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The 2019 May Elections and its Implications on the Duterte Administration

The last three years of any elected administration can be very contentious and trying times. The national leadership's ability to effectively respond to political and related challenges will be significantly shaped by the outcome of the upcoming 2019 mid-term elections. Indeed, the 2019 election is a Prologue to the 2022 elections in all its uncertainties and opportunities. While the 2019 election is only one arena of contestation it can set the line of march for more momentous events for the next few years.

Introduction

Regular elections are an enduring feature of Philippine political life. While there continue to be deep-seated structural and procedural problems attending its practice in the country, the electoral tradition is a well-established arena for choosing elected representatives from the lowest governing constituency (the *barangays*) to the national governing bodies (the legislature and the presidency). Electoral exercises trace their roots to the first local elections held during the Spanish and American colonial eras, albeit strictly limited to the propertied and educated classes. Under American colonial rule, the first local (town) elections were held as early as 1899 and in 1907 the first election for a national legislature was conducted. Thus, with the exception of the Japanese occupation era (1942-1945) and the martial law period under Pres. Marcos (1972-1986; although sham elections were held in 1978 and 1981), the country has experienced regular although highly contested elections at both the local and national levels for most of the country's political history.

Elections in the country require the investiture of massive resources to fill up numerous elective positions. Under the 1987 Constitution, the presidency is up for election every six years (incumbent is entitled to a single 6-year term of office with no reelection) while all other elective positions are contested every three years. In the 24-person Senate (the upper legislature), 12 members are elected nationally every three years for a six-year term.

In the 2019 mid-term elections, the following government seats will be contested: 12 senators, 59 party list representatives, 243 district representatives, 81 governors and vice-governors each, 780 provincial board members, 145 city mayors and vice-mayors

each, 1,628 city councilors, 1,489 municipal mayors and vice-mayors each and 11, 916 municipal councilors. Moreover, in September 2018, five new congressional seats were created by Congress (the national legislature) putting the total of elective positions, national and local, in the May 2019 elections at 18,086.

In the former Autonomous Region of Muslim Mindanao (ARMM), one governor and vice-governor and 24 ARMM regional assembly persons were also elected. However, with the approval in a plebiscite last January and February 2019 of the new Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), there will be a new regional government to be elected in 2022. In the meantime, a Bangsamoro Transitional Authority made up of 81 members selected by the Moro Islamic Liberation Front (MILF) and the Duterte administration will assume responsibility for ruling the transitory regional government till the May 2022 elections.

Key Features of Elections in the Philippines: Powerful Dynasties and Weak Parties

There are two enduring features of Philippine politics that define much of its dynamics especially in the context of its long history of elections: its domination by powerful political families and its weakly institutionalized political parties. Electoral control by dynastic political families is rooted in the early inception of elections under American colonial rule which legitimized the economic and political power of provincial elites. Consequently, elections also catapulted the local elites to positions of elective national power (particularly the lower and upper houses of the legislature or Congress). Since independence in 1946, new political players have found it difficult to undermine this dynastic control of elections due to the continuing oligopolistic control of resources and election rules and prohibitive electoral campaign costs that favored the traditional elites. Not surprisingly, many of the powerful elites who trace their roots from their ascendancy during the American colonial era and the post-independence era continue to be key players in the current national political scene: the families of Marcos-Romualdez-Araneta, Aquino-Cojuangcos, Roxas-Araneta, Osmeña-Lopez, Macapagal-Arroyos, and the Estradas, to name the most powerful.

While it is also true that some of the old elites have been replaced by new elites, this newer generation who became prominent after the restoration of electoral politics in 1987 have likewise succeeded in entrenching themselves in power. The best known national cases of these new political dynasties include the Enrile, Binay, Villar, and Duterte families. However, Pres. Rodrigo Duterte also comes from an old political family since his father served as an elected governor of Davao province in 1959-1965, and his children have served as elected officials in Davao city. Moreover, it is instructive to note that in the current 17th Senate, 2016-2019 (upper House), only five of the incumbent 24 senators elected nationally are not descended from the old or the newer political dynasties. The most resilient and entrenched political families continue to control local politics in the provinces, congressional districts, and even in the party list system mandated in the 1987 constitution.

