

ASEAN as a Diffuse Regional Regime: A Study of its Regime Dynamics, 1992-2001*

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Introduction

The political settlement of the Cambodian Crisis in 1989 won for the Association of Southeast Asian Nations (ASEAN) international acknowledgment as an effective organization in promoting regional stability in Southeast Asia. This achievement was made possible by its persistent diplomatic efforts, and the intersecting agendas of the major regional actors – China, Japan, US and at that time the former USSR. The end of the Cold War transformed the adversarial relations between the superpowers and allowed them to agree on the comprehensive political solution of the crisis. The framework of the Cambodian political settlement had been forged by ASEAN and brokered in multilateral forums of the United Nations (UN) and Non-Aligned Movement (NAM).

Not resting on its laurels, the Association moved quickly to establish the regional free trade area (AFTA) in manufactured goods and processed agricultural products in 1992. The meeting of the heads of government/state was regularized in a three-year interval in the same year. The rank of the Secretary General was raised to ministerial level and made his term of office longer to five years from three years. Moreover, the staff was made professional, recruited through merit and open competition rather than secondment from the bureaucracies of the member countries.

Shortly thereafter, it expanded its membership to include all the remaining countries in the region. Vietnam was admitted in 1995, Lao PDR and Myanmar in 1997, and finally after some delay, Cambodia was admitted in 1999. The admission of the newly established state of East Timor is widely expected in the foreseeable future.

This “One Southeast Asia” under the auspices of ASEAN was proclaimed in 1997 through its Vision 2020. This vision is equally an idealistic statement of the group’s aspirations when compared with the Bangkok Declaration and ASEAN Concord. The difference, however, lies in the timeframe provided by Vision 2020. The Association has set for itself an indicative period up to the year 2020 within which to accomplish its collective goals. Through the Ha Noi Plan of Action approved in 1998, ASEAN has set targets in its political, economic, social and cultural cooperation for the period 1999-2005.

Amid this rapid succession of important developments, Thailand encountered a financial crisis in 1997 that quickly spread throughout all of South and Northeast Asia. The massive outflow of portfolio capital hit Indonesia, Malaysia, Philippines, and South Korea. All the countries in the region, with a few exceptions, suffered directly or indirectly from the crisis. The downfall of Suharto in 1998, the fall of Anwar Ibrahim, the defeat of the ruling coalition in Thailand parliamentary elections, were among the political repercussions of the

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PPSA 2003 National Conference

financial crisis. Southeast Asia was gripped with pessimism as most of the economies of ASEAN members contracted. The initial responses of ASEAN members to the crisis were seemingly at cross-purposes. Malaysia introduced a policy of currency controls while Indonesia pursued the IMF prescription of fiscal discipline through decreased government spending. The much-heralded “spirit of ASEAN solidarity and cooperation” seemingly vanished into thin air.

But soon ASEAN gained its bearings and addressed the most pressing problem of capital flight collectively. It has established a surveillance system which aims for transparency in the regional financial system; regional and bilateral currency swap arrangements have been pursued to prevent the recurrence of the crisis; and short term incentives for foreign direct investment have been agreed upon.

These dramatic decisions on a vision for the year 2020, formalization of the rules for the regional process of peaceful settlement of disputes, establishment of a free trade area in its trade cooperation, “bold measures in response to the financial crisis”, among others, suggest the emergence of a new and reinvigorated ASEAN. A closer look at ASEAN cooperation at this time can describe and explain its apparent transformation.

Understanding ASEAN Transformation

This study is an attempt to examine ASEAN as a diffuse regional regime. In the Theory of International Regimes, an “international regime” is defined as “sets of implicit and explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in an issue-area”.² Another acknowledged definition of the concept is: “networks of rules, norms, and procedures that regularize behavior and control its effects (in relationships of interdependence)”.³ In this context, ASEAN may be seen as a diffuse regional regime because it encompasses many issue-areas⁴ such as political-security, economic, and “functional” cooperation.⁵ It is also a regional regime that is specific to the particular geographic region of Southeast Asia.

This study reviews closely the elements of the ASEAN regime, composed of principles, norms, rules and decision-making procedures of its multifaceted cooperation, and analyzes their impact on ASEAN transformation. These regime elements are drawn from the theory of international regimes popularized in the discipline of international relations by a group of scholars who attempted to offer another perspective to the realist view that international organizations hardly matter in interstate relations⁶; and in the process tries to blend the realist and pluralist perspectives of international relations.⁷

² Stephen D. Krasner, “Structural causes and regime consequences: regimes as intervening variables” in Stephen D. Krasner (ed.) International Regimes (Ithaca and London: Cornell University Press, 1982) p. 2.

³ Robert O. Keohane and Joseph S. Nye, Jr. Power and Interdependence, 3rd ed. (New York: Longman, 2000) p. 17.

⁴ Donald Puchala and Raymond Hopkins, “International Regimes: lessons from inductive analysis” International Organization in Stephen D. Krasner, op. cit. pp. 64-66.

⁵ In ASEAN official papers, “functional cooperation” refers to cooperation in civil service matters, culture, environment, finance, health, information, labor, science and technology, social development, tourism, and transnational crimes prevention.

⁶ See Robert Keohane and Joseph Nye, Jr. op.cit.; and Stephen Krasner (ed.) Ibid.

⁷ Paul R. Viotti and Mark V. Kauppi (eds.) International Relations Theory: Realism, Pluralism, Globalism and Beyond, 3rd ed. (Boston: Allyn and Bacon, 1999) p. 210.

Ronas Paper

The regime dynamics of ASEAN is the focus of this study. Changes or persistence of the regime elements in the political-security, and economic issue-areas will be looked into in particular from 1992 to 2001. While ASEAN has other issue-areas of cooperation, these two sufficiently describe its regime dynamics during the period under review. This timeframe of the study covers many recent principle-setting and rule-making agreements like ASEAN Vision 2020 (1997) and the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area (1992) in the trade issue-area. In the political-security aspect, the agreements are the Rules of Procedures of the High Council (2001), the Protocol on the Treaty of Amity and Cooperation (1998), and the Protocol on the Treaty of Southeast Asia Nuclear Weapon Free Zone (1995).

The agreements forged in this period are compared with earlier agreements. This comparative analysis of regime elements stipulated in these agreements will indicate either resilience or transformation of the ASEAN regime. Regime transformation may either be in the form of “regime change”, “change within the regime”, or “weakening of the regime”. It is held that an essential or fundamental transformation has taken place when the principles or norms of the regime had changed.⁸ On the other hand, a mere “change within the regime” involves only the transformation of rules and decision-making procedures and does not fundamentally change the nature of the regime.⁹ Lastly, “weakening of the regime” refers either to the incoherence of regime elements or the gap between the regime elements and the actual practice of participating states.¹⁰

Following the general orientation of “complex interdependence”¹¹ as an analytical frame, the regime dynamics will be examined in terms of the systemic global power structure, economic process, and influence of other international organizations. These factors explain the influence of the external environment on ASEAN’s regime dynamics. In addition to these factors in the external environment of ASEAN, the principle-setting and rule-making agreements of ASEAN also influence its regime elements and hence, its regime dynamics. An examination of these agreements describes more specifically ASEAN regime dynamics.

This study has drawn insights from the literature on the impact of transformation of the global power structure on the Asia-Pacific and Southeast Asia in the aftermath of the end of the Cold War and how this transformation has influenced ASEAN.¹² It has also drawn perspectives from the studies of the influence of the globally integrating economic process since the 1980s and the formation of regional trading blocs, on the economies of member-states of the Association and their current drive toward economic integration.¹³

⁸ Stephen D. Krasner (ed.) op. cit pp. 3-5.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Robert O. Keohane and Joseph Nye, Jr. op.cit. pp. 21-24; 33-52.

¹² Among these studies are: Paul M. Evans, “Economic and Security Dimension of the Emerging Order in the Asia-Pacific”; Donald Crone, “New Political Roles for ASEAN”; and David Wurfel, “The World Order in Southeast Asia: Some Analytical Explorations” in David Wurfel and Bruce Burton (eds.) Southeast Asia in the New World Order: The Political Economy of a Dynamic Region (UK: Macmillan Press, 1996).

Amitav Acharya, “ASEAN and Asia-Pacific Multilateralism: Managing Regional Security” in Amitav Acharya and Richard Stubbs (eds.) New Challenges for ASEAN: Emerging Policy Issues (Vancouver: University of British Columbia Press, 1995).

¹³ Among these studies are: Seiji Naya, “Economic Performance of Growth Factors of the ASEAN Countries”; Narongchai Akrasanee, “ASEAN Economic Cooperation” in Linda G. Martin (ed.) The ASEAN Success Story: Social, Economic, and Political Dimensions (Honolulu: The East-West Center, 1987); Gordon P. Means, “ASEAN Policy Responses to North American and European Trading

PPSA 2003 National Conference

In regard to the influence of other international organizations on the regime elements of ASEAN, a comparison of the regime elements of ASEAN with the regime elements of global organizations such as the UN and NAM in the political and economic issue-areas would generate insights about their similarities and differences. The affinity in their principles and norms as well as their rules and decision-making procedures indicate the influential role of the larger multilateral organizations on ASEAN.

ASEAN's External Environment

Global Power Structure and the ASEAN Political-Security Cooperation

The conduct of the American war against terrorism reflects its current inclination to act unilaterally, although it has enjoyed considerable world wide support since 9/11 of last year, in dealing with its enemies – the shadowy terrorist network of Al-qaeda, the Taliban government that supported it and now dismantled by American and NATO action in Afghanistan, and the “axis of evil”. The global reach of the American war effort reached Southeast Asia as post-mortem investigation of the 9/11 attack revealed that the perpetrators have links with Indonesian, Filipino and Malaysian Islamic militants. News reports have described the region as “another front in the war against terrorism”.

The action of ASEAN in this crisis has been decisive, indicating the strong influence of the US on ASEAN's political-security cooperation. In November 2001, the heads of government issued the Declaration on Joint Action to Counter Terrorism. As a follow-through to this declaration, a work program on terrorism involving information and intelligence sharing on activities and logistics of suspected terrorist groups has been operationalized among police and intelligence organizations among member-states.¹⁴

Three ASEAN countries that have been identified as the operational base of Al-qaeda and other Islamic radical groups, have signed the Agreement on Information Exchange and Establishment of Communication Procedures on May 7, 2002. These countries are Indonesia, Malaysia, and the Philippines. Cambodia acceded to this agreement on July 30, 2002.¹⁵ Thailand is reported to be prepared to accede to the agreement in the scheduled summit meeting in November 2002.¹⁶

ASEAN also affirmed its full support for the implementation of the Security Council Resolution 1373 and noted that all of its members have submitted their reports in compliance with the resolution.¹⁷

Analysts of Southeast Asian affairs, however, have not seriously considered the idea of unipolarity in both the region and the larger Asia Pacific. Instead, the more widely acknowledged description of the post-Cold War structure is multipolarity where the former

Agreements” in Amitav Acharya and Richard Stubbs (eds.) New Challenges for ASEAN: Emerging Policy Issues (Vancouver: University of British Columbia Press, 1995); Pearl Imada, Manuel Montes, and Seiji Naya, A Free Trade Area: Implications for ASEAN (Singapore: ASEAN Economic Research Unit, Institute for Southeast Asian Studies, 1991); Sekiguchi Sueo, “Introduction” in Sekiguchi Sueo and Noda Makito (eds.) Road to ASEAN 10: Japanese Perspectives on Economic Integration (Singapore and Tokyo: Institute of Southeast Asian Studies and Japan Center for International Exchange, 1999).

¹⁴ Joint Communiqué of the 35th ASEAN Ministerial Meeting, Bandar Seri Begawan, Brunei Darussalam, p.2.

¹⁵ Ibid.

¹⁶ Philippine Daily Inquirer, 4 November 2002.

¹⁷ Joint Communiqué of the 35th ASEAN Ministerial Meeting, op.cit.

Ronas Paper

superpowers manifest declining roles.¹⁸ The multilateralism on security issues that is emerging in the region is largely attributed to the “new order” of the post-Cold War era. And in this emerging multilateralism, ASEAN has been projected into the limelight through the ASEAN Regional Forum (ARF) with the support of Japan, Australia, and Korea as well as the acquiescence of China.¹⁹ This new role for ASEAN has created the chance of expanding its norms of peaceful co-existence and peaceful settlement of dispute to the larger Asia Pacific region.

ASEAN Principles and Norms of Political-Security Cooperation and International Organizations

ASEAN principles and norms of political-security cooperation have been influenced by the UN and NAM. Its member-states, as active participants in these multilateral bodies, have integrated these principles and norms into the ASEAN regime.

The Zone of Peace Freedom and Neutrality (ZOPFAN) Declaration indicates ASEAN’s close affinity with the principles of NAM. The rhetoric of ZOPFAN follows the NAM’s principles of peace, sovereign equality and peaceful co-existence. ASEAN does not believe in siding with any of the superpowers, although its members value the American military presence as a balancing force to the threat of communist domination and hence, perceived it as a positive force for regional stability.²⁰

The Declaration also acknowledges the importance of “respect for justice and the rule of law...and adherence to the principles of the UN Charter” to regional peace and stability. This reference to the principles of the UN Charter suggests that ASEAN conforms to such principles and hence, is influenced by the ideals and practice of the UN.

Among the UN principles that could be gleaned from the Bangkok Declaration are the goals of maintaining international peace and security and promoting economic and social development.²¹ Both of these principles are also stated in the Declaration, and to this extent make ASEAN goals similar to the UN. However, ASEAN’s goal of shielding the region from external interference is neither listed in Article II of the UN Charter nor emphasized among the other basic principles of the UN, and hence makes it particular to the region as a defining principle in the historical context of its establishment.

The norms of conduct that guide members of ASEAN in their relations with each other are based on the above-mentioned principles of its cooperation, and interestingly, similar to that of the UN basic norms of state behavior as well as the “principles of peaceful co-existence” of the NAM. Included in the UN and NAM norms of conduct followed by ASEAN are: settlement of disputes through peaceful means, refraining from the threat or use of force; and non-interference in the “domestic jurisdiction of any state”.²² These norms

¹⁸ Paul M. Evans, “Economic and Security Dimensions of the Emerging Order in the Asia Pacific” and David Wurfel “The ‘New World Order in Southeast Asia: Some Analytical Explorations” in David Wurfel and Bruce Burton (eds.) Southeast Asia in the New World Order: The Political Economy of a Dynamic Region (UK: Macmillan Press Ltd., 1996) pp. 3-18 and 273-296 respectively.

¹⁹ Paul M. Evans, op.cit. pp. 13-14.

²⁰ The Philippines and Thailand hosted American military bases “deemed to be temporary” in the ASEAN Concord of 1976.

²¹ A. Leroy Bennett, International Organizations: Principles and Issues, 6th ed. (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1995), pp.58-62. Bennett says that “Article 2 establishes the basic rules of conduct or principles upon which the UN is founded xxx”. Note that the author uses “basic rules of conduct” and “principles” synonymously.

²² Ibid., pp. 59-60.

PPSA 2003 National Conference

of conduct, stated in the Treaty of Amity and Cooperation echo the norms of conduct stipulated in the UN Charter, and particularly the “principles of peaceful co-existence” of the NAM. The exception is the explicit norm proscribing external interference particularly aimed at subversive and coercive acts that destabilize the domestic political situation of member states.

Unlike in the UN conflict resolution framework, however, ASEAN does not have the forcible sanctions stipulated in Chapter VII of the UN Charter; neither does it have the mechanisms for the innovative peacekeeping nor the formal arrangement of collective security.

Political-Security Cooperation: Resilient Principles and Norms, Changing Machinery and Rules

The principles and norms of political-security cooperation have proved resilient in the last 35 years of its existence. The overarching principle of ASEAN political-security cooperation remains freedom from external interference as the safe course for the region’s peace and stability. In the ZOPFAN, this was expressed in terms of the “neutralization” of the region. Today, ZOPFAN is articulated in terms of disarmament through the Treaty of Southeast Asia Nuclear Weapon Free Zone and the peaceful settlement of dispute through the Treaty of Amity and Cooperation (TAC).

The peaceful settlement of dispute between member countries, informally operationalized through direct and confidential bilateral negotiations, has effectively addressed their territorial disputes. Thus far, the members of ASEAN have not violated the principles enunciated in their basic agreements like the TAC. The use of force and threat of use of force have never been resorted to.

The perceptible change in ASEAN’s political-security regime can be seen in the enlargement of its scope with the opening of the TAC to non-Southeast Asian countries. While China and the Republic of Korea have expressed their inclination to favorably consider acceding to the Treaty, none of them has actually done so. Other major actors in the Asia-Pacific appear to be unenthusiastic about the enlargement of the scope of the TAC. Moreover, ASEAN has instituted the *Troika* (the past, present and incoming chair of the standing committee) to deal with dispatch rapidly developing regional political-security issues or situations and perform the mandate that will be assigned to it by the foreign ministers.

The establishment of the ASEAN Regional Forum in 1994 marked the emergence of a multilateral forum in the Asia-Pacific for political and security issues. It is an important development in the political-security cooperation of ASEAN because the Association now finds itself as the “driving force” for stability of the larger region of the Asia-Pacific.

Peaceful Co-existence and Peaceful Settlement of Dispute

The ASEAN norms of peaceful co-existence and peaceful settlement of dispute are also available for the consideration of non-ASEAN countries in the multilateral forum although their acceptance is admittedly remote. The “new order” in the Asia Pacific has not fundamentally transformed these norms. These norms are listed in the TAC as follows:

Ronas Paper

- Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;
- The right of every State to lead its national existence free from external interference, subversion, or coercion;
- Non-interference in the internal affairs of one another;
- Settlement of differences or disputes by peaceful means;
- Renunciation of the threat or use of force;
- Effective cooperation among themselves.²³

These norms of conduct are largely similar to the five principles of peaceful co-existence first articulated in the Bandung Conference of Afro-Asian Solidarity in 1955. In ASEAN, these norms of conduct have become the core of its mechanism for the peaceful settlement of disputes among member states. It is worth emphasizing that the ASEAN norm of dispute settlement among member countries is exclusively through peaceful settlement of disputes. Although there are no specific rules of procedures except the general stipulations in the TAC, these norms have evolved in practice and now operationally function through direct, bilateral, and quiet diplomacy between the parties to a dispute.²⁴ The process focuses on the political means of peaceful settlement and has allowed cooperation in the other issue-areas to move forward even between parties to a dispute. This quiet diplomacy does not follow a strict timetable with a specific deadline or a rigidly rule-based procedure. The parties continue their negotiation until they reach a consensus regarding the issue on hand. These negotiations had encouraged the establishment of bilateral bodies between member countries involved in territorial disputes.²⁵ The Malaysia-Philippines Joint Commission for Bilateral Cooperation, the Indonesia-Malaysia and the Malaysia-Thailand General Border Committees are examples of these bilateral bodies.²⁶ This method of dispute settlement has allowed ASEAN to move forward in the economic and social issue-areas without being hindered by their territorial disputes. More importantly, it had yielded positive results in a number of cases when the bilateral negotiations led to agreements to resolve the dispute through adjudication in the International Court of Justice. The TAC allows parties to resort to the judicial procedures of the UN subject to the agreement of both parties in case they are unable to reach a consensus in their negotiations.

Decision-making procedures and rules: Innovations amid a Transforming External Environment

²³ ASEAN, Treaty of Amity and Cooperation, Indonesia, 24 February 1976 in <http://www.aseansec.org/print.asp?file=/summit/amity76.htm>, pp.1-2.

²⁴ This has been described as “Diplomacy of Accommodation”, Michael Anatolik, ASEAN and the Diplomacy of Accommodation (Armonk, NY: M.E. Sharpe, Inc., 1990) in Mely Caballero-Anthony, “Mechanisms of Dispute Settlement: The ASEAN Experience” Contemporary Southeast Asia, Volume 20, Number 1, April 1998, pp. 52-53.

²⁵ Amitav Acharya, “ASEAN and Asia-Pacific Multilateralism” in Amitav Acharya and Richard Stubbs (eds.), New Challenges for ASEAN: Emerging Policy Issues (Vancouver: UBC Press, 1995) p. 196; Mely Caballero-Anthony, op. cit., p.50.

²⁶ Mohamed Jawhar Hassan, “Managing Security in Southeast Asia: Existing Mechanisms and Processes to Address Regional Conflicts” Australian Journal of International Affairs 47 (1993) in Mely Caballero-Anthony, Ibid., pp. 47-48.

PPSA 2003 National Conference

The Bangkok Declaration established ASEAN's decision-making machinery. This machinery was originally composed of the rotating ministerial meeting, a standing committee headed by the foreign minister of the host country, ad hoc and permanent committees, and a national secretariat in each of the member states.²⁷ In its first nine years of existence, the meeting of foreign ministers was the highest policy-making body of the Association.²⁸ The foreign minister of the host country and the ambassadors from ASEAN countries accredited to that country comprise the standing committee. It is headed by the foreign minister of the host country. The standing committee runs the day-to-day activities of the Association. The working groups, which support the standing committee, are the ASEAN committees whose chair followed the same principle of rotation of the standing committee. These committees were the committee on culture and information; committee on trade and tourism; committee on industry, mines, and energy; committee on social development; and the committee on science and technology.²⁹ Each of these committees had sub-committees that divide the issue-areas into more specific classification. The representatives to these ASEAN bodies come from the officers of the ministry of foreign affairs of the member countries. Within the foreign ministry of each member country, a national secretariat or office of ASEAN affairs was established.

The multilateralism of ASEAN is a process of official meetings at all levels – heads of government, foreign ministers, other ministers, senior officials, and working groups. Aside from the meeting of foreign ministers, the meeting of economic ministers was established in the ASEAN Concord. Later, other ministers' meeting were added. Among the ministers that periodically meet are those in charge of civil service, education, energy, finance, health, interior, labor, science and technology, transport, and social welfare. There are also meetings of senior officials, working groups and experts' meeting from these ministries. A veteran diplomat, the first Filipino who served as Secretary General of the ASEAN Secretariat, described these rotational meetings as a “flying circus”.³⁰ The “transgovernmental network” of ASEAN from the highest level to the level of working groups and experts in the multifaceted functional work of government constitutes its vast administrative and technical machinery.

In the absence of a permanent secretariat, ASEAN meetings at all levels were serviced by the national secretariats of the host country. In effect, the Association's “secretariat” rotated with the chair of the standing committee. The yearly rotation of chairmanship posed problems of coordination and implementation of activities adversely affecting the efficiency and continuity of the Association. In NAM, which up to now does not have a permanent secretariat, this problem is partly addressed by the longer interval (three years) of the rotation of the chair. The succeeding chair, through a transition team, has enough time to work with the incumbent chair to attain a measure of continuity.³¹

²⁷ Bangkok Declaration, Thailand, 8 August 1967 in <http://www.aseansec.org/print.asp?file=/history/leader67.htm>, p.2.

²⁸ The first summit meeting was held in 1976, nine years after the establishment of the Association.

²⁹ The ASEAN economic committees have been abolished and replaced by the Senior Economic Officials Meeting (SEOM) supported by working and experts groups. The SEOM reports to the ASEAN Economic Ministers Meeting (AEMM).

³⁰ Narciso G. Reyes, Memories of Diplomacy: A Life in the Philippine Foreign Service (Metro-Manila: Anvil Publishing, Inc., 1995) pp. 92-95.

³¹ A. W. Singham and Shirley Hune, Non-Alignment in an Age of Alignments (UK and USA: Zed Books, Ltd. and Lawrence and Hill & Co., 1986) p. 34. See also “The Non-Aligned Movement: Background Information” in <http://www.nam.za./background/htm>. p.2.

Ronas Paper

Continuity and Coordination through a Reorganized ASEAN Secretariat

The momentous agreements reached by the heads of government in 1976, in the aftermath of the unification of Vietnam under communist rule, included the establishment of the ASEAN Secretariat. The “rapidly growing activities” and the “need for greater efficiency in the coordination of ASEAN organs” were the major reasons cited for establishing the Secretariat.³² It is headed by the Secretary-General appointed by the foreign ministers on a “rotational basis in alphabetical order”. He/she is envisaged as the key official who will coordinate the association’s various bodies and exercise administrative and financial control and supervision over the Secretariat. The functions and powers of the Secretary-General have been listed under 14 items which include, among others, “harmonize, facilitate and monitor progress in the implementation of all approved ASEAN activities, and initiate plans and programmes of activities for ASEAN regional cooperation in accordance with approved policy guidelines”³³.

In the 1990s, the end of the Cold War transformed the bipolar power structure into a multipolar structure with the implosion of the former USSR and the reunification of Germany. In the global economic environment, the protracted and stalled Uruguay Round of multilateral trade negotiations moved forward as a result of the compromise reached between the US and EU regarding agricultural subsidies and was finally concluded in 1994 with the formation of the WTO. Moreover, regional free trade areas, notably the NAFTA, were being organized suggesting the formation of trading blocs.³⁴

These global political and economic developments posed serious challenges that needed new directions and collective actions. The unwieldy committee system of the ASEAN machinery and the weak “Secretary-General of the ASEAN Secretariat” as the coordinating center were seen as inadequate in dealing with the changed political and economic environment.

During the meeting of the heads of government in Singapore in 1992, sweeping institutional reforms were introduced:

- “1. the regularization of the formal and informal summits;
2. the dissolution of the five ASEAN economic committees and the establishment of the Senior Economic Officials Meeting and the AFTA Council;
3. the redesignation of the Secretary-General of the ASEAN Secretariat into the Secretary-General of ASEAN with enlarged mandate to initiate, advice, coordinate, and implement ASEAN’s activities; and
4. the professionalization of the ASEAN Secretariat staff on the principle of open recruitment”³⁵.

This review of the organizational structure of the Secretariat under the 1992 Protocol Amending the Establishment of the ASEAN Secretariat was pursued by the standing

³² Agreement on the Establishment of the ASEAN Secretariat, Bali, 24 February 1976 in <http://www.aseansec.org/print.asp?file=politics/asec76.htm>

³³ “The ASEAN Secretariat: Basic Mandate, Functions and Composition”, in http://www.aseansec.org/print.asp?file=/politics/asec_rlst.htm, p.3.

³⁴ Gordon P. Means, “ASEAN Policy Responses to North American and European Trading Agreements” in Amitav Acharya and Richard Stubbs (eds.) op. cit. pp. 146-181.

³⁵ The ASEAN Secretariat: Basic Mandate, Functions and Composition, op. cit. p. 1.

PPSA 2003 National Conference

committee in 1998. It decided that “the Secretariat should function as a coordinating Secretariat to help facilitate effective decision-making within and amongst the ASEAN bodies”.

The reorganized Secretariat has now two Deputy Secretaries-General to assist the Secretary-General. One is in charge of the internal management of the Secretariat, while the other is in charge of operations and policy. The operations and policy unit of the Secretariat is subdivided into: Task Force for Financial Cooperation and Macroeconomic Surveillance; Economic and Functional Cooperation; Trade, Investment and Services; and Programme Coordination and External Relations. In addition, the professional staff has been increased to 23 senior officers, 27 programme officers, and 28 assistant programme officers. Its total complement has been increased from 64 to 99.

This new structure of the Secretariat is facing its test amid the regional financial crisis and its aftermath. The collective response of the association in terms of “bold measures”, acceleration of the implementation of AFTA, social safety nets, and a common position on the financial architecture demonstrates close coordination between the ASEAN policy making bodies and its administrative machinery. The quick and meaningful response of ASEAN to the crisis is proving, thus far, the validity of its rationale in restructuring the Secretariat.

The Troika: Addressing Fast Moving Regional Issues and Situations

The practice of establishing a *Troika*, i.e. the past, present, and incoming chair of the standing committee is also worth noting. This ASEAN practice is similar to the NAM *Troika*.³⁶ ASEAN resorts to a *Troika* in addressing important political issues like the delayed admission of Cambodia to ASEAN because Hun Sen forcibly ousted the Funcipec faction in the coalition government and, in effect, reversed the political settlement brokered by ASEAN and the UN. In 1999 during the 3rd Informal Summit Thai Prime Minister Chuan Leekpai, apparently as a response to the reported incursions of the Myanmar military into Thai territory in its pursuits operations against insurgents, proposed the institutionalization of the *Troika* as an *ad hoc* quick-reaction body.³⁷ It is envisaged to be ministerial level body acting on behalf of the ASEAN Foreign Ministers “to address in a timely manner urgent and important regional political and security issues and situations of concern likely to disturb regional peace and harmony”.³⁸ Its power is recommendatory, and in the absence of a specific decision-making mandate, the Foreign Ministers might task it to perform good offices, inquiry, and other similar fact-finding missions for the ASEAN Standing Committee.

Recent Formalization and Expansion of Rules of Procedure of the High Council

The framework of dispute settlement in TAC is not limited to direct bilateral negotiations. It also provides for a multilateral procedure or “regional processes” through the High Council.³⁹ However, it had been inoperative for 25 years since enforcement of the TAC in 1976. While the intra-ASEAN disputes seem to have been effectively addressed by its informal and flexible bilateral negotiations, ASEAN did not have a similar process to deal

³⁶ *Ibid.*, p.4

³⁷ ASEAN Secretariat, “ASEAN Troika” in http://www.aseansec.org/print.asp?file=/amm/as_troika.htm,

p.1

³⁸ *Ibid.* p. 1.

³⁹ Article 14, Treaty of Amity and Cooperation, Bali, Indonesia, 24 February 1976.

Ronas Paper

with regional disputes like the territorial dispute over the South China Sea. The operationalization of the High Council could be a feasible response to this need.

On 23 July 2001 in Ha Noi, ASEAN adopted the Rules of Procedures of the High Council of TAC. It is composed of representatives at the ministerial level of the contracting parties which could take cognizance of a dispute situation if all the parties involved agree to avail of this regional process. This process actually refers to the political negotiation involved in good offices, mediation, inquiry, and conciliation. Similar to the informal bilateral process, the parties are encouraged to pursue “friendly negotiations” before resorting to the judicial procedures available in the UN Charter. The rules of procedures for the High Council stipulate the rights and obligations of parties to a dispute in availing of this regional process. It states the rules on composition, initiation of dispute settlement procedure, convening of meetings, proceedings at a meeting, decision-making and amendment of the rules. There are now formal requirements to invoke the peaceful settlement procedure of the High Council. A party to a dispute must submit a written communication to the Chair of the High Council, through diplomatic channel, a detailed statement of “a) the nature of the dispute or situation referred to the High Council; b) the parties to the dispute and their respective claims; and c) the basis upon which the High Council shall take cognizance of the situation of the dispute or the situation pursuant to the Treaty”.⁴⁰ Nevertheless, the sovereign right of states is acknowledged in Rule 9. It requires all parties to a dispute to confirm in writing that they agree to the application of the procedures of the High Council for it to proceed any further with the regional process.

This change within the regime of ASEAN’s peaceful settlement of dispute was already discernible in 1987. The enlargement of its scope from a mere intra-ASEAN process to cover non-members is a significant departure from its informal direct negotiation between member countries.

The first protocol to the TAC in 1987 was an opening to non-member countries in Southeast Asia to accede to the Treaty. It was also an opening to non-Southeast Asian countries to join the regional regime for peaceful settlement of dispute. The impetus for this initiative was the goal of settling the Cambodian crisis through a comprehensive political settlement. The crisis was eventually settled peacefully but under the auspices of the major powers utilizing the UN procedures. The opening of the TAC to both non-ASEAN and non-Southeast Asian countries later proved practical. Vietnam, Laos, Myanmar and Cambodia acceded to TAC to join ASEAN.

The second protocol to the TAC in 1998, after the completion of the so-called ASEAN 10, continues to open the regional process to non-Southeast Asian countries and hence, making the ASEAN norm of peaceful settlement available to address regional problems like the territorial disputes in the South China Sea. ASEAN’s aspiration of becoming a zone of peace, freedom and neutrality is promoted by the expansion of its TAC to other countries in the larger region of the Asia-Pacific.

Earlier in 1995, ASEAN forged the Treaty on Southeast Asia Nuclear Weapon Free-Zone, another rule that formalized dispute settlement in the issue-area of nuclear weapon, radioactive wastes, and radioactive materials.⁴¹ The treaty aims to make the territories, continental shelves, and EEZ of member countries free from nuclear weapon and radioactive wastes and materials. The Commission for the Southeast Asia Nuclear Weapon-

⁴⁰ Rule 7, Rules of Procedures of the High Council of the Treaty of Amity and Cooperation in Southeast Asia

⁴¹ Treaty on Southeast Asia Nuclear Weapon-Free Zone, Bangkok, 15 December 1995

PPSA 2003 National Conference

Free Zone, composed of representatives of signatories, has been established under the Treaty to “ensure compliance with its provisions”.⁴² A subsidiary organ, the Executive Committee, has also been established to undertake the following functions in regard to dispute settlement:

1. “ensure the proper operation of verification measures;
2. consider and decide requests for clarification and for a fact-finding mission;
3. set-up fact-finding missions;
4. consider and decide on the findings of the fact-finding mission and report to the Commission; and
5. request the Commission to convene a meeting when appropriate and necessary”.⁴³

The decision-making procedure in the Commission and the Executive Committee departs somewhat from the norm of consensus. The Treaty states that “decisions of the Commission shall be taken by consensus or, failing consensus, by two-thirds majority of the members present and voting”.⁴⁴ However, the rules of procedures and financial rules that have to be adopted by the Commission shall be decided by consensus. The Executive Committee has to follow the procedure of consensus or, failing consensus, by two-thirds majority of the members present and voting without exception.

ASEAN Regional Forum: The only Multilateral Dialogue on Security in the Asia Pacific

The possibility of expanding the scope of the regional process of peaceful settlement of dispute has been enhanced by the establishment of the ARF in 1994. The tacit agreement among Australia, China, Japan, South Korea, US, and Russia to form a multilateral security forum in Asia, but their inability to agree on its form, composition, and modalities, provided ASEAN the opening to push its version of multilateral security forum.⁴⁵

The objectives of the ARF are modest – “to foster constructive dialogue and consultation on political and security issues of common interest and concern; and to contribute to efforts towards confidence building and preventive diplomacy in the Asia-Pacific region”. While its objectives are apparently simple, the geographic coverage of the forum is vast -- 18 countries of the Asia-Pacific region that covers from Australia in the south to Russia in the north, and from India in the west to the US in the east. And as it is turning out after nine annual meetings at the ministerial level, the “efforts to contribute to confidence building and preventive diplomacy” in the region is far from simple given the differing and clashing political orientations and interests of the participants. But in spite of this rather prolonged discussion on “the overlap between confidence building and preventive diplomacy”, the ARF has provided the participating countries with a forum to discuss regional political and security issues. The 9th ARF, for example, “expressed concern over the naval clash in the Yellow Sea/West Sea” that caused tension in the Korean Peninsula, reiterated the need to implement the agreement that includes the Korean Peninsula Energy Development Organization project, and encouraged North and South

⁴² Article 8, Section 3, *Ibid.*

⁴³ Article 9, Section 3, *Ibid.*

⁴⁴ Article 8, Section 8, *Ibid.*

⁴⁵ Amitav Acharya, “ASEAN and Asia-Pacific Multilateralism: Managing Regional Security” in Amitav Acharya and Richard Stubbs (eds.) *op. cit.* pp. 183-89.

Ronas Paper

Korea to enhance their reconciliation and cooperation.⁴⁶ The situation in the South China Sea was also discussed and noted the new approach of ASEAN to work closely with China in crafting the “Declaration on the Conduct of Parties in the South China Sea”.⁴⁷ Moreover, important progress in the work on the ARF Registers of Experts/Eminent Persons, the Annual Security Outlook, and voluntary background briefing on regional security issues, were acknowledged by the ministers.⁴⁸

Economic Cooperation: From Equity and Redistribution to Nondiscrimnation and Reciprocity

The current drive of ASEAN to accelerate economic integration among its members through the establishment of a “free trade area”, “investment area” and “e-ASEAN” is a significant departure from its rhetoric of economic cooperation that is closely identified with the aspiration of NAM. The evolution of ASEAN’s concept of economic cooperation suggests that the economies of its old members have been increasingly drawn into, and benefited from the liberal economic order based on the “Bretton Woods Agreements” that established international regulatory institutions on monetary, financial, and trade issues. The overarching aim of these institutions is to promote an open world economy,⁴⁹ which is the liberal economic order that NAM sees as the very reason of the underdevelopment of newly-independent countries of the South.

In the Declaration of ASEAN Concord, the Association’s original overall framework for economic cooperation, the contracting parties agreed to pursue cooperation in trade consistent with the efforts of the NAM working in multilateral forums of the UN for the purpose of “joint approaches to international commodity problems and other world economic problems, such as the reform of the international trading system; the reform of the international monetary system; and transfer of real resources xxx, with the view to contributing to the establishment of the New International Economic Order (NIEO)”.⁵⁰ These principles highlight the principles of economic cooperation followed by ASEAN in its early years of existence. These are the principles of “redistribution and equity” advocated by the NAM, composed of developing economies with diverse political orientations of the Third World.

In the 1970s during the early years of ASEAN, the diverse countries that make up NAM called for the establishment of the NIEO. In spite of their different ideological orientations, they agreed on the analysis that the global economic system is discriminatory and inequitable for the developing economies. NAM argues that the era of colonialism institutionalized the exploitative and inequitable economic structures that characterize the liberal world economic order. Hence, for the sake of economic equity, this liberal economic order must be reformed through multilateral negotiations in the UN to attain the following goals: “the establishment of producer association by producer nations following the pattern

⁴⁶ Chairman’s Statement, Ninth Meeting of the ASEAN Regional Forum, 31 July 2002, Bandar Seri Begawan, Brunei Darussalam, and p. 4.

⁴⁷ Joint Communiqué of the 35th ASEAN Ministerial Meeting, 29-30 July 2002, Bandar Seri Begawan, Brunei Darussalam, p.6.

⁴⁸ Statement of the Chairman, Ninth Meeting of the ASEAN Regional Forum, p. 8.

⁴⁹ Orin Kirshner (ed.) The Bretton Woods-GATT System: Retrospect and Prospect after Fifty Years (Armonk, New York and London, England: M.E. Sharpe, 1996) pp. vii-xiii.

⁵⁰ Declaration on ASEAN Concord, Bali, Indonesia, 24 February 1976.

PPSA 2003 National Conference

of OPEC, creation of new commodity agreements to assure just price, indexation, sovereignty over natural resources, transfer of technology, and greater control over transnational corporations and transnational banks".⁵¹ NAM partly succeeded in the acceptance of the non-reciprocal trading preference under the Generalized System of Preferences in the multilateral trade negotiations under GATT. But its other strong advocacies in regard to transfer of technology, commodity agreements, and greater control over transnational corporations were not as successful.

This reformist orientation of ASEAN economic cooperation in its early years of existence had faded with the unsuccessful efforts of NAM to get the agreement of the most developed countries like the G-7 and the OECD to its project of establishing the NIEO. The US even attempted to pressure NAM in UN deliberative agencies. It withdrew from the UNESCO because of what it alleged as the politicization of specialized agencies. The unbending opposition of the West against the NIEO aborted NAM's effort to restructure the liberal international economic order.

Moreover, the 1970s saw a number of developing economies in Asia pursued the strategy of modernization following the model of export-led economic growth. This development strategy encouraged multinational corporations to integrate their production across boundaries and trigger industrialization of these economies then referred to as the "newly industrializing countries" (NICs). The successful rapid economic growth of Hong Kong, South Korea, Singapore and Taiwan inspired other developing countries to follow the same strategy of modernization and modify their policy of import substitution. The pursuit of this strategy, however, meant the acceptance of the principles, norms, and rules of the open trading regime of the liberal economic order shaped by the Bretton Woods Agreements.⁵² For the other ASEAN countries, this development strategy was further encouraged by the integration by multinational corporations of their production via the export-processing zones in Indonesia, Malaysia, Philippines and Thailand. The 1980s saw these countries (except the Philippines) register robust growth rates. They have become middle-income countries as a consequence of their export-led development strategies.⁵³

The more rapid global expansion of the liberal economic order and the "wave of democratization" of authoritarian regimes in Indonesia, Philippines, Taiwan, Thailand, and South Korea in the aftermath of the collapse of the former USSR and the socialist countries in Eastern Europe in 1989 saw the principles of ASEAN economic cooperation more strongly engulfed by the principles of the nondiscrimination and reciprocity of the liberal economic system. These principles have been institutionalized in the rules and regulations of the General Agreement on Tariff and Trade (GATT) through eight rounds of negotiations that culminated in the establishment of the World Trade Organization in 1994.

These principles of the liberal economic system guide the norm of multilateral trade negotiations of ASEAN in its economic cooperation. These operational norms are markedly different from the principles stated in the Declaration of ASEAN Concord. These are reflected in the Framework Agreement on Enhancing ASEAN Economic Cooperation and the detailed rules of Common Effective Preferential Tariff Scheme (CEPT) for the ASEAN

⁵¹ A.W. Singham and Shirley Hune, *op. cit.* pp. 22-24.

⁵² Conway W. Henderson, *International Relations: Conflict and Cooperation at the Turn of the 21st Century* (Boston: McGraw Hill, 1998) pp. 258-260.

⁵³ For an in-depth analysis of this rapid growth of ASEAN countries see Seiji Naya, "Economic Performance and the Growth Factors of the ASEAN Countries" in Linda G. Martin (ed.) *The ASEAN Success Story: Social, Economic, and Political Dimensions*, *op. cit.*, pp. 47-87.

Ronas Paper

Free Trade Area (AFTA). These agreements reached in the 1992 Singapore Summit were followed by detailed agreements on “Mutual Recognition Arrangements” and “the Facilitation of Goods in Transit”. More principles of the liberal economic order are stipulated in the Agreement on the Facilitation of Goods in Transit. Among these principles are: Most Favoured Nation Treatment, National Treatment, Simplicity, Transparency, Efficiency, and Mutual Assistance.⁵⁴

These principles are pursued through the detailed regulative rules of the CEPT Scheme for AFTA and related agreements on Mutual Recognition Arrangements Facilitation of Goods in Transit, and Customs valuation.

