocratic policies was the growth of the communist insurgency due to increasing poverty, the widening socioeconomic inequalities, uncurbed corruption, and the curtailment of political and civil rights.

Technocratic Decision-making during the Post-Martial Law Period¹

With the reestablishment of liberal democratic institutions during the post-martial law period, namely, the executive, the legislature, and the judiciary, and the return of popular elections, there was a perception that there would also be popular intervention in economic decision-making. Moreover, Article 13, Section 16 of the 1987 Constitution stipulates that “the right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall,

by law, facilitate the establishment of consultation mechanisms.” This, however, would not be the case. It remains difficult for nonstate actors to intervene in the technocrats’ decision-making process. As during the martial law period, only a handful of actors continue to have a monopoly of the decision-making process and these are the technocrats appointed by the President. This is not only peculiar to the Philippines but also in what are referred to as high-tech states, which despite being democratic, still grapple with the central issue of democracy versus technocracy (Shapiro 2005, 342). For “by virtue of the very specialization of knowledge required for the achievement of high technological skills, experts are themselves special interest groups whose perspectives and self-interests render them nonrepresentative of the demos as a whole” (Shapiro 2005, 343).

These technocrats share the same economic ideology, i.e., neoliberalism, which has continued to espouse the martial law year’s economic policy of liberalization and export-oriented industries. A difference, however, was the stress on a market-led as opposed to a state-led economic development that was epitomized by the failed authoritarian state. An offshoot of this is the emphasis on privatization. Thus, any form of opposition to such an ideology was not entertained. This created a policy environment that has shielded the technocracy from public pressure. In the case of the privatization of the water sector, for example, the reality was that nongovernment organizations (NGOs) were generally locked out of crucial negotiations between the government and private concessionaires. Furthermore, consumer groups and individuals were blocked off from the hearings on Maynilad, a private water concessionaire, and the Manila Waterworks and Sewerage System (MWSS), the regulatory agency for the water sector (Ibon Facts and Figures 2003, 13). What further reinforced this insulated policy-making environment was their lack of public and technical knowledge to engage the technocrats. This was not only true of civil society but also of legislators who were not able to adequately debate or argue with their executive counterparts. This is understandable as a legislator would have a technical staff of around twenty people while the Secretary of Trade and Industry, for example, would have a technical staff of a hundred people. This resulted in a deficit in horizontal accountability (Corrales 2004, ii).

The advent of globalization, induced by neoliberalism, seems to have also reinforced the impenetrability of technocratic decision-

making at least from domestic interest groups. The possible emergence of transnational economic policymaking became possible because the

greater the technocrats' fidelity to standardized macroeconomic objectives and the more that economic performance depends upon external capital inflows, lending institutions, and financial markets, the more sensitive policy makers become to external interests, and the less responsive they may become to their citizens and legislatures. In some instances, political parties can suffer representation deficits too, even when their parties hold the presidency. (Williams 2006, 123)

One need not have martial law for the continuing alliance of the technocracy, the World Bank, and the IMF in the country. The international financial institutions (IFIs) want to insulate the technocrats from domestic political pressure but not from powerful northern countries. The United States, for example, has single-handedly stopped actions to curtail the liberalization policy of the country. When the Philippine government sought to impose protectionist policies on the importation of pork, which would have favored the local hog industry, this was effectively shot down by the United States, the country's most influential trading partner (Ariate 2006, 95-96).

The need to balance technocratic and democratic governance also becomes more acute at transnational levels. Nationally, technocratic bureaucracies are embedded in democratic states, i.e., formally, subordinately embedded national governments that are directly and electorally accountable to the people. At the transnational levels, however, technocratic administration is "likely to precede directly, electorally accountable governments" (Shapiro 2005, 344).

For civil society, their advocacy is weakened by their lack of technical knowledge when engaging the technocrats on trade regulations and structural adjustment programs. As noted, despite

the uproar that trade liberalization has created from the structural adjustment programs in the 1980s to the WTO accession in the 1990s, public knowledge and appreciation of trade-related issues is extremely low. Compared to other economic issues, such as tax and foreign debt, trade lacks the popularity that could propel it to the public agenda, and hopefully, the media, government, and electoral agendas. Therefore, civil society has to contend with the difficult task of educating the public on the intricacies of trade, in an attempt to widen the debate, as well as gain the necessary support for its advocacies. (Quinsaat 2006, 33)

