

## The Philippines: predatory regime, growing authoritarian features

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# The Philippines: Predatory Regime, Growing Authoritarian Features

*By Nathan Gilbert Quimpo*

## *Abstract*

Over the past decade, and especially over the past few years, political corruption, fraud and violence in the Philippines have reached such alarming levels that many Filipinos have grown despondent, even cynical, about their country's political system. Exploring the applicability or suitability of the concepts of 'predatory state' and 'patrimonial oligarchic state' to the Philippines, I find that the *regime* rather than the *state* is the more appropriate unit of analysis. I argue that the predatory regime, controlled by a rapacious elite, that held sway during the years of the dictator Marcos, has made a comeback in the Philippines. Under the governments of President Joseph Estrada and Gloria Macapagal Arroyo, traditional clientelism has given way to pervasive corruption, a systematic plunder of government resources and the rapid corrosion of public institutions into tools for predation. Instead of just being a throwback to the 'old corruption' of the Marcos era, however, the current predatory regime represents a 'new corruption' adapted to the ways of economic and political liberalization. While not as authoritarian as Marcos' regime, it has growing authoritarian tendencies: centralization of power in the executive; heightened repression; rigged elections; a much weakened rule of law; numerous political appointees in the bureaucracy; and increased influence of the military. A shift to naked authoritarianism, however, cannot be ruled out. As forces for democratic reform are much too weak, the predatory regime may be around for some time or it could give way, at best, to a more traditional clientelist electoral regime. Prospects for democratic consolidation in the Philippines in the near future appear bleak.

**Key words:** authoritarianism, corruption, democracy, Gloria Macapagal Arroyo, Philippines, predatory regime

# **The Philippines: Predatory Regime, Growing Authoritarian Features**

*By Nathan Gilbert Quimpo*

Asserting that the world has fallen into a ‘democratic recession’, Larry Diamond (2008a: 36, 42) warns that ‘predatory states’ are on the rise and that they pose a threat to both new and established democracies. He describes predatory states as follows:

In [predatory] states, the behavior of elites is cynical and opportunistic. If there are competitive elections, they become a bloody zero-sum struggle in which everything is at stake and no one can afford to lose. Ordinary people are not truly citizens but clients of powerful local bosses, who are themselves the clients of still more powerful patrons. Stark inequalities in power and status create vertical chains of dependency, secured by patronage, coercion, and demagogic electoral appeals to ethnic pride and prejudice. Public policies and programs do not really matter, since rulers have few intentions of delivering on them anyway. Officials feed on the state, and the powerful prey on the weak. The purpose of government is not to generate public goods, such as roads, schools, clinics, and sewer systems. Instead, it is to produce private goods for officials, their families, and their cronies.

Most if not all of the features of predatory states that Diamond has described would seem to apply to the Philippines, a country characterized by grave social disparities and the increasingly opportunistic behavior of its political-economic elite. Millions of Filipinos wallow

in poverty even as the elite few control much of the country's wealth. Notwithstanding the country's relatively high GDP growth in recent years, those living in poverty increased from 30 per cent of the population in 2003 to 32.9 percent in 2006 (World Bank 2008). According to the National Statistics Office, the richest ten per cent of the population earned 36 per cent of the Philippines' total family income in 2006, nineteen times the family income of the poorest ten per cent. To maintain their hold on wealth and power, members of the elite have long resorted to patronage and various other means, including the proverbial 'guns, goons and gold'. No less than Supreme Court Chief Justice Reynato Puno (*Philippine Daily Inquirer* 2008a) himself declares that the greed of a few families has made it difficult for most Filipinos to enjoy the good life. 'These families,' he says, 'have perpetuated their stranglehold on our country's wealth, dynasty after dynasty. There is no end to their greed, no border to their covetousness.' Over the past decade, and especially over the past few years, political corruption, fraud and violence have reached such alarming levels that many Filipinos have grown despondent, even cynical, about their country's political system. Surveys conducted by the Asian Barometer (Diamond 2008: 40) and by TNS/Gallup International (2007) show low and/or declining numbers of Filipinos expressing satisfaction with democracy and viewing democracy as the best form of government. In the latter study, the Philippines scored the lowest among ten countries surveyed in Asia.

Grappling with Diamond's concept of a predatory state, I make a bit of an adjustment in applying it to the Philippines: *predatory regime*, not predatory state. The Philippines is now back to having a predatory regime controlled by a rapacious elite, as it had during the Marcos dictatorship. This regime, although not an authoritarian one as in Marcos' time, has growing authoritarian tendencies. As forces for democratic reform are much too weak, the predatory regime may be around for some time or it could give way, at best, to a more traditional clientelist electoral regime. A turn towards out-and-out authoritarianism<sup>1</sup>, however, cannot be ruled out. Whichever way, the Philippines seems bound to keep lurching from crisis to crisis in the coming years.