Rules for a Free Trade Area: Deepening Integration in Regional Trade

The CEPT Scheme aims to reduce tariffs among member states for “all manufactured products – including capital goods, processed agricultural products, and those products falling outside the definition of agricultural products”⁵⁵ as defined in the Scheme. Using the nomenclature of the harmonized system of the World Customs Organization, the list of specific products covered by the CEPT Scheme is based at the HS 6-digit level.⁵⁶ On the other hand, the exclusion lists allowed for members that are ‘temporarily not ready to include such products’⁵⁷ cover the HS 8/9-digit level. The products covered by the Preferential Trading Arrangement (PTA) are deemed transferred under the CEPT Scheme subject to the margin of preference as of 31 December 1992.⁵⁸ All other PTA items not transferred to the CEPT Scheme will continue to be subject to the same margin of preference.⁵⁹

The CEPT Scheme provides a schedule of tariff reduction for product coverage of the agreement. The original schedule provided a period of five to eight years starting on 1 January 1993 to reduce tariff rates to 20% and then the subsequent tariff reduction from 20% to 0-5% within 7 years.⁶⁰ The Scheme encourages member states to reduce tariffs faster than the stipulated schedule of tariff reduction on specific products they agree upon.

This original schedule of tariff reduction has been accelerated in 1995 in the Protocol to Amend the Agreement on the CEPT Scheme for AFTA. In the accelerated schedule of tariff reduction, the timeframe to reduce tariffs to 20% is shortened to 5 years and the subsequent tariff reduction from 20% to 0-5% is also shortened to 5 years.⁶¹ Hence, the original target date of attaining the intended tariff reduction under the Scheme has been moved forward to 2003 from 2008. This target had been further accelerated from 2003 to 2002.⁶² ASEAN reported that 92.8% (40,856 tariff lines out of total 44,037 tariff lines) of

⁵⁴ ASEAN Framework Agreement on the Facilitation of Good in Transit, Hanoi, Vietnam, 16 December 1998.

⁵⁵ Article 3, Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area, Singapore, 28 January 1992.

⁵⁶ Article 2, CEPT Scheme for AFTA, Singapore, 28 January 1992.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Article 4, CEPT Scheme for AFTA, Singapore, 28 January 1992.

⁶¹ Article 3, Protocol to Amend the CEPT Scheme for AFTA, Bangkok, 15 December 1995.

⁶² The 2001 CEPT package contains the ASEAN countries’ CEPT import duties and tariff reductions schedules starting from the year 2001 up to year 2010. It also includes the Most Favoured Nation tariff rates of all member countries to help identify where preferences are provided. This package is available at <http://www.aseansec.org/print.asp?=/ecopn/cept-introduction.htm>. As indicated by the 2001 CEPT

PPSA 2003 National Conference

the products in the Inclusion List of the six original signatories to the CEPT Agreement was in the tariff range of 0 to 5 percent.⁶³

The regional institution that was established to implement the free trade area is the AFTA Council. The Council was established to monitor and implement all of the agreements regarding regional trade liberalization. It is a ministerial level council composed of the same members of the ASEAN Economic Ministers. It is provided administrative and technical services by the Senior Economic officials and the ASEAN Secretariat.

Complementary Rules Supportive of the Free Trade Area

Acknowledging that tariff reduction needs to be complemented, additional regulative rules have been agreed upon among the members in the area of Mutual Recognition Arrangements, Facilitation of Goods in Transit, and Customs valuation. These additional rules are integral parts of the overall aim of liberalizing intra-ASEAN trade. As described by ASEAN Secretary-General Rodolfo C. Severino,

“The integration of the Southeast Asian market has several elements. The reduction and eventual removal of tariffs on intra-ASEAN trade, as codified in the ASEAN Free Trade Area. The dismantling of non-tariff barriers. The harmonization of product standards. The streamlining and coordination of customs procedures. The liberalization of intra-ASEAN trade in services. Strengthening our land, sea and air transport linkages. Interconnecting our telecommunications. Providing a regional framework for the development and use of information and communications technology. The free flow of investments within ASEAN”.⁶⁴

This observation reinforces an economic analysis on the implications of a free trade area for ASEAN.⁶⁵ The analysis, made in 1991 at the time when ASEAN was still seriously considering the establishment of a free trade area, concluded that “a free trade area in ASEAN will contribute to increased trade and growth in the region”. However, “it may not be enough to reduce intra-regional tariff” in order to benefit from an integrated market. It is also necessary to “harmonize industrial standards, investment codes, labour restrictions, excise taxes and other domestic policies that can limit intra-regional trade and investment.”⁶⁶

Mutual Recognition Arrangements

As part of the overall framework of market liberalization, the Framework Agreement on Mutual Recognition Arrangements aims to “introduce greater transparency in standards and conformance, the alignment of national standards with international standards, and facilitate mutual recognition arrangements” as ways of “eliminating technical barriers to

package, the member countries have enacted statutes and administrative issuances to implement the CEPT Scheme for AFTA.

⁶³ ASEAN Standing Committee, Annual Report 2001-2002 (Jakarta: ASEAN Secretariat, 2002) p. 23.

⁶⁴ Statement of Rodolfo C. Severino, Secretary-General of the Association of Southeast Asian Nations, at the ASEAN Integration Initiative Development Cooperation Forum, ASEAN Secretariat, Jakarta, August 15, 2002.

⁶⁵ Pearl Imada, Manuel Montes, and Seiji Naya, A Free Trade Area: Implications for ASEAN (Singapore: ASEAN Research Unit, Institute of Southeast Asian Studies, 1991) pp. 34-35.

⁶⁶ Ibid. p.35.

Ronas Paper

trade and enhancing market access” among ASEAN countries.⁶⁷ Following the guidelines of the International Organization for Standardization and International Electrotechnical Commission, ASEAN seeks to establish a set of criteria and procedures aimed at accrediting “Conformity Assessment Bodies” by “Designating Bodies” in member countries.⁶⁸ These conformity assessment bodies are deemed technically competent to evaluate the required standards of sectoral products and all member countries must recognize their assessments. This procedure is expected to standardize product specification and assessment and would facilitate trade among member countries.

Another agreement that supports the establishment of the regional free trade area is the Agreement on the Facilitation of Goods in Transit. The agreement is intended to cover all modes of transportation – land, air, and sea. It stipulates three objectives:

- “a. to facilitate transportation of goods in transit, to support the implementation of the ASEAN Free Trade Area, and to further integrate the region’s economies;
- b. to simplify and harmonize transport, trade and customs regulations and requirements for the purpose of facilitation of goods in transit; and
- c. to establish an effective, efficient, integrated and harmonized transit transport system in ASEAN.”⁶⁹

This agreement grants member countries the “right of transit transport and the right to load and discharge third countries’ goods destined for or coming from contracting parties”.⁷⁰ The agreement also stipulates that the parties will provide transit transport facilities in their respective territories, exempt transit transport from duties, taxes, and other charges except for specific services rendered, avoid unnecessary delays or restrictions, and exempt sealed road vehicles from examination by customs offices.

More specific protocols under this framework agreement will be negotiated. These protocols include designation of transit transport routes and facilities; designation of frontier posts; types and quantity of road vehicles; technical requirements of vehicles; ASEAN scheme of compulsory motor vehicle third-party liability insurance; railways border and interchange stations; customs transit system, sanitary and phytosanitary measures; and dangerous goods.

Expanding Free Trade in the ICT Sector

In addition to these multifaceted aspects cooperation to establish a free trade area in ASEAN, the trading in information and communication technology (ICT) sector has been given special attention through the e-ASEAN Framework Agreement signed on 24 November 2000. This agreement seeks to establish a free trade area covering goods, services, and investments in the ICT sector. The original target date is in 2010 but the economic ministers, in their meeting held on 15 September 2001, urged member countries to accelerate the implementation of the e-ASEAN to 2002.⁷¹ In the same meeting, the economic ministers

⁶⁷ ASEAN Framework Agreement on Mutual Recognition Arrangements, Hanoi, Vietnam, 16 December 1998.

⁶⁸ Ibid.

⁶⁹ Article 1, ASEAN Framework Agreement on the Facilitation of Goods in Transit, Hanoi, Vietnam, 16 December 1998.

⁷⁰ Article 5, Ibid.

⁷¹ Joint Press Statement, The 33rd ASEAN Economic Ministers Meeting, 15 September 2001, Ha Noi, Vietnam

PPSA 2003 National Conference

took note of the on-going activities aimed at realizing e-ASEAN. These include the efforts to establish the ASEAN Regional Internet Exchange; facilitate the enactment of legislation for e-commerce among members without such legislation; accelerate the establishment of certification authorities for the regional cross-recognition of digital signatures to enhance e-commerce; shorten the time frame for the elimination of tariffs for ICT products; develop the needs in terms of capacity building and development of member countries, particularly Cambodia, Laos, Myanmar, and Vietnam; and harness ICT in e-Government, i.e. procurement of goods and services.⁷²

The accelerated elimination of duties for ICT products will start in 2003 instead of 2002 as urged by the economic ministers. For the old members, this will continue to 2004 until 2005. For the new members, this process will start in 2008 until 2010. Member countries have submitted their indicative lists of ICT products under this scheme.

Integrating New Members into the Free Trade Area: ASEAN Integration System of Preferences (AISP)

In accordance with the Initiative on ASEAN Integration aimed at bridging the development gap between the old and new members, the AFTA Council decided to extend tariff preferences to the new members starting on 1 January 2002.⁷³ This preferential treatment is voluntary on the part of the old members and subject to bilateral negotiations based on the products to be submitted by the new members. The implementation of this system of preferences will be monitored by the senior economic officials and reported to the economic ministers. The benefit of the AISP to the new members is estimated to be US \$ 400 million worth of exports a year.⁷⁴

This system of preferences extended to new members by the old members is an integral part of the Initiatives for ASEAN Integration. It is the Association's attempt to hasten the development of the new members in order to bridge the "development gap" between the old and new members. The system of preferences is complemented by a package of "44 programmes and projects with a total budget of US\$ 57.5 million".⁷⁵ The priority areas for this package are infrastructure, human resource development, information and communications technology, and regional economic integration. This package or Work Plan for the integration of the new members was developed through a series of workshops led by the new members themselves, coordinated by the Secretariat, and with the financial support of Japan. The financial resources necessary for its implementation is expected to be generated from the "dialogue partners" who have extended development assistance to ASEAN since 1977.

In the launching of this Work Plan, the Secretary-General of ASEAN reiterated the rationale of the Initiative. He said:

"Misgivings were raised about a 'two-tier' ASEAN. However, for ASEAN, Southeast Asian solidarity is strategic imperative. Its collateral effects will just have to be dealt with. The only thing worse than a two-tier ASEAN is a two-tier Southeast Asia – one in ASEAN and the other outside it. ASEAN's response to the "two-tier" problem is not to keep

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ Joint Statement, The 34th ASEAN Economic Ministers Meeting, 12 September 2002, Bandar Seri Begawan, Brunei Darussalam, p. 2.

Ronas Paper

out the weaker economies of Southeast Asia but bring them in, seek to integrate them in ASEAN, and help them close the development gap between them and the older members".⁷⁶

Addressing the Regional Financial Crisis

The deepening of regional economic integration through the acceleration of the implementation of the CEPT for the free trade area and other complementary agreements like mutual recognition arrangements, improvement of the regional investment climate, the initiative to integrate the new members to bridge the 'development gap', and other short-term measures were the long-term programmatic policy responses of the Association to the financial and economic crisis of 1997-98. These policies are aimed at restoring investor confidence in the region and thereby encourage the inflow of trade and investment.

Additionally, however, more specific responses were taken to directly address the regional crisis. These are: the ASEAN Surveillance Process (ASP), the launching of ASEAN + 3 Financial Cooperation, and the Chiang Mai Initiative.⁷⁷

The ASP is a monitoring process that involves the exchange of information among finance ministers and central banks of member countries, as well as the tracking of economic and financial developments in the region and around the world. The principal aim is to attain an acceptable level transparency in regional financial matters that is expected to prevent the recurrence of the crisis. The Secretariat has formed the ASEAN Surveillance Coordinating Unit (ASCU) to assist the finance ministers and central banks in this monitoring task. The Asian Development Bank had provided technical assistance in the building of technical capability of ASEAN officials charged with this responsibility.⁷⁸

The focus of cooperation among ASEAN and China, Japan and South Korea includes financial cooperation. This involves "establishing a regional financial arrangement to supplement existing international facilities". It also covers cooperation in capacity building through a network of training and research institutes. The supplementary arrangement under this cooperation evolved into the bilateral swap agreements among ASEAN members and the East Asian countries and is now referred to as the Chiang Mai Initiative. This is a regional financial arrangement that involves "an expanded ASEAN Swap Arrangement and a network of bilateral swap arrangements among ASEAN countries, China, Japan and the Republic of Korea".⁷⁹ It has been operationalized as can be seen in the reported currency swap agreement between the Philippines, China and Korea in the amount of US\$ 1 billion.⁸⁰ The Philippines had earlier forged a bilateral swap agreement with Japan.

Institutionalization of Dispute Settlement Mechanism for Economic Agreements

From 1971 to 1996, ASEAN had reached 47 economic agreements covering issue-areas as trade, food and energy security, preferential trading arrangements, industrial ventures, industrial complementation, promotion and protection of investments, as well as the establishment of a free trade area. These economic agreements have given rise to so many rights and obligations to each and every member of ASEAN, and in the process of

⁷⁶ Opening remarks of Rodolfo C. Severino, Secretary-General of ASEAN, at the Initiative for ASEAN Integration Development Forum, Jakarta, 15 August 2002.

⁷⁷ ASEAN Secretariat, ASEAN Responses to the Financial Crisis, n.d. circa 2000

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ The Philippine Star, "RP to get \$ 1B via currency swap deals with China", September 12, 2002.

PPSA 2003 National Conference

implementing these agreements, disputes are bound to arise. On 20 November 1996 in Manila, the ASEAN Economic Ministers (AEMM) signed the Protocol on Dispute Settlement Mechanism.

Following the established rule of peaceful settlement of dispute on political and security issues, the formal procedures of this protocol give premium to direct bilateral consultation between members. The protocol urges members to address their differences, as far as possible, amicably through consultations.⁸¹ The period of this consultation is specified for the purpose of an early resolution of the dispute. If this consultation does not lead to a settlement, members can consider good offices, conciliation, and mediation. If these procedures fail or the consultation fails to settle the dispute in 60 days, it becomes mandatory to raise the dispute to the Senior Economic Officials Meeting (SEOM)⁸². It is required by the procedure to establish a panel composed of acknowledged authority in the field of international trade law or former government officials who had served as senior trade policy official.⁸³ The panel would look into the legal and technical issues involved in the dispute and submit its objective assessment and recommendation to the SEOM for its ruling. Members may appeal the ruling of the SEOM to the AEMM. The ministers are required to make a ruling on any appeal within 30 days of the appeal.⁸⁴ The expected outcomes of these procedures are either compliance of the erring member or suspension of concessions and compensation. In case of this latter outcome, the parties to the dispute are still encouraged to negotiate a mutually acceptable compensation.

These procedures appear to be forging a compromise between the jurisdiction of SEOM and AEMM, on the one hand and the sovereign right of members on the other. But the mere stipulation of sanction in these procedures marks a significant development in regard to the “demand for jurisdiction” of supranational bodies on “preexisting national states” in the process of economic integration.⁸⁵

Conclusion: Continuity and Change in ASEAN Regime Dynamics

Amid the emergence of a multipolar regional power structure and continuous regional economic integration, as well as the forging of momentous agreements from 1992 to 2001, ASEAN has manifested both resilience in its principles and norms of political-security cooperation, and transformation of the principles of its economic cooperation. It has also manifested innovative transformation in its rules and administrative institutions in both the political-security and economic dimensions of its cooperation.

ASEAN political and security cooperation remains rooted in the principles of “freedom from external interference, peaceful co-existence, and peaceful settlement of dispute” for the purpose of attaining regional peace and stability. The norms of conduct that operationalize these principles remain intact – direct bilateral and quiet negotiations in settling disputes between member-states.

The perceptible change in the political-security cooperation is found in the rules for the regional process of peaceful settlement of dispute and the establishment of the quick-

⁸¹ Article 2, Protocol on Dispute Settlement Mechanism, Manila, 20 November 1996

⁸² Article 4, Protocol on Dispute Settlement Mechanism, Manila, 20 November 1996

⁸³ Appendix 2, Working Procedures of the Panel, Protocol on Dispute Settlement Mechanism

⁸⁴ Article 8, Protocol on Dispute Settlement Mechanism, Manila, 20 November 1996

⁸⁵ Ernst B. Haas, The Uniting of Europe (Stanford, CA: Standford University Press, 1958) p. 16 cited in Paul R. Viotti and Mark V. Kauppi, International Relations Theory: Realism, Pluralism, Globalism, and Beyond, 3rd ed. (Boston: Allyn and Bacon, 1999), 213.

Ronas Paper

response *Troika* to address political-security issues. As earlier noted, these transformations are mere “changes within the regime”.

The TAC has been amended twice and in both instances the intention was to expand the scope of the treaty. From the six old members, the first protocol of 1987 sought to include other Southeast Asian countries, while the 1995 protocol seeks the inclusion of countries outside of Southeast Asia in addition to the current ten members.

An equally important change in the rules of political-security cooperation is the formalization of the Rules of Procedures of the High Council, inoperative in the last 25 years since the signing of the TAC in 1976. The recently adopted rules stipulate the procedures in initiating the regional process of peaceful settlement of dispute, conduct of meetings, and decision of the High Council. Unlike the informal rule of the TAC among member-states, the regional process is a procedure of record, i.e. the complaint, reply, and decision are required to be in writing and course through official diplomatic channels. The process, however, remains confidential and may not be made public.

The enlargement of the coverage of the TAC may be given impetus through the ARF -- the Asia Pacific multilateral forum meant to promote confidence-building, preventive diplomacy, and conflict-resolution. But this prospect is at the moment remote. China has expressed its inclination to favorably consider acceding to the TAC but has not done so in actual fact. Other major powers appear lukewarm to the prospect of expanding the “ASEAN Way” of peaceful settlement of dispute. Without the support of all the major powers, the prospect of the expansion of the TAC beyond the members of ASEAN is at the moment nil.

In regard to ASEAN’s economic cooperation, its regime dynamics manifest more substantive transformation or what may be termed as “regime change”. The principles of economic cooperation have changed from cooperation based on “equity” and the need “to reform the international economic order” into “economic integration” in order to be competitive in the liberal order based on “nondiscrimination”. This regime change in ASEAN’s economic cooperation is deepened by rule-setting or regulative agreements meant to complement the establishment of the free trade area. The agreements on mutual recognition arrangements, trade in services, harmonization of customs valuation will further integrate ASEAN with the liberal economic order. Additionally, the free trade of ICT products and services (e-ASEAN), the unilateral special tariff preferences for the new members, and the package of development projects under the Initiative for ASEAN Integration also for new members, will reinforce the ongoing economic integration among ASEAN countries.

The deepening process of economic integration has transformed ASEAN economic cooperation into a more rigorous and formal rule-based regime. This will create in the near future the need for regional regulatory bodies in order to monitor and implement the economic integration process, as well as dispute settlement in regard to trade issues. It is important to observe this process more keenly in order to find out if it would lead to the establishment of supranational bodies. The establishment of supranational bodies that regulate regional economic issues would firmly manifest the perceived on-going regime change in ASEAN economic cooperation.

The regime change in the economic cooperation of ASEAN has initiated a process of formalization and rule-based cooperation. Its effects are not only perceptible in the economic issue-areas but in the political-security issue area as well. This process of formalization and rule-based cooperation, however, has not yet altered the principles and norms of ASEAN’s political-security cooperation. It remains rooted in the principles of

PPSA 2003 National Conference

“freedom from external interference” and “peaceful co-existence” through the establishment of a zone of peace, freedom and neutrality. The norms of peaceful settlement of dispute through direct bilateral consultation and the regional process have also remained intact.

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TERRITORIAL INTEGRITY AND IDENTITY POLITICS

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The roots of instability in the Philippines, as in most of southeast Asia, can be traced to the retention of the political and territorial boundaries that were shaped by the colonial projects of Western powers. The colonial legacies of divide and rule and civilian warfare continue to fuel conflicts in the region. To resolve the problem, it is necessary to review the doctrines of territorial integrity and “national” sovereignty and take a serious look at people’s integrity and identity politics.

The colonial relic states

We will observe that the map of southeast Asia retains its pre-World War Two configuration, with some variations.¹ The variations are found in the territory of French Indo-China, which split into its traditional constituent parts - Vietnam, Cambodia, and Laos, give or take certain border modifications. On the other hand, the different British-held territories with their different colonial governments – Malaya, Sarawak, and Sabah morphed into Malaysia. Singapore, also British-controlled, was originally a part of the federation, but the majority Chinese in the island proved to be a tough nut to crack and was spat out of the Malay-dominated union.

The other countries retained their separate colonial administrative structures. Burma and Sri Lanka, also under the British, were left intact as independent states; Indonesia, ruled by the Dutch, likewise retained its vast territory, even incorporating Irian Jaya, also ruled by the Dutch. Not too long ago Indonesia tried to swallow tiny East Timor, an orphaned Portuguese enclave, but international pressure was too much and Indonesia had to spit it out reluctantly.

Thailand emerged uncolonized by Western powers, but supposedly only because it served as a buffer zone between the British in Burma and the French in Indo-China.

The Philippines, ruled by the United States for some 50 years, also became independent with its territory defined by the Treaty of Paris of 1898 which was concocted by Spain and the US.

Brunei is mere skin and bone of a country, with a population of 200,000 or 300,000, not bigger than the population of downtown Davao City. It’s still lucky though. At least it survived, and is filthy rich besides. In contrast, the other sultanates in the region vanished from the map.

I mention these historical details as a reminder that our current geography is a product of the colonial project of Western powers. We must remember that a colonial project is a brutal and vicious project of landgrabbing and plunder. The colonial powers wanted territories and resources and grabbed as much territory as they could. These colonial powers fought wars against each other, and the more successful then proceeded to kill, pillage, and subjugate the natives. They swept aside or corrupted native political structures and institutions and put vastly different peoples under one administrative unit to facilitate ruthless oppression and exploitation.

We know that the Second World War erupted because some upstarts wanted to redivide the world. Had the Japanese won we would have seen a new configuration in East Asia. At any rate, after the Second World War, the colonial states became independent. The birth of these new nations was hailed as the culmination of the decolonization process. It was supposed to open a new era of peace and democracy.

But what are these so-called modern states? Are they not merely colonial relic states? Except for one or two exceptions, these states remain highly unstable.² They continue to exhibit the worst features of colonial states -- weak, poor, and riven by many conflicts the seeds of which were deliberately implanted by the colonial powers through the strategies of divide and rule, civilian warfare, and the most insidious of all, cultural satellitization.

Divide and rule

We are familiar with divide and rule. All colonialists are masters of the art. They exploit local conflicts, dynastic wars, and ethnic rivalries to advance their colonial projects. In 1521, when Magellan landed in Cebu, he immediately offered the chieftain Humabon to become the overlord in the area. In 1609 Pampango troops were sent to garrison Tandag in old Caraga.³ In 1648 Christian Lutaws (Samals) were used to suppress the Sumuroy revolt of Samar.⁴ The Zamboanga volunteers were highly praised by the Spaniards for helping conquer "Jolo, Cotabato, Parang-parang, and Lanao in Mindanao," and the suppression of rebellions in Luzon, Negros, Cebu, Cotabato, Tucuran, and Tumbao.⁵

All this exacerbated mutual hostility that characterized the relationship between and among the tribes which later narrowed down to hostility between the Christianized north and the Moro south. As the Spaniards relentlessly expanded their territory by using Christianized native troops, the Moros retaliated with attacks on Spanish-controlled settlements. Both sides could therefore cite genuine grievances against each other, with the Spaniards emerging victorious.

Civilian warfare

I define civilian warfare simply as civilians fighting civilians. It is likewise an ancient colonial strategy, and takes several forms. It can be a simple case of deporting so-called dangerous individuals or it can be an organized transfer of population to hostile territories.

The Spaniards deported a total of 60,000 persons starting from the 1700s.⁶ This usually meant exile to Mindanao or the Marianas, although the traffic could also be reversed as when the Spaniards exiled Balangingi Samals to northern Luzon in 1848.⁷

Tiu Paper

But the colonial project that is now causing the biggest headache to former colonial countries is the organized transfer of people to enemy territory. There would have been no problem if the model followed is the US or Australia wherein the native populations were simply exterminated, or else reduced so insignificantly they only survive in reservations. But where the colonial project is merely to control but not to resettle completely, then we have powder kegs like Mindanao, and such cases like Sri Lanka, and Northern Ireland.

In Mindanao, the Spaniards had long wanted to dilute the native population to make it easier to control. But very few wanted to resettle voluntarily precisely because of the hostility of the Moro tribes. It was only during the American regime that immigration into Mindanao increased, lured by the promise of work and land. By the 1930s the demographic profile in Davao had changed in favor of the settlers, while the Moro territories were increasingly being reduced.

The massive presence of other peoples in Moroland is causing the social upheaval we are witnessing today in Mindanao. The message of the wars and bombings that are erupting in our midst is freedom from fear of further minoritization or extinction. The native minority demands a space of their own, otherwise outsiders will overwhelm them. Contrast this with Sri Lanka, in which the migrant minority Tamils demand a homeland of their own.

I add Northern Ireland to stress the evil fruits of civilian warfare. I had always wondered about the so-called Protestant and Catholic divide there, thinking how simple the problem was. But later I would learn that the British colonial project called for the implantation of Protestant Scots in Catholic Ireland, particularly in Northern Ireland. I know now the problem is deeper than religion, in the same way that we know that in Mindanao it is more than Muslim vs. Christian.

Cultural Satellitization

By cultural satellitization I mean the process of winning the hearts and minds of the colonized peoples so that they will think and act like their masters and identify their interests with the interests of their masters. As we know, military victory does not necessarily guarantee peace. We are witnessing that today in Iraq. In the case of the Philippines, only the Spaniards were shocked and awed by the Americans, and they surrendered in just a day of naval engagement. On the other hand, the Filipinos would not surrender even if their main forces had already been destroyed. Shifting to guerrilla warfare, the Filipinos inflicted bigger losses on the invaders, prompting the Americans to hamletize the civilian population and wage germ warfare⁸ to bring the war to a close in 1902. But the guerrilla war persisted for several years more, and in Mindanao it would take a full decade before any large scale resistance would cease.

My investigation into this period of Philippine history convinces me that the hostility of the Filipino people to the new invaders was almost universal. In 1905 a newspaper based in Zamboanga admitted nine out of ten Filipinos wanted to get rid of the Americans.⁹ But within a generation this had changed, and today President Gloria Macapagal Arroyo is a first class citizen of the US, as Ambassador Francis Ricciardone puts it.¹⁰ How this came about is the result of cultural satellitization. Again, this is an ancient strategy. The Egyptians did it

two, three thousand years ago. To make a colonial project successful, the colonialists must not only assault militarily, but also culturally. Thus even as the Americans were waging huwes de kutsilyo to eliminate the resistance of the Filipino adults, the Americans also set up schools and began to educate the children. They sent scholars to study in the States who became the most ardent apologists of American rule. Only then could the conquest become complete. Hostility had turned to eternal gratitude. The Americans are now trying to duplicate that feat in Iraq by taking over the educational system and designing the curriculum there. They hope they will no longer have to use force on Iraqis a generation from now.

Territorial integrity

We know that over the years, the borders of the countries of Southeast Asia shifted, moved, shrank, or grew. Some states vanished. The borders of the present countries in Southeast Asia are products of landgrabbing by powerful Western powers who fought among themselves then decided among themselves that this or that territory should be part of this or that colony. And they forged treaties and agreements to respect the territorial integrity of these colonies that they had created.

Should these borders remain fixed forever?

Why is it that Britain would return Hong Kong to China when China had ceded it in perpetuity to the British? Why is it that Britain would not return Sabah to the Sulu Sultanate or the Philippines when Sabah was merely leased by the Sulu Sultanate to two British speculators?

We find in this so-called postcolonial and postmodern era many countries within whose borders live many different peoples or nations who were forcibly brought together by the colonial powers under one administrative unit. I call the existence of many peoples in a single country the vertical ethnokinship split.¹¹ This is the reason why a single national identify is very difficult to forge in these countries. Some of these peoples are even openly hostile to each other and would rather kill each other than live together. Why can't each of these peoples have a breathing space of their own? What territorial integrity is endangered here? Who decreed that this relic colonial shell is sacred, inviolable, non-negotiable?

In Sri Lanka, Burma, Indonesia, and the Philippines, people continue to kill each other because the existing states seek to perpetuate what has been created by the colonial projects of Western powers.¹² Exacerbating the problem is the existence of the political, economic, cultural, and educated elites who are divorced from their peoples. I call this the horizontal split in society. Designed to plunder and to be plundered, government is corrupt to the core, inheriting the functions of a colonial state to collect tribute or tax and suppress the people's anti-colonial projects. As in a colonial state, the people don't count; the leaderships having abandoned them, a fact clearly evident in the widening gap between the rich and the poor. The so-called national community is nothing but an abandoned community, precisely the desired result of any colonial project.

Instability then is embedded in any colonial relic state as it is mired in many unresolved conflicts. Repeating the mantra of national sovereignty will not transform a weak state into a strong republic. In the first place, we know that sovereignty is a plaything of the powerful. It

Tiu Paper

can be seized, stretched, pruned, fragmented, or crushed. It can be sold for US\$20M. As in the old days, any powerful George, Tony, and John¹³ can shock and awe their way into any part of the world and pursue their colonial dreams. The costs are more expensive now, but the rewards remain high.

If we want a strong republic, we should not become first class citizens of the US. This formula has been used for 100 years and look at us now: 26 million Filipinos or 32% of our people live in abject poverty.¹⁴ Instead, we, and that means 82 million of us, should become first class citizens of our country. We must continue to launch anti-colonial projects directed not only against the persistent colonial projects of Western powers, but also against the internal colonial structures that were put in place by past colonial projects. This means we have to review existing power relations among the different peoples who live within the present borders of the Philippines.

There is so much unhappiness in the relationships among the various ethnokinship groups. Under new guises, the Pampango troops and the Zamboanga volunteers are back in business as the ghosts of the Moro sultanates sporting such as the Moro National Liberation Front (MNLF), Moro Islamic Liberation Front (MILF), and Abu Sayaff haunt their ancestral domains. We can continue to kill each other and bloody the land with total wars and bombings, or we can talk and renegotiate. As we are a product of a vicious colonial project, we should begin by declaring that nothing is sacred, inviolable, or non-negotiable except people's integrity. Respect for people's integrity means respect for the many nations found within the present borders of the Philippines. Those who want out should be allowed out. After all, a lot of Filipinos are fleeing abroad. We should have the courage to rearrange and modify power relations within so that each ethnokinship group is empowered. Only by setting our house in order can we become a strong state, defeat the colonial projects of foreign powers, rescue our abandoned communities, and move towards genuine peace and development. –30-

¹ This is true in many parts of colonial Africa and Asia.

² Malaysia is a curious exception. It is stable and prosperous despite being cobbled together by the British. Its formula of leaving politics to the Malays and business to the Chinese has succeeded in maintaining peace. Political activists though accuse the government of authoritarian rule.

³ Peter Schreurs, *Caraga Antigua, the Hispanization and Christianization of Agusan, Surigao, and East Davao*, San Carlos Publications, Cebu City, 1989, 117.

⁴ H. dela Costa. *The Jesuits in the Philippines*, the Harvard University Press, Cambridge, 1961, 413. At that time, the island was called Hibabao. I am investigating the possibility that the Samals gave the name Samar to the island.

⁵ Schreurs 1998, 227.

⁶ An information I learned from Mr Encomienda of the National Historical Institute (NHI), 14 September 2003, Davao City. The National Archives contains voluminous documents on the deportados.

⁷ Najeeb M. Saleeby. *The History of Sulu*, Filipiniana Book Guild, Inc., Manila, 1963, 96. The Samals were exiled to Cagayan Province, in an area that now belongs to Isabela Province.

⁸ See Macario D. Tiu. *Davao 1890-1910: Conquest and resistance in the garden of the gods*. University of the Philippines-Center for Integrative and Development Studies, Quezon City, 2003, 240-262.

⁹ "Give us territorial form of government," *Mindanao Herald* (MH), 12 August 1905, 2.

¹⁰ The Ambassador immediately claimed it was a slip, but Filipino militants seized it to make a point. "US envoy's statement no slip, say militants." *Philippine Daily Inquirer* (PDI). 3 October 2003, A6.

¹¹ Macario D. Tiu, "Worldview, Community, and Lumad Poetics," *Tambara* Vol 18, 2001, 137-154.

¹² Uncolonized Thailand has its own secessionist movement in the south. W.K. Che Man. *Muslim Separatism: The Moros of Southern Philippines and the Malays of Southern Thailand*. Ateneo de Manila Press, Quezon City, 1990.

¹³ George Bush of the United States, Tony Blair of Britain, and John Howard of Australia who compose the coalition of colonialists.

¹⁴ "26.5m Pinoys living below poverty line," PDI, 3 October 2003.

MUSLIM WOMEN IN THE POLITICAL CULTURE OF SULU AND TAWI-TAWI

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I- Introduction

The entry of Muslim women into politics is part of the general political culture encouraged at the national level. The great breakthrough was the presidency of Corazon C. Aquino. Even before this time, however, Muslim women were already participating in politics dating to the Sultanate period.

The data for this paper comes from Gender Politics: A Study of Muslim Women Barangay Councilors in Selected Municipalities of Sulu and Tawi-Tawi in 1997. The Study was funded by CIDS.

II- Two Significant Factors in Women Political Participation

Family involvement in politics

The family-based type of politic is very typical in Sulu and Tawi-Tawi. Many of the Kagawads/Kapitanas were members of politically prominent families. For instance, the Kapitana of San Raymundo was the widow of the late governor of Sulu and also belongs to a political clan whose members have occupied various elected and appointed offices on the municipal, provincial, regional and national levels at one time or another. The Kapitana of Chinese Pier is the daughter of a politically prominent family whose uncles were a former mayor, then assemblyman of ARMM; and, vice-provincial governor of Sulu respectively. The late vice-mayor of Bongao,Tawi-Tawi, who was elevated to this position from Senior Kagawad, was married to a politically prominent man in their own locality.

In some cases, there were no males who could qualify for office so the women were asked to run in order to keep the family in power. One example was the Kapitana of Barangay Pakias of Bongao, Tawi-Tawi, who was selected for the position by her family because she was the most qualified among them. Another example was the case of the mayor of an island in Tawi-Tawi who had held the position for several terms. In the 1993 elections, he ran for governor. Because he had no sons, he asked one of his daughters to run for mayor. Since the island is acknowledged as the political bailiwick of the family, the daughter easily won. Another daughter ran for the ARMM assembly and also won.

Family ties are important in providing women's political participation a solid base of support. This gave many, if not all of the candidates, a chance to succeed. Family members provide funds and other material support; more important, they provide the workforce of the candidate during and after the election. However, a new trend seems to be apparent; that is of women politicians running for office without an extensive family network. How far they can go or stay in politics without this support remains to be seen.

PPSA 2003 National Conference

Family ties also provide reflected status on women candidates. Two women barangay captains were already cited as having benefited from the political activities of their families. Another Kagawad also belong to the same clan but whose brother was a popular MNLF commander. That these women also happened to be relatives is not all surprising.

Social class

Most of the women belong to middle and upper social classes. Although election at the barangay level does not encourage the use of high financing, nevertheless, some funding cannot be avoided. Wealthy candidates are seen as potential help in times of troubles when personal finances must be relied on to help constituents. Social prestige also count because of the influence such status gives to the candidate and by extension to her supporters. However, these assets can be of little use if constituents perceive that the candidate is not willing to use them to help others. This is the well-known “*Panumtuman*” or “Remembrance” concept of the Tausug that can be turned into political assets in the future. Individuals who have not extended any help or any act kindness to others are considered as “*way tumtumun*” or persons with nothing to remember them by. Thus a person with political aspiration must be seen as being generous to and approachable by potential voters to earn substantial political capital that will ensure victory in an election. Elected officials who generously give their time, efforts and resources to their constituents are regarded in the category of “*mallagub in tumtumun*” or (great remembrance or memories) in contrast to officials with nothing to remember by (*way tumtumun*). People who do not remember deeds of kindness and generosity accorded to them are considered ingrates and dismissed as not good people to dealt with. In other words, the traditional concept of reciprocity also runs through politics.

III- Some Opinions on Women Political Participation

While there is no evident outcry against women candidacies, there is also no strong push for more women candidates either. In fact, while an underlying gender-bias can be felt, the situation can best be described as in flux. This is because there are mixed opinions regarding women political participation amongst different sectors of society.

Among the judges of the Shariah Courts of Sulu, the lone woman judge stated that there is no provision against women leadership in the Shariah. She cited the leadership of Aisha, the widow of the Prophet, in reconciling disputes among the early Muslims; and even leading Muslims into battle. Her own appointment as a judge however was questioned by an OMA official who declared “This is the mistake of the President, appointing a woman as a judge.” She stated that qualification and competence are better criteria for selection than gender.

Two male judges and an Arabic consultant present a different position. All agrees that there is a gradation of leadership, the highest post however must be held by men. It was pointed out that in Pakistan and Bangladesh, countries with women prime-ministers, the prime-ministership is not the highest position. There is a President who can dismiss the Prime Minister from office with cause. In this sense, the women prime ministers were still under the leadership of a man. The arguments were made on the proposition that “*in usng labi siya marayaw daing sin babai mag-uhan ha katan pakarajjan*” (men are better than women in being leaders in all matters).

Abubakar paper

These informants said that this argument is based on certain precedents such as: there has not been a woman prophet or religious leader; it is an obligation for men to conduct *jihad*, while it is only permissible for women to do the same; since the head of the family is the father, the head of the nation should also be the man. One judge said that personally he will not vote for a woman candidate running for president but will do so if the woman is running for governor or mayor provided she is qualified to do so. Although the governor and mayor are both executives in their own right, in the hierarchy of government officials, they are under the highest office of the land, the presidency.

Two religious leaders also have different opinions. The *imam* of Bus-Bus declares that women can be leaders if they are well-educated, they can even become presidents. He notes that even if the politician is a man but he is not well-educated, his ability to make far-reaching decisions is limited. Besides, he stresses the fact that the Qur'an has not made any declaration that women cannot be leaders. He voted for Cory and is a strong supporter of the woman Kagawad of his barangay.

The other religious leader, a graduate from Al-Azhar, allows that there are different interpretations among the *ulama* (religious leaders) regarding women leadership. The debate centers on whether women can or cannot be leaders or whether they can be leaders under some qualification or circumstances. He cited the jurist Ibn Hizam who stated that women are prohibited from holding position of public leadership such as the presidency of the country but can be leaders in other areas. Thus, this religious leader did not vote for Cory but voted for Senator Rasul. He pointed out that the *ulama* in Cotabato have taken the position that women are totally prohibited from taking leadership position.

Two academicians reiterate similar points. One also pointed out that the Qur'an has not banned nor declared it *haram* (forbidden) for women to become leaders. It is however recognized that women have certain limitations (i.e., biological) that make it less appropriate for them to be leaders. The informant nevertheless stressed that qualified women can become leaders if no qualified man is available.

The other informant stated that while he had "no right to stop them (women) from running," but if he had his way, he won't allow women to run for politics. In fact, he claims that if the Islamic Code is implemented in the Autonomous Region, women cannot run for office. Although this informant has voted for women kagawads, he did not vote for Cory Aquino. He makes this distinction: a councilor is a lawmaker, not a decision-maker. But he admits that women are more effective administrators than men since they are "*mahagut*"(cool), approachable and accessible but they should be in academic or business field rather than in politics.

The opinion coming from the *madaris* (religious schools) is noticeably conservative. Here the passive role of women in politics is greatly emphasized. According to an *ustadha* (female teacher), the role of men and women in society is complementary but different and separate, generally reiterating the same arguments of separate domains, clearly defining that the women should have nothing to do with politics.

PPSA 2003 National Conference

The lady teacher and her father, also a teacher, claim that they did not vote for women candidates for Kapitana but they did vote for women candidates for Kagawad. However, they did not make the same reservation that in the absence of qualified men, or in mixed societies (not majority Muslim), women can be leaders. They see no problems with women as head of schools.

Interviews with a number of ordinary people however show a more pervasive bias regarding women leadership than was expected. Asked whether Islam allowed women to be leaders, six males gave a "No" answer. The women gave a less definite answer, one saying "if the society is mixed, it is allowed," and the other saying "depends." One said "No." two men said "yes" outright without making any qualification while one said "can be if there are no men." The last phrase is often given as a condition for allowing women to become leaders. Whether men are qualified to be leaders seem less important than the fact that they are simply males.

But for women to become leaders, just in case no men happen to be around, they must be models of excellence. They must exhibit such qualities as intelligence, God-fearing, educated, knowledgeable in religion, honest, not treacherous, wealthy. In spite of having these qualities, majority of the informants still believes that a society under a woman leader will not be progressive. Many cited these reasons: "Women are weak, they are easily frightened by men, they are indecisive, softhearted, and they cannot control the people."

Here the notion of governance as male-oriented is supplemented by the idea that the governance is also control of people. In this context, control is associated with male superior strengths. Naturally, women are often judged wanting in this area and they are dismissed as incapable of governance. One Kapitana retorted that this kind of perception does not make all males qualified or females unqualified. She said, "*minsang usng bang makalingug*" (even if a male, but he is a troublemaker what good will he bring to the community?)

Some informants cited the fact that in the history of Muslim states, there have been no women leaders. This is contradicted by recent literatures showing that there have indeed been many women rulers. The ignorance of many Muslims regarding this historical information only goes to show how successful had been the campaign to erase the presence of women leaders from the pages of history. While women were often mentioned in biographies, this was primarily because of their connection to prominent male leaders and secondarily to imply that the state suffered because of their leadership. Now that these information are coming to light, perhaps a different perception will emerge, especially among those whose opinions reflect that height of gender bias, to wit:

1. To me no matter how good she is (she still not qualified);
2. No matter how good she is, still it is not good for women to be leaders;
3. If it is a woman, it is not good;
4. Women cannot be considered good leaders.