CHALLENGES TO TECHNOCRATIC DECISION-MAKING²

The country's WTO negotiating strategy has been shaped by technocrats in a policy environment shielded by the executive's monopoly of trade policy formulation, in general, and trade negotiations, in particular. Despite the supposedly equal responsibilities of the executive and legislative branches of government in formulating trade policies, technocrats get away with monopolizing the decision-making process because of the indifference and lack of knowledge of policymakers on the WTO—the treaties, the jargon, and even the commitments made by the Philippine government—have prevented them from active involvement in the negotiations (Quinsaat 2006). The ideology of the martial law technocrats has continued to prevail and dominate under the rubric of neoliberalism after martial law was lifted in 1986. This has been espoused not only by post-martial law economic decision-makers but even by members of Congress, Philippines presidents, especially Fidel V. Ramos and Gloria Macapagal-Arroyo, and members of the academe and NGOs (Tadem 2005a, 92). Unlike the technocrats of the 1970s and 1980s, however,

the neoliberal coalition of the 1990s advocated reducing the state's role in the economy, a popular sentiment given the sordid record of the past. The disarray of the Philippine economy was at this time blamed on the Marcos authoritarian state, which had intervened in the market for the personal gain of a few. Politically, the coalition also supported the notion of a "civil society" to act as partner to the limited state and the free market in the pursuit of development. (Tadem 2005a, 94)

Such a "pluralization" of technocratic decision-making, however, seems to have been limited to a particular sector of society espousing the neoliberal ideology. The challenge was to "popularize" such a decision-making process to include a wider sector of society. As noted, "although technocratic reform projects often generate democratic deficits, in various ways, they also stimulate externalities that help offset these deficits" (Williams 2006, 125). This was seen in the shaping of the country's negotiating policy in the WTO's AoA, which highlighted the challenges to technocratic decision-making in the country.

The Failure of Neoliberalism

Because of the deepening institutional crisis within the WTO as epitomized by the stalemate between developed and developing

countries, there is a pressure to include civil society actors who questioned the neoliberal paradigm in the negotiating process. The developed countries seek to open more markets for their goods while the developing ones are for more protectionist policies. Developing countries have also demanded that the developed countries stop their subsidies to their respective agricultural sectors. Such a situation has shown the cracks in the technocrats' neoliberal mantra of free trade and free competition. Then the 1997 Asian financial crisis saw the shattering of the neoliberal paradigm in countries such as Thailand, Indonesia, and Malaysia, the New Asian Tigers, and Singapore, South Korea, Taiwan, and Japan, the newly industrializing countries of the 1970s. Not only a few have viewed the current global economic crisis, which was triggered by the collapse of the four major investment banks in the United States, as the end of neoliberalism, i.e., the end of the regime of the unfettered market and the return of state regulation. Neoliberalism has failed to deliver the quality growth it has promised. Although growth has occurred, it was achieved at the cost of intense socioeconomic inequalities, locally and globally.

The Civil Society in the WTO

During the 1999 WTO Ministerial Conference in Seattle, Washington, 40,000 demonstrators, in what became the "Battle of Seattle," forced the conference to end in "acrimony, with many developing countries objecting to what was seen as American attempts to impose its own agenda" (Hague and Harrop 2004, 4). The event marked how exclusionary WTO has become. It was also a turning point in civil society's engagement with the WTO. For developing countries, in particular, there was a need to harness civil society to push for its position in the WTO, particularly against that of the advanced industrialized countries, such as the United States and the European Union. As pointed out, global liberalism is "not just a top-down process" but it can be amended from below where negotiations matter (Singh 2000, 449).

In the Uruguay Round,³ civil society groups were locked out of the domestic negotiation process, resulting in a highly controversial and tumultuous battle on the ratification of the treaty in 1994 (Cajiuat and Regalado 1997). The trade representatives were castigated for keeping the public in the dark on the various concessions they had signed up the Philippines into. They earned the ire not just of social movements but of industries as well. As a consequence, the implementation of the

General Agreement on Tariffs and Trade-Uruguay Round (GATT-UR) lacked the requisite support from its stakeholders. In addition, government consultations with the affected sectors were more symbolic than substantive and had taken place only when the agreement was already in its final form. Significant miscalculations were made in the Philippines's schedule of commitments, as the negotiating team lacked sufficient information on the state of the industries.⁴ Thus, there was the pressure to bring the civil society in the negotiating process. If "the process of functioning is transparent and accountable, the legitimacy of the organization and the sustainability of its decisions increase substantially. In the absence of such legitimacy, Prague, Seattle and Genoa are the obvious consequences" (South Centre 2001).