### *Predatory and Patrimonial States, Clientelist and Predatory Regimes*

Before I proceed to discuss the notion of predatory regime, let me review briefly the literature on predatory state and the related concept of patrimonial state. Conceptualizing the predatory state well ahead of Diamond, Peter Evans (1995: 45) defines it as one that ‘preys on its citizenry, terrorizing them, despoiling their common patrimony, and providing little in the way of services in return’. Evans contrasts the predatory state with the *developmental state* and puts the overwhelming majority of developing countries in the middle as *intermediate states*. In a study of the rapacious behavior of the oligarchic elite in the Philippines, Paul Hutchcroft refrains from applying Evans’ *predatory state*, clarifying that the country suffers from the overwhelming strength of a predatory oligarchy, and not that of a predatory state. He describes postcolonial Philippines as having a *patrimonial oligarchic state*, a weak state preyed upon by a powerful oligarchic class that has an economic base outside the state, but relies on particularistic access to the state apparatus as the principal means for private accumulation. Diamond’s notion of predatory state is much broader than that of Evans, whose predatory state is more of an ideal-type rather than an actual state. Unlike Hutchcroft, who distinguishes between a predatory state and a weak state controlled by a predatory oligarchy, Diamond sees no contradiction in a predatory state being manipulated by a rapacious elite. For him, the predatory state is both prey and predator. I lean towards Diamond’s concept both vis-à-vis Evans’ predatory state and Hutchcroft’s patrimonial oligarchic state.

There is a bit of a problem, however, in Diamond’s – and for that matter, Hutchcroft’s – choice of unit or level of analysis: the state. It would be much too facile to label a certain state as predatory simply on the basis that for a certain period (say a few years), the behavior of elites has turned cynical and opportunistic. Since the state<sup>2</sup> is an entity that is somewhat enduring and resistant to change, the appellation predatory or patrimonial should not be loosely applied to states that have only begun to experience the politics of predation. The difficulty with using the

state as the unit of analysis is illustrated in Diamond's flip-flopping characterization of Indonesia. In 2001, he dismissed Indonesia as having 'sunk deeply into a predatory state' (Diamond 2001: 6); now he says "democracy is finally gaining ground" there (Diamond 2008b: 213).

In analyzing shifts to or away from predatory politics, the regime<sup>3</sup> provides the better and more useful unit of analysis. As I will show through the Philippine case, a typical process of political decay involves the replacement of a traditional clientelist regime by a predatory regime. A clientelist regime is one based on networks of dyadic alliances involving the exchange of favors between politicians and their supporters – material benefits for political support. Such exchange tends to lead to a certain amount of corruption, but government rules and regulations usually manage to keep the corruption in check. Under a predatory regime, the checks are breached and overwhelmed. Clientelism and patronage give way to pervasive corruption, a systematic plunder of government resources and the rapid corrosion of public institutions into tools for predation. A predatory regime may be ousted through elections, popular uprising, military coup or a combination of these, and replaced by a traditional clientelist regime. On the other hand, however, a predatory regime could survive through several administrations and could even grow worse. It is only after a long period of predatory politics, after public institutions have been thoroughly corrupted or perverted, that a predatory state, not just a predatory regime, can be said to be in place.

What Diamond writes about the place of corruption in a predatory state can likewise be said of a predatory regime:

Corruption is the core phenomenon of the predatory state. It is the principal means by which state officials extract wealth from the society, deter productive activity, and thereby reproduce poverty and dependency. Outside of the central state, landed elites, corporate oligarchs, political barons, and organized crime bosses use corruption to purchase access to resources and immunity from taxes and the law. Politicians use

corruption to barricade themselves in power. Patrons distribute the crumbs of corruption to maintain their clientelist support groups. Corruption is to the predatory state what the blood supply is to a malignant tumor.

In the era of globalization and the ‘third wave of democratization’, corruption in today’s predatory regimes could take on the nature of what Barbara Harriss-White and Gordon White (1996:4) term the ‘new corruption’:

Rather than witnessing a trend from the bad days of the ‘old corruption’ of economic *dirigisme* and political authoritarianism to a new dawn of economic competition and political accountability, we discovered the rise of a ‘new corruption’, rooted in the logic of economic and political liberalization, reflecting the activity of rapacious local elites no longer subject to the domestic and international constraints of the Cold War era and increasingly pervaded by criminal or ‘mafioso’ forces.

### ***Historical Roots***

For a deeper understanding of the Philippines’ politics of clientelism and predation, one needs to trace the historical development of Filipino ruling elite all the way back to the colonial era. The Spanish colonizers turned the precolonial *datus* (chiefs) and *maharlikas* (nobles), together with Spanish and Chinese mestizos, into the privileged local class, the *principalía*, who were allowed to accumulate land and wealth (Simbulan 2005: chap. 2). The Spaniards later introduced municipal elections, in which only the members of the elite could vote and run for office. Although the municipal posts had limited powers, factions of the *principalia* competed for them intensely, even resorting to such means as bribery, intimidation and corporal punishment (May 1989).