In spite of these opinions, majority voted for a woman candidate; said that they would vote for a woman running for president, governor or mayor. This leads to the notion that there is a great deal going on behind public utterances and actual behavior. If this is true, there is hope that traditional perception will give way to enlightened ones.

Abubakar paper

Knowing this bias, the number of women elected as Kagawads/Kapitanas can be taken as indicative of a positive trend. Religious interpretations discriminating against women leadership while seemingly widespread so far has not resulted in the elimination of women from the leadership position; or at least from the public sphere. It is worth noting that there have already been many woman mayor. The most recent is the lady mayor of Panglima Sugala in Tawi-Tawi. This would make her the local head of a municipality with the consent of the local populace. Other women who have assumed the Office of Mayor are: Hadja Titina Anni of Siasi, Sulu (wife of then Congressman Anni), the Mayor of Languyan (wife of then Governor Gerry Matba), Hadja Leonor Tulawie of Lugus, Sulu (wife of Mayor Jin Tulawie) Jean Yasin of Maluso, Basilan (a member of a prominent political family of Basilan), Hadja Darao Hayudini of Panglima Tahil (formerly Marungas Island, Sulu). Princess Tarhata Lucman (wife of the late Sultan Rashid Lucman) was the first lady governor of Lanao del Sur. There were no protests from the people regarding the election of these women.

Admittedly, these women were related to powerful male politicians who were their husbands, fathers, brothers or kins. The social and political prestige of the male relatives are such that they can carry their women candidates to victory. This is the pattern in the history of Muslim countries (and in other Asian countries as well) where women have risen to power. Whether or not women can become leaders on the strength of their own merit remains to be seen.

Some institutions like the Shariah courts, *madaris* (schools), and *masajid* (mosques) have not made any overt effort to stop women from becoming political leaders. One reason maybe the effect of the external environment, in this case, the larger political culture of the Philippines where the participation of women in politics reached its pinnacle in the election of Corazon Aquino as President. Further away, the election of women prime ministers in other Muslim countries has also exerted positive influence on Muslim women political aspiration. The more the external environment promotes the political participation of the women, the more positive would be the chances of Muslim women in their own setting. However, if these women are unable to perform well, the bias against women leaders will no doubt be heightened. Their performances will inevitably be used as markers to deny or affirm women leadership roles in the future.

III. Conclusion

To sum up, the political culture in the area consists of an underlying gender-bias against women entering politics, which is still quite persistent particularly among males since this is articulated by individuals from different educational and occupational levels. This situation is not unique since women elsewhere are also discriminated in politics.

On the surface, this bias has slightly given way to external events such as the elections of women into high offices. Nationally, a growing pro-women policy affirms the positive role of women in society in general and in politics in particular. The passage of the Women in Nation-building Law five years ago is just one of these affirmative policies.

PPSA 2003 National Conference

But Muslim women in politics, as a societal development, has to be contextualized also within an Islamic resurgence which asserts a conservative tradition. If this particular stream becomes dominant, as it did in Afghanistan, not only will Muslim women political participations suffer a setback, but the general situation of Muslim women will no doubt also suffer.

The Future of U.S.-Philippine Security Relations in an Evolving and Uncertain Post-Cold War Environmentⁱ

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As a result of the Philippine Senate's decision not to ratify a new base treaty on September 16, 1991, the United States withdrew its forces from the Philippines in November 1992. This event heralded Manila's attempts to move away from a defense policy and posture based on alliance to one that is geared towards building an autonomous defense capability. The Philippine government announced its plan to modernize its armed forces through the acquisition of modern aircraft, fast-attack crafts, reconnaissance aircraft, and corvettes. After decades of defense efforts concentrated on combating internal threats and strengthening its alliance with the U.S., the Philippine government seemed to have been galvanized in formulating a series of decisions and actions aimed at developing an independent defense posture.

Unfortunately, such attempts began to stumble and fall less than two years after the Philippine government passed a law in 1996 providing for the modernization of the Armed Forces of the Philippines (AFP). The financially constrained AFP could barely cover its basic manpower and logistic requirements, and even a modest modernization program had to be put on the back burner. Thus, a few years after the withdrawal of American forces from the country, the Philippines began looking again to the United States for its defense needs. In 1998, Manila forged with Washington a visiting forces agreement authorizing the resumption of large-scale cooperative military activities with the United States. The following year, the Philippine Senate ratified the U.S.-Philippine Visiting Forces Agreement. Furthermore, the terrorist attacks in New York and Washington on September 11, 2001 and the consequent American decision to form a global coalition against international terrorism have created further opportunities to revitalize the R.P-U.S. alliance. Current developments indicate an improvement in the U.S.-Philippine security relationship. These developments include the frequency of military exercises between the two countries' armed forces, an increased U.S. military assistance to the Philippines, and the countries' participation and close cooperation in the international campaign against global terrorism.

This paper examines the principal variable that accounts for the current Philippine policy aimed at reviving the RP-US alliance after the 1991 failure to ratify a new military base treaty, and the AFP's plan to embark on an arms modernization program to develop the country's autonomous defense capability. It also raises the concomitant question of how durable this revitalized alliance will be. Basically, this study is concerned with alliance formation, and to a large degree, alliance maintenance. It addresses two theoretically relevant questions regarding alliance durability. One gave a choice of autonomous defense (by utilizing into its own domestic resources for arms build up) and seeking allies (to provide military resources and guarantees), why does a state opt for an alliance rather than an autonomous defense? And two, under what conditions will a state favor alliance over autonomous defense? The objective of this study is twofold: 1) to explore the possibility of developing a theory of alliance formation and maintenance dealing with choices between alliance and other instruments by which states can enhance their security in an anarchic international system, and 2) to examine the factors that account for a state's decision to revitalize an alliance and maintain it, among other means, to strengthen a country's external defense capability.

The Political Economy of Security Policy

In an anarchic international system, states generally have two major choices in addressing their security needs—autonomous defense capability and alliances. This concept does not preclude the fact that autonomous defense buildup and alliance can be optimally combined because the two choices are presumed to be produced by a convex production possibility set maximized over convex indifference curves representing the country's utility function.ⁱⁱ The combination of these of two choices to address a state's security needs is sometimes considered analogous to the capital structure of a business firm with the options of debt (the corporate equivalent of arming) and equity (the equivalent of forming alliances) with the two having little effect on the value of the firm or the rate of return to the firm's overall assets. The decision to form or revive and maintain an alliance cannot be separated from any act that will lead to autonomous defense; the balance of cost and benefit of each other often decide the process by which a state chooses one over the other.ⁱⁱⁱ Normally, states will select the one that provides the greatest amount of security benefits at a minimal political and economic cost.^{iv}

In an ideal world of equal and power-seeking political agents, the development of an autonomous defense capability is considered the optimum or preferred choice states must aim for. The state is often seen as the ultimate expression of a national community. Its autonomy embodies the freedom from outside the control and is defined as the decisive exercise of sovereignty by the body politic. States also want to exercise as much freedom as possible to avoid being drawn into events that have harmful consequences, and to fend off restrictions on their actions, particularly with respect to ensuring their security and exercise of sovereignty. Developing an autonomous defense capability involves improving a state's ability to defend itself through arms build up or acquisition financed by domestic spending or by asking other states to supply the military capital in exchange for a share of the residual stream of gain. If the second option is not readily available, a state pursuing autonomous defense must increase the capital structure of its military capability by relying heavily on domestic resources through taxation or borrowing and conscription. States often observe a policy of developing autonomous defense if they have significant extractable natural resources under their control, knowledge and technology to exploit them, and resources they can trade. As a general rule, states capable of pursuing autonomous defense include only those that have achieved self-sufficiency in the production of major weapon systems because of their large gross national product, an expansive industrial base, and numerous high-technology industries.

Usually, most small and even medium-sized states find it extremely difficult to pursue an autonomous defense policy because of inadequate independent arms production capability. They may also lack a domestic resource base, a sufficient industrial base, and the ability to achieve the necessary economy of scale. During a period of high-technology warfare, they suffer from shortage of appropriate technology necessary to develop sophisticated and expensive military hardware. These states might attempt to squeeze their limited resource base for external defense but this may produce short-term military security at the cost of weakening the long-term health of their economies and therefore, their long-term military potential and survival.^v States form and maintain alliances if they do not possess sufficient resources and military capability necessary to provide for their own national security needs.^{vi} More importantly for small and weak states, alliances bring resources from the more powerful and wealthier partners to fend off a common threat by strengthening the capability of the former. Alliances reinforce preexisting alignments by introducing elements of precise legal and moral obligations, as well as reciprocity.^{vii} In alliances, states also expect some resources and a certain degree of political support from allies that share some common interests.

De Castro paper

Alliances provide a substantial increase in military capability as they can trigger a rapid infusion of funds and other resources such as military expertise, technology, equipment and even personnel.^{viii} These resources can in turn benefit either the overall economy, or certain supporters of the regime in power, and can be used for internal or external security purposes. The infusion of external resources can minimize the political costs of autonomous defense, i.e., higher taxes, conscription, diversion of scarce resources to the military expenditures. It will also enable state officials to concentrate and pursue goals of social welfare, economic development, and political stability.

Ideally, states can pursue a general strategy of combining autonomous defense and alliances. In reality, however, states select the means that is most cost-effective and readily available. Weak and poor states choose the appropriate policy not on the basis of what is optimal but rather on what is available and has less or minimal domestic opposition. States may also select alliances over autonomous defense simply because they cannot actualize an independent defense policy through domestic arms build up that will enable their armed forces to confront the potential threat. Or simply, it maybe the case of a state faced by internal rather than external threats and whose political leadership is tempted to secure material resources necessary to deal with those threats. Hence, this paper analyzes Philippine government's efforts to achieve a degree of autonomous defense posture in the early and mid-1990s and its current policy of reviving the country's alliance with the U.S. Similarly, it examines how the calculation of the domestic cost of each policy has affected a state's choice between autonomous defense and alliances.

Autonomous Defense and Alliance in Philippine Defense Policy, 1946-1970s

As a result of the Japanese invasion and occupation of the Philippines from 1941 to 1945, Philippine post-World War II defense policy was initially directed at building a standing army along conventional lines capable of addressing external threats.^{ix} However, the Philippine Commonwealth found out that it had limited resources to maintain a modern and large military establishment that could defend the country against external aggression. In mid-1945, the Commonwealth government tried to sustain a large army of 317,792 men but the US \$ 15 million defense budget was inadequate and fell short in paying the salary increases of the personnel.^x Consequently, the problem was solved by demobilizing its six division strong army and later, by forging a close defense relationship with its former colonial master, the U.S.

In 1946, the Philippine government signed three military agreements with U.S. To enhance its military capability and to provide a coordinated deterrent against any external threat. The Military Bases Agreement of 1947 granted the U.S. the right to maintain and use specified numbers of military bases in the Philippines for 99 years. The Military Assistance Program of 1947 obliged Washington to furnish the AFP with arms, ammunition, equipment, and supplies. Finally, the Mutual Defense Treaty (MDT) of 1951 obligates both countries to consult each other if the security of either one is threatened by external armed attacks in the Pacific. The allies also became members of the Southeast Asian Treaty Organization (SEATO), which clarified and crystallized Washington's defense guarantee to Manila, and reaffirmed American commitment to provide military assistance to the Philippines in case of an external attack.

The presence of the American bases, along with U.S. military assistance and security guarantee, served as the main deterrent and a security umbrella for the Philippines against any possible hostile external threats in the immediate post-World War II era and during the Cold War period. These security arrangements with the U.S. prescribed the framework by which Philippine external defense policy was formulated and implemented. The Philippines tried to establish an

PPSA 2003 National Conference

autonomous defense capability as it formed tri-service armed forces on October 4, 1947. However, the threat from communist insurgents forced the AFP to deploy 26 combat battalion teams for counterinsurgency operations.^{xii} Consequently, the main task of the army-centered AFP was the conduct of anti dissident campaign in the country's affected areas. Because of the R.P-U.S. alliance, the AFP's conventional military function became limited to occasional participation in the SEATO military exercises and combined exercises with American forces in Philippine territory within the context of the MDT.^{xiii}

This arrangement led to a post-independence situation where, on the one hand, the U.S. forces based in the Philippines became the *de facto* armed forces against external threats. The AFP, on the other hand, became responsible for counter-insurgency operations. In as much as the Philippine government considered developing an autonomous defense capability too expensive, a dependent security relationship with the U.S. was deemed as the best alternative. Thus, the Philippines did not exert any major effort during the Cold War to develop an autonomous and conventional military capability.^{xiv} In fact, the Philippines registered the lowest defense expenditures in Southeast Asia and one of the lowest in the world.

The early 1970s saw the Philippine government's attempts to develop some capabilities for an autonomous defense posture. The outbreak of the Muslim secessionist rebellion in the southern island of Mindanao, and the general reluctance of the U.S. to provide the AFP some counter-insurgency weapons made the Philippine government realize that it would have to supply its own armed forces with necessary hardware for internal defense.^{xv} The AFP, specifically the Army, began to acquire various non-American-made weapon system and equipment in line with its organizational expansion brought by heightened Muslim insurgency in Mindanao.^{xvi} The Philippine government also allocated about US \$ 25 million annually to support the AFP's research and development (R&D) in military hardware and gave tax holidays and investment incentives for local companies producing defense material for the armed forces. This was the first major effort of the Philippine government to attain a degree of autonomous defense capability as the program was aimed at enabling the AFP to conduct defensive operations in any low- to medium-level conflict without relying on its ally, the United States.^{xvii}

The Philippine government's efforts towards a more autonomous defense posture gained momentum during the late 80s. In 1989, the Department of National Defense and the AFP conducted various long-planning exercises in the light of the United Nations General Assembly's passage of the Law of the Sea, the brewing territorial disputes in the South China Sea, and the glaring inability of the Philippine Navy (PN) to patrol and secure the country's huge maritime territory.^{xviii} The AFP leadership also pushed for the modernization of the PN through the acquisition of six Fast Attack Crafts (FAC). The military top brass argued that the PN has no missile and blue water capabilities and asked the Philippine Congress for funds to purchase ships needed for a sequential sea control of the country's maritime territory.^{xix} For its part, the Philippine Senate encouraged the AFP to develop a 15-year arms acquisition program as hedge for a possible withdrawal of American bases from the country and the consequent reduction of U.S. military assistance to the Philippine armed forces. The Senate also directed the AFP to formulate a general plan that would lessen the dependence on the U.S. security umbrella and develop the country's external defense capability.^{xx} The Senate's eventual decision not to ratify the Philippine-American Cooperation Treaty of 1991 prompted the AFP to plan for a self-reliant defense capability through an initial 10-year modernization program.

In its early version, the AFP modernization program focused on developing the AFP's conventional military capability through the purchases of much-needed equipment and weapons system. The incipient program provided for the acquisition of all weather-interceptors planes, radar sites, a fleet of surface ships, amphibious landing transport ships, and naval gunfire support

De Castro paper

capability at a cost of nearly Ph P 140 billion (\$560 million at the 1990 exchange rate) spread over a 10-year period.^{xx} The withdrawal of American military forces from the Philippines, however, undermined the AFP modernization program. The Philippine government was in no position to replace the annual US\$200 million in military assistance its ally provided until 1991, and this represented about 67% of the AFP's acquisition and routine maintenance cost.^{xxi} This loss forced the Philippine government to pay for the cost of maintaining aging and almost obsolete equipment of the AFP, which previously relied heavily on the U.S. for maintenance. In 1993, the defense establishment requested Congress for an additional US\$ 20 million in the defense budget for the acquisition of spare parts and equipment for the major services and the AFP-Wide Service Support Units (AFPWSSUs).^{xxii} This resulted in an increase in the AFP's capital outlay, which was hardly enough to pay for ammunition, radios, and spare parts for armor personnel carriers, aircraft, and patrol ships that the Philippines formerly received through the Foreign Military Sales Program and Military Assistance Program. Hence, the AFP's initial modernization program suffered severely from a depletion of available funds.

More importantly, Filipino political leaders were not inclined to increase defense expenditures despite the withdrawal of American forces from the Philippines and the consequent cut in U.S. military assistance to the AFP. The political elite believed that as an insular country, the Philippines is far removed from any immediate threat and they felt no immediate pressure to allocate more resources to defense spending. They made it sure that the AFP modernization program would be guided by the "principle of economy", best illustrated by the purchase of the most economical equipment for the purpose of attaining or performing the mission of the armed forces.^{xxiii} Any arms acquisition made for the AFP modernization program would be guided by the Philippine Congress' financial priority. Then Senate Defense Committee Chairman Orlando Mercado stated the point succinctly: "We are not economically capable of going on a buying spree."^{xxiv}

The Philippine Congress then instructed the Department of Budget and Management to revoke the Department of Defense's Forward-Obligation-Authority, and this prevented the AFP from entering into any multi-year contracts. This meant that the AFP must get annual Congressional approval for any major arms acquisition. The Philippine Senate also tried to influence the objectives of the modernization program. Filipino senators told AFP leaders that if they will have it their way, new arms acquisitions for the modernization program "will be directed more at protecting the natural resources than repelling armed invaders."^{xxv} They also criticized the initial program as limited to the mere acquisition of equipment without any regard to force restructuring and organizational development, human resource development, and doctrine formulation. Although supportive of the AFP modernization program, the Filipino legislators saw to it that any major defense spending would pass through the legislative mill and therefore, the Philippine Congress can determine the limits of the implementation of this program.^{xxvi} Furthermore, this process would have to be done through the passage of a law providing for the mechanics and objectives of any modernization program the AFP would like to undertake.

The Modernization that Never Was

After nearly four years in the legislative mill, the Philippine Congress in February 1996 passed Republic Act No. 7898 or the law providing for the modernization of the AFP. The law commits the government to fund and allocate a separate budget for a 15-year modernization program. It also law calls for a modernization program that will develop the AFP into a responsive and effective force with external defense capability, as well as with civic and developmental functions to support the country's development. An important component of the program is the replacement of the AFP's obsolete weapons system and the acquisition of modern military hardware

PPSA 2003 National Conference

that can be utilized for military and civilian purposes. The program emphasizes the development of the AFP's air and naval assets to provide the Philippine military adequate air defense, maritime surveillance, patrol, and response, and offshore territories patrol capabilities.^{xxxvii} The Philippine Air Force will acquire two squadrons of multi role fighter aircraft and surface-to-air missile and gun system.^{xxxviii} The PN will be given the biggest budget allocation for the purchase of three frigates, six corvettes, 12 offshore patrol vessels, and 12 missile boats.^{xxxix} In addition, the Navy will also acquire nine helicopters and six-fixed wing aircraft to develop its naval aviation capability.

The law, however, ensures that the allocation of resources for this additional defense expenditure would go through a very complex, legalistic and tedious legislative process and that any arms modernization program for the AFP would be determined by the agenda of the legislators. Obliged by the law to provide a multi-year funding to the AFP modernization, the legislators felt that there is the need to reform the military establishment, and they, through the RA 7898, prescribed a number of requirements "to ensure transparency" in what was expected to be multi-dollars deals.^{xxx} As then Senator Orlando Mercado declared in his sponsorship speech on the law in 1994: "This [the law] involves a vision for the Armed Forces of the Philippines, which Congress, as the highest policy-making body of government, now has the singular opportunity to shape."^{xxxii} RA 7898 specifies a budget ceiling of Ph P 50 billion (US\$2 billion at the 1995 exchange rate) for a Five-Year Rolling Plan divided in to five components: force restructuring, acquisition, bases development, human resource development, and doctrines development.^{xxxii} It also stipulates that Congressional funding for the modernization program will only be made available if there is a budget surplus. More significantly, the law requires a very cumbersome procurement process and a complex acquisition structure. These two are separate but sequential procedures that provide a step-by-step, and level-by-level procedures in equipment acquisition. The first procedure involves complex rules demanding the need to satisfy numerous requirements ranging from technical qualifications, foreign sources, amounts involved, and security considerations. Fulfilling all the requirements in this procedure has caused delays in the program implementation, and has forced a number of reputable defense manufacturers out of the bidding process due to their inability to fulfill the numerous requirements of the bidding process.^{xxxiii} After the bidding process, a prospective contractor will have to deal with a multi-layered organization staffed by personnel having unclear function, lacking experience in procurement procedure, and without any prior experience in the process. This organization then will have to apply the law's complex and untested procurement requirements and will have to deal with the competing priorities among the three services. Observing this current acquisition structure, the latest annual report on the AFP modernization notes: "This is contrary to the prevailing practice of most countries where a Defense Acquisition Office at the Department or Ministry Level exist to implement major defense acquisition in the Armed Forces."^{xxxiv} An Army lieutenant colonel assigned to modernization program concurs with this observation when he states: "The law was too stringent. We could not move forward easily because of structural flaws in the law. We understand some provisions are designed to make the procurement process graft-free but these also hampered the entire process."^{xxxv}

A unique provision of the law is that it requires the AFP to raise a large portion of the modernization budget by selling military camps, reservations, excess equipment, and products from government arsenal.^{xxxvi} However, the AFP would have to ask for Congressional approval before it can dispose its idle military real estates to help raise funds for the cash-strapped and delayed modernization program. As provided by the Bases Conversion Law or Republic Act No. 7227, Congress is given the mandate to reject or approve the sale of military real estate in the light of the numerous graft tainted real estate deals the legislatures were then investigating in the early 1990s.^{xxxvii} This again has given the Congress another legal instrument to influence the AFP modernization program.

De Castro paper

From 1996 to 1997, the AFP top brass found themselves busy relocating numerous AFP units from the base lands that were to be sold to real estate developers. The AFP also had to wait for the creation of the Bases Conversion Development Authority (BCDA), which was mandated by law to sale, lease, and negotiate for the joint development of the military reservation designated by Congress for commercial use. Eventually, the 1997 Asian financial crisis caught up with the modernization program. The peso depreciated by almost 40% vis-à-vis the U.S. dollar as the economy suffered from a significant drop in foreign investment. The AFP had to postpone the PAF's plan to acquire a squadron of multi role fighter planes and the P.N.'s order for six offshore patrol vessels due to the inflated costs of equipment brought by the depreciation of the Philippine peso.^{xxxviii}

When the Estrada Administration took over in the second half of 1998, it relegated the AFP modernization program to the backdrop as Department of National Defense (DND) concentrated on the re-engineering of the AFP's acquisition process. For 40 years until 1991, the AFP acquired its equipment through the Joint U.S. Military Assistance Group that checked the Philippine military's request against a list of material the United States was willing to give or sell to the Philippine government. When the United States withdrew its military facilities in 1992, the AFP began to purchase its equipment and spare parts through direct negotiated deals with suppliers, through the Office of the President. In 1998, then Secretary of Defense Orlando Mercado changed and streamlined the procedures to achieve cost efficiency and to emphasize transparency and accountability in the military's business transactions.^{xxxix} This was a major attempt of the DND to institutionalize reforms in the procurement process of AFP in an effort to reduce corruption in the military establishment after 1992.^{xl} Added in the process were new policies and guidelines, such as the use of electronic bidding and alternative bidding securities, which made the procurement process more complicated. The new procurement process begins by identifying the needed equipment to short-listing, to pre-qualification, to actual approval that occurs at the major service level, and at the General Headquarters level and finally at the department of Defense level. This made the process not only complicated but also cumbersome and lengthy. This caused further delay in the implementation of the modernization program.

The resurgence of Muslim and communist insurgents in the latter part of 1998 necessitated the transfer of internal security functions from the Philippine National Police (PNP) back to the AFP. Open clashes between the AFP and the Moro Islamic Liberation Front (MILF) led to a shift in the farmer's priority away from external defense and arms modernization to internal security concerns and the refurbishing of its old counter insurgency equipment. The AFP Internal Security Operation Plan projects that the AFP will have to address the threat poised by the insurgent groups until 2005 and this has forced the Philippine military to postpone its Five-Year Rolling Plan beyond that year.^{xli} Again, this was a setback in the implementation of the arms modernization program.

In early 2001, the Administration of Gloria Macapagal Arroyo tried to jump-start the modernization program by instructing the Department of Budget and Management (DBM) to issue a special Allotment Release Order for the Ph P 5.484 billion (estimated value of US\$107.5 million at the 2001 exchange rate) to the AFP, which represents the military's share for the sale of Fort Bonifacio in the mid-1990s. However, the Arroyo Administration learned that the AFP's portion in the proceeds of the sale of its military camp was not deposited to the AFP Trust Fund but was remitted to the government's general fund. Consequently, the fund was used by the Ramos Administration for the protection of certain vital economic sectors, particularly agriculture, which was badly affected by the trade liberalization program.^{xlii}

Last year, President Arroyo asked Congress to allocate additional funds to the long-delayed modernization program of the AFP. However, instead of heeding her call for additional funds, the Philippine Senate reduced the proposed budget from Ph P 10 billion to Ph P 4 million. Almost

PPSA 2003 National Conference

seven years after RA 7898 was passed, a number of senators are still convinced that given existing corrupt practices in arms acquisitions and the AFP's unimpressive record in military material purchases, the government "may be throwing good money after bad" in its arms modernization program.^{xliii} Legislators also reasoned out that since the United States is providing the AFP with military trucks, artillery, helicopters and communication equipment, there is no more need to purchase military material and that the budget for the AFP modernization should instead be used for the recruitment of more government troops and the conscription of more paramilitary Citizens Armed Forces Geographical Unit (CAFGU).^{xliv} A year after the reduced budget was passed by Congress, the DBM department had not released a single centavo of the fund because of the reported shortfall in the reserve allocation by the government.

More than ten years after the program was announced, not a single centavo has been spent for the AFP modernization program as the political elite are still extremely reluctant to fund any effort directed towards the development of the country's autonomous defense capability. This was because of the government's dismal tax collection that caused the country to incur a P 130 billion peso (\$ 2.5 billion) budget deficit target for 2002.^{xlv} Obviously disappointed by the lack of funding and the Philippine Congress's reluctance to allocate resources for additional military expenditures, the DND formulated a downscale modernization program that primarily provides a mere upgrading of existing PN and PAF equipment such as the UH-1 helicopters, C-130 transports, F-27 reconnaissance aircraft, Second World War vintage Landing Ship Tanks (LST), and patrol vessels.^{xlvi} This program also reduces the acquisition of military hardware to only two Fast Craft Utility (FCU) worth Ph P 150 million (estimated \$ 28 million).

The Chinese Threat and the VFA

In the early 1990s, the regional security environment seemed relatively stable and benign that it might had been the opportune time for the Philippines to deliberate the merits and disadvantages of developing the country's external defense capability. The government was clearly aware of the need to shift its efforts away from counterinsurgency toward external defense considering the withdrawal of the American forces in 1992. From Manila's point of view, a credible force modernization was largely contingent on domestic factors such as the continuous positive growth of the country's economy and the willingness of Congress to fund such a program. Philippine complacency, however, was jolted by the discovery of Chinese military structures on the Mischief Reef in 1995. The Mischief Reef incident impressed upon Manila that Chinese expansionism is the main long-term external security threat the country faces.^{xlvii} This incident stirred up the Philippines into sounding the alarm over what it perceives as China's expansionist and hegemonic designs in the South China Sea.^{xlviii}

In mid-1997, President Ramos accused China of threatening the security of another claimant to the Spratlys (the Philippines) and mentioned the presence of Chinese warships at Mischief Reef as proof of how sensitive a flashpoint the South China Sea can be.^{xlix} Alarmed by the presence of Chinese warships near islands occupied by Philippine forces, President Ramos acknowledged that Manila regards China as the most immediate and serious threat to the security of East Asia with its continued and blatant violations of the bilateral code of conduct on the Spratlys and of other international conventions. He also bemoaned the fact that any armed conflict in the Spratlys would be disadvantageous to countries like the Philippines, which have limited military capability against an emerging regional power. This was an explicit statement that betrayed the Philippines' increasing apprehension over China's moves in the South China Sea, and a frank admission of Manila's military weakness vis-à-vis Beijing.

De Castro paper

By the latter part of the 1990s, the Philippine government had realized the importance of American military presence in maintaining the balance of power in the Southeast Asian region.ⁱ Decision-makers and policy-makers recognized the need to revive the alliance with the U.S., which was severely damaged by the two countries' failure to conclude a new base agreement in the early 1990s. Furthermore, given the deficit in the national budget, the Philippine government saw the improvement of its security ties with Washington as vital in getting American support for modernizing the ill-equipped AFP.ⁱⁱ In the face of Manila's obvious inability to address the perceived Chinese military expansion in the South China Sea, President Ramos urged the U.S. to serve as a stabilizing force in the region and emphasized that Manila must maintain its bilateral security ties under the R.P. -US Mutual Defense Treaty. He also stressed the need to enhance the bilateral alliance by stating that the Philippines must work out new ways of supporting the continued presence of the U.S. in the Asia-Pacific as a stabilizing force in the region's security environment.ⁱⁱⁱ

Manila concluded that a closer military relation with the US is the only way to counter Chinese expansionism and to reestablish a balance of power in Southeast Asia. In the late 1996, the two countries conducted a series of negotiations providing for a legal guarantee for American troops deployed in the Philippines during military exercises and ship visits. Manila and Washington spent almost two years of tense and impassioned negotiations before an accord could be drafted.^{iv} On February 11, 1998, the two sides finally signed the Visiting Forces Agreement (VFA). A year later, in 1999, the Philippine Senate ratified the R.P.-U.S. Visiting Forces Agreement, which paved the way for the large-scale *Balikatan* military exercise in February 2000.

Less than 10 years after the last American marine left Subic Naval Base, Philippine decision-makers have starkly realized that preserving the strategic equilibrium in East Asia depends on U.S. bilateral security commitments and on maintaining a balance of power based on American forward deployment in the region. The VFA has been deemed important for the revival of the alliance after 1992 for two reasons: the agreement facilitated the resumption of large-scale military exercises for the two allies; and it provided the political framework for the development and implementation of an AFP modernization program under the guidance of the U.S. In January 2000, a major military exercise involving more than 5,000 Filipino and American troops was conducted to improve the allies' capability for joint and combined operations, and to enhance their armed forces' interoperability through the sharing of their respective war-fighting skills and techniques.^v The exercise also gave both countries the occasion to evaluate and validate the R.P.-U.S. Command Plan for the defense of the Philippines against external threats, and provided the AFP a venue to formulate policies and strategic plans for external defense with the U.S. Armed Forces. Indeed, this large-scale military exercise showed how Philippine decision-makers had dispelled the illusion of developing any autonomous posture for external defense and had tilted back to the earlier policy of greater reliance on the country's superpower ally.

The VFA also provided the political framework of American material and technical support for the AFP's modernization program. The two allies began conducting defense policy dialogue and joint evaluation of Philippine military requirements with the resumption of the Foreign Military Assistance Program and the Implementation of the Excess Defense Article Program. The programs have been primarily devised to tackle the AFP's more immediate security concern in the late 1990s—internal defense in the light of the renewed insurgencies by the secessionist MILF and the communist New People's Army (NPA).^{vi} The allies also held bilateral consultations to address the Philippines' long-term equipment requirements, and to coordinate their defense policies on regional security concerns. With the era of permanent American military bases behind them, Manila and Washington started working slowly and tentatively to develop their defense relationship in ways that will promote their respective security interests and at a pace comfortable to each party.^{vii}

The Post 9/11 Revitalization of the Alliance

The terrorist attacks on the U. S. on September 11, 2001 and the consequent American campaign against global terrorism gave more impetus to the revitalization of the R.P.-U.S. alliance. Immediately after 9/11, President Arroyo became one of the first Asian leaders to declare support to Washington's campaign against global terrorism. She offered Washington access to former American military facilities in the Philippines, and later, issued a 14-stage counter-terrorism program to provide intelligence exchanges with the U.S. Manila used its offer of diplomatic and political support to the U.S. as a means to bolster the alliance that was badly strained by the American withdrawal of its forces in 1992, and to put back the Philippines on the radar screen of Beltway's policymakers.

Washington, on its part, took frantic steps to provide financial, military, and diplomatic assistance to countries supporting the U.S. in the campaign against global terrorism. The Bush Administration was also searching for a second major front in its war on terror and found it in Mindanao, where the Philippine government has been fighting a band of Islamic militants called the Abu-Sayyaff—which allegedly has ties with Al-Qaeda. In early November 2001, the Pentagon expressed concern that the anti-terrorism campaign would get stalled in Afghanistan. To maintain the global nature of the Bush Administration's war on terror, the Philippines became one of the priority countries where the U.S. could expand its anti-terrorism campaign.^{lvii} Alarmed by the suspected links between the Abu Sayaff and Al Qaeda and other Islamic militants, Washington has found it in its interests to actively support its ally's counter-terrorism capability, and to develop further interoperability between the two countries' armed services.^{lviii}

During the Washington summit in November 2001, President George W. Bush and President Arroyo reaffirmed the relevance of the 50-year old R.P.-U.S. Mutual Defense Treaty in maintaining order and stability in East Asia. Both leaders also underscored the importance of the alliance as a pillar of U.S. forward presence in the East Asia, which helps preserve the strategic balance, and promotes prosperity in the region.^{lix} President Bush also raised the prospect of sending American ground troops to Mindanao to assist the AFP in its campaign against the Abu-Sayyaf. President Arroyo, however, declined the offer and instead, told her American counterpart that the AFP would be perfectly capable if it would be provided the necessary equipment and counter-terrorism training. President Bush then agreed to work for a 10-fold increase in U.S. military assistance to improve the Philippine military's counter-terrorism capability, and as a preliminary step to advance the AFP's modernization program.^{lx} More significantly, the two leaders declared their newfound *raison d'être* to strengthen the alliance on a sustained basis, through increased training, exercises, and other joint activities.

The revitalization of the alliance is largely a result of dramatic changes in U.S. foreign policy after 9/11. U.S. policy toward East Asia took a dramatic realignment as earlier priorities became secondary to the overriding emphasis that redefines America's foes and allies on the basis of whether or not they support Washington in its campaign against global terrorism.^{lxii} President Arroyo's early and strong declaration of support to America's war on terror pleased the Bush Administration, which was also seriously considering the southern island of Mindanao as the likely second front for the U.S. campaign against terrorism in East Asia. Assisting the Philippines in its counter-insurgency operation against the Abu-Sayyaff presented Washington a proving ground for an emerging facet of the Bush Administration's counter-terrorism strategy-- supplying military hardware and training to countries trying to bring domestic insurgencies to heel.^{lxiii} For Manila, the country's participation in the war on terror underscores its return to an alliance relation with its superpower ally in the face of the Filipino political elite's unwillingness to pay the cost of an autonomous defense posture.

Components of the Revitalized Alliance

The current security ties between the Philippines and the U.S. have assumed a form totally different from that of their Cold War defense relationship, which primarily involved the stationing of forward-deployed American forces on Philippine territory. Manila and Washington have taken advantage of the current convergence of their interests (on counter-terrorism) to revive their long-standing alliance without reestablishing any permanent U.S. bases in the Philippines. The revitalized alliance is put in force by the two allies through joint training, the resumption of U.S. military assistance to strengthen the Philippines' counter-terrorism capability, military and political consultation, and institutionalizing access arrangement of American forces operating in Southeast Asia.

Joint Military Exercises

A clear indication of the improved R.P.-U.S. security ties is the increasing number of bilateral and multilateral joint military exercises between the AFP and the U.S. Armed Forces. From Washington's perspective, these exercises reinvigorate U.S. bilateral security alliances in the region and they clarify their broader strategic purposes and direction in a post-Cold War period.^{lxiii} The conduct of these exercises also help Washington enhance and foster consultation and policy coordination with Asian allies regarding the full range of U.S. policies that affect their mutual interests. Furthermore, they promote tactical proficiency and interoperability of U.S. forces and its allies. From the Philippine side, the joint training and exercises give the AFP the opportunity to be acquainted and trained on the latest techniques and technologies in modern warfare, which is not readily available given the AFP's possession of obsolete military hardware and its focus on counter-insurgency. They also provide the AFP the opportunity to learn and execute a variety of non-combat military operations such as maritime patrol and surveillance, search and rescue operations, disaster-and-relief operations, and humanitarian and peacekeeping operations. After the U.S. military facilities were withdrawn from the Philippines in 1992, the Philippines and the U.S. had conducted an average of six to eight military exercise a year.^{lxiv}

In 2002 there was a drastic increase in the number of military exercises as the AFP and the U.S. military conducted 15 bilateral and multilateral training ranging from the large-scale and highly-publicized, six-month-long counter-terrorism exercise dubbed *Balikatan-02-01* which involved 4,385 Philippine and U.S. combat troops to short-term, low-key and highly specialized exercise between AFP and U.S. engineers doing construction, and of a range control tower and a 20-by 40-foot attached three-room barracks and conducting of a runway labeled Runway Construction Exercise 2002. In between, the two allies have also conducted various exercises aimed at improving R.P.-U.S. armed forces' combat readiness in joint/combined operations and enhancing inter-operability through training exchanges of skills, knowledge, and techniques in conventional warfare such as *Balikatan* 2002-02, CARAT O2, and Talon Vision 02.^{lxv} For 2003, the Pentagon has committed to the AFP the following for a robust military counter-terrorism training program:^{lxvi} the training of two additional Light Reaction Companies (LRC) and eight light infantry battalions for counter-terrorism; the strengthening of the operational and intelligence capabilities of the Southern Command; and the enhancement of the AFP's staff skills in intelligence, civil affairs, medical, and information operations, and the training of PAF helicopter crew in night flying. Notably, the two allies have also begun to participate and conduct multilateral military exercises involving other Asian allies such as Thailand in RIMPAC West, Thai MTWSEX, and MARSEAEx 03-1. In fact, the

PPSA 2003 National Conference

current trend in this bilateral alliance is for the two countries' armed services to participate in multilateral exercises workshops, conferences, and simulation activities--that are held mainly in Philippine territory.

Resumption of U.S. Military Assistance

Another important sign of the two countries' reinvigorated alliance is the resumption of American military assistance to the AFP. The withdrawal of military aid in the early 1990s caused a rapid deterioration of the AFP's U.S.-made military hardware, which used to rely heavily on American-made spare-parts, logistics, and technical expertise. The annual defense budget, however, is not enough to cover the cost of maintenance and capital outlay as 84.8% of the budget is always allocated for personal services such as military pay and pensions for veterans and retirees.^{lxvii} Consequently, the AFP's American-made military hardware deteriorated and was retired from service. For example, out of the Army's 102 M-113 Armored Personnel, only 64 are combat capable. As of 2001, the PAF had only 18 combat ready helicopters, five air-worthy F-5 A fighter planes, and one serviceable C-130 cargo/transport plane in 2001. The PN is in a worse state as it can only deploy 18 operational and mostly World War II-era vessels to patrol the country's vast maritime territory. The Philippine arsenal is not even capable of producing enough ammunition for the AFP counterinsurgency need and the projectile that is manufacture is only limited for small arms. This compelled the AFP to import artillery shells from Thailand, using the country's precious foreign exchange during the military operation against the MILF in 2000.^{lxviii}

In the light of Manila's inability to maintain its military hardware, and much more, finance even a very modest modernization program, the AFP has hoped that some form of U.S. military assistance can somehow fill this deficiency until Manila can finance its own capital expenditure and arms acquisition program. American military assistance to the Philippines resumed in 1999 when Washington gave the Philippines U.S.\$ 1 million in Foreign Military Financing (FMF). The following year, Manila got a 82-footer US Coast Guard Point Doran Cutter through the Excess Defense Articles (EDA) arrangement and another \$ 1 million in FMF. In fiscal year 2001, Washington allocated US \$ 1.9 million in FMF and \$ 15.10 million in Excess Defense Articles (EDA) to Manila. After 9/11, Manila received a ten-fold increase from U.S.\$ 1.9 million in FY 2001 to U.S. \$ 19 million for FY 2002 in FMF as Washington found it in its interest to strengthen the AFP's counter-terrorism capability. The Philippines also received U.S. \$ 29. 50 million in EDA in the form of 15,000 M-16A1 rifles, 35 M35 trucks, three night capable UH-1 helicopters, and a Cyclone Class Patrol boat and an additional \$ 10 million in Anti-Terrorist Assistance

More significantly, the AFP is expected to receive U.S. \$ 20 million worth of mobility spare parts for its C-130s, UH-1H Helicopters, M35 trucks, and patrol boats for FY-2003. This will enable the AFP to rehabilitate a number of military hardware that has been retired from service because of the lack of spare parts. Finally, under the Security Assistance Bill of the U.S. Congress, the Philippines will be on a preferred treatment list for countries receiving EDA. Manila is also programmed to get American technical assistance in the form of joint exercises, war games, and student exchanges such as the International Military Education and training Program (IMET).

Institutionalizing Access Arrangements

Since 9/11, the two countries have pursued their mutual interest in countering global terrorism and in drumming up popular support for U.S. assistance to the Philippines to revitalize the alliance. Both sides have also made it clear that the revitalized alliance will not lead to the reestablishment of any American military base in the Philippines. In the light of the U.S. experience

De Castro paper

in the Afghan military campaign, the United States Air Force (USAF) is developing en-route infrastructure for refueling and logistics to support its operations in the Arabian Gulf and Western Pacific.^{lxxix} The USAF, however, is not keen on rebuilding a system of permanent bases set up during the Cold War period. Instead, it seeks to establish a “hub and spokes” basing system that offers a varying range of support from forward operating bases to forward locations or forward storage locations where munitions and spare parts can be stored and obtained.^{lxx} In Southeast Asia, the U.S. is seeking arrangements that will give its forces access arrangements for American warships and planes in bases owned and operated by countries in the region.^{lxxi}

Since the withdrawal of American forces from the Philippines in 1992, Manila has allowed U.S. aircraft and ships to refuel on its territory and to conduct occasional port calls and exercises. On November 22, 2002, the two countries signed a five-year Military Logistic Support Arrangement (MLSA) after almost six years of difficult and emotional negotiations. The agreement is considered a low-level technical arrangement between the two countries’ armed services. Nevertheless, the arrangement is significant for three reasons. Firstly, it provides the administrative structure and framework for the provision of logistic support, supplies, and services between the AFP and the U.S. Armed Services in both peacetime and conflict situations. The agreement also sets the legal framework and facilitates the reciprocal provision of logistic support, supplies, and services between the two allies in activities involving combined operations, peacekeeping operations and other multilateral military operations under the United Nations. Secondly, the agreement lowers the cost of the allies’ security cooperation by minimizing administrative outlay and enabling both armed services to develop interoperability and operational strategies in dealing with possible exigencies. Thirdly, and more significantly, the signing of the agreement signifies that the two governments are determined to implement a formal access arrangement despite opposition from both leftist organizations and nationalist individuals that vehemently oppose the return of American forces in the country.