Contending with Domestic Pressure

Another factor challenging the insulation of technocratic decision-making is the reality that the trade ministers, who are actually *de facto* WTO chief negotiators, must also face domestic constituents, most of them with narrow self-interests, at the bargaining table (Milner 1999). These domestic constituents make use, for example, of elections to challenge the government's trade policies, which are creating havoc on their particular livelihood. Such is the case of the Benguet vegetable farmers and their respective local politicians who were very much concerned with how the importation of vegetables was destroying their source of livelihood. They made this known to the president as well as other national politicians that for their local allies to win, they had to address the problems that globalization has brought to the Benguet vegetable farmers (Quinsaat 2006, 51). This is also true for developed countries in the Uruguay Round, US diplomats cited the existence of protectionist forces at home as a constraint on their freedom to negotiate. The domestic-international connection has encouraged trade negotiators to use these forces as part of their negotiating strategy (Hoekman and Kostecki 2001). Thus, the popularization of technocratic decision-making is a result of public pressure rather than of direct intervention.

The Demand for Transparency and Accountability

Contending with domestic pressures as a form of popularization also means that the trade negotiators have to be transparent and accountable. Civil society's criticism of the formulation of Japan-Philippine Economic

Partnership Agreement, for example, was focused on the absence of transparency regarding how the Department of Trade and Industry (DTI) handled this bilateral agreement between the Philippines and Japan. This led to contentious debates in the Philippine Senate between civil society groups and government officials on issues such as Philippine sovereignty and environmental destruction among others, leading to months of delay in the ratification of the treaty.

The media also helped in pressuring these technocrats to be transparent and accountable. It was through the media that the civil society raised the imminent demise of the Benguet vegetable industry due to the government's liberalization policy under the WTO and the consequent importation of vegetables. A result of this media hype was the filing of three separate resolutions in the twelfth Congress by Representatives Imee Marcos (House Resolution [HR] 834), Satur Ocampo (HR 879), and Oscar Gozos (HR 894). All these resolutions called for the conduct of an inquiry into the importation and alleged smuggling of vegetables (Quinsaat 2006, 45).

“Reformist” Technocrats

The “popularization” of technocratic decision-making is also due to the presence of what Borrás (1998) refers to as “reformist” technocrats—those who are not hardcore neoliberals and are open to other paradigms. This enables those who are critical of the neoliberal policies to form alliances with the “reformist” technocrats. These “reformist” technocrats are also referred to as “institutional activists,”⁵ “who although are part of the state apparatus assure civil society of open channels for dialogue and facilitated interaction with well-disposed key individuals. Some of these allies are party to the engagement process as well, which may imply that the persona of the leader determines how a government agency is responsive to civil society” (Quinsaat 2006, 50). In the WTO negotiations on the AoA, this was seen in Department of Agriculture's (DA) Undersecretary Segfredo Serrano with the support of his current and former DA secretaries.

Serrano seems to typify the “managerial” technocracy which currently dominates the market. Such technocratic managers have sought some form of autonomy whereby they try to achieve a consensus among the stakeholders (Englander and Kaufman 2004, 409-10). Applied in a corporate setting, their technocratic expertise “made them neutral, honest brokers in distributional battles among the firm's various contractual stakeholders. Corporate hierarchies sustained

their neutrality and ensured their expertise” (Englander and Kaufman 2004, 410). These managers also argue that “as they enhanced productivity and living standards, they helped to reduce class conflicts that endangered democratic stability . . . by doing this, they also help sustain the public-private distinction so important in a liberal economy” (Englander and Kaufman 2004, 411).

But Serrano seemed to be anything but neutral as he has a mindset that was attuned to the interests of civil society. That is, he sees the need to fight against the developed countries’ policies of limited market access for the produce of developing countries and the subsidies they provide for the produce of their domestic markets. For Serrano, the Philippines must assume a defensive strategy to prevent the further weakening of Philippine agriculture, as the agriculture system was actually not part of a longer development strategy. Thus, the position was not ideological but pragmatic and a technocratic kind of defense.⁶ This was quite different from the mindset of the technocrats in general who entered the WTO with the view of opening up the market and liberalizing the economy at all cost. As one former senior economic official said, technocrats basically intended to implement the neoliberal policy.⁷

“POPULARIZING” TECHNOCRATIC DECISION-MAKING

For the DA, effective negotiations can only be gained by involving civil society actors so as not to suffer another Seattle debacle where “the WTO suffered from a democratic deficit which limits their legitimacy with the general public” (Hague and Harrop 2004, 34). However, not all government agencies share this view. This is not the perspective in the DTI, which is in-charge of the country’s WTO negotiations on non-agricultural market access (NAMA) as well as in the NEDA, which is in-charge of the negotiations on the General Agreement on Trade and Services (GATS). Civil-society actors perceive these agencies to be nontransparent and unaccountable for the positions they took in the WTO negotiations.⁸ This is quite surprising because there are a number of NGOs, such as the Fair Trade Alliance (FTA), the Stop-the-New-Round (SNR) Coalition, and the Action for Economic Reforms (AER), which have their respective advocacies on NAMA.⁹ As pointed out by two Philippine WTO negotiators,¹⁰ DTI and NEDA rarely consult with the stakeholders of NAMA and the labor sector, respectively. A reason given for the absence of transparency with regards

to the negotiating position in the NAMA and the GATS is that the Philippine position might be undermined once it is read in the papers.¹¹