According to Paul Hutchcroft and Joel Rocamora (2003), the shorter American colonial period had a much more profound and enduring influence on the modern Philippine polity. Early on, the American colonial authorities embarked on a project of political tutelage, professedly to teach Filipinos the virtues of democracy and prepare them for self-rule. The American colonials quickly moved up elections from the municipal to the provincial and national levels, providing more and more opportunities to Filipinos to enjoy political power. The expanding opportunities, however, were limited to members of the elite. Because of requirements on property (dropped only in 1935) and literacy for voting, the vast majority of the Filipino masses were effectively excluded from the political process. Landlord oppression, together with the peasants' political exclusion, led to much agrarian unrest in the 1930s. Elections during the American period came to be dominated by the Nacionalista Party, a patronage-oriented, non-ideological party of the elite that successfully combined access to national power and resources with a provincial clientele. Unlike other colonial powers, the US did not put much attention to building a modern bureaucratic apparatus. Hence, patronage-seeking politicians easily exploited the weak bureaucracy. The 1935 Constitutional Convention, dominated by Nacionalista Party delegates, accorded the Philippine presidency with broad executive as well as legislative powers. Through the skillful use of patronage, President Manuel L. Quezon, a Nacionalista, managed to control the legislature.<sup>4</sup> In summary, the institutional innovations during the American period brought about the transformation of the Filipino elite into a powerful *political-economic* elite. 'By the time the electorate had been expanded to include nonelites,' write Hutchcroft and Rocamora (p. 268), 'the dominance of the newly created national oligarchy was so well entrenched that challenges from below – motivated by deep social injustices – faced monumental odds.' The Nacionalista Party became the prototype for the main political parties of the Philippine Republic. The Quezon era gave a legacy of its own: 'the potential for authoritarian centralization of political patronage in the hands of a strong executive' (p. 269).

Patronage politics flourished after the Philippines gained independence in 1946, with the Filipino elite, and no longer the American officials, serving as the chief patrons. The two main parties that emerged, the Nacionalista and Liberal parties, were clientelistic parties<sup>5</sup> that used traditional patron-client and other personalistic relations as well as the offering of jobs and other favors to secure mass support. Consisting of vertical chains of patron-client ties that extended from the national level down to the village level, the two parties were very similar in their ideological positions and programs. Party switching was common. The two parties catered to the needs of all social classes, ethnolinguistic groups and geographical divisions (Landé 1965). Although greater numbers of Filipinos were enfranchised to vote, the elite continued to control the country's politics. Agrarian and labor unrest quickly built up. This culminated in the communist-influenced Huk rebellion of the late 1940s and early 1950s, which the government eventually crushed. In the 1960s and early 1970s, intra-elite competition for power – and access to patronage resources – grew very intense. Candidates resorted to such unprecedented levels of campaign overspending, corruption, fraud and political violence that elections were said to have become the rule of 'guns, goons and gold'. Such foul practices no longer conformed to the old ways of clientelistic politics consisting of relatively placid interpersonal relationships of a quasi-feudal variety. Towards the end of the 1960s, a new communist insurgency, Maoist in orientation, emerged. Muslims in the southern Philippines, long suffering from land-grabbing, discrimination and government neglect, became restive. As the political turmoil worsened, President Marcos declared martial law in September 1972.

Marcos' martial law regime has been characterized as 'patrimonial' or 'neopatrimonial authoritarianism' (Wurfel 1988: 153). Centralizing power, Marcos ruthlessly quashed all opposition and controlled political patronage from top to bottom. Together with his wife Imelda and his cronies, the dictator plundered the resources of the state, personally amassing US\$5-10 billion in ill-gotten wealth. Transparency International has ranked him No. 2 among the world's most corrupt leaders in contemporary times. Marcos' authoritarian rule of more than thirteen

years was a predatory regime, markedly different from the clientelist regimes since Quezon's time. Marcos' 'politics of plunder' (Aquino 1987) completely overwhelmed the old-style patronage politics of previous regimes. When the dictator undertook 'political normalization' in the late 1970s, he set up a rubber-stamp legislature and called for elections. He established his own political party, *Kilusan ng Bagong Lipunan* (KBL) or New Society Movement, to take part in the pseudo-democratic processes. The clientelistic party of the pre-martial law years morphed into the patrimonialistic or predatory party. The KBL attracted many ambitious, self-serving politicians, helped get them into power, and provided the network and connections for the systematic exploitation of state resources (Quimpo 2007: 281). Marcos brought into fruition the potential of the strong presidency dating back to the Quezon era – authoritarian centralization of political patronage – and gave it a predatory twist.

### ***Rapid Democratic Regression in the Post-Marcos Period***

With the toppling of the Marcos dictatorship through a peaceful popular uprising in February 1986, democracy was restored in the Philippines. There were, however, tremendous obstacles to the consolidation of the country's democracy. In a list drawn up by Samuel Huntington (1991: 253-4) of 'third-wave democracies' with 'severe contextual problems', the Philippines, along with Peru, came out on top, with five such problems. The Philippines was saddled with: major insurgency, extreme poverty, severe socioeconomic inequality, substantial external debt, and extensive state involvement in the economy. (If the list were to be updated now, ethnic conflict and terrorism would raise the country's major ills to seven.) As can be gleaned from the studies made by various scholars (elaborated in the next few paragraphs), grave inequalities in wealth and power constitute the country's most serious problem.

