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CRITICAL JUNCTION:

**Derailing or
Accelerating the
Dictatorship
Express**

**PROGRESSIVE
PEOPLES' AGENDA**

DUTERTISMO



**FOCUS POLICY REVIEW
ON THE PROGRESSIVE AGENDA
IN THE 2019 ELECTIONS AND BEYOND**

Is Duterte Invincible?

As the midterm elections near, three features of the electoral landscape have emerged. First, the administration slate, *Hugpong ng Pagbabago*, has projected as its main plank the loyalty of its candidates to the president. Second, the elite opposition is in a defensive mood. Third, much of labor has come together in an electoral coalition on an issues-based campaign, a signal achievement that might portend a more strategic alliance.

The Electoral Landscape

First, the administration coalition is running not on issues but on the coattails of a popular president. Their message: elect us so we can help Papa Digong carry out his mandate. Probably reflecting the lack of a coherent program, the *Hugpong* candidates have so far refused to participate in an official debate with the opposition *Otso Diretso*, leaving it up to the networks to tease out their stands on various issues by arranging televised debates. More than the individual candidates of *Hugpong*, Sara Duterte, the president's daughter, has emerged as the dominant personality in the administration's campaign. Her message that it's loyalty to the president, not issues or even character that counts, came through loud and clear in her brazen statement that honesty was not an important trait in a candidate.

Second, the opposition *Otso Diretso* has evinced mainly a defensive posture, conceding from the very beginning that it was going to be difficult to win against the candidates of a popular president. A spokesman for the Liberal Party, the axis of the slates, has also said that the election campaign would be a way to consult people on how the party failed the people when it was in power during the previous administration. Perhaps the most striking sign of its timidity was its avoiding the color yellow, long the color associated with the EDSA Revolution and the Liberal Party, because Duterte partisans have successfully associated yellow with unfulfilled promises, ineffectiveness, elitism, and hypocrisy. Another indication of lack of confidence has been the much-noted reluctance of Mar Roxas, the opposition's leading candidate, to campaign in the company of the other seven. Roxas' approach has been to downplay criticism of Duterte while highlighting his credentials as an "economist" who can work with the president.

Third, there is a ray of light in this dismal picture, and that is the formation of an alliance called "Labor Win" that brings together candidates representing some of the country's major labor federations. The united electoral front, which was unplanned but came together as the campaign progressed, was in itself a major achievement, given the fractious state of Philippine labor. More importantly, it sought to introduce into the electoral fray a campaign based on the gut issues felt by the electorate, among them poverty, inequality, corruption, poor public services, and environmental degradation. This is not to say that the labor candidates agree on all key points; indeed, some are said to have ambiguous positions toward Duterte. Except for one, the candidates are not well known to the public, but their performance in television debates and interviews has struck many as quite credible because all are veterans of mass struggles.

The Conjuncture

The midterm elections come at very critical conjuncture. Over the last three years, Duterte has taken major steps towards authoritarian rule. Thousands of people have died at the hands of the police and vigilantes in the war on drugs, and the president's response to critics is that the campaign will become even more vicious. The US-style separation of powers has broken down, with Congress fully controlled by his allies and the Supreme Court purged of a chief justice that Duterte considered one of his top enemies. One third of the country, Mindanao, is under martial law. Duterte's most vocal opponent, Senator Leila de Lima is in jail on fabricated or legally flimsy charges. Most of the press is in self-censorship mode. The one possible source of opposition that could give him pause is the military, but he has done his homework on this front, giving many top cabinet positions to former generals while winning the support of enlisted men with his tough-guy charisma. Senator Sonny Trillanes, one of

**The midterm elections
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Papa Digong, A Fascist Original. International Workers' Day Mobilization. 2017 May 1. Mural by Alex Uy.
PHOTO BY GALILEO DE GUZMAN CASTILLO

his top critics, has admitted that majority of the rank and file in the Armed Forces of the Philippines (AFP) support Duterte.

The problem that the opposition faces is that Duterte remains very popular. Duterte's approval, trust, and satisfaction ratings remain rather high at 76 percent, 81 percent and 74 percent in the last quarter of 2018, respectively. The polls also showed that the majority also support his war on drugs, despite the horrendous statistics on extra-judicial killings (EJKs). It is this seeming invincibility in the court of public opinion that has made the elite opposition wary of a strong frontal assault on Duterte on the human rights front, fearing the Duterte partisans'

counterattack that critics are more concerned about the rights of criminals than the rights of victims. This defense has proven very effective, especially among the middle class.

The Issues

This is not, however, an excuse not to press the administration on the issue of EJKs aggressively. Neither must it be let off the hook on other issues. This issue of the *Focus Policy Review* explores these issues and assesses how the Duterte administration responded to each of them through its policies and action points. These responses, which in a nutshell are very neoliberal and authoritarian,

fall under Duterte's promised change at the beginning of his presidency. Thus, the underpinning question of the assessment that is directed to the electorate is this: "Is Duterte's promised change still the change we want to pursue?"

As an alternative to Duterte's neoliberal and authoritarian response, Focus on the Global South puts forward a progressive peoples' agenda. In addition, the report also presents some of the candidates' stands on these issues. With the dissemination of its analysis, Focus hopes that the progressive peoples' agenda as well as the candidates' stands on key issues will serve as the criterion that voters will use to choose among them, especially in the contest for the Senate.

Leading off the report is Bianca Martinez' dissection of the proposed shift to federalism, one of the key campaign promises of Duterte in 2016 that is now incarnated in Resolution of Both Houses 15, or simply RBH 15, the main author of which is House Speaker Gloria Macapagal Arroyo. Martinez argues that federalism diverts our attention from the real solutions to the country's problems, foremost of which are the dynastic control of politics and the neoliberal paradigm that has weakened the economy, failed to bring down poverty, and brought about unprecedented levels of inequality. As currently proposed, Martinez says, federalism will simply strengthen dynastic control at the local level while making communities more permeable to exploitation by big business, like mining corporations.



Wall of Damnation: The MAD (Marcos-Arroyo-Duterte) Triumvirate. United Peoples' Action Against Dictatorship. Manila, Philippines. 2018 September 21. Mural by UGATLahi Artist Collective.

PHOTO BY GALILEO DE GUZMAN CASTILLO

Duterte has betrayed the public trust, but it is our duty to open the people's eyes to that.

The economy has turned out to be the administration's biggest headache. Focus Philippine Office Head Joseph Purugganan dissects the problem of inflation, which in 2018 rose to levels not seen in over a decade. This triggered a blame game among Duterte's technocrats, but it was clear that the new Tax Reform for Acceleration and Inclusion (TRAIN) law, which imposed an excise tax of ₱2.50 on a liter of oil, was a major culprit. However, from a longer term perspective, Purugganan claims that inflation in food commodities must be seen as largely rooted in the state of agriculture, the productivity of which has stagnated over the last four decades. Lack of government support and the elimination of quotas on imports have led to a supply crisis amidst great demand. This crisis will deepen owing to the elimination of the quota on rice imports by the Rice Tariffication Act, a longstanding demand of the World Trade Organization (WTO). In this connection, Purugganan does not fail to point out that the president—who, as candidate, Duterte denounced the drive of the WTO to open up Philippine agriculture to cheap imports as the source of the crisis of agriculture—was the one who signed the Rice Tariffication Bill into law.

As the government resorts to importation to stabilize market prices and attain food security, small food producers find themselves at the bottom of the government's development agenda as they struggle to survive in a fading countryside. Raphael Baladad, in his conversation with sectoral leaders, argues that "under the current state of things, there will be no systemic responses to address the ills of the countryside, since Duterte has already eroded the spaces where reforms can be demanded by the people." The survival of the countryside under Duterte's neoliberal economy rests on alternatives and promoting community expressions of resistance in the face of worsening economic and climate conditions.

Environmental degradation is high on the list of concerns of Filipinos according to surveys, yet the record of the administration in this area leaves much to be desired, according to Galileo de Guzman Castillo. Duterte campaigned on an anti-mining platform but he allowed the powerful mining lobby to derail the confirmation of Department of Environment and Natural Resources (DENR) Secretary Gina Lopez when she moved to impose serious curbs on their mining operations. In recent months, much attention has been paid to Duterte's environmental initiatives, which have focused on cleaning up Boracay and Manila Bay. Castillo points out that his approach is problematic. It has been typically authoritarian, imposing a plan from above that is carried out in military fashion by ex-military men in his cabinet. There is no consultation of the affected communities, who have to bear many of the costs of these much-touted clean-ups.

It is true that many environment-related problems that reached crisis proportions in the last three years have existed prior to Duterte. Notable among these is the water crisis, which broke out in early March, resulting in the cutting off or rationing of water in areas of Manila serviced by the Manila Water. In true Duterte fashion, the president gave the water bureaucracy a deadline to solve the problem. But Castillo contends that it is unlikely that the water issue can be addressed with a simple presidential command since the root cause, as the candidates of Labor Win have pointed out, is the privatization of water supply and delivery that took place in the early nineties, under then President Fidel Ramos. Like many economic and environmental crises that have challenged his administration, the culprit is largely the neoliberal framework that Duterte inherited from his predecessors and the strategic solution is to reverse and dismantle it. However, it is unlikely that Duterte will break from this framework since he has given his neoliberal technocrats—namely Finance Secretary Carlos Dominguez, National Economic Development Authority chief Ernesto Pernia, and Budget Secretary Ben Diokno—free rein when it comes to economy policymaking, on the grounds that he does not understand economics.

Furthermore, another important reason for the persistence of the neoliberal framework is Filipinos' general skepticism towards the state's takeover or regulation of the economy due to the widespread public

perception of the state as being irredeemably corrupt and incompetent. However, as Baladad notes, the Duterte administration has attempted to change this perception through its highly publicized crackdown on corrupt officials. Yet beneath the glorified achievements of Duterte's anti-corruption campaign, his "controversial reappointment of corrupt officials, tendency to detach inner circles from administrative and criminal liabilities following accusations of dishonesty," and attack on "democratic institutions that supposedly safeguard the public from powerful and influential politicians who scramble to amass more wealth" have all served to delegitimize Duterte's resolve to end pervasive corruption.

Human rights is another institution that has been assailed and demonized by the Duterte administration. As pointed out in Purugganan's article on democracy and human rights however, the progressive agenda should necessarily address not just the rising death toll from the government's violent war on drugs, but also concerns over the continuing failure of the government to protect and promote economic, social, and cultural rights towards ensuring a life of dignity for all. In this regard, the efforts of progressive groups to engage the electoral process, whether by directly fielding and supporting progressive candidates who would push back Duterte's authoritarian agenda, and advance human rights-based policies and governance, or by putting the spotlight on key peoples concerns and issues, are seen as important steps towards stopping the democratic decline.

Closely connected to the issue of human rights is that of women's rights. Under the Duterte administration, the situation of women has become even more difficult as the president's misogynistic and sexist remarks, his administration's neoliberal agenda, and his despotic and patriarchal style of governance have all worked together to disrespect and disparage women, contain them in spaces where they can easily be controlled, and systematically deprive poor women of opportunities and resources that would have allowed them to transcend conditions of poverty. However, in women's struggle for emancipation, it is important to always bear in mind that the continuing oppression and marginalization of women cannot be attributed to Duterte alone, for his power and legitimacy stems from the larger patriarchal system that we have blindly allowed to endure and shape our values for

centuries. Therefore, as Martinez says in the synthesis of her conversations with women's rights activists, we need to strengthen "the women's movement by molding younger women's rights activists and immersing ourselves in the lives of women from the grassroots in order to raise their awareness of the oppressive conditions endured by the sector, understand their struggle, and forge strong and lasting comradeships towards the common goal of emancipating women" as ways forward for women within a patriarchal society that is buttressed by a misogynist, authoritarian, and neoliberal administration.

Mindanao is Duterte's home base and it is likely that *Hugpong* will sweep the area. However, there are major problems in Duterte's approach to securing the much longed for peace that voters should be aware of, Castillo writes in his second contribution, a wide-ranging interview with civil society leaders. It is principally a military solution, as exemplified in what has now become an indefinite extension of martial law over the island. With the focus on the continued militarization of the area, the much ballyhooed rehabilitation of Marawi, which was destroyed by the five-month battle for the city, has been effectively relegated to the backburner, creating much anger and discontent, especially among the youth, who had been the source of recruits for the Maute rebel group that took over the city.

Castillo notes, however, that many Mindanaoans, especially Muslims, are pinning their future on the Bangsa Moro Autonomous Region that was recently approved in a plebiscite. People are hoping that there will in fact be real autonomy, that the Moro Islamic Liberation Front (MILF) that was the principal insurgent group behind the establishment of the new entity will be open to real cooperation with other forces, that the rights of the non-Moro indigenous people or *Lumad* will be respected, and that local dynasties will not end up controlling politics.

***Is Duterte's promised
change still the change
we want to pursue?***



Change? (for what, for whom?) Bonifacio Day Mobilization. Manila, Philippines. 2016 November 30.

PHOTO BY GALILEO DE GUZMAN CASTILLO

To many concerned citizens, electing the right people in the May elections is critical since they will greatly influence the development of the new political entity.

The Lessons of Turkey

As election day approaches, it is imperative that the candidates opposing the administration not be daunted by the president's popularity and indefatigably and aggressively push a campaign based on issues that Duterte has not addressed or addressed in the wrong fashion. One of the shortcomings of democracy is that it sometimes allows anti-democratic personalities to come to power owing to their momentary appeal to the masses.

But one of the strengths of democracy is that it is also the most effective way of throwing out those who have betrayed the public trust. Duterte has betrayed the public trust, but it is our duty to open the people's eyes to that.

In this regard, we should take heart from the recent elections in Turkey, where the opposition pried the key cities of Izmir, Istanbul, and Ankara from the grip of the strongman Recep Tayyip Erdoğan, to the great surprise of almost everyone. Trust the people, for as Lincoln put it, "You can fool all the people some of the time, and some of the people all the time, but you cannot fool all the people all the time." **R**

Focus on the Global South



Human rights defenders march from Plaza Miranda to Bonifacio Shrine to call on the public to defend human rights, resist dictatorship, and oppose Duterte's Charter Change. One banner reads: "Not this ChaCha, not this federalism!" Human Rights Day, 2018 December 10. Manila, Philippines. PHOTO BY ANA DOMINIQUE PABLO

Why We Should Not Dance to Duterte and Arroyo's Cha-Cha: Unpacking the Neoliberal and Authoritarian Agenda Behind Federalism

By Bianca Martinez

Since his presidential campaign in 2016, Rodrigo Duterte has promised to change the country's form of government to federalism. Now, more than two years after he was elected President, the following proposals that seek to revise the Constitution have been filed in Congress: (1) Resolution of Both Houses (RBH) No. 8; (2) PDP-Laban Federalism Institute's (FI) draft constitution; (3) summarized proposals from the House committee on constitutional amendments; (4) Bayanihan Federalism drafted by the Consultative Committee; and (5) RBH 15, primarily authored by former President and now House Speaker Gloria Macapagal Arroyo.

The most prominent among these is Arroyo's draft, which has been swiftly advanced for approval by its supporters in the House of Representatives. In fact, plenary debates on said proposal lasted for only three session days,¹ despite 67 percent of Filipinos not being in favor of Charter Change (Cha-Cha) and 69 percent having little to no knowledge of the proposed federal system of government.²

There are several compelling reasons to block these orchestrated efforts to revise the constitution. Essentially, the Duterte administration's push for Cha-Cha and federalism is a populist authoritarian project that seeks to further consolidate wealth and power in the hands of the elite while appearing to cater to the interests of neglected and underdeveloped regions. This becomes clear once we deconstruct the Cha-Cha/federalism campaign and examine its aspects:

- **Interests:** The political actors behind revising the Constitution, most notably Duterte and Arroyo, have long had ambitions to further entrench the neoliberal agenda and consolidate power and wealth in the hands of the elite and ruling class.
- **Content:** Being reflective of these interests, the proposed amendments essentially push the state towards having a more liberalized and globally integrated economy on the one hand, and an authoritarian government on the other.
- **Context:** Viewed within the larger context of a fascist administration, Duterte and Arroyo's Cha-Cha can be regarded as the final, decisive step towards the administration's dictatorship project.
- **Propaganda:** Meanwhile, the campaign's politically motivated proponents are able to conceal these self-serving interests by giving emphasis to the problem of "Imperial Manila"—the perceived concentration of power, wealth, and resources in the region—and presenting federalism as the solution to the country's ills.

Therefore, in order to uncover the authoritarian and neoliberal agenda driving the push for federalism through Cha-Cha, it is necessary to first examine and refute the populist ideas and approaches used as a veneer for the campaign.

State propaganda

The administration's primary strategy for gaining widespread support for the Cha-Cha/federalism campaign is to promote an oversimplified and idealistic discourse on federalism at the national and local level. Within this discourse, federalism is touted as the solution to the country's major problems afflicting the majority of Filipinos, including the concentration of wealth and power in Metro Manila; rural poverty and underdevelopment; and the decades-long conflict in Mindanao. However, the administration's attempt to paint a rosy picture of federalism has been stymied by several factors, including the skepticism of many Filipinos towards Cha-Cha; the media's exposure of several alarming provisions in the draft proposals (including Duterte's term extension and the removal of the Vice President from the presidential line of succession); the interjection of academics and legal experts with two strong arguments against federalism (i.e. that said form of government will not work with political dynasties in power and that the administration should just strengthen the Local Government Code of 1991 in order to fully implement decentralization); the disagreement of Duterte's economic managers with the proposed shift to federalism; and the release of former Presidential Communications Operations Office (PCOO) Assistant Secretary Mocha Uson's infamous "Pepedederalismo" video, which sparked public outrage not only because of its utter vulgarity but also because it raised the issue of how public funds were being squandered for the campaign.

But even as the administration failed to maintain control of the national discourse, it is using the same oversimplified, idealistic discourse with local communities at the barangay level through the state-funded federalism roadshow spearheaded by the Department of Interior and Local Government (DILG). According to reports from local communities in Cotabato, Cebu, and Davao City who attended the federalism information drive organized in their barangays, federalism was presented to them as the panacea to problems that directly and grievously affect their families and communities. Furthermore, as compared to the national discourse where the propaganda focused on the general advantages of federalism (e.g. that greater political and economic autonomy for each region will encourage rural development), the benefits are presented in a more personalized way at the local level. For instance,

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instead of simply saying that federalism will solve rural poverty, poor families were told that they would be able to eat three meals a day under a federal form of government. Meanwhile, barangay officials were promised that their income would increase given that regional revenues will no longer have to be shared with the national government. Therefore, the goal of the administration's roadshow is clear: to deceive Filipinos into thinking that federalism is the solution to rural underdevelopment in order to gain public support for the campaign.

Emergence of a mass movement

The administration's efforts to popularize federalism have been aided by the emergence of a mass movement in support of the campaign. The movement reached its climax in November 2017 when various pro-Duterte groups under the Network Revolution (NetRev) umbrella gathered in Manila on Bonifacio Day and called on the President to declare a revolutionary government and rewrite the Constitution to give way to federalism.³ However, after the revolutionary government failed to materialize, the group quickly retreated. Even so, the pro-federalism movement persisted. Perhaps the most vocal and active group in the movement at present is the Sincere Warriors of Rodrigo Duterte—Advocating Federalism and Support Movement (SWORD-AFPSM) or “Sword”, which claims to have 300,000 members across the country.⁴ Sword has been organizing its own symposiums on federalism in different parts of Metro Manila, Laguna, Nueva Ecija, Pampanga, Bulacan, Iloilo, and Davao Oriental.⁵

Members of this movement, however, seem to promote federalism not necessarily because they believe that said form of government can indeed solve the country's problems, but more so because of their support for Duterte. In other words, their aid for the campaign is politically motivated in so far as they want federalism to take shape because of their desire to advance the President's agenda. This is perhaps most strikingly reflected by the group's explicitly stated goal to “protect and support President Duterte and the Philippine government in all aspects for the good of the nation and the Filipino people.”⁶ This clearly shows that Sword's goal above all else is to advance the President's interests, with their support for the Cha-Cha/

The Duterte administration's push for Cha-Cha and federalism is a populist authoritarian project that seeks to further consolidate wealth and power in the hands of the elite while appearing to cater to the interests of neglected and underdeveloped regions.

federalism campaign being just one of the many ways through which they try to achieve this overarching goal.

Whether or not the administration is directly involved with Sword, the emergence of a Duterte-centric popular support base for Cha-Cha and federalism is a cause for concern. It only further simplifies the debate around federalism by reinforcing the existing dichotomous and divisive Philippine political discourse whereby supporting Duterte means supporting his policies, while going against his policies means inhibiting the administration's promised change. Furthermore, the creation of a people's movement only serves to give legitimacy to the neoliberal and authoritarian agenda of the Duterte administration.

Federalism, dynasties, and neoliberalism: A recipe for elite entrenchment and greater inequality

Clearly underlying the administration's deceptive narrative for the Cha-Cha/federalism campaign is a dangerously reductionist view of Philippine political

and economic institutions that idealizes the regional distribution of power and wealth as the primary solution to underdevelopment—without considering how existing institutions would factor into the proposed form of government. What this view fails to consider are two entrenched predatory systems that, when combined with federalism, will only further strengthen the dominant capitalistic, anti-poor, and environmentally destructive framework of development. These systems are: (1) the elite-dominated regional politics and (2) the neoliberal economy.

1. *Federalism + political dynasties = elite entrenchment*

Given the dominance of political dynasties in each region and the absence of an anti-dynasty law, shifting to federalism may only facilitate the consolidation of power by local elites in their respective provinces and regions. Although supporters claim that the transition to federalism will be accompanied by reform packages to curb political dynasties⁷ as well as constitutional measures to stamp out personality-based political parties,⁸ there is no guarantee that these reforms will get through deliberations in Congress sitting as a Constituent Assembly (Con-Ass), given that the majority of its current members engage in dynastic and patronage politics.

More importantly, reforming institutional, legal, electoral, and party systems is not enough to get rid of dynasties given that their power is derived not only from the weakness of these political systems but also from prevailing social, economic, and class structures. In fact, political dynasties have been successful in maintaining their dominion over national and local politics partly because of their ability to (1) strategically adapt to changing social and economic landscapes and (2) to take control of these landscapes by transforming their economic and social capital into political capital. Therefore, getting rid of or at least weakening political dynasties would necessitate the transformation not only of political institutions but also of prevailing social and economic structures from which they derive their power.

2. *Federalism + neoliberalism = greater inequality and environmental destruction*

In general terms, neoliberalism in the Philippines

has been operationalized by the liberalization of the agricultural and industrial sectors, deregulation, privatization of public services and the commons, and massive labor export—all in the name of integrating the domestic economy with the global economy and attracting more foreign investors.⁹ These measures that have allowed elites to accumulate wealth and maintain power to the detriment of the poor and the environment will inevitably be perpetuated by elite-dominated regional governments under a federal form of government. In particular, provincial neoliberalism will most likely involve regional governments resorting to tax breaks for agricultural land to attract private investors, considering that most provinces in the country only have land and labor as factors of production, neither of which make them stand out from other provinces. The increased control of investors over agricultural land would mean the expansion of agribusiness, as well as the unrestrained conversion of agricultural land to non-agricultural uses. Ultimately, this will endanger food security and—particularly in the case of indigenous peoples, farmers, rural women, and rural workers—lead to loss of livelihood, low wages and exploitation in corporate plantations or real estate development corporations, further degradation of the environment, and displacement.

Authoritarian and neoliberal interests behind Cha-cha and federalism

Without a doubt, Duterte and Arroyo are the masterminds behind the moves to change the present constitution. However, Arroyo's creation of a new proposal, despite Duterte's endorsement of the Con-Com draft, as well as her prioritization of the approval of RBH 15, seem to show that they are pursuing different ends. Despite their diverging paths, they are both motivated by the same ambitions: (1) to further entrench neoliberalism, which will strengthen the economic base of the elite and ruling class, thereby allowing them to (2) consolidate more power. Indeed, both have long displayed these neoliberal and authoritarian ambitions through their political and economic policies and maneuvers.