This was not the case in the DA, which was conscious of the missteps in the past because of the absence of popular consultation. The DA saw the need for the negotiators to cultivate strong ties with civil-society organizations. This became most evident in the Doha Round of negotiations for two reasons. First, there was the need to tap their invaluable resources, in terms of knowledge of their particular sectors. The other is to seek legitimacy and political backing for official government positions taken. Economic negotiations, such as in the WTO, are highly technical and complex and the use of rhetoric and moral persuasion does not suffice. For instance, trade negotiators discuss terms on the coefficient for the adoption of a particular formula in further tariff cuts. Unfortunately, the Philippine government lacks complete data on each agricultural commodity or on the condition of industries. Involving stakeholders in the negotiation process is a critical step towards developing technical expertise. It also lends greater legitimacy to the positions that trade negotiators have taken. This is one instance where civil society members, because of their involvement in their respective sectors, possess the potential knowledge and skills that the government technocrats do not have. This is seen as a positive step for WTO negotiations in general because the Doha Round also witnessed once again governments that depended largely on “the insider network to develop the agenda and the negotiating proposals while the ‘external’ constituencies look in from the ‘outside’” (Howse 2002). This is considered as the real “democratic deficit,” “the management of the process by agents who have distinctive interests of their own, which tend to exclude or marginalize those that are important to democratic ‘principals’” (Howse 2002, 116).

TF-WAAR

The ideal situation is for each agency to be in close contact with its constituents and in this regard, formal venues have to be instituted. A model that other executive offices and the civil society have looked up to is the Task Force on WTO Agreement on Agriculture (Re)negotiations or TF-WAAR, organized in September 1998 by then-DA Secretary William Dar through a special order.¹² TF-WAAR (which later became TF-WAR in 2001) is a multisectoral consultative body composed of twenty-eight representatives from state institutions

and agencies, which have a key participation in trade policymaking, and stakeholders, including the Coffee Foundation of the Philippines, the Federation of Free Farmers, National Federation of Hog Farmers Inc., Philippine Association of Meat Processors Inc., Philippine Institute for Rural Development Studies, and the Philippine Sugar Millers Association.¹³ Its main responsibility is to consider, develop, evaluate, and recommend Philippine negotiating positions and strategies on agriculture. The DA generally opened the membership to interested parties on condition that the members cannot demand the “junking” of the WTO but instead should work with the parameters that the WTO has already defined and see what would work best for their respective interests.¹⁴ The members did not totally go all out for the liberalization of the agricultural sector, which the DA’s previous consulting agency AGILE (Accelerated Growth, Industrialization, Liberalization, and Equity) pursued¹⁵ but adopted a defensive rather than a protectionist stance.

The TF-WAR emerged when the DA undertook various consultations with its stakeholders in the advent of the Philippine accession to the WTO during the Estrada administration (1998-2001). The impression that arose was that the government could have gotten a better deal if it was quite open to the public and the stakeholders. There were technical errors, for example, on the implementation of special safeguards covering onion and chicken. The TF-WAR, therefore, provided even protective interest groups benefits since they could “provide their government with the information and expertise it needs to formulate a sensible negotiating position” (Hague and Harrop 2004, 27). There was, however, also a conscious effort to develop such existing expertise needed for negotiations as the TF-WAR undertook an education program to learn the terminologies and the language of the negotiations and to contextualize or root this within domestic concerns. In a way, such development also seeks to address the dilemmas posed by technocratic policy making for democratic regimes. That is, “the most powerful politicians at the state level—the technopols—speak a language that is not easily understood by non-experts, who constitute the majority of the population” (Corrales 2004, 1). Moreover, “technopolitics risks causing lay citizens to feel disconnected from the state and unable to understand the technocrats, or to make themselves understood.” The TF-WAR, therefore, provides an opportunity to address this source of conflict.

The TF-WAR can be characterized as pursuing a strategy of “negotiated support.” That is, they are not pursuing a strategy of excessive cooperation with the government nor a strategy of obstructionism, i.e., noncooperation with government out of ideological differences. In pursuing this “negotiated” strategy, they are able to challenge the executive’s particular policy details, rather than to merely reject their ideological grounds (Corrales 2004, ii). And despite being members of the TF-WAR, civil society actors continue to pursue other strategies, e.g., joining the massive demonstrations and protest actions against the WTO, as in the case of the farmers groups. Other TF-WAR members, like the sugar bloc, on the other hand, have colleagues from their organization lobbying for better quotas for their products in Washington.¹⁶ Thus, one has a situation where civil-society actors make use of varying strategies to gain their objectives, i.e., intervention in policymaking through either engagement or confrontation.