Despite all the hype about 'people power', the 1986 uprising did not make much of a dent on elite hegemony over Philippine politics. The congressional and local elections of 1987-8 saw

the comeback of many politicians and political clans of the pre-authoritarian era – ‘the return of the oligarchs’ (Gutierrez et al. 1992: 160). And it seemed that nothing much in their behavior had changed since the clientelist politics of the 1960s. Some scholars writing about the initial post-authoritarian years, in fact, characterized the Philippines’ newly restored democracy as merely being a return to ‘cacique democracy’ (Anderson 1988), ‘elite democracy’ (Bello and Gershman 1990) or ‘clientelist electoral regime’ (Franco 2001) of the pre-martial law period.

Since then, however, a good number of political scientists have described Philippine politics in even more uncomplimentary terms, showing not just how members of the political-economic elite have entrenched themselves but also how corruption and violence have become virtually institutionalized in the country’s political system. Felipe Miranda (1992) and Alfred McCoy (1993), among others, depict the Philippines since independence as a weak state manipulated by powerful political-economic families or clans. To maintain themselves in power, writes McCoy, the members of the oligarchic elite avail of various means, but most especially rent-seeking and political violence, with the former being centered in the capital and the latter prevalent in the provinces. In the ‘synergistic’ interaction between the state and the rent-seeking political families, ‘the privatization of public resources strengthens a few fortunate families while weakening the state’s resources and its bureaucratic apparatus’ (p. 10). To show the significance of provincial violence, he cites several cases of ‘warlords’ – powerful, semi-autonomous politicians who have reinforced their positions with ‘private armies’ – in areas where the central government’s control was weak (p. 21). In portraying the Philippines as a patrimonial oligarchic state, Paul Hutchcroft (1998: 55) attributes the country’s laggard economic growth to its weak state and its rapacious elite and he asserts that for as long as the state remains weak, the Philippines will be unable to get out of its ‘developmental bog’. Drawing attention to the phenomenon of bossism in the Philippines, John Sidel (1999: 19) portrays bosses as ‘predatory power brokers who achieve monopolistic control over both coercive and economic resources within given territorial jurisdictions or bailiwicks’. Examining patterns of bossism at the

municipal, district, provincial and national levels, he shows how bosses often resort to mafia-style methods in their operations. Sidel disputes the 'weak state' thesis and presents the Philippine state as in fact being an instrument and not merely an object of patrimonial plunder. Writing on 'crony capitalism' in the Philippines, David Kang (2002) observes that corruption in the Philippines swings like a pendulum. Once a faction of the elite gains power, it busily goes about 'lining its own pockets, aware that in the next round its fortunes might well be reversed' (p. 150).

In 1997, the Ombudsman's Office estimated that the government lost \$48 billion to corruption over the previous twenty years, a figure that outstripped the country's \$40.6 billion foreign debt. That Filipinos were quite aware of rampant corruption is reflected in the Philippines' low scores in the Corruption Perceptions Index (CPI) survey of Transparency International – 2.77 in 1995 and 2.69 in 1996.<sup>6</sup> The country's scores improved (3.05, 3.3 and 3.6) in 1997-9, the last two years of President Fidel Ramos in office and the first year of President Joseph Estrada, but dropped to 2.8 in 2000, the year when stories about the unexplained wealth of Estrada and his mistresses and about his long drinking sessions with cronies in the so-called 'midnight Cabinet' first appeared in the media.

Implicated in a multi-million-peso *jueteng* (illegal gambling) racket, Estrada was forced to resign by 'people power' in January 2001 – the second time in just fifteen years that a popular uprising toppled a corrupt president in the Philippines. Transparency International, which has included Estrada, along with Marcos, in its list of the world's top ten corrupt leaders in the contemporary era, estimates that he amassed US\$78-80 million in less than three years of being in power. At the very least, Estrada's brief stint in power constituted a transition from clientelist or patronage politics to an outright predatory one.

Confronted with threats from communist insurgents, armed Moro secessionists (including the Abu Sayyaf extremists) and military rebels, the post-Marcos state has sometimes undertaken heavy-handed actions. In 1987, shortly after the collapse of peace talks with communist rebels, President Corazon Aquino embarked on a 'total war' against them, which resulted in many

killings and other serious violations of human rights. In 1999-2000, Estrada conducted an 'all-out war' against the Moro Islamic Liberation Front (MILF), which claimed scores of lives and displaced hundreds of thousands of people. He also adopted a hard-line stance towards communist rebels. The governments of Aquino, Ramos and Estrada, however, never went to the extent of reverting to authoritarian rule, not even for a brief period.

### ***'The Most Corrupt President'***

When Gloria Macapagal Arroyo assumed the presidency after Estrada's fall, there was much optimism that things would change. At her inauguration, fresh after 'People Power II', Arroyo promised to transform 'our politics of personality and patronage' to 'a new politics of party programs and process of dialogue with the people'. She also vowed to 'improve moral standards in government and society' and provide 'leadership by example'.