Weakly Institutionalized Parties

Another feature of Philippine electoral politics is a tradition of weakly institutionalized political parties. Such parties are driven primarily by the interests of political families and function in reality as a convenient coalition for winning electoral contests but bereft of any binding agenda of government. Thus, parties are distinguished from each other not by competing or alternative governance visions and policies but by competing families and allies mobilized and organized to win power during elections. After each major election, the losing parties normally unravel with its leaders and followers jumping ship to join the winning presidency to share in the largess and patronage of the victors.

Of the major parties in the country, the oldest two, the Nacionalista and Liberal parties, trace their roots to the American colonial era. The Nacionalista party is now headed by the Villar family whose patriarch was formerly Speaker of the House and Senate President and head of one of the country's largest conglomerates. On the other hand, the Aquino and Roxas-Araneta families are the prime movers of the Liberal party. The other extant although mostly marginalized political groupings in the upcoming elections have also been organized by political families. Such parties include: the *Pwersa ng Masang Pilipino* (PMP) of former president Joseph "Erap" Estrada; the Nationalist Peoples' Coalition (NPC) of Eduardo Cojuangco, an Aquino cousin and one of the most powerful politicians and businessmen closely associated with the late president Marcos; the Lakas-Christian Muslim Democrats (LAKAS-CMD) a merger of parties originally organized by former presidents Fidel V. Ramos, former senator Raul Manglapus and Gloria Macapagal Arroyo and is now led by former Rep. Martin Romualdez (a Marcos cousin) and former Senator Ramon "Bong" Revilla, Jr.; and the Peoples' Reform Party of the late Senator Miriam Defensor-Santiago (former presidential spokesperson Harry Roque was officially running for the Senate under this party until he decided to terminate his campaign).

After the 2016 presidential election, the PDP-Laban initially emerged as the strongest party since Pres. Duterte ran officially under it. The PDP-Laban (merged parties of the *Partido ng Demokratiko Pilipino* and *Lakas ng Bayan-Laban*) was founded some four decades back by anti-martial law activists and politicians led by prominent oppositionists such as Aquilino Pimentel, Jr. for PDP and the late Senators Benigno Aquino, Jr., and Lorenzo Tañada for Laban. With the election of Pres. Duterte followed by the elevation of Senator Aquilino "Koko" Pimentel III as Senate president and Rep. Pantaleon Alvarez as House Speaker in the 17th Congress, the PDP-Laban emerged as the strongest party as other politicians predictably flocked to join it.

A series of events occurred in 2018 that undermined the political clout of PDP-Laban. First, Senator Aquilino "Koko" Pimentel III, the president of PDP-Laban, stepped down as the Senate President in May 2018 purportedly to prepare himself for reelection in 2019. This was done supposedly as the result of a term-sharing arrangement with Senator Vicente "Tito" Sotto III, an ally from the Nationalist Peoples Coalition (NPC). However, there were also reports that a number of senators had leadership issues with Pimentel that precipitated his stepping down earlier as Senate President, about five

months ahead of the official filing of candidacies for the 2019 election. In particular, some senators were not too happy with the perceived weak response of Pimentel to statements from Speaker Alvarez to sidetrack the Senate in light of the contentious process on charter change for a Federal system. Moreover, some reelectionist senators also were reportedly disappointed about their exclusion from the initial list of the senatorial slate announced by PDP-Laban. Pimentel's early exit from the Senate Presidency deprived the PDP-Laban from the usual political and organizational resources accessible from this position especially in an election year.