Politico-Military Consultations

Finally, a notable indication of the two countries’ revitalized alliance is the intense politico-military consultation between their armed services and defense departments. In the aftermath of the six-month-long *Balikatan-02-01* exercise in Mindanao, the R.P.-U.S. Mutual Defense Board formulated a highly confidential Five-Year Work Plan that provides for increased and sustained security cooperation. Both sides also recognized the need to strengthen the 51-year old MDT by making it adapt to a changing security environment characterized by transnational threats such as global terrorism.^{lxxii}

The following month, U.S. Defense Secretary Donald Rumsfeld and Philippine National Defense Secretary Angelo Reyes signed an agreement creating a bilateral Defense Policy Board. The board will enable civilian officials from both countries to deal with issues of politically managing the alliance and addressing matters of common security interests.^{lxxiii} The board is also tasked to help Manila develop its defense industries, and the AFP in the maintenance of its military equipment.^{lxxiv} More importantly, the board is given the responsibility to create the policy situation ideal for a more robust defense relationship and to explore avenues of defense cooperation for a more stable regional security environment. This development illustrates the inestimable importance both sides give to the alliance as they have elevated their security relationship to a consultative political level that will infringe on the two countries’ foreign policies in East Asia. It has also shown how the Philippines has turned away from its earlier thrust to pursuing an autonomous defense posture and has gravitated closer politico-military relationship with the U.S.

The Future of the Alliance

In the aftermath of the U.S. military withdrawal from the Philippines in 1992, the Philippine government announced its intention to modernize its armed forces. However, almost 10 years after, the plan has foundered simply because of inadequate resources and lack of political will on the part of the elite to undertake an expensive arms acquisition program. Then, in the midst of the dilly-dallying on the military modernization program, the Philippines were jolted by an assertive China with its territorial incursions in the South China Sea. This development did not impress upon Manila that it simply does not have nor will it ever have the capabilities to confront militarily a major regional power like China. Manila has no choice but to look at the prospect of revitalizing its alliance with Washington in asking the U.S. for military assistance, and to check and balance China's hegemonic design in East Asia.

Since 9/11, the Philippine and the United States have considered it necessary to revive their stagnant and almost moribund alliance. This has been concretized by the two countries' conduct of numerous military exercises, the resumption of U.S. military assistance to the AFP, the institutionalization of a formal military-to-military agreement for an access and logistic arrangement, and the creation of a formal political organ that can provide a political direction to the two countries' growing security relationship. Both countries have also seen the imperative for an active security relationship with the emergence of China as a regional power, Beijing's wide territorial claims in the South China Sea, and more recently, the current U.S. campaign against global terrorism.

From the Philippines' perspective, these external realities are merely secondary and not the primary consideration to revitalize its old security relationship with the U.S. The overriding rationale is the government could not afford a modest modernization program, which can give the country even a semblance of an autonomous defense posture. The Philippine case shows how a small and weak state would often find necessary to rely alliance simply because it does not have the necessary domestic resource base to pursue an autonomous defense policy. The Philippine case is complicated by the fact that the country's elite simply does not have the political will to allocate economic resources even just to maintain a credible and independent armed force. The case shows that small and weak states often select the means that is most cost-effect and readily available. The Philippines choose alliance because it is the only option available given that the state is confronted by immediate internal threats (communist and Muslim secessionist insurgents) rather by external powers, and the political elite find it imperative to husband the society's limited economic resources to address these domestic challenges. Although at present, the Philippine government is exploring alternative means to modernize its armed forces, it will need time, resources and political will on the part of the elite to develop a strong and capable AFP, and consequently, to take an autonomous defense posture. In the meantime, the Philippines' close alliance with the United States is the only available and feasible option in the face of an uncertain security environment and changing international system.

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De Castro paper

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PPSA 2003 National Conference

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De Castro paper

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PPSA 2003 National Conference

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^{lxxiii} News Release No. 0202-02, “Joint Statement by the Philippine-U.S. Mutual Defense Board (27 June 2002). p. 30. <http://www.pacom.mil/news/news2002/re/020-02.html>.

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Politics of Oil in Palawan

(Economic Aspect)

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This paper discusses the general economic impact of oil explorations in Palawan, and the repercussions they have had on the international level, the national government, and the province of Palawan.

Our understanding of natural resources and their role in the economic process has changed dramatically over the last few decades. Advances in science and technology have increased our knowledge about the principles that govern the natural world. This knowledge has, in turn, been extensively used in exploiting our natural resources so as to satisfy man's unlimited wants and desires. An emerging paradigm in natural resource economics sees the environment and the human economy as two interrelated systems wherein a change in one could have a significant effect(s) on the function of the other.¹ This is precisely because the economy has grown to a size large enough to create externalities to society.

The discovery, extraction, and harvest of renewable and nonrenewable resources to be used in the production process is, to a large extent, a primary economic concern of society. It is through this that economic growth and development can be achieved. The problem however, is how to deal with scarcity viewed from the long-run and from societal perspectives. One type of resource that has made a significant impact in the course of development is petroleum and until recently in the Philippines, another form of energy resource is being developed for its huge economic potential: natural gas, dubbed as the "fuel of the future".

For a developing country like the Philippines, energy is a vital component in the drive towards industrialization. Thus, in partnership with the private sector, infrastructures and policies that will support the availability of reliable supplies of cost-effective energy continue to be one of the primary concerns of the government.

In the year 1992, the Malampaya Gas field was discovered 80 kilometers off Palawan. Considered the most challenging deep-water gas-to-power project in the world, the Malampaya gas field contains an approximate of 2.5 trillion cubic feet and around 85 million barrels of condensate natural gas. According to official estimates from Shell Philippines Explorations, Incorporated (SPEX), which is undertaking the project, this is enough to provide energy for three electric power plants with a combined power of 2,700 Megawatts for a period of more than 20 years². The three power plants are currently being built and awaiting the final phase of construction that will use natural gas as its fuel. Among its contractors are: 1) The Kapco-Ilijan Power Corporation, with a Build-Operate-Transfer contract with the National Power Corporation (NAPOCOR) in which its power plant is located in Ilijan, Batangas; and 2) The First Gas Power Corporation (FGP) with plant in Sta. Rita, Batangas. Another power plant by FGP that will likewise utilize natural gas is also located in Sta. Rita. Projected to be in operation for an extensive period of more than twenty years, the project is expected to replace more than thirty percent (30%) of the petroleum that is being imported by the Philippines³. With the commissioning of the natural gas plants, the share of the natural gas power plants in the power generation mix reached 6 percent in 2002 from zero in 2001. The Malampaya Camago oil field is already generating income for the national government, and hopefully for Palawan as well, in the next twenty years. This economic potential, however, has spawned political issues on the international, national and provincial levels.

The Malampaya gas project presents many opportunities for economic development for the Philippines. At the outset, it marks the birth of a Philippine natural gas industry that will pave the way for cleaner and more efficient power generation. In addition, it is also a showcase of an environment-friendly technology transfer since the gas that will be supplied by Malampaya will in turn replace oil-fired power plants. From an international perspective, the Malampaya Natural Gas Project highlights the importance of tapping alternative sources of energy especially in the electricity sector where aggressive measures are necessary to allow the flow of foreign investments and large-scale private sector investment participation. Table 1 presents the Philippine's sources of power in relation to its Southeast Asian neighbors (including China and Hong Kong).

Table 1. Sources of Electricity⁴ (in billion KWh)

COUNTRY	Total Production	Hydro (%)	Coal (%)	Oil (%)	Gas (%)	Nuclear (%)
	1980	1980	1980	1980	1980	1980
	1999	1999	1999	1999	1999	1999
China	300.6	19.4	54.6	25.8	0.2	....
	1,239.3	16.4	77.8	4.0	0.4	1.2
HK	12.6	....	22.6	100.0	....	....
	29.5	....	56.2	0.9	42.9	....
Indonesia	8.4	16.0	.....	84.0	....	....
	84.3	11.1	30.1	19.0	36.5	....
S. Korea	37.2	5.3	6.7	78.7	....	9.3
	265.0	1.6	41.1	7.0	11.4	38.9
Malaysia	10.0	13.9	.....	84.9	1.2	....
	65.2	11.5	2.5	8.3	77.6	....
RP	18.0	19.6	1.0	67.9	....	....
	41.3	19.0	27.1	28.3	0.0	....
Singapore	7.0	....	....	100.0	....	....
	29.4	....	....	77.8	19.7	....
Thailand	14.4	8.8	9.8	81.4	9.9	....
	90.1	3.6	18.3	17.8	59.2	....
Vietnam	3.6	41.8	39.9	18.3	0.4	....
	23.6	58.5	12.4	13.9	15.3	....

Source: 2002 WORLD INDICATORS

Table 1 clearly shows the Philippines and the rest of Southeast Asia's production of electricity according to sources of energy. The Philippines still considers petroleum as an essential element in its energy mix while its neighbors are already utilizing natural gas to supplement their electricity sources. Furthermore, data from the World Resources Institute (2001) indicates that from 1987 to 1997, the Philippines posted a mere 14% increase in its total energy production compared to its Southeast Asian neighbors (i.e., Indonesia, 52%; Malaysia, 78%; Thailand, 124%; Vietnam, 108%)⁵. Interfacing this data with the real growth rates of the respective economies, we are not surprised to find that the Philippine's economic performance was lagging behind. Again, this illustrates how vital energy as a component in the drive towards industrialization is. Based on

projections by the Department of Energy, the Malampaya Gas project will reduce the share of petroleum in the country's fuel mix from 47% to only 9%⁶. With the project now approaching the stage of full operation, it is expected that it will increase industries' power utilization, thus enhancing the Philippine's competitiveness vis-à-vis the rest of the world in the global economic arena in the coming years.

It is the declared policy of the state through the Department of Energy (DOE) to ensure a continuous, adequate, and economic supply of energy to achieve self-reliance with respect to the country's energy requirements. This is to be achieved through intensive exploration, production, management, and development of the country's indigenous energy sources, and conservation, renewal, and efficient utilization of energy to keep pace with economic development. With these aims, the active participation of the private sector has been sought in various areas of energy resource expansion⁷. It is within this framework that the Malampaya Gas-to-Power Project (which has been going on) was developed through SPEX, which is the leading private company that is undertaking the project. The cost of the whole project is estimated to reach US \$ 4.5 billion. So far, this is the largest investment ever put up by a private firm in the Philippines. In order to have a general idea of the impact of the project, let us consider the profile of oil imports in the Philippines as presented in table 2 below.

Table 2. Profile of Oil Imports

YEAR	IMPORTED OIL (MMBFOE) ⁸	IMPORTED OIL'S SHARE TO TOTAL ENERGY (%)	OIL BILL AS A FRACTION OF TRADE DEFICIT (%)
1975	64.93	81.03	72
1980	69.45	71.89	130
1985	46.96	50.75	301
1990	76.20	63.64	48
1991	78.58	64.16	54
1992	88.97	68.61	43
1993	94.79	69.29	31
1994	102.18	69.74	26
1995	113.98	54.34	26
1996	117.40	52.68	24
1997	132.76	54.92	28

Source: Department of Energy, Philippine Energy Plan: 1999 - 2008

Table 2 presents the historical profile of imports of oil in the Philippines. It can be seen from the table that the country has been dependent on imported petroleum for its energy needs, since more than 50% of its total energy requirements come from other countries. Although it has been decreasing, imported oil is still a significant component of the country's trade deficit. With the development of the Malampaya Gas-to-Power project, it is expected that natural gas will form a significant component of the energy mix and help alleviate the country's chronic dependence on imported energy. Based on estimates by officials of SPEX, about 30% of the country's petroleum requirement will be covered by the project for the next 20 years; this will surely allow the government huge savings. On the other hand, the project will not only improve the country's energy

requirement but is also expected to provide additional revenues in the amount of US\$ 8.07 billion based on a scheme where the government gets 60% of the total net proceeds as stipulated in the contract entered into by SPEX and the national government through the DOE⁹.

The US \$4.5 billion dollars worth of investments will definitely bring forth increases in incomes through direct employment on the project itself as well as through the multiplier-effect it will bring to other industries. In addition, the royalties and taxes can be utilized for other important infrastructures for the government, which is currently having fiscal problems due to its huge budget deficit. As the project approaches its completion, the national government has been very optimistic about the prospects of developing the gas industry in the Philippines. Among the latest developments are:

- The launching of the Natural Gas Vehicle Development Project (a joint project of PNOC and PETRONAS) wherein on June 14,2002, a test drive for six (6) units of natural gas powered vehicles were showcased around Global City in Fort Bonifacio;
- The targeting for conversion to natural gas for their process, heat, air-conditioning, and perhaps even power requirements, of the clustered industries along the pipeline routes in the Batangas-Manila area;
- The proposal to convert public transport vehicles such as jeepneys, taxis, and buses to run on natural gas within Metro Manila.; and
- The establishment of natural gas refilling stations is also being studied¹⁰.

Since 1993, the province of Palawan has been receiving significant amounts of funds from oil receipts as part of the national wealth share. As of March 2000, total actual oil receipts have reached P116,343,197.86 in which 20% went to employment creation and 80% went to projects designed to lower the cost of electricity in the province. With its discovery in 1992 about eighty (80) kilometers away from the province of Palawan, people from the province particularly its local officials have been very optimistic about the potential impact of the project in the development of Palawan. The province's share from the national wealth in the form of oil receipts is provided under section 289 of the Local Government Code (RA 7160). The inflow of funds in the province has a significant effect in terms of directly benefiting the people of the province by way of lowering the cost of electricity and providing livelihood.

Table 4. Projected Annual Government Share

YEAR	Nominal Income (in million \$)			
	Total Government (a)	LGU (b)	Income Tax (c)	Net National Gov't. (d = a-b-c)
2002	145.70	37.36	52.29	56.05
2003	174.73	44.80	62.71	67.22
2004	150.85	38.68	54.14	58.03
2005	143.88	36.89	51.64	55.35
2006	284.07	72.84	50.04	161.19
2007	418.54	107.32	50.93	260.29
2008	428.51	109.87	51.15	267.48
2009	435.62	111.70	52.44	271.49
2010	432.78	110.97	52.65	269.16
2011	437.92	112.29	53.98	271.66
2012	458.96	117.68	54.18	287.10
2013	471.73	120.96	55.55	295.22
2014	473.55	121.42	55.75	296.38
2015	486.76	124.81	57.17	304.78
2016	488.29	125.20	57.33	305.76
2017	501.95	128.70	58.80	314.44
2018	503.28	129.05	58.95	315.29
2019	517.38	132.66	60.47	324.26
2020	531.89	138.38	62.03	333.48
2021	591.03	151.55	63.63	375.85
TOTAL	8,077.42	2,071.13	1,115.83	4,890.48

Source: Data from the provincial government office of Palawan

It has been established from the 1987 Philippine constitution (Article 10, section 7) as well as the Local Government Code of 1991 (Section 289 of RA 7160) that local government units (LGUs) shall have a share in the proceeds derived from the use and development of the national wealth, including sharing the same with the people by way of direct benefits. From table 4 (also stipulated from Administrative Order No. 381), Palawan would be getting an estimated US \$2.1 billion from its share of the Malampaya Natural Gas royalties for a period of 20 years. This is so far, the immediate direct benefit that the province would be getting from the project since the gas is being processed in Batangas. However, for a local government that is experiencing budget deficits, royalties from the natural gas project would definitely improve the province's fiscal performance. Palawan is one of the provinces in the Philippines that is slowly attracting investments (foreign and local) and the Malampaya project is deemed very important to its government and its people in terms of financing needed infrastructure for employment generation to make the province more lucrative for investors who wish to place capital in the province.

However, the project, despite all its economic potential, poses a sort of quandary generally on the demand side that may have a bearing on the project's promise of development if not properly addressed. One important issue that needs to be addressed is excess capacity possibly accruing from modest consumer demand as a result of lack of

confidence of investors in the economy¹¹. The slack performance of the world economy (which is also affecting the Philippine economy) can be thought of as caused more or less by recent events such as the terrorist scare, the SARS epidemic, and the US-led war on Iraq among others. These have somehow contributed to the slowdown of economic activity, which makes investors think twice about investing their capital. In addition, domestic problems also abound, and include but are not limited to the problem of the government with separatists in Mindanao, the conflict with the communists, and the escalating budget deficit. All these can lead to the failure of the government as well as the private sector to make available appropriate technologies that can maximize the benefits of this type of energy.

What this implies is that the government has a lot to lose if demand does not meet expected supply due to failure to tap potential markets for natural gas. Under the Gas Sale and Purchase Agreement between SPEX and the government (through DOE), the National Power Corporation (NPC) is obliged to pay for a fixed volume of the gas delivered by SPEX whether consumed or not. Since the government guarantees SPEX a fixed volume of sales, it has further agreed to provide assistance to NPC to ensure that it fulfills its obligations by utilizing the government share in case there is excess capacity in DOE's projected consumption. This would mean significant cuts from the potential earnings of the government. Sustainability requires that the rent derived from the extraction of natural gas (as well as petroleum) in the country be reinvested into other forms of renewable capital assets. This would mean that policy directions of the government must be geared towards the large-scale promotion of the natural gas industry. President Gloria M. Arroyo has made some policy pronouncements such as: 1) The opening of access for all land-based gas pipeline networks to ensure the inflow of investments in this area; 2) Encouragement of conversion of NPC plants into gas-fired power plants; 3) Advocacy of the conversion and use of natural gas for all public transport vehicles for cleaner air¹²; 4) Development and use of small gas fields for non-power applications. With this, the success or failure to fully maximize the economic benefits of natural gas will depend largely on the government's capacity to bring into play the private sector, primarily the industrial as well as the transport sector. This however, is not an easy task for a government confronted with economic and political hardships both internationally and domestically.

Local governments play a key role in the implementation of any economic development strategy program. Foremost, is that they provide the lynchpin around which a number of other institutions like the national government, non-government organizations, and people's organizations converge. Thus, in the context of the Malampaya Natural Gas Project, it is therefore imperative that the energies and potentials of the provincial government of Palawan be harnessed in order for the people of Palawan to fully take advantage of the benefits of the natural gas project. The recent pronouncement of President Arroyo during the inauguration of the Malampaya Natural Gas Project last October 16, 2001 explicitly stating that the Malapaya project is "Off Palawan" has conveyed a different and alarming message to local officials, non-government organizations, and people's organization in the province. From the point of view of the different stakeholders of the project in the province, this could have significant effects that may deprive the constituents of the province of the use of the LGU share. This leads to the interruption of necessary development projects that directly benefit the local population.

¹ Hussein, p.90

² SPEX, "Malampaya Deep Water to Gas Project Brochures and Pamphlets", p.3

³ ibid.

⁴ Sources of electricity refers to the inputs used to generate electricity; Hydro refers to electricity produced by hydroelectric power plants; oil refers to crude oil and petroleum products; gas refers to natural gas; and nuclear power refers to electricity produced by nuclear power plants.

⁵ Total energy production is measured in terms of 1,000 metric tons of oil equivalent (Toe). No data is available for Brunei, Myanmar, and Singapore.

⁶ Vanzi, Sol Jose. Philippine Headline News Online, copyright 2001.

⁷ Philippine Energy Plan: 1999 – 2008.

⁸ in Million Barrels of Fuel Oil Equivalent

⁹ The production level used to determine the revenue levels is the Net National Government Take-or – Pay (TOP) level stated in the Gas Sale and Purchase Agreement (GSPA).

¹⁰ Philippine report on notable energy developments, May 2002.

¹¹ The problem of excess capacity was raised by then Secretary of Energy Francisco L. Viray in his letter to the governor of Palawan (dated June 10, 1998) deferring the payment of LGU's share in the proceeds of the Natural Gas Project for the first seven years.

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¹² The wide use of natural gas by the transport sector also poses problems regarding cost considerations. For example, the Malampaya gas' estimated price is about \$3.86 (P205.4) per GJ plus the cost for additional infrastructures (i.e., transmission, distribution, and compression), the resulting market price for natural gas is estimated to be \$5.71/GJ (P303.8/GJ), which is relatively costly compared with competing fuel types such as diesel and gasoline. Further, engine conversion which involves changing the fuel injector into a gas regulator, expanding the area of combustion of the engine, and reducing the piston, costs 75 to 100 percent more than regular diesel engines.

TAIWANESE SOCIAL MOVEMENTS AND THEIR UNCERTAIN FUTURE

Chung Hsiu-mei

Taiwanese Social Movements (from the 1980s to the 1990s)¹

From the authoritarian state to the developmentalist state

Taiwan experienced the Dutch and Japanese colonialist occupation in 1624 to 1662 and 1895 to 1945. In this paper, I will not pay attention to those scenarios, instead, I will point out how the American and state-sponsored proposals and policies affected the Taiwanese social transformation after World War 2.² Meanwhile, I am going to address how the Taiwanese social movements profoundly transformed the social agency into political actors and social activists.

The 1950 Korean War was a turning point for the KMT, having imposed a significant role by the American President Truman.³ Since then, Taiwan was integrated into the Cold War agendas and American-sponsored economy. Under the strong “advice” of the government of the USA, the authoritarian regime introduced the new martial law again in 1949 in the name of protecting state security and national interests.

Under this new law and order, the Chiang Kai-Shek faction and mainlander capitalists controlled the state’s important economic sectors and its associated allies. More importantly, the KMT regime received 5.6 billion US dollars for military aid from 1946 to 1978, aiming to remove communists and defeat the Republic of Communist China. From the Chiang

¹ Located within the Tropic of Cancer on the eastern side of the Pacific Ocean, (just east of the south-central coast of China), Taiwan’s main island has an area of only 13,814 square miles, similar to the size of Holland. It is about 250 miles long and 90 miles wide and it looks like a sweet potato. Taipei is the capital.

A number of islands surround Taiwan. The Pescadore (P’eng Hu) Islands lie 25 miles off Taiwan’s west coast; Jin Men Island is just on the opposite side of Xiamen, the capital of Fujian (China); Orchid Island (Lan Yu) and Green Island are located on the east coast of Taiwan. The Tiaoyutai (fishing stage) Islands are just over 100 miles northwest of Keelung, a northern city of Taiwan. Their location suggests they should belong to Taiwan. In 1969, a report by the UN Economic Commission for Asia and the Far East claimed the possibility of oil reserves around the Tiaoyutai Islands. However, in 1971 the government of the United States (president Nixon) and Japan (PM Sato Eisisaku) had an agreement that the US would return Okinawan and the “South-western islands” (including the Tiaoyutai Islands) to Japan.

Taiwan has limited resources with mountains occupying two thirds of the island. The Taipei plain, Tao-yan flatlands, Jia-nan flatlands, and Pin-dun plain have become major agricultural areas. Nineteen rivers cross the islands, most of which are torrents, or dried rivers in winter. Keelung Port, Tai-Chu Port, and Kaohsiung Port are the three main ports for export-import and other industries. Taiwanese population was around 22 ½ million in 2002. The island’s average population density is about 1,609 persons per square mile or more than 600 persons per square kilometre.

² President Roosevelt, Generalissimo Chiang Kai-Shek, and Prime Minister Winston Churchill in the Cairo Declaration of December 1, 1943 declared that “all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa, and the Pescadores, shall be restored to the Republic of China”. Lai, Mayers and Wou (1991) p56

³ Tien Hung Mao (1989)

PPSA 2003 National Conference

Kai-Shek point of view, it was important to “clean up” its internal enemies. During his administration, more than 30,000 activities and students who were suspected to be against the Kuomintang party and pro-communist movement were executed. These people were not only Taiwanese, but some of them were from Mainland China as well. Meanwhile, 8,000 people, including socialists, Japanese political prisoners, liberals, separatist advocates were arrested and put into Fire Island prisons without trial. It was estimated that their overall prison terms were altogether over ten thousand years.⁴

General Characteristics of the KMT Regime

Economist Bruce Cumings defines the model of both Taiwan and Korea as BAIRs (Bureaucratic-Authoritarian Industrializing Regimes), which emerged as the leading economic and political characters from the 1960s to 1990s.⁵ Obviously, Taiwan has embraced the trajectory of the capitalist world-economy system led by the United States. There are two evidences showing the interstate relation. First, according to the “Mutual Security Act of 1951” passed by the American congressmen, US aid had given Taiwan more than \$US 4 billion in grants, loans and military equipment and met up to 93 percent of Taiwan’s foreign exchange deficit from 1951 to 1964.

Second, the United States had promoted the major development of electric power, transportation, communications, manufacturing and mining, as well as the land reform, agricultural extension services, health and education.⁶ The US aid spent 59 percent in the agriculture sector.⁷ Consequently, Taiwan was integrated into the Bretton World System, which was led by an American corporation and an American-led economy.⁸

Under the American protection of military and economic aids, the KMT regimes adopted authoritarianism, nepotism and corporatism for maintaining its capitalist state. In regard to authoritarianism, it was constituted by the permanent representatives of the Legislative Yuan, unlimited terms of president service and the martial law decree.⁹ The

⁴ The Labor Review, 1.6.1991, No25, Taipei p32

⁵ Bruce Cumings “The Origins and Development of the North east Asian Political Economy: Industrial Sectors, Product Cycles, and Political Consequences”, (1987) *The Political Economy of the New Asian Industrialism*, Cornell University, USA p81. Relatively speaking, Bruce defines that the Taiwan BAIR had more autonomy and less dependency with America than Korea, because of the successful land reforms, state-owned enterprises and flexible policies, and overseas Chinese connections.

⁶ Fred Robins (1998), p49-53

⁷ Thorbecke & Wan (1999) *Taiwan’s Development Experience: Lessons on Roles of Government and Market*, p210

⁸ Kuang Hsu Cheng & Michael Hsiao (1996) *Taiwan’s State and Society*, in the paper of Lee Bi- han ‘s *The Problematic of Taiwan’s state enterprises and State-capitalism*, Dun Dai, Taipei p52

⁹ Tien Hung Mao (1989) Back to 1947, Chiang Kai- Shek’ Republic of China had elected the three national representative bodies (National Assembly, Legislative Yuan and Control Yuan) in Mainland China. Some of

Hsiu Mei Paper

martial law highlighted the military power, in particular, the National Security Council and the Garrison Command that imposed extra constitutional authorities to oppose social movements. For example, according to Article Eleven of the Martial Law, the highest commander had rights to abolish any kind of mobilizations and strikes in the name of national security. Ironically speaking, the Constitution of the Republic of China guaranteed freedom of people's religions, migrations, assembly, work and property.¹⁰

Despite this extreme authoritative nature of the regime, new plans and demand for land reforms were seriously taken by the regime and allowed a broader integration, cooperation and participation among various civic groups in the new KMT regime and more localization was recorded as a successful performance. The land reform, for example, gave a great support from the rural regions where lands were concentrated on landlords during the Japanese occupation. The KMT intervened in the elections of the Farmers' Association. Meanwhile, the KMT found the People's Service office in every township and city where they organized local teachers, businessmen, youth, trade union leaders to participate in the limited local affairs or political activities that were organized by the central party.

Land Reform, the Green Revolution and Export-oriented Industries (1960s-1970s)

In the two decades, Taiwan desperately needed to be one of the major players in the world market and has been among the capitalist "archipelagos" since the 1960s, attracting more inflow of foreign capital particularly from the USA and Japan. This archipelago consists of several "islands" of capitalism, which rise above a "sea" of horizontal exchange among local and world markets through the centralization within their domains of large-scale profits and high value-added activities. Below this sea lie the huge, low-cost, and highly industrious laboring masses of the entire East and Southeast Asian regions, into which the capitalist "islands" thrust their roots but without providing them with the means needed to rise to or above "sea level".¹¹

In practice, Taiwan, Korea and Japan are deeply dependent on the United States for military protection as well as energy and food supplies. In order to run the "workshop of the world", the KMT regime had to provide cheap natural and human resources for the

these representatives followed Chiang to Taiwan, and had permanent seats in these three bodies. By 1990, 632 of the 2,961 National Assembly were mainlanders who were elected in 1947 in Mainland, and 144 of the 760 Legislative Yuan members were mainlanders' members as well. In terms of the Control Yuan, 120 of the 180 were mainlanders, who had been functioning as rubber stamps but still survived for forty years.⁹ Meanwhile, Chiang Kai-Shek and his elder son Chiang Ching-Kuo had mandated their cabinets and officials who were trusted by them (relatives, same provincial men, factions) for over forty years.

¹⁰ Zhu Gao Zheng (1995) A Lesson and Experience of Taiwan's Democratization, Li Ren Books publisher, Taipei, p116-117

¹¹ Giovanni Arrighi (1994) *The Long Twentieth Century*, Verso, London, p22.

PPSA 2003 National Conference

production of manufactured goods.¹² There were two ways to achieve these goals. First, with the policy of Scarifying Agriculture and Encouraging Industry, the agricultural sector became the primary accumulation for providing cheap food and raw materials. Second, the Export Processing Zones had been set up in Taiwan, which squeezed the majority of the country's young labor forces since the 1960s.¹³

Due to the increasing population of refugees from the Mainland, the government had faced strong pressure from the consumption of food stock. The JCRR, Taiwan Provincial Food Bureau and Farmers' Association administrated the rice-fertilizer barter that transferred the agricultural value to industrial capital and fed millions of migrants and soldiers. The rice-fertilizer barter policy applied 70 percent of the fertilizer loan and farmers paid rice tax.¹⁴

The land reform stimulated the Taiwanese farmers' food production because they owned their land and wished to increase their incomes. The land reform policy provided by the KMT regime was supported on the ground and its legitimacy strongly tied with the demands of the Taiwanese. In addition, the policy increased the total production of agriculture and farmers' consumption. The industrial development was consequently achieved.

In 1961, the Kennedy administration faced American's first trade deficits, seeking "to move away from the expensive and draining security programs of the Eisenhower years and toward regional pump priming that would bring an end to the bulk aid grants of the 1950s and make allies like Korea and Taiwan more self-sufficient."¹⁵ The U.S. Agency for International Development (AID) played a significant role in delivering Westerners and Japanese foreign investors, the foreign industrialists who were offered a host of stimulation to invest in special economic zones.¹⁶

The KMT government's technocrats helped U.S. AID officials, having introduced major electronics companies in the United States, the Netherlands, and Japan to Taiwan. As a result, the export-led economy was built in Taiwan, the first Export Processing Zone was therefore set up in Kaohsiung in 1965, then continually set up another two Export Processing Zones that attracted more rural cheaper female workforces. It was estimated that 80 percent of the workforce was female. For example, Taiwanese workers only received one-sixth the wage per hour of Japanese workers and one fourth of American workers in 1972. Overall, the export-led economy occupied two thirds of industrial production from 1971 to 1976 in Taiwan.¹⁷ The KMT government provided these foreign capitalists with land, taxes rebates, and the extended tax holiday.¹⁸

¹² Ibid , p22

¹³ Chih-ming Ka (1996), p28

¹⁴ Ibid, p209

¹⁵ Giovanni Arrighi (1994) *The Long Twentieth Century*, Verso, London, p22

¹⁶ Murray A.Rubinstein (1999) *Taiwan: A New History*, An East Gate Book, New York, p370

¹⁷Tani Wla Taka O (1992) Taiwan's industrialization: the formation of international exportation industry, p82

¹⁸ Murray A.Rubinstein (1999) *Taiwan: A New History*, An East Gate Book, New York, p371

Hsiu Mei Paper

In order to support the export-led economy, the KMT government had promoted a nineteen-point reform package such as reforms of monetary, fiscal, taxation, and trade practice.¹⁹ On the other hand, the Great Nine Projects policy embarked on by administrator Chiang Ching-Kuo, built huge infrastructures such as nuclear plants, dams, ports, highways, international airport, and railways to stimulate the recession of the oil crisis and strengthened its internal stability. Therefore, heavy industries such as steel, shipbuilding and oil-refined industries were developed. Moreover, the petrochemical manufacturers enlarged their scale to supply the plastics to the export industry. Basically, the state-owned enterprise Chinese Oil Company produced naphtha-cracking upstream basic petrol-chemicals to the downstream plastic product sectors that were owned by domestic private capitalists. The plastics supply the Export Processing Zone; as a raw material provider.²⁰ The linkage of the whole industrial complex squeezed the workforce in the agriculture sector and natural resources such as water, clean air and land.

Ankie Hoogvelt defines the Taiwan state as a developmentalist state with a role different from the Keynesian welfare state, which limits market rationality and imposes more relative public benefits. Taiwanese state intervention encouraged industrialization by means of “financial instruments (credit and tax politics), trade politics, inward investment screening politics, and industrial relations politics to channel investment decisions into directions that conformed with national priorities.²¹

The industrialist production changed the Taiwanese social structure; as a result, agriculture employed only 20 percent of the work force, industry 42 percent, manufacturing 33 percent, and services 38 percent by 1980.²² Urbanization has become the main character of Taiwanese society since that time. Accordingly, one fourth of the population are involved in the workforce.

There was an emerging anti-authoritarian (pan-anti KMT) opposition force around the island. Parliamentary election and mass movement became the two lines of the political struggle. There has been interaction and competition among different oppositional factions. The anti-authoritarian movement developed the democratically moderate and popular political movement.²³

¹⁹ Bruce Cumings, “The Origins and Development of the Northeast Asian Political Economy: Industrial Sectors, Product Cycles, and Political Consequences”, (1987) *The Political Economy of the New Asian Industrialism*, Cornell University, USA p70

²⁰ Wan-wen Chu & Chiu-yen Huang (1998) *Industrial Policy and Ladder-Climbing: A Study of Taiwan’s Plastic-material Industry*, A radical Quarterly in Social Studies, No32

²¹ Ankie Hoogvelt (1997) *Globalization and the Postcolonial World*, The Johns Hopkins University Press, Maryland, p204

²² Murray A.Rubinstein (1999) *Taiwan: A New History*, An East Gate Book, New York, p372

²³ In the 1970s, the People’s Republic of China broke its diplomatic relationship with the Soviet Union. On the other hand, America failed in the Vietnam War and she had to adjust her international relation with

PPSA 2003 National Conference

On the other hand, good economic conditions produced a more confident and assertive middle class. The KMT machine directly controlled these forces, and the local political factions with funding and infrastructure projects. They recruited and invested in middle aged KMT candidates to expand their influence. However, their efforts could not persuade the public after a series of suppressions, riots, and mass movements in the Chungli revolt.²⁴

The Chungli revolt damaged the reputation of the KMT and was the turning point for the Dangwai(outside the KMT party) movement. Within Dangwai, Kang Ning-Hsiang and his moderate supporters preferred reform within the constitution and an electoral strategy. Huang Hsin-Chieh and Xu Xin-Liang supported the street movement strategy that was advocated by the younger generation. Plenty of underground magazines emerged and presented arguments about their different opinions²⁵ The Chungli events pushed Dangwai closer to the radical way, having used a mass movement to put forward the anti-authoritarian movement..

In 1978, the United States president Jimmy Carter decided to resume former diplomatic relations with the People's Republic of China and saw Taiwan as a non-political sovereignty in 1978. At the time, the KMT government mobilized a huge student movement to demonstrate against the American Assembly and stopped the election for the sake of national security. As a result, the Dangwai Campaign Assistant Group decided to plan a demonstration on International Human Rights Day (12 December) in southern Kaohsiung city. Unfortunately, the demonstration was banned and eight leaders had to serve long-term prison sentences.²⁶ Because they had a *Formosa* Journal to link supporters around the island, this tragedy was called the Formosa event.

Briefly, despite the intensive pressure from the KMT state machine to monopolize the Taiwanese civil society and manipulate the election, a huge people's power was created and supported the possibility of the anti-authoritarian movement. On the other hand, the

China. As a result, Taiwan had to withdraw from the UN and China has become the new member of the UN. Meanwhile, the University Journal enlarged the capacity for Taiwanese young intellectuals and petite-Bourgeoisie class to criticize the KMT politics within Taiwan.²³ Meanwhile, the emergence of the pro-Tiaoyutai movement increased disappointment for overseas Chinese and students who turned their recognition to the People's Republic of China. The pro-Tiaoyutai movement aimed to unite China and Taiwan for advocating patriotism and Chinese nationalism.

²⁴ A key political conflict arrived in 1977 in Chungli. Chungli is the Township of TaoYuan County, where the Hakka people are the majority. Xu Xin-Liang had studied in Britain and had worked in the KMT central office. He was selected by the MKT as the Taiwan Province Council candidate and won the election. In the 1977 election, he campaigned for the councilor of TaoYuan County. As a result, the central election assembly claimed he did win the election. His supporters attacked the Chungli police station. Soon it turned out and he won the election.

²⁵ Ibid, 21

²⁶ Ibid, p 21

Hsiu Mei Paper

Philippine anti-Marcos movement (people's power) stimulated and encouraged Taiwanese to dare to challenge the KMT regime.

Competition, democratization, and liberalization (1980s-1990s)

The landscape of the 1980s political economy saw two major transformations in Taiwan: the Chiang authoritarian withdrawal and democratization. What democratic transition occurred in the context of economic development in Taiwan? And what role did the military and economic technocrats and the manipulation of the political institution play from the 1980s to the 1990s? How did US intervention and Japanese corporation intervene in the market-led rationalization and democratization in the process of anti-authoritarian movements and coalitions? And how did Taiwan become an increasingly capitalist power co-operating with other economic bodies that had a greater economic relationship with China?

To answer these questions, we need to return to the background from the 1980s to 1990s. Firstly, Chiang Ching-Kuo lifted martial law and allowed free media and a democratic system. People had rights to mobilize public forums or demonstrations, to speak up or organize political parties.²⁷ On the other hand, the Chiang government highlighted the successful model of democratization in Taiwan compared with China's one party system and hard authoritarianism. However, the limited democratization required the opposition forces not to advocate separatism and communism. Meanwhile, the Stalin style KMT intelligence apparatus existed everywhere. The killings of dissident writer Henry Liu, Dr. Chen Wen-Chen, and Wan Yi-Xiong's family showed that Chiang Ching-Kuo's conservative factions wanted to restore the KMT dictatorship.

Secondly, Chiang Ching- Kuo insisted on his political faith for the Three People's Principle that focuses on the equality of people's life and wealth. It was estimated that Taiwan had been the most equal society in the 1980s.²⁸ Chiang Ching- Kuo controlled the sector of state -owned enterprises and achieved economic distribution equally. However, it was just a very short period that the bourgeois society had been emerging and became the growing actors for Taiwanese society since the 1990s. Chiang Ching- Kuo used the Three People's Principle as a signboard of nationalism. In fact, modernization emerged in the 1970s when liberal overseas students endorsed the modernization theory and the developmentalism to support industrialism and the capitalist system.²⁹

²⁷ Kuang Hsu Cheng & Michael Hsiao (1996) *Taiwan's State and Society*, Dun Dai, Taipei
in the paper “Taiwan's new relationship between Politician and Bourgeoisie and the Transformation of Politics.”, p73

²⁸ Edited by Frederic C. Deyo *The Political Economy of the New Asian Industrialism*, Cornell University Press

²⁹ Chang Zhao Wei (1994) Who's singing their songs on the other side?-the History of Taiwanese Modern Folk songs in the 1970s, China Time Publisher, Taipei, p36

PPSA 2003 National Conference

Thirdly, Chiang Ching- Kuo's local autonomy and local policy assumed that native Taiwanese have autonomous rights of self-governance. Nevertheless, having faced the pressure of the general and local election, the KMT offered too many projects to local factionists in order to win the elections. As a result, corruption, incompetence, nepotism, and mafia degenerated local autonomy and destroyed local cultural and natural heritages. The whole local government was unable to manage the complicated industrial and modern society where conflicts needed to be solved in a very sufficient and decent mobilization.

Overall, Chiang Ching- Kuo integrated his discipline in Russia and his practice in China with socialist idealism , populist romanticism and totalitarianism. However, with compromise in the complicated political situation and economic transformation, Chiang Ching- Kuo suppressed the authoritarianism in Taiwanese history and left a legacy of good social equality to the Taiwanese as well.

In the 1980s,Taiwanese internal politics reflect its inter-state world capitalist economy relationship with world capitalist production. In the context of the over-accumulation crisis, the protectionism was a reaction to the American government. However, the Japanese Government revalued the yen and opened up the Japanese economy to foreign capital and trade. Taiwan became the third tide of Japanese capital investment that created the subcontracting system.³⁰ In addition, the competition of industrialization rapidly rose in Southeast Asia (the GDP development was 6.8 % in Thailand, 7.3% in Malaysia, 13.1% in Indonesia), where there were investments by these East Asian private and state capitalists .

In 1983, the Taiwanese government machine flexibly promoted the economic policy of “the central factory collaborates with satellite factories”, where the government provided low interest to relatively big and stable factories such as cars or computers in order to mobilize production qualities of goods, exchange good stability, expand overseas markets and purchase raw materials. In short, it promoted the capacity for welcoming the foreign investments and strengthened small private enterprise. As a result, foreign investment doubled after 1986.³¹ Half of foreign investment was from Japan.

In terms of the subcontracting system, it needs to be addressed because the production system produced a profound petit-bourgeoisie who were the main supporters of the anti-authoritarian movement. Arrighi defines the subcontracting system as when Japanese capital tried to enlarge reproduction of the Japanese business enterprise. The multilayered subcontracting system decentralized the structure of productive activities, that is “ stratified into multiple layers consisting of primary subcontractors (who subcontract directly from the top layer), secondary subcontractors (who subcontract from secondary subcontractors),

³⁰ Giovanni Arrighi (1994) *The Long Twentieth Century*, Verso, London, p342

³¹ Tani Ula Takao (1992) Taiwan's industrialization: the formation of the international exportation industry, Ren Jin Publisher, Taipei, p112

Hsiu Mei Paper

tertiary subcontractors, and so on, until the chain reaches the bottom layer which is formed by a large mass of households that subcontract simple operations.”³²

The system was supposed to use relatively low wage labor and escaped state regulation for the environment and labor social welfare. Accordingly, small-scale enterprises fewer than 30 employees occupied 86.1% of enterprises and 33.5% of total labor force in 1981 in Taiwan. These 82,049 employers did not need to be regulated in the Labor Basic Law, which ensured the working classes received their rights. The second layer of 12.1% was made up of middle-sized enterprises (between 30 to 300), which employed 42% of the workforce (over one million laborers).³³ Moreover, the system attracted millions of semi-agricultural and urban households (mostly female workforce) who worked at home in very poor conditions.