Bringing together of a wide variety of groups with seemingly different interests, such as the sugar landowners and the peasant farmers, was also made possible because a common objective to protect their industries from imports has been attained. In general, the business sector is likely to pursue its concerns actively and lobby politicians incessantly. As the earliest models explaining trade policy have shown, the recourse to protection or liberalization by governments is a function of the demands made by pressure groups that do not necessarily reflect the interests of the society (Milner 1999). The TF-WAR, therefore, provides an arena where compromises and consensus could be attained concerning the interests of the various sectors of society. However, limitations remain; it is only concerned with getting a common negotiating position for the Philippines. Other than that, its members are free to pursue their respective interests.

By bringing in the stakeholders, the DA negotiator is not only able to get the backing of the DA leadership but of the Philippine president herself. The president has, for example, upheld the positions of the Philippine negotiators particularly when confronted by the “bullying” tactics of US representatives.¹⁷ This was rather unlike the martial law period whereby the unpopular policies of the technocrats had to either be supported by the president or by an external force like the IMF/WB. By “popularizing” the process of technocratic decision-making, the acceptance and legitimacy of the policy is based on the support of the affected stakeholders, giving the president no recourse but to support

their position. It also gives the president a bargaining leverage against international players, like the United States, that do not agree with the country's negotiating position.¹⁸

The TF-WAR experience, therefore, seems to capture a phenomenon in the country's redemocratization process, which began in 1986 when a number of civil-society organizations had engaged in various aspects of government policymaking, particularly in the areas of sustainable development, agrarian reform, and social reform. Consultative mechanisms were also established in these sectors (Reid 2008, 5). Later, however, as observed in the Estrada and Arroyo administrations, civil-society actors who "crossed-over" to the government were caught in the practices of clientelism, bossism, and patronage politics. Many of them were made to feel that they were personally recruited to give a "face" to the regime they were serving (Reid 2008, 11).

Civil-society actors in the TF-WAR, however, are in a quite different situation. It is an adhoc committee tasked to shape the country's negotiating strategy in the WTO's AoA. Unlike the case of civil-society actors who have accepted full-time positions in government, these actors go back to their respective NGOs once this is done. With regards to falling into the trap of just providing a "face" for the government, the TF-WAR members are able to include in the government agenda their respective interests such as the demand for developed countries to stop the excessive subsidy they give to their respective agricultural sectors and the demand for them to lower their tariffs on products from developing countries. For the moment, TF-WAR seems to be working out as the focus is purely on the agricultural sector. Things may be different when negotiations in the NAMA and GATS take off wherein the government may have to make compromises that might undermine agricultural interests.

Developing Civil Society's Technical Expertise

The participation of civil society in the TF-WAR was further enhanced when the DA, hoping to augment the technical skills they have already possessed, actively sought their expertise in negotiations. This also prevented civil-society actors from merely being a "face" in the negotiating process as they were made to actively implement the country's negotiating position on the AoA through the TF-Core Group (TFCG). The DA also took on the task of developing its own technical expertise by involving civil-society members in the conceptualization and

implementation of the agriculture sector's negotiating position.¹⁹ Thus, the expertise generally associated with technocrats was disseminated among the various members of civil society. The TFCG, which was formed in 2002, aimed to improve technical work and enable a quick response to the developments in the negotiations through simulation. It consists of five members from the private sector who sit in their individual capacity—they do not represent a particular sector. As the chair of the TF-WAR core group was also the trade negotiator for agriculture, responsiveness and timeliness of feedback was ensured.²⁰ The TFCG provided a pool of experts within the DA to craft its negotiating position. It was also a recognition that civil society had the knowledge and resources that could be tapped.

The members of the TFCG were personally chosen from the TF-WAR by the DA negotiator. Caution has been placed with regards to personal approaches to select NGOs and activist leaders to “cross over” to the state sphere for fear of being subjected to clientelism (Reid 2008, 33). Like the TF-WAR, the TFCG is also an adhoc organization that provides support to the WTO AoA negotiators. After the negotiations, the TFCG is no longer convened and the members are free to go back to their respective NGOs and to pursue other activities. A member of the TFCG, for example, is a consultant on agricultural policies to one of the left-leaning party-list groups.²¹ What also emerges in all of these is that instead of expending civil-society energy in attacking the technocracy as “undemocratic and working or wishing for its demise,” it focused more on increasing the pluralism of the technocracies themselves (Williams 2006, 120).