A second blow against PDP-Laban occurred in July 2018 with the ouster of House Speaker Pantaleon Alvarez who was also the party's secretary-general. A deadly confluence of family quarrels, perceived political sleights, political rivalries, and a divisive leadership style escalated to a point where Speaker Alvarez found himself outmaneuvered and removed from his powerful position. This unexpected denouement was orchestrated by a powerful grouping of politicians led by Davao city Mayor Sarah Duterte and joined by Rep. Antonio Floirendo, Governor Imee Marcos, and former president Gloria Macapagal Arroyo. Each of these players had reasons, valid or vengeful, for pushing out Alvarez from the speakership. Mayor Sarah is President Duterte's favorite, strong-willed child who took umbrage at some seemingly dismissive statements of Speaker Alvarez toward the Dutertes. Rep. Floirendo, a veteran politician and rich businessman who was Pres. Duterte's biggest campaign fund donor, was being investigated on the prodding of Alvarez for anomalies related to his family's business contract with government. Governor Marcos is a close ally of the Dutertes and a political rival to one of the closest allies of Speaker Alvarez, then Deputy-Speaker Rep. Rodolfo Fariñas. Finally, former Pres. Arroyo was unceremoniously ousted from her leadership position in the lower House when she voted against the death penalty bill supported by Alvarez. Thus, in less than three months, the PDP-Laban lost two key powerful positions in government, the Senate Presidency and the House Speakership.

A third crisis rocked the ruling PDP-Laban party when a new faction elected its own set of officers in July 2018 and replaced both Senator Pimentel and Rep. Alvarez as president and secretary-general of the party. This new faction is led by Atty. Rogelio Garcia, a law classmate of Pres. Duterte and a former assemblyman of the 1984 Batasang Pambansa. In an official ruling, the Commission on Elections (COMELEC) has ruled that the PDP-Laban under the leadership of Pimentel and Alvarez is recognized as the legitimate party but this has not stopped the Garcia faction from pursuing their own activities. This factional struggle within the party has already created problems for candidates claiming to represent the real PDP-Laban or seeking to get the support of both factions. There is now also the threat that PDP-Laban will be marginalized by the new party, *Hugpong ng Pagbabago*, initiated by Davao City Mayor Sarah Duterte-Carpio.

The most important development in the political scene ahead of the 2019 May mid-term elections has been the establishment of *Hugpong ng Pagbabago* (Association for Change), a regional grouping initiated by Mayor Sarah Duterte-Carpio who serves as the party's chair. Seeking to unite the Davao region into one political party, *Hugpong*

boasts of having the incumbent governors of the three Davao provinces (Davao del Norte, Oriental, and Occidental), plus Compostela Valley among its leading officers. More significantly, *Hugpong* has been able to attract a national electoral alliance made up of the various national and regional parties and candidates of various organizations and political families. Among the powerful political families and parties that have already formalized their alliances with *Hugpong* for the 2019 elections are: the Marcos family, former Pres. Estrada and his *Pwersa ng Masa*, the *Lakas-CMD* party of the Romualdez and Revilla clans, and reelectionist and past senators including Sonny Angara, Cynthia Villar, the Estrada brothers (Jinggoy Estrada and Jayvee Ejercito), Juan Ponce Enrile, the Cayetanos (former senators Pia and Allan), the Mangudadatus of Maguindanao, and the candidates mostly closely identified with Pres. Duterte (Gen. Ronald “Bato” de la Rosa, Christopher “Bong” Go, and the Tolentinos of Tagaytay city).

Interestingly, the official PDP-Laban slate of five members (Koko Pimentel, Bong Go, Ronald dela Rosa, Francis Tolentino, and Zajid Mangudadato) and its six guest candidates (Senators Sonny Angara, JV Ejercito, and Cynthia Villar, Gov. Imee Marcos, Representative Pia Cayetano, and singer Freddie Aguilar) officially endorsed by Pres. Duterte does not exactly match the candidates officially supported by *Hugpong*. Of the 13 senatorial candidates included in *Hugpong*, former Senators Jinggoy Estrada and Ramon Revilla, Jr., and former newspaperman Jiggy Manicad, are not in the PDP-Laban slate while Freddie Aguilar of PDP-Laban is excluded from the *Hugpong* list. Thus, even die-hard supporters of the administration may face some confusion and tension in selecting their final slate of nominees.

The Long- and Short-Term Implications of the 2019 Elections

The 2019 elections will be a revealing exercise in terms of clarifying the emerging political alignment of the key political actors represented by powerful families and their parties. In turn this alignment will have an important bearing on the 2022 presidential and national elections and in the near term the fate of the priority policy concerns of the Duterte administration.