Quickly, however, it was back to traditional politics. Arroyo, the daughter of a former president, packed her Cabinet with familiar faces from previous administrations and representatives of powerful political families. The usual patronage, and perhaps a bit more vote-buying, fraud and violence attended the 2001 mid-term elections. As before, droves of opposition politicians moved over to the administration coalition before or just after the elections. Within Arroyo's first year in office, several big scandals hit the headlines, including a payola case and a diversion of sweepstakes funds in which Arroyo's husband, Jose Miguel ('Mike'), was alleged to have been involved. The perception grew that not much had really changed since 'People Power II'. In July 2003, some units of the Philippine military staged a mutiny, decrying massive corruption within the armed forces and the government as a whole. The mutiny, which quickly collapsed, did not serve as admonition. In the next few years, the Philippines was rocked by a series of mind-boggling corruption and fraud scandals, with close relatives and friends of the president and then Arroyo herself being implicated in a good number of them. *The Philippine*

*Daily Inquirer* (2008b) gives a sampling from ‘the litany of corruption charges hurled against the Arroyo administration’:

From the start of Ms. Arroyo’s presidency in 2001, the parade of charges has been endless: The Impsa deal where high-ranking officials, including then Justice Secretary Hernando Perez, allegedly got \$14 million in kickbacks; the P260-million Jose Pidal bank accounts; the P728-million fertilizer scam; the P2.5-billion poll computerization contract which was voided by the Supreme Court but for which no Comelec official has been prosecuted or penalized; the NorthRail and SouthRail projects entailing millions of dollars in kickbacks; and now, the \$329-million NBN-ZTE deal where \$130 million was reportedly earmarked in kickbacks for a group of officials and private persons.

Arroyo herself and members of her family have reportedly been involved in some of the most brazen and outrageous scams. In 2005, the president’s husband, son and brother-in-law were accused of being involved in racketeering for *jueteng* – the same multi-million-peso illegal numbers game that had caused Estrada’s fall. The President herself, together with her husband and the election commission chief, was implicated in the NBN-ZTE bribery scandal.

Some of the scandals involved machinations – such as money laundering and diversion of government funds – apparently in connection with the 2004 general elections, in which Arroyo was pitted against the popular action movie star Fernando Poe, Jr. Arroyo was proclaimed the winner of the presidential election. In June 2005, however, she was implicated in the infamous ‘Hello Garci’ scandal, sparked off by the release to the public of the recording of a telephone conversation between her and an election commissioner on the rigging of the 2004 presidential elections.

Through the wily use of patronage, Arroyo has managed to maintain a huge pro-administration majority in the lower house of Congress and fend off several attempts at

impeachment. According to Budget Secretary Rolando Andaya, Jr., the President has the sole discretion to pick the senators and congresspersons to be given entitlements to the Priority Development Assistance Fund – the pork barrel. A pro-administration senator advised opposition legislators complaining about the non-release of their pork barrel to stop attacking President Arroyo and instead be nice to her. A newspaper item heading put it bluntly: ‘To get pork, butter up the boss, senators told’ (Cariño and Labog-Javellana 2006). Yet another scandal has revealed that patronage may not have been the only means. In October 2007, a priest-governor exposed a case of bribery in which administration officials distributed bags with cash to congresspersons and provincial governors right inside the presidential palace to help block her impeachment.

Arroyo has also survived several attempts to oust her through people power-type mobilization or a military coup. A factor for ‘people power fatigue’ has been the widespread belief that replacing Arroyo with her 2004 running mate, Vice President Noli de Castro, would not really bring about much change. De Castro, a former radio-TV broadcaster, has been hounded by allegations of having engaged before in ‘envelopmental journalism’ (Rimban 2005). As in 2003, the military rebels failed to draw popular support in their February 2006 and November 2007 mutinies.

Unlike in 1986 and 2001, the Catholic Church hierarchy has not called for the resignation of a president deemed to be corrupt. Arroyo has tried to cultivate good ties with Catholic bishops by providing government assistance to pro-poor projects in parishes and basic ecclesial communities. In a dinner organized by the president’s office to discuss such government aid in July 2006, a messenger handed out envelopes with cash purportedly for the poor to the bishops.

Reacting to all the ‘gift-giving’ under Arroyo, sociologist Randy David (2007) writes: ‘It may well be that the only thing that distinguishes the Arroyo presidency from any other is the manner in which cash-giving has become so much a part of the standard operating procedure of her office. No other administration has been known to resort to buying political favors so literally, as brazenly, and as routinely as Ms. Arroyo’s.’

One reason why investigations into the anomalous transactions of high public officials have not prospered is that the government bureaucracy is now stacked with political appointees, many of them ineligible and some accused of being mere lackeys of Arroyo. Former Civil Service Commission chairperson Karina Constantino-David, has bewailed the large number of ineligible political appointees under Arroyo. According to CSC records, over half or 56 percent of government managers, including Constantino-David's successor, failed to pass the required four levels of eligibility. Among the government agencies, the Office of the President had the biggest number of ineligible – 33 out of 37 undersecretaries and assistant secretaries.