On the one hand, during Arroyo's presidency, her administration had strategically and systematically manipulated various state institutions across all levels of the bureaucracy to plunder wealth, maintain and further

consolidate power, and insulate itself from retribution. This is demonstrated, for instance, by the numerous corruption scandals that hounded the administration, which are indicative of the patronage and plunder embedded in the bureaucracy, and the use of the appointment process to put Arroyo's cronies in power. Arroyo also notoriously maneuvered the electoral process to cheat her and her allies' way into power. Facilitating her illicit work then was the military, which she had effectively mobilized as agents of electoral fraud. Yet despite the string of controversies, Arroyo managed to dodge retribution and maintain power because of her ability to stifle mass opposition and protests and to co-opt the Congress to shield her administration from accountability and maintain her political influence.¹⁰

Meanwhile, Arroyo's neoliberal agenda was effectuated through legislation and multilateral and bilateral treaties that sought to liberalize trade and investment in favor of foreign investors and to privatize state assets and public land. Meanwhile, laws that protect workers, women, children, and the environment were circumvented in the name of "development". Several attempts were also made to amend the nationalistic provisions on foreign participation under the constitution, with a view to further opening up the economy to foreign investors.

On the other hand, Duterte's authoritarian agenda is far more defined as compared to that of Arroyo. Whereas Arroyo's goal during her presidency was to only maintain power, Duterte's project involves absolute power grab. Walden Bello has rightfully characterized him as a "fascist original" because of the unconventional method he used to amass more power, beginning with "impunity on a massive scale—that is, the extrajudicial killing of thousands of alleged drug users and pushers—and leaving the violations of civil liberties and the grab for absolute power as mopping up operations in a political landscape devoid of significant organized opposition."¹¹

Indeed, by successfully depicting drug users and pushers as inhuman and incurable menaces to society who induce widespread criminality and thereby negatively impact the economy and threaten peace and security, Duterte desensitized the majority of Filipinos to the systemic killing of drug users and pushers. Combining this radical campaign with his anti-elite rhetoric and his commanding personality, he was able to prop himself

up as the country's "father figure" and the bearer of real change. Strategically optimizing this identity, Duterte was able to depict all those who were against his policies and governance as hindrances to the change promised by his administration, thereby dismantling the opposition and sowing divisiveness among the people. With the opposition's legitimacy in question, the little appreciation that the majority of Filipinos had for the importance of having a system of checks and balances in government waned even further. As such, Duterte enjoyed massive support even when he had captured the legislature (by establishing a supermajority in the House of Representatives and attempting to silence opposition in the Senate such as Leila de Lima and Antonio Trillanes III) and the judiciary (through the orchestrated ouster of Chief Justice Maria Lourdes Sereno by way of quo warranto), and when the administration repeatedly assaulted Rappler, a media institution critical of the government, with the ultimate goal of shutting it down.

Duterte has also embraced the neoliberal agenda, as embodied by the administration's Philippine Development Plan 2017-2022. In pursuit of this, the administration has implemented policies that facilitate the liberalization of trade and investment, corporate capture of the commons, and privatization of public utilities and basic services. At the same time, the administration has hampered the passage of progressive reforms such as the proposal for a moratorium on land use conversion and banning of open-pit mining. There has also been a strong push for the Regional Comprehensive Economic Partnership (RCEP), a multilateral free trade agreement (FTA) that seeks to encourage trade and investment liberalization, strengthen intellectual property rights protection, and weaken state regulation over the economy.

Given Duterte and Arroyo's clearly neoliberal and authoritarian interests, how exactly will Cha-Cha serve as an instrument to advance these interests? To answer this question, it is necessary to unpack the draft federal charters.

Neoliberalism and authoritarianism under the guise of federalism

A close reading of the drafts reveals that the following proposed amendments are most reflective of the elite interests behind charter change:

Table 1
Common Amendments in the Draft Federal Proposals and their Implications

Amendment	Reflection in Proposals	Implications
Weak anti-dynasty provisions	Con-Com: Clearly defined what constitutes a political dynasty but did not specify penalties for violators.	Without strong anti-dynasty provisions, political dynasties will continue to lord over the constituent states of the federal republic envisioned by Duterte, Arroyo, and their allies. Ultimately, this will allow them to further consolidate power in their respective provinces and regions. Furthermore, because elite behavior is often primarily motivated by clan interests, it is expected that they will utilize the wealth and resources allocated to their regions to feed and sustain their political machines and economic enterprises, while leaving basic services and other projects and programs for the benefit of local communities severely underfunded.
	RBH 8 & House committee: Emphasized the urgency of passing an anti-dynasty law but still made its creation dependent on Congress.	
	PDP-Laban: Proposed to reword anti-dynasty provision to make it self-executory. However, revised draft reflecting this amendment has not yet been released.	
	Arroyo's draft: Removed provision banning political dynasties.	
Opening of national economy to greater foreign participation	PDP-Laban, House Committee, & Arroyo's draft: Removed the following nationalistic provisions: <ul style="list-style-type: none"> • Limitations on foreign ownership of corporations, public utilities, educational institutions, mass media, and advertising entities ("60-40 rule") • Prioritization of Filipinos in the grant of rights to use land or other property for a specified purpose 	By opening up the national economy to greater foreign participation, moribund local industries will further weaken when confronted with more competitive foreign enterprises. More specifically, allowing unrestricted foreign ownership of public utilities would endanger people's access to basic services (especially of the poor, far-flung communities) given that transnational companies tend to pull out of developing countries due to lack of profitability and growing doubts about privatization projects. Furthermore, allowing more foreign enterprises to be granted the right to use land will push up the value of land—thereby making small farms even more unviable—and encourage the conversion of agricultural lands to non-food production purposes (predominantly for export or biofuel production). Ultimately, this will further marginalize small farmers and endanger the country's food security. ¹² Although proponents claim that increasing FDIs in land can increase yields and open more employment opportunities, land acquisitions often occur without the consent of local residents while production is always geared towards generating profit and securing the food needs of the foreign investors' country of origin, not feeding and nourishing local communities. PDP-Laban's removal of the requirement for members of BSP's governing board to be natural-born Filipino citizens is clearly inimical to the national interest. As the country's monetary authority, BSP controls the supply of money by raising or reducing interest rates, oversees exchange rate policy, and supervises the banking sector. As such, allowing foreigners to penetrate the BSP would politicize the institution particularly in favor of foreign interests which, by encroaching on our financial institutions, would endanger our national financial integrity.
	PDP-Laban: Aside from removing the 60-40 rule, PDP-Laban also removed the requirement for members of the governing board of the Bangko Sentral ng Pilipinas (BSP) to be natural-born Filipino citizens.	
	RBH 8 & Con-com: Retained the 60-40 rule but gave Congress the power to overrule it.	

Amendment	Reflection in Proposals	Implications
Reduction or removal of social justice provisions	RBH 8: Merged articles on social justice and human rights; education, science and technology, arts, culture, and sports; and the family into one article called “Federal State and Regional Priorities.”	The reduction or removal of social justice provisions adds insult to the injury of marginalized groups—including women, farmers, fishers, indigenous peoples, and workers—by robbing them of the constitutional basis of their rights. As such, the proposed amendment would only further marginalize these groups and increase their vulnerability to abuse. Furthermore, if the proposal to reduce/remove social justice provisions were juxtaposed with the intensified neoliberal provisions, it becomes clear that the draft federal constitutions serve to facilitate corporate interests and further entrench neoliberalism. Indeed, by removing the very basis of the struggle of marginalized groups against abusive corporations, the latter could become even more emboldened than they are now in capturing the commons and exploiting workers, all in the name of earning more profit.
	PDP-Laban: Narrowed down multiple paragraphs under the “Labor, Agrarian, and Natural Resources” and “Urban Land Reform and Housing” subtitles into one section each.	
	Arroyo’s draft: Removed entire article on social justice.	

Aside from the common amendments among the draft federal charters enumerated in the matrix above, there are other equally problematic provisions found in specific drafts that are also worth noting:

- Arroyo’s draft lifted the Congressional term limits mandated by Sections 4 and 7 under Article VI of the 1987 Constitution. This would allow politicians to remain in power and perpetuate their personal and political interests.
- Interestingly, Arroyo’s draft also vests in Congress the power to create a federal state upon a petition addressed to it, and “subject to approval by a majority of the votes cast in a plebiscite in the political units affected.” If anything, this only proves that establishing a federal republic is not the actual objective of Arroyo’s move to change the constitution and is only being used to mask her real intention of advancing the neoliberal and amassing more power for the political elite.
- PDP-Laban removed the constitutional provision that limits the type of public domain land that may be classified as alienable to agricultural lands. This means that even forests, mineral lands, and national parks can be leased to private corporations. Moreover, PDP-Laban also removed the limitations on (1) the period of the lease of alienable lands to private corporations (i.e. 25 years, renewable for another 25 years) as well as on (2) the area of leasable land (1,000 hectares). Of course, for private corporations, this implies unbridled use of land for profit-generating purposes.

But for farmers, fishers, indigenous peoples, and rural workers, this would lead to loss of their control over the commons and displacement.

Cha-Cha as path to dictatorship

The railroading of Cha-Cha is an indication of the increasing resourcefulness of populist authoritarians as well as their alarmingly growing control over democratic institutions. Of course, this would not have been achieved if not for Duterte’s mastery and optimization of populist rhetoric as a means to gain the confidence of the people. First, through his anti-elite rhetoric and promise of immediate and radical change, Duterte gained the support of a multiclass base. Next, using a divisive narrative that tags anyone who opposes his policies and programs as hindrances to genuine progress, he smeared all forms and shades of the opposition. And owing to his ability to maximize populist rhetoric, Duterte now enjoys the support of a heated middle class which strongly believes that purging the government of the opposition is the only way that the Duterte administration can attain real change. It is partly because of the middle class’ fanatic support for Duterte and aversion to the opposition that he was able to obtain nearly absolute control over Congress and the judiciary with considerable ease.

Now, all of Duterte’s political maneuvers are finally nearing fruition: With the administration’s near absolute control of the government, Duterte and his allies can go beyond populist rhetoric and use democratic institutions such

as charter change to push for their authoritarian ambitions—but of course, not without a touch of populism in the form of federalism to mask their true political intentions. This is a cause for concern, because authoritarianism under the guise of democracy, by being discreet in its approach, would be difficult to recognize even when it is already upon us.

Ways forward

Considering that the majority of Senators have strongly disapproved of Cha-Cha and federalism and that the issue has dwindled in the national discourse, it seems likely that Cha-Cha will not proceed under the 17th Congress. However, this does not necessarily mean that the campaign is dead, as many have argued. Arroyo has already said that she is counting on the next Congress to push through with the agenda if it does not transpire under her watch.

Here, we can better appreciate the importance of the upcoming 2019 midterm elections. The latest survey on the Senatorial elections released by Pulse Asia shows that 8 out of the 14 candidates¹³ who would have a statistical chance of winning the elections (if it were conducted at the same time as the survey) are in favor of or at least open to

With the administration's near absolute control of the government, Duterte and his allies can go beyond populist rhetoric and use democratic institutions such as charter change to push for their authoritarian ambitions...

The problem does not lie in the unitary form of government but in the predatory rule of the elite as well as the continuing dominance of the neoliberal economic paradigm.

the idea of changing the constitution to pursue federalism. This is a cause for concern, as the electoral success of these candidates would mean the demise of our present constitution and a step closer towards a more neoliberal and authoritarian charter. As such, for us voters, the elections will serve as our chance to resist the neoliberal agenda and Duterte's de facto dictatorship, as Political Science Professor Carmel Abao has rightfully said.¹⁴

Beyond the 2019 elections, another way by which we can counter the Cha-Cha/federalism campaign in the longer term is to refute what makes it popular—that is, the underlying narrative that there is a need to shift to federalism to address Manila imperialism—and reveal its authoritarian intentions. What politically motivated supporters of the Cha-cha/federalism campaign want us to believe based on this narrative is that the main problem of the Philippines is its unitary form of government. But in reality, the most fundamental problems confronting the majority of Filipinos today—poverty, food insecurity, inflation, lack of jobs and job security, and lack of access to basic services—cannot be solved by overhauling the form of government. The problem does not lie in the unitary form of government but in the predatory rule of the elite as well as the continuing dominance of the neoliberal economic paradigm. As such, what we need to advance is not a change in form of government but a strong anti-dynasty law, a set of reforms for our electoral and party systems, and a more people-oriented and environmentally sustainable economic paradigm. **R**

Table 2

Responses, Reactions, and Recommendations from Selected Senatorial Candidates
(Note: The direct quotations outlined below were compiled by the author from various sources: official statements, television interviews, press releases, and news reports)

Labor Win Coalition (labor alliance)	Otso Diretso (opposition coalition)	Hugpong ng Pagbabago (pro-administration)
Ernesto Arellano: “I am in favor of federalism, but not with the provision in the draft federal charter that removes term limits. The Senate has long been captured by political dynasties. We need to liberate the Senate from the hands of these dynasties.”	Gary Alejano: “We need to study the issue further, especially this administration. It should have a harmonized version, [which] should be explained to the people. [In addition], removing term limits is dangerous since political dynasties go hand and hand with it.”	Sonny Angara: “Whatever the form of government, LGUs must have sufficient autonomy, power, and funds.” “We are open to President Duterte’s idea that greater power and wealth should be distributed to LGUs. We could also amend the Local Government Code to increase the share of local governments in the internal revenue.”
Neri Colmenares: “The Constitution is not the reason for our impoverishment. Rather, we are poor because farmers do not have access to land, because of contractualization, corruption, and political dynasties. If we could address these problems, our economy will develop even without Cha-Cha.”	Bam Aquino: “It’s embarrassing that while our countrymen are drowning from high prices on goods, the government is talking about Cha-cha and [no election]. Let’s just look for a solution to the increasing prices on goods, instead of forcing Cha-cha.”	Pia Cayetano: “Bring it on because it should be debated. There are members of our population who love it passionately, and we need to hear all of those. And there is also a downside that we need to listen to.”
Sonny Matula: “I am not in favor of Charter Change given the current proposals. However, I am in favor of a federal-parliamentary structure of government. The only acceptable way of pursuing this is through a Constitutional Convention.”	Chel Diokno: “I am not in favor of federalism because it will not address the country’s most pressing problems, such as problems with food, jobs, freedom, and justice.”	JV Ejercito: “I am in favor of federalism but we have to be given more time to study it since this will change the entire system of our government.”
Allan Montaño: “I am in favor of Charter Change but only through Constitutional Convention. As for federalism, it is possible that the current draft federal charters are shaped by the interests of powerful politicians. However, I am in favor of federalism per se, as it fits the context of our culturally diverse country by allowing different groups with different cultures and languages to fulfill their right to self-determination.”	Florin Hilbay: “If the goal is simply to try to distribute resources, the President can do that now with the federalized budget. We also have the Local Government Code. If they think [this] is insufficient, then they can amend it. Opening the entire charter for revision would allow all the other motives to come in, like term extension, lifting of the nationalistic restrictions on our economy. “What’s dangerous with the current draft is that it basically allows the transition government under this President to have all the powers of a revolutionary government. “It’s clear that what they want is to bypass the elections next year and find a way to extend their term.”	Christopher “Bong” Go: “One of the most important things we need to make people understand is how federalism will benefit the regions or states. The local government should also understand what benefits it would bring to their respective areas.”

Labor Win Coalition (labor alliance)	Otso Diretso (opposition coalition)	Hugpong ng Pagbabago (pro-administration)
	Romulo Macalintal: “Once our system of government is converted into a federal form as proposed by our legislators, it might open the floodgates to the possible adoption of laws legalizing abortions, gay marriages, divorce and the use of hybrid election system in our country.”	JiggyManicad: “[I will support federalism] as long as there are no political dynasties and the term limits are clear.”
	Mar Roxas: “If you want additional taxes, choose federalism. Why? All federal systems have national and local taxes. In the unitary system like ours, there is only one tax and the money collected is sent to the local (government).”	Imee Marcos: Marcos fully supports Duterte’s move for federalism and even “urged fellow local chief executives to follow closely the developments towards a possible shift in government system.”
	Erin Tañada: “Cha-Cha will not solve the problems the country is facing. There is no problem that Federalism claims to solve that cannot be addressed through legislation under the present Constitution. As a matter of fact, shifting to Federalism would be anti-poor because they will need to impose additional taxes on the poor just to make the federal states viable.”	Koko Pimentel: “Aside from expanding the powers and increasing the resources and finances to local governments, the next logical, and perhaps the only peaceful, legal and constitutional avenue left open to those who wish to lay down the foundations for a just and lasting peace in Mindanao, which will also speed up the economic development of the entire country, is for us to adopt a federal system of government.”
	Samira Gutoc-Tomawis: “If LGUs and barangays are aided properly, the federal charter—which provides politicians greater power—is unnecessary. “We only have to strengthen the Local Government Code. We Filipinos do not need new political impositions, the government starts with you.”	Francis Tolentino: “I support federalism because [under the current unitary form of government,] if a calamity strikes in Mindoro Oriental, [the victims] will have to get sardines and rice from DSWD Region IV-B which is located right in front of Paco Park in Manila. In effect, federalism would place the right offices and resources in places where they are needed.”
		Cynthia Villar: “Those who will vote for Cha-cha will be busy for the campaign, so better do it after 2019. If they do not want to change the Constitution and they are complaining about the sharing, we don’t need to change the whole Constitution, we will only amend the Local Government Code. If they want to change the economic provision, then let us only amend the economic provision which is less controversial.”

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- 3 Rambo Talabong, "Supporters 'grant' Duterte sole powers to write new Constitution," Rappler, November 30, 2017, <https://www.rappler.com/nation/189900-supporters-duterte-write-new-constitution-revolutionary-government-mendiola-rally>.
- 4 Maricar Cinco, "In Laguna, federalism drive starts with storm aid," Inquirer, September 30, 2017, <https://newsinfo.inquirer.net/931865/in-laguna-federalism-drive-starts-with-storm-aid#ixzz5j5EolVMn>.
- 5 "Activities nationwide, SWORD-AFPSM, <https://sword-afpsm.com/blog/>.
- 6 "History," SWORD-AFPSM, <https://sword-afpsm.com/>.
- 7 According to Eduardo Aralar, member of the group that created PDP-Laban's draft federal constitution, these reforms include: (i) constitutional restrictions on political dynasties; (ii) shift to a dual executive or semi-presidential form of government; (iii) banning of political butterflies; (iv) strengthening of political parties; (v) shift to proportional representation; (vi) strengthening of constitutional bodies in the regions particularly the commissions on civil service and audit; (vii) reducing the duplication of work between the Senate and the House of Representatives; and (viii) judicial reforms including strengthening of the Sandiganbayan, appellate courts, and Ombudsman at the regional levels. See: "Evidence for and Experience with Federalism That Works," in *Debate on Federal Philippines: A Citizen's Handbook* (Quezon City: Ateneo De Manila University Press, 2017).
- 8 Such measures include, for instance, requiring political parties to have party whips to enforce party discipline under the PDP-Laban proposal, and requiring parties to submit its constitution and by-laws, platform, principles, policies and general program of government under the Con-com proposal.
- 9 Walden Bello et al., *State of Fragmentation: The Philippines in Transition* (Pasig: Friedrich-Ebert-Stiftung, 2014), 9.
- 10 Aya Fabros, ed., *Project 2010: Confronting the Legacy of the GMA Regime* (Quezon City: Cor-Asia Inc., 2010), 1-4.
- 11 Walden Bello, "Rodrigo Duterte: A Fascist Original," CETRI, February 9, 2017, <https://www.cetri.be/Rodrigo-Duterte-A-Fascist-Original?lang=fr>.
- 12 Bello et al., *State of Fragmentation*, 123-124.
- 13 Namely: Bong Go, Sonny Angara, Pia Cayetano, Ronald "Bato" Dela Rosa, Imee Marcos, Koko Pimentel, Jinggoy Estrada, and Francis Tolentino
- 14 Carmel Abao, "Resist de facto dictatorship: Don't give up the Senate in 2019," Rappler, September 21, 2018, <https://www.rappler.com/thought-leaders/212426-resist-de-facto-dictatorship-do-not-give-up-senate-2019-elections>.

The Price of Taming Inflation

By Joseph Purugganan

Chaos has been the brand of the Duterte presidency. His governance has been characterized as “instinctive, abrupt, and with a penchant for the dramatic,”¹ and his leadership style as “one based on the methodical use of the coercive power of the state in order to intimidate dissenters, critics, skeptics, deviants, and non-cooperative individuals who, in his perception, are not taking him seriously.”²

Perhaps one aspect of his presidency that has been more thought-out, less chaotic, more consistent, and somewhat insulated from public scrutiny is his economic policy. In the 2017 Focus Policy Review (FPR), Focus dissected the so-called *Dutertenomics* and found that at its core lies the same neoliberal, pro-corporate agenda that has underpinned economic policies since Marcos.

Economic development under Duterte stands on twin pillars: TRAIN (Tax Reform for Acceleration and Inclusion)—the comprehensive tax reform program, and Build, Build, Build (BBB)—the infrastructure plan, which combined are envisioned to “raise per-capita income to the level of high-middle income economies by 2022.”³

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Rising food prices was a main driver of inflation in 2018. Government responded by opening up the rice market to more imports. March 2019. PHOTO BY JOSEPH PURUGGANAN.

THE PRICE OF...from page 19

Build, Build, Build is the government's centerpiece economic program. As discussed in the 2017 FPR, BBB will be financed mainly through official development assistance from countries such as China, Korea, and Japan, and from the public coffers.

Because the BBB program is partly reliant on public financing, the full implementation of TRAIN is crucial. For the first five years of implementation, the TRAIN law earmarks "not more than 70% of the yearly incremental revenues generated to fund infrastructure projects such as but not limited to the BBB program."⁴ Based on the government's 2019 projected revenues of around ₱181.4-billion from the tax reform program, as much as ₱126.8-billion could be earmarked for the infrastructure program.⁵

Rising inflation in 2018 thus posed a big challenge for the country's economic managers. They had to move swiftly to stabilize commodity prices and tame inflation, while pressing on with the economic program—particularly on tax reform—amidst growing public unease.

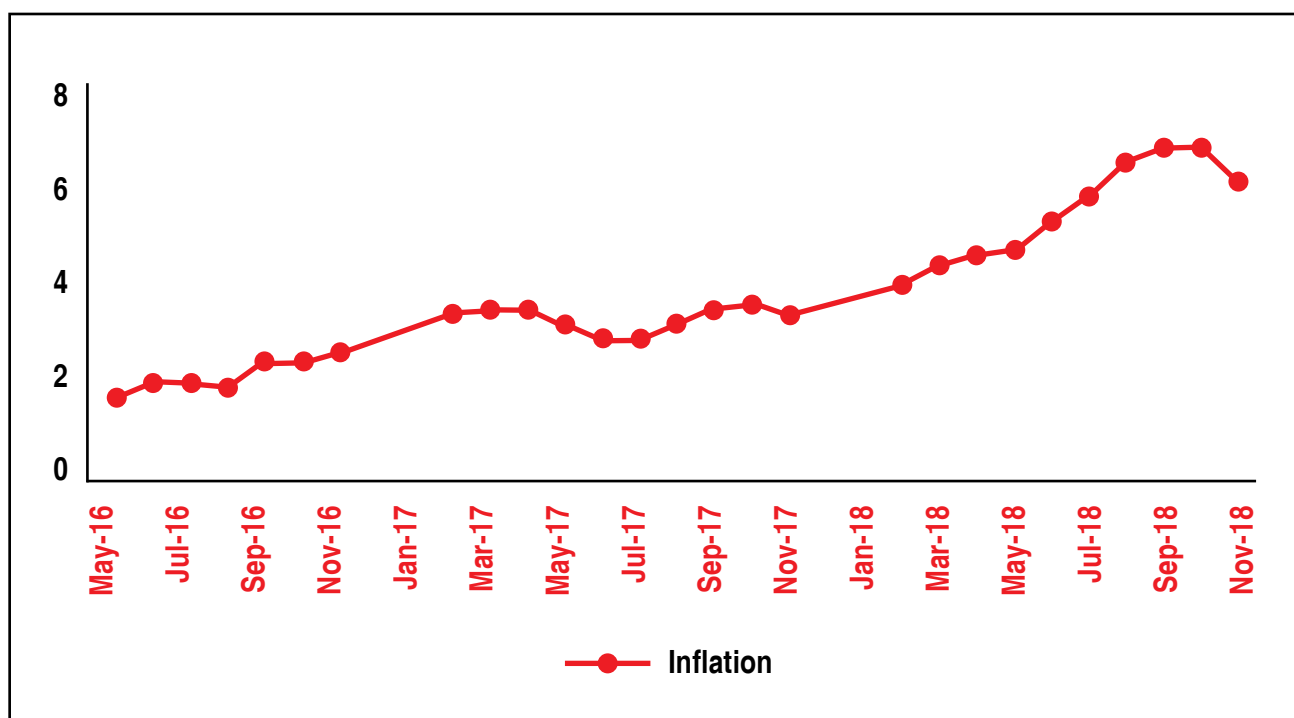
Inflation Crisis

When Duterte assumed the presidency in May 2016, the national annual headline inflation rate stood at 1.6%. Since then the rates have steadily risen, albeit with slight declines during the second quarter of 2017. In March 2018, the rates breached the upper end of the government's inflation target when the rates hit 4.3%. Since July 2017, the rates have consistently exceeded the 3% target, and began an upswing that would eventually peak at 6.7% in September and October 2018, the highest in over nine years.