In the current Philippine political system, presidents are elected for a single term of office for six years and banned from any reelection. In this system, there is little institutional incentive or pressure for the incumbent president to consciously strengthen a party for a potential successor. Moreover, as the incumbent president’s term comes to a close, usually starting with the last three years of office, he/she also starts to lose some political capital (the “lame-duck” syndrome). It is in this context that the configuration of political realignments of political families in the 2019 elections gains strategic significance since the groundwork for the potential presidential candidates and other key positions are also being worked out. Assuming that no radical charter change (shift to Federalism) takes place before the 2022 elections that will change the rules of the game, who among the political families are now laying the groundwork for a push for the presidency? Is Mayor Sara Duterte’s *Hugpong ng Pagbabago* a strategic move along this line to prepare for a presidential run in 2022? Indeed, it is unusual for a city mayor outside of the capital region to consciously cultivate a national political presence

and network if the official has no grand political ambition. But it will not also be surprising if Mayor Sara Duterte makes a run for the presidency in 2022 with no less than her father, Pres. Duterte, having set the precedent for this political feat.

But there are a number of potential candidates for the presidential race in 2022. Some possibilities for the presidency include politicians such as: a Marcos (Ferdinand Marcos, Jr. or Gov. Imee Marcos, a likely winner in the senatorial race in 2019); a Cayetano (former senator and Foreign Secretary Peter Cayetano is positioning himself to be the next Speaker of the House); a Estrada (the two Estrada brothers are strong candidates in the 2019 Senate race); reelectionist Senator Pimentel and that is why consolidating the PDP-Laban is crucial for him if he entertains presidential ambitions in 2022; Liberal Party president Francis “Kiko” Pangilinan and reelectionist Senator Bam Aquino or even a comebacking Mar Roxas are also likely standard bearers of the LP in 2022. Others include Senate President Tito Sotto, Senator Manny Pacquiao, and former senator Ramon Revilla, Jr., or even Sen. Panfilo Lacson who has earned significant political mileage with his unrelenting anti-corruption crusades. If she hurdles the electoral contest against her, Vice-President Leni Robredo seems to be a natural candidate for the next higher position which is the presidency especially if Duterte’s term ends with significant public disapproval. In this scenario, the electorate becomes more open to a new style of leadership perhaps closer to Robredo’s, in repudiation of the authoritarian excesses and violence associated with Duterte.

In the short-term (2019-2022), the mid-term election will also indicate if the Duterte administration is able to muster the political support to effectively push through its priority policies such as: 1) Charter change to a Federal system; 2) its continuing bloody campaign against illegal drugs; 3) its foreign policy especially vis-à-vis China; 4) new legislation to support its massive expenditures agenda including the “Build, Build, Build” program and free social services (free tertiary public education and universal health care); 4) sustaining support for the military and police; and 5) ensuring the successful transition of the BARMM, and negotiating political stability especially in the continuing troubled areas in Mindanao.

In sustaining its political support to address its priority policies and programs, the Duterte administration seeks to maintain its “super-majority” support in the House of Representatives, increase its support in the Senate, and ensure the victory of key allied political families in the local government units (provinces, cities, and towns). It is likely that the Duterte administration will continue to command the majority support of representatives in the lower house because congresspersons have more to gain by not antagonizing a sitting president. An administration ally has more chances of getting material resources particularly the precious budgetary insertions for one’s district which can be crucial during elections.

It is in the 2019 senatorial race where the Duterte administration’s political skills and resources will be tested. A strong opposition presence in the Senate could frustrate or delay the passage of contentious policies such as the proposed shift to Federalism and key legislation including new taxation laws such as TRAIN2 which seeks to

decrease corporate taxes and rationalize traditional fiscal incentives extended to investors. There also exist powerful Senate oversight committees which can be used to investigate all sorts of anomalies especially those committed by government officials. Moreover, the Senate has traditionally been an active institution in examining foreign policy measures especially the approval of treaties although by law and tradition it is the president who defines the direction of foreign relations. In the proposed shift to a federal system favored by the president, the Senate as a collective body has cautioned for a more reasoned and careful debate on the issue and insisted on separate voting for the lower and upper houses of Congress. Moreover, because the senators have renewable six-year terms of office and elected nationally, they are generally better insulated from pressures and blandishments from the presidency compared to their lower house colleagues.