Possibly the most crucial factor for Arroyo's political survival, however, has been the state of the economy. The country has had four successive years (2004-2007) of GDP growth higher than 5 per cent. In 2007, the Philippine economy grew 7.3 per cent, its best performance in more than three decades, making it Southeast Asia's fastest growing in that year. The World Bank (2008) assesses how this was achieved: 'As in recent years, more than 60 percent of growth was from private consumption, supported by migrant workers' remittances. Fiscal reforms and significant receipts from privatization helped government increase spending, with the public sector contributing one fifth to real GDP growth.'

Although Arroyo has staved off impeachment or ouster, she has not been able to convince people of her probity nor that of her administration. According to a Pulse Asia survey conducted in late 2007, Filipinos believe that Arroyo has been 'the most corrupt' among five Filipino presidents in the past 21 years, surpassing even Marcos and Estrada. In 2006, the Philippines registered the worst rating among thirteen Asian countries in a corruption survey conducted among expatriate businessmen by the Hong Kong-based Political and Economic Risk Consultancy (PERC). It displaced the previous years' worst performer, Indonesia. The Philippines again had the worst score in 2007 (*Philippine Daily Inquirer* 2008c).

Under Arroyo, political violence, coercion and repression have reached the highest levels since the Marcos era. After declining in the 1990s, the numbers of election-related violent

incidents and killings have risen sharply in the 2000s. In the 2004 presidential elections, which Arroyo allegedly rigged, a total of 189 persons were killed and 279 wounded in 249 election-related violent incidents (Africa et al. 2007), making the 2004 polls the deadliest since 1971.<sup>7</sup>

Filipino journalists have had to contend with serious obstacles to reporting, such as killings and libel suits. According to the National Union of Journalists of the Philippines, a total of 56 journalists have been killed under the Arroyo administration, surpassing the toll under over thirteen years of the Marcos dictatorship (*GMA News* 2008). Most of those killed had been writing about corruption, gambling, drug trafficking and other illegal activities. Among those killed was a reporter who had helped expose the fertilizer scam that has been linked to the president's husband. Reacting to media reports on scandals, Mike Arroyo filed libel cases against 46 journalists, seeking P10 million in damages and P1 million in legal expenses in each of the cases. Although he dropped the charges in May 2007, the journalists concerned declared that the libel suits had had a 'chilling effect on press freedom' (Green 2007; Lorenzo 2007).

In recent years, leftist activists have become particular targets of 'Manila's dirty war' – 'a widespread campaign of repression, intimidation, arbitrary detention, disappearances and extra-judicial killings' (Hall 2007). Communist rebels are nowhere near seizing power, but the Arroyo government fears that an alliance between traditional opposition forces and leftists could muster enough of a critical mass for a 'people power' uprising, as in 2001. In June 2006, Arroyo declared an 'all-out war' against the communists. Documenting 900 cases of extra-judicial killings and 180 disappearances of leftist activists, United Nations special rapporteur Philip Alston has asserted that many of these were 'the result of deliberate targeting by the military as part of counter-insurgency operations against the communist rebels' (Landingin 2007).

Following the failed February 2006 mutiny, Arroyo proclaimed a state of emergency, claiming that elements in the political opposition, the communists and the 'military adventurists' were 'engaged in a concerted and systematic conspiracy' to topple the government. Widely criticized both in the Philippines and abroad, Arroyo lifted the state of emergency after a week.

The Supreme Court later upheld the constitutionality of Arroyo's proclamation, but ruled that raids and arrests made during the emergency were illegal. In March 2007, Arroyo signed an anti-terrorism bill, the 'Human Security Act', into law, purportedly designed to bolster the government's efforts against the Abu Sayyaf. Human rights groups have charged, however, that the law poses a grave threat to civil liberties and human rights.

### ***The Return of the Predatory Regime***

For those who examine predatory politics only through the prism of the state as the unit of analysis, it would seem that the governments or regimes of a predatory or patrimonial state just come and go, differing in style but not content, while the predatory or patrimonial state remains basically unchanged. Hutchcroft (2008: 144) notes, for instance, the differences in 'leadership styles' of the Philippines' post-authoritarian presidents:

The four post-Marcos presidents vary enormously in the quality and goals of their leadership. Corazon Aquino (r. 1986–92), widow of a martyred politician, might be characterized as an *elite restorationist*, since her major achievement was to rebuild the elite-dominated democratic structures undermined by her authoritarian predecessor. Former general Fidel Ramos (r. 1992–98) was the *military reformer* who achieved considerable success in bringing about economic reform through deft manipulation of old-style patronage politics. Joseph Estrada (r. 1998–2001), a former movie star, was the *populist self-aggrandizer* who built a strong following among the masses and then redistributed wealth in favor of his family and friends; anger over his corruption led to his downfall via 'People Power II' in January 2001. Finally, President Gloria Macapagal-Arroyo (r. 2001–present), a former president's daughter and the holder of a

doctorate in economics, might be called the *great compromiser*, given her willingness to accommodate anyone able to help her retain the presidency.