Pressure on the DTI to pave the way for more civil-society participation in crafting the country's position on NAMA saw the formation of a body similar to TF-WAR in 2005, the Joint Consultative Committee on NAMA (JCC-NAMA) with five representatives from the private sector and NGOs.²² JCC-NAMA, however, is still in the confidence-building process and has not made significant strides on the NAMA negotiations.²³ In the same year, the Philippine Services Coalition, a partnership of concerned stakeholders from the government, the business sector, and the academe on the GATS, was created by the Department of Foreign Affairs (DFA) to enhance public-private consultation.²⁴ But since there has been no development in the GATS negotiation at the moment, the activities of the coalition have been limited to increasing awareness on GATS.

Support from the Coalition Bloc

The “popularization” of technocratic decision-making was also brought at the international level by civil society. It was able to frame the Philippine concerns in a manner that the members of the coalition blocs like the G20 and G33, where the Philippines is represented, could identify with. Such a situation gives a chance for civil society to propose policy directions on agriculture.²⁵ Civil-society participation charting the DA negotiating position also brings to light the spirit of the G20 coalition at the Cancun WTO Ministerial Meeting in 2003, which “represented a revival of the Third World coalition spirit, although now focused on the specific agricultural interests of the developing countries” (Soares de Lima and Hirst 2006, 27). This can also be looked upon as “popularizing” technocratic decision-making in two levels. That is, at the national level where civil-society has participation in shaping the country’s negotiating position as opposed to the previous practice of the monopoly of technocrats. And the other level is the participation of developing countries in economic decision-making, which, more often than not, falls in the hands of the developed countries.

This is also the context that shaped the policies that the DA as well as the TF-WAR members wanted to pursue. During the Uruguay Round, the TF-WAR members identified, for example, with the developing countries. They found the proposal on the market access as the “most insensitive to the needs of developing countries many of which had been arguing that they would not be able to undertake substantial reduction of their tariffs due to their rural development, food and livelihood security needs” (Aggarwal 2005). This led to the formation of the G-20 (Aggarwal 2005, 741). The sentiment brought about in the TF-WAR was to strengthen the position of the developing countries vis-à-vis the developed ones. The negotiating position that emerged within the TF-WAR was also embodied in the Fifth WTO Ministerial Conference at Cancun, Mexico in 2003. This saw the G-20 alliance of developing countries pursuing negotiations on agriculture, which was “largely viewed as a contest between the EU-US on one side and G-20 alliance on the other” (Aggarwal 2005, 750).

A consequence of these alliances was that the TF-WAR’s negotiating position was helped by the generation and sharing of information as seen in the run-up to and during the Cancun ministerial meeting. This was exemplified in particular by “the Like-Minded Group under India’s leadership (Rolland 2007, 496). Furthermore, the group also

formed stronger negotiation-oriented coalitions (such as the G-20) which have strong research bases, bringing together knowledge from government institutions as well as the private sector and non-profit NGOs, but which also became a negotiation platform” (Rolland 2007, 499). A recent development that has helped further the technical expertise of the DA negotiating teams is that the WTO Secretariat “now provides technical and financial assistance to support various coalition building efforts” (Patel 2007, 17-18). These developments help in making the WTO economic decision-making process more inclusive.

The participation of TF-WAR members at the global level also brings them in contact with other civil-society members who are also active in their respective government’s WTO negotiating process. The TF-WAR members become part of “epistemic communities, transnational issue networks, and global advocacy NGOs that do not find any adequate point of entry at the domestic level” (Howse 2002, 114). Such a situation has highlighted the opening of participatory opportunities for civil society as well as the opportunity for “seizing on the potential for *deliberative democracy* at the transnational level” (Howse 2002, 115). In all of these, the technocrats of the “insider network” can no longer have the monopoly of “interpreting and evolving the fundamental norms of the trading regime, and above all divining what is ‘inside’ and what must remain ‘outside’ the WTO” (Howse 2002, 112).

FACTORS THAT FACILITATED THE EFFECTIVENESS OF A “REFORMIST” TECHNOCRAT

There were factors that allowed for the “popularization” of technocratic decision-making, in general, and the effectiveness of a “reformist” technocrat, in particular. One factor was the focus on agriculture as the most important and contentious issue in the WTO. The strength of the Philippine position was reinforced with its membership in the G20, which it regarded as the most influential coalition in Cancun (Hurrell and Narlikar 2006, 420). It is considered as a one-issue grouping whose central target is the developed countries’ agricultural protection” (Draper and Sally 2005, 95). Thus, the most contentious issue of the WTO was handled by a “reformist” technocrat. What further reinforced the DA position was the support it received externally from the G20 position in Cancun, which “was one of

extreme offence and extreme defense” as “it pressed for significantly greater developed country liberalization as a precondition for meaningful liberalisation of the G20 members’ own markets” (Draper and Sally 2005, 5).

