



The Centre for Democratic Institutions

‘PHILIPPINE POLITICS POST-ESTRADA’ Seminar delivered by Senator Francis Pangilinan

On 16 July 2003, CDI hosted Senator Francis ‘Kiko’ Pangilinan who made a presentation at the Research School of Social Sciences of the Australian National University entitled ‘Philippine Politics Post-Estrada’. Senator Francis Pangilinan is regarded as one of the leaders of the new generation of Philippine politicians.

In his introduction, the Director of CDI noted that while Senator Pangilinan had obtained his Bachelor of Laws and Bachelor of Arts in English at the University of the Philippines, for seven years he was a teacher at his *alma mater*’s major rival, Ateneo De Manila. His law career included contributions as a collaborating lawyer of the admirable Free Legal Assistance Group (FLAG) as well as partner of Franco Pangilinan Tolentino Ringler & Santos Law Offices. Senator Pangilinan is also a public intellectual and has used the power of the mass media to raise issues and deal with cases of hardship.

Senator Pangilinan’s political career began as the youngest elected city councillor of the Quezon City Council in 1991 and 1992. He founded and established the National Movement of Young Legislators. He is one of the 13 new senators of the 12th Congress and was elected with a mandate of 11 million votes. He is currently the Chairman of the Justice and Human Rights Committee, the Urban Planning, Housing and Resettlements Committee and the Ethics and Privileges Committee. He is also serving as the Assistant Majority Floor leader and ex-officio member of the Judicial and Bar Council.

In his seminar, Senator Pangilinan drew attention to the tense dynamics that have emerged in the Filipino Senate following former President Joseph E. Estrada resignation in January 2001. Vice-President Gloria Macapagal-Arroyo took over the office as his successor to complete Estrada’s six-year term. Even though the Supreme Court made clear in its decision that Estrada by all his actions had in effect resigned and that President Arroyo was correctly installed in office, Estrada’s supporters in the Senate continue to question the legitimacy of the incumbent President making the Senate an arena for battle between the Estrada forces and the new administration. Having failed in the courts and having exhausted support on the street, Senators loyal to the former President use the chamber to pursue Estrada’s interests.

Senator Pangilinan reflected on the impact of the tension in the Senate on the capacity of the current President to act effectively as President. Dynamics within the Senate hindered

the ability of President Arroyo to pursue her own program and assert her position. For the past two and a half years, President Arroyo, though able to rally a majority on many issues has nevertheless faced a politically hostile environment. Although Philippine Presidents are allowed only one term in office under the 1986 Constitution, as Gloria Macapagal-Arroyo is completing her predecessor's term, she is not bound by this provision. She nevertheless declared that she would not run for Presidency in 2004.

The decision not to run for President has taken the wind out of the opposition's sails and calmed the atmosphere of Philippine politics. This has created a new window of opportunity for President Arroyo to set aside the politics surrounding her position and to move her policy platform forward. Without the intention to run for President in the coming elections President Arroyo can no longer be accused of engaging in a political manoeuvre with each new policy decision. However, the question of whether the President will change her mind and decide to run for President still remains in people's minds. Clearly, if she announced her candidacy, Philippine politics would again 'hot up'.

The Philippines is currently in the run-in to the 2004 Presidential elections. The new voting procedure requires ballot papers to have candidate names printed on them which has the effect of advancing the nomination process leading to the need for all Presidential candidates to be declared by November this year. If the President maintains her decision not to run, there are a number of other candidates with varying degrees of public support. Former film star Fernando Po Jr has high voter recognition, former Secretary for Education Raul Roco remains a strong candidate, and Senator Noli de Castro received the highest number of votes of any Senator during the 2001 Congressional elections and may yet run for President or perhaps Vice-President. Outsiders include San Miguel Corporation boss Danding Cojuangco and former National Police chief Senator Ping Lacson. Senator Angara has, however, announced his intention not to stand.

Senator Pangilinan made some interesting comments about the shape of the next elections. Overseas Filipinos will be allowed to vote for the first time. Their number has been estimated at 7 million with as many as 3 million likely to register to vote. Some have argued that they will prove to be a more discerning and sophisticated electorate. This may have an effect on the outcome. But it is the 40 million domestic electors that will ultimately be decisive. Looking at the income quintiles for the electorate, only 8% are in quintiles A, B and C, while 72% are in quintile D and 20% in quintile E. Candidate recognition and popularity has traditionally been more important than a candidate's policy platform for the mass of electors.

While politics tend to focus on individual candidates, the debate over institutional reform may be as important. There is considerable discussion about the need for constitutional amendment. Issues include the shape of government and whether the Philippines should move from a presidential to a parliamentary system and from a bicameral to a unicameral system. At this stage there is no agreement on the process of constitutional amendment. The House of Representatives favours amendment by a joint sitting of the two houses while most Senators seem to favour the election of a Constitutional Convention as occurred for the drafting of the 1986 Constitution. In either case the results need to be

ratified in a referendum. Senator Pangilinan believes the time was now too short to undertake a proper debate of the issues and have any amendment put to a referendum at the same time as the Presidential elections. Constitutional reform may therefore have to wait for the term of the next President.

Senator Pangilinan emphasised that he was in favour of significant reforms because the current system was not providing sufficient benefits to the Philippine people. Whereas other nations in Asia had grown their economies significantly over the past two decades, the Philippines had simply marked time in a type of Rip Van Winkle syndrome. He stressed the need for reform in the Philippines through the development of stronger political institutions. At the heart of the problem is the weakness of Philippine political parties. Tracing the majorities in the Congress in the post-Marcos period, Senator Pangilinan pointed out how politicians gravitated towards the political party of the incumbent president. Without strong parties based on a policy platform and holding to certain well-enunciated principles, it was difficult to see how the system could bring about change. According to Senator Pangilinan, virtually all institutions - not only the government, but also the church, the media and the private sector - have failed the Philippines. A start should be made by strengthening political parties and one important step would be to secure funds from the government to allow the parties to function. This will facilitate the development of the strong leadership needed to inspire the masses.

According to Senator Pangilinan, a reform-oriented constituency that will demand greater accountability from the government must accompany and contribute to strong leadership in the Philippines. Senator Pangilinan emphasised that mature, strong institutions will strengthen public debate and public awareness leading to policy change and reform. This will ensure that the Filipino public plays a role in the decision-making processes. Without an active constituency pushing for reform in the Philippines, only the interests of those in power will be addressed.

According to Senator Pangilinan, the current mood dominating the Philippines is a resigned acceptance of government failure and lack of accountability. The Senator described this as a known Filipino weakness in accepting things that fall short of excellence. The population currently believes they have made enough effort, that nothing can be changed and that they are powerless. Senator Pangilinan is critical of this attitude believing that it acts as a barrier to political and institutional reform.

Senator Pangilinan is, however, optimistic about the future. He drew attention to the development of a sub-culture that is challenging this feeling of helplessness in the Philippines. This sub-culture fosters a new attitude; one where the people have had enough and are pushing for government and political reform. The Senator believes that over time this will become the dominant culture. Within government, and in particular within the Liberal Party where Senator Pangilinan is a member, he can see the dynamics of this sub-culture challenging the dominant culture that is still holding back reform. In pushing for reform within the government, Senator Pangilinan sees his own future in aligning himself with the reform sub-culture and seeking to work with like-minded people. His aim is to work hard, not to grandstand and to 'keep his nose clean'.