Growing Public Discontent

Controlling inflation became one of the most important issues for Filipinos in 2018. The September 2018 nationwide survey of urgent national concerns conducted by Pulse Asia showed that a sizeable majority of Filipinos (63%) considered inflation an issue that must be immediately addressed by the Duterte government.⁶ The report further noted that this was the "predominant opinion shared across all geographic areas and socio-economic classes."⁷

Figure 1
Inflation under Duterte
(May 2016-November 2018)



Source: Philippine Statistics Authority inflation data

Inflation was an economic issue that put the Duterte administration on the defensive. The same Pulse Asia survey showed a high 51% percent disapproval rate of the government's performance in addressing the issue. But more than public disapproval of its handling of inflation, what was at stake was public support for the TRAIN program, which could then jeopardize the government's revenue program and all other programs dependent on it, like the BBB.

In the midst of rising prices, TRAIN became the subject of widespread public criticism for its inflationary impacts. As early as May 2018, three senators led the calls for the suspension of TRAIN, in particular the provision on excise taxes on fuel, due to the soaring prices of commodities, especially food and fuel prices. The planned increase in 2019 would have increased the total excise tax on gasoline from ₱7 to ₱9 per liter, and on diesel from ₱2.50 to ₱4.50 per liter.⁸ The move to suspend TRAIN was supported across the board by transport and consumer groups as well as progressive political blocs.

However, defenders of the tax reform program were quick to point out that suspending the implementation of the excise tax on fuels could cost the government around ₱26-41-billion in foregone revenues in 2019 alone.⁹ The Department of Finance estimates that excise tax on fuel would generate total revenues of around ₱564.8-billion over five years.¹⁰

Aside from additional revenues, a key policy question regarding the additional taxes is who will carry the greater burden from higher fuel prices brought about by the increase in fuel levies. According to Dr. Dennis Mapa, Dean of the School of Statistics of UP Diliman, poor households would feel the greater burden of the increased cost of diesel. Dr. Mapa estimates that with a ₱6 per liter tax on diesel, the effect on the inflation rate of the poor becomes ten times more than the effect on the inflation rate of the non-poor (1.794 percentage points and 0.180 percentage points respectively).¹¹

Missing the Mark

The spike in inflation seems to have caught the government off-guard. In December 2017, the Bangko Sentral ng Pilipinas (BSP) issued its advisory on the government's inflation target for 2018 whereby the inflation target was pegged at 3.0 percent \pm 1.0 percentage point for 2018-2020.

Aside from additional revenues, a key policy question regarding the additional taxes is who will carry the greater burden from higher fuel prices brought about by the increase in fuel levies.

Even when the rates had already breached the lower limit of its own target and registered more than a 100% increase since Duterte assumed office, the BSP continued to express confidence that the problem was manageable and that "inflation could settle within the current inflation target."

The BSP nevertheless recognized "upside risks to the inflation outlook."¹² These risks are brought about by "higher and volatile global oil prices, weakening peso, effects of the implementation of the TRAIN law on prices of domestic goods, and rising global inflation among others."

Main Drivers

The economic managers took a more defensive position. The main drivers of inflation were identified as higher food prices (rice, corn, fish), tobacco, and personal transport prices—the latter largely driven by rising world crude oil prices.¹³

Food prices indeed rose steadily in 2018 reaching a peak 9.7 % year-on-year increase in September 2018. Supply disruptions and damage to agriculture, facilities, and infrastructure caused by the onslaught of Typhoon Ompong (also known as Typhoon Mangkut) in September 2018 were pinpointed as the main causes of the rice price hike.¹⁴

Aside from the climate-related problems, the decline in production can also be attributed to shrinking rice lands. *Palay* production dropped slightly in 2018 by a little over half a percent, as production declined by around 104,000 metric tons (MT) compared to 2017 output, reaching a total of 19.17 million metric tons. The harvest-area for *palay*, for both irrigated and rain-fed lands, showed net contraction of 10,000 hectares. There was also a slight decline of around 0.34% in productivity as yield per hectare declined from 4.01 MT per hectare to 3.99 MT per hectare.¹⁵

Substantial declines in production were also noted in the regions identified by government as having been hit hardest by Typhoon Ompong: Cordillera, Ilocos Region and Cagayan Valley. Altogether, output in these regions dropped by over 450,000 MT.

What the economic managers failed to address, however, is that the harvest area for rice in these three

regions alone shrunk by as much as 34,618 hectares in 2018. Based on estimated yield per hectare in these regions, this contraction of harvest area amounts to a loss of close to 198,000 metric tons of *palay*.

Improving rice production to ease supply gaps, and the long term goal of making the rice sector more competitive, all gave way to importation as the means to lower rice prices. As pointed out by Omi Royandoyan of Centro Saka, “the solution, according to our economic managers, is to flood the local market with cheap imported rice.” Royandoyan countered that the country’s level of rice production is sufficient. According to data compiled by the Rice Watch Action Network, rice production on milled rice equivalent is 12,529,625.31 metric tons, short only of 129,610.29 metric tons to fill in the rice production gap with the rice/food requirement estimated at around 12,659,235.60 MT.



The public is given notice of the adjustments to fuel prices with the additional excise taxes on fuel from the TRAIN law. March 2019.
PHOTO BY JOSEPH PURUGGANAN.

If the economic managers were defensive on TRAIN's impact to inflation, they were offensive when it came to pushing the liberalization of agriculture as a solution to rising prices.

"If we include the NFA's (National Food Authority) imported 243,992 metric tons of rice and government's obligation with the minimum access volume that allowed the private sector imports of 600,000 metric tons, the total rice supply of 2017 is at 14,011,257.61—comfortable enough to supply the country's rice supply requirement," Royandoyan added.¹⁶

'Swift and Decisive' Response

The response from the government to inflation had both a defensive and offensive element to it.

Defend TRAIN

The government was quick to downplay the effects of TRAIN, particular the effect of excise tax on petroleum, sweetened beverages, and tobacco, saying the effect remains minimal at 0.4 percentage points, the same as in April 2018. This amounts to 9 centavos for every additional peso due to inflation.

Succumbing to strong public clamor, the Duterte government was forced to suspend the second round of implementation of the excise taxes on fuel under the TRAIN law in October 2018.

But by December, Duterte had already done a U-turn and gave the go-ahead for the implementation of the second tranche of excise tax on fuel, effective January 2019.¹⁷ Government cited the following reasons for the decision to push through with the additional fuel taxes: the downward impact on inflation owing to the steep drop in the Dubai crude oil price, the disruption in the infrastructure program, and reduction in budgets, including personnel services of national government agencies—should excise tax on fuel be suspended.¹⁸

If the economic managers were defensive on TRAIN's impact to inflation, they were offensive when it came to pushing the liberalization of agriculture as a solution to rising prices.

Advance Trade Liberalization

Rice and food (and not gasoline) became the primary target of the government's inflation-management response. The initial stopgap measures prescribed can be summed up in one word—Importation.

To address the rice price issue, they called for the immediate release of the 4.6-million sacks of rice available in NFA warehouses, and the fast tracking of the approximately 2-million sacks of previously contracted rice. The NFA Council also authorized the importation of a total of 10-million sacks for 2018 and early 2019. The economic managers further recommended the issuance of a directive to further simplify and streamline the licensing procedures for rice imports of the NFA.¹⁹

Rising fish prices would be addressed by "the issuance of certificates of necessity to allow imports to be distributed in the wet markets in Metro Manila and to the other markets of the country." Under the existing Fisheries Law,²⁰ imported fish can only be allowed (outside canning/processing purposes) if the Department of Agriculture (DA), in consultation with the Fisheries and Aquatic Resource Management Council or FARMC, issues a certificate of necessity.

Because there were certain limitations in law, executive action was resorted to in order to address the inflation crisis. Duterte issued Administrative Order 13 on September 21, 2018 mandating the removal of non-tariff barriers and streamlining administrative procedures on the importation of agricultural products.

Aside from these immediate measures, the major policy target was the passage of the Rice Tariffication Act, which according to the government, will stabilize food prices and overall inflation as it is “expected to drive down the price of rice by up to ₱7 per kilo.”

Beyond Rice Tariffication

Rice tariffication has been hounding us since we joined the World Trade Organization (WTO) in 1995. When the Philippines joined the WTO almost 25 years ago, we acceded to this tariff-based trade regime for all of our agricultural products except rice.

The WTO, however, allowed for a temporary respite from the removal of quantitative restrictions for certain products. The Philippines availed of this special treatment provision (Annex 5 of the Agreement on Agriculture) for rice from 1995-2005. The government negotiated and was granted an extension of another seven years (2005-2012), and obtained a final waiver from the WTO General Council that required the Philippines to subject rice to ordinary customs duty no later than 30 June 2017, in accordance with domestic legislative processes.

The special treatment sought for was premised on preparing the sector for eventual removal of the quantitative restrictions in favor of tariffs, as the hitherto allowed form of local protection. Instead, what we saw was how successive governments have continuously failed to support the rice sector and agriculture in general. In Thailand, for example, a major source of our rice imports, public investment in agriculture, forestry and fishery sectors amounted to an average of US\$3.2-billion from 2001-2017, while ours for the same period amounted to a little less than US\$1.5-billion. Thailand is investing more than double in agriculture than what the Philippine government has done for the last 17 years.²¹

While it is true that rice tariffication is an obligation under the WTO, the obligation is limited to the removal of the quantitative restriction and replacing it with a corresponding tariff rate. The WTO did not prescribe a particular rate by which we will then bind our tariff on rice imports.

The proponents of the rice tariffication law, however, used the opportunity presented by the inflation crisis to go beyond what was required under our obligation to the WTO. It is interesting to point out that the bills

passed by both the House (HB 7735) and Senate (SB 1998) both focused on the removal of the quantitative restrictions and the creation of a Rice Competitiveness Enhancement Fund (RCEF). And yet the final version signed by Duterte—Republic Act 11203—mandates the full liberalization of importation, exportation, and trading of rice aside from the removal of the quantitative restrictions on rice.²² Duterte had earlier expressed criticism against the WTO and the negative impact it has had on Philippine agriculture as he declared that our country is not ready to meet its obligations under the multilateral body.²³ It seems that he has since changed his tune as he signed the rice tariffication bill into law.

Chaos in the Grains Industry

The new law also repealed the National Grains Industry Development Act that created the National Food Authority (earlier known as the National Grains Authority) and removed the entire section under RA 8178, which defined the regulatory function of the NFA over importation of rice. Current NFA Administrator Tomas Escarez rightly pointed out that with “the removal of NFA’s regulatory functions, which were not explicitly transferred to any other government agency, all grains businessmen will then be free to conduct their business in whatever manner they like, without rules to follow.”²⁴

What precipitated this move against the NFA were the issues of mismanagement raised against the NFA amidst a seeming tug-of-war between then NFA Administrator Jason Aquino and the NFA Council led by Duterte’s erstwhile most-trusted lieutenant and former Secretary to the Cabinet Leoncio “Jun” Evasco over the depletion of our country’s rice stocks.

Behind the political intramurals among Duterte’s officials, however, lies the more fundamental issue of the long-term food policy of the administration. The bickering between Aquino and Evasco was not over the question of whether importation should be pushed—but over the mode of importation—with Evasco favoring government to private mode, while Aquino was pushing for the government-to-government mode of importation. Whether inadvertently or deliberate, what was put in question in the NFA debate is whether or not government, through the NFA, should play a part in regulating food importation.

Prelude to privatization

The NFA has long been a target of technocrats pushing to liberalize the rice sector. They have pointed essentially to the monopoly power of the NFA over rice importation, and its implementation of the quantitative restrictions as the agencies main problems.

Other powerful policy influencers like the Asian Development Bank (ADB) have pushed in fact for the privatization of the NFA, with the ADB making this one of the major conditions for the approval of the US\$175-million Grains Sector Development Program (GSDP) loan.²⁵

Winners and Losers

So who stands to gain from the liberalization of the rice industry?

Farmer leader Jimmy Tadeo in a press conference recently said the NFA, the milling industry, and the Filipino rice farmers are the ones that would be hardest hit under the liberalized regime enabled by the new law. According to Tadeo, rice farmers who spend an average of ₱10-14 per kilo would lose out, as the buying price of *palay* is already at ₱12-15.²⁶ Rice importation has been sold as a panacea to inflation, but a critical question that has not been answered by the economic managers is what will happen to the price of *palay* once rice imports come in?

Raul Montemayor of the Federation of Free Farmers (FFF) painted a grim scenario. According to Montemayor, under the new law, rice tariffs outside ASEAN will be from 40% (within the minimum access volume) to 180% (outside the minimum access volume) but the tariff rate for imports from ASEAN, where we get most of our imports, is pegged at 35%. At 35%, imports of rice will come in at ₱32 per kilo. The proponents of liberalization will point out that this is an improvement, as the price will drop by ₱8 per kilo from ₱40 to ₱32. What is not being said, however, is that the poorest households who rely on NFA's ₱27 per kilo rice will be disadvantaged. What will happen to families who use to buy NFA rice and now would have to pay ₱32 per kilo minimum? In reality, the liberalization of the rice trading will not make rice more affordable.²⁷

Farmers will be harmed by the low buying price of *palay* and the downward pressure from the entry of cheaper imported rice, and second, the poorest rice consumers will also be harmed by the absence of low-priced NFA rice in the market.

Those who stand to benefit the most would be the importers and traders who would now have a free hand in importing rice. The NFA has already received 278 applications for out-quota importation of rice²⁸ (higher than the 180 reported early this year)²⁹ for a total of around 1.6-million metric tons of rice. On top of the list, applying to bring in 100,000 metric tons of rice, is Purerice Milling and Processing Corporation of Davao businessman and Duterte supporter Jo Soliman, who has also been reported to have bagged a ₱5-billion project for the construction of a large cold storage facility in Benham Rise.³⁰

Inflation and the 2019 elections

Inflation rates have indeed gone down since November 2018, and the decline has continued this year as rates went down to 4.4% in January, and to 3.8% in February, the lowest level since February 2018.³¹

Despite declining inflation numbers this year, high commodity prices continue to be an issue of national concern heading into the midterm elections. Several opposition candidates have zeroed in on TRAIN, in particular the excise tax on fuels, as one of the main drivers of rising prices. Senators who voted in favor of TRAIN were put on a defensive, and have been forced to qualify and explain to the public their support for the revenue-generating measure. It appears though that voter preference, at least based on the surveys, has not been affected by these criticisms against TRAIN. Senators seeking re-election who voted in favor of TRAIN—Grace Poe, Cynthia Villar, Nancy Binay, and Sonny Angara—have consistently occupied the top six spots.

But while TRAIN may have been exposed as a possible *Achilles heel* for some administration senatorial bets, it is important to point out that on solutions to the inflation crisis, the opposition did not offer much of a divergent view. Liberal Party stalwart and 2016 Presidential contender Mar Roxas, who has branded himself as “Mar, aming ekonomista” (Mar, our economist) in a letter to Duterte posted on Facebook said “only a massive and immediate additional supply of rice can bring down prices to affordable levels.” He then gave his unsolicited advice to the government to fast track and remove restrictions to importation. In Roxas’ own words, he called on Duterte to “remove the usual bs imposed

by NFA so as to allow any and all in the private sector to import rice.” In other words, as far as addressing inflation was concerned, there was a neoliberal consensus from both the administration and opposition.

The groups opposing the rice trade liberalization have launched a junk Cynthia Villar campaign, asking all farmers not to vote for the Senate’s principal author of the new law. The farmers leading the campaign are hoping to rally the support of around 2.4-million rice farmers to

In Roxas’ own words, he called on Duterte to “remove the usual bs imposed by NFA so as to allow any and all in the private sector to import rice.” In other words, as far as addressing inflation was concerned, there was a neoliberal consensus from both the administration and opposition.

make an impact in the coming elections. It would be a tough campaign though as Villar continues to occupy the second spot in the surveys and her numbers are moving up fast.

If the election results mirror the latest surveys, then we can expect Congress to push even harder for economic policies that support Duterte’s agenda.

Long-term implications

There is very little discussion among the candidates on the possible long-term implications of the Duterte administration’s response to the inflation crisis.

Rather than pushing importation as a temporary and emergency response to ease the supply issues that are driving prices up, it has become the de facto policy. The full liberalization of the rice industry is a major concern of farmers and groups advocating food sovereignty. Pushing full liberalization, at the same time as a withdrawal of State’s responsibility to regulate imports, will create a new crisis in the rice sector. The livelihoods of rice farmers would be imperiled, the poorest rice consumers would lose access to cheaper rice, and our dependence on food imports would increase considerably. As the economic viability of domestic rice production decreases, there will also be increased pressure to convert erstwhile rice lands for production of other more viable cash crops for exports, and to other non-agricultural uses.

There are similar concerns for fisheries, another of our country’s major food sources. The group Oceana said in a statement that “short-term imports may actually put long-term food security and fisherfolk at risk.” The group asserted: “issues haunting fisheries management can only be solved through a more comprehensive and participatory plan.”³²

The Duterte administration may have successfully weathered the inflation crisis and a major challenge to its economic program, but in so doing it has revealed further its neoliberal character and may have set us further back from the path to more inclusive development. **R**

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Surviving in a Fading Countryside: The Plight of Small Food Producers under Duterte

By Raphael Baladad

Government responses to the recent crises on food have revealed one thing: uplifting the hands that feed the nation apparently rests at the bottom of Duterte's list of development agendas. While the government resorts to importation to stabilize market prices and fill consumer demand for food, small farmers brace themselves for a looming decline in their incomes and the risk of falling deeper into debt. The livelihoods of fisherfolk are also sidelined due to aggressive development projects pushed by the government, along with Duterte's meek stance in defending fishing territories against China. With such issues emerging against the backdrop of stagnating rural economies, will small food producers still survive?



The gloomy sky portends the “fading of the countryside” as Filipino fisherfolk remain the poorest of the poor. Subic, Zambales. 2018 November 18. PHOTO BY GALILEO DE GUZMAN CASTILLO

On March 25, 2019, a radio news report briefly mentioned a farmer committing suicide after farm-gate prices of onions suddenly fell to ₱15 per kilo.¹ Incidents of farmer suicide are extremely rare in the Philippines compared to countries like India, where more than 300,000 farmers have taken their lives over the past 20 years due to worsening economic and climate conditions. The news of this onion farmer's lonely death might have reached only a few ears, but it signals how neoliberal policies have finally gnawed away the perseverance of the rural poor.

Amid the inflation crisis in August last year, the Department of Agriculture (DA) pushed for the lowering of onion import tariffs to stabilize market prices—a move that eventually cost the harvest of small onion farmers this month, particularly in the Province of Nueva Ecija, which accounts for 54% of the country's total production.² With the over-supply of onions, farm-gate prices plummeted, but market retail prices remain at ₱60.00. Manuel Del Rosario, a peasant leader and also onion farmer from the Pambansang Katipunan ng mga Samahan sa Kanayunan (National Assembly of Rural Organizations), says this was caused by cartels who control storage facilities, who are widely known to bar farmers from storing crops at the onset of lean seasons, forcing them to sell their crops at a lower price instead of risking spoilage. The very same cartels, Del Rosario adds, “collaborate with importers to strangle supply of vegetables and fruits during abundant months and bloat prices.”

Del Rosario recounts the harrowing impacts of the recent onion price-drop to farming communities in Nueva Ecija and Tarlac. Farmers were forced to harvest bulbs early in an attempt to regain losses in capital and to secure debt payments for middlemen. Some already sold or pawned what little personal property they had left, in the hopes of raising enough money to survive until the next cropping season. Others finally decided not to prepare for the next season, resigning themselves to the reality that they need to find income through other means. A pressured DA then proposed a ₱300 million loan facility to ease the burdens of onion farmers, suspended onion imports, and prompted an investigation into the cartels. This however, was another “knee-jerk and palliative response” according to Del Rosario, in “an attempt to cover up the government's lack of initiative or even

capacity to dismantle the control of traders/middlemen in agriculture production and markets.”

Though emergency importation has been a convenient solution for Duterte's economic managers in addressing sudden scarcities in supply, it sidelines the need to scale gaps in agriculture policy and program implementation—in order to attain better, but harder to reach outcomes such as food self-sufficiency.

Alongside the rice crisis (see article *The Price of Taming Inflation*), last year was also marked by a shortage in the supply of popular species of fish, with the government also being quick in resorting to importation to appease consumer demand. Similar to the onion price-drop, this response from government reaped criticisms—though now for its absurdity, since the Philippines is an archipelago and was once a top contributor to the world's total fish supply. But ultimately, it underscores the government's lack of support for artisanal fisherfolk and communities that depend on the country's marine resources. According to Pablo Rosales of Pangisda (Progressive Alliance of Fisherfolks), the struggle of fisherfolk is punctuated by “decades of foreign intrusion of local fishing grounds and destructive fishing practices employed by commercial fishing vessels.”³ In the past three years, Duterte's vague diplomatic concessions with China exacerbated the living conditions of fisherfolk who source their livelihoods in the West Philippine Sea (WPS). While Chinese fishing vessels operate with impunity, Duterte downplays incidences of harassment from Chinese coast guards.⁴ Duterte's now meek⁵ stance in defending the nation's sovereign rights in the WPS has greatly disempowered fisherfolk, with some now opting to find new fishing routes instead of risking life and limb for a measly catch. According to Rosales, “the overfishing of Chinese vessels eventually led to the decimation of fish supply in the country,” hence last year's shortage. “But what we find more outrageous,” Rosales adds, “is the irony of the government's plan to import fish from China”.

Marinel Cueno, a community leader from the League of Urban Poor for Action and Manila Bay Para sa Tao (Manila Bay for the People) movement, paints a different picture of the fisherfolk's struggle. Fishing communities in the Manila Bay area are now threatened by possible evictions, now that more than “26,000 hectares of fishing

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grounds have been eyed for reclamation projects” (see article: *Cleansing the Augean Stables*). Fishing communities in the Manila Bay area, Cueno says, “are no strangers to poverty, brought by decades of being sidelined by a development agenda that centers on expanding commercial and industrial areas in the Metro.” Cueno recounts the story of a fisherman in Barangay Parola, who begged off from attending a meeting after catching only a half kilo of *asuhos*⁶ in his morning fishing trip. Selling it for ₱60.00, the tired fisherman docked his makeshift raft to find extra work at the nearby pier, or to scavenge for fish scraps at the local market. “To most fishers in the area,” Cueno narrates, “selling their entire catch is better than taking a portion of it to feed their families. Instead, they survive on instant noodles and rice.” “It is an ironic situation; when those who feed the nation are the ones who are poor and hungry,” Cueno expresses.

Extreme poverty brought about by the stagnation of rural economies has resulted in the disenchantment of younger generations in engaging with rural professions such as farming and fishing. In the last five years, employment in agriculture has seen a steady decline: from 32.2% in 2013 to 25.4% in 2018.⁷ The average age of Filipino farmers is 57; according to the DA itself, the country might reach a critical shortage of farmers in the next 15 years.⁸ “When subsistence has become the norm in rural areas, the only option is to escape by looking to other professions, or sources of income. It is saddening reality, when being a farmer or a fisherfolk is equated to being poor,” Del Rosario laments.

A time for alternatives

“Filipinos need to push for a change in regimes,” says Romeo Royandoyan of Centro Saka, or the Philippine Center for Rural Development Studies. Royandoyan describes how the shortage in onion and fish supplies will have similar outcomes on the country’s staple with the passage of the Rice Tarrification Law last year. “With government food policies shifting away from self-sufficiency, we will be at the mercy of an international food market—that has become increasingly unstable due to worsening climate conditions.” “Once a global

food crisis hits, which is likely and not unprecedented, it will be difficult for the country to turn back to local production—as the number of small food producers have already dwindled,” says Royandoyan.

The countryside is already in “crisis” and it needs to be “redefined” Royandoyan stressed, “especially now under Duterte where the neoliberal economic model we spent the last five decades resisting has reached the maturity of its expression in economic and governance policies.” Now that the public is more aware of the impacts of such policies on farmers and fishers, the government responds with palliative measures designed ease their agendas in without meeting resistance from the people. “Capacity building and support services alone will not uplift the living conditions in the countryside, since it does not change market systems that ultimately cause poverty in rural areas,” Royandoyan adds.