Despite the character of the subcontracting system originally from Japan, the system also benefited the American enterprises that invested in Taiwan and Taiwanese enterprise as well. For example, 17% of the electric and computer semi-production was exported to America. The American mother companies controlled these productions of technology and know-how.³⁴

As Arrighi highlights, the hierarchy system was the most important sign of the rise of East Asia to a new epicenter of systemic processes of capital accumulation. It embedded the value-added and world money hierarchy of the capitalist world economy. For example, Hong Kong became the third largest financial center in the world in 1982. Taiwan had the second biggest bank reserves that held \$82.5 billion in official reserves by March 1992. South Korea became one of the largest direct foreign investors in East and Southeast Asian regions. Japan was the leader of the four tigers’ forces. However, as “the 6:1 representation in the Group of Seven shows, North American and Western European states collectively still rule the roost at the commanding heights of the capitalist world-economy.”³⁵ The point is not that East Asian countries should enter the world capitalist club; it is why these countries had so little distribution and protection from state and capitalists.

The above historic background was to help interpret why the Chiang Ching- Kuo regime wanted to liberate the trade, financial, and market-determined system. This was the main theme of the KMT government and engaged its economic and political reforms from the 1980s to 1990s. As a result, the KMT authoritarianism withdrew and entered a democratization era.

As Stephan argues that the experience of the East Asian NICs differed with Latin American, the East Asian NICs focused their policy attention on the role of labor in

³² Giovanni Arrighi (1994) *The Long Twentieth Century*, Verso, London, p342

³³Tani Ula Takao (1992) Taiwan’s industrialization: the formation of the international exportation industry, Ren Jin Publisher, Taipei, p142

³⁴ Ibid, p113

³⁵ Giovanni Arrighi (1994) *The Long Twentieth Century*, Verso, London, p336-7

PPSA 2003 National Conference

maintaining competitiveness. Therefore, political and economic elites intended to control the decision making of the exported industries. They politically excluded the working class. As a result, “this inclination narrowed the coalitional base of support for democratic politics and thus contributed to the maintenance of an authoritarian or closed political system. Not until the expansion of the middle class, a by-product of rapid economic development, did new social pressures for democratic rule emerge.”³⁶

In the post era of Chiang Ching- Kuo lots of political protests and social movements occurred. A series of political opposition leaders were charged traitors to the Republic of China (Taiwan). The tenth president of the Republic of China Chen Shui-bian was one of them who was charged. The Dangwai Movement emerged again after the frustration of the Formosa event. They gathered at the Dragon Mountain Temple on May 19,1986, which used to be an anti-KMT district. The 519 Assembly called for release of martial law. Eventually, the action profoundly created a great support from metropolitan citizens.³⁷ The anti-authoritarian movement increased its sympathy and advocacy from this mass movement. They found the Democratic Progressive Party on September 28,1896.

In 1987, martial law was abolished, there were more and more increasing social movements such as environmental movements, farmer movements, labor movements, peace movements, student movements, women’s movements and so on. It was estimated that the rallies and rebellions occurred 1600 times around the island.³⁸

In conclusion, the KMT regime transformed the liberal economy and democratic politics at the right time, while the Soviet regime collapsed and the tragedy of Tian’anmen Square occurred. An academic Francis Fukuyama, saying the communist state and ideology have been buried in the tomb, endorsed the ideology of triumphism. The neo-liberal statement strengthens the confidence of Taiwanese statist developmentalism with more confidence to solve its internal conflicts. Meanwhile, Taiwan had successfully entered what Samuel Huntington called the club of “ the third wave of democratization” in the late 1980s by means of the general comprehensive election. ³⁹

On the other hand, the increasing anti-authoritarian movement challenged the authoritarian legitimacy. The KMT regime should have adjusted its political system to fit the requirement of the movement. In addition, through the liberation of mass media, the communication companies wanted to increase their markets so they could balance the news from different levels of people, not only from one party rhetoric. And the recognition of

³⁶ Stephan Haggard (1999) *Pathways from the Periphery: The Politics of Growth in the Newly Industrializing Countries*, p255, Cornell University, USA

³⁷ Editor Yang Qing Chu & Gao Xin Jiang (1988) “Go to Rally: The criticism of the 1987 Taiwanese civil movement”, Dun Li Publisher, Taipei, p11

³⁸ Ibid, p11

³⁹ Ibid, p1

Hsiu Mei Paper

transparence and accountability became the main target of the anti- authoritarian movement. The government could compromise this trend. Eventually, I would argue that both the KMT and anti- authoritarian forces manipulated the social movements that were created by the working class, dissident people, and the excluded communities.

Nationalism, populism and Parliamentarianism (1990s-2000s)

Lee Teng-hui was the turning point for modern Taiwanese politics. He has been engineering the Taiwanese nation building from different perspectives. The making of Taiwanization was his successful strategy in defeating the conservative factions that were represented by military and high ranking officers. Compared with Chiang Ching- Kuo's integration of Taiwanese society, Lee Teng-hui emphases more Taiwanese national identity. And he also manipulated the process of Taiwanization that intertwined and inter- reacted with the anti-authoritarian movement that was supported from mass mobilizations and created by dissident elites.⁴⁰

Lee was influenced by western literature and science during the youth era from 1941 to 1943. He also was influenced by the May Fourth Movement and echoed the renaissance advocate ideas that feudal China needed to be changed and reformed. Like the most radical student at the time, he believed Marxism and joined the Taiwanese Communist party after being disappointed with the corrupt KMT regime.

After studying in America, he was appointed to the American Aid Institution Joint Commission on Rural Construction (JCRR) to be an agricultural specialist. He gave up Marxism and turned to Christianity. In 1978, he became Taipei Mayor and built the largest dam in Taipei for providing water for Taipei citizens. Then, he was one of the few Taiwanese elites who entered Chiang Ching-Kuo's technocratic cabinets for engaging economic development.

In 1985, Chiang Ching-Kuo appointed Lee Teng-Hui as a vice president and announced his successor would not be from the Chiang family. When Chiang passed away, Lee Teng-Hui was endorsed as the president and the head of the KMT party in the Fourteenth Party Congress. However, his power was relatively unstable in the early 1990s.

Lee Huan and Wang Sheng (they were both mainlanders) who controlled the intelligence apparatus, party machine and military forces challenged Lee Teng-Hui's leadership in the 1980s. It is important to address these complicated institutions, because these institutions produced lots of hatred, paranoia, suppression, and outrage. It was estimated that there were

⁴⁰ Lee Teng-Hui was born in Taipei County and his father was a landlord and policeman who served the Japanese regime and then worked in the local Farmers' Association. They are Hakka descendants. Lee had a very good academic background, educated in the best Taiwan University. He holds a PhD degree from Connell University in America. He was an agricultural economist.

PPSA 2003 National Conference

close to one million KMT members who were deployed in communities, high schools and universities, factories, communications, overseas, and Mainland China. The organizational hierarchy claimed they adopted the principle of democratic centralism, which was faithful to state and party's guidance.⁴¹

In fact, only the Central Committee of the KMT party had decision-making power. These systems provided the opportunities for people to get government jobs (including state-owned enterprises) or higher status or better education. For many Taiwanese political elites, the system was the tool to become politicians and change their position from a poor family.

Lee Huan and Wang Sheng failed to drive the power, because both the anti-authoritarian movement and American intervention consolidated Lee Teng-Hui's leadership. The interconnection of recognizing Lee Teng-Hui's leadership was Taiwanese nationalism.

For Americans, Lee Teng-Hui was qualified to their American values because he was an American trained developmentalist and Francis Fukuyama's neo-liberal believer. Lee Teng-Hui used to take pride in his "silent revolution", which means his contribution to Taiwanese democratization, opening up the relationship with China and other countries with realism, and promoting a technological-intensive economy.⁴² Strictly speaking, Lee Teng-Hui was an opportunist; he could justify his position at the right time and at the right place.

In terms of Lee Teng-Hui's consolidation of his leadership, some points can be analyzed to interpret his political ambitions. Firstly, the long-term affiliation of the Taiwanese nationalist movement should be pointed out from the period of anti-Japanese colonialism. And the Taiwanese nationalists have emerged and have driven the nationalist movement from the 1980s. National identity and nationalism becomes the significant ideology to encourage Taiwanese, rejecting the KMT bloc from outside provinces (Mainland China). Secondly, Lee collaborated Taiwanese capitalists, elites and politicians and anti-authoritarian movement actors to build the politics that divide by provincialism. Accordingly, provincialism has been forming from different eras and situations. Basically, it is the result of colonialism, anti-communism and the mass massacres since 1947.⁴³

Thirdly, populism emerged from below, where were simultaneously mobilized by farmers, workers, self-employed and small businessmen to oppose to the governmental and corporate elites in the 1990s. Precisely, Lee Teng-Hui presents relatively a more liberal radical and right wing populism of Taiwanese internal politics. On the other hand, he has a very close relationship with the Japanese Right wing forces, who anti-Communist and suggest the Great

⁴¹ Masatake Wakabayashi (1994) *Taiwan: Division of state and democratization*, Taipei, Yue Dan Publisher, p90-100

⁴² Lee Teng-Hui (1999) *Taiwan's position: With the People Always in My Heart*, Yuan-Liou Publishing Co.Ltd, Taipei,p136

⁴³ The Formation of Democratic Left in the Post Authoritarian Taiwan, Taiwan : A radical Quarterly in Social Studies Conference on 4-5 October, 2003, Taipei, p6

Hsiu Mei Paper

China should be fragmented into six pieces according to economic growth, ethnic, geography and resources. Meanwhile, it's no doubt that he has been supported by Fukienese bourgeoisies to consolidate his “silent revolution”.

Fourthly, Parliamentarianism legitimized and integrated the dominant Taiwanese nationalist forces and the emergent right or left wing populism. The parliamentarian election becomes a great arena for power transformation. On the other hand, privatization, liberalization and globalization had driven Lee Teng-Hui president to privatize state-owned enterprises such as transportation, communication, tobacco and wine, oil-refined industries. In terms of liberation, it refers the deregulation of financial, labor and service.⁴⁴

Characteristically, Lee Teng-Hui successes the developmentalist state mechanism. For example, he embarked the Six-Year National Development Plan in 1991, which included mass infrastructures such as a high-speed rail system, Meinung Dam project.⁴⁵ Supposedly, these projects could be provided the need of large-scale production. However, communities and social groups contested these projects and had a great debate for development. In addition, Lee Teng -Hui was looking forward to overseas markets for Taiwanese capitalists, expansionism plays a significant role for seeking the East European and the South Asian markets. Not surprisingly, Taiwanese government intents fitting the global free market system, therefore, joining the World Trade Organization was a good example to show its agendas.

In conclusion, the dimension of the past fifty years of the authoritarian state and the developmentalist state assumed that the accumulation of capital, providing the access to global production. To be sure, modernization to be carried a rational developmental agenda to remove any barrier that rejects this transformation.

The character of the Taiwanese social movements(from the 1980s to the 2000s)

Theorizing social movement

Resource mobilization theory defines social movement as a rational, purposed and organized action, which is formed by citizen's allies with influential actors using variety of protests against certain opponents. Charles Tilly contributes to social movement theory with his descriptive analysis of the different types of contentious politics and collective actions, with particular reference to formative western historical periods.⁴⁶

In his view, these actions (insurgencies) frequently occurred with forms of riots, rebellions, strikes, petitions, demonstrations, public meetings and so on. Tilly make a connection between ‘spatial contentious politics’, which was he figures contentious politics as an

⁴⁴ Editor Murray A. Rubinstein(1999) *Taiwan: A New History, An East Gate Book, USA* “Government banks were privatized, private banks were established, and foreign banks were allowed to set up”.p376

⁴⁵ Editor Murray A. Rubinstein(1999) *Taiwan: A New History, An East Gate Book, USA*, ,p376

⁴⁶ Donatella Della Porta & Mario Diani (1999). *Social Movement: An Introduction*, Blackwell Publishers Malden, Massachusetts, p.170.

PPSA 2003 National Conference

interaction between State and collective action within two symbolic geographies- London and Paris, where the ruling class had control of the working class, of property crime and of political surveillance.⁴⁷ The repertoire of collective action had taken place in these two metropolitan spaces. Tilly characterizes these geographies of collective action in terms of ‘spatial contentious politics’ and includes within his terminology the’ geography of policing’, ‘safe spaces’, ‘spatial claim making’, and ‘control of places as stakes of contention’.⁴⁸

Sidney Tarrow distinguishes from mobilization of contentious politics as direct and indirect actions. The direct action contains face-to-face contacts and primary associations, having provided solidarity for social movements among people who have common interests and demands.⁴⁹ On the other hand, the indirect action was formed by means of print such as printed books, pamphlets, media (radio and TV) and Internet. They build and allow coalitional campaigns to be diffused and connected among mass mobilization and remote places.⁵⁰ The modern social movement as Tarrow defined, couldn’t separate these two ways of collective action. For example, European and Northern Americans organized both direct and indirect action in variety movements since the nineteen-century.

Tarrow’s ‘the cycles of contention’ is more consistent with Tilly’s ‘spatial contentious politics’⁵¹. Broadly speaking, in his definition, ‘Cycles of contention begin within institutions, spread into confrontations among ordinary people, and bring the scholar face-to-face with some of the less edifying aspects of collective action- the crowd, the mob, the armed insurrection.⁵² Additionally, he added that the dynamic of the cycle is the outcome of the interaction of group’s social organization⁵³ Overall, Tilly and Tarrow’s resource mobilization calculates costs and benefits of collective action that easily integrate with the parliament system and institutions. And it also can create opportunity for the social movement actors to climb the latter of rational choices.⁵⁴

New Social Movements (NSMs) approaches differ from what Tilly and Tarrow claim for their rationalism and political reductionism points of views. Touraine and Melucci argue conflicts have been moved from the economic-industrial system to the cultural space. Therefore, the dimensions of NSMs are characteristically different from traditional social movements.⁵⁵ The NSMs refer private (the body, sexuality, affective relations), or subjective

⁴⁷ Tilly, p137.

⁴⁸ Ibid.:135.

⁴⁹ Ibid.: 52.

⁵⁰ Ibid.:43.

⁵¹ See first page

⁵² Ibid.:143..

⁵³ Ibid.:143.

⁵⁴ Tarrow, op.cit.: 2.

⁵⁵ This reference quotes from, New Social Movements: From Ideology to Identity, which is edited by Enrique Larana, Hank Johnston, and Joseph R.Gusfield (1994).The book divides three parts: culture and identity, collective actors ,and collective action in new social movements.

Hsiu Mei Paper

(cognitive and emotional processes, motives, desires) or biological (the structure of the brain, the genetic code, reproductive capacity) as capacity of collective action.⁵⁶ Personal identity, daily life space, cultural identity and codes of behavior become the motivation to social movement.⁵⁷

Touraine has further explanation for (as he claimed) 'post-industrial society', 'technocratic society', or 'programmed society'⁵⁸ is specific and different. Firstly, he claimed that the working class is no longer a historic agent, rather, the root causes of the conflict in the post industrial society is not only conflict between capitalists and working class which we are familiar with, but between investors, technocrats, the new bureaucracy, and experts, all of whom, in one way or another, created problems.⁵⁹

Significantly, new social movement become a new stage in modern societies. Identity, cultural value, subject powers are central issues that reflect the link between new social structure and new forms of collective action. For Touraine, the new social movement should be linking with the subject of societal movement. Touraine defines the new social movement as a combination of self-consciousness, aesthetic recreation, political strategy and grass-roots solidarity in daily life. Without confirming to doctrinal goals of collective action, the societal movement prefers 'life politics' to transforming society.⁶⁰ So to speak, the participants in 'life politics' never claim themselves as a 'new man' who has been claimed to emancipate his/her life from a new transformation of social structure. The new social movements transformed its political action to internal democracy rather than the seizure of power⁶¹.

Melucci targeted the new forms of power and searched the new forms of opposition. According to his view, new social movements resist the intervention of the state and the market into social life, defining the ego and personal identity in terms of individual rights to determine ones private life and personal autonomy. He points out that the new social movements also resist the expansion of political-administrative intrusion in daily life and the omnipresent manipulation of the post-industrial system.⁶² For example, GM food resistance movement crossed national boundaries to build broad networks to defend corporate companies, nation-state and international institutions.

Two arguments underpin Melucci's identity politics. First, he claimed that actors are supposed to get rewards from their involvements and expect a sense of ownership over the object. Second, cultural and symbolic issues are linked with issues of identity: 'identity

⁵⁶ Alberto Melucci (1994), p.101.

⁵⁷ Ibid.:109.

⁵⁸ Alain Touraine (1981), p.29.

⁵⁹ Alain Touraine (1974). *The post-Industrial Society: Tomorrow's Social History: Classes, Conflict and Culture in the Programmed Society*, Wildwood House, London, pp.55-57.

⁶⁰ Touraine (2000), op.cit.:95-107.

⁶¹ Touraine(1995), op.cit.:248.

⁶² Melucci (1996), op.cit.:184-186.

PPSA 2003 National Conference

becomes formal reflexivity, pure symbolic capacity, acknowledgement of the production of meaning of action, within in the limits set at any given moment by the environment and the biological structure⁶³. These movements may be youth, feminist, environmentalist, ethno-nationalist and pacifist.

Despite the different theoretical approaches taken by ‘new social movement’ scholars, they have much in common. Touraine and Melucci build upon the identity of collective action. Touraine emphasizes the interaction between structural tensions and the emergence of a collective subject that defines its self as the creator of values and interests (1981). Melucci’s notion of collective identity is that it is a process between a ‘visible’ and ‘latent’ phase of being, which guarantees the continuity of experiences.⁶⁴

In conclusion, Touraine and Melucci emphases more life and identity politic rather than class mobilization. In fact, their new social movement theories assume that a society has a relatively accumulation of social wealth. If the developing countries or uneven development countries people survive only for a daily material life struggle or war confrontation, can the NSMs theory resolves the problematic situation?

In response to the rise of the network society, Castells argues that there has been a sudden increase in powerful communication of a collective identity that challenges globalization and cosmopolitanism. This trend leads people to have a desire to decide about their own lives, identities and environment.⁶⁵ In his Volume 2, *The Information Age: Economy, Society and Culture: The Power of Identity* (which has discussion concerning the different perspectives of collective identity) he makes a distinction between ‘legitimizing identity’, ‘resistance identity’, and ‘project identity’ as forms for building people’s identity in the age of globalization.

According to Castells’ definition, the legitimizing identity produces a civil society.⁶⁶ This is because it is a result of rational choice, which builds on its institutions, organizations or parties through organized social actors and comes to dominate their sources of structure. The apparatuses of civil society⁶⁷ include the Church, unions, parties, cooperatives, civic associations and so on. Castells stresses that the legitimizing identity has a privileged character to present a similar identity such as citizenship, democracy, humanity and so on. On the other hand, their well-organized institutions could be easily transformed political change without violence.⁶⁸

Castells particularly stresses that the second type of identity building is ‘identity for

⁶³ Ibid.:108.

⁶⁴ Melucci (1996), op.cit.:78.

⁶⁵ Manuel Castells (1997). *The Power of Identity, Economy, Society and Culture*, Volume II, Blackwell Publisher Inc, Massachusetts, pp.254-9

⁶⁶ Ibid,p 8

⁶⁷ This is Gramsci’s definition.

⁶⁸ Ibid,p9.

Hsiu Mei Paper

resistance', which is 'the exclusion of the excluders by the excluded', and includes religious fundamentalism, cultural nationalism, and territorial communes against globalization.⁶⁹ This is because he thinks these forms of collective resistance have their basic roots in culture, geography or biology. These actors are a defensive power to challenge the dominant institutions or ideologies. It is important to give prominence for the rising forces (communities, cultural communes) as a reactive action and key actor. They reacted the crisis of patriarchal family, the threaten of globalization, and individualize social relationship.⁷⁰ Therefore, these defensive reactions reconstructed the collective identity by means of 'new cultural codes out of historical materials'.⁷¹

The third type of Castells identity building is a movement of subjects building, as he defines it, a 'project identity'. Castells illustrates with Touraine's definition of the project identity as that of 'individuals against communities and markets'.⁷² This 'project identity' creates social subject to be carried by collective social actors (Waterman,363). On the contrary, the project identity is more proactive than reactive. For example, new social movements have emerged in the 1960s such as feminist, environment and sexual liberation movements. They claimed their own sovereignty in different identities.

Castells thinks legitimizing identity and project identity become less significant characters of social change in the network society.⁷³ The intertwining of national economies, and the dependency of government finance on global markets and foreign lending, has created the conditions for an international fiscal crisis of the nation-state, including the wealthiest and most powerful nation-states.⁷⁴

Castells' theory has nothing new, what he claims that the legitimizing identity and project identity are not significant that has created a misunderstanding for various struggles. In general, Castells' argument may fit the European or North American society, where democracy and civil society has been developing for hundreds years.

In terms of his notion of resistance identity, Castells neglects the confrontations within a community, the relationship between actors, subject, and leadership, and the process of building democracy as a daily part of life. As a result, he dose not give a valid alternative for us under globalization.

Reflecting on Taiwanese social movements

The Taiwanese social movements occurred different kinds of social activities and

⁶⁹ Ibid,p 65.

⁷⁰ Ibid,p66.

⁷¹ Ibid,p66.

⁷² Ibid,p12.

⁷³ Ibid,p66.

⁷⁴ Ibid.:252.

PPSA 2003 National Conference

mobilizations. Briefly, there emerged production-related movements, environmental movements, community based movements, gender and identical politics and livelihood politics since the 1980s.⁷⁵

According to the definition of Charles Tilly's 'spatial contentious politics', Taipei becomes a space, where contentious politics and collective actions have been contesting state after the martial law leased. Taipei as the capital and a metropolitan city has been playing a significant role on economical and political power. Interestingly, insurgencies immensely occurred with 'forms of riots, rebellions, strikes, petitions, demonstrations, public meetings and so on'.⁷⁶ For example, there were at least twenty-five kinds of collective actions organized and petitioned in front of the Parliament House in 1987.⁷⁷ At least 734 riots, petitions and demonstrations occurred around the island at the time.

Enormous public meetings boomed in Taipei in regards to human right, democracy, socialism, and feminism, post-modernism and so on. Moreover, it was estimated that 2,894 protests occurred in 1988, which included farmers, labors, environmental issues, politically oppositional protests.⁷⁸ To sum up, people's power transformed its condition into three ways of transformation. Firstly, it was the emergence of the multiplies parties. Democratic Progressive Party was organized on September 28, 1986 and became the biggest opposition party by 2000. Small parties established and did not play an significant role. Secondly, there were booming social movements, contesting state and capital forces in using direct and indirect actions.⁷⁹ Thirdly, the strong economic development did encourage the building of the Taiwanese nationalist state in the 1990s.

How did the Taiwanese social movements integrate toward rationalization, institutionalization and fragmentation since the 1990s? Why the cross movement coalition building failed to be created, contesting patriarch and accumulation in the global relation of production by name of subjectivity of production and free market? And what is an alternative for building a proactive strategy under the rule of neo-liberalism?

To answer these questions, it is important to trace the trajectory of Taiwanese social movements from the historic point of view. To some extent, three interactions that the international communist party directed its Asian communist branches mobilized social

⁷⁵ Edited by Xu Zheng Guang & Song Wen Li(1989) Taiwanese Newly social movements, Ju-Liu Publisher, Taipei , p24-25

⁷⁶ Tilly, p137.

⁷⁷ Edited by Xu Zheng Guang & Song Wen Li(1989) Taiwanese Newly social movements, Ju-Liu Publisher, Taipei , p37, These petitions were mobilized by aborigines , handicap, farmers, consumers, soldiers, women ,religious, labors, teacher, students and environmentalist.

⁷⁸ Lin Yi Ren *A Historical Review of Taiwan's Environmental Movements*, Unpublished.

⁷⁹ According to Mao-kui Chaing , there were 92 demonstrations and 77 independence social movements had been organized from 1980-1988. (Kang Chao 1995:123)

Hsiu Mei Paper

movements that interwoven in Japan , Taiwan and China since the 1930s . Japanese Marxian ideology had deeply influenced on China and Taiwan. As a result, the May Fourth movement that occurred in 1919, enlarged the capacity of anti-colonialism, anti-capitalist, and anti-feudalism movements in East Asia. In deed, the time had transformed from different perspectives through the long-term struggles and sacrifices.

Two assumptions suggest that the nowadays-Taiwanese social movements were created by either continuity or discontinuity of the historicity. The notion of continuity and discontinuity relates the conjuncture of the Marxist tradition and the vanguard Leninist party, which were shifted the Cold War and the collapse of the Soviet Union. Due to the overwhelmingly intervention of the American force, Taiwanese communist elites were killed or arrested. As a result, the continuity of the classic Marxist movement disrupted or even unspeakable. On the other hand, there was an opportunity occurred after the martial law released when the Labor Party established. However, the party was fragmented because the leadership had not much experience to resolve conflicts from inside and outside. Meanwhile, the atmosphere of international socialism changed their politics such as the Chinese Communist party became the pro-capitalist state and the collapse of the Soviet Union.. It has no doubt that the United State intervened the emerging left tide at the time in the late 1980s in Taiwan.

In contrast to the politics of continuity, the notion of discontinuity adapted the western ideologies, which related the New Leftist ideology. Precisely, the New Social Movements agendas such as gender politics, subjectivity, and identical politics discussed on the certain circles such as radical academics, student organizations or NGOs.

Strictly speaking, the Taiwanese leftists did not have a good dialogue with each other. On the whole, the emergence and manipulation of the Taiwanese nationalist movement did make the complicated situation for the creation of the Taiwanese social movements.

In terms of the production-related struggle, some scholars define the KMT State use the state corporatism as a tool to control the working class and farmers since the 1950s.⁸⁰ Because the KMT party needed mass supports within the Taiwanese society. To take heard and mind of the society, the party had successfully demonstrated the policy of Land Reform, which affects the status of 60% of tenant-peasants owned the land. The KMT set up the Farmers Association to strengthen the influence of the KMT state. On the other hand, the KMT party incorporated any of social groups such as trade union, fish men union , commission , and other associations into its side.⁸¹. These projects also coincided with the

⁸⁰ Kuang Hsu Cheng is a main sociologist who defines this notion. An American scholar Federic Deyo who surveys the relationship between Taiwan State and Labor movement also has same definition.

⁸¹ KMT set up 365 branches of People's Service Agency in every towns and cities. It intervened these organizations and leaderships. It is also similar to Big brother who monitored people's behaviors and thinking. It also denominated schools' principles and head officers.

PPSA 2003 National Conference

military dictatorship.

Farmers' Movements

Seven mass protests of Taiwanese farmers occurred from 1987 to 1988 for demanding a wider transparency of agricultural policies that were dominated by the KMT regime. There were two organizations mobilized these actions. The Farmers' Right Association presented a more radical agenda such as the policy of an autonomous agriculture that promoted farmers' bargaining power and intervened the market mechanism.

The Farmers' Right Association mobilized farmers to against the import of the American fruits and meals that affected Taiwanese peasants survival as well. The organization built many branches around the island.

On the other hand, the Farmers' Right Assembly also mobilized farmers to contest the statist agricultural policies. In fact, it preferred more commodification in dealing with land and market. Unquestionably, the Farmers' Right Assembly cooperated the agendas of the Democratic Progressive Party for accumulation of its political capital. For instance, they stimulated the 520 Riot, which was a shift of the Taiwanese farmers' movements. There were 130 farmers and activists arrested and the movement, therefore, blocked until in 2002.

The short period of the Taiwanese farmers' movements had contradictions within the movements in regard with their different political attitude. In conclusion, the movement hardly defines as a farmers' autonomous movement. It imposed a complicated situation that created by elites and activists had a competition for seizing the power.⁸²

Labor Movements

Taiwanese labor movements could be analyzed into three phases from the 1980s to the 2000s. The first stage was the independent trade unions movement, which emerged in the 1980s. In 1984, the Association of Taiwan Labor Assistance that was organized by layers, Intellectuates and oppositional activists, established and provided legal service for labor. Meanwhile, the KMT regime had to issue the Basic Labor Law Under the pressure of the American protectionism. The independent trade unions movement was encouraged by the support of the Basic Labor Law. Soon after, the yellow trade unions have been taken place by the free election form rank and file. In 1997, two labor representatives enter the Legislative Yuan that encouraged the labor movement had more confidence to contest the KMT regime through cross-factories boundary.

The second stage would be a shift for the labor movement from 1989 to 1997. In 1988, socialists, trade union leaders, and politicians formed the Labor Party, which was the first party claimed the working class has a right to build its own agency. However, due to the failure of solidarity of the working class and the Soviet regime collapsed and the tragedy of Tian'anmen Square. And the Yuan Hua trade union strike stimulated the KMT regime and

⁸² Chung Hsiao Mei(1995) Taiwan's Farmers' Movements after the Martial Law released, Hakka Magazine

Hsiu Mei Paper

Taiwanese capitalist block collaborated to intervene the labor movement. As a result, hundreds of trade union leaders and activists were charged. On the other hand, anti-privatization campaign started contesting the KMT's liberal agendas. Meanwhile, factories have been moving to China or south Asian for escaping compensation fee. The worker who had lost theirs jobs protested and mushroomed around the island.

The third stage of the labor movement related to anti-privatization movement and mobilization of the National Trade Union, which called for reducing the working hour from 48 hours a day to 44 hours a day. Ironically, the unemployment rate has been increasing and the Taiwan's economy has been weakening with the highly international competition.

Overall, the Taiwanese labor movement did not challenge the radical change of the capitalist society. Instead, it made more efforts on the legitimization of the rational relation between the capitalists and the working class.

Environmental Movements

In terms of Taiwanese environmental movements, it could not separated with industrialization and developmentalism. Accordingly, there were 105 environmental NGOs emerged, among 80 % were established after 1987.⁸³ There was a famous anti-DuBang movement that mobilized by Lu Gang Town people.

Characteristically, these environmental NGOs such as The Nature Conservation, the Bird Society, Environment Foundation are more cosmopolitan and middle class style. The Taiwan Environmental Foundation, the Home Makers Union and the Taiwan Environmental Protection Union had built an alliance to against the Forth Nuclear project.

In 1994, a new coalition of environmental NGOs promoted the Eco-Conservation Alliance to push the Wildlife Conservation Law enacted in 1990.⁸⁴

Community based movement has shown that the atmosphere of decentralization beyond Taipei. For example, Taipei has more political and economic resources than any other cities and counties. Anti-Meinung Dam movement occurred in the late 1992, where Hakka dialect people living in the south village. The anti-dam movement sees the multi-dimensional significance of valley serves, on the one hand, as an organizing medium for identity and unity building, and on the other hand, as a mechanism to network with urban people who sympathize with environment. The telling and retelling of stories regarding the legends and myths is constitutive of the affective bond of the people to the place.

How all these elements were woven into the anti-dam struggle in the constitution of a collective identity in resistance as well as the mobilization of support to the movement need to be analyzed? Originated in the nearly 4000-meter high Central Ridge, Kao-Ping River, extends the most expansive basin and streams down the most water in Taiwan.

⁸³Lin Yi Ren *A Historical Review of Taiwan's Environmental Movements*, Unpublished.

⁸⁴ Ibid

PPSA 2003 National Conference

There are several grass-root environmental NGOs tightly networked as MAC (Meinung Anti-dam Coalition) in Taiwan since early 1990s. Meinung People's Association burst out the first shout fighting against the Meinung Dam project and they intentionally encouraged adjacent Rukai aborigines to rise and oppose to the Maja Dam project, which threatened them to devastating relocation. Then, Federation for Wetland Protection sprouted to protest against Bin-Nang Industrial Park project which will build up a gigantic petrochemical plant and a large steel plant over Taiwan precious Chi-gu coastal wetland, which is world's largest habitat for endangered Black-faced Spoonbills. Association for Conserving Tung-Kang River works on what was named after and they also raised the ground water resource distribution issue of the whole region. Green Federation for Protecting Kao-Ping River has long endeavored in lobbying a clean-up policy for the Kao-Ping River from a metropolitan combat position.

Their common strategy is to stop the Bin-Nang project and Meinung Dam project at the first place jointly so as to compel the government and the whole society to review two econ-environmental issues. Due to the Taiwan government's incompetence in working out a sound administration for the Kao-Ping River Basin, the whole river's ecology has been comprehensively degenerated to management anarchism. They have ignored the socio-economic and environmental quality perspective, and that's why they have no such a concept of comprehensive river basin management. The Southern Green Revolution Front is campaigning for an environmental robust and sustainable river basin management model for Kao-Ping River so as to revive both the river wetland ecology and the diverse human cultures along the river.

The other issue they want to bring to the public is the skew industrial structure that connives high-pollution, high-water-demand and high-energy-consumption industries consuming high volumes of Taiwan's limited natural resources with minuscule production value. They want to make a way for a more comprehensive and sustainable development policy that takes economic justice into account and hatches a wiser use of Taiwan's limited resources.

Through the long-term involvement in the Kao-Ping River basin management campaign, environmental NGOs have learned that government official's lack of innovations in developing a wise and sustainable management model for Kao-Ping River. They stick on their stubborn classical thinking of building dams further upstream but skip the pollution and deforestation problem in the whole river basin. Under the administration of technocrats who are poorly enlightened by modern environmental-friendly engineering, the whole river basin is going environmental paralyzed though the NGOs have proposed. The struggle has been continuing.

To sum up, the Taiwanese environmental movements created a variety of practice. In

Hsiu Mei Paper

addition, these various NGOs were integrated by the state projects without much critique.

Gender Politics

Lu, Hsiu-lian, the present Taiwanese Vice-President, claimed that in terms of new feminism movement in Taiwan since 1971, new feminism could be defined as "learn to behavior like a human being , then decide to be women or men".⁸⁵ She considered basic human rights were priority for women's liberation. Lu, Hsiu-lian has influential impacts among academic and middle class women. Since then though, many women have felt their enemies were their grandfathers, fathers and husbands.⁸⁶ And their political positions were against patriarchy and the KMT government.

Since 1982, those women who were influenced by American Academic , feminism organized a women's group, "Awakening Society", which aimed to raise women's consciousness, support female leadership and build gender equality.⁸⁷ After Martial law ceased, many different women's groups mushroomed. For example, " Warm life" supported prostitution and changed gender stereotypes. " Homemaker's Union and Foundation" organized organic consumers and lobbied environmental issues since 1989. ⁸⁸"Divorced Women Association" encouraged divorced women to discovery their abilities.

According to Ku, Yen-Lin's analysis, these women organizations mainly focused on five areas of women's issues and strategies. ⁸⁹Firstly, concern about young prostitutes from remote areas and aborigines communities and in contesting the trafficking women behavior. Secondly, in relation to job opportunity and gender discrimination in the workforce. Thirdly, they wish to banish sex industries involving young prostitutes and public sex advertising. Fourthly, to make egalitarian laws, including the separation of wife and husband's property, adolescent social welfare law, Taiwan and China's marriage law and civil law. Fifthly, to educate gender about equality. Sixthly, in seeking political involution, increasing the proportion of MP. And seventh, to stop sexual harassment, rape, wife beating and male violence.

From 1985 to 1995, the Taiwanese Feminist movement forged a strong power, demanding their rights of gender. By the 1990s, gay and lesbian groups emerged and shifted the division of the Feminist movement.⁹⁰ Many " women's studies groups" formed initially in the

⁸⁵ In 1971, she came back from American and involved in political movement and feminist movement. She was sent in to the jail for five years because the Formosa event, which KMT arrested anti-KMT forces that asked for democracy rights. Her national identity is Independence. And she belongs to the state-feminist.

⁸⁶ Wang, Y.K (1999) Taiwan's Her-story of Women Liberation , Jin-liau, Taipei , p57-

⁸⁷ Ibid 63

⁸⁸ Chiang(2000) p241

⁸⁹ Ku(2000)

⁹⁰ Manuel Castells has more details in Taiwanese gays and lesbian's history. (1997, 206-212) He defines its movement as " right to autonomy of the body".

PPSA 2003 National Conference

universities and targeted on the issues of sexual harassment. These militant campuses students supported any cases of harassment by men.

Actually, the confrontation between groups of “gender politics” and “sexual politics” could not be related the division of national identity. The main leaders of “gender politics” have joined the cabinet of the new government.⁹¹ Their ideas are expressed in terms of state intervention for women’s rights and protections. As Lin Huang-mei claimed: the women’s movement should be about dealing with women’s daily life. For example, child care, elder care, community security and a universal health care system would link women’s movement’s strategies with ordinary people.⁹²

In contrast, the “sexual politics” groups fight for women’s sexual liberation. Their famous slogan is :” I want sexual orgasm, I don’t want sexual harassment ! ”⁹³ They argued that “gender politics” as “gender reductionism” and “universalism”. They distinguished between they are made up of “good women feminism”, “main stream feminism”, and “state feminism”. “Good women feminism” emphasizes the value of family, correct sexuality and reproduction. “Main stream feminism” and “state feminism” belong to some feminist agencies have good resource and political relations.⁹⁴ The “sexual politics” groups are trans-gender and trans/gender. They are transnational and gender boundary and support the legalization of Psychedelic drugs, sex workers, surrogate motherhood and so on. Ho, Chun-lei defines that women’s emancipation of sexualities are to act initially and practice different sexualities in order to fight for sexual autonomy and sexual equality.⁹⁵

In my view, the first and second generations of the Taiwanese feminist movement have played vanguard role⁹⁶ in the abolition of prostitution. However, they fail to point out the employment alternatives for those sex-workers. As Taiwanese feminist scholars Cheng &

⁹¹ The main actors are academic feminists who engaged in feminist movement from 1980s and 1990s.

⁹² Kar, We-po(2000)

⁹³ Ho, Chun-lei is the leader of “sexual politics” group. She and her partner Kar, We-po are the main theorists of “sexual politics”. See Kar, We-po(2000)*The Debates of school of “Sexuality” and “Women Rights” in Taiwan*, Kar, We-po doesn’t agree that “gender politics” is really explain their ideas. He would prefer they are “women politics”.

⁹⁴ Kar, We-po(2000)

⁹⁵ Ho(2002), p9

⁹⁶ According to Kar, We-po’s definition. (2000) They are “Good women feminism”, “Main stream feminism” and “state feminism”. I would say they are belong to continuity of women’s liberation. (see chart)

Hsiu Mei Paper

Hsiung have stressed on patriarchy and capitalism dominate Taiwanese state and society. ‘The double burden’ as a “acceptable and even aspired to women’s role in the service of national development.”⁹⁷ Namely, the commoditification of Taiwanese women has started the international tourism and production. For example, the main sex tourists were American from 1957 to 1973. Later on, Japanese men were increasing to 70% population, 824000 in 1987.⁹⁸ Companies supported this form of leisure consumption. Although the school of ‘ sexual politics’ has given great support to sex workers, they do not recognize the whole process of the international sex industry as a colonial objectification of women’s body.

To some extent, some Taiwanese narcissistic self-indulgence metropolis’s feminist’s highlight the values of’ her-story telling’ are considerable. First, those who has high enthusiasm to collect her-story memory could exclude other race, class, and territory women. As another Taiwanese feminist scholar Hsiao-chuan Hsia in her study of transnational marriage of ‘ Foreign bride’.⁹⁹ She notices these foreign brides have not yet been accepted by Taiwanese society. They are also ignored by mainstream feminists.

Finally, the experiences of the Taiwanese feminist movement beyond Taipei failed to theorize their theories and practices in order to challenge the other Taiwanese feminisms. For example, women activists who have been campaigning in the rural and aboriginal communities ignore the thinking of social-ecofeminism. They miss the point of women’s material autonomy and delink the dependant market forces, seeking for more alternatives.

Challenge it or fix it

Resource mobilization theory suggests that contentious politics mobilize their collective actions into institutionalization or parliamentarism. The transformation of the Taiwanese social movements did partly choose their rational agendas toward institutionalization or parliamentarism. However, this kind of politics has no critical views to challenge the statist and capitalist mechanism. Instead, the social movement elites used medias, mass demonstrations and bargaining power to raise their political opportunity.

In terms of the New Social Movements politics that practiced in Taiwan have relatively developed in metropolitan cities. The adaptation of western ideologies of the New Social Movements did hard to mobilize into public sphere or mass people movements in the rural.

As for Castells’ definition of the legitimizing identity is the main mobilization that has been forming a society without contesting market and capitalist system. In deed, there have been creating a resistance identity that “the exclusion of the excluders by the excluded” in Taiwan.

⁹⁷Cheng & Hsiung(1993),p44

⁹⁸ Ibid,p54

⁹⁹ Hsia(2000) 46

PPSA 2003 National Conference

Because the neo-liberal politics of privatization creates a mass exclusion since the 1990s.

Overall, the Taiwanese social movements experienced fragmentation, factionism and institutionalization since the 1990s. It was a process for forming a democratic society. However, it is a long way toward more justice and distribution in dealing with socialization of production under the neo-liberalism. It's time to have a good dialogue within the movement.