Philippine politics cannot be explained away simply in terms of an enduring patrimonial or predatory state and mere differing styles of its rulers. A crucial distinction has to be made between the 'old-style patronage politics' of the Aquino-Ramos era and the descent into the brazen predatory politics of the Estrada-Arroyo period.

The predatory regime has made a comeback in present-day Philippines. The current predatory regime, covering both the Estrada and Arroyo governments, retains many of the characteristics of the pre-authoritarian era and of the Aquino-Ramos period. As before, rich and powerful families maintain vast networks of dependency by means of traditional patron-client ties, less personalistic forms of patronage and other means including violence. Under the present dispensation, however, the oligarchic elite has become much more cynical and opportunistic, preying on state resources with impunity. There is much greater resort to fraud, coercion and violence. The current regime is itself much more caught up in, and consumed by, the predatory dynamics that Diamond has described. Corruption has become the regime's core phenomenon, reaching a level rivaling that of the Marcos era.

The re-emergence of the predatory regime in the Philippines, however, should not be viewed simply as a throwback to the plundering years of the Marcos era. The current predation falls under the rubric of the 'new corruption' marked by the adjustment of predatory forces to global economic and political liberalization. All the corrupt or shady transactions were made within the context of an emerging market economy registering high levels of growth. The Philippines, moreover, has long been reputed to be among the most pliant in Asia to the neoliberal prescriptions of the Washington Consensus. The current regime is not authoritarian as the Marcos regime was, although it clearly has growing authoritarian features: centralization of power in the executive; heightened repression; rigged elections; a much weakened rule of law;

numerous political appointees in the bureaucracy; and increased influence of the military. Like Quezon over seventy years ago, Arroyo has succeeded in centralizing political patronage in the hands of a strong executive without having to resort to out-and-out authoritarianism (except for a week).

The current predatory regime has subverted many of the country's democratic institutions. David (2008) describes the 'bonfire of institutions' under Arroyo:

The damage to government institutions has been the most extensive. Far from being a neutral arbiter of disputes and a source of normative stability, the justice system has become a weapon to intimidate those who stand up to power. Far from being a pillar of public security, the military and the police have become the private army of a gangster regime. Instead of serving as an objective referee in electoral contests, the Commission on Elections has become a haven for fixers who deliver fictitious votes to the moneyed and the powerful. Instead of serving as the steady backbone of public service through successive changes in administration, the government bureaucracy has been turned into a halfway house [stopgap employment] for political lackeys, misfits and the corrupt. Instead of serving as a check on presidential power, the House of Representatives has become its hired cheering squad.

The erosion of these institutions, no doubt, has been going on for a long time. But their destruction in the last seven years under Gloria Macapagal-Arroyo's presidency has been the most comprehensive since 1986.

Manipulated by the rapacious elite, the predatory regime has, in fact, warped democratic institutions or turned clientelistic institutions into outrightly predatory ones. The patrimonialistic or predatory political parties of the elite, essentially no different from Marcos' KBL, are a key institution of the current predatory regime. Ideologically indistinguishable from one another, they

are nebulous entities that can be established, merged, split, renamed, or dissolved any time. Politicians change parties at the drop of a hat.<sup>8</sup> The fluidity of the parties may seem to be a sign of weakness, but this actually suits their predatory purpose to a T. It allows them to escape scrutiny and accountability and allows the predatory types of politicians to get away with almost anything (Quimpo 2007). The clientelist institutions of *padrino* and *compadrazgo* have been transformed into the predatory institutions of the godfather-boss and crony networks. Other predatory institutions include the pork barrel, a notorious source of kickbacks for senators and congresspersons; the 20 per cent ‘commission’ on government deals, now regarded as ‘normal’; vote-buying, which has become much more blatant in recent elections; and, in certain areas of Muslim Mindanao, the falsification of election returns, a practice revived from the Marcos era that has been recently accentuated by the ‘Hello Garci’ scandal.

### *Prospects*

Given the seemingly unceasing scams and cover-ups under the current predatory dispensation, the Philippines is assured of continuing political instability in the coming years. It is impossible to predict what exactly is going to happen. Another ‘people power’ uprising, a military mutiny (or coup) or a combination of the two could still topple Arroyo. In another crisis, she could resort to another state of emergency, possibly a much longer one, to martial law or even to a Fujimori-style *autogolpe* (self-coup). And she could then attempt to extend her stay in power. With the 2010 presidential elections fast approaching, however, it is becoming more likely that Arroyo will finish out her term as the country’s ‘constitutionally elected’ (sic) president. At this late stage, it does not look as if Arroyo will still be able – or care – to engineer a constitutional change that would allow her to hold on to power beyond 2010. If Arroyo does go in 2010, she will not do so quietly. She would have to marshal all possible resources and means to insure that her successor is a close ally, and not one who could put her behind bars, as she did to her

predecessor at least for a couple of years. Even with a friendly successor, however, Arroyo can never really be sure that she can escape prosecution or even conviction. Two anti-graft organizations headed by former senator Jovito Salonga have already filed plunder, graft and misconduct charges against Arroyo in connection with the ZTE-NBN deal, convinced that the investigation of the case will stretch beyond the end of her term in 2010, when she no longer has immunity from court suits.