Fragmented and Issue-based Decision-making Process

Another factor was the fragmented and issue-based nature of the decision-making process, which enabled the DA to wittingly, or unwittingly, shield a more technocratic approach to the shaping of the Philippine negotiating position from the DTI technocrats. The DTI technocrats are known to be less consultative than the DA technocrats and are generally wary of civil society groups participating in the decision-making process.²⁶ During the Uruguay Round, the DTI exclusively controlled the Philippine trade agenda. When it came to the Doha Round, however, the Philippine government assumed a more dispersed structure of authority. In terms of the substance of the negotiations, there has been a de facto diffusion or division of labor among the DA for the AoA, the DTI for NAMA, and the NEDA for the GATS. With the DA-DTI-NEDA triumvirate concentrating on their own concerns, the institutional framework for WTO negotiations in the Philippines is thus fragmented—each agency crafts its own position independently. This, therefore, gave more leeway for the DA negotiators to pursue their thrust particularly in shaping their position with inputs from civil society. This also paved the way for a more “popular” approach to technocratic decision-making.

Autonomy and Flexibility of the Philippine WTO Negotiator

Related to the issue of fragmentation and the issue-based nature of decision-making process is the autonomy and flexibility of the Philippine WTO negotiator. The DA negotiator was able to assert himself because, usually, deputies of the lead agencies—who through the years have developed the technical expertise and substantive knowledge in WTO negotiations—come to possess the continuity and institutional memory that enables the Philippines to play a key role in the negotiating process.²⁷ The DA negotiator was shielded from the possibility of intervention from his superiors. What is important though is that the parameters have also been set for the negotiators.²⁸ Moreover, the negotiators inform their superiors of the position to be taken. This is generally non-ideological, pragmatic, technocratic, and

defensive rather than protectionist.²⁹ Such a stance makes it more susceptible to a different technocratic process for decision-making, i.e., one that involves civil-society actors. The flexibility and autonomy of the DA negotiator has also shielded him from the more exclusive type of technocratic decision-making in the DTI and the NEDA—an immunity from the “insider” network.

CONCLUSION

The paper showed how the nature of technocratic decision-making during the martial law years—of technocrats’ unquestioning obedience to liberalization and export-oriented industrialization as they were in turn shielded by autocratic means from public criticisms of their economic policies—was challenged in the post-martial law period. Yet the trend continued even with the downfall of the Marcos technocrats. Technocrats remained indispensable since the public continued to lack knowledge on technical issues, which became more complicated given the emerging transnational character of the policy environment shaped by globalization to a significant extent. This made economic policy-making quite impenetrable to the public. Thus, like their predecessors during the martial law period, post-martial law technocrats were also accused of arrogance and lack of practical experience when it comes to policymaking. This was believed to have also contributed to the failure of the technocrats’ economic policies in the country.

The post-martial law period saw the emergence of “reformist” technocrats who were not only open to public opinion and criticisms on how economic policies should be shaped but also to the potential of including civil society in the decision-making process. Then “reformist” technocrats believed that with civil society’s participation, they could gain legitimacy for their economic policies and learn from the expertise of civil-society members. This was seen in the shaping of the negotiating position of the Philippines on the WTO AoA. Although there was an executive monopoly of the decision-making process on this matter, the need to “popularize” technocratic decision-making in the WTO in general became necessary given the failure of the neoliberal paradigm and the WTO to improve the lives of the majority in the world. Socioeconomic inequalities, as seen in the widening gap between the rich and poor within societies and among countries, have not only led to the questioning of technocratic economic policies but also to massive protest actions and demonstrations against the WTO as well

as the IMF and World Bank. The failure of the neoliberal paradigm was exemplified by the 1997 Asian financial crisis and the current global economic downturn. Civil society also demanded for transparency and accountability and, more importantly, involvement in the shaping of economic policies that affect them.