In the 2019 senatorial race, the strongest candidates of the opposition are former senator Manuel “Mar” Roxas II and reelectionist senator Paolo Benigno “Bam” Aquino IV. It will be interesting to find out if the senatorial candidates most closely identified with Pres. Duterte and who are also endorsed by both PDP-Laban and Hugpong ng Pagbabago will make it to the winning circle of 12: these are Christopher “Bong” Go, former special assistant to the president; former General Ronald “Bato” de la Rosa, also former head of the Philippine National Police; Francis Tolentino, and Rep. Zajid Mangudadatu. Sen. Koko Pimentel, Jr. is in the winning circle of senatorial candidates but he has also shown flashes of independence from some of the more contentious policies of the administration.

The Legal Opposition Forces

The current opposition political forces are represented by the Liberal Party and its allies such as the *Magdalo* party list group represented by Senator Antonio Trillanes IV in the Senate and Rep. Gary Alejano in the House of Representatives and the *Akbayan* party list represented by Senator Risa Hontiveros in the Senate and Rep. Tomasito “Tom” Villarín in the lower house.

In the House of Representatives there is a bigger opposition left-wing coalition, the *Makabayan* bloc (Patriotic Coalition of the People) made up of 12 party list groups. For the current 17th Congress, the Makabayan bloc has succeeded in electing seven representatives from five of its party list members (Bayan Muna, Alliance of Concerned Teachers, Anakpawis, Gabriela, and Kabataan). While there are ideological and political differences between the Makabayan bloc and the other opposition parties in Congress, they have generally adopted similar positions on the following policy issues: 1) opposing Pres. Duterte’s bloody campaign against illegal drugs that has resulted in numerous cases of extra-judicial killings; 2) upholding respect for the rule of law and universal human rights; 3) support for progressive legislation in ensuring basic social services including universal health care, free tertiary public education, affordable public housing and comprehensive agrarian reform; 4) crafting an independent foreign policy not subservient to any foreign power; 5) opposing increasing militarization of the bureaucracy; 6) a generally critical stance against Federalism; 6) a program for

nationalist industrialization; and 7) support for a negotiated political solution to the armed conflict, especially vis-à-vis the NDF-CPP-NPA forces.

There are also smaller opposition parties with senatorial candidates notably the Labor Party Philippines/Partido ng Mangagawa at Magsasaka and the Partido Lakas ng Masa but these are severely handicapped by their lack of resources and low national political awareness. The party list organizations participating in the 2019 elections advocating progressive causes face the same difficult constraints, not to mention political harassment and the use of violence against the more militant ones. In a brazen reversal of the original intent of the Party List Law to restrict nominees to the “marginalized and underrepresented sectors” of society, the party list elections have also become dominated by powerful political families or groups linked with oligarchic interests. Unfortunately, the most recent jurisprudence by the Supreme Court on the Party List Law (*Atong Paglaum vs. Comelec*, 2 April 2013), the complicity of Comelec and the inaction of Congress in pursuing progressive amendments to the law have enabled the political families and major parties to expand their control over the Party List system.

Outside the halls of the legislature, the opposition voices are articulated by militant peoples’ organizations and civil societies, some mass media outlets particularly independent printed papers and journalists, progressive members of the clergy, and also social media although this arena is highly contested between the supporters and critics of the administration.

Conclusion

The last three years of any elected administration can be very contentious and trying times. The national leadership’s ability to effectively respond to political and related challenges will be significantly shaped by the outcome of the upcoming 2019 mid-term elections. Indeed, the 2019 election is Prologue to the 2022 elections in all its uncertainties and opportunities. While the 2019 election is only one arena of contestation it can set the line of march for more momentous events for the next few years.

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