‘Predatory states,’ writes Diamond (2008a: 42), ‘cannot sustain democracy, for sustainable democracy requires constitutionalism, compromise, and a respect for law.’ It would seem from Diamond’s prognosis that predatory states or regimes have nowhere else to go but to descend to authoritarianism. This is not always and perhaps not often the case. A non-authoritarian predatory regime has a safety valve to prevent its being toppled (by coup or ‘people power’) as well as to render a turn to authoritarianism unnecessary: elections. Citing statistical evidence from 14 countries, Manzetti and Wilson (2007: 963) show that ‘corrupt governments can retain voters’ support by manipulating government institutions to benefit their clientelistic networks’.

The growing authoritarian features of the Arroyo administration will not necessarily culminate in an authoritarian predatory regime. In the coming years, it is likely that one of two possibilities will take place: 1) that the current predatory regime continues even beyond Arroyo’s term; or 2) that the country reverts to a clientelist regime that is less corrupt and with less authoritarian features. The 2010 elections could very well produce another Arroyo-type president or another Ramos-type. It is unlikely that the Philippines in the near future will significantly move away from predatory or clientelist politics and take a more democratic turn. Predatory and clientelist elements are much too strong and the forces for democratic reform are much too weak. The patrimonialistic parties of the elite control the upper house of Congress fully and hold an overwhelming majority in the lower house. Perhaps more importantly, they control 99 per cent of the country’s local government units at the municipal, city and provincial levels. Cutting off the

head of the monster amounts to nothing much as it merely regenerates another head. Reform-oriented forces have expended so much of their energies and resources on campaigns to oust Arroyo or on winning a few seats in Congress through the party-list or senatorial vote that they have been unable to build a strong political-electoral base from below. The revolutionary left, headed by the Maoist Communist Party of the Philippines (CPP), remains the most organized political opposition in the country. Rather than work for democratic reform, however, it still aims to overthrow the government through 'people's war'.

'Nor can they [predatory states],' Diamond continues, 'generate sustainable economic growth, for that requires actors with financial capital to invest in productive activity.' It would seem from Diamond's prognosis that predation and economic growth cannot go together. Again, this is not always the case. Under the dictator Suharto, rated by Transparency International as the world's most corrupt ruler, Indonesia experienced an annual economic growth averaging 7 per cent for 25 years. (To what extent the Indonesian masses truly benefited from this is a different matter.) Within the genre of the 'new corruption', the Arroyo administration could very well sustain relatively high growth rates until the end of her term. Economist Cielito Habito (2008) predicts that the Philippines will again have a 6-7 per cent GDP growth in 2008. He warns, however, that the economy could be challenged by 'strong headwinds' – the US recession and the impending global economic slowdown; the government's poor record in tax collection; and 'the persistent excess baggage of graft and corruption, bad governance, and the consequent social and political unrest that this has been fueling'.

In a country very much dominated by a rapacious elite such as the Philippines, it will be difficult for the scourge of political corruption to be expunged quickly. Harriss-White and White (1996: 4) examine the prospects for the 'new corruption' in the developing world: 'In the long run, since competitive markets will destroy the basis of rent-seeking and democratic institutions will create the political constraints necessary to enforce accountability, corruption will wither away.'

Historically speaking, however, this took a very long time in the currently industrialized countries ...’

The prospects for democratic consolidation in the Philippines in the coming years appear gloomy. It may take at least half a decade for forces of change to turn the tide in democracy’s favor. The challenge ahead of them is not only to strengthen ‘weak’ democratic institutions. Since many of the country’s democratic institutions have already been warped or subverted, the challenge is perhaps much more to dismantle predatory and clientelist institutions and build democratic ones, or to transform the former into the latter.

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<sup>1</sup> Defined as a form of rule in which authority is imposed ‘from above’.

<sup>2</sup> Defined as a political association that exercises sovereign power in a certain territory and maintains social order through a set of public institutions.

<sup>3</sup> Michael Mann (1993: 18–19) defines *regime* as ‘an alliance of dominant ideological, economic, and military power actors, coordinated by the rulers of the state’.

<sup>4</sup> Quezon served as president during the first seven years of the Commonwealth period (1935-46), a transition to independence that was interrupted by the Japanese occupation in 1942-45. He died in exile in 1944.

<sup>5</sup> For a more elaborate discussion of clientelistic parties, see Gunther and Diamond (2001: chapter 1).

<sup>6</sup> In the CPI ratings, scores range from 0 (highly corrupt) to 10 (highly clean).

<sup>7</sup> For a tabulation of election-related violence in the Philippines from 1965 to 1998, see Linantud 1998: 301.

<sup>8</sup> Estrada ran for various public posts under at least five different political parties. Arroyo, who became a senator in 1992 under the party Fight of Democratic Filipinos (LDP), established Partner of the Free Filipino (KAMPI) in 1997, ran for vice-president mainly under Lakas in 1998, and has been with Lakas and KAMPI simultaneously since then.

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