Under the current state of things, there will be no systemic responses to address the ills of the countryside, since Duterte has already eroded the spaces where reforms can be demanded by the people. In a setting where the government and its policies do not support the survival of small food producers, it is up to social movements to cover lost ground. The problem however, Royandoyan stressed, “is that we are too fragmented and spread too thin around too many issues to generate

Extreme poverty brought about by the stagnation of rural economies has resulted in the disenchantment of younger generations in engaging with rural professions such as farming and fishing.

enough pressure in challenging dominant regimes.”

“We need to regroup and go back to the grassroots,” according to Daryl Leyesa of the Pambansang Koalisyon ng mga Kababaihan sa Kanayuan (National Rural Women’s Coalition), “especially at this time when government policy and corporate capital have aligned against the survival of small food producers.” Though policy and program engagements are equally important according to Leyesa, “we need to push for alternatives as an expression of resistance to prevailing models of development.” Alternatives, such as the adoption of *ecological, social and cultural rights, gender mainstreaming, social protection and other rights based approaches*—as frameworks in engaging the government for reforms or in grassroots interventions—enable us to “reclaim the development discourse back to communities,” Leyesa adds.

Alternatives can also be systems in food production, such as *agroecology*, organic farming, and other sustainable methods, which are effective in countering the overdependency of small farmers on chemical farm inputs,” says Leyesa. Agroecology promotes the return of food production methods to traditional, cultural, and indigenous practices; reduces the vulnerabilities of small farmers to climate change; and enables better health and nutrition outcomes for rural households.

Building *Solidarity Economies* in rural areas enables the resistance to competitiveness, market-based, and private investment-led models of development. Strong cooperatives and community markets aid in dismantling monopolies and reclaim the control of food resources from profiteering middlemen and cartels. The recent oversupply of onions prompted *solidarity markets*, where people link producers through social media directly to buyers or groups of consumers in urban areas.

Community seed banking counters the prevalence of genetically modified and hybrid seed varieties that undermine the autonomy of farmers from corporate interests in food production. It also enables farmers to prepare for erratic weather conditions such as floods and droughts, and decreases the likelihood of getting indebted to middlemen and grain brokers. According to Del Rosario, “practices in seed banking can be adopted in building community/cooperative based storage facilities for agriculture produce, to improve the income security of farmers in leaner months.”



Onion farmers in the Philippines struggle with plummeting market prices due to import liberalization. Bulacan, Philippines. 2017 August 23. Retrieved from https://commons.wikimedia.org/wiki/File:1656Food_Fruits_Cuisine_Bulacan_Philippines_11.jpg, marked as public domain. PHOTO BY FLORENTINO FLORO

Del Rosario also suggests a return to the *Bayanihan* system, a set of traditional/cultural norms in farm work to resist prevalent share tenancy schemes that favor middlemen and other profiteers. *Bayanihan*, Del Rosario adds, can also be adopted by communities to “absorb mechanization efforts from the government, which also largely fell in the hands of middlemen.” Communities can be mobilized to make “idle lands productive, and as a form of resistance to land-use conversions.”

Community-led Rehabilitation of Aquatic Resources is an alternative to the government’s slow response in protecting municipal waters from overfishing by commercial vessels. Rosales say that “It can also harness the energies of community fishers towards defending municipal water from destructive and unsustainable fishing methods”. Community-led rehabilitation can be an exercise of occupation, to resist commercial reclamation and displacement of fishing communities.

What’s at stake in the 2019 Midterm Elections

Despite the shrinking spaces where people’s movements can demand reform under the Duterte administration, movements continue to push for

With government food policies shifting away from self-sufficiency, we will be at the mercy of an international food market—that has become increasingly unstable due to worsening climate conditions.

appropriate policy and budget responses in addressing crises on food. Equally important is the demand for preventive government responses through programs that uplift small food producers from poverty, as against the expansion of profiteering and corporate interests on food, land, and water resources. The survival of the countryside under Duterte's neoliberal economy also rests on alternatives and promoting community expressions of resistance. Above all, raising the individual dignities of small food producers should be a resounding call, in exacting accountability for the failures of government to address the perennial problems in the countryside.

As election season nears, candidates ride tirelessly on the issues of food, poverty, and hunger, along with the solutions they promise to deliver. This, however, shifts the discourse on food away from small food producers and their survival in a policy and program environment that failed to promote their rights. More than personalities, what we need to scrutinize are positions or approaches of candidates in issues affecting the survival of the countryside. Candidates who:

- Support the full and effective implementation of the Comprehensive Agrarian Reform Program, prioritizing the distribution of privately owned lands, along with the delivery of appropriate support services for farmer beneficiaries.
- Support the passage of the National Land Use Act, to protect agricultural lands from corporate land-use conversions and land grabbing that threaten to displace farming, fishers, and forest dwelling communities.
- Resist neoliberal policies, such as the rice tariffication law, that favor importation as the only solution for "food security" despite its impacts on the survival of small community producers.
- Are against policies that enable privatization of irrigation systems and other waterways that support farming communities, along with those who are against corporate/industry-led agricultural modernization, capacity enhancement programs, and market assistance.
- Support the immediate passage of the Coco Levy Bill, along with ensuring its disbursement to coconut farmers, and is protected from corporate and political interests.
- Push for the protection of municipal waters against commercial interests and support community-centered rehabilitation efforts.
- Oppose the commercially driven reclamations in Manila Bay that threatening to displace communities in the name of enhancing business investment.
- Support policies or programs that directly uplift the individual rights and dignities of food producers, along with those who support programs that promote food production as a viable profession for the youth.

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 - 2 54% of total production
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 - 7 Philippine Statistics Authority: Selected on Statistics on Agriculture, 2018.
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A year after the Lumad (indigenous people's) killings in Lake Sebu, South Cotabato, and still no justice in sight, Task Force TAMASCO asks the Department of Environment and Natural Resources where its interests lie and whose agenda it serves. Quezon City, Philippines. 2018 December 3. PHOTO BY GALILEO DE GUZMAN CASTILLO

Laban-Laban¹: Cleansing the Augean Stables

By Galileo de Guzman Castillo

“Mother Nature—militarized, fenced-in, poisoned—demands that we take action.”

-Berta Cáceres, Honduran environmental activist killed in 2016 for defending indigenous people's rights and leading the struggle against the Agua Zarca Dam

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Nature abhors a vacuum and likewise it must loathe empty promises. Since the beginning of his electoral campaign in 2016, President Rodrigo Duterte has been indulging in a lot of populist promises. At the onset, he openly stated his opposition against open-pit mining, promised to halt environmental destruction, pronounced support for the crafting of a law on sustainable land use, vowed to transform the country's energy system by phasing-out coal, and ensured the protection of indigenous communities. These statements earned him not only the support of environmental advocates, but also the votes of some progressive groups and sections of the Left. Pinning their hopes on a perceived able and nonconformist leader, many of them ventured into critical engagement with the Duterte administration from its inception.

However, the conflicts and contradictions gradually manifested as the government remained beholden to corporate power and interests. Duterte began abandoning previous populist stances wherever they were inconvenient, in an increasingly obvious pendulum swing towards further entrenchment of neoliberalism in the policy arena, including that of the environment. Everything that ran counter to *Dutertenomics*, the corporate-driven and market-oriented economic agenda of the administration, were swept aside. Environmental policy and action were not taken in their own right but through the lens of prospective investments, tourism revenues, and trade flows. Key green legislation such as the National Land Use Act, Alternative Minerals Management Bill, and Forest Resources Bill remained in limbo. Duterte's unabated addiction to coal and entertainment of Russian interest in reviving the mothballed Bataan Nuclear Power Plant has stymied the Philippines' just transition to renewable energy.

The non-confirmation of then Department of Environment and Natural Resources (DENR) Secretary Gina Lopez, after she ordered the closure and suspension of 26 mining firms and lifted the moratorium on new mining permits, perhaps served as the turning point—a strong indication that Duterte was disinclined, as scholar-activist Walden Bello puts it, to break up with the Mindanao Mining Mafia that helped propel him to the presidency.² Lopez's kicking of the hornets' nest and eventual non-confirmation exposed Duterte's non-existent policy agenda on the

environment. This has translated to the further opening up of the Philippine economy to state and corporate extractivism, against a backdrop of worsening violence and impunity.

In 2017, Focus on the Global South unpacked *Dutertismo* and described the administration's governance of the environment as "laban-bawi" where one positive step forward is rendered meaningless by a regressive countermove.³ Red flags were raised on the intensifying threats to the environment and the commons brought about by massive infrastructure investments under the government's Build Build Build program, particularly those tied up with extractives and Chinese loans. Things took a turn for the worse in 2018 when the Philippines was tagged as Asia's deadliest country for environmental defenders by international watchdog Global Witness in its 2017 report, "At What Cost?", with 48 individuals killed (a 71% increase from 2016) under Duterte's destructive, divisive, and despotic rule. More and more indigenous people face illegal arrests, forced displacement, and death threats for defending their ancestral lands and domains. Mindanao remains a battleground for competing interests and agendas—a site of rampant human rights violations, aggravated by the declaration and subsequent re-extensions of martial law on the entire island. More than two years in office and nothing concrete has come out of Duterte's populist rhetoric on environmental protection and climate change mitigation.⁴

Halfway into his six-year term, Duterte's initial populist posturings have hardened into shades of authoritarian populism. As dominant elite political and economic interests rear their ugly heads, the government seems to have acquired a split personality whereby it can shrug off the impact of policy decisions on the environment and local communities, but at the same time paint specific and localized environmental issues as an "emergency crisis", with the Chief Executive morphing into an "environmental crusader", flexing the government's muscles to step in via a strongman approach, and imposing authoritarian control and dictatorial rule.

Bawi-bawi (grab and seize)

When we look at how the government and those in positions of power view the environment, regard nature, and fail to grasp the urgency of the climate crisis, we begin to see more and more the insidious shift of the "laban-

bawi” style to “bawi-bawi”. This may mean forcibly taking away land from smallholder farmers, peasants, and rural women; fishing grounds from artisanal fisherfolk; sources of livelihood from agricultural, migrant, and fishery workers; woodlands from forest dwellers; and ancestral lands and domains from indigenous peoples. This kind of governance ensures that nature is stripped of its intrinsic and ecological value, that extractivism and corporate plunder prevail, and that decision-makers and policy managers completely withdraw from real and systemic solutions. In its ugliest form, “bawi-bawi” enables the perpetuation of the dominant, exploitative economic paradigm, and allows the unrelenting oppression of people and domination over nature.

Perhaps the most emblematic “bawi-bawi” case in recent memory is the closure and redevelopment of Boracay Island. Admired worldwide for its pristine white-sand beaches and regarded as a top tourist destination in the Philippines, the island faced serious environmental degradation caused by overcrowding, overflowing garbage, untreated sewage, non-compliance by businesses with environmental laws, and illegal development activities. “I will close Boracay. Boracay is a cesspool,” Duterte declared at a business forum in Davao City in February 2018. Two months later, he ordered the island’s six-month closure from April to October, affecting over 36,000 jobs and an estimated ₱56 billion (US\$1.7 million) in revenues. Boracay’s stakeholders argued that the solution did not need to be a unilateral closure of the entire island, but only of the business establishments that violated local environmental regulations and national laws such as the Clean Air Act of 1999, Ecological Solid Waste Management Act of 2000, and Clean Water Act of 2004.

While there was no question as to the necessity of rehabilitating Boracay, the manner in which it was carried out was unconstitutional as it violated the right to travel and the right to due process, intruded into the autonomy of local government units, and was an impermissible exercise of police power by the President. In his dissenting opinion on the 11-2 Supreme Court en banc decision that upheld Duterte’s Proclamation No. 475 declaring a state of calamity in Boracay and ordering its closure, Justice Benjamin Caguioa argued, “This ponencia, which prioritizes swiftness of action over the rule of law, leads to the realization of the very evil against which the Constitution had been crafted to guard against—tyranny, in its most

In its ugliest form, “bawi-bawi” enables the perpetuation of the dominant, exploitative economic paradigm, and allows the unrelenting oppression of people and domination over nature.

dangerous form.”⁵ The only other dissenter, Justice Marvic Leonen maintained, “Authoritarian solutions based on fear are ironically weak. We still are a constitutional order that will become stronger with a democracy participated in by enlightened citizens. Ours is not, and should never be, a legal order ruled by diktat.”⁶

Political scientist Denise van der Kamp describes this style of governance—also observed in Russia, Latin America, and Southeast Asia—as “blunt force regulation”: states engage in short term solutions to regulatory problems that seem rash, heavy-handed, and counter to leaders’ political interests.⁷ With the perceived success of the Boracay rehabilitation, the government plans to apply the same tactics to similarly popular tourist destinations like El Nido and Coron in Palawan, Panglao Island in Bohol, and Siargao in Surigao del Norte.

Another controversial project is the ₱47-billion (US\$900-million) Manila Bay “Rehabilitation” plan, with no less than the DENR Secretary Roy Cimatu pronouncing, “The next war we are going to wage is against Manila Bay.” The same modus operandi is being planned, despite stark differences between the two cases: Boracay covers an area of 10.32 km², while Manila Bay spans an area of 1,994 km² (193 times larger) bounded by six highly-urbanized cities of Metro Manila: Las Piñas, Parañaque, Malabon, Navotas, Pasay, and Manila, and the provinces of Cavite, Bulacan, Pampanga, and Bataan, with about 5

million residents living in the coastal areas compared to Boracay's 50,000 estimated population.

According to urban planner Felino Palafox, Jr., rehabilitation efforts should be based on the principle of triple bottom line—people first, planet Earth, and then the economy. He states, “The formulation of a comprehensive master plan (CMP) is immensely crucial. Rehabilitation plans must be cohesive in an integrated overall framework. Focusing on the metropolitan region alone would be disadvantageous because this would not address the root causes of environmental degradation in adjacent areas.”⁸ As Pablo Rosales, fisherfolk leader of PANGISDA-Pilipinas (Progressive Alliance of Fisherfolk in the Philippines) and the broader Movement for the Pro-People Rehabilitation of Manila Bay asserts, “Manila Bay needs more than a ‘cosmetic clean up’—a truly sustainable and pro-people plan that considers the lives and livelihood of those that depend on it.”⁹

But here's the rub.

In the absence of a clear policy agenda, a conscientious effort, an inclusive plan, and a systemic approach, the people are left with Duterte's maverickism—resorting to “shock and awe” tactics, invoking graphic images of “emergency crises”, and carrying out “necessary wars” to solve them. Under this administration, dealing with crises justifies drastic moves: extreme solutions are made acceptable. Drawing from the administration's flagship domestic policy—the war on drugs—the same methods and approach are applied: punishing, unrelenting, and tormenting.

Even more sinister is Duterte's penchant for a militaristic approach, appointing ex-military men to government posts because, supposedly, “they get the job done”. Examples are DENR's Roy Cimatu and another former general, Eduardo Año, of the Department of Interior and Local Government (DILG). With little or



Manila Bay rehabilitation for what, for whom, and how? Retrieved from English Wikipedia ([https://commons.wikimedia.org/wiki/File:Metro_Manila_view_from_Manila_Bay_-_Makati_and_Pasay_\(Fort_San_Felipe,_Cavite_City;_2017-04-03\).jpeg](https://commons.wikimedia.org/wiki/File:Metro_Manila_view_from_Manila_Bay_-_Makati_and_Pasay_(Fort_San_Felipe,_Cavite_City;_2017-04-03).jpeg)), <https://creativecommons.org/licenses/by-sa/4.0/legalcode> PHOTO BY PATRICKROQUE01

no regard to processes—including consultations with affected communities—government decision-makers turn a blind eye to the long-term costs and implications of the blunt force approach. Access to the commons is forcibly denied and people's jobs and sources of livelihood are sacrificed, forcing many to migrate against their will and acquiesce to unjust relocation and compensation arrangements, if any.

Key questions are posed: Does the government support community welfare and ecological sustainability or does it support neoliberal, pro-corporate development at the expense of the environment and the people? Who are the key players and what are the real motivations behind particular policy positions of the administration? Is the blunt force approach a justified way of solving environmental crises? As Duterte's political and economic interests and agenda vis-à-vis environmental policy are unmasked, it becomes harder and harder to resolve the glaring contradictions between his earlier populist pronouncements and the actual responses, actions, and realities on the ground as in the cases of Boracay and Manila Bay.

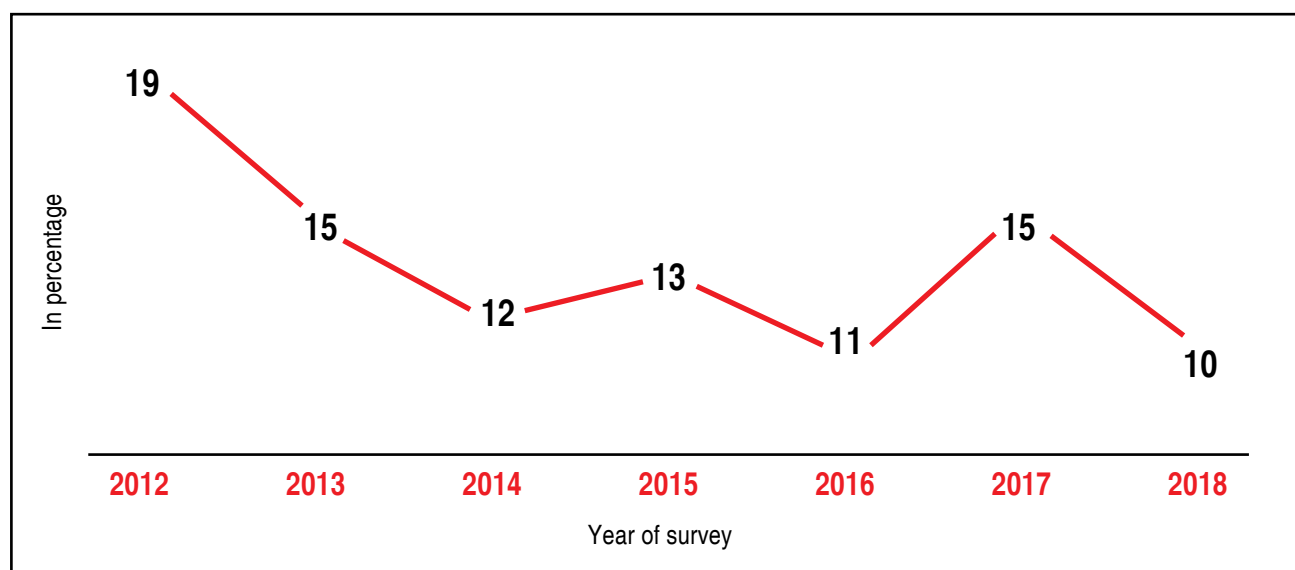
Currently, there are 19 reclamation projects in Manila Bay: 12 are in the application stage, six in detailed engineering stage, and one in implementation stage.

One reclamation project, the 265-hectare Pasay Harbour City worth ₱62-billion (US\$1.18-billion), was awarded to a consortium comprised of Udena Development Corporation (UDEVCO), Ulticon Builders, and China Harbour Engineering Company Limited. Davao-based businessman Dennis Uy is the founder and chairman of Udena Corporation and is a close friend of the President.

Just a few days after the Manila Bay rehabilitation started in January 2019, Duterte issued an Executive Order that transferred the power to approve all reclamation projects to the Philippine Reclamation Authority, which he also housed under the Office of the President. For the fisherfolk of Manila Bay, who were not consulted and included in the government's plans, this signalled their death knell. For the longest time, they have been opposing waterways grabbing in the name of "progress", and reclamation couched as part of "rehabilitation". Neither can be considered good development—one that is non-destructive, non-extractive, and serves the interests of communities over corporate and political elites.

The residents of Boracay are raising similar concerns: Was the clean-up of the island really done for the sake of the environment and the people, or was it really to level it up as a gaming resort and attract bigger private investments?

Percentage of Filipinos Who Listed Environmental Protection as One of Their Top Three Urgent National Concerns (N = 1,200)



Source: Author's Rendering. Data from Pulse Asia's *Ulat ng Bayan: Nationwide Survey on Urgent National Concerns and National Administration Performance Ratings on Selected Issues*. Retrieved from <http://www.pulseasia.ph/databank/ulat-ng-bayan/>

Whose agenda and interests ultimately underpin all of the government's high-profile cleaning up and rehabilitation of the environment?

Laban-laban (struggle and fight)

In a recent Pulse Asia Survey,¹⁰ 13% of Filipinos (based on a sample of 1,800 representative adults, 18 years old and above, \pm 2.3% error margin at the 95% confidence level) included “stopping the destruction and abuse of our environment” as one of the top three urgent national concerns they believe the administration must address. This sentiment has remained essentially unchanged for the past six years, spanning the equivalent of one presidential term. Interestingly, when broken down to socio-economic status and geographical demographics, those under Class E (lowest socio-economic status) and the provinces (outside the National Capital Region) consistently gave higher priority to environmental protection throughout the years.

The Philippines is no stranger to climate change and its impacts, consecutively ranking in the top three of the World Risk Index.¹¹ Those in the affected communities, especially women, bear the brunt of the impacts of extractive industries, the consequences of the government's decisions, and the costs of climate change both to the economy and other aspects of society.

Metro Manila, for instance, is a clear case of a ticking time bomb. In their 2017 report,¹² the Asian Development Bank and the Potsdam Institute for Climate Impact Research named the 25 cities most exposed to a one-meter sea-level rise, 19 of which are located in the Asia-Pacific region. In the Philippines, seven cities—including four in Metro Manila: Taguig, Caloocan, Malabon, and Manila—are in danger of being inundated. As early as the 1970s, there was already a forewarning of this problem as pointed out by the Metro Manila Transport, Land Use, and Development Planning Project—a plan that has never been implemented. Ever since, the government's plans have pointed more towards prioritizing economic gains over fortifying communities against sea-level rise, achieving social equity, and ensuring environmental sustainability.

There is an overwhelming consensus that climate change is the greatest challenge of the present generation, and addressing it should be the world's

topmost priority and a collective responsibility. While the issue of climate and environment is oftentimes discussed as a transboundary, global, and existential issue on the international stage, the most important and critical struggles for climate and environmental justice are being led by common folk—people who are valiantly resisting so-called “development projects” in their communities.