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POLITICS OF OIL IN PALAWAN

(International Aspect)

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This paper provides a historical background of the international aspect of Palawan's involvement in the politics of oil. In the eye of one independent observer, this involvement can be traced all the way back to God's endowed richness of hydrocarbons, natural gas and oil all deposited in the vast oil fields of now controversial South China Sea – a home to billions of barrels of oil and trillions of cubic feet of natural gas and other mineral resources. Lured by vast on-going explorations of natural gas and oil by Malaysia, Vietnam, and China and Indonesia in the South China Sea waters, added to the promising and enticing geological surveys and scientific estimates that the hot-spot region contains huge deposit of hydrocarbons, natural gas and crude oil, the claimant countries have exhausted all possible avenues, both the historical proofs and the geological presentation to substantiate their jockeying claims of their territorial parts in the Southeast Asian region, with due credence to the United Nations Convention on the Law of the Sea. Within this pragmatic scenario, the Philippines laid claim over the eleven identified areas labeled as the Kalayaan Island Group (KIG) proclaimed as the 12th municipality of the province of Palawan by virtue of Presidential Decree No. 1596 of the then President Ferdinand E. Marcos. Similar to other littoral areas in the South China Sea possessing vast deposits of mineral resources, the Kalayaan Island Group has been estimated to carry a deposit of 107 billion barrels of oil and 35 trillion cubic feet of gas resources and subsequently the on-going exploration of the natural gas at the Camago Malampaya by the Shell Oxy. However, surprisingly, the Provincial Government of Palawan is being denied its rightful share from the Camago-Malampaya Natural Gas Project and the territorial jurisdiction over the KIG by the national government while at the same time other claimant countries in the KIG are also asserting their rights over the occupied areas. It is from this context therefore that the controversy of oil in Palawan springs. At the pinnacle of the dilemma, are the Palawan Provincial Government, non-governmental organizations, and their people promulgated paradigm of solutions compatible with the New Local Government Code and the Constitution of the Philippines; the interest and rights of the national government and the other claimant countries must be considered in accordance with the provisions of the UNCLOS: hence this paper is presented.

The Philippines. The interest in the Spratlys began early in 1947 when then foreign affairs secretary Carlos P. Garcia asked that the Allied Forces place the "New Southern Island" under Philippine jurisdiction for reasons of security. Carlos P. Romulo did not pursue our claim in 1951 during negotiations for the San Francisco Treaty. In 1956, Tomas Cloma proclaimed ownership by discovery and occupation of 33 islands, cays, sand bars and coral reefs of Spratlys. A year later, President Garcia issued a proclamation claiming the islands for reasons of propinquity. The Kalayaan Island Group (KIG) is an assortment of 53 islands, islets, reefs, shoals, cays and rocks and atolls with an area of 64,976 square miles. It is about 450 nautical miles from Manila and 235 nautical miles from Palawan. The Philippines

actually occupied the following islands and reefs: Pag-asa, Patag, Lawak, Likas, Panata, Kota and Commodore or Rizal Reef. The base of this occupation was Pag-Asa, the largest of the group. In 1971, the Philippine government formally claimed sovereignty over the islets, reefs and atolls and justified its claim on historical, economic and security grounds by sending a military contingent to occupy Pag-Asa and naming these islands Kalayaan islands.

On June 11, 1978, President Ferdinand E. Marcos issued PD 1596 claiming that these islands, cays, shoals and reefs in the Kalayaan island group are an integral part of Philippine territory. The KIG was then taken as the 12th municipality of the province of Palawan to be known as "Kalayaan", registered with the United Nations Secretariat on May 14, 1980 and since then, local elections have been held in the islands to elect the mayor and the municipal councilors. It is said that the islands are vital to the security and economic survival of the Philippines. Much of the area is part of the continental margin of the Philippine archipelago. This Kalayaan Island Group does not legally belong to any state or nation but by reason of history, indispensable need, and effective occupation and control established in accordance with the international law, such areas must be deemed to belong to and be subject to the sovereignty of the Philippines. While other states have laid claims to some of these areas, their claims have expired by abandonment and cannot prevail over that of the Philippines on legal and historical grounds. So that its sea bed, sub-soil, continental margin and air space formed parts of the territorial sovereignty of the Philippine Republic. President Marcos, on the same date, issued PD 1599 proclaiming an exclusive economic zone for the Philippines to have the zone extended to a distance of 200 nautical miles beyond and from the baselines from the territorial sea as measured. The Philippines thus exercises an the exclusive economic zone over its territorial sea and continental shelf. This gives us sovereign rights for the purpose of exploration and exploitation, conservation and management of the natural resources, whether living or non-living, both renewable and non-renewable of the sea-bed including the sub-soil and the adjacent waters including other activities for the economic exploitation and exploration of the resources of the zone, such as the production of energy from the water, currents and winds.

On June 14, 1978, in regard to the earlier two Presidential Decrees of President Marcos, a consortium of Swedish-Filipino oil exploration firms started oil drilling operations in the area (Reed Bank). On September 14, 1979, President Marcos announced that the Philippines had confined its claim to seven islands that were unoccupied, unowned and unpossessed and were therefore new territory, *res nullius*. The Philippines has taken its position that the KIG is not part of the Spratly islands claimed by China and Vietnam. The Philippines claims that long before the coming of the Spaniards, ancient Filipinos had been to Kalayaan, using it as base for fishing expeditions

It has been pointed out that most jurisdictional claims and disputes in the ocean rise not from the 12-mile regime of the territorial sea, but from the waters beyond. These waters would be the adjacent waters to the land territory other than the 12-mile EEZ and the waters further, seaward under the continental shelf regime. Thus, the island's designation as the Kalayaan Island group in 1978 declared the Philippine claim for the first time. The statute integrated the islands into the Philippines administrative structure and Presidential Decree 1599 designated the Secretary of Defense as the interim administrator of the Islands pending the holding of elections. In 1990, municipal elections were held at the KIG for the first time, in effect, implementing the already established Philippine claim to the islands. Presidential Decree 1596, cites the grounds for constituting the KIG as part of Philippine territory. However despite of the historical and legal basis forwarded by the Republic of the

Homo paper

Philippines as validation of its claim over the KIG, other claimant states such as Malaysia and China have shown boundary lines to have extended beyond what was being claimed as territorial jurisdiction of the Philippines on the KIG. This therefore is a political issue that must be settled amicably through the established standards agreeable to the parties concerned and in accordance with the provisions of the United Nations on the Law of the Sea. This does not only concern the national government of the Philippines but greatly affects and involves the province of Palawan since by reason of nearness and location to the “hot spot”, Palawan would become the bastion of whatever sources of defense might be planned. (The map of Kalayaan Island Group is attached here indicating its current profile).

Vietnam traces its discovery of South China Sea Islands, Vietnam’s sovereignty over the Hoong Sa and Troung Sa archipelago to the 17th century, although it showed a 15th century map of Hoong Sa and Troung Sa archipelago, Vietnam also contends that the Nanshas became part of the Empire of Annam in the early 19th century. The Vietnamese king reportedly affirmed sovereignty over the Spratlys in 1816. It further argues that the French government that ruled Vietnam had annexed the Spratlys in 1933 despite Chinese and Japanese protest. In both 1951 and 1956, Vietnam reasserted its claim and since 1961, has issued decrees covering the administration of the islands which resulted in sea and air battle between Chinese and Japanese troops and control over the Xishas by the Chinese.

In 1975, North Vietnam troops seized some islands in the Nanshas which the South Vietnamese had occupied earlier in 1975 following their defeat in the Xishas. The reunited Vietnamese subsequently argued that the Vietnamese discovered the islands in the 17th century. Between 1975 and 1976, Hanoi surreptitiously occupied another 7 islands and built military installations. At present Vietnam has occupied 21 islands with corresponding logistics. Vietnam has also expressed her protests several times over the Chinese law extending jurisdiction over the Spratlys.

Malaysia claims 12 islands; 3 of them it occupies – Shallow Reef, Mariveles Reef and Dallas Reef as well as Amboyna which is held by Vietnam. Its claim is based on continental shelf which includes islands and atolls such as the Commodore and Mariveles Reefs and Amboyna cay of the Philippines. Its claim was announced in 1979 with publication of an official map, issued declarations on its continental shelf on 26 July 1966, its territorial waters on August 2, 1969 and its Exclusive Economic zone in 1984. It has militarized its claims, Malaysia is motivated by the potential natural resources especially with regard to the presence of hydrocarbons, gas and fisheries. It has done in the claimed areas the following: published a new map which shows new claimed boundaries, and proclaimed its Exclusive Economic Zone on April 1980, which however did not clearly specify the coordinates and limits of areas being acquired. Observations show that Malaysia’s basic foundation for its claim was based on continental shelf perspective.

Brunei. Its claim is focused on Louisa Reef, located in the Southern part of the Spratly group of islands. Its acquisition is based on the continental regime and its inheritance from the British occupation. It issued a map in 1988 covering the limits of its claim extending beyond Rifleman Bank. Foreign Minister Mohammad Bolkiah announced its sovereignty claim on the seas surrounding the Louisa Reef. This would overlap with Malaysia. It is said that Brunei’s claim is bereft of any legal basis,

China's Stand over Spratly Group of Islands. It was the Japanese who first challenged China's claim over the Spratlys in 1917 when its Chemical Mining Company started mining activity such as guano phosphate, which it continued until 1929. It was also in this period that the French troops showed interest in the Nansha group of islands, invading and occupying them despite protest from the Republic of China and its people, through representations to French authorities through diplomatic channels. China came up then with a map of the South China Sea, on which the Dongsha, Xisha, Zhongsha and Nansha Islands were clearly marked as belonging to China. In 1935, China's government published an official map of the South China Sea islands which included Zengmu Ansha (Japanese Shoal) about 1,500 kilometers south of mainland China and in 1939 invaded, drove the French troops out and occupied the Xisha and Nansha Islands.

But on the eve of World War II, Japan's government announced its decision to place Nanshas under its exclusive jurisdiction a *titre de suzerain* over them. After World War II, following the unconditional surrender of Japan, a treaty was concluded between China and Japan. The treaty states that the territories seized by Japan should be given back to China, including the Nansha group of Islands. The agreement was further reaffirmed in the Potsdam Declaration of July 26, 1945. so that the administration of all the turned-over islands was held by the Chinese government. In this setting, the Republic of China, did the following: visited the areas and changed their names; took over what was left by the Japanese forces in the area, introduced troops in the area; under Chiang Kai-Shek's regime; resurveyed the areas and constructed new maps and landmarks; and established garrisons at Taping Island. Thus, the present Chinese maps would indicate that China's historical claim line would intersect with the waters of Vietnam, Malaysia, Brunei and the Philippines.

In the light of the different claims, this paper suggests certain actions that the Philippine Government can take regarding the KIG and the Camago- Malampaya issues.

The leadership of the national government should take a lead role in the immediate but peaceful scheme of finding a solution to the controversy of sovereign ownership of the Kalayaan Island Group decreed as part of political structure of the province of Palawan by President Ferdinand Marcos in 1978. Further, it should confirm the rightful share of Palawan from the Camago-Malampaya natural Gas Project as it is legitimately backed up by Republic Act 7611 known as Strategic Environmental Plan. This could very well be done through the mechanism of assembling and uniting the pool of Filipino experts to include geologists, political scientists and legislators to draw out a Geological Survey Master Plan to conduct a study anchoring on the Philippines and Palawan's stand on the basis of continental shelf theory. Dr. Jose Antonio Socrates of Palawan has stated that, to ease this long agony of controversy over the Kalayaan Island Group and Camago. Malampaya, a geological proof based on the continental shelf theory must stand up as the strong basis of the Philippines and Palawan's claim, on the basis of. Palawan can very well stand as Palawan Microcontinent which will embrace in its territorial claim the Kalayaan Island Group and the Camago-Malampaya. Moreover, Dr. Jose Antonio Socrates proposed the utilization of Extended Exclusive Economic Zone and the addition of 150- nautical miles from the 200 nautical miles Exclusive Economic zone which is a sufficient framework of the claim as it is mandated in the UNCLOS of 1994. Under this framework, the Kalayaan Island Group and, together, the Camago-Malampaya will form parts of the Microcontinental shelf of Palawan

Homo paper

geologically. This Palawan Microcontinental therefore could stand as one region by itself, equipped with autonomous powers as prescribed in the 1987 Philippine constitution and as such could be divided into two provinces for effective and efficient governance of its governmental affairs. However, boundary definitions should come first, followed by the creation of Microcontinental Palawan and then the division into two provinces which should be worked out by the Congressmen of the two districts of Palawan, the officials of the Provincial government and the League of Municipal Mayors of Palawan. Since the issue of Kalayaan Island Group and the Camago-Malampaya politically and economically confronts the people of Palawan, all its sectors and the people must be heard, and attended to, by the national leadership because they are the constituents directly involved and their voices are the supreme law.

CONCLUSIONS:

The stand or basis of claimant countries: China, Vietnam, Malaysia, Indonesia, Brunei and Philippines of the areas in the South China Sea have been rooted on varying grounds such as historical rights, the continental shelf theory, long periods of effective occupation, propinquity and nearness to the mainland territory and security reasons. These varying grounds energized and propelled their home governments to take definite courses of action to assert and advance their interests by drawing maps and thereby using them as tools for exploring, exploiting and utilizing the natural resources of the occupied zones in the South China Sea. The Philippines, through the provincial government and its people has conceptualized certain perspectives, solutions and alternatives. Foremost is the legitimization of the continental shelf theory and the subscription to an Extended Exclusive Economic Zone to be worked out by Filipino pool of experts to be presented in the May 13, 2009 UNCLOS meeting.

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Politics of Oil in Palawan

(National aspect)

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This paper looks at the side of the national government in the Camago-Malampaya controversy following a Palawan perspective.

The ongoing controversy between the Philippine national government and the local government of Palawan over the sharing of revenues on the proceeds of the Malampaya Camago natural gas processing has reached levels of heated dispute with the filing by the latter of a case against the former in connection with its argument that “the Malampaya area is not within the territorial limits of the province of Palawan, hence it is not entitled to obtain a share from the proceeds of the natural gas processing operations”. As lawfully contained in the Local Government Code of 1991, it mandates a forty percent (40%) share in the proceeds of the project for the local government unit (LGU) that hosts the natural resource, as provided for in its Section 29. The implication in this situation is largely both economic and political. Economic, in the sense that the projected net income from the operations was roughly estimated between 2.1-3 billion dollars within the next twenty years for the province of Palawan alone. Overall estimates run the figure between three billion to ten billion dollars after twenty years of operations for the national government.¹ This would be a big boost to the country’s coffers considering that it is now faced with a huge budget deficit and shortage of cash that the expected income mentioned earlier could be utilized to fund the programs and projects of the government within the next twenty years. Political implications run on the fact that the provincial government of Palawan is now embroiled in a conflict with the national government on the issue of whether the former is entitled to its rightful share of 40% as mandated by the provision in the Local Government Code that allocates automatically this amount. The province has already filed its petition for a “declaratory relief” last May 7, 2003 that seeks to contest the stand of the national government that the province is not entitled to this share because said area is “off Palawan”.²

This pronouncement triggered a howl of protest from the people of Palawan, specifically among the local government officials, especially because since the first time that the president set foot on the provincial soils, she had been very vocal about the “province being very lucky since it possesses one of the natural resource that is considered as very valuable in any society that is developing because it has natural gas within its territorial jurisdiction”.³ The province, according to her, would become the richest province all over the entire archipelago because it stands to receive vast amounts of revenues from the operations of the project in the Malampaya Camago processing plants. But that was more than a year ago. As of the latest developments, the president was allegedly adamant about

¹ Perez, Vincent, “Government to Earn Billions from Malampaya”, Letters to the Editor. Philippine Daily Inquirer, January 7,2002.

² Cruz, Neil, “Administration Cheating Palawan in Gas Project”, Philippine Daily Inquirer, May 15,2003

³ Ibid.

handing over to the provincial government coffers the amount that it should rightfully receive, again, supposedly because it is not entitled to it due to the reasons mentioned earlier. She then cited a provision in the Local Government Code that states only 15 kilometers away from mainland point will the LGU be entitled to a share from the revenues of the operations where the natural resource is located. The Malampaya Camago area is said to be 80 kilometers away from the mainland. Hence her conclusion is that the site is outside the municipal territorial limits of the operations of the natural resource. The law does not speak anything about provincial waters. With this in mind, and finding no other alternative action that could make the president change her stand, the provincial officials, led by Governor Joel Reyes, decided to enter into an amicable settlement of this issue with the national government in the form of a Memorandum of Agreement supposed to be drafted by the Sangguniang Panlalawigan of Palawan, and entered into between the national government represented by Department of Energy Secretary Vincent Perez, Department of Budget Management Emilia Boncodin, Department of Finance Secretary Jose Isidro Camacho, and the local government unit, herein represented by Governor Joel Reyes and the entire Sangguniang Panlalawigan members. After months of negotiations, an agreeable settlement between both parties was far from being signed. Nothing had been accomplished and no contract or even agreement was signed between the two contending parties. Hence, a string of controversial issues were raised, to give or not to give the local government unit (provincial government of Palawan, in this case) its legal share of the proceeds from the project; the filing of the House Bill 5943, authored by Second District Congressman Vicente Sandoval, that seeks to amend the SEP (Strategic Environmental Plan) Law for Palawan, setting the specific points for the province's territorial boundaries, and declaring that the Kalayaan Islands Group is within the area of the province's jurisdiction; the protests that were raised among Palawenos against converting the 40% legal share of the province into a pork barrel,⁴; the latest development wherein the national government already withheld the amount of PhP774 million that it previously offered the province as a "gift". There was clamor among the people of Palawan that they be given this mandated share as provided for in the LGC, since the natural gas to power project had began its operations September 2001. After two years, it should have already handed over to the province its revenues from this operation. However, the national treasury does not seem inclined to give yet this amount. The nagging questions among the people of the province remained unanswered by the officials of the national government, hence mass actions had been continuously staged within the streets of the city of Puerto Princesa whenever a representative of the Arroyo administration would arrive to consult with the local government officials. Why does the national government stubbornly refuse to recognize that the rightful host of such natural resource is the province of Palawan? Allow me to point out some significant implications and issues related to this stand off.

"Dubbed the "fuel of the future", *natural gas* is composed of gaseous hydrocarbons that are found deep inside the ground or acquired through driven wells. It is formed underground through the years by the decomposition of organic matter in a similar way that oil and coal are formed. It is made up of 80%-95% methane and varying amounts of ethane, propane, butane and other hydrocarbon compounds. There will always be some

⁴ "Isang Discretionary Fund ang PhP774 million pesos sa Ilalim ng 2003 Budget ng DOE na Hayagang Binabalewala ang Umiiral na Batas", From the *Kilusan Love Malampaya (KLM)* pamphlet issued May 2003

Jimenez paper

condensate and/or oil associated with the gas. In its natural state, the gas is colorless, odorless and lighter than air. Today, geologists use a manifold approach to the research and exploration of natural gas, simply because it can be an alternative to the popularly used crude oil that emits certain chemicals that pollute the air. This gas is a by-product of oil and can be found in oil-producing areas, and in some cases, from coal areas where there is no oil. Not only is natural gas a major fuel source of the future, but it is also the most environmentally friendly fossil fuel. Harnessing this natural resource to convert it to power requires that it be brought to the surface and treated for the removal of hydrogen sulfide or H₂S. Bringing the natural gas to the surface requires astonishing skills and resources to make it useful. It is expected that the natural gas will play a vital role in the world's overall energy supply and will continue to be through the years.⁵

Similarly, the national government is expecting a windfall of savings from the operations of the Malampaya-Camago natural gas to power project that is now ongoing. The processing began its full-blown operations since September of 2001, and has initially obtained outputs of 39 billion cubic feet of natural gas that was transported to the Batangas processing plants through a 500-kilometer pipeline that ran from the resource area, passed through Mindoro and to its final destination to Tabangao. It had contributed significantly since it started because some of the country's fuel needs had been met with its continued operations and use. According to the geologist Edward Manalac, when he came to speak in Palawan last September 5, 2003, at the Multi-Purpose Hall of the Provincial Capitol, the country had already benefited from this project through the provision of a modest supply of bunker fuel as a major source for electrification programs of the country. According to estimates, the national government stands to save a whopping "\$658 million⁶ in foreign exchange this year with the maximum utilization of the natural gas output of the Malampaya-Camago fields, and in other gas sites. Based on documents obtained from the Department of Energy, gas production is expected to hit 146.37 billion cubic feet for 2003; and this is seen to displace up to 26.34 million of fuel oil equivalent". Furthermore, in another expected benefit that the country can acquire through the utilization of outputs from the Malampaya gas fields, the Arroyo administration "unveiled a breakthrough public transport program in which vehicles are to be powered by a low-cost and locally-produced and environmentally friendly fuel – Compressed Natural Gas or CNG. This fuel will come from the natural gas that is produced by the Malampaya wells situated off Palawan, and then piped to the Malampaya Deepwater Gas to Power Project plant in Tabangao, Batangas".⁷ This seemed to be a very significant event in the course of the country's history because not only will the national government be able to save on the country's foreign exchange, but more so because it will utilize fuel that does not contribute to the pollution of the Philippine skies. Moreover, the savings that are generated could be used to fund public and foreign debts that have kept the country from pursuing some of its programs due to lack of funds. The president likewise declared that "this is a step forward in independence for the country, not just the independence of the power sector but also the independence of the transport sector when it comes to fuel source because the energy source that Malampaya is churning out is

⁵ Velasco, Myrna, "\$658-M savings seen from the Malampaya Gas", Manila Bulletin, July 18, 2002.

⁶ Ibid.

⁷ Pablo, Carlito, "Buses to run on Cheap Malampaya Gas", Philippine Daily Inquirer, October 9, 2002.

clean energy, and this is very significant".⁸ With this declaration of President Gloria Arroyo, the national government is indeed anticipating benefits that can be derived from the Malampaya Camago natural gas to power project operations. Economically speaking, the revenues that are expected to be earned from the project could further provide incomes through the construction of schools in the remote areas of the country that have much need for these, the construction of irrigation systems for Filipino farmers, and the provision of some other basic social services that the government must extend to the people it has sworn to serve. Unemployed Filipinos can likewise be given jobs by the private contractors who were granted authority by the government to undertake such a task.⁹

But there are other underlying issues that crept into the controversy and one of these is the sudden turnaround of the president in stating that "the natural gas source is "off" Palawan, near it, but not in the province"¹⁰ What caused this sudden reversal of the president's statement? It could be that the cause is *territorial*, in the sense that the local government officials, noting that although Kalayaan, one site of the natural gas, is 100 miles from the mainland, still it is considered a part of Palawan. The Malampaya Camago area is located between the island of Kalayaan and the mainland Palawan. However, the national government insists that the Local Government Code is specific in its provisions that municipal waters extends only up to 15 kilometers from the coastline of the province, and because the Malampaya Camago site is 80 kilometers away from the shoreline of the mainland, then the province does not play host to this natural resource that is now the bone of contention between the local and the national government of the country. And this being the case, the provincial government should not be given 40% of the revenues from the project. The implications of this controversy has far reaching effects and, according to the columnist Adrian Cristobal of the Philippine Star, "the controversy between Palawan and the national government brings to mind Estelito Mendoza's 'archipelagic concept' before the United Nations Conference on the Law of the Seas. It's a complicated issue, but the national government's stirring up of this territorial tempest with Palawan could have international repercussions, considering that there are other claimants to the Kalayaan Islands Group, such as China and Vietnam".¹¹

The national government cannot just ignore the fact that the province had been receiving its rightful share from the oil explorations from 1992 to 1996 near the Camago Malampaya gas sites. There are proofs that the previous administrations of Aquino, Ramos and even Estrada indeed recognized this fact because the province continued to get its legal shares of revenues from the operations of some gas sites near the present Malampaya gas field. Another probable cause for this sudden turnaround by the president on her words was "to cheat Palawan of its legal share from the natural gas revenues"¹² simply because her government is currently facing budget shortfall and it needs all the funds it could lay its hands on, whatever the means available to her is. Such can be said of what another columnist from the newspaper Malaya wrote, to quote:

⁸ Cruz, Neil, "Administration Cheating Palawan in Gas Project", Philippine Daily Inquirer, May 15, 2003

⁹ "Makabuluhan Ba Para sa Bayan ang Malampaya Natural Gas Project??" Palawan Sun, August 01, 2003

¹⁰ Cristobal, Adrian, "Embarrassment of Riches" Philippine Star, May 7, 2003.

¹¹ Ibid.

¹² Paredes, Ducky, "Cheating Palawan", Malaya, May 5, 2003.

Jimenez paper

“What drives GMA and her government, to withhold any legal share from the host province? Of course, it is their great and insatiable need for money. GMA would rather steal Palawan’s share than allow the LGU to have the funds it needs for development”.¹³

Another issue that must be resolved with regard to this standoff is : “who gets this gas money?” It may be a simple question but it carries a lot of implications and repercussions, both nationally and internationally, primarily because the country is exerting efforts to press its claims for the possession of the Spratlys islands group, which is likewise being claimed by other countries in the southeast Asian region. This is being raised as an issue since it is believed that this is tied up with the country’s claims on the Kalayaan Islands Group, or internationally known as the Spratlys group of islands, where the bulk of the area is very near and proximate to the province. The Kalayaan Islands Group, as claimed by the Philippines, is similarly believed to contain vast amounts of precious minerals, specifically *crude oil* and *natural gas*,¹⁴ which is valuable for any country to possess since it remains to be a vital ingredient to the industrialization of a society. President Arroyo, in her declaration that Malampaya is “off” Palawan, unconsciously seemed to create the idea that if the Philippines does not own these areas, then who owns it? It is chilling to even imagine that an area believed to possess these precious minerals that are so vital to the development of a country could become the “bone of contention” between countries that may want to put a claim to this group of islands. The most probable effect could be that the contending parties may eventually end up waging war against each other that could prove to be disastrous to the region, and to the world at large. Indeed the South China Sea area continues to be a very attractive source of natural gas and oil resource since countries, namely Indonesia, China, Vietnam, the Philippines, Malaysia, Brunei and even Cambodia, around it have many incidents of skirmishes¹⁵ that had been peacefully patched up with the intervention of other member countries of the ASEAN. The leaders of these countries have tried all diplomatic means possible and refuse to acknowledge that these disputes could be resolved with international intervention such as that of the United Nations. The article of the United States Energy Information Administration said that, “even Malaysian Foreign Minister Syed Hamid bin Syed Jaafar Albar stated that it is his belief that the ASEAN nations agreed that the territorial disputes were an ASEAN issue, and therefore should not be resolved in other international forums”.¹⁶

It is widely speculated that these problems in the region could well be resolved among the nation-members themselves and not get any other international forum where it could be discussed, deliberated and resolved upon. Thus:

“ASEAN ministers have agreed in 1996 that there should be a regional code of conduct for the South China Sea to permit such activities as scientific research, and efforts to combat piracy and drug trafficking without invoking the contentious issue of sovereignty.

¹³ Ibid.

¹⁴ “South China Sea Region”, United States Energy Information Administration, February 2001

¹⁵ Ibid.

¹⁶ Ibid.

At the ASEAN summit in November 1999, member countries put forth a general code of conduct for resolving disputes which had been drafted by Philippines and Vietnam”¹⁷

In terms of territorial disputes, the member countries of the Association of Southeast Asian Nations reached consensus and agreed on an appropriate code of conduct between the members. This had been implemented and respected by the countries involved, but it must be remembered that these “competing territorial claims over the South China Sea area and its vast resources were numerous, and some of the most violent revolved around the Spratlys group of islands and the Paracel islands. Ownership of virtually all of the South China Sea group of islands is continuously contested, and the disputed areas often involve areas believed to possess oil and gas resources”.¹⁸

Hence, if all of these contentions were all taken into consideration and the Philippine government continued to remove the Malampaya Camago area from the Palawan province, the question that continues to remain unanswered would be : who will get this gas money? In the words of Tribune columnist Herman Tiu Laurel:

“If the share of Palawan (which we can correctly call “royalties”)from Malampaya is taken away from Palawan, where does it go? It can go to another province if the government succeeds in relocating it into the territory of another. . . or one can suppose, to the national government if it succeeds in finding a way of classifying it as directly under it without a local government subsidiary – which would mean it goes straight to paying off our international debt, mainly to the IMF-WB which the Finance Secretary Isidro Camacho has been moving heaven and earth to find sources for. . .(get the point now?)”¹⁹

The implications are mind-boggling if these were true. But since in the final analysis, the province would be very unfortunate if it finds itself with nothing at all, then the national government would encounter a very rough road in trying to justify the province’s deprivation of its legal share. Historically, Palawan is the rightful custodian of the Malampaya area, and this had been proven time and again by its recognition by a few of the Philippines’ past presidents, to wit : “ the location of the Malampaya natural gas source as part of the territorial jurisdiction of Palawan is beyond dispute and the proof . . . are the orders that cover the Malampaya project, such as Administrative Order No. 381 stemming from the Service Contract No. 38 signed between the Philippine National Government and Shell Occidental, issued by former president Fidel V. Ramos, provided an estimate of Palawan’s projected share over twenty years amounting to \$2.1 billion. . . further proof go even far back as the time of former president Corazon C. Aquino, when she signed R.A.7611, June 19, 1992 that sets forth in metes and bounds the territorial boundaries of the province of Palawan. These metes and bounds applied to actual mapping establishes beyond doubt that the Camago-Malampaya gas project is within the jurisdiction of Palawan”.²⁰ This is congruent with what Section 289-294 of the Local Government Code says and it is very explicit : Palawan’s share from Malampaya’s wealth is indisputable. But the national governments officials stubbornly insists that the Malampaya oil field is “off” Palawan, and

¹⁷ Ibid., p.3

¹⁸ “South China Sea Region”, United States Energy Information Administration, February 2001

¹⁹ Laurel, Herman Tiu, “Stealing Palawan’s Share”, Daily Tribune, June 9, 2003

²⁰ Ibid.

Jimenez paper

went to the extent of declaring, in the words of Department of Finance Secretary Jose Isidro Camacho in an interview with the Philippine Daily Inquirer, that the national government is allegedly bent on pursuing its efforts to securitize the \$500 million from the revenues of the Malampaya gas field operations in order to lower the budget deficit of the government coffers that have already reached P130 billion as of the first month of 2002.

In the analysis of the foregoing, the paper contends that there are apparent valid reasons for the local government of the province of Palawan to claim its legal share, based on historical and legal bases.

In conclusion, the politics of oil in Palawan, possesses local, national and even international implications, as discussed earlier. The issues involved are varied and sometimes can be complex, especially when the country's claims to the Kalayaan islands group is taken into consideration. In the national level, what spawned the political issues stemmed from the fact that when the huge amounts of revenues that can be generated from the natural gas project was estimated, the national government officials came to the realization that the expected proceeds from the said project can never be underestimated. As quoted from the article by Emil Jurado, to wit :

“ There’s big money involved here, \$4 billion to be exact, or P220 billion at the current rate of exchange, And the Palawenos, led by Governor Joel Reyes and the entire provincial board are not about to back down on the tug-of-war. Malampaya, which is now in commercial production, is expected to yield aomw P100 billion in income for a period of twenty years, which is the estimated time span of the project. The government, through the PNOC Exploration Development Corporation, has a 10-percent stake, which translates to P10 billion..”²¹

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NEGRENSE REFLECTIONS ON GOVERNANCE

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The Filipino masses are “invisible.” They are not truly seen, much less well understood. Not enough effort is really provided by academics to listen to what the ordinary Filipino has to say. While social surveys and polling give a snap shot of what their sentiments and opinions might be on certain matters, much still needs to be done to understand how they think and what their thoughts really are about social issues. Surveys reveal one dimension of people’s sentiments, they are opportunities where they feel they can articulate, reveal and realize their own thinking. But the statements that people make during surveys have to be understood not only in terms of the words but what are the embedded or presupposed categories or distinctions being made, because these also reveal what criteria or inchoate concepts are behind the assessments or judgments. Their thinking has to be made more apparent.

This paper is an attempt to understand the articulations on certain social issues of citizens from Negros. What comes out from these articulations is that there is also theorizing and considerable reflection on events that affect the lives of ordinary citizens. These articulations reveal the thinking and perspective of ordinary Filipinos and their understanding of these events. Whatever other theorizing might be done, these insights from rural Filipinos may be worthwhile recognizing and taking into account.

These ideas were generated from groups discussions conducted over two years (2000 to 2002) for the weekly radio program “Pungtuan Ta” aired on DYAF (Radio Veritas) in Bacolod City. The group discussions were participated in by persons from different communities all over Negros Occidental (Sipalay, Kabankalan, Cauayan, Pontevedra, Magballo, Magallon, etc.). Many were lay leaders in parishes, most were community leaders who had involved themselves in various issues in the past, and have had considerable experience in political work. Many of the issues which became the topics for discussion came from the core group of the radio program, who themselves were community leaders¹. The discussions were facilitated by Ma. Lourdes Tison, who is also the program host of the “Pungtuan Ta.” While the radio station is owned by the Diocese of Bacolod, the radio program is autonomous and independent from any form of management influence and could be said to be a truly civil society initiative.

The group discussions were transcribed and the main issues grouped according to themes that were earlier evoked by the discussion participants. Further analyses and evaluation by Tison and this writer generated the rubric within which the ideas coming from the discussions are given “shape”. This framework will still be given back to a core group of the representatives of the discussion groups for validation, affirmation, revision or commentary.

These discussions over two years covered historic events as they were transpiring—the Erap impeachment, the EDSA transfer of power, barangay elections, the implementation of the Community-based Forestry Management program of the Department of Environment and Natural Resources, as well as “local” events like the peace agreement between the Revolutionary Proletarian Army-Alex Boncaya Brigade (RPA-ABB) and the Government of the Republic of the Philippines. Hence as the events were unfolding the radio program discussion also identified the issues within the historic events which were important to discuss and reflect upon. As much as there is historical contemporaneousness, there is also an attempt to draw more long-ranging ideas and reflections

PPSA 2003 National Conference

which transcend the specific context, and address larger issues.

The dominant theme that arises from the discussions is power, and relatedly governance. As the transcripts were evaluated for key ideas and general trends of thinking, the following come out as the dominant questions which can tie together the discussions over two years. What is significant to note at this point is that, even as the individual participants in the discussions were not constant, the thinking which comes out has echoes and resonances which seem to go beyond particular persons. They seem to reveal a certain group consciousness or parallel thinking among different persons, albeit expressed differently (sometimes more eloquently, sometimes not so) but just the same betraying comparable sentiments. The following text therefore will mainly articulate and expound the statements coming from the group discussion participants themselves. Whenever possible the original Ilonggo statements will be used, translated as loyally as possible.

The rubric that has been used to make sense of the reflections or to put some schema into the many issues which were confronted, analyzed and given focus makes use of power as the key concept and relatedly, governance. The four main questions which thus become the backbone in organizing these reflections are:

- a) How power has been used? (**Pang-ginahum**)
- b) How should power be used? (**Nagakadapat nga pang-ginahum**)
- c) How people responded to or confronted the situation? (**Pag-atubang sg tawo**)
- d) How can the relationship between the governors and the governed can be repaired?

(Since there seemed to have been a breach of trust or transgression, depending on how the ideal situation was constructed.) (**Pag-ayo sg nagakapat nga relasyon sa tunga sg nagadumala kay ginadumala**)

The issues around which these questions will then be “applied” are (a) the Estrada impeachment trial and the consequent EDSA transfer of power, (b) the national policy (through the Department of Environment and Natural Resources) of utilization of forest resources, (c) the national policy (as actualized in the peace agreement between the GRP and the RPA-ABB) of dealing with armed conflicts, and (d) the barangay elections of May, 2001. By going through the reflections and insights of the group discussions around these issues, the larger questions of power and governance will be touched.²

I. Office of the President (Joseph Estrada)

The impeachment trial of Estrada was a historic event. As perceived by the rural population of Negros, articulated by community leaders, the sins of Erap against the people as President include objective acts of wrongdoing which include not only sins of omission like not being able to fulfill his functions as President either through incompetence or because he was devoting more attention and time to his other interests, but also concrete acts of abuse and corruption.

Erap’s actions are perceived as sins (**sala**)³ for several reasons. The construction of Erap’s acts must be seen in relations to the discussants’ condition of material poverty, to their perception of themselves as poor, more so since Erap himself constructed himself as “Erap para sa masa.” This self-construction of Erap placed a contract between Erap and the poor: that he was working for, or going to work for the welfare of the poor. The poor were the reason why Erap came to power (because of the vote coming from the majority poor) so his actuations carry a particular sense of irony to the poor.

Erap’s actions are depicted in terms of **hamungaya** (Erap’s abundance) as contrasted with the poor’s **pagkamudmud** (deprivation). “We are already poor but all the more we become poor at

Lee Paper

the same time that he reaps benefits.”⁴ There was **paglimbang** (foolery) and **wasik poder** (waste of power). The discussants further maintain that since as President, Erap is viewed as “**Amay sang Pungsod**” (Father of the Nation), his actions have impact on Philippine social institutions and their weakening, and from the international community’s perspective, his actions portray the country in a very negative light. The implication being that as the primary national leader his actions reflect on the rest of the nation, and by being seen as immoral his actions weaken Philippine institutions as well.

When the impeachment trial revealed the extent of Erap’s activities, from gambling and womanizing, to his mansions and jueteng pay-offs, the real motives of Erap’s running for President are revealed. He was not really for the welfare of the Filipino people but had mainly been selfish.⁵ He was able to make people believe in him as their Savior, but in actuality he had mastered the art of conjuring up the illusion of a public image that catered to what the people wanted to believe. The desperate masses wanted to believe in him as Savior. He responded to the public image and made it his own to gain political office.

What were unmasked were his real motives as well as how he viewed the **masa**. He made them believe in his sincerity to serve and improve their lives, that he would save and rescue them from suffering due to their material poverty. Erap viewed and treated the poor in a certain light given his real motives in running for public office.

The people in the group discussions also realized that Erap considered the poor as **galamiton** (objects to be used), to be duped or taken advantage of (**ginhimuslan**) and, more painfully, to be treated as stupid (**ginhimo gago**). His actions were not meant to improve the lot of the poor (**indi ang pagbangon sa ka-imolon**), on the contrary, the poor were even going to be the source of further wealth through the jueteng collections.⁶

The subjective experience of having a President like Erap and his use of presidential power and prerogative included a sense of betrayal of the relationship established between him and the people during the campaign and the actual vote. The campaign and actual vote was viewed as a process of courtship (**nagapangaluyag**) and the implicit norm is that once you have won the heart(s) of those you have courted, you are bound by what you had promised. The discussants say that the actual vote signified the acceptance by the voters of the candidate’s pledge, hence by winning Erap was being given not only the mandate to govern but also the acceptance by the voters, in a relationship of trust. The betrayal (through the perceived misuse and abuse of power) was therefore viewed in the light of the bond that had been created, and the implicit promise to fulfill the obligations entered into. Here we see a social event, courtship, used as a prism for understanding a national process like a presidential election, and what the implications of this social process are for the elected President and his constituents.

The governance of Erap’s presidency, and his perceived betrayal of the people’s trust, can also be viewed in terms of its implication on the general well-being of the people: the effects on the material conditions of the majority poor, the moral decay caused by a president who abets and even benefits from corruption and abuse of authority. The law was not followed by the very person given the duty of upholding the law, and the over-all effect on Philippine social institutions is that these are weakened and made subject to manipulation and compromise.

In contrast to how Erap actually exercised power, what comes out as the ideal and desirable manner of using power? The people mention that since the president has the political initiative, “**ikaw ang nagadala sang pungsod**” (“you are the one who carries the nation”), he sets the tone. As a model or exemplar to the national, he should be moral in his being as contrasted with (a)

PPSA 2003 National Conference

having many mistresses (**babae ginahampangan**), (b) engaging in illegal activities (e.g. jueteng), (c) manipulating economic institutions (e.g. the stock market during the BW scandal), and (d) pretending to help the masses but actually fooling them.

The Negrenses say that as Father of the Nation (**Amay sang Pungsod**) [this being how they look at the President] the president should be honest and forthright (**tampad**), take to heart and place first the interests of the citizens more than himself (**interes sang pumuluyo ang gina-una**). The people should not be considered as instruments or objects to be used (**ang tao indi himuong nga instrumento ukon galamiton lamang**) and that the people should not continue to be kept in misery and poverty (**ang tao indi dapat mapuga sa ka-imulon**).

The actions of the Erap presidency placed the country in shame (**kahuluya o kahuy-an ang Pilipinas sa iban nga pungsod**) and that should not happen. As President he should not put the country in a situation of losing face or being diminished in the eyes of other countries. As President the effects of his actions are far-ranging not only within the country but also abroad. The future of the country (**buwas-damlag**) is seriously compromised. The use of power should enhance the future possibilities and not put them in jeopardy. When the President himself violates the law, as Father of the Nation, he weakens the social institutions of that country and puts the country itself in a diminished position.

By submitting himself to the elections, there seems to be an implicit offer to serve the people, and again using the metaphor of courtship, if his suit is accepted, the President as suitor has an obligation to fulfill his promises. When the implicit social contract (brought about by the elections and the relationship of trust and confidence that had been constructed because of the campaign and subsequent election) between the president and the people is not fulfilled, the citizens have a right to depose the president for failure to live up to his side of the deal. If the social contract is indeed valid, the question that is asked would be, do the actions of the president fit with what the people need, in terms of responding to the situation of material poverty? The people have the duty to bring the office-holder down when his actions are not in consonance with or fulfill the needs of the people (“**ang tao sa poder o pwesto may katungdanang sa pagpanaog kun indi na nagakabagay o nagasanto ang iya ginhimo sa kinahanglan sang tao.**”)

The response of the people to the Erap presidency and his failure at effective and proper governance was of course bringing him down. The impeachment process was historical, not only in the sense that for the first time in Philippine history, a president was actually put on trial. The trial had the effect of really testing and challenging the maturity of the political and legal institutions. The impeachment process was a social experience. The whole nation was undergoing a collective experience and an exercise in political education. The trial involved everyone in the whole process of ferreting out the truth, and in coming to grips with the reality and truth of the allegations levied against Estrada.

The impeachment trial required investment not only from the formal institutions (the Senate and the House, as well as the Supreme Court Chief Justice, and the over-all direction of government efforts towards saving Estrada) but also in terms of time, attention and even money provided by the citizens. By listening and following the impeachment proceedings the citizens were being educated to understand how the legal institution was functioning (and that they functioned) as well as in realizing that given the enormous powers of the presidency. The law was being implemented, and that therefore no one is above the law. The impeachment trial was also significant for the people because it provided them a window to the truth of Erap as President (given his construction of himself, again, as “Erap para sa mahirap.”).

Lee Paper

People invested time, money and energy to the impeachment trial. Instead of devoting time to their farming and other routine activities, for example, rural people took time off to listen to their radios. They also set aside precious pesos to buy batteries when the money could have been used for their more basic needs. The impeachment process was discussed in many parts of the country—corner sari-sari stores, neighborhoods and the proverbial barbershops. Wherever friends would congregate the inevitable topic would be Estrada and the revelations coming out of the testimonies of witnesses during the trial. These informal discussions were needed to reinforce, validate and deepen their understanding of the truth about Erap, the people reported.