Their demand was heeded by post-martial law “reformist” technocrats who were not ideologically entrenched in neoliberalism but were pragmatic on how they viewed WTO negotiations. They also realized the need to institutionalize civil-society participation in the decision-making process not only for legitimacy but also to gain the technical expertise of its members. This was epitomized in the formation of the TF-WAR as a consultative body and later on as a pool for developing technical expertise in shaping the country’s WTO negotiating position on the AoA. The external environment also encouraged the “popularization” of the decision-making process through the coalition blocs in the WTO, which also drew inputs from the country members’ respective civil society, thus pluralizing technocratic decision-making at the global level. The fragmented and issue-based nature of the decision-making process on the WTO also enabled the DA to be shielded from a more one-dimensional technocratic policy environment, which was reinforced by the autonomy and flexibility given to the DA negotiators for the AoA. All these led to the “popularization” of technocratic decision-making in the country, with the popular constituency having a representative in the executive’s bargaining table. This could probably pave the road for the gradual democratization of economic policymaking in the country. ❀

NOTES

1. This section draws from Tadem 2005b.
2. This section draws from the research project of Tadem and Quinsaat (n.d.). The project was funded by the University of the Philippines System through the Creative and Research Scholarship Program of the Office of the Vice-President for Academic Affairs. Further revisions of the research was made possible by an Outright Research Grant on “Research-Publication on the Decade-Long Membership of the Philippines in the World Trade Organization, 1995-2005” from the Office of the Vice-Chancellor for Research and Development, University of the Philippines, Diliman.
3. The Uruguay Round agreements established the World Trade Organization. “In contrast to the traditional GATTs rules constraining tariffs, quotas, and discriminatory domestic regulations, the new WTO rules, while clearly enhancing

market access, had much more ambiguous welfare effects, both domestic and global” (Howse 2002, 102).

4. Interview with trade negotiators, January 30, 2008, January 31, 2008, February 1, 2008, and April 28, 2008.
5. “Institutional activists are ‘social movement participants who occupy formal statuses within government and who pursue social movement goals through conventional bureaucratic channels’” (Santoro and McGuire 1997, 503).
6. Interview with Walden Bello, Former Executive Director, FOCUS on the Global South, April 3, 2008.
7. Interview with a key trade negotiator, January 23, 2008.
8. Interview with a civil society participant in the WTO negotiations, 2008.
9. Interview with Walden Bello, Former Executive Director, FOCUS on the Global South, April 3, 2008.
10. Interview with two Philippine WTO negotiators. Anonymous, June 20, 2008, Quezon City.
11. Interview with the Special Trade Representative to the Philippine Mission to the WTO, January 31, 2008.
12. Special Order No. 538, issued by the Office of the Secretary, Department of Agriculture, 28 September 1998.
13. Other TF-WAR members from the private sector include the Philippine Chamber of Food Manufacturers, National Onion Growers Cooperative, Philippine Association of Hog Raisers Inc., Sanduguan, Pambansang Kilusan ng mga Samahang Magsasaka, Caucus of Development NGOs, and Philippine Business for Social Progress.
14. Interview with a key trade negotiator, February 1, 2008.
15. Interview with Jose Maria Zabalate, Former Executive Director, Philippine Sugar Millers Association.
16. Interview with a TF-WAR member, September 3, 2009.
17. Interview with a TF-WAR member, September 3, 2009.
18. Interview with DA and DTI trade negotiators, June 20, 2008.
19. Interview with a key trade negotiator, February 1, 2008.
20. For a more detailed discussion of the workings of the TF-WAR, Baracol (2005).
21. Interview with a TF-WAR member, September 3, 2009.
22. JCC-NAMA members from the private sector are Alyansa Agrikultura (Agriculture Alliance), Fair Trade Alliance, Federation of Philippine Industries, Philippine Chamber of Commerce and Industry, and Tambuyog Development Center.
23. Interview with Mars Mendoza, representative of the Fair Trade Alliance in JCC-NAMA, 4 April 2008.
24. The Department of Foreign Affairs, the Department of Trade and Industry, the National Economic and Development Authority, the Philippine Chamber of Commerce and Industry, the Philippine Exporters Confederation Inc., De La Salle University, Asian Institute of Management, and the Philippine Institute for Development Studies comprise the steering committee of the Philippine Services Coalition.
25. Interview with a member of the Philippine Delegation to the Sixth Ministerial Conference of the World Trade Organization, January 24, 2008; Interview with a member of TF-WAR, January 22, 2008; Interview with the Special Trade Representative to the Philippine Mission to the WTO, January 31, 2008; Interview

- with a key trade negotiator, February 1, 2008; Interview with Jose Maria Zabalate, Former Executive Director, Philippine Sugar Millers Association, March 13, 2008.
26. Interview with a civil society member who is part of the JCC-NAMA of the DTI, April 4, 2008.
 27. Interview with the Philippine trade negotiator, January 23, 2008.
 28. Interview with a member of the Philippine Mission to the World Trade Organization, April 28, 2008.
 29. Interview with Walden Bello, Former Executive Director, FOCUS on the Global South, April 3, 2008.

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