For instance, the ₱18.72-billion (US\$354.91-million) New Centennial Water Source Kaliwa Dam and the ₱4.37-billion (US\$82.85-million) Chico River Pump Irrigation Facility, both China-backed and masked as “development projects”, will have deleterious impacts on the environment, the commons, and the local people. The former will submerge five barangays in the Province of Rizal and two more in Quezon, including the ancestral domain of the Dumagat-Remontados, uprooting them from Sierra Madre. The latter will put farmland and indigenous communities in Kalinga under water—a project that dates back to the Marcos dictatorship in the 1970s, when the villagers opposed the then proposed World Bank-funded Chico River Basin Dam that was eventually scrapped following the murder of Butbut tribe leader Macli-ing Dulag. Indeed, as the World Commission on Dams reported as early as 2000, “while dams have made an important and significant contribution to human development,” in “too many cases, an unacceptable and often unnecessary price has been paid to secure those benefits, especially in social and environmental terms, by people displaced, by communities downstream, by taxpayers and by the natural environment.”¹³

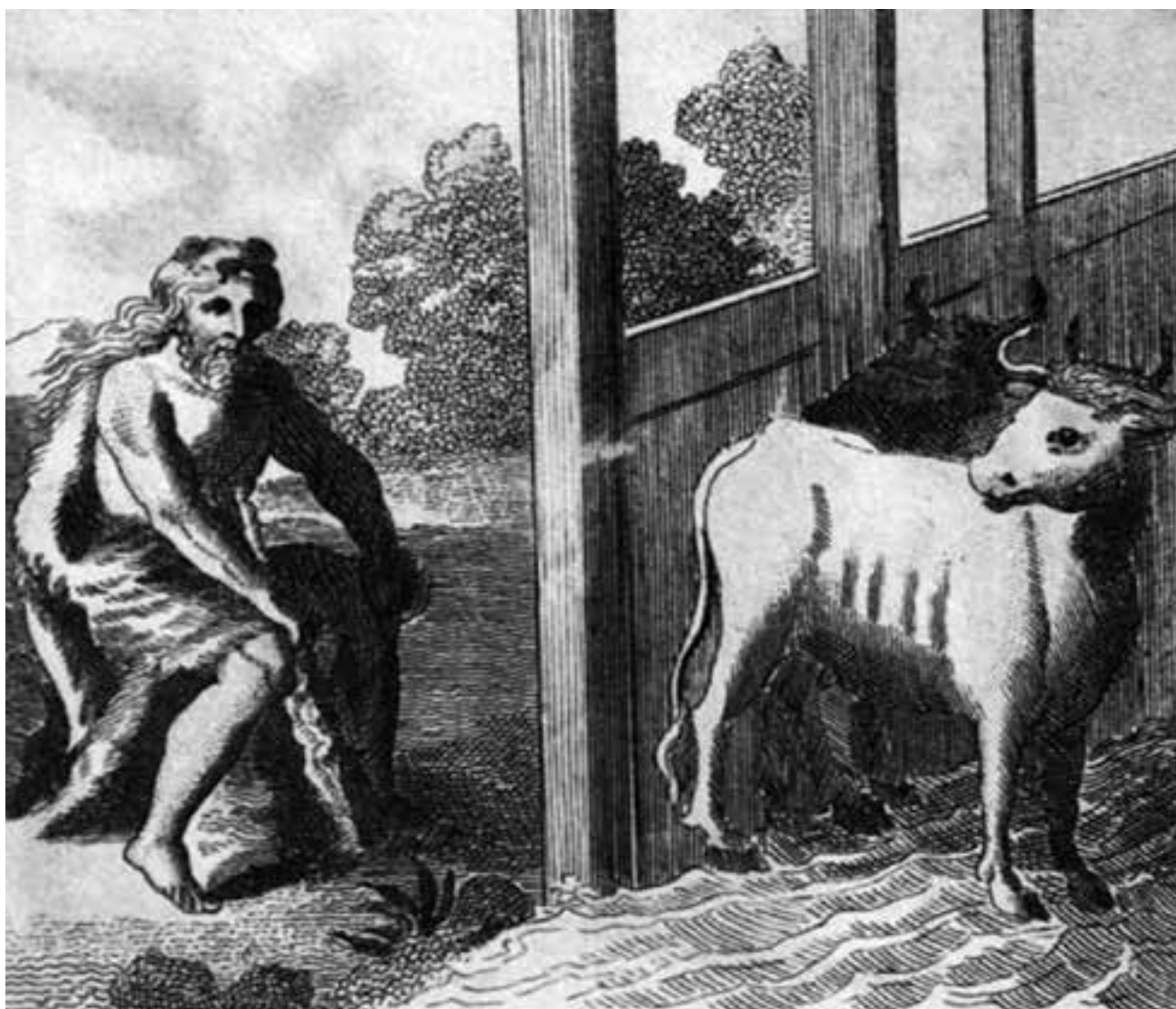
Whose agenda and interests ultimately underpin all of the government's high-profile cleaning up and rehabilitation of the environment?

Not only are these projects being pushed by private concessionaires on the pretext of solving the water shortage “crisis” in Metro Manila, they are also being railroaded by Duterte’s economic managers—sans the mandatory Free, Prior, and Informed Consent (FPIC) of the affected indigenous peoples and the Environmental Compliance Certificate (ECC) from the DENR. Communities, especially the poor, face the triple burden of opposing extractivism and privatization, resisting corporate impunity and state complicity, and bearing the brunt of global warming and climate change. Unabashedly, state regulators and private concessionaires even use climate change as a convenient scapegoat to gloss over technocratic

inefficiency and to elude accountability, as what happened in the Metro Manila water supply crisis.

A similarly crucial battle involves putting the issue of climate and environment at the forefront of the national agenda.

The dearth of consideration given to climate and environmental issues by both incumbent officials and candidates in the general election this year is indicative of the lack of appreciation of the urgency and public salience of climate change. Upon scrutiny of the electoral agenda and platforms of both the pro-administration ticket and the opposition coalition slate, no senatorial candidate has placed environmental protection as their number one priority agenda and rallying cry.



Hercules cleaning the Augean stables. Illustration from “The Twelve Labours of Hercules, Son of Jupiter & Alcmena”, 1808. Photo available from the Project Gutenberg site. Retrieved from https://commons.wikimedia.org/wiki/File:Augean_stables.jpg, marked as public domain.

The upcoming Philippine midterm elections in May 2019 will be a referendum on the direction of the Duterte administration: a barometer of people's continuing support at one end, or mounting dissatisfaction with *Dutertismo* on the other. At best, the outcomes could open up spaces for genuine peoples' participation and representation in forwarding a well-grounded, inclusive, and strategic agenda on the environment, and contribute to the realization of systemic alternatives from below. At worst, the results would hasten the trend towards greater concentration of power and keep neoliberalism deeply embedded in the country's social, political, and economic systems at the expense of the environment.

When Duterte labelled Boracay as a cesspool and ordered its closure, he forgot that an even bigger, far more putrid, corrupt, and festering political cesspool surrounds and props up the seat of power in Malacañang. The accumulated refuse of super-majoritarian, self-aggrandizing, and elite rule can be likened to the Augean stables: it would be a Herculean task to clean it up.

Fulfilling the fifth of his twelve labours, Hercules had to completely muck out King Augeas's stables—full of dung of a thousand cattle having not been cleaned in over 30 years—in a single day. The task seemed impossible at first until Hercules overcame it by making a breach in the foundations of the wall that surrounded the yard, diverting the courses of two rivers that flowed nearby through the stables, and finally washing out decades of filth.

Duterte, a perceived “strongman”, is no Hercules to put our hopes and dreams on. We, the people, have the power in our own hands to cleanse the Augean stables.

Duterte, a perceived “strongman”, is no Hercules to put our hopes and dreams on. We, the people, have the power in our own hands to cleanse the Augean stables.

In the coming midterm elections, it is imperative to struggle, contest, and maximize use of its platforms—however limited the spaces, however bleak the possibilities, however Herculean the task may seem—for it is our duty to take action. **R**

- 1 “Laban-laban” can be translated as “struggle and fight” but can also mean “in conflict with one another.”
- 2 Bello, W. (2017 April 25). *Burying Gina*. Article published in Rappler: Thought Leaders. Retrieved from <https://www.rappler.com/thought-leaders/167872-gina-lopez-mining-industry>
- 3 Manahan, M. A. (2017 September 6). *Laban-Bawi: Governing the Environment*. Article published in the Focus Policy Review Vol. 6, No.1: Unpacking Duterteism: What to Make of President Duterte's Year One. Quezon City, Philippines: Focus on the Global South. Retrieved from <https://focusweb.org/labani-bawi-governing-the-environment/>
- 4 Focus on the Global South. (2018 July 31). *Duterte 2 Years on: Destructive, Divisive, and Despotic*. Statement on the 3rd State of the Nation Address (SONA) 2018. Quezon City, Philippines. Retrieved from <https://focusweb.org/duterte-2-years-on-destructive-divisive-and-despotic/>
- 5 Supreme Court Associate Justice Benjamin Caguioa's dissenting opinion may be accessed at: http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2019/february2019/238467_caguioa.pdf
- 6 Supreme Court Associate Justice Marvic Leonen's dissenting opinion may be accessed at: http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2019/february2019/238467_leonen.pdf
- 7 Van der Kamp, D. (2017 July 17). *Clean Air at what Cost? The Rise of “Blunt Force” Pollution Regulation in China*. Paper presented at the annual meeting of the Association for Asian Studies - Annual Conference: Sheraton Centre Toronto Hotel, Toronto, Canada.
- 8 Palafox, F. (2019 January 24). *Manila Bay Rehabilitation*. Op-ed published in The Manila Times. Manila, Philippines. Retrieved from <https://www.manilatimes.net/manila-bay-rehabilitation/501248/>
- 9 PANGISDA-Pilipinas. (2019 February 7). *Manila Bay Para sa Tao, NGOs, Join Small Fishers in Demanding Pro-People Rehabilitation*. Press release at the public launch of Manila Bay Para sa Tao. Quezon City, Philippines.
- 10 Pulse Asia Research, Inc. (2018 September 27). *September 2018 Nationwide Survey on Urgent National Concerns and the Performance Ratings of the National Administration on Selected Issues*. Quezon City, Philippines. Retrieved from <http://www.pulseasia.ph/september-2018-nationwide-survey-on-urgent-national-concerns-and-the-performance-ratings-of-the-national-administration-on-selected-issues/>
- 11 The World Risk Index is an instrument used to assess risk and vulnerability towards natural hazards.
- 12 Asian Development Bank and Postdam Institute for Climate Impact Research. (2017 July 14). *A Region at Risk: The Human Dimensions of Climate Change in Asia and the Pacific*. Mandaluyong City, Philippines: Asian Development Bank. Retrieved from <https://www.adb.org/sites/default/files/publication/325251/region-risk-climate-change.pdf>
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"Tapat na solusyon, hindi tapat na solusyon sa problema sa tubig at tagtuyot!" (Real solutions, not band-aid solutions in addressing the water supply crisis and El Niño!) World Water Day Mobilization. 2019 March 22. Quezon City, Philippines.

PHOTO BY GALILEO DE GUZMAN CASTILLO

In Hot Water: Notes on Metro Manila's Water Woes

By Galileo de Guzman Castillo

When the Philippine government decided in 1997 to privatize its then publicly-owned water and sewerage utility—the Metropolitan Waterworks and Sewerage System (MWSS)—proponents of neoliberalism cheered and celebrated the “landmark” privatization of Philippines’ public water, the first of its kind in Asia. Promises of more consumers reached and connected to the water supply system in sprawling Metro Manila and adjacent provinces; more efficiency in the delivery of service; and lower operational and maintenance costs were peddled to justify the policy decision. Designed by the International Finance Corporation of the World Bank Group, two contracts were awarded to private water concessionaires: one to Maynilad Water Services servicing the West Zone and another to Manila Water servicing the East Zone. Both were originally on a 25-year lease, supposedly ending in 2022 but now extended up to 2037.

➤ continued on page 42

◀ IN HOT WATER...from page 41

Yet, the last 22 years have seen the opposite of the guarantees and declarations proclaimed by privatization backers, save for the increase in the share of residents with access to piped water and 24-hour water supply. This lone achievement did not come without a price though: year-on-year water tariff increases, non-delivery of supposed privatization benefits, state regulatory failure, and giving up of the commons to private ownership. The palpable contradictions inherent in the delivery of a public service by private businesses seeking to maximize profits manifested themselves in perhaps the worst water fiasco in recent history: the Metro Manila water supply crisis of 2019.

As the taps ran dry last March 7, the residents of Metro Manila and Rizal found themselves lining up for water rationed from tankers and fire trucks. Almost 1.2 million households were affected and businesses disrupted. No advisories. No answers. No nothing.

The jig is up: Metro Manila's water privatization saga is a massive failure. And as with all failures, people are out to blame someone, something—anything!

The water concessionaire, in a mad scramble to appease the public's ire, blamed climate change for the El Niño and the lack of rains. The state regulator, pressed to implement stopgap measures to immediately address the water shortage, blamed itself for failing its mandate "to ensure an uninterrupted and adequate supply and distribution of potable water for domestic and other purposes at just and equitable rates." The economic managers, smelling an opportunistic chance to gain legislative and public support for their mega infrastructure projects, blamed the project delays and stymied implementation of the Kaliwa Dam in Quezon Province, which they argue could have served as Metro Manila's new water source—never mind the negative impacts to the Dumagat-Remontado indigenous communities and the additional burden to the people and the environment. The Chief Executive, outraged with such a vociferous public issue erupting just weeks shy of an electoral campaign period for his political allies, blamed both the water firms and the state regulators for not anticipating the water shortage and threatened to terminate the concession agreements and fire MWSS officials should they fail to "shape up".

Table 1

Responses, Reactions, and Recommendations from Selected Senatorial Candidates

(Note: The direct quotations outlined below were compiled by the author from various sources: official statements, television interviews, press releases, and news reports)

	Labor Win Coalition (labor alliance)	Otso Diretso (opposition coalition)	Hugpong ng Pagbabago (pro-administration)
On immediate response and measures to address the water supply shortage	Leody de Guzman: "The disorderly manner that Manila Water is announcing water service interruptions, and the fact that announcements of pending El Niño were already made last year and no appropriate rationing measures were implemented, makes us seriously question the so-called competence of the private sector in the management of our public utilities."	Romulo Macalintal: "Let us have a tankering system in areas that have low supply of water. Contiguous or nearby barangays should have big water tanks, so that they can use them in cases of emergency, especially during fires."	JV Ejercito: "I am also calling for strong cooperation between the Bureau of Fire Protection and local government units and jointly implement measures that would ensure that hospitals and medical facilities located in areas affected by water shortage would have enough water supply."

	Labor Win Coalition (labor alliance)	Otso Diretso (opposition coalition)	Hugpong ng Pagbabago (pro-administration)
On long term solutions, including position of support or opposition to the construction of the Kaliwa Dam	Neri Colmenares: “Manila Water and the MWSS should stop pushing for the Kaliwa Dam project for it is already exposed as an environmentally dangerous project and funded by a very onerous loan.”	Gary Alejano: “I raise concern on the national security implication of allowing the construction of the Kaliwa Dam.”	Imee Marcos: “It has been too long since these were put on the government’s development agenda during the Marcos administration. Copping out of making the difficult decision to push through the construction of additional water sources like the Kaliwa and Laiban dams led us to where we are now—a looming massive scarcity of the most important survival resource of our people.”
On how water should be viewed and considered	Leody de Guzman: “It’s about time that power and water resources be categorized by the government as a state obligation and basic necessity and wrest control from private firms.”	Samira Gutoc: “Water is a utility and a resource that we cannot live without. If people suffer because of mismanagement, then termination orders are in order. People’s lives are heavily reliant on water supply. Some cannot go to work, others cannot open their businesses because there is no water.”	Sonny Angara: “The problem brings to light the urgent need to put in place an integrated water resource master plan for water security. With the dry spell getting severe each year, climate change and increasing population, it is imperative that we secure all available and accessible water resources.”
On water policy and governance	Sonny Matula: “The current board of the national water agency should be revamped and representatives from the consumer groups, labor groups, and management put in their place. Agencies that control water should be controlled by the government.”	Chel Diokno: “There has to be a comprehensive program of the government, because right now, the water policy of the government is all over the place. There are different government agencies with their respective jurisdictions. Sometimes, you can’t even tell what they are doing.”	Jiggy Manicad: “The government must invest on technology that is our own, as well as research on how to address the water crisis before it takes place.”

	Labor Win Coalition (labor alliance)	Otso Diretso (opposition coalition)	Hugpong ng Pagbabago (pro-administration)
On who should be held accountable for Metro Manila's water woes	Neri Colmenares: "Affected consumers have come to us for legal remedy and we are now studying a class suit to be filed against Manila Water for the losses suffered by small businesses and the hardships suffered by poor families."	Florin Hilbay: "There is a clear failure of oversight. There should be a system of accountability so that those who were responsible [for the water shortage] are held accountable and moving forward, that the water shortage will not happen again."	Sonny Angara: "The amendment to the country's water code should include the audit of all government agencies and institutions dealing with water resource and its management whose functions seem to be 'teeming with duplication'."
On the MWSS' role as the government's chief agency on water and sewerage services and the state regulator	Allan Montaño: "Water services should not be left in the hands of private entities. This water services should be controlled by the government and this will result to an efficient water system."	Erin Tañada: "It is clear that Mr. Patrick Ty did not fulfil his mandate as the Chief Regulator of MWSS. He should resign. The fact that he let the dams reach the lowest critical level without even doing appropriate measures beforehand to address the situation would show he is not fit for the job. Manila Water should be given a show-cause letter to explain why they should not be penalized."	Koko Pimentel: "The regulator must crack the whip and ensure that the job is done. MWSS should also rebate to the affected customers the penalty received from Manila Water."
On water privatization and the concession agreements	Ernesto Arellano: "Our water is controlled by big private investors whose primary objective is to maximize profit. My recommendation would be to bring back the delivery of services and basic needs to public's hands."	Chel Diokno: "There is a need to review concession agreements with water supply companies like Manila Water and Maynilad, to ensure safeguards are in place to protect residents."	(author's note: <i>No senatorial candidate from Hugpong ng Pagbabago's slate gave a significant response or included the issue of water privatization in their official statements. Moreover, more than half of the party's 13 senatorial candidates did not give an official response to the water issue.)</i>

If anything, what the Metro Manila water fiasco underscored was the reality that water is by nature a commons; no one owns it. Water cannot and should not be considered a private property nor sold as a commodity—for water is a human right and essential to all life. Its management and conservation is a collective responsibility and should not rest upon the shoulders of private interests. These have been the assertions of civil society groups, people's organizations, and movements for public water since time immemorial.

Perhaps one positive thing arising from all of this chaos is the stern reminder that now, more than ever, is the time to abandon the madness that is the privatization of our essential services. It is time for communities and local authorities to reclaim them, as remunicipalization is a valid, more people-led and sustainable option. **R**

If anything, what the Metro Manila water fiasco underscored was the reality that water is by nature a commons; no one owns it.



Indigenous women offered songs and prayers to protest the Kaliwa Dam Project. International Women's Day Mobilization. 2019 March 8. Quezon City, Philippines. PHOTO BY JOSEPH PURUGGANAN.

Selective Transparency, Inconsistent Accountability: Unpacking Duterte's Anti-Corruption Campaign

By Raphael Baladad

“Kung walang corrupt, walang mahirap” (If there is no corruption, there is no poverty) was the rallying call behind Benigno “Noy” Aquino III’s Presidential campaign in 2010, with the promise of purging crooks from government ranks and leading the nation toward “tuwid na daan” (the straight path). Six years later, with the Aquino Administration’s failure to come up with effective solutions to poverty and inequality, its ineffectiveness in confronting urgent crises, and the outbreak of corruption scandals, Rodrigo Duterte emerged as the popular alternative—a solution for the swelling discontent on the broken promises of liberal reformism. Duterte vowed a tougher and more decisive stance in addressing the biggest let-downs of his predecessor; among which is combatting corruption. Three years into a Duterte Presidency, hundreds of public officials have been put on the chopping block, shamed and criminalized for dishonesty. But behind the hyped achievements of Duterte’s anti-corruption campaign, the controversial reappointments of corrupt personnel he himself dismissed and his propensity to detach inner circles from liabilities following accusations of dishonesty, casted doubts on Duterte’s resolve in confronting pervasive corruption. While the public demands for greater transparency and accountability, Duterte demolishes the institutions that safeguard it from powerful and influential opportunists—who now scramble to enrich themselves through the administration’s big-ticket projects. The question now is, will Duterte’s crusade against corruption bring better political and governance outcomes for the country?

The prevalence of cronyism and plunder under Marcos dictatorship left an indelible mark on our national psyche that places corruption as the root cause of the Philippines’ underdevelopment and stagnation. The claims of liberal reformism; “that re-establishing democracy, fighting corruption, and improving the efficiency of governance should be the country’s top priorities”¹ has been used by post-1986 EDSA administrations as their main narrative in sustaining the legitimacy of their hold to power.

On one hand, efforts to promote a level of transparency and accountability in governance through anti-corruption campaigns abounded, aiming to appease the people’s strong abhorrence to thieving public officials. On the other, these campaigns also became tools for regimes to delegitimize political opponents. Though corruption has long permeated politics and state affairs, corruption charges remain a weak spot² for all players—whose longevity in the political arena is determined by public

perceptions on reputation or credibility. From Ferdinand Marcos' ouster in 1986 to Joseph Estrada's in 2011, corruption has always been a rallying point for regime change, either through color revolutions or elections.

The nation's clamor for better political and economic outcomes is guided by the aspiration of attaining a "cleaner" government. The same can be observed with the 16 million, oft-cited "protest" vote that seated Duterte as President in 2016, bypromising a route towards national salvation. But whatmakes Duterte different from his co-runners and predecessors is his narrative: that, "given weak institutions,only a violent strongman rule can bring political order to the country."³ For Duterte, the fight against corruption progresses alongside waging the war on drugs—his administration's priority campaigns. His disgust of government thieves goes with the same line as drug pushers and addicts, threatening to "skin them alive or to shoot them on sight", stressing his position of zero tolerance.

As the President sees it, fighting corruption with a remorseless clenched fist is the only way towards the change he promised: to restore public trust; to enhance bureaucratic efficiency in delivering services; and to improve investor confidence. A few days before his first State of the Nation Address, Duterte signed the Executive Order for the Freedom of Information (FOI), a move that reinforced his bold campaign pronouncements and earned him praise from all fronts at the onset of his presidency. Introducing stiffer penalties under the Anti-graft and Corrupt Practices Act, and expanding the power of the Presidential Anti-Corruption Commission were also lauded, particularly by the private sector who were optimistic about Duterte's strong stance in creating a policy environment that would facilitate an ease in doing business. Duterte's boldness and bravado enabled him to bask in high approval ratings for his performance in addressing corruption, which hovered between 70% and 80% since 2016.

Heads will roll

Also in the past three years, Duterte has fired, removed, resigned, replaced, or rejected scores of government employees and officials due to allegations of corruption or mismanagement of public funds. Among the notable are members of his cabinet, particularly

Interior and Local Government Secretary Ismael Sueno, Information and Communication Technology Secretary Rodolfo Salalima, Justice Secretary Vitaliano Aguirre II, and Tourism Secretary Wanda Teo. Teo resigned out of conflict of interest when the Commission on Audit questioned the ₱60 million⁴ tourism ad placements in a television show hosted by her brothers Ben and Erwin Tulfo. Later, Teo was also questioned for purchasing ₱ 2.5 million in duty free goods via tourism funds. Salalima, as former Vice President of Globe Telecom, tendered his resignation as communications chief out of "delicadeza" and conflict of interest. Duterte later on admitted that he forced Salalimato resign due toalleged preferential treatment.⁵ Aguirre resigned from his post after losing credibility and public trust,⁶ following the dismissal of drug charges against self-confessed drug lord, Kerwin Espinosa and his alleged involvement in the Bureau of Immigration bribery scandal. Sueno was dismissed by Duterte for "loss of trust and confidence" due to purchasing reportedly overpriced firetrucks from Austria, allegedly accepting gambling money, and using government funds for personal purposes.

Even in firing officials, Duterte has a "penchant for the dramatic", announcing beforehand where his hatchet might fall, alongside outbursts of exasperation and expletives. His pronouncements are intended to bolster his commitment towards eradicating corruption, and to instill fear in government officials on the repercussions of being found corrupt. Jesus Dureza, former chief of the Office of the Presidential Adviser on the Peace Process (OPAPP), resigned after Duterte fired two officials under his wing due to allegations of corruption. Dureza later said that he took command responsibility⁷ and resigned for his failure to curb corruption in his office. Peter La Vina, Duterte's former campaign advisor, also resigned as National Irrigation Authority (NIA) chief due to rumors accusing him of extortion and receiving kickbacks from government projects. Though Duterte did not name La Vina as the official he threatened to fire after a meeting with NIA officials, La Vina said that his resignation was to spare the President from these embarrassing stories. While sacking officials at a whiff of dishonesty may be laudable, Duterte's anti-corruption posturing leans more towards the display of power and control, rather

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than systematically dismantling the practices that allow corruption to persist. This was further manifested in the lack of follow through investigations, particularly on the abovementioned officials, and in the filing of actual charges and the questionable reappointments Duterte made for some notable personnel he had earlier axed.

No second chances?

Amidst Duterte's firing spree, various reports have flagged the controversial "recycling" of officials, which

raised serious doubts on his anti-corruption campaign. Among them is Nicanor Faeldon, the former Bureau of Customs (BOC) Chief who, despite being accused by the Philippine Drug Enforcement Agency of involvement in the ₱6.4 billion *shabu* (methamphetamine) smuggling controversy, was subsequently appointed as Deputy Administrator in the Office of Civil Defense. Feldon's two other colleagues were also reinstated to a different office immediately after being cleared of their involvement by the Department of Justice. The said BOC officials are among the many personnel that Duterte re-hired despite corruption charges or allegations.