From the radio discussions, the people expressed the feeling that the impeachment trial no doubt prepared the ground and was the necessary preparation for the EDSA II People Power demonstration. The discussants were asked three question in relation to the EDSA II phenomenon: (a) Did you feel you were part of people power? (“**Nabatyagan nyo bala nga upod kamo sa people power?**”) What are the essential traits of ‘people power’ (“**Ano ang mga kina-iya sang ‘people power?’**”), (b) What do you think about the Arroyo administration’s stand to run after Estrada (“**Ano ang inyo pagtan-aw sa tindog sg Arroyo administration nga lagson si Estrada?**”), (c) What is the appropriate punishment for Erap if he is found guilty of plunder? Should he avail of presidential pardon or should he be punished according to the law? (“**Ano ang nagakaangay nga silot kay Erap kun mapatud-an nga nangawat gid siya?**”)

The discussants respond, saying that the rationale for public outcry for the removal of Erap from the presidency was objective and based on a process of awareness and reflection. At the same time that the impeachment trial was going on, the evidence presented was being objectively assessed and people’s minds were being made up regarding whether indeed Estrada had lost his mandate. For the discussion participants the subjective process was the realization and awareness that this president had lost the moral right to remain as president of the Filipino people. The people’s sense of righteousness and what is morally upright surfaced and became ground for moral outrage, it could be said.

The EDSA II therefore did not mean that only those who were present in the public manifestation were the ones involved.⁷ In various parts of the country, there were various forms (as illustrated by actions in Kabankalan and Cauayan) of participation by people. Though not physically present, many of those interviewed participated on the level of sympathy and prayer, by a feeling of being one with the phenomenon being carried out at EDSA. (“**Ginagmay nga mga movements, discussion groups, wala pa nag-abot kay ara sila sa indibidwal nga pagpamalandong. Hindi ka makasiling nga wala o hindi engaged or involved kun wala overt action.**”)

The discussants stated that EDSA II was the manifestation or incarnation of the intent and sentiments of the general population aroused by moral outrage. In its essential nature, it could be said, EDSA II was a national expression. There were bases for the assertion of the right to withdraw the mandate (as people from Pontevedra and Cauayan mentioned). For the discussion participants, EDSA II was the recall election of the presidency.

The discussants mention that people power has essential characteristics. Its nature includes a process of discernment, judgment and prayer, translated into marching out into the streets asserting a sovereign right of the people withdrawing the mandate given to a regime. Before going into action there must however be reflection, discernment and prayer so that they are coming from their centers, they are not a mob-rule. The expression of People Power is different from a military take-over. In fact, from the discussants’ perception, the military took their cue from the people. Despite the claims that Estrada remains as president and that Macapagal-Arroyo is merely an officer-

PPSA 2003 National Conference

in-charge, for the discussion participants there was finality in the deposition of Estrada as president. He lost the mandate of the people for him to govern.

In the post-betrayal phase, post-crime commission period that includes the withdrawal of the mandate and the break in relations between Estrada and the electorate, what would the people like to see happen? They say that he trial must push through so that the truth and his real transgressions be known, and to give him an opportunity to answer the charges against him.

(“**Paagihon sa isa ka proseso para makin-an ano gid bala ang iya sala. Gusto mabal-an ang kamatuoran, agod makasabat man siya sa mga paratang sa iya, masilotan kag maserbisyuhan ang silot.**”)

Several steps follow. First, would be the meting out of the punishment or **silot**. Second, that Erap realize his sins and that he therefore repents, that there is a personal transformation and salvation. Third, given the right conditions, **ang pakig-uli-ay sang nabugto nga relasyon**, the restoration of the relationship that was broken because of the betrayal, the process of reconciliation. Fourth, social institutions are strengthened because the law was fulfilled, the truth was unearthed and punishment served. This paradigm, in my view, except for the last part, seems to have a strong influence coming from Christian metaphors.

Punishment here is not seen as vindictive but rather as an important dimension of the restitution of the relationship between Erap and the people, that he acknowledges his sins (**atubangon ang mga tawo**).⁸ His punishment does not only strengthen the social institutions⁹ (that a wrongdoer must do recompense) but that the punishment is essential for Erap’s own salvation, so that he absolves himself, and the people are satisfied (**mahim-usan**). The punishment is also directed against those who have been abusing power with impunity, “**maghalong sila**” (they should watch out). Wrongdoers should be pursued and made accountable.¹⁰

Here we see that two dimensions are targeted, the personal salvation of Erap, and the strengthening of social institutions. The discussions posed questions regarding the desired aspects of this post-betrayal stage: to look at punishment as revenge (**balos/ pagtimulos**) and restitution (**kabayaran**). Would the punishment be considered as restitution? The people feel that what might be more important though, aside from the formal punishment, would be the personal transformation that Estrada would have to go through to recover the relationship (with the people) that was broken (**para mag-uli-ay ang nabugto nga relasyon**). And perhaps through this process (a five-part process for people coming from Cauayan and Pontevedra, focusing mainly on **konsensya**) Estrada may gain salvation for himself. Here the religious paradigm operates strongly.

For the discussants, there is the possibility of restitution or recovery of the previous relationship provided the right conditions are satisfied or fulfilled. Since the social institutions were weakened because of the actuations of Estrada as president, restitution and reconciliation with him through the necessary and appropriate processes will also restore and repair the damage done to the social institutions. (“**Diin nangawat? Kun sa tao, ang indibidwal lang ang mapinsala, kun sala sa pungsod, ang tanan ginkawatan.**”) This is where the personal and the social implications converge.

In terms of what punishment would be appropriate for Estrada, while the law stipulates the death penalty as the maximum penalty for plunder, for the discussants it would not actually be sufficient for the healing of the broken relation (**him-us o mahim-usan** being the standard, not so much satisfaction alone but the sense of having one’s anger assuaged). The people believe he would not be able to realize his sins and give him the opportunity to transform himself. Aside of course from the consideration that the death penalty is not acceptable to their Christian beliefs. We do not

Lee Paper

have the right to kill another. For them Estrada's salvation is a major consideration and objective of the punishment, not physical annihilation.¹¹

The range of possible punishment the discussants suggest to be levied on Estrada, and their corresponding rationale, primarily aim to make him realize how it is to be poor, should he be convicted. He must experience the life the poor live through. The people believe that if he realizes what the poor go through in their daily lives, he will realize how grave his sins were to the poor, and he feels remorse (his conscience will bother him) because of what he did to the poor. Again, given the context that he used the poor to get power ("Erap para sa mahirap") and get rich. The discussants mention that the punishment is intended for Estrada to realize the pain that the people felt due to this betrayal of his duties. That Estrada is bothered by his conscience and that he realizes the effects on the people of his transgressions is now the **balos**, revenge, payment.

The possible forms or kinds of punishment that can be meted out include (a) **obrero sa dalan** (laborer on roads), (b) **patanumon kahoy sa bukid, paumahon sa bukid** (upland farmer), (c) **mamumugon** (landless agricultural worker, "naga-obra sa initan bilog nga adlaw, gaguluwa ang balhas", your only capital is your labor and your pay is a pittance). The reasons for these punishments are so that the subjective changes in Estrada will take place, repentance (**paghinulsul**), among others. The realization will only take place when he feels the hardships of the people who he victimized.

That transformation will be done through at least five steps: (a) put him in a situation where he is a **mamumugon** so that (b) he experiences physical labor (**nagapangabudlay, nagapabalhas, nagapa-init, jornal**¹²) so that when he experiences these (c) he will feel the kind of life that the people he betrayed go through, and in the process (d) he realizes what he did, reflects and feels remorse (**maghinulsol**) and (e) he repents.

From the perspective of the discussants, the functions, "value" or **kabilidhon** (or **kabugaton**) of the punishment would be as (a) **balos sa sala, "bayad" sa pag-antos sang tawo** (payment or compensation for the suffering caused by the transgressions); (b) as a means of attaining personal transformation or salvation; (c) strengthening of social institutions, that the law can be implemented; (d) the punishment becomes a deterrent and a cautionary warning to other possible political offenses by other office-holders; and (e) demonstration that the law is fair, applied equally to all, including Presidents, and there is no double standard.

The process of reconciliation then has five sequential elements: (a) face the people (**mag-atubang sa tawo**), (b) **magsabat siya**, answer the charges, (c) **mahatagan sang nagaka-igo nga desisyon**, given the right judgment or decision, (d) **masilotan siya santo sa iya sala**, punished appropriately for his sin, and (e) **maserbisyon niya ang silot**, the punishment is served. Estrada can now be forgiven because the people can now feel "compensated" (**ma-umpawan sang kaugot, mahim-usan**).

For these reasons, the discussants do not consider the death penalty appropriate because it deprives Estrada of the chance for personal transformation, redemption and salvation.

II. National program (DENR/Uplands)

From the dramatic events leading to EDSA II, we now turn to a less visible and yet potentially pernicious and destructive initiative. Another area which demonstrates how political power is used on the national level is the Master Plan for Forestry Development of the Department of Environment and Natural Resources. This program shows how the national policy regarding the development and utilization of upland resources has impact on the lives of communities living

PPSA 2003 National Conference

within or depending on forests. This program actualizes the State's avowed goals to provide equity to disadvantaged sectors, given certain presuppositions about the State's adherence to the Regalian Doctrine, that all the resources of the State can be "disposed" of as it sees fit. Analyses done by the group discussions on the policy implications and more particularly the ramifications of the implementation of this policy reveal discrepancies between avowed goals and the actual operations. Analyses also show where both the conceptualization and the implementation, and the assumptions behind the policy, have erred. The key questions that arise from the group discussions because of the use of political power in economic governance are, for whom are these upland resources?, and who shall provide the warrant for what can be considered legitimate use?

The initial objectives of the master plan are laudable. Former President Fidel Ramos issued Executive Order 263 on July 19, 1995. Section 1 of E.O. 263 says "Community-based forest management (herein referred to as CBFM) shall be the national strategy to achieve national sustainable forestry and social justice." The Department of Environment and Natural Resources Strategic Action Plan says, "Through the Community-Based Forest Management Program (CBFMP) the DENR champions the cause of forest-dependent communities of indigenous peoples and migrant groups in their quest for an improved well-being as well as for the legitimization of their rights to peaceably occupy, manage and reap the benefits from their forest lands in a responsible and sustainable manner."¹³

The goals of the Community-Based Forestry Management Program (CBFMP) are (a) equitable access for all farmers to opportunities to develop and manage the forest, to partake of the benefits from the forest, and (b) satisfaction of the needs of the people for forest-based commodities, amenities and services.

Its objectives are (a) conserve the forest ecosystem and its diverse genetic resources, (b) promote social justice and equity, (c) protect the land and its resources against degradation such as desertification, soil erosion, floods and other economic calamities, and (d) contribute to employment and growth of national and local economies. The program puts primary focus and importance to the first three objectives.

The general strategy is a community-based forest management scheme using the slogan "people first and sustainable forestry will follow." The end goal of this strategy are (a) sustainable management of forest resources, (b) social justice and improved well-being of local communities, and (c) strong partnership between local community and the DENR.

The features of the program are (a) security of tenure (least for 25 years renewal for another 25 years), (b) social equity because of tenure and comprehensive rights to use and develop forest resources, (c) investment capital and market linkage (the CBFM helps access investment capital, identify markets and build markets). The people's organization to whom the Community-Based Forest Management Agreement is given has use-rights for twenty-five years, renewable for another twenty-five years.

The CBFM program design also give use-rights to people's organizations and the first priority in obtaining the privilege in extracting, utilizing and disposing of mineral resources found within the community-based forestry management area. This is the first contradiction between intent (to save forest resources) and the actual design (which allows mining operations).

The implementation by the government of their own program is faulty. While the intent is to give tenurial rights to forest communities in order for them to protect the forest, this does not always happen. The solution according to the group discussants might be to respond first to the needs of the upland communities and these communities will seek to protect and preserve forest

Lee Paper resources.

The problem might also be that the people's organizations that are organized to take care of the forest resources are bogus people's organizations, they are not community-based, the people are not the actual occupants of the forest land sought for the community-based forest management agreement. The new Environment Secretary Elisea Gozun announced recently the cancellation of all permits to cut trees in Community Forest Management areas throughout the country because of reports of massive cutting even of naturally grown trees.¹⁴ While the CBFMA should be with residents living in the forest area for an extended period, it seems that this provision has been widely flaunted.¹⁵

Based on the discussants' analysis, the social justice and equity provisions of the program are compromised because dummy POs are allowed. "Membership" in people's organizations are fabricated or manufactured in dummy POs (**"human na ang mga konsepto kag proposal sa level sang DENR kag ang proponent"**).

According to reports from barangay captains in the affected areas, the private investor takes the initiative to get dummy people's organizations to which the use-rights can be given. But this PO is not community-based, it is used just to get people to sign the membership lists. The legal requirements are fulfilled but it all becomes a sham, the barangay leaders lament. The private investor becomes the recipient of the privilege given by government under this program, instead of the actual upland communities. The social justice component is subverted.

In two cases, it is shown that the barangay captain is instrumental in mobilizing and organizing the barangay in preparation for the community-based forest management agreement. He is also a signatory to the agreement but without the benefit of authentic and thorough consultation with his constituents. The organization of an authentic people's organization is not done. Ideally, they are supposed to be tapped to preserve or rehabilitate the uplands. Actually, they become employees of the private investor through the CBFMA, who would not be averse to the cutting of old growth trees. In Don Salvador Benedicto, Negros Occidental centuries-old trees in a 3,500 hectare forest reserve were cut down¹⁶ contradicting the very policy of protecting forest resources.

The discussions reveal that consultations, which are supposed to be an integral part of the process of organizing the people's organization in preparation for the CBFMA, become merely to "inform" the people of what has already transpired and has been entered into. Financiers, private vested interests, take the initiative in starting the process towards complying with the requirements of the CBFMA and invest because they want to become beneficiaries later on.

What are the issues that the people raise against the program design and implementation? The group discussions report that the initial attitude of the barangay residents towards the program are conditioned by "**hablada**" or how it is presented (the "packaging", so to speak) to them by the barangay captain or local officials. They are made to believe, of course, that the program will be an avenue (**mangin dalan**) for improvement in their lives. (That is why it is very important for the financier or private investor to get the barangay captain or some local officials sold on the program, and the possible benefits they will also get from it.)

During the preparatory stages, not only were only **some** aspects of the program highlighted, the community residents were not given the opportunity to really find out or discern and realize the implications of the program on their situation, and to have confidence that their lives will really improve. What would be preferable, the discussants believe, is that they be allowed to see the whole picture, be fully informed of all the ramifications of the intended project and be given time to reflect and decide knowing full well all the relevant and important considerations. If there are to real be

PPSA 2003 National Conference

consultations, the prospective beneficiaries should be fully informed and given time to consider all the relevant issues.

From reports coming from those who have experience of the CBFMP, after the initial discussions and the community's assent, what comes out is that there are violations of what was previously understood (**may pag-luib sa tawo**). Various fears arise which have valid bases. For example in one area, initially only four thousand hectares would be covered by the program. Then the upland community members later find out that seven thousand hectares are going to be covered by the agreement, including the settlements where the upland communities are.

The barangay residents are unaware of what the CBFMP is really all about. They are not made aware of the implications of the program to their welfare: land grabbing, land consolidation and the destruction of the physical resource base by mining activities. The community residents realize that their rights will be aversely violated and threatened by the program design and implementation. **"Amo ni ang pagpatay sa derecho sang tao. Maluoy kamo sa tawo. Tanum lang nga wala sang tawo nagapabilin ang magluntad kun matuman ini nga programa."** ("This is what will kill people's rights. Have pity on the people. Only plants without any persons left will develop if this program succeeds.")

What would be the right use of power in this instance?

For the group discussants, a government program that intends to promote social justice and equity among upland communities, in order that it not be bogus and a betrayal of its avowed goals, should have the following characteristics:

(A) Respectful stance towards 'mga tawo' or 'mga pumuluyo'. Human security should be protected ("**Ang kabuhi kag pangabuhian sg tawo mapangapinon sa kagarot, kinagubot, wala dapat matabo nga inaway**"). The upland communities should not be squatters in their own nation ("**Ang mga tawo indi magin iskwater mismo sa iya kaugalingon nga pungsod.**"). The discussants believe that government as a whole, as well as government officials, should not sacrifice people in upland communities in favor of those who are to give money to government (even in the form of taxes paid) or to government officials (in the form of emoluments or special favors) [**"indi pagsakripesyo pabor sa nagapahabok¹⁷ sa iya (State)/ ila (government officials). Ang nagapahabok (third party) ang nagahatag kwarta sa gobierno** (either through taxes or through bribes)"].

When the program is expanded, the discussants believe that the government officials implementing the program can misuse the interest of the State. In Saranggani province, the DENR regional director required a Community Environment and Resources Officer (CENRO) responsible for several towns where a CBFMA holder had been violating the provisions of its agreement, to explain why he failed to closely supervise the logging activities of the cooperative. But the CENRO has not enforced the prohibitions coming from the regional director. The cooperative continues to wreak havoc on the forest lands of Maitum town.¹⁸

Furthermore, communities should not be used as capital so that the private interests can borrow money using the CBFMA as collateral. The program has been designed in such a way that the private investor can even secure financing for the program once the agreement has been formalized. Security of tenure, as well as land access and utilization are fundamental concerns for the affected barangays. The people in upland communities should not be disenfranchised, which they are in danger of should the private investor seek to use their settlements for whatever land consolidation, mineral exploration, or other purposes he may seek. The private investor is actually the one who becomes the beneficiary of the CBFMA and not the actual residents of the upland

Lee Paper
communities.

(B) Consultation process must be authentic (**tampad/ eksakto/husto nga proseso**). The rights of the people to speak out and to be heard should be respected by government (“**respetuhon ang derecho sang tawo maghambal kag mapamati-an sang gobierno**”). The process should not merely be to inform them but should be considered as a total process which includes among others the step “**nga mapamalandungan sang tawo kun mapa-ayo o makapalaing ang ginaplastar sa ila nga programa**” (for the people to have the opportunity to reflect and discern whether the program being offered to them will indeed benefit them or not). This is the antidote to the tendency for government projects just to be passed on to the communities without their real participation “**human na ini and ready for implementation—pasugot kamo o indi**”, “**may human na nga ideya**” (this is already finished and ready for implementation, whether you agree or not. The idea has already been completed). The people should be made part of the formulation of the program itself, so that their inputs are considered, and they understand the program better because they participated in its formulation. The discussants protest against treating upland communities as passive recipients instead of active stakeholders.

(C) Program consequences. Any government program designed to benefit the people should not result in their disadvantage as the program is implemented. The people as supposed beneficiaries of the program should be given respect, their rights respected so that no conflicts will arise (“**tagaan kag respetuhon ang derecho sang tawo para wala matabo nga inaway**”). There should be balance between household food security and requirements, as well as ecology concerns. The implementation should take into account the critique and recommendations coming from the people, for example, that it should not lead to land consolidation of the “big interests”¹⁹ and destruction of the physical resource base. The loans to be used to implement successful reforestation that people will take might be **higot** (or chain, a tremendous obligation) so that they will lose their rights to the land as well as their autonomy to plan and decide for themselves, because of the burden of the financial loan.

As a whole, while perhaps the objectives of the CBFMA may have been admirable or laudable, but as an instance of national government initiative in economic and social development governance, the program conceptualization and implementation reveal weaknesses in program design as well as lapse in implementation. The complexity of the social and economic context into which the Program was being introduced was not fully recognized. Hence the problems as experienced now cropped up. How the program might be vulnerable to incursions and manipulations by those who have vested interests, was perhaps not fully considered. In other words, the discussants felt either that the program designers were naive or even knowingly allowed themselves to be duped. A proper evaluation of the CBFMP now can take into account as well the weak points in program design which basically center on (a) financing and (b) the organization of the cooperative which will hold the Agreement.

III. National Policy (GRP-RPA Peace Agreement)

As part of the evaluation of political governance, the next national policy to be considered is the peace agreement that was forged between the Government of the Republic of the Philippines (GRP) and the Revolutionary Proletarian Army-Alex Boncayao Brigade (RPA-ABB). The peace agreement was actually signed during the presidency of Estrada and when the new government of Macapagal-Arroyo assumed power, this peace agreement was reviewed to find out whether it should be upheld. While the RPA claims it has forces in other provinces in the Philippines, much of its

PPSA 2003 National Conference

presence is in Negros Occidental; hence the issue was important for the group discussants. The agreement was the subject of many radio emissions because all the aspects of the peace agreement was subjected to scrutiny and commentary by the group discussions.

As background to the whole issue, it should be mentioned that the Review Panel under National Security Adviser Roilo Golez convened a multi-sectoral dialogue in Bacolod City on September 22, 2001. The Armed Forces of the Philippines, the Philippine National Police and the local government chief executives expressed support for the implementation of the Agreement, while the Church and civil society representatives called for the reformulation or renegotiation of the Agreement based on the following grounds:

1. Fast-tracking of the Peace Agreement, as it was signed only three weeks after the assumption of the Angara Panel;
2. The provision on RPM-P/ RPA/ ABB assistance in the maintenance of peace and order may justify their reported assumption of **de facto** police functions;
3. The acknowledgment of RPM-P/ RPA/ ABB “controlled areas”;
4. The granting of special licenses and permits to carry firearms for 100 RPA/ ABB members;
5. Dropping of charges filed vs. RPM-P/ RPA/ ABB Panelists and Consultants and 235 Alleged Political Offenders (APOs) in their list;
6. The lack of parameters and guidelines to govern the use of PhP 10 million Reintegration Fund and PhP 500 million Special Development Fund;
7. The number of the Joint Executive Monitoring Committee (JEMC) should be increased from 5 to 9 members; and
8. The role of Mr. Eduardo Cojuangco Jr. as “Intervenor for the Peace Process” in view of his business interests in Negros.²⁰

A Negros Peace Congress was held by the Church and civil society organizations in December, 2001 in Bacolod City as a culmination of the many consultations on provisions of the peace agreement, and how the local population felt about these controversial provisions. A consensus was reached in order for a Clarificatory Document to be formulated explaining the contentious provisions of the agreement with the RPA-ABB.

Despite a clamor by various rural communities, church officials and concerned citizens for a deeper review or at least a further consideration of the controversial provisions (because these had implications for many people in the rural communities and the provisions’ implications as well for national policies in general), the agreement was reaffirmed by the Arroyo government and the controversial provisions are now being implemented.

So like with the two other issues discussed above, the following discussion will cover the questions: how power was used, how power should be used, what the people do to correct the situation and what would be necessary to bring back the broken ties between those in governance and the governed.

Right off the radio discussions question the process through which the peace agreement was forged. The peace process was hidden from the public; there was no conscious process to involve the citizenry in the process of developing the peace agreement. Given the repercussions of such an agreement, should not the people be the ultimate convenor, the discussants say. The substance of the agreement was not based on consultations with the people; hence the agreement does not have a constituency which can support it. (“**Gintago sa publico. Ang kaundan wala nakabase sa konsultasyon sa tawo, wala constituency.**”) The further thinking being that this is not just an

Lee Paper

agreement between the government and the rebel group but that it aims to heal a fissure in society. For that fissure to really be healed there must be a constituency which can safeguard the agreement and assure a real resolution of the conflict.

The discussions focused on, why is the participation of civil society important? The peace agreement is not only between the government and the RPA but has implications for the rest of Philippine society. The government panel cannot presuppose to know what would be in the best interests of the rest of society if there was no process of consultation regarding the main guidelines for such a peace agreement. Furthermore, the group discussants says, if the civil society is not engaged in the forging of the peace agreement, should the peace agreement come to be formalized, without a constituency to support it, that peace agreement would not succeed. The chances of a peace agreement succeeding hinge on whether the majority of civil society supports such a pact.

Eduardo Cojuangco Jr. played an important role in the forging of the peace agreement, and the document has him sign as an Intervenor. This is questionable in light of the economic and political interests that Cojuangco has in Negros Occidental. The discussants raise questions why someone who obviously has interests to uphold was given such a prominent role in the peace agreement.

The Office of the Presidential Adviser on the Peace Process, the formal government institution assigned to handle peace negotiations with various armed ideological groups in the country was not involved in the formulation of the peace agreement. Manuel Yan, then Presidential Adviser on the Peace Process wrote to peace advocates all over the country politely informing them that OPAPP was not part to the crafting of the agreement, subtly implying that said agreement did not go through the usual procedures that the office follows with regards peace negotiations. The one who crafted the agreement was then Executive Secretary Ronaldo Zamora. Why the peace agreement was not coursed through the OPAPP, remains a mystery.

For the discussants, the contentious provisions of the peace agreement are on (a) whether there are and what would be considered as RPA controlled areas, (b) what would be considered as hostile acts, (c) the provision to grant the RPA permits to carry firearms, (d) to give the RPA a role in peace and order functions normally given to the police and military, and (e) the grant of a PhP 500 million development fund.

The criteria the discussants articulated that should be used to assess a peace agreement would have to do with, (a) what will be its effects on the citizens in the contested areas and beyond, (b) what will be the implications, of the provisions of the peace agreement and how it is implemented, for governance and peace negotiations not only with this particular rebel group but for other rebel groups as well. These are two important considerations: what will be effects on the citizens and the implications for a coherent and consistent national policy for dealing with insurgent groups.

For the discussants, as an instrument to deal with social and armed conflict, a **peace agreement** should have the following characteristics:

(A) To be authentic,

1. It should NOT be used as an instrument by vested interests (private or ideological) to expand and consolidate its power base. In the GRP-RPA peace agreement not only do the discussants voice out a suspicion that because of the important role that Cojuangco played, he was very interested that a peace agreement be signed for his own designs but it also so happened that this dovetailed with what the RPA wanted to get. The people conjecture that the RPA benefits a lot from having Cojuangco as a supporter of the peace agreement; it seems that it would insure

PPSA 2003 National Conference

that, within certain limits, the RPA would be able to get a good deal, rather than to be continually considered as rebel forces. The RPA through the peace agreement consolidates its gains and may even be in a better position to gain further concessions once it has achieved a measure of legitimacy provided in this case again by the peace agreement.

2. The peace agreement should also NOT be used as instrument for state security to co-opt and bait (**paonon**) the armed movement to give up armed struggle (**magbuhi armas**) to the disadvantage of, and put in peril, the citizens. (From the discussants' perspective, the dominant strategy of the military and government is to mollify the RPA and make them surrender but at the cost of putting in peril the rural poor who are vulnerable and precarious conditions because, with their guns, the RPA can wield force over them.)

3. The peace agreement should instead BE used as an instrument to tackle substantive issues. For the discussants the peace talks should be the opportunity to really discuss, confront, address and respond to the roots or causes of the rebellion, what were the causes of the conflict in the first place? And the most likely root, they believe, is livelihood or quality of life (**kalidad sang pangabuhî**). The government is missing out on the opportunity to undertake serious confrontation and reflection on the structural reasons for the rebellion. But then perhaps government is either unwilling or unable to undertake a reflection of this sort, and would rather be satisfied with tentative solutions.

Some members of the discussions would say, the reflection (should it really be pursued) on the structural reasons for the rebellion can lead to the dis-arming of communities and the rest of society. A reconciliation of the warring parties (**pag-uli-ay**), between the two armed groups (the RPA and the AFP), as well as between the victims and perpetrators of violence (those who inflicted violence on the civilian victims) becomes possible.

The discussants are concerned that the peace agreement should not be motivated or prompted by the demands of counter-insurgency. The RPA cadres, it seems, are being co-opted into the government side so that the main forces of the New People's Army may likewise be enticed to follow, or at least neutralized because now the RPA can also be foil against them. But the RPA can also be used against the people when, during the implementation of government policies and programs, should local groups oppose the programs, the rebel group will now be used to quell legitimate opposition. The goal being that the government programs, for example those connected with development aggression like mining, the CBFMA, the industrial forest plan, etc. will not be derailed. The RPA can play a strategic role but used by the military or government to enforce possibly unpopular programs, the discussants surmise.

(B) As a policy instrument intended to address social and armed conflict, the peace agreement should NOT result in the following:

1. Government losing the respect of the ordinary citizens because it seems like the government is conceding too much, especially to those very people that tried to topple it. It looks like the government is being duped. The discussants think that the government does not negotiate from a position of strength but rather of fear. The government side comes on as willing to give many things just so that a peace agreement can be signed. It looks like it cannot win against the rebels. It even looks like they are giving favors to those that tried to bring the government down. It does not try to hammer an agreement that will be just and sustainable for the rest of the civilian population. ("**Ang gobyerno manubo sa mata sang tawo kay ma-bribe, ma-into-an, mapahugan lang siya gali, wala ikasarang ang AFP/PNP nga magda-og kontra sa rebelde.**

Lee Paper

May pinili-an, ato pa ang tilaw tumba sa iya ang ginhatagan bili o importansya.”)

2. With such an iniquitous peace agreement (for the citizenry) conditions of unpeace and social conflict will remain. The conditions include the displacement of the rural population and destruction of their resource base, should development aggression continue and even be abetted, an increase in the strength of armed groups, and the commission of hostile acts against civilian communities. (**Mapahalin o maguba ang palangabuhian, pagsangkad o pagkusog sg fuerza sg armada.**)

3. There will be eleterious effects on the citizenry which include (a) confusion (The people will say “should we rebel first so that government will listen to us and even give us what we were asking for in the first place?”) [**magtalang-talang sila, ano ni man? Masiling sila nga “magrebelde ta anay kay tamdum ta ka daya.” Ang ila puloy-an madelikado, mabudlay mangita kwarta, ano na subong ang papel sang PNP/AFP kay naging-amiguhay man sa RPA? Ano ni gobierno ta?**] [“This place where we live is full of danger, earning a living is difficult, what now is the role of the PNP/AFP when the soldiers have become friends with the rebels, what has become of our government?”], (b) destruction of organized opposition to projects deemed anti-poor because there are now armed forces which can be used against them when, for example, they oppose the projects of Cojuangco, and therefore (c) the people are terrorized into silence and perhaps passivity (**paghipos...pasuno-sunod na lang**).

4. Weakening or subversion of the military and police institutions (from the discussants' perspective) as well as government authority on the local and barangay levels, because of the perceived collusion with those forces which would seek to do harm to the people.

5. Government conceding that there are ‘controlled areas’ (what are the indicators for these, what are the characteristics of controlled areas?)²¹. The government, the discussants agree, should not be a party to a situation where an area can actually become a controlled area, which would amount to giving up sovereignty over a part of the national territory. (Would there be enabling conditions for this to happen?)²² The government should also not fall into the trap being set by the RPA (a ‘self-fulfilling prophecy’) that the government actually becomes the tool for the armed group to become stronger by agreeing to the rebel group’s demands. And finally, by virtue of its role in the peace agreement and the concessions it makes to the RPA, government is perceived to be party to situation where there was coercion and exploitation of the people (**may paghimulos kag may pagpamigos sa tawo**).

(C.) Since the government is considered as parents (‘**amay**’ or ‘**tatay**’, ‘**mga ginikanan**’), its actions in relation to the RPA will be perceived as consenting to the errant or weeping child’s “tantrums” or misbehavior (referring to the RPA). This kind of behavior should not be tolerated by the parents. (**Ginakonsenter and “iya”abilidad. Tinutuyo nga diutay deperensya masunggod. Tapos mangayo, hatagan. “Ang bata naghibi”, paghibi hatag ka man. Ari dulce, indi na hibi. Maghibi, paumpawan kaon. Kaunon. Pagdugay-dugay mangaway naman. Magrebelde kay ginakonsenter man ang ina nga ginahimo. Indi mo pag-itolerate ini nga batasan.**)

(D.) Persons carrying weapons in the name of the State should be legitimate and have the proper training and attitude in the carrying of those arms. Those who carry arms must fulfill certain norms.

The discussants ask, who are the ones who are entitled to carry arms in the name of the

PPSA 2003 National Conference

State? They must understand the goals and purpose of carrying weapons, like understanding as well the use of force. They must be responsible in the use of legitimate force.

The discussants believe that rebels are not prepared to carry arms responsibly. They have come from the experience of being rebels and have used weapons to counter the forces of the State (**may ginhalinan, rebelde sila sang una**). What would it take for them to change their previous attitude and for them to now behave in full cognizance of the new functions they fulfill? Many rebels, according to the discussants, will not be able to understand the attitude and responsibilities within this new situation. The mind set of a rebel is “**utok pulbura**”, use the gun either in offensive operations or as defensive weapons, as a rebel.

More profoundly, according to the discussants, what can be questioned is the rebel group’s sincerity in returning to the fold of the law when the conditions which instigated the rebellion in the first place have not been responded to (**sinseridad sa pagbalik kwestionable kay tungod nagabalik sila sa gobierno wala man tuod nga sabat sa conditions of rebellion, kundi may ginapangayo lang sila nga mga pabor, daw indi matuod-tuod nga rebelde. Nga-a conditional ang pagbalik sa sabak sang gobierno ang pag-uyat armas?**) (“The sincerity in returning to the fold of the law is questionable because the rebels were also not able to state clearly their reasons for rebellion. Or if they are sincere in their rebellion why should they be willing to give up their struggle after being given favors by the government. Have the fundamental reasons for their rebellion been responded to?”) This seeming insincerity casts doubt on what kinds of rebel they are, when, given control of project funds, they will now give up on the real causes of their rebellion.²³ Finally, given that the RPA has an image problem with the citizenry, there is no confidence that they have good intentions in carrying arms.

How can the broken relationships be healed?

For the discussants, there are two relationships here that need reconciliation. The first would be between the people and the insurgents, the victims of the insurgents’ actions directly or indirectly as a result of the rebels’ actions (those who suffered in the crossfire between the rebels and the government forces, and those who were victimized by the insurgents themselves directly). The second would be between the government military forces and the insurgents. The third relationship, not considered by the discussants, has to do with the government military forces and the civilian population, but this is outside the scope of the present discussions.

For the first (**tawo kag ang insurgents, sa nahimuan sang kalapasan ukon ang mga nahalitan**) the discussants felt that the insurgents should surrender their arms. Regardless of the imprimatur and assurances given by the military²⁴, the RPA with their guns will always be a threat to civilian peace. And given precisely the legalization of their carrying weapons through the peace agreement (100 gun licenses were reportedly given the RPA), the people worry that the rebels will feel emboldened even in using their weapons against “perceived” enemies. And those who were earlier victimized by the RPA will never be able to press their case for fear of retaliation.

The discussants ask that the RPA ask for forgiveness from the people they did harm to (**pangayo patawad sa tawo nga nahalitan nila.**)

Between the government and the insurgents (which includes all armed groups, not only the RPA), in order to reconcile, first of all, the insurgents must be given livelihood opportunities and most importantly, the agrarian reform program should not be watered down (**“indi pagpaltikon ang programa sa agrarian reform”**) (Agrarian reform should not be eviscerated of its real purpose and value.). There are structural reasons for insurgency, according to the discussants, and the root of it is the lack of fair access to productive resources that assure livelihood.

Lee Paper

The stance or attitude that government should have towards insurgents should be that government recognizes that the reasons they rebelled in the first place was because they did not have livelihood, were victims of injustice or governance and management that failed to respond to their needs (“**nagrebellede ina sila tungod kawsa nila palangabuhian, biktima sang inhustisy, dumalaan nga indi insakto**”). The main item on the agenda towards peace is really to redress grievances, have effective and efficient governance, and provide livelihood for the poor, the discussants conclude.

And finally, the insurgents must not also be looked at as instruments of the State or private vested interests (**indi sila galamiton sang Estado, kag private vested interests**).

IV. Barangay elections and governance

These exercises of governance on the national level through political, economic and security concerns tie up with how governance is practiced on the barangay level. The national and local practices perhaps reinforce each other.

Elections are the formal processes for acquiring political power, so politicians utilize all means at their disposal to be able to secure for themselves the elective positions they aspire for. Aside from vote-buying (sometimes for as little as PhP 20 per voter), various mechanisms are utilized to ensure that the voters will indeed vote for them. The mechanisms include **higot**²⁵ and **kabalaslan**²⁶. Various forms of **higot** basically hinge on making the voters recognize that their security of tenure, including access to land, resources and livelihood, are jeopardized if the politician is not elected. The ones who are most vulnerable of course are those that do not have any sure or regular means of livelihood. This kind of pressure then makes the voters unfree in their choices and decisions.

Kabalaslan is ironic in the sense that it is used by the power holder to further consolidate a sense of obligation from the much less powerful. The voter will feel obliged to vote for the politician because of a past or possible service that the politician has rendered or may render, (“**Makahigot gid and utang nga kabalaslan kay ginbuligan ka. Ang politico ‘nagadisponer’ sang aton kinahanglan.**”) When in fact this is what the politicians are obliged to render, in the first place, because he is a public servant. Politicians provide bureaucratic and economic access, that is why they can exercise power and influence over voters. Money and land are sources of these powers too. Social status in the sense of having economic resources translates into political power as well.

The virtue of **kabalaslan** is deeper than **bigot** (**mabudlay bugtuon**). The former is difficult to break or cut. More than the contractual dimension, it is the ‘moral’ ground that is invoked. Once **konsensya** is invoked, their sense of the value of their word is touched. “**Pagtaw sa kaugalingon madula o mawala kun indi ginatan-aw ang kabalaslan**” (Your “proper” view of yourself is lost when you do not recognize your debt of gratitude).

In the discussion in Sipalay, the following question was posed: what does the act of buying your (the citizens’) vote say about how the candidate looks at the voters? The discussants said that (a) “**kun ikaw gapabakal, ginatugutan mo ini nga politiko nga himuslan ikaw, gapakita man nga ikaw mismo wala ka respeto sa imo kaugalingon**” (when you sell your vote, you allow the politician to take advantage of you, you also show that you yourself do not have respect for yourself); (b) “**isa ka butang, isa ka bagay nga galamiton niya ang tawo nga ginbakal ya indi na ya siling nga tawo parehas sa iya, isa ka ka butang niya kahayangawan ukon isa ka galamiton sa pagpangabuhi sa iya pagmentinar sang iya nga status**” (an object, the voter that

PPSA 2003 National Conference

he buys becomes an object that he uses, that person is not the same as him, you are an object that useful or a tool in his business of maintaining his status).

Elections are the formal processes through which politicians acquire legitimate power which then translates into (further) political, economic and social influence, as well as access to (affirmed) social standing and status. Furthermore, they actually acquire the power to dictate on or control the lives of citizens who are most vulnerable, the discussants observe.

From the politicians' perspective, elections are thus viewed as economic and political investments. The possible benefits include access to certain social and public goods. Politicians are thus willing to use all means available, including various forms of social and economic pressure to secure the elective positions for themselves, knowing that at some point the investment (theirs and their supporters) will pay off. The discussants opine that the fact that others help finance their election campaigns makes the politicians beholden to those who spent money and resources for them to be able to win elections. ("**Kun may ginasaligan** (source of campaign funds) **hindi na magin fully para sa tawo. Beholden ka na sa saligan, indi na puede madala ang tingog sang tawo.**") The financiers will also get a return on their investments by securing favors and access to public goods, or at least preferential treatment during certain dealings.

At the same time, after elections, the discussants observe, a contractual relationship exists between local officials and citizens. Politicians are perceived as conduits and mediators because they provide access to the local and national bureaucracy. Politicians also mediate between local and national processes. Politicians also view their offices almost as giving them certain birthrights, for example, utilizing public vehicles for private purposes, posing no distinction between personal and public property. All these aside from the predominant view that their offices gives them access to public wealth.

The discussants realize of course that a vast contrast exists between the actual holding of elections and the ideal exercise of elections. Ideally, elections are meant to be free exercises, where the citizen does not feel pressured in any manner to vote for a particular candidate. A free exercise of elections means that the voters will base their decisions on the candidates' qualities, merits and qualifications, including their program of government or the issues they are will to pursue and implement solutions to. Since there is both subtle and overt social and economic pressure (which cannot be withheld without considerable cost to the voter), elections do not lead to the most qualified winners or those who will work for the interest or welfare of the majority. Rather, the cost alone of putting up a candidature means that only those who have resources will be willing to run or those who are supported by vested interests (who definitely will want a return on their investment).

These considerations have implications and consequences for distinguishing between those who hold formal political authority and those who are real or authentic political leaders. The latter are those who are not only or even concerned with their own or private gain but rather consider the welfare of those they are leading.

The deeper issues, according to the barangay residents, center around the concept of who the real people's leader is. The discussants mention, both the ideal and the true leader are depicted as having authentic concern for his constituents (**may pagkabalaka, nagapamati, nagalibot**). The real leader also elicits and encourages active participation from her constituents. The authentic leaders seems almost Christ-like (in the sense of being caring, forgiving, yet righteous and morally upright) in the eyes of the poor.

How is real concern for the welfare of the poor communicated and how do the poor respond to the authentic leader? The discussions provide a tentative answer. Real concern is

Lee Paper

communicated through presence (both physical and psychical presence in the sense of ‘being-with’, accompanies, **naga-upod**). More than that, the authentic leader relates with or interact with the citizens and is not psychologically and physically aloof. (Although of course, perhaps in the belief that someone is truly being with them, they would be willing to believe in semblances or credible pretense.) The leader also resonates with the lot and situation of the poor.

What arouses or elicits real participation from barangay members are barangay leaders who listen (**nagapamatí**), who become one with the citizens (**may pag-isa sa mga pumuluyo**), who occupy not only one and the same **geographical** space with the constituents but also the **mental** space²⁷ with their constituents (**nagalibot**). This type of leader, according to the discussants, tries to find out what the real situation of each and every barangay member and carries these concerns with her, especially for those who have the least resources (**may pagkabalaka**). Such that in dealings with others within and outside the barangay the real leader carries the ‘voice of the people’ (**tingog sang katawhan**).

In one discussion the participants were asked why they were not acting to make the barangay council more active and dynamic. They then resolved to undertake certain steps, for example, monitoring the barangay council, so that it would become more responsive. A planning session by the barangay council, with the participation of other barangay members, will need to be done so that the management of the barangay will actually be more effective. Because they saw all the “sins” of the local government officials, all stipulated in the Local Government Code, which were not being done, they saw the need to become more vigilant.