Table 1
Duterte's Controversial Reappointments, as of June 2018

Official	Reason for Resignation/ Dismissal	Re-appointment
NICANOR FAELDON Commissioner Bureau of Customs	Resigned due to involvement in ₱6.4B shabu scandal	Deputy Administrator Office of Civil Defence
MILO MAESTRECAMPO Director, Import Assessment Service Bureau of Customs	Resigned, due to corruption and colluding with drug smugglers	Assistant Director General II Civil Aviation Authority
GERARDO GAMBALA Deputy Commissioner Bureau of Customs	Resigned, due to corruption and colluding with drug smugglers	Director IV Office of Transport Security
MANUEL SERRA JR. Commissioner Pres. Commission for the Urban Poor	Fired due to excessive travels, foreign junkets	Member, Governing Board Philippine Coconut Authority
JOAN LAGUNDA Commissioner Pres. Commission for the Urban Poor	Fired due to excessive travels, foreign junkets	Assistant Secretary Department of Environment and Natural Resources
MELISSA AVANCENA ARADANAS Commissioner Pres. Commission for the Urban Poor	Fired due to excessive travels, foreign junkets	Deputy Secretary General Housing and Urban Development Coordinating Council
JOSE GABRIEL LA VINA Commissioner Social Security System	Fired due to abuse of public funds and demands for multi million budget for social media promotions	Undersecretary Department of Tourism
VINCENT PHILIP MARONILLA District Collector Ninoy Aquino International Airport	Fired for allegedly accepting grease money from customs, and involvement in ₱6.4B shabu scandal	Assistant Commissioner Bureau of Customs

Source: Rappler, Notable Duterte admin exits and reappointments

Confronted with this issue, Malacañang says it is the “President’s prerogative to reassign people,”⁸ and that the reappointments likely mean that “they have been found by Duterte as innocent of the allegations.”⁹ The anti-corruption campaign has enabled a positive projection of Duterte as being decisive on high profile cases when courts have been slow in exacting accountability from dishonest officials. The cases of La Vina and Dureza stressed this even more, as they exemplify Duterte’s willingness to fire even his closest political allies. His strongman stance, however, has proven to be superficial when he exposed his partiality as judge and executioner in the reappointment of allegedly corrupt officials. Though Duterte has been vague on the reasons behind the reappointments, his motives appear to be strategic—a concession for silence, or detachment of officials from future probes that might hurt the legitimacy of the administration.

Duterte’s partiality in condemning officials with a so called “whiff” is more evident with the case of Special Assistant to the President (SAP) Christopher “Bong” Go. In 2018, Bong Go was linked by media reports¹⁰ to a ₱4.6 billion public works contract that was questionably awarded to CLTG Builders, a company owned by his kin. Go was also implicated in an anomalous rerouting of contractors for the Combat Management Systems (CMS) of the two vessels under the Frigate Acquisition Project (FAP) worth almost ₱16 billion. Malacañang cleared Go’s involvement in the FAP after an “internal” probe, despite the glaring evidence. Duterte later on admitted that he was the hand behind the sudden change of contractors. Malacañang has also been silent on Go’s involvement in the controversial public works contracts, saying that it is up to the Senate to pursue further investigations.¹¹ In addition, recent reports also flagged Go’s alleged usage of public funds in his Senatorial campaign, with his spending reaching ₱422 million as opposed to his declared net worth of ₱12 million.

Bland outcomes

Budget Secretary Benjamin Diokno recently found himself in hot water after being accused of attempting to bribe lawmakers with ₱40 billion¹² in exchange for their silence on the controversial insertions in the 2019 budget. Malacañang, however, was quick to defend Diokno, saying that cabinet executives would never resort to bribery.¹³ In March this year, after the congressional probe, Diokno was appointed as *Bangko Sentral* (Central Bank) Governor.

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Apart from being undeniably close and loyal to the President, the only job security in government it seems is by being part of the club that manages the country’s economy. With Duterte freely saying “that he doesn’t understand economic matters”, his economic managers have since had a free rein in implementing a policy agenda (see article *The Price of Taming Inflation*) that reaped public protest for leaning towards elite/corporate interests in government. Among the various stakeholders that stand to gain in the campaign against corruption, Duterte attempts to please business investors the most. In a 2017 survey by the World Economic Forum, corruption is among the top three business barriers in the country—along with inefficient bureaucracies and inadequate infrastructure¹⁴—and has considerably deteriorated the government’s capacity to raise the needed revenue for developmental functions and programs. Duterte himself lamented that corruption in government has reached pandemic proportions, “hampering the nation’s economic growth by 10 to 15 years in achieving the same level as our other Southeast Asian counterparts.”¹⁵

Despite Duterte’s best efforts, the outcomes of his anti-corruption campaign remain dismal in terms of boosting investor confidence. Based on the latest Corruption Perceptions Index (CPI) of Transparency International, the Philippines had no noteworthy improvement in global rankings within the past five years.

In 2017, Foreign Direct Investments (FDI) fell by half from the previous year to ₱105 billion.¹⁶ Investment approvals also declined by 38%¹⁷ in the opening months of 2018, following the country's lowest mark in the CPI in the past five years.

Watchdogs under fire

The low scores from the CPI could be attributed to the ceaseless attacks against the institutions that safeguard transparency and accountability in government. While Duterte constantly vows to intensify his anti-corruption campaign, he unashamedly jokes about “kidnapping and torturing” Commission on Audit (COA) personnel. Confronted with criticisms, the palace justified Duterte’s jokes as mere expressions of “exasperation and vexation” on the stringent rules applied by COA that delayed priority government projects. Unsurprisingly, Duterte began his tirade a month after COA released the report on the ₱34 billion underutilized budget of the Department of Public Works and Highways (DPWH), citing the “delay or non-implementation of infrastructure projects” as the prime reason for low disbursement. Duterte had also joked about throwing a COA auditor down the stairs for reporting doubtful purchases and fake bid documents under Ilocos Norte Governor Imee Marcos.¹⁸ Other delayed government projects include a ₱12 billion National Irrigation Authority project, and the Yolanda Permanent Housing Program of the National Housing Authority worth ₱1.5 billion, which COA flagged due to the mounting budgetary costs incurred by ineffective planning and implementation, violations in procurement law, and the awarding of projects to questionable contractors. Duterte, however, has repeatedly blamed COA for the underspending and delays, saying that the COA “has not contributed to national development.”

Though the COAs reports and findings have been instrumental in Duterte’s firing of certain officials, the institution did not spare Malacañang from its scrutiny. The COA also questioned the utilization of the government’s confidential and intelligence funds, which increased by 400% in three years from ₱420 million to more than ₱4 billion.¹⁹ The said funds are for intelligence gathering and other confidential purposes that may have impacts on national security, making them difficult to audit. The Office of the President received a sizeable chunk of around ₱2.5 billion²⁰ in 2018, to be used for the administration’s campaign against drugs, criminality, and corruption.

Table 2
Philippines’ 5-Year Ranking:
Corruption Perception Index (CPI)

Year	Rank	Score
2014	85 out of 175	35
2015	95 out of 168	35
2016	101 out of 176	35
2017	111 out of 180	34
2018	99 out of 180	36

Source: Transparency International

*Note: scores closest to zero denote high corruption.

Duterte has also condemned the Office of the Ombudsman for its investigation into his family’s alleged hidden wealth, following earlier accusations from Senator Antonio Trillanes IV on undeclared assets amounting to ₱2.4 billion²¹ acquired through alleged ghost employees in Davao City. Ombudsman chief Conchita Carpio-Morales earlier inhibited from the case, due to her relation as aunt-in-law of Presidential Daughter Sara Duterte, but later said that “she will abide by her Constitutional duty to probe Duterte’s wealth.”²² Stemming from Sen. Trillanes’ complaint is another investigation into Presidential Son and Davao City Vice-Mayor Paolo Duterte’s alleged mis-declaration of his Statement of Assets, Liabilities and Net worth (SALN),²³ possible graft charges, and his involvement in a ₱6.4 billion *shabu* smuggling case. The mounting pressure against the President and his family had repercussions for Morales when she was accused by Duterte of being part of a conspiracy to remove him from office. Duterte also threatened to file an impeachment complaint against Morales, to lift Senator Trillanes’ amnesty,²⁴ and to create a commission for counter-investigations against the people behind the probe. Eventually, the complaints against Duterte were terminated by the Office of the Solicitor General due to insufficient evidence.

Recently, however, Duterte expressed that “What my family earns outside government is none of your business, actually,”²⁵ hitting against the Philippine Center for Investigative Journalism’s (PCIJ) report²⁶ on questionable increases in his family’s wealth and the discrepancies in the SALN. The PCIJ also flagged several of Sara and

Duterte's tirades against persons or institutions that challenge his integrity reinforces common misconceptions among his supporters who are active in defending his reputation.

Paolo Duterte's inconsistencies in declaring investments or ownership of several corporate entities. Defending his position against PCIJ's findings, Duterte says "investigative journalists are like that, it's all about money for them."

Duterte's tirades against persons or institutions that challenge his integrity reinforces common misconceptions among his supporters who are active in defending his reputation. It also empowers other citizen-based movements to become his watchdogs that, in time of need, could also attack political opponents and critics. The Volunteers Against Crime and Corruption (VACC), though earnest in its advocacy to support victims of heinous crimes in the past, have now been mobilized by Duterte to play a key role in criminalizing dissenters in government. In 2017, the VACC filed cases against newly elected Senator Leila De Lima for allegedly receiving payoffs from prison-based drug cartels, eventually leading to her detention. Senator De Lima was

known to strongly criticize Duterte for human rights abuses long before the war on drugs commenced in 2016. Senator Trillanes and Ombudsman Morales also faced raps from the VACC during the ongoing investigation into Duterte's wealth, accusing them of sedition, treason, bribery, graft and corruption, and betrayal of public trust. Its founding Chairman, Dante Jimenez, despite calling for Duterte's disqualification in the 2016 elections, has been appointed to lead the Presidential Anti-Corruption Commission.

The tactics are clear: to discredit and demolish institutions that impede the exercise of absolute power, and create new ones that would reinforce legitimacy and control in government (see article *Stopping the slide: Democracy and Human Rights Decline under Duterte*). Beneath the veil of a twisted anti-corruption discourse that he weaved through dramatic pronouncements and sheer charisma, Duterte conveniently eluded almost every attempt by opposing forces to tarnish his integrity, at least, for his die-hard supporters. But Duterte did very little to dismantle the culture of corruption that emanates from the untouchables in the legislature.

The ghost of PDAF

Duterte enjoys very strong support from the House of Representatives' majority, effectively mobilizing them to push the administration's policy campaigns forward with much ease. But when it comes to curbing corruption, most legislative officials are bent on preserving the status quo. Recently, the House of Representatives drew flak for instituting stiffer rules for public releases of SALNs. In the wake of Duterte's FOI executive order in 2017, various investigations have revealed questionable asset increases of several lawmakers, some reaching billions of pesos in wealth, and others doubling their assets within a year.

Table 3
Top 3 Richest House Member, 2017

Representative	District	2017 Assets	2016 Assets	% increase
Veloso, Vicente Sofronio	3rd Dist., Leyte	228,001,796.65	24,600,385.84	826.8%
Ferriol Pascual, Abigail Faye	KALINGA	4,539,423.76	672,050.88	575.5%
Jalosjos, Seth Frederick	1st Dist., Zmb.D.N.	55,459,676.00	14,906,676.00	272.1%
Bordado, Gabriel Jr.	3rd Dist., Cam Sur	563,445.19	179,017.71	214.7%
Bondoc, Juan Pablo	4th Dist., Pampanga	426,599,667.23	143,865,711.77	196.5%

Source: House of Representatives, Rappler

Lawmakers enriching themselves in office through “pork barrel”²⁷ is a widely known but scarcely understood issue that has evolved over time with “complicated rules involving many steps and players, and strange changes”²⁸ since it started in the 1990s as “simple and short provisions in budgetary law.”²⁹ Starting out as the Countrywide Development Fund (CDF), the allocation “aims to support small local infrastructure and other priority community projects which are not included in the national infrastructure program.”³⁰ The fund, however, has been known to be exploited by lawmakers for projects designed to please voters, or to siphon public funds for personal gain. The term “pork barrel” was attached to such allocations when executive branch utilizes it to secure support and gain personal favors or patronage from the legislature. Due to issues arising from CDF’s utilization, the allotment was subsequently changed into the Priority Development Assistance Fund (PDAF) in 2000 and since then, debates emerged on its validity as a constitutional exercise of the congressional “power of the purse.”³¹

The abuse of PDAF again sparked controversy after the Fertilizer Fund Scam in 2004, when presidential candidate Panfilo Lacson accused President Gloria Macapagal-Arroyo of routing ₱728 million from the Department of Agriculture’s 2003 budget, and dispersing the funds to several districts for the procurement of overpriced fertilizer a few months shy of the 2004 National Elections.

In 2013, the Supreme Court (SC) ruled that the PDAF was unconstitutional, resulting from the investigations on the “pork barrel” scam that implicated several Senators and Congressmen (see box 1). The SC ruling mandated a cash based budgeting system—since “lawmakers are not project implementors”³²—funds should not be given directly to them in a lump sum, but instead coursed through relevant government agencies.

Resulting also from the PDAF scandal investigations, former President Aquino was charged with the usurpation of legislative powers³³ for the implementation of the Disbursement Acceleration Program (DAP), an economic stimulus program enacted by President Aquino to authorize the release of ₱72 billion in funds through the withdrawal of unobligated allotments from various government agencies in 2012.³⁴ Beyond the DAP, Aquino was also criticized for his ₱449 billion³⁵ Special Purpose Fund (SPF). Tagged as Aquino’s personal *pork*, large chunks of the SPF include



THE PDAF SCAM happened in 2013 when Benhur Luy exposed the diversion of the sizeable amounts in the PDAF to fake Non-Government Organizations. Luy was the cousin and bookkeeper of Janet Lim Napoles, owner of the JLN group of companies where lawmakers and government officials collect kickbacks from ghost projects.

Reports have found 28 members of Congress (23 representatives and 5 senators) as participants in the PDAF scam. Some ₱3 billion in PDAF from 12 legislators alone were exposed in further investigations conducted by the Senate Blue Ribbon Committee.

Reports have named Senators Ramon “Bong” Revilla, Juan Ponce Enrile, Jinggoy Estrada, Bongbong Marcos and Gregorio Honasan participants in the scam. Revilla was said to be the largest contributor among the 28 legislators, with around ₱1.015 billion of his PDAF being transferred to organizations identified with the JLN Group of Companies.

In June 2014, the Office of the Ombudsman indicted then Senators Juan Ponce Enrile, Jinggoy Estrada and Bong Revilla for plunder and multiple counts of graft in connection with the pork barrel scam.

an unprogrammed ₱139 billion,³⁶ and a ₱49 billion³⁷ budgetary support for government corporations.

In 2018, Senator Panfilo Lacson warned of the looming return of pork barrel in the 2019 proposed

budget, following the ₱50 billion insertions made by several Representatives to expand agency budgets for “pet” projects. Senator Lacson’s allegations created an impasse as the Senate refused to sign the Lower House version of the ₱3.75 trillion 2019 General Appropriations Bill (GAB), forcing the government to run on a reenacted budget by the turn of year. A Congressional probe ensued, headed by Rules Committee Chairman Rep. Rolando Andaya who later on accused Secretary Diokno of instigating a total of ₱75 billion in insertions³⁸ to the budget of the Department of Public Works and Highways. Though Diokno defended the so-called “budgetary adjustments” as a “prerogative of Congress to realign funds for their projects,”³⁹ Rep. Andaya claimed that the DPWH projects funded by the ₱75-billion addition were already been bid out before 2018 ended, under an early procurement circular issued by the Department of Budgetment and Management.⁴⁰ He also pointed out that the contractors who have advanced the “kick-backs” of lawmakers and officials are now demanding refunds. Rep. Andaya also reported that DPWH Secretary Mark Villar was unaware that ₱51 billion was added to his department’s budget in 2019.

Duterte himself denied knowledge of any insertions, but justified the adjustments “as something the DBM have prepared in advance. Senator Lacson has also called out Rep. Gloria Macapagal-Arroyo as the hand behind the insertions, which happened a few months after ouster of Rep. Pantaleon Alvarez as Speaker of the House. Rep. Andaya, however, was quick in defending Arroyo, pointing out that she herself spotted the budget irregularities during Rep. Alvarez’ term as Speaker. Earlier media reports, however, have flagged a ₱2.4 billion allocation for Speaker

Arroyo’s district in Pampanga in the House approved version of the 2019 GAB.

Despite the investigations, the Congress subsequently ratified the 2019 budget due to delay of government projects, with the House of Representatives itemizing a ₱98 billion lump sum to new projects. The Senate on the other hand, also made “post-bicam” realignments amounting ₱79 billion,⁴¹ with Senate President Tito Sotto saying the said amount was outside the agreements⁴² during the bicameral conference.

These recent turn of events come dangerously close to the 2019 midterm elections, which unsurprisingly explains the scramble for *pork* by lawmakers and the sizeable budget increases in the 2019 General Appropriations Act. While this sordid episode in Congress awaits a reasonable conclusion, the acquittal of Sen. Ramon Revilla in December 2018 from graft and plunder charges by the Sandiganbayan has again raised doubts on Duterte’s stance against corruption—along with Senators Jinggoy Estrada and Juan Ponce Enrile released earlier through million-peso bails. Janet Lim-Napoles, the PDAF scam’s mastermind, was placed under “witness” protection by the Department of Justice (DOJ) in 2018, despite being convicted and sentenced to life imprisonment. While Duterte has repeatedly pronounced his interest to uncover the truth behind the PDAF scam, he was silent about Revilla’s recent acquittal, with the Palace announcing that it “bows down to the judgment of the Sandiganbayan.”⁴³

Duterte was known to prod Ombudsman Morales into “winding up” the cases against three former Senators, accusing her of delivering “selective justice”. Months before his acquittal, Revilla announced his plan to run for Senator in the 2019 elections and urged the endorsements of the Hugpong ng Pagbabago (HNP)—a regional party formed by Sara Duterte that serves as the united political platform for the administration’s bets for the senatorial race—and from Duterte himself. Though Duterte, as chairman of the ruling Partido Demokratiko Pilipino–Lakas ng Bayan (PDP-Laban) party, deferred from endorsing Revilla, Estrada, and Enrile, saying that they “came too late”, Sara Duterte defends HNP’s endorsement claiming that “there is no finality to the PDAF case and no guilty verdict has been rendered for the three.”⁴⁴

Duterte wields influence through the same patronage schemes he vowed to destroy at the onset of his presidency.

Duterte's anti-corruption: convenient in its inconsistency

By discrediting an already eroding “good governance” narrative instilled by post-1986 EDSA liberal reformism, Duterte presented his “strong governance” as the only option to save a government in stagnation. Though Duterte has effectively transformed and gained ground in the anti-corruption discourse, his actions still abide by the same dirty politics the country has witnessed in the past three decades. While he vows to dismantle the system that allowed corruption to persist, Duterte also worked towards forming alliances with the same political groups and players, establishing a new order that would ensure a lasting hold on power.

Technically, the better result of Duterte's anti-corruption campaign is confined mostly in offices under the executive branch where he can effectively exercise his power as president; such as appointing or dismissing officials at a “whiff” or on a whim. In other branches, Duterte wields influence through the same patronage schemes he vowed to destroy at the onset of his presidency. The strong populist support he enjoys from his captured mass base have enabled Duterte to detach himself from any accountability from accusations of corruption or occasions of mismanagement in his programs. He effectively diffuses public pressure to the people he seated in his podium of power, or unlucky officials who have fallen out of his favor. But like the usual “traditional politician”, Duterte never forgets those who are loyal to him, shielding them also from any administrative or criminal liability when caught red-handed trying to enrich themselves, or trying to accumulate more power at the expense of the people's purse. What his power and influence cannot reach, he tries to tarnish through his distorted anti-corruption narrative, or through other unconventional means that would keep any opposition scorned or ostracized. Like the experienced political warlord that he is, he successfully weaponized the discourse to create wider divisions in public opinion, and to push the boundaries of what people can accept as the new normal in politicking.

But giving Duterte reasonable doubt, even if he stayed true to his ideal of delivering changes on how the country is governed, his anti-corruption campaign is still funneling its efforts in the wrong direction.

While he despises the oligarchs, the anti-corruption discourse he rides on is the same discourse that “gives ruling elites something to blame for the country's less-than-impressive development over the past hundred years, without having to point the finger at themselves as a whole.”¹⁴⁵ While corruption definitely needs to be condemned, it has become a useful scapegoat that diverts the public discourse from arriving at real political or economic alternatives. But then again, Duterte is part of the ruling elite, like his often demeaned predecessor, despite his rhetoric and successful packaging as an outsider. **R**

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Stopping the Slide: Democracy and Human Rights Decline under Duterte

By Joseph Purugganan

From his pulpit at the State of the Nation Address (SONA) in Congress, Duterte once again rebuked human rights activists and their criticism against his violent war on drugs, by saying “your concern is human rights, mine is human lives.” As discussed in the Focus statement on Duterte’s 3rd SONA, his intention was to continue the false narrative that he has articulated before: that human rights defenders are only concerned with the rights of drug addicts and criminals, and not the rights of the victims of violent crimes. Demonization of human rights and human rights defenders has become the hallmark of this administration.”¹



Where will the 2019 elections take us? A side street near a slum area in Quezon City is lined with election posters. April 2019.
PHOTO BY JOSEPH PURUGGANAN.

Ahead of critical midterm polls, Focus spoke with Rose Trajano, of the Philippine Alliance of Human Rights Advocates (PAHRA) and the broader In Defense of Human Rights and Dignity movement (iDEFEND), Josua Mata of the progressive labor center SENTRO, and Manjette Lopez of SANLAKAS and Laban ng Masato get their assessments of the impact of Duterte on democracy and human rights.²

There was unanimity from all three that there has been a considerable push back on human rights under Duterte. “All of the achievements and accomplishments of years of human rights struggle after the fall of the Marcos dictatorship have been erased,” lamented Trajano. While fully aware of the failure of past administrations post EDSA, Trajano nevertheless highlights the signing of all major international human rights treaties as a key accomplishment that has hitherto defined the Philippines’ standing with respect to the recognition by States of their human rights obligations under international law. Mata qualified, however, that with the exception of the withdrawal from the Rome Statute (and the International Criminal Court), there has not been a turning back on these international obligations, but rather a lack of interest and energy to implement these obligations.

One cannot discuss the human rights situation without considering the rising casualties from the violent war on drugs. On this point, Lopez drew comparisons between the regimes of Duterte and Marcos. “Not just in terms of the body count but on the question of impunity as well, Duterte may surpass the Marcos record on human rights,” according to Lopez. She expounded that under Marcos there was some façade of due process, and some semblance of rule of law with the issuance of presidential decrees. Furthermore, there is a sense expressed by Mata of the deeper implications of what Duterte has done on human rights that “will remain long after he’s gone.”

According to Mata, Duterte’s position against human rights has deep implications on the relationship of the people with government. “Duterte was able to convince huge sections of the government, as well as his loyal support base, that human rights are not as important as they should be,” asserted Mata. “We see this in the practices of government when it tries to stifle dissent, where there seems to be no compunction in violating the law,” he further asserted.

Unfortunately, this demonization of human rights seems to resonate well with the public, not least with

One cannot discuss the human rights situation without considering the rising casualty from the violent war on drugs.

Duterte’s support base. Lopez surmised that what Duterte did was to offer the electorate a choice—a local strongman, ready and willing to trample upon basic rights but with the political will to deliver the social and economic goods—or much of the same, tired, business-as-usual *trapo* (traditional) politics which he successfully branded as the yellow politics of his predecessor Benigno Aquino III and the Liberal Party.

This false narrative of bread versus freedom perpetuated by Duterte is a cause for reflection among the progressive forces. “We need to wake up to the reality that despite our efforts for many years to increase peoples awareness on human rights there is clearly no deep appreciation among the broad public of human rights,” stressed Mata. Trajano conceded a disconnect between the work on human rights education, which focused more on basic appreciation of human rights, particularly civil and political rights, rather than economic, social and cultural rights, the fulfillment of which is the foundation of a life of dignity. “We realize that we have not been fully successful in our human rights education work, to make people understand that human rights are in essence about ensuring that all peoples enjoy a life of dignity, and that it is the obligation of States to fulfill these rights,” expressed Trajano.

Lopez, however, made an important point that in many respects, even on the promise to put in place pro-poor policies, Duterte has not really delivered. According to Lopez, “while the Philippine Development Plan (2017-2020) included significant sectoral and issue-based demands raised by civil society organizations during a series of summits, more than three years into his term, Duterte has not delivered on any of these.”

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“Whether his campaign promise to end contractualization, or the free distribution of land to farmers and poverty reduction, not just the progressives and left, but the masses have taken note of this failure to deliver,” stressed Lopez. She adds, “people are expressing their discontent over high prices, the water crisis, inefficiencies in the Metro Rail Transit (MRT), among others.” Lopez notes the increased number of notices of and actual strikes among workers as a significant indicator as well.

Erosion of democratic institutions

Further on this aspect of peoples’ engagement with government that Mata touched upon, Trajano raised the concern about the attacks against institutions and the implications on democracy. “Again we are not saying these institutions are perfect, and criticisms have been raised on how some of these institutions have functioned or failed to function in the past. But at least there was an openness to engage (with civil society),” asserted Trajano.

Mata sees this attack on institutions as part of a larger agenda to “align all the elements of the state towards an authoritarian regime.” He says, “There seems to be a concerted effort—with what is happening in both houses of Congress, the Supreme Court, the security sector, media, and social movements—to limit the space especially for individuals and groups with dissenting views.” He added that the push for charter change is part of a broader agenda intended to “usher in an authoritarian regime in a modern sense.”

Significance of the 2019 midterm elections

Given this context, the groups that we talked to are looking at the upcoming national and local elections as an opportunity to advance the human rights and democracy agenda. PAHRA recently launched a campaign called KarapatDapat: KarapatanDapat, a ten-point human rights electoral agenda. PAHRA sees the 2019 elections as a “defining moment for the aggrieved Filipino masses, whether we move forward as a nation hoping for better lives, or as doomed souls,” introducing their agenda called #Sampusigurado (Sure Ten)³ which means that implementing the agenda will certainly lead to real change and a strong democracy. PAHRA is not supporting a particular slate or certain candidates but rather

the “slate is carried by the campaign which appeals for a recognition of doing what is right and just.”⁴

PAHRA is calling on “national and local candidates to support the #Sampusigurado by incorporating the ten-point agenda in their platforms. And in the same vein, calling on the public to demand that candidates adopt this human rights agenda, and to vote for those who do, in order to prevent further erosion of our democratic traditions and processes, and build the future with decent, competent leaders with effective programs.”⁵

In this regard, Trajano, Mata, and Lopez all identified charter change and the 2019 Senate race as crucial issues. Both SENTRO, as part of the broader network of social movements called KALIPUNAN, and SANLAKAS of Laban ng Masa have defined their engagements in the electoral campaign either by fully endorsing certain candidates, or fielding their own candidates either at the Senate race or the party-list elections.

Laban ng Masa has fully endorsed the Senatorial candidacy of labor leader Leody de Guzman of Bukluran ng Manggagawang Pilipino (BMP) and the partylist Partido ng Lakas Masa.

SENTRO has endorsed opposition candidates Bam Aquino, Chel Diokno, Samira Gutoc, Florin Hilbay, and Erin Tanada, whom they feel can effectively halt the charter change agenda in the Senate. Mata elaborates that SENTRO is pushing the labor vote campaign up to the local level, which is oriented towards building the opposition—not just for the Senate race in 2019—but looking ahead to the 2022 national and local elections as well.

For its part, Laban ng Masa sees the elections as a “tactical period to push for peoples issues and advance struggles around these issues.” This, according to Lopez, is the reason why De Guzman is running. They of course are hoping for a win for De Guzman, but a bigger objective for them is to push the mass struggles and harness the growing political awareness on key national and local issues emanating from these struggles. Laban ng Masa is therefore advancing a progressive agenda anchored on supporting peoples’ resistance to forces that undermine their rights, and harnessing mass struggles to engage not just for organizing but to advance concrete solutions. Among the issues identified by Laban ng Masa are climate change impacts; supporting the struggle of communities opposing coal fired power plants; the opposition of farmers

Progressive groups are well aware, however, that the rise of Duterte is a reflection of the fragile democracy that we still have, and partly a result of the failure of past governments to guarantee all human rights for all Filipinos.

to the liberalization of the rice sector; contractualization; and supporting various local workers strikes and actions.

Stopping the Slide

There is no denying that Duterte has been not just a disruptive but also a divisive force on human rights and democracy. Progressive groups are well aware, however, that the rise of Duterte is a reflection of the fragile democracy that we still have, and partly a result of the failure of past governments to guarantee all human rights for all Filipinos. Nevertheless, there is a sense—and without prejudice to the continuing efforts to deepen democracy in the Philippines—that the rising casualty toll from the war on drugs, the orchestrated clampdown on dissent, the erosion of checks and balances in government, the attacks against the media, and the withdrawal from international human rights obligations are clear signs of a decline in Philippine democracy and human rights.

A new indications and warning system designed to monitor the risk of authoritarianism in the United States called Stop the Slide⁶ identified seven important categories of rights and freedoms that safeguard American democracy against encroachment by authoritarianism: Freedom of the Press and Transparency; Freedom of Speech and Assembly; Free and Fair Elections; Freedom of Religion and Worship; the

Criminal Justice System; Security Services; and Government Checks and Balances. While there are apparent similarities between the situation in the Philippines and the United States with respect to moves towards authoritarianism, there are also very distinct differences, particularly with regard to the contrasting strengths and weaknesses of public institutions between these two nations.

Nevertheless, it is important to examine these indicators and constantly assess and monitor changes, with the end view of stopping the deterioration of the human rights situation and the decline of democracy. As articulated by the proponents of the Stop the Slide system, “the first step to safeguarding our rights and freedoms against authoritarian encroachment is a well-informed and alert citizenry who knows what signals to look for amongst the noise.”⁷ And here we find congruence with the efforts outlined by progressives in the Philippines.

To summarize, progressive groups are pursuing efforts to continue the all-important aspect of grassroots human rights education and advocacy towards a human rights based approach to governance. Supporting and standing in solidarity with peoples and communities struggling for recognition, protection, and fulfillment of rights towards a life of dignity is another important aspect of the work that is being done, as is finally building a strong and broad peoples movement ready and able to challenge the agenda of authoritarianism in the coming elections and beyond. **R**

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Women's rights advocates from different organizations converge at Rizal Park to demand respect for women's rights and the recognition and resolution of their issues. International Women's Day. 2019 March 8. Manila, Philippines. PHOTO BY GALILEO DE GUZMAN CASTILLO

Misogyny, Neoliberalism, and Despotism: Shoring up Duterte's Anti-Women Agenda

By Bianca Martinez

Even before Duterte became President, women were already burdened with multiple layers of gender and class oppression. Under the administration of Duterte—a macho and misogynistic strongman with a penchant for neoliberalism—the situation for women has taken a turn for the worse as Duterte and his allies have vehemently disrespected, disparaged, and silenced them while systematically depriving poor women of opportunities and resources that would have allowed them to free themselves from poverty.

The President's misogynistic and sexist pronouncements have served to reinforce patriarchal social relations. Although Malacañang has consistently downplayed the harmful consequences of these remarks on women, studies have shown that exposure to sexist remarks does not only encourage men's tolerance of discrimination against women, but also increases their propensity to commit sexual violence against women and to blame rape victims for their victimization.¹ Such remarks pack a more powerful punch when they come from an authoritative figure like Duterte, given that his role as President provides him with significant influence over how men and women learn behavior and attitudes considered appropriate for their sex.

Meanwhile, by aggravating poverty, the Duterte administration's anti-poor and pro-corporate neoliberal policies have added weight to women's already multiple burdens. Indeed, poverty has a more grievous impact on women as compared to men, given that deeply entrenched patriarchal conditions make it even more difficult for them to transcend conditions of poverty. Furthermore, the worsening of poverty has also made women more vulnerable to sex trafficking and other forms of abuse.

Duterte's despotic and patriarchal style of governance—which is best exemplified by his hostility towards human rights, women's rights, and democratic institutions as well as his offensive against strong female figures who are critical of the government—has delegitimized the women's struggle in the eyes of the public and reduced the spaces where women can resist and advance their rights and interests.

However, while Duterte has presented a major setback to the women's movement, our campaigns must not focus on denouncing Duterte alone, for his machismo, sexism, and misogyny do not exist in a vacuum. Rather, they derive their power and legitimacy from patriarchal values and institutions that have long been entrenched in our society. In turn, these values and institutions are reinforced by personalities like Duterte. Therefore, taking a stand against one would necessitate denouncing the other.

The way forward for women within a patriarchal society buttressed by a misogynistic, authoritarian, and neoliberal administration is to continue strengthening the women's movement by molding younger women's rights activists and immersing ourselves in the lives of women

from the grassroots in order to raise their awareness of the oppressive conditions endured by the sector, understand their struggle, and forge strong and lasting comradeships towards the common goal of emancipating women.

Author's Note: *This article is a product of a series of conversations with Focus on the Global South's allies and networks working on the issues of gender justice and women's rights. The individuals who were interviewed for this piece have extensively worked with indigenous women, rural women, youth, workers, and the academe.*

Contributors:

(Che) Cheryl Polutan, LILAK—Purple Action for Indigenous Women's Rights

(Meth) Meth Jimenez, Kasarian-Kalayaan (SARILAYA)

(Ana) Ana Dominique Pablo, Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK)

(Alyssa) Alyssa Joy Balite, Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK)

(Marian) Marian Grace Ticzon, National Rural Women Coalition (PKKK)

(Precy) Precy Dagooc, Pagkakaisa ng Kababaihan para sa Kalayaan (KAISA KA)

(Christine) Christine Zonio, Pagkakaisa ng Kababaihan para sa Kalayaan (KAISA KA)

(Melay) Carmel Abao, Ateneo de Manila University

Bianca: *Duterte's attack on women even before the beginning of his presidency came in the form of brazenly misogynistic remarks. What has been the impact of these remarks on women and on the work we do as progressives to defend and advance women's rights?*

Che: Duterte's misogynistic pronouncements have smeared and devalued the concept of human rights and, more specifically, women's rights. The trivialization of these rights has alarmingly reinforced patriarchal social relations and even emboldened the President's supporters to harass women's rights activists. His pronouncements have also contributed to the erosion of women's morale. Particularly, for indigenous women leaders, one of the most scathing remarks of the President is his disparagement of indigenous mothers due to their supposed inability to effectively perform their maternal roles when they leave

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their homes to find viable sources of income. This claim only shows that Duterte does not understand the conditions of poverty endured by indigenous peoples which force them to leave their homes.

Christine: Duterte's misogynistic remarks and their appeal to many Filipinos have undermined the laws that were pushed forward by the women's movement for the protection of their rights. For instance, the Anti-Rape Law has been subverted by Duterte's rape jokes as well as his anecdote about molesting his maid as an adolescent. Alarming, these remarks have bolstered the existing culture of misogyny, as reflected for instance by Duterte supporters' licentious comments in social media against people who are critical of the government.

Melay: By constantly presenting his anti-women remarks as mere jokes that do not have any serious implications on women, Duterte has successfully packaged his misogyny as non-misogyny. However, what is even more alarming than having a misogynistic President is the evident indifference or even supportiveness of many Filipinos towards his revolting pronouncements against women. This attitude was perfectly exemplified by overseas Filipino workers (OFWs) from South Korea when they cheered the President on as he kissed a female OFW during his visit to their community. That this blatant display of misogyny managed to draw cheers from the crowd is reflective of the entrenchment of patriarchal ideologies in our society. Therefore, although Duterte has indeed set back the advancement of women's rights, we cannot solely blame him for the continuing prevalence of the culture of misogyny. In a way, we have also contributed to this by being complacent, perhaps because we assumed that the discourse on women's rights had been so institutionalized when in fact it had only been limited within our own progressive networks.

Bianca: *Beyond Duterte's misogynistic remarks, his administration's policies have also had a significant impact on women. As a women's rights activist, what is your assessment of these policies and how do you think have they affected the situation of women?*

Che: Even before Duterte became President, indigenous peoples were already suffering from severe conditions of poverty primarily because of their limited

access to basic services, the corporate seizure of their ancestral domains on which they depend their livelihoods, and the state's inaction towards or even perpetration of the systemic and historical injustice endured by indigenous peoples. The situation is even more difficult for indigenous women who, on top of struggling for the recognition of their people's rights over their ancestral domains, also have to pursue their own livelihoods to provide for their families' needs and manage their households. Under the Duterte administration, the situation of indigenous peoples, and especially that of indigenous women, took a turn for the worse. Essentially, Duterte's neoliberal policies negatively impacted the health, economic status, and cultural practices of indigenous women.

First, the government's incompetent implementation of its rice importation policy in 2018—which partly contributed to the infestation of weevil in 330,000 bags of Thailand-imported rice—had threatened the health of many indigenous peoples given that the majority of them, as beneficiaries of the government's conditional cash transfer program, are highly dependent on rice not only because it is a staple grain but also because purchasing rice for their households is one of the conditions they need to fulfill in

Ano pang kahubaran ang gusto ng gobyernong ito? Nahubaran na nga tayo dahil sa bastos na pananalita ng presidente, ngayon ginagamit pa ang mga institusyon at polisiya para atakihin ang kababaihan.

order to receive cash transfers. Ultimately, the infestation of weevil in massive amounts of rice in the market caused serious trouble to indigenous women, seeing as most of them are directly responsible for procuring and serving food for themselves and their families.

Meanwhile, Duterte's anti-poor economic policies such as the TRAIN² Law aggravated indigenous peoples' living conditions. Again, indigenous women bear the brunt of this policy because their endeavor to find sources of sufficient income to feed their families amidst the soaring prices of basic commodities is hampered by the gender-based and ethnic discrimination against them. Therefore, the Duterte administration's anti-poor economic policies have essentially multiplied the layers of oppression already experienced by indigenous women.

The Rice Tariffication Law is seen as another policy that would have grave economic and cultural impacts on indigenous peoples. According to indigenous women leaders, what is worrisome about the law is that it does not require retailers to name the source and variety of imported rice. This would make it difficult to determine whether such rice is genetically modified or not. Inevitably, the entry of corporate-controlled genetically modified rice in indigenous communities will pose a serious threat to their cultural heritage, indigenous seed systems, and food sovereignty.

Precy: Essentially, Duterte's neoliberal policies have only been enacted to serve the interests of the capitalist class, to the detriment of the poor. By exacerbating poverty, these policies have made women more vulnerable to sex trafficking and other forms of abuses. This is evident in Davao, where prostitution has intensified at an alarming rate due to unbearable conditions of poverty.

But while neoliberal policies are being strengthened by the administration, it has not made any clear economic program that will put an end to contractualization. In fact, what the government did was to issue Department Order 174, which essentially allows contractualization as long as they can provide benefits to their workers.

Another policy that has negatively impacted women is the war on drugs campaign, which has resulted in the death of thousands of alleged drug users and pushers mostly from poor families. Women, especially mothers, bear the heaviest emotional burden with the death of their loved ones under the bloody campaign. For women who work abroad to provide for the needs of their families, the grief

over losing their children to the war on drugs campaign becomes even more agonizing as it usually comes with the feeling of guilt for not being able to protect their children.

Therefore, given Duterte's very anti-poor, pro-capitalist, and violent policies, it is clear that the administration will not allow women to live a dignified life.

Bianca: *Duterte's policies and misogynistic pronouncements are of course emblematic of his style of governance, which Focus on the Global South has characterized as destructive, divisive, and despotic.³ How do you think this kind of governance has affected women and our struggle for emancipation?*

Che: Duterte's style of governance, which manifests in his blatant disregard for democratic institutions and human rights and is most reflected by his authoritarian policies, has diminished the democratic spaces where women could advance their rights, interests, and demands, thereby increasing our vulnerability to different forms of abuses.

One of the administration's most blatantly authoritarian policies is the war on drugs campaign. The promotion of this campaign as a pro-woman policy (insofar as it has allegedly reduced rape cases) is underpinned by the false correlation of rape culture to the prevalence of drugs. This false correlation blurs the actual root cause of rape culture, which is the continuing dominance of patriarchal ideologies, and thus perpetuates it.

The imposition and extension of martial law in Mindanao is yet another authoritarian policy that reflects this administration's disregard for democratic institutions. This has resulted in the massive displacement and indiscriminate red-tagging of indigenous communities as well as human rights and women's rights activists, thereby giving rise to a culture of fear and thwarting community-level organizing and mobilizations. As Ate Teresa dela Cruz⁴ had rightfully protested, "*Ano pang kahubaran ang gusto ng gobyernong ito? Nahubaran na nga tayo dahil sa bastos na pananalita ng presidente, ngayon ginagamit pa ang mga institusyon at polisiya para atakihin ang kababaihan.*"⁵

Meth: What is alarming about Duterte is how he disregards, disrespects, and devalues human rights and democratic institutions. By doing so, he effectively weakens the women's movement, given that human rights are the very basis of our struggle. However, what is even more disturbing is how people seem to have become

desensitized to the systemic violence and disregard for the rule of law perpetrated by the administration. This is evidenced by how the majority of Filipinos chose to remain silent when De Lima was jailed, and when an official House probe on her alleged connection to the New Bilibid Prison drug trade was unnecessarily used to expose and mock even the most private details about her relationship with her driver. Now, the majority of Filipinos still choose to remain silent even if thousands have already died under the administration's bloody war on drugs.

Precy and Melay: Duterte's misogyny is not just limited to his pronouncements; rather, it also ties in with his tyrannical style of governance. His targeted attacks against strong female figures who are critical of the administration—such as his vulgar comments towards Leni Robredo, his joke about showing Leila de Lima's alleged sex tape to Pope Francis, and his allies' legal maneuvers to oust Maria Lourdes Sereno and arrest Maria Ressa—are

reflective of his deliberate patriarchal strategy of subduing and debilitating women who muster the courage to fight back against his tyrannical government. Clearly, the end goal of this strategy is to instill a culture of silence among women in order to easily contain them in spaces where the patriarchal system believes they should remain.

Precy: Aside from Duterte's assault on women, his tyrannical style of governance also involves red-tagging the opposition, circumventing, if not deliberately assailing democratic institutions, and spreading fake news and other forms of propaganda against the opposition. Duterte's tyrannical rule can elicit two possible responses from women. First, by pushing women to the wall, they will be forced to speak out against the administration. However, this is not the case for everyone. In fact, a lot of women are now afraid to speak out because of the administration's use of brute force against anyone who strongly opposes its policies and style of governance. This is especially true in



During the 2017 State of the Nation Address (SONA) protest, indigenous women carried banners that read (from left to right): “Katutubong kababaihan, ayaw sa karahasan” (Indigenous women are opposed to violence) and “Respeto ang kailangan; dahas ay tigilan!” (Respect is what we need; end violence!). Nearly two years later, their calls remain the same. Quezon City, Philippines. 2017 July 24. PHOTO BY GALILEO DE GUZMAN CASTILLO

Mindanao where Martial Law continues to be imposed. A lot of women in that region now find it difficult to escalate their issues to concerned government institutions given that the military, which is supposed to protect the people, is itself the perpetrator of crimes and violations of human rights.

In sum, Duterte's tyrannical style of governance has compounded the difficulty of women's struggle for emancipation by diminishing the spaces where they can struggle and resist, delegitimizing the problems they endure, and emboldening the administration's equally misogynistic supporters to harass those who advocate women's rights and speak out against the government.

Melay: Duterte's macho and dictatorial style of governance derives its legitimacy from the dominant patriarchal system that shapes most of our society's norms and values. So as long as the patriarchal system prevails, this style of governance will continue to be normalized, and women can never have meaningful participation. The difficulty with challenging Duterte's style of governance, however, is that it reinforces the very system that gives it power—essentially, there's a vicious cycle of reinforcement between the patriarchal system and Duterte's style of governance. Therefore, challenging the latter would necessitate criticizing the former as well.

Bianca: *Given your assessment of Duterte's style of governance and policies and how these have negatively affected women, what do you think should be the elements of a progressive women's agenda that we can forward as an alternative to Duterte's agenda?*

Che: The progressive women's agenda should be inclusive in that it should recognize and address not only the gender-based issues confronting women—such as violence against women, sexual harassment, rape—but also the multiple other burdens they bear as part of other marginalized groups—for instance, the indigenous women's struggle for their right to self-determination.

In terms of the actual elements of the progressive women's agenda, perhaps one of the most essential is a democratic and non-patriarchal style of governance. Democratic in the sense that it should provide spaces for women—especially poor women—to participate in and engage with traditional institutions of governance to advance their rights, interests, and demands. In the case of indigenous women, this would mean strengthening the Indigenous Peoples' Mandatory Representation (IPMR)⁶

Duterte's macho and dictatorial style of governance derives its legitimacy from the dominant patriarchal system that shapes most of our society's norms and values. So as long as the patriarchal system prevails...women can never have meaningful participation.

and making it more inclusive to women considering that they are not allowed to participate in the IPMR system in some provinces. Second, this governance should not be rooted in patriarchal ideologies that view femininity as a weakness and, beyond the gender framework, justify oppressive power relations.

Ana, Alyssa, and Marian: As far as rural women are concerned, the elements of the progressive agenda should include:

- First, the fulfillment of rural women's property rights in agrarian reform, ancestral domains, and coastal resources. The problem with the current land ownership system is that it is very exclusionary to women, given that land rights can only be directly held by men, whereas women only have indirect access through a male relative. This unjust system endures despite women's significant contribution to food production, farm labor, and, on top of everything else, the management of the household.

- Second, rural women should also have secure access to basic services, social protection, safe and adequate food, and rights to fair wages and just conditions of work.
- Third, unpaid care work—which refers to all unpaid services often provided by women within a household for its members—should be recognized as legitimate work, given that it significantly contributes to the operation not just of the home but of society at large. Indeed, much of what we do outside our homes would not have been possible if our homes had not been properly managed in the first place. Furthermore, the burden of care work, which is often assumed by women, should be reduced and redistributed to other members of the family. Homeworkers should also be provided with spaces for political representation where they can raise their concerns and advance their rights.
- Fourth, rural women should have access to sustainable and women-friendly agriculture and fishery support services. The problem is that most of the time, these support services only cater to men, as agricultural and fishery work are often perceived as men's jobs. This should not be the case, as rural women also significantly contribute to the operations of farms and fisheries.
- Fifth, they should have representation and participation in the implementation of gender and development programs so that they can contribute in important decision-making processes and directly propose the services they need.
- Sixth, rural women should be able to fulfill their reproductive rights and be protected from all forms of violence and other oppressive relations.
- Seventh, they should participate in the creation and fulfillment of the peace agenda, especially in Mindanao. At present, women are often excluded from negotiating tables despite their critical contributions to preventing and resolving conflict. This is a cause for concern, as women's exclusion in negotiations would mean that the resulting peace agenda would probably not be able to address their issues.
- Eighth, rural women should be protected from the impacts of climate change and their rights to a safe environment upheld. More often than not, women—especially poor women—bear the heavier impact of

The progressive women's agenda...should recognize and address not only the gender-based issues confronting women...but also the multiple other burdens they bear as part of other marginalized groups...

climate change-induced disasters. By worsening their indigence and destroying their livelihoods, natural disasters make women more vulnerable to sex trafficking and other forms of exploitation especially when they are relocated to unsafe evacuation centers.

- Lastly, young girls should also be protected, and their rights must be fulfilled. Because children's minds are not yet fully developed, they are easier to manipulate and are thus more prone to exploitation. The risk is especially high for children who come from poor families. For this reason, PKKK has collectively decided to include this element in the rural women's agenda.

Bianca: *How can we advance this progressive agenda within and beyond the context of the 2019 elections?*

Christine: Within the context of the 2019 elections, we have to encourage Filipino voters—especially women, who comprise more than half of total voters—to defend democracy and stand up against tyranny by voting for the opposition in the Senate so that they can block Duterte's anti-poor and authoritarian policies, most notably the push for federalism through Charter Change (Cha-Cha).

Che: We need to acknowledge that it would be very difficult to advance one cohesive progressive women's agenda given that there are a lot of divisions within the

movement. There are people who claim to champion women's rights but only stand up against gender-based issues—such as violence against women and unequal pay—while disregarding class-based issues. Even worse, there are women's rights activists who are only concerned with advancing the political and economic interests of women from political elites and the capitalist class. And even in the broader spectrum of progressive social movements, there are still a lot of activists who are not cognizant of and proactively responsive to women's issues and struggles. As such, before we can hope to advance a truly progressive agenda, we first have to identify the truly progressive individuals and groups within the movement who will grapple not just with the gender-based but also the class-based issues confronting women.

Another action we can take to advance the agenda is to engage with the youth and involve them in the movement. We need younger activists whose participation in social movements is motivated by their pure desire to engage with grassroots communities and work with them in challenging and changing the oppressive political, social, and economic systems. In this regard, perhaps we can get the youth involved by coming up with a strategic, efficient,

and contemporary way of organizing them that will appeal to their sensibilities.

Lastly, in the case of indigenous women, they need to be equipped with the necessary skills to prepare them to take on leadership roles whether in mainstream systems of governance or traditional indigenous political systems through which they can represent and advance the collective interest of indigenous peoples.

Meth: Before we can hope to advance the progressive women's agenda, we first have to strengthen the social movement that will vigorously push it forward. This movement should consist of activists who truly understand the issues and problems confronting women and strongly aspire to challenge and transform the social structures that perpetrate the oppression of women. In order to mold these kinds of activists, we need to employ the pedagogy of conscientization, which involves developing women's minds to make them more critical of the unequal and unjust conditions they are made to endure by the oppressive political, social, and economic systems governing them. However, conscientization is not just a one-way teaching process where only the members of civil society groups can educate and politicize women in grassroots communities.



"Gutom sa kanayunan, pasan ng kababaihan." (Hunger in the countryside, a burden to rural women). International Day of Rural Women. Quezon City, Philippines. 2018 October 15. PHOTO BY ANA DOMINIQUE PABLO

Through our immersion with them, they are also able to educate and politicize us by unfolding for us the many layers of oppression experienced by women. As such, only through the immersion process will we be able to truly understand what they are going through, adopt their aspirations as our own, build our passion, cultivate our commitment, and find a meaningful advocacy to which we can commit our life.

However, aside from cultivating knowledge and making meaningful engagements, the women's movement should also be founded on a culture of sisterhood and comradeship among women's rights activists, as this would give strength and cohesion to the movement. Therefore, beyond teaching and learning from women from grassroots communities, we should also build authentic and meaningful personal relationships with them.

Precy: Given that the Duterte administration is misogynistic to its core, we cannot expect it to be receptive to the progressive women's agenda. What we need in the longer term is a different administration or, at the very least, a government that is not dominated by the administration's allies. This does not mean, however, that we will completely rely on the government for the advancement of the agenda. On our part, we can also push it forward through the implementation of political education programs that seek to develop unorganized women communities' gender sensitivity and deepen their understanding of women's

issues, starting with those that directly affect them (unstable livelihood, violence against women, sexual harassment). At the end of the day, the advancement of the women's agenda still relies on a strong women's movement which, in turn, can be organized by constantly raising women's awareness of the multi-layered oppression that we endure and encouraging them to partake in the movement.

Melay: Considering that our social institutions play an important role in the perpetration of misogynistic ideas that hamper the advancement of the progressive women's agenda, we need to reassess the values we propagate through our schools, our families, our workplaces, and all other social institutions. Aside from this, women have to make themselves and their demands more visible by organizing a united front, expanding our membership, and doing more grassroots political education. However, at the same time, we also need to look out for one another given that the Duterte administration is very vindictive towards human rights and women's rights activists.

Perhaps the main challenge to strengthening the women's movement—or any progressive movement for that matter—is that we are not perceived as the legitimate alternative. Rather, it is the Duterte administration that has successfully presented itself as the alternative—particularly to elite politics—to the majority of Filipinos. This is why many Filipinos across all social classes rallied behind Duterte out of their frustration with elite-dominated politics. Therefore, in order for us to be viewed as the legitimate alternative, we need to engage with the masses and make them understand our struggle and what we are standing up against. **R**

...[A]side from cultivating knowledge and making meaningful engagements, the women's movement should also be founded on a culture of sisterhood and comradeship...

- 1 Tendayi Viki et al., "The effect of sexist humor and type of rape on men's self-reported rape proclivity and victim blame," *Current Research in Social Psychology* 11, no. 10 (December 2007): 128, https://www.researchgate.net/publication/237222999_The_effect_of_sexist_humor_and_type_of_rape_on_men's_self-reported_rape_proclivity_and_victim_blame.
- 2 Tax Reform for Acceleration and Inclusion
- 3 See "Duterte 2 Years on: Destructive, Divisive, and Despotic," *Focus on the Global South*, August 1, 2018, <https://focusweb.org/duterte-2-years-on-destructive-divisive-and-despotic/>.
- 4 Teresa dela Cruz is an indigenous woman leader from Zambales province.
- 5 English translation: "How powerless does this government want us to be? The president's misogynistic remarks have already increased our vulnerability; now they are even using institutions and policies to attack women."
- 6 The IPMR is a political structure that mandates the representation of indigenous peoples in policy-making bodies and other local legislative councils.



Armoured Dove of Peace. Graffiti art by Banksy; Retrieved from Wikipedia (https://commons.wikimedia.org/wiki/File:Banksy_-_Peace_Dove_-_2008-03_-_close-up.jpg), <https://creativecommons.org/licenses/by-sa/4.0/legalcode> PHOTO BY PAWEL RYSZAWA

Kalinaw sa Mindanao: Just and Lasting Peace in the Land of Promise

By Galileo de Guzman Castillo

Halina't ating pag-usapan ang kapayapaan (Come, let us talk about peace)

Suriin ang ugat ng digmaan (Analyze the roots of the conflict)

Kamtin ang kapayapaan (Achieve peace)

- "Kapayapaan", TUBAW (Tubong Mindanao, Tulong Mindanao)

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◀ KALINAW SA MINDANAO...from page 69

Three years since the coming to power of Rodrigo Duterte—the first president from Southern Philippines—the path towards just and lasting peace remains elusive; bogged down by the lack of a clear, inclusive, and participatory framework on peace. The tri-peoples add (migrant settlers, indigenous peoples, and Bangsamoro) of Mindanao continue to suffer from poverty, human rights violations, displacement, dispossession of their lands, and persisting injustice. These provided the entry points for extremism to take over as the peace talks dragged on and the cycle of frustration, fuelled by unresolved conflicts and historical grievances, continues on and on.

The imposition of martial law, militarization of communities, demonization of human rights,¹ and further entrenchment of neoliberalism in the economic and development agenda pose additional questions and concerns about the direction the Duterte administration is veering towards in addressing the roots of the conflicts and achieving “kalinaw”—one that is not only about eliminating wars and armed conflicts but also involves the struggle for social and environmental justice, equality, and sustainable development. “Kalinaw” or “peace” does not only pertain to the peace talks between the government and the rebel groups; it is intertwined with the struggles for the right to self-determination and promotion of peoples’ alternatives.

The first quarter of 2019 saw the concrete expression of the right to choose one’s political destiny, as more than 1.7 million people partook in the Bangsamoro Organic Law (BOL) plebiscites. After drawing the support of 88.57% of the electorate, the BOL was finally ratified after years of peace negotiations—creating the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) and replacing the “failed experiment” of the Autonomous Region in Muslim Mindanao (ARMM). The Bangsamoro Transition Authority (BTA), led by the Moro Islamic Liberation Front (MILF), is now up to the task of building the foundations of the BARMM and fulfilling the promises envisioned in the BOL of a more inclusive, participatory, responsive, and accountable government as it serves its 3-year term until the election and constitution of the Bangsamoro Parliament in 2022.

However, red flags were raised on how representative the composition of the BTA is and how the process of

appointing the interim leaders unfolded. Ultimately, just and lasting peace will only be attained by putting the people at the heart of the issue—through grassroots education, community empowerment, genuine consultations, inclusive talks, participatory processes, democratic governance, and tri-peoples solidarities.

Author’s Note: This article is the product of a series of conversations with Focus on the Global South’s allies and networks working on the issues of peace, security, and development. In this issue, a particular focus is given to Mindanao. The author speaks with members of the Mindanao Peoples’ Peace Movement (MPPM), a Mindanao-wide coalition of grassroots and tri-peoples organizations. The views and opinions expressed in this conversation are solely those of the individuals involved, in their personal capacity as peacebuilders and human rights defenders, and do not represent the positions of the entire coalition.

Contributors:

(Galil) Galileo de Guzman Castillo, Focus on the Global South

(Janel) Janel Pesons, MPPM Secretary General

(Mark) Mark Lester Mandar, MPPM Council of Peoples’ Representatives—Youth

(Cio) Titay Bleyen Leticio Datuwata, MPPM Deputy Secretary General—Katawhang Lumad

(Mabel) Mabel Carumba, MPPM Vice-Chair—Katawhang Migrante

Galil: What is your assessment of the current administration’s policies and the government’s overall direction on the issue of peace and Mindanao?

Janel: Given the non-existent policy and unclear framework on peace, not only in the present administration but also in the previous ones, there have been different ways of resolving the issue. During the presidency of Joseph Estrada in 2000, the approach was “all-out war” against the MILF. Even 19 years after his declaration, the struggle of Moros for their right to self-determination continues. Ironically, the revolution was sustained, even more than the costly ₱6-billion military campaign.² The succeeding president, Gloria Macapagal-Arroyo, reversed the campaign to “all-out peace”—although the direction of the peace process was not clear as there was no overarching peace framework. The on-and-off peace talks

were stalled and eventually there were renewed armed conflicts. Then, the Maguindanao massacre happened in 2009 and Arroyo placed the entire province under a state of martial law. During the time of Benigno Aquino III, there were indications that the peace process was going smoothly but this was tarnished by the Mamasapano incident that resulted in the deaths of the SAF44 soldiers, which not only jeopardized the peace process between the Philippine government and the MILF but also resulted to the non-passage of the Bangsamoro Basic Law (BBL). Now, in Rodrigo Duterte's administration, people are not able to participate fully and meaningfully in the peace processes. Out of fear, they are not able to voice their concerns and demands. Even though the BOL was signed into law under the current administration—the plebiscites already concluded and the BTA constituted—the issue of peace remains problematic with the declaration of martial law in the entire Mindanao and the way the government handled the Marawi crisis.

Mabel: The MILF pinned their hopes on the Duterte administration for the BBL to be passed as they relied on the popularity and the populist rhetoric of the President. Their thinking was that this would be the last chance for the realization of the peace process. For them, the BBL could be a way to reduce the cases of extremism in the communities. However, while the government and the MILF were realizing the peace process through the BBL plebiscites on one hand, it also continued the militarization of Moro communities on the other hand.

Mark: Instead of the issues being resolved, the situation has deteriorated. There are many accounts that this has emboldened more extreme tendencies, especially among the youth. The recruitment to join extremist groups is rampant because of the continuing and unresolved frustrations. Different splinter groups arose from the mounting dissatisfaction with the peace processes.

Mabel: The issue of extremism will always be there as long as communities remain in dire poverty. Extremism is winning the ideological fight among the youth as they become vulnerable due to lack of education, having no access to justice, and their grievances not being addressed. But this is not only common among Muslim communities; this is also true of other communities in Mindanao, including Christians. It is a common misconception that religious fundamentalism only pertains

The issue of extremism is not only ideological; it is a reflection of the failure to address the basic needs and the fulfilment of the peoples' rights.

to Islam; we also have a lot of Christian fundamentalists in our midst. In 2008, some of the Christian communities were used by politicians, arming them to fight against the Muslims during the time when the Memorandum of Agreement on Ancestral Domain (MOA-AD) between the Government of the Republic of the Philippines (GRP) and the MILF was almost coming into fruition. I also want to point out that the issue of extremism is not only ideological; it is a reflection of the failure to address the basic needs and the fulfilment of the peoples' rights.

Galil: *Perhaps the war that erupted in Marawi, just a year into Duterte's presidency, was a defining moment where the frustrations and disaffection with the peace processes became starkly manifested. As a response, Duterte declared martial law on the entire Mindanao and to date, the order has not been lifted—with Congress approving its extension and re-extensions and with the Supreme Court ruling that it is valid and legal. How is the imposition of martial law on the entire Mindanao Island being viewed?*

Janel: At the outset, there was still sympathy among the Christian communities on the plight of the Maranaos. But later on, for instance in Iligan City which is Christian-dominated, you would hear other people say "it was their fault, because they are evil people." It is easier for the peace spoilers to highlight the issue of religion to trigger conflicts. Moro and Christian biases and prejudice against each other remain strong. A deplorable aftermath of all of this is that communities were made to believe that martial law is OK as a response, as it supposedly made their communities safer and more peaceful. The people were

not made aware of the dangers of curtailing civil liberties and rights. Organized groups felt the direct impact of not being able to freely convene meetings and move from one community to another.

Mark: If you ask the people why they are supporting the draconian measure, it is because for them it deters criminality and drug trafficking. But if you look more closely, it becomes apparent that the solution to such problems do not necessitate the imposition of martial law. These problems are an accumulation of the frustrations at the failures and inability of the past and present administrations and the democratic institutions to carry out reforms at the local level—and martial law is being offered as a panacea.

Cio: It also led to the suspension of the *Writ of Habeas Corpus*.³ In effect, those critical of the administration now face increasing and intensifying threats under the despotic rule.

Mabel: Many Lumad communities were red-tagged as members of the New People's Army (NPA). Many were militarized and included in the list of declared terrorists by

the government, putting their lives in jeopardy as they do not have immediate and direct access to legal remedies. Those in the remote areas suffer tremendously from illegal searches, warrantless arrests, planting of fake evidence—and many of them were imprisoned for alleged involvement in terror organizations.

Galil: *A hard lesson we learned from the Marcos dictatorship is that authoritarian, militaristic, and totalitarian regimes can never and will never bring just and lasting peace. Concretely, what should the government do to address the cycle of frustration? What policies should be passed? What approaches should be used?*

Janel: Definitely, Duterte's militarist approach in resolving the issue of terrorism did not and will not lead to a just and lasting peace in Mindanao. Many of the local people and civil society groups have already said that the approach is not appropriate and that the government could have utilized existing traditional approaches in resolving conflicts rather than resorting to the scorched-earth strategy that wiped out the entire city of Marawi. The Maranaos, for instance, have their own approach through social dialogue. Actual experiences affirm that this approach brought sustained peace in their communities. The rehabilitation plan for Marawi is also problematic as it aims to establish economic zones and develop the city as a tourism destination and military reserve rather than to address the needs and respond to the wishes of the affected Maranaos. Two years after the Marawi siege, nothing concrete has come out of the Task Force Bangon Marawi plan; progress in the rehabilitation, recovery, and reconstruction efforts have been very slow. In the first place, the Maranaos were not consulted and included in the rehabilitation plan. Cultural sensitivities were not considered. The government's program to put up casinos, ports, and tourist sites is not in accord with the culture of Maranaos.

Cio: There will be no just and lasting peace if the traditional approaches, customary laws and practices, political structures and governance systems, and the rights of the tri-people are not recognized and respected.

Mark: There should be a clear mechanism, framework, and policy agenda on peace. Something that would serve as the foundation and basis of the direction that the current and succeeding governments would

These problems are an accumulation of the frustrations at the failures and inability of the past and present administrations and the democratic institutions to carry out reforms at the local level—and martial law is being offered as a panacea.

follow so that the end of a president's term would not mean the end of the peace processes as well.

Galil: *Speaking of a framework for just and lasting peace, many celebrated the passage into law of the BOL under the current administration. Years of community consultations, peace talks, and legislative sessions finally paved the way for the establishment of the BARMM.*

Cio: Indeed, many touted the BOL as a peace instrument—but it would not be one if it did not include our rights. Since the very beginning, we asserted that the aspirations should be towards an inclusive BOL that would lead to peace for all peoples in Mindanao. That is why we lobbied in Congress for the explicit inclusion in the BOL of IPRA or the Indigenous Peoples' Rights Act—a national law which sets the minimum standards of recognition of indigenous peoples' rights. Ever since it was signed into law in 1997, it has never been implemented in the ARMM. We hope that it would be a different story in the BARMM.

Mabel: The results of the BOL plebiscite gave credence and legitimacy to the struggle for the right to self-determination of the Bangsamoro. The BARMM could be a potential platform or arena for peoples' participation in good governance. The MILF should extend goodwill and sincerity to all the stakeholders by listening to the needs and aspirations of the people. However, there are many challenges that the MILF is facing at the moment. For instance, the BTA was already compromised as it depended on the appointees of the President and many were products of negotiations between traditional politicians and political clans.

Galil: *It must be noted that the Moro National Liberation Front (MNLF) was not happy with the outcome of the BOL, especially the BTA appointments. According to Yasmira Moner of the Mindanao State University-Iligan Institute of Technology, "some Moro leaders, for example, decry the 'tyranny of the MILF' in the MILF-led BTA, leaving other Moro groups such as the MNLF disenfranchised in this transition period before the 2022 elections."*⁴



"The dominant elites consider the remedy to be more domination and repression, carried out in the name of freedom, order, and social peace (that is, the peace of the elites)."—Paulo Freire, *Pedagogy of the Oppressed*. Quezon City, Philippines. 2017 May 23.

PHOTO BY GALILEO DE GUZMAN CASTILLO

Mark: Hopefully, in the struggle of our Moro brothers and sisters for their right to self-determination, more and more progressive groups and civil society groups will induce the Bangsamoro government to be more democratic—putting a high premium on genuine peoples’ participation and ensuring that democratic processes will be institutionalized within the autonomous region. It is imperative that the struggle for self-determination will not be corrupted and swallowed by the very system in place and that there will be no concentration of economic opportunities in certain individuals and groups, including political dynasties. The Bangsamoro should be able to transcend its leaders’ revolutionary character and clannish nature and strive to move towards greater democratization, and to address questions and concerns on the kind of economic system that would prevail.

Galil: *The Bangsamoro Development Plan appears to be a push for neoliberalism to be further embedded in Mindanao’s social, political, and economic systems. It will open up the indigenous peoples’ ancestral domains for private investments and corporate and state extractivism, supposedly to promote “inclusive” growth, stability, and job generation. There are apprehensions that the BARMM will become an arena for aggressive investments and “development.”*

Cio: Duterte, himself, declared last year that he will search for investors for our ancestral domains. He said that the government worked hard in “giving” us our ancestral domain but the problem, according to him, is that we are not using it efficiently. What he failed to understand is that our view on development is different from that of the business and investment sector. We do not want the entry of plantation, mining, and other extractive activities in our homelands.

Janel: The issue of territory is very sensitive and there is a lot to consider, including political and economic interests. In 2008, the Supreme Court declared as unconstitutional the MOA-AD, triggering armed conflicts in Lanao del Norte and Lanao del Sur. Unfortunately, the process was kept secret, or at least hidden from public scrutiny until it was belatedly opened up. People were taken aback that without their knowledge they were suddenly made parties to the then proposed Bangsamoro Juridical Entity. The negative sentiments brought about

How would the aspirations and promises of the Bangsamoro Organic Law bear out on the ground?

by the non-transparency of the process were also fuelled by the mistrust and prejudices of the Moro and Christian communities towards each other. Today, with the BOL signed into law under this administration, a key question is being raised: How would the aspirations and promises of the BOL bear out on the ground?

Mabel: It rests upon the shoulders of the MILF to win over the other insurgent groups and involve them in the process of building the BARMM. Now is the opportune moment that the BTA be opened up for real and genuine community consultations as to what the Bangsamoro peoples truly aspire and struggle for and how to be responsive to their needs. The realization of the Bangsamoro struggle was not attained through armed revolution alone but through different forms. While it is true that many combatants have lost their lives in the struggle, there are also countless civilians who were displaced and tried to keep their families and communities together despite the recurring violence and conflict.

Mark: If we look back at the history of the Bangsamoro, they had no voice at the national level for the longest time, and this situation did not change throughout the years of changes in leadership at the local and national level.

Galil: *The Philippine midterm elections are just around the corner and it would be a most opportune time to select and elect new leaders that will work towards the realization of the aspirations and hopes of the people for a just and lasting peace. While the Commission on Elections recently declared the entire island of Mindanao as an election hotspot, what actions can we take to advance the progressive agenda on peace and Mindanao?*

Mark: Elections in Mindanao are very frustrating; vote buying is rampant, cheating by traditional politicians

is always there, politicians are running under dubious platforms, and political dynasties wield a strong grip on the electorate. Information gaps, especially with the remote communities, remain a big problem. How can you talk about crucial electoral issues like the push for a kind of federalism and charter change that will further entrench neoliberalism, the re-extensions of martial law in Mindanao, the creeping authoritarianism and moves toward full-blown dictatorship—if the electorate are not aware and do not understand basic concepts such as human rights?

Janel: Duterte remains popular among Mindanaoans. Candidates from the opposition parties would need to work doubly hard to wrest a significant slice of the Mindanao vote. But more so for Bangsamoro candidates, where the strong Christian biases against the Moro community will prevail and block support for them. Nonetheless, I still do my part as a community organizer, grassroots educator, and human rights defender to educate and empower communities and help them understand the importance of the upcoming midterm elections.

Mabel: The “rooting process” is important—we need go back to our communities, organize, have open discussions on issues affecting us, collectively study and learn together—so that the people can make informed decisions, come up with their common agenda, be empowered to articulate and demand for the realization of this agenda, and be part of the political decision making process and later on make the leaders accountable.

Cio: If the pro-administration candidates win this coming election, the path towards charter change and federalism will be thrown wide open. Grassroots discussions on key policy issues should also be done to empower the communities and enable them to articulate their perspectives from the ground. These voices should be amplified at the national level, not only during the election period but also beyond.

We’ve become victims of war and victims of peace.

Galil: Beyond the elections, what can we do? How do we collectively move forward? And towards what?

Mark: Going through the peace process should not be the “end goal”. In fact, development should be tackled alongside the pursuit of peace. From the very beginning of the peace process, the demands and socioeconomic needs of the communities should have been addressed.

Mabel: We should build sustainable communities that can transform conflicts positively, for instance, by reinforcing community-based conflict resolution mechanisms, encouraging initiatives that will allow communities to collaborate with each other, and solidifying social cohesion and solidarity.

Janel: What we have advocated for ever since is the importance of community consultations; that the peoples’ dreams, aspirations, hopes, and demands be heard and included in all the high-level dialogues, meetings, and negotiations. Consultations should not be “for your information” only and there must be an opportunity for the people to be genuinely involved in the processes. An example of this is the Independent Indigenous Peoples Voice (IIPV)⁵ that provides a space where the indigenous peoples are able to articulate their own hopes, dreams, aspirations, and demands. The government should respect these independent processes and refrain from appointing “representatives” to the processes.

Cio: We’ve become victims of war and victims of peace. We are not included when the government and rebel groups talk about peace, but in the talks, our territories, our identity, our rights are placed on the table.⁶ Ironically, the Lumad’s “participation” in war is even more pronounced than in peace as we find ourselves caught in the middle of the conflict between the government’s armed forces and the non-state actors.

Galil: It is therefore imperative that we address and correct the historical injustices experienced by our brothers and sisters. The cycle of frustrations should be stopped. We should continue collectively weaving the tapestry of just and lasting peace by strengthening grassroots solidarities among the tri-people, learning from each other’s histories and realities, and building a community, a country, a movement for kalinaw.



"Ako'y nananawagan, humihingi ng tulong n'yo / Kapayapaa'y bigyan ng daan, kapayapaan sa bayan ko / Bakit kailangan pang maglaban, magkapatid kayo sadugo / Kailan kayo magkakasundo, kapayapaa'y kailan matatamo ng bayan ko?" (I call out, a plea for your help / Give way to peace, peace in our land / Why the need for conflict, you are siblings by blood / When will we agree, when will our country have peace?)—"Ang Bayan Kong Sinilangan", Song by Asin. Cotabato, Mindanao. 2016 December 13.

PHOTO BY GALILEO DE GUZMAN CASTILLO

- 1 The Duterte administration has continually demonized the concept of human rights and branded those that defend, assert, and struggle for human rights as "communists", "terrorists", "peace-spoilers", "anti-development", and "out to destroy the government".
- 2 Lingao, E. (2012 July 6). *Mindanao: The Hidden Costs of War*. Article published in the Philippine Center for Investigative Journalism (PCIJ) Stories. Quezon City, Philippines: PCIJ. Retrieved from <https://pcij.org/stories/mindanao-the-hidden-costs-of-war/>
- 3 The *Writ of Habeas Corpus* is a legal remedy that could have been resorted to on behalf of anyone imprisoned, restrained or deprived of his or her liberty.
- 4 Moner, Y. (2019 April 1). *Key issues in the midterm elections: a perspective from the Bangsamoro*. Published in the New Mandala. Canberra, Australia: Coral Bell School of Asia Pacific Affairs. Retrieved from <https://www.newmandala.org/key-issues-in-the-midterm-elections-a-perspective-from-the-bangsamoro/>

- 5 The Independent Indigenous Peoples' Voice is an autonomous body of Mindanao Lumad tribes that brings the indigenous peoples' peace agenda to the peace processes between the GPH, the MILF, as well as the CPP-NPA-NDF. The IIPV is represented by 24 indigenous tribes in Mindanao and was constituted to amplify the voice of the voiceless peoples. Its primary objective is to be an independent body in the peace panel, articulating indigenous voices from the ground.
- 6 "The top-down, vertical approach and exclusive talks that included the indigenous peoples' non-negotiable rights as a concession of negotiated peace settlements and agreements without free, prior and informed consent (FPIC) have hampered their direct participation in making decisions that affect their survival. They became unwilling hosts to extractive projects such as mining and logging in times of peace and became battlefields of the government and rebel forces in times of war. Their men, women and youth were recruited to both armed forces and their communities were divided into different ideologies."—The Independent Indigenous Peoples' Voice. (2017 October 30). *Sounding the Gong: The IP Voice in the Peace Processes*. 2017 October 30). Retrieved from <https://ipvoicemindanao.blogspot.com/2017/11/sounding-gong-ipvoice-in-peace-processes.html>