The deeper problem, according to the barangay residents, really is that there is no proper consultation and planning regarding the type of projects to be implemented and how these can best be implemented. There is no proper reporting about what is happening in the barangay by the council members. They do not report how the barangay funds have been spent, hence the people suspect that something might be amiss. (**Hindi ginamiting ang barangay development councils, hindi nagadiscuss sang mga ipatindog nga mga projects. Wala ginatawag ang barangay assembly. Pero hindi ginapulong kay sukton man sila sang mga tawo. Damo na mang ang mga anomaliya, nga indi magpatawag miting? So indi man maka-consult para sa mga bag-o nga projects, amo nga wala pag-uswag, indi mahimo ang mga nagakaangay nga development projects.”**)

Knowledge of the mental space of the community and the ability to carry the voice of the people results from having listened and really understood the situation of the community. Hearing the ‘voice of the people’ issues from a process of understanding the ‘shared humanity,’ especially of the resourceless poor who should be the real targets of governance (**ang tingog sang katawhan nag-agì sa proseso**). The real leader must be willing to be ‘converted’ by the situation. (“**Kita sa sitwasyon, naga-antos, hindi tawhanon, conversion kay nasudlan gid ang sitwasyon. Nakit-an mo gid.**”) Good governance can be achieved if the voice of the people, in this sense, is really listened to.

At the same time that the discussants see the qualities of real leaders, a deeper problem remains. The barangays do not have a sense of their own power and sovereignty. They look up to the local town officials, just the same, for initiative and foresight. The problem seems to redound to the incapacity of handling consultative and participative barangay assemblies by barangay officials. Local governance and empowerment is really demonstrated in the capacity of the barangay to handle their own affairs competently and yet there are deficiencies in being able to do these.

These ideas echo the kind of national leadership being sought, the kind that takes the

PPSA 2003 National Conference

interests of the poor and powerless to heart. People are suffering and they desperately want and need surcease from that suffering. Hence they look for mediators and ‘saviors’ from that suffering (**pag-antos**).

The norms of governance coming from the barangay experience have to do with issues arising from (a) how power is used (**pagdumala o pag-usar sang gahum/ kagamhanan**) or how political authority is exercised and (b) how the sentiments, concerns and problems of the citizenry or the electorate are carried or brought to the appropriate fora (**pagdala sang tingog sang tawo**). This process (of bringing the people’s voice for it to be heard) can actually have two further stages, (a) the decision indeed by the leader to listen, understand and respond to the people’s voice, and (b) how the people’s sentiments, concerns and problems are actually presented or represented (because how this is carried out leads to empowering the citizens and giving them value).

The latter can only be done if the leaders empathizes and the barangay leader can only empathize if he knows the situation of the people because she goes around (**nagalibot**), really talks with the people and perhaps conducts consultations and analyses with barangay members.

Given the actual barangay operations and how the barangay should be governed, what are the barangay members actually doing. For the discussants, the possible responses to governance are:

1. **Mapalayo** (when governance is unresponsive to the actual concerns of the citizens, or even when that governance is even inept and ineffective (**wasik poder**). The barangay members can later realize that there is no point investing time and effort in making the barangay leadership know about their problems because the leadership does not respond or cannot make the appropriate decisions.)

2. **Magrebeldo** (as a result not only of government neglect but perhaps because of military abuses, or other forms of injustice. Rebellion can be conceived as a means of rejecting the present dispensation, or as a means to press hard for certain reforms. Rebellion though has the element of duress and utilizes violence.)

3. Participate in elections (as the only legitimate means of showing opinions, sentiments and preferences of the electorate, and yet knowing as well that this process can be subverted too through vote-buying and other means of compelling voters to support politicians.)

4. **Magsalig** (entrust one’s faith and hopes in the honesty and good will of political leaders, to mainly accept and obey the dictates of government, and hope that the present dispensation will take the people’s interest to heart.)

These options though seem to rely too much on the initiatives coming from the barangay and other political leaders and does not envision the citizenry themselves taking an active and significant role in articulating, pushing and moving their own political and economic agenda so that the political leaders have to respond competently and efficiently to the initiatives coming from the constituency.

As an observer, from the above it can be inferred that the elements of good governance should include:

1. Articulating a social contract between the people in positions of authority and the governed regarding what should be the purposes and goals of governance,
2. Specifying the norms of good governance from the citizens’ perspective (if they are clear what their expectations are, perhaps they will be more assertive and vigilant regarding how politicians should be conducting themselves),
3. Viewing the consequences of how government “constructs” its citizens (or how citizenship is viewed by people in government) and what the implications and consequences are (of

Lee Paper

this construction) for government's decisions. For example, how does government construe its responsibility to the poorest of the poor (**nagatalang-talang**)²⁸?

4. Understanding citizens' demands (how should these demands be viewed and considered?)

5. Delineating the distinction between violence and force²⁹, what is legitimate violence and who are the legitimate agents of violence?

There are basically two kinds of leaders. The real leader is truly for the poor. His concern for the poor is authentic, and the truly resourceless should be the primary concern of governance. Inevitably this will concern social structures because justice cannot be considered piecemeal but must refer to the fundamental principles of social organization. The other type of leader mainly uses power for private interests and takes advantage of the people.

The ideal characteristics of governance from the discussants' point of view then are:

1. **May pagkabalaka, nagapamati, nagakonsulta, may pagrespeto sa tao, indi dalok** (has concern, listens, consults, has respect for people, not greedy),

2. **Ang nagarebelde kun matuod-tuod gid ang ila pagpaninguha sang hustisya, indi magpadala sa kwarta ukon development projects pero pangitaon gid ang matuod-tuod nga mga pagkambyo sa mga pamaagi.** Nagaguwa na lang sa peace agreement sa RPA nga nagapangayo sila sg mga konkreto nga pribileheyo agud may result man ang ila panghimakas, pero indi nga daw ginasakripisyong pipila para makakuha kahilwayan pero kahilwayan nga indi nakabase sa kamatuoran o mas mabaskug nga prinsipyoy. (Those who rebel if their search for justice is real, should not be swayed by money or development projects but rather look for real change in ways of doing things. In the peace agreement with the RPA, it appears that they ask for concrete privileges so that their struggle will have results but "peace" is achieved by sacrificing some, this is not peace that is based on truth or stronger principles.)

3. **Ini nga mga prinsipyoy dapat (a) mapuslan sang tanan, makabulig pagtukod sang mapinadayunon nga kauswagan, kag (b) mabal-an kag ma-eksplikar sa tanan nga pumuluyo.** (These [stronger or truthful] principles should be for the benefit of all, and can help build sustainable and long-term progress, and should be known by and understandable to all the citizens.)

V. Three paradigms

The above concerns are viewed and experienced by the discussants from within their own perspective and worldview. This worldview can perhaps be understood using three paradigms: (a) kinship ties and relationships, (b) religious metaphors and (c) a modernist-developmentalism perspective.

A. Kinship ties and relationships

The discussants use metaphors, images and language coming from their day-to-day experiences or how they construct their ties within the family, household, rituals of life like courtship, as well as their construction of moral obligations. Kinship ties are also used in viewing or understanding hierarchical relations of power.

There is an appeal to ordinary day-to-day experiences as metaphors for depicting and understanding state policy and practices of governance. So Joseph Estrada is considered as Father of the Nation (**Amay sang Pungsod**) and as such he is under certain obligations to behave and be a model to his "children" (the citizens). So when he does not do his duty as father, he has not fulfilled his obligation, he loses respect as a responsible parent.

PPSA 2003 National Conference

At the same time, the national government as a whole is also considered as parent (**Amay** or **naga-alagad**) so that in dealing for example with the RPA rebels, the father should be able to discipline his child and not give in to whatever the “errant child” asks for. The complaining child is not to be given candies to mollify the child. The government, as parent, should not “spoil” one child and lose sight of what the other children deserve or need. The parent should view the whole situation.

Nagadumala, or the person who manages, takes care of, or governs, may be sometimes in reference to how a household is being run but the concept can be enlarged to refer to larger aggregations including businesses, as well as local and national governments.

The value of **pag-atubang** or even **pag-panaog** also can be used in political affairs. In the context of a courtship, for example, the woman being wooed should face her suitors. She should come down and meet with the visitors. But this is expanded to include a general manner of treating people. By ‘facing’ the people, for example during the Estrada trial, the former President is recognizing the dignity and personhood of those who are accusing him, and facing the charges means also being man enough to confront the situation in the face. **Pag-atubang** is also significant in the sense of admitting to one’s transgressions and not hiding away or sulking away. During the Erap trial, the accused should not hide behind the tricks and machinations of lawyers but rather answer the charges directly. Again, the people found it indicative that when Estrada left Malacañang he left by the backdoor, even if one could argue that because it was for security reasons. For the discussants this meant that he was not man enough to leave by the front door. **Pag-panaog** was not taken in the positive step of coming down to face the visitor or suitor, this time it meant bringing down the person in power.

Another occurrence in the life cycle of communities that had bearing on how the communities view political processes, especially elections, is courtship, **pang-pangluyag**. Similar to the phenomenon of **pag-atubang** mentioned above but this time from the other side, the suitor woos the lady (the citizens) and based on what the suitor promises or gives his word to, the wooed respond. Should the suit be accepted, the suitor is under obligation to fulfill what he promised. This is how the discussants say the people looked at Erap the candidate. When he became president he was now under obligation to fulfill what he had promised. An implicit contract was made between those who voted for Erap and the winning candidate. Even other politicians and election campaigns are viewed in this manner. Although the local politicians are also viewed as resource-holders or important “bridges” when it comes to dealing with the impersonal and overpowering bureaucracy, or as “guarantees” during times of need.

Higot and **kabalaslan** as kinship ties are appropriated by politicians as well to compel voters to support them. What starts out as an important moral practice, the honoring of one’s word, the giving of one’s promise is used now for ensuring political victory. The ironic thing is that the promisor is tied to his word even when it can become disadvantageous to him, and yet he remains true to his word. And it is important even for his own sense of personhood that he be known as someone who keeps his word. The chain is self-imposed and yet one feels obliged because of **konsensya** (conscience).

B. Religious metaphors

The whole process of transgression, forgiveness, penance, punishment and atonement and then salvation as applied in the case of Erap have religious undertones. These are metaphors of religiosity coming from lowland Christian culture. What the former president did and what can save

Lee Paper

him are viewed from this optic. His punishment is not only meant for his personal salvation but through his atonement social institutions can also be strengthened. The forms of punishment suggested are considered as opportunities for personal transformation, redemption and salvation. And there can only be “satisfaction” (**mahim-usan**) for the victims when the transgressor goes through appropriate punishment, when Erap is able to suffer like the poor people that he betrayed.

Even the articulated responses to the question what can restore the situation between the government military forces, the RPA, and the people are also influenced by religious metaphors. Reconciliation can only come after the asking of forgiveness for the hurt that was caused the victims of military actions. There must be atonement and the seeking of pardon. Otherwise the anger or resentment (**pagka-ugot**) remains. Genuine peace can be brought about by a healing of not only of physical wounds but the human ties that bind segments of the national community, especially between those who caused harm and their victims.

The notion of ‘redemptive suffering’ is implicit in the case of Erap. By suffering through the punishment, Erap redeems himself. Could it be perhaps that the poor also view their situation in this manner? Their suffering has value because it can bring redemption.

The description of the real or true leader has qualities that could be considered Christ-like. Erap was viewed as a Savior from suffering and poverty because he made people believe that he understood and empathized with the situation of the poor. In the description of the real leader is a harkening to a Savior-like political figure even in the sense of ‘being-with’ (**naga-upod**, **nagapamati**), one who understands and consoles. The true leader is also one who considers the welfare of the constituents as paramount (**may pagkabalaka**), and not his own selfish ends.

C. Modernizing-developmental paradigm

The modernist or formal institutional framework and norms may sometimes set themselves against the embedded power relations or the existing cultural or sociological ties that reinforce the **status quo**. The modernizing framework may include goals of equity and justice and follow processes of consultation and organization. The developmentalist orientation follows a desired pattern of social development. It comes from formal government policies or even a purely institutional framework but operates on themes and assumptions that either may be fictitious or do not have connection or organic links with what supposedly beneficiary communities at the base understand or operate from. For example the Community-based Forest Management Program had an institutional framework that failed to jibe with existing cultural or sociological realities. The intended beneficiaries’ expectations were not considered or unappreciated. And consequently these were thwarted or frustrated.

Sometimes the modernizing framework seeks community organizing and empowerment and yet fails to adequately consider the economic, cultural and social context. Sometimes misunderstandings can occur when a development program is understood within a certain rubric (salvation from suffering, coming from a benevolent leader) and yet the mechanism can be “foreign” or unadapted (consultation, cooperative organization, financing, memorandum of agreement).

Even in the Local Government Code where there is a lot of modernizing and developmentalist language (empowerment, participation, consultation, transparency, accountability, etc.), there can be a clash between the formal requirements and processes and the informal compromises and short-cuts. The language of financing and cooperatives, barangay development council, projects and reporting still have to be reformulated or translated in such a manner that they can be understood organically within the lives of the communities.

PPSA 2003 National Conference

On the larger scale, there is an articulation of State interests and concerns that may conflict with local economic and security concerns. The formal institutional framework does not always take into the network or web of social ties that matter to the citizens at the base. Given the complexity and incomprehensibility of national policies sometimes, the local residents do not have any other recourse but go to the political brokers (politicians and local leaders, non-governmental personalities). For the rural communities the political brokers are important. The network or web of social ties becomes the mediating factor so that they can operate within the formal structure.

Just the same the modernizing or developmentalist framework has been able to provide a language that the grassroots communities have also been able to use to their advantage. Not only the language of rights (**kinamatarong**) but also consultation and participation have already permeated their political vocabulary and, with the Local Government Code, they have used these terms and concepts to measure the effectiveness of formal governance. A creative tension exists between the modernizing and developmentalist framework and the more indigenous and local viewpoints.

V. Further Observations

With regards the main issues of **pang-ginahum**/ governance and how power is used, the main questions seem to center on who benefits (at present) and who should benefit most out of the social organization (**pungsod o pagtilipon**). Society (being the collective reality), as a form of cooperation, should be for the benefit of most of its members and not for a few. Obviously, when the collectivity is more useful for some and oppressive for most others, the purposes and goals of that iniquitous arrangement are going to be questioned.

A subsidiary question arising from the discussions would be: how is power organized and institutionalized? On the bases of the insights from the discussions, the instances of power indicate what '**gahum**' means. It is the power to lead, the power to do, the power to compel, the power to use resources, and also the power to organize and the power to help concretize collective will. This exercise has institutional basis but that it must also have a moral basis in the sense that there have to principles enunciated in and guiding the exercise of that power. These principles cannot justify domination, oppressions and exclusion.

The power that emanates from guns, or power that derives its strength from forms of coercion, also have to be placed under legal and legitimate grounds. Citizens have realized that no violence, in various forms, should be done to them. Violence can be done when their rights are violated, or when they are not respected fully as persons worthy of equal treat and dignity. They should also not be made subservient and docile, or physically intimidated because access to basic resources is withheld. Or, when there is the threat of violence, there should be sufficient safeguards to act as countervailing forces to that threat.

From the discussions it appears that, for the most part, the community members are generally passive when it comes to responding to governance initiatives. It is only when they are really aggrieved or suffering that they take action. And then it is not even evident and clear what it is they do aside from complain.

What are the people are willing and able to do to strengthen their own barangay autonomy regardless of whether the barangay officials themselves are able to perform or not? Or what more can the citizens do so that the emerging relationships between governors and governed are not misdirected to other avenues, especially when there are promising opportunities for real progress? (**Ano pa tani ang mas nahimo sang mga tawo para indi mabugto ang nagaluntad nga**

Lee Paper

relasyon sa mga nagadumala kag ginadumala?)

People were perhaps too passive or did not take enough initiative until things had already become difficult for them. Could they have done more in the situations they found themselves? Can there be effective leadership which can enable the communities to be critical and mitigate the undesirable elements of proposed programs and policies?

What may be behind the relatively passive or weak initiative or ineffective opposition by grassroots groups? There appears to be a demand for ‘change’ or ‘conversion’ in the elites but there is no active process even towards this goal. What becomes the criterion of the ‘repaired’ relationship between the governors and the governed? Or how is the relationship moved from where it is now? The present situation could be described as one where there is exploitation and domination. How can it be transformed into one where people’s resistance, albeit passive, is taken into account and the governors are converted?. Would this be a realistic and even plausible process? If the present governance is undesirable, how is the ideal process of governance attained?

The citizens construe themselves as having been made into ‘objects.’ They are used, taken to be stupid; there is no real respect and human consideration. They are not given proper consideration as human beings, and yet they do view themselves as worthy of respect.

The criteria for judging how they are governed are necessarily moral in terms of how persons are viewed and treated, how they are dealt with. The moral norms that ordinary persons require of each other, should also be part of how they would like to be governed, or these become the bases for their expectations of how their governors should behave. A sense of decency and a sense of fairness are fundamentally humanly moral.

The value of consultation and giving people time to reflect on the implications and consequences in their lives when they enter into the Community Based Forest Management Agreement, for example, corroborates the view that people would like to be considered in the planning and execution of a national policy. Insofar as the Filipino mind is concerned, could we say that being given time to fully reflect on the dimensions of a proposed program is an important component of that mind?

In identifying categories or criteria crucial for a government national policy to succeed, a key concept is the treatment of persons. How do the motives and purposes of the program construct its recipients? What are the latent assumptions and presuppositions in the actual implementation and specific provisions of the program regarding the capabilities and qualities of the presumed beneficiaries of the program?

The directions of governance, from all the reflections, should then be:

1. Provision of basic needs, access to resources, and the legitimate use of authority;
2. Transparency, taking full accountability to people’s interests and not those of a few (by implication, that power should not be used by the elite for their own aggrandizement, nor used to dominant and oppress);
3. Sustainable peace based on agreement and consent of the general population which will provide the guarantee of that peace;
4. Governance that provides for those least able to take care of themselves, and the concept of mental space which includes sensitivity to, awareness, and acting in behalf of the least able.

The rural Filipino citizen, instantiated in this case by the Negrense, considers herself deserving of respect, recognition and assistance. He is able to fulfill his side of the bargain, he keeps his obligations, albeit in a diminished or even passive role, not as assertive and as pro-active as might effectively pursued. Tools for resistance are available, although sometimes passive or when pushed

PPSA 2003 National Conference

to the wall, violent. But should there be a break in the harmonious relationship, there are also efforts to mediate and even heal that break in the relationship. This desire for reconciliation and repair of the broken relationship gives the Filipino greatness of spirit.

NOTES

*Professor of Philosophy, U.P. Diliman. (zosimo.lee@up.edu.ph) The main initiative for the endeavor on which this paper is based in Ma. Lourdes Tison's. The analysis and evaluation of the transcripts of the group discussions and the sections on the Negrense concepts was a joint product between this writer and her. The reflections and comments on the concepts in the last part of the paper, as a whole, are mine. I would like to acknowledge the comments of Prof. Carmencita Aguilar and the suggestions for revisions of the Hiligaynon expressions from an earlier draft from Jose Tomacruz, Jr. both native Negrenses. I would also like to thank an anonymous review for very helpful critical comments.

1. Around forty discussions were conducted every year, for two years. There would be twelve to fifteen participants per group interview. There would be some community leaders who would be present in several discussions to provide continuity. When a certain issue (e.g. Erap) would finished and a synthesis discussion held, after several weeks of discussing the issue, some of those who participated in the previous discussions would be invited back to provide a summation. The community leaders themselves would recommend who to invite for the succeeding discussions, or those who they think might have insights to give. While there was no conscious desire to give geographical distribution nor "ideological" representativeness in terms of various ideas and perspectives expressed, there was also no intention to highlight only one perspective. What was sought were several "voices." This study does not aim for scientific rigor but perhaps an initial impression.

2. These issues seem diverse but in each case there was an exercise of power and people's lives were affected. There are commonalities as well as differences in how power was exercised and the people whose lives were affected respond to that exercise of power.

3. The word may also mean error or misdemeanor but here it is used in terms of a grave sin or misconduct.

4. "Nagahamungaya pero ang iya mga ginapuslan nagamudmud sang aton pagpangabuhi tungod sa kapigaduhun."

5. "Ang ginaakigan sang mga pumuluyo ang bisyo, panahor, malapalasyo nga balay nga ginapatindog para sa iya nga babae...."

6. "What is basically wrong with Jueteng? There are very disturbing facts about it. One: It is mostly the poor people whose precisely little money are gambled away. Two: there are but very few so called "winners" compared to the thousands of bettors. Three: Only about 15% of every peso is given as prizes, with the big 85% remaining portion mostly destined for the pockets of the Jueteng operators. Four: The numbers that win are drawn with neither fixed nor regulated norms, with deceit or misdeed, if not determined simply through the mental choice of the operators. Five: The criminal syndication of this supposedly "lowly" game of the poor and simple *tao* is now in the hands of hierarchically organized operators. Krusadang Bayan Laban sa Jueteng. Catechism on Gambling. Archdiocese of Lingayen-Dagupan, December 2002, 2.

7. The Social weather Stations February 7, 2001 national survey reveals that fully 84% were aware of the January 16, 2001 Senate decision on the second envelope during the impeachment trial. 72% said that it was *unjust* not to open

Lee Paper

the second envelope. When asked “How acceptable to the public was the replacement of Joseph Estrada with Macapagal-Arroyo as President of the Philippines?” 61% were for Very/Somewhat Acceptable. When asked whether “What was expressed at EDSA People Power II was the sentiment of the majority?” 71% said the revolution was the will of the majority, and 61% agreed that People Power II which forced Estrada out of office was just. Dennis M. Arroyo, “EDSA II: How acceptable was Gloria?” Philippine Daily Inquirer, January 19, 2003.

8. It is significant for the people that when Erap left Malacañang, he left through the back. “Para sa tawo, nanaog si Erap sa likod. Nag-agì sa atubangan, ginahadukan ang mga tawo. Kay ang atubangan ang ‘puerta major’, kun naga-agì sa luyo buot hambalon nga naga-abandonar.” ‘Panaog’ in the context of family or household. Ginpanaog o manaog, either forced to face the visitor, or to come down and face the suitor. Also in the sense of being made to come down and meet people as people. What is also important is the concept of pag-atubang, to face, to confront, to also treat the accuser as worthy of being responded to.

9. “Makapataas sang moral sang Pilipino kay kita mismo kabalo magsilot sa mga Pilipino nga wala nagahimo sang insakto?” (In response to the question, what is the value of our being able to punish Erap?) But Denis Murphy in The Manila Chronicle, January 4, 1993 says “No elite anywhere in the world has pardoned so many of its errant members as the Philippine elite. Despite all the financial corruption, political mayhem, personal violence, and treason of the last 45 years, few if any members of the elite have been punished--not even martial law torturers, the coup leaders who nearly wrecked the country in 1987 and 1989, not the contractors who stole from the Mt. Pinatubo rehabilitation funds.”

10. The public image that Estrada still had even after he was deposed was such that people felt pity and sympathy for him. The identification of his being an underdog, as being oppressed (*kinakawawa*) or as having become worthy of pity *translated into votes*. Prof. Felipe Miranda mentions in conversation, February 4, 2003 in Naga City, that there was somehow a sense that people felt Erap- was being unjustly treated such that when he was arrested before the senatorial elections of 2001, this feeling that Erap was being unjustly treated translated into the opposition being to win two more slots in the senatorial race, compare to if he was arrested after the elections.

11. “Importante nga mabal-an ni Erap kun ano ang buot hambalon sang pagka-imol para mabal-an niya kun ano ang iya ginbuhat sa tawo para marealizar niya kun ano ang iya nangin sala. Mabatyagan niya/pabatyagon siya kun paano ang kabuhi sang pigado, makita niya kun paano gaguluwa ang balhas sang pigado. Imbis nga patyon, tagaan anay ligwa paano niya hinulsulan ang iya kabuki. Ang him-us, madulaan sang kaugot, may proseso nga naga-kaigo, kun mahim-usan sila sang ila kaugot. “

12. Laborer for daily wages, pejorative term for the lowest kind of laborer. According to Jose Tomacruz, Jr., “Jornales were actually itinerant sacadas (sugarcane cutters). Basically they were then coming from the Cebuano-speaking areas of the Visayas. The cultural nuance is very important because for Ilonggos (of Negros and Iloilo) to be called “Cebuano” is pejorative. It means “baduy”, gauche, uneducated. I suspect that this view also has its origins in the fact that Cebuano-speaking people encountered by Negrenses from the earlier days of the hacienda system were the jornales, the itinerant sacadas. We have to remember that even among the hacienda workers there has always existed a stratification. And the jornales were at the last rung. Indeed if jornales became equivalent to lowest-paid workers, it is also because they are the lowest-rung sacadas. Another thing, among the biting, pejorative terms used by old people to censure children was to tell them “daw jornal ka!”)

13. Quoted in Aquiles Zonio, “Cooperative’s forest ‘mismanagement’” Philippine Daily Inquirer, January 12, 2003. Alongside the CBFMA is the Socialized Industrial Forest Management Program (SIFMP) through which the Socialized Industrial Forest Management Associations or SIFMAs are organized. The latter is more clearly for forest products.

14. Carla P. Gomez, “DENR stops cutting of trees by cooperatives,” Philippine Daily Inquirer, January 17, 2003.

15."Farmers in the area asked Gozun to cancel the CBFMA given to the Siabalo Agroforest Development Association, Inc. They said that they had been farmers of the land in question since 1942, while the officers and members of the group granted the CBFMA are not from the area." Zonio, op. cit.

16.Gomez, op. cit.

17.'Nagapahabok' is another vernacular expression for fattening one's pockets. 'Habok' means to bloat or inflate as in a bloated stomach or an inflated balloon.

18.Zonio, loc. cit.

19.The suspicion being that there was actually a big landlord who needed several thousand hectares to be used for fruit production because his industry needed the fruit inputs.

20.Office of the Presidential Adviser on the Peace Process, Semi-Annual Accomplishment Report, First Semester of 2002, 34-35.

21.While there are no real RPA controlled areas now, the government is allowing for the conditions of what a controlled area is, to be actualized. In a controlled area, what the rebel group commands is followed, the people lose their rights. The rebel group can do whatever they want, the people have to follow whatever the rebel group commands. The people lose their ability to voice out their opposition. All major decisions will now depend on the armed group, among others. The people will not just be unable to speak their minds, they will also be forced to follow rules that will be imposed on them, which then they have to fulfill on pain of punishment or retribution.

22.Enabling conditions include: using a livelihood project to be able to control a community and then the community becomes beholden to them (e.g. the PhP 500 million development fund), the presence itself of the armed group will instill fear among communities. Since there will be no dis-arming of the RPA soldiers as part of the peace agreement (in fact they will have licenses to carry arms) and more so since they will have roles in maintaining the peace and order situation in cooperation with the PNP/AFP, the people are made to believe that the armed group is their protector. And due to failure of national and local governance, the people will cling to the armed group.

23.It should be mentioned that from the perspective of Eduardo Ermita, the present Presidential Adviser on the Peace Process, in remarks given to the Negros Peace congress, December 12, 2001, the rebels should not have to "surrender" without honor, that there should be no sign of "capitulation" in the peace agreement, but that the concerns of the rebels should be addressed, and if that means giving concessions to them which will make the RPA feel that they have gotten a good deal, for the sake of peace, Ermita says, it will be worth taking that path. But, this attitude does affirm the perception of the communities that concessions were given to "pacify" and "errant child."

24.(Satur) Ocampo said it was widely report in December 2000 that the RPA-ABB met with then Pres. Joseph Estrada and his police chief, now Sen. Panfilo Lacson at the Mansion House in Baguio City to sell an agreement under which the hit squad would "assist" the PNP in enforcing peace and order." Julie Labor-Javellana and TJ Burgonio, "Satur: Gov't provoking war with the Left" Philippine Daily Inquirer, January 26, 2003, A6. Ocampo's remarks imply that the RPA is being used for counter-insurgency.

25.The concept can best be understood in terms of pressure, direct or indirect, which almost "chains" the person to limited options, and makes him subject to another's will.

26.Would be equivalent to the Tagalog "utang na loob" but can actually be different in certain instances because the debtor sometimes does not have to ask but there is already implied obligation because certain services were given or offered and accepted, or were very necessary and the obligation to repay is taken upon voluntarily.

Lee Paper

27.'Mental space.' "Gina-updan ko bala ang sitwasyon sang tawo (their oppression, poverty, pagka-pigado). Ano na ang akon ginahimo para masolvar ang sitwasyon? Ano ang akon sabat sa "Ga-upod ka sa amon?" "

28.A verb that denotes utter confusion. The colloquial picture used by Ilonggos is the chicken being chase, scampering in various directions so as to save itself.

29.Violence is unregulated by law, whereas force is legitimated by law and backed up by values. Sergio Cotta. Why Violence? A Philosophical Interpretation. University of Florida Press: Gainsville, Fla.,1978, 83.

ENVIRONMENTAL GOVERNANCE: The Case of San Pedro Bay, Philippines

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Introduction

The government of the Republic of the Philippines launched the Fisheries Sector Program and the Fisheries Resource Management Program to address the problem of coastal resource depletion coupled with environmental degradation and the rapid growth of impoverished fishery sector. The former in 1990s and the latter in 2000 to the present.

In spite of those interventions, the socioeconomic condition in a fishing barangay in San Pedro Bay in Eastern Visayas are marked by a) growing population but declining fishcatch and yields b) food insecurity c) widespread degradation of its seas caused by over extraction of marine resources d) inadequate government investments in the social sector and absence/limited employment/livelihood opportunities. As a whole, an intolerable number of San Pedro Bay fisherfolk and rural poor still live in poverty and seriously damaged/degraded coastal resource.

The coastal resource of San Pedro Bay is already at its unsustainable levels due to increasing population and governance issues. The failure of the government, the market and civil society to provide sufficient employment opportunities outside agriculture and address other related issues and problems has caused its escalating and alarming deterioration. Aside from farmers and other farm-user activities which have caused siltation and erosion into the bay, the new paradigm of governance specifically community-based approaches in environment and resource management which was likely to bring about better control of resource access, control and use to stimulate and sustain development has not taken root in the coastal areas.

The responsibility of managing the natural resources is now lodged with LGUs, with the national government agencies increasingly expected to take on a technical support and backstopping function. There is then a need to rationalize and clarify the respective roles and responsibilities of the different stakeholders. This is further aggravated by the reality that LGUs are not prepared for the structural change brought about by the devolution which loaded institutionally weak organizations with various government services from different line agencies with mandates for the delivery of a diversity of services. Under the Local Government Code of 1991, LGUs are expected to perform an important role in designing and implementing programs targeted at rural poverty alleviation, as well as ensuring the better management of natural resources. It provides for the devolution of the control over fishery resources within municipal waters. With the enactment of the New Fisheries Code, the Bureau of Fisheries and Aquatic Resources has been strengthened as an institution but its powers are still limited because the Code has given to LGUs the power over the conservation and development of the fishery resources (Lavina:2001).

On the contrary, some academics and policymakers insist that a closer look at the current institutional and policy framework for fisheries resource management falls short

Mangada paper

of the required efficient design of policies and programs and delivery of support services and for the current paradigm of community-based approach.

In this context, this paper aims to provide background information on the state of current institutional context of coastal management and governance along with the legislative framework. Specifically, the paper uses the FRMP participating communities in San Pedro Bay as an illustrative case to describe the evolving governance mode in resolving environmental degradation and resource depletion.

Governance and Institutional and Legislative Framework

In the development of literature, the definition and frameworks of governance stipulate vital constituent elements. From the perspective of UN agencies (UNHSP 2002), governance includes:

- Participation of civil society
- Decision-making process with formal and informal actors' involvement
- Rule of law
- Transparency
- Responsiveness
- Consensus
- Equity and inclusiveness
- Effectiveness and efficiency
- Accountability

Government is only one actor given this notion of governance, encompassing the formal and informal political structures, institutions, and processes, as well as, the dynamics of the state and political system. Another major actor and component of governance is civil society.

The UNEP described governance systems as “the framework of social and economic systems, legal and political structures within which humanity organizes itself (WHAT/UNED Forum, GLOBE 2002). The Institute on Governance (2002) stands on the working definition of governance as the “process by which stakeholders articulate their interest ,their input is absorbed, decisions are taken and decision maker are held to account.”

In the more academic sense, one treats governance as “administering in a political context” and directing competence toward the broadest possible public interest (Hubbell, 1996). In the Philippines, environmental governance derives from the application of governance concept, framework and strategies and it denotes the interactive processes of decision making and power relations among the stakeholders.

The 1987 Philippines Constitution provides the basic legal framework for the protection and preservation of the country's marine wealth, with the ultimate control and ownership of its natural resources in its archipelagic waters, territorial sea, and exclusive economic zone. The revised constitution provides explicit recognition of the need of Coastal Resource Management, linking its application to optimum productivity, sustainability, and equity through democratic processes and distributive justice (Valle et al.,2000). It also recognizes the obligation of the state to “protect, develop and conserve marine resources” (Article XII, Section 7) and to “protect the right of subsistence fishers,

PPSA 2003 National Conference

especially local communities” (Article II, Section 22). The revised constitution (Article 2 Section 23) encourages “nongovernmental community-based or sectoral organizations to promote the welfare of the country”.

The Fisheries Decree of 1975(PD 704) revised and consolidated all laws and decrees pertaining to fishing and fisheries aimed at accelerating and promoting the integrated development of the fishery industry and keeping the fishery resources of the country in optimum productive condition through proper conservation and protection. It encouraged and promoted the export of fish and fishery/aquatic products to enable the fishery industry to contribute positively to the development and growth of the national economy. PD704 granted the Department of Agriculture Bureau of Fisheries and Aquatic Resources (DA-BFAR) the jurisdiction and responsibility over the management, conservation, development,, protection, and disposition of all fishery and aquatic resources of our country. This did not exclude municipal waters, which are under the municipal and city governments excluding fishpens and seaweed culture. PD 704 also provided DA-BFAR the authority to regulate and supervise the production, gathering, utilization, and disposition of fishery and aquatic resources.

In 1991, the Philippines passed a major piece of national legislation, Republic Act No. 7160, called the Local Government Code (LGC) . This legislation, which took effect in January 1992, began a new era in local development and people's empowerment and paved the way to attaining local autonomy and self-reliance of local communities. The passage of the LGC resulted in a structural power shift that placed local coastal governments and cities at the forefront of sustainable resource management (DENR et al. 1997). It provided for the devolution or decentralization of authority from national agencies to provincial and municipal governments, including coastal and marine resources management. Municipalities, benefited because their municipal waters were extended from 7 to 15 km from the shore. It provided for the optional creation of an Environment and Natural Resources Officer (ENRO) position in all municipalities, cities and provinces (Section 484).

The National Integrated Protected Areas System (NIPAS) Law of 1992 mandated the Department of Environmental and Natural Resources (DENR) to implement a program for the protection, conservation, and management of natural habitats, including marine ecosystems and their biodiversity in protected areas in the Philippines. Under NIPAS, large Marine Protected Areas were established; however, there are only a few small areas that were designated. In cases where the protected areas are located within municipal waters, the local government has representation in the Protected Area Management Board (PAMB).

The Philippine Fisheries Code of 1998 or RA 8550 provides for the development, management, and conservation of fisheries and aquatic resources. It integrates all laws relevant to fisheries. It recognizes the importance of rational and sustainable development, management, and conservation of fisheries and aquatic resources. This is to be consistent with the primary objectives of maintaining a sound ecological balance, and protecting and enhancing the quality of the environment. The PFC requires of at least 15 percent of municipal waters be set aside of MPAs. It specifies the application of integrated coastal area management and targets the provision of a sound policy and institutional framework for fisheries resources management and its long-term sustainability.

Mangada paper

Local Levels (Provincial, Towns, Cities, and Barangays)

The LGC provides local level control over coastal waters through a definition of municipal waters and establishment of jurisdictional entitlements to the province, municipality, city, and barangay (village). The province is responsible for settling disputes over the boundaries of municipal waters and has oversight functions of the governor and provincial council. The municipality has jurisdiction over: a) municipal waters of up to 15 km from the coastline; b) general powers provided in the LGC (e.g., legislation and ordinance making); and c) specific fisheries and marine resources provisions (e.g., has the exclusive authority to grant fishery privileges in the municipal waters and impose rentals, fees, or charges). The barangay is the basic political unit. It serves as the primary planning and implementation unit of government policies. This level provides a forum for amicable dispute resolution with the barangay captain (enforcement functions) and barangay council (legislative functions).

In addition to providing ample fishing grounds to small-scale fishers, the establishment of municipal waters was also intended to protect sustenance fishers from being put at a disadvantage by large-scale fishing operators and the long-term impacts of their operation. The municipal waters were designed for the exclusive use of municipal or small-scale fishers, defined as those who use small fishing craft not larger than three gross tons. RA 8550 mandates the LGUs to establish Municipal Fisheries and Aquatic Resources Management Council (MFARMCs). The MFARMCs serve as advisory bodies to LGUs in:

- Determining priorities in municipal fishing activities
- Assisting LGUs in formulating mechanisms in the wise use of municipal waters
- Determining license fees, closed seasons, and fish sanctuaries
- Enacting appropriate ordinances

The Fisheries Code strengthened the legal basis for CRM and encouraged the local communities and NGOs to participate in its implementation. However, this mandate is weakened by the code's provision that municipal waters exclude areas protected under the NIPAS. Thus, this provision complicates the jurisdiction and responsibility for CRM.

It is unfortunate that most LGUs in the Philippines do not know the actual extent of their legal jurisdiction because maps delineating the outer boundaries of municipal waters are not available. Maps showing boundaries are critical in helping local governments manage coastal resources for sustainable use. As provided by the Fisheries Code, the delineation and mapping of municipal water boundaries is now taking place with the National Mapping and Resources Information Authority (NAMRIA) assisting the LGUs. Guidelines outlined in the DENR Administrative Order (DAO) No. 17 are being followed (Pagdilao et al.;2002).

Institutional Experiences from San Pedro Bay

The institutional structure in municipal-level CRM commonly follows a co-management framework. Authority is shared among the local government (mainly the municipal government and barangay level) and the community represented by people's organization

PPSA 2003 National Conference

in the planning and implementation of CRM. To date, an increasing number of local government units have established FARMCs.

FARMC

Pursuant to EO 240 the Municipal Fisheries and Aquatic Resources in the three FRMP municipalities were created. However, it has yet to fulfill independently its mandated task in formulating, reviewing and lobbying for fishery ordinances. Further, the formation of the MFARMC is expected to bring about a more coordinated approach to program implementation, especially along fishery-related projects. This body is expected to recommend measures that will redound to the benefit and empowerment of the fisherfolk.

In Tanauan, the MFARMC was only organized last March 2002. However, since its operation, it has been holding monthly meetings every last Saturday of each month. The meetings become occasions to share, learn, and ventilate concerns. Recognizing their eagerness to contribute on CRM matters, they were asked by the municipal government to help in the drafting for an ordinance on the Fish Sanctuary covering Burata Reef, Gumabas Reef and Piliw Reef. This has been discussed with the SB chair on Agriculture, Municipal Agriculturist and the Sanggunian Bayan.

In Basey, the MFARMC actively lobbied the enactment of the Integrated Marine Reserve Area. The involvement of the FARMC in the municipal level planning and decisionmaking is an indication that citizens are actually politically interested, and willing to participate as long as public institutions are seen to be responsive to their demands or has a strong sense of service orientation. (Sjöblom; 1999). It further debunks the claim of the demise of social capital that had been built in pre-capitalist rural societies. What should be done in the immediate future is to lobby the transformation of this participatory structure into something more than an advisory and recommendatory body.

But the MFARMC in Marabut is not yet operational due to various reasons. Issues such as lack of ordinances to support and sustain their operation; lack of proper coordination between local officials and the constituents the need to establish harmonious relationships between and among the administrators as well the financial support needed, are among the factors articulated by the workers that need to be addressed for the council to be fully operational.

As to its composition, NGOs are represented in the Council in Basey and Tanauan.. However, it seems that they have allowed the Council's thrust to be defined by the traditional government organization framework. It may be partly because of the lack of timely interventions of these groups who were overtaken by the speed with which certain personalities within pushed to institutionalize the Council. The danger lies in being assimilated in an operational mold of governance led by traditional political interests without enough countervailing reactions coming from the NGOs and/or affected sectors.

At the barangay level, particularly in Tanauan, BFARMCs do not have standing committees. In Basey, it was structurally made of a number of committees that address particular concerns such as Public Education, Law Enforcement and Advocacy, Marine Resource Enhancement Project, Monitoring and Evaluation. In other barangays, a

Mangada paper

committee on Income Generating Projects and an Advisory Body were created. Functionality of the different committees vary as the frequency of their meetings differ from each other.

Experience reveals that weaknesses of the committee system were tied to the way committees were introduced in the barangays. Often committees were set up in the absence of a real and apparent need for setting them up. These committees did not pass through an *ad hoc* stage first, nor were they considered as temporary groups tackling particular concerns only, before they were formally constituted as permanent committees. Organizing tended to fall into a trap of bureaucratization: opting for their premature formation and thinking that formalizing the committees will make the system work. In addition, the prevailing attitude was that once these committees were formalized, they were supposed to function autonomously. There was lack of guidance to instill organizational discipline and procedures for committees to function.

In Marabut, BFARMCs have been revitalized and in some cases reorganized. Existing but inactive ones were assisted by the contracted NGO to operate according to its mandate. Positions vacated due to transfer and migrations were filled in and barangays with no basic structure were aided to organize and complete their new set of officers. On the other hand, such a scenario points out a mistake committed by some agencies in community organizing work. The belief and satisfaction that organizing is simply the formalization of a structure by appointing/electing officers and members and instituting a set of by-laws to which members are expected to adhere (Francisco:1993). Further Agbayani (1995) noted that organizing process in the country is bereft of clear goals, peoples active participation, workable strategies and adequate support in terms of technology, skills and capability building on alternative livelihood projects.

Community-based resource management hinges on functional local special bodies, mandated or otherwise. These institutions need to be strengthened. They must learn to push for their agenda and sometimes engage the administration, if need be, in adversarial advocacy in pursuit of community empowerment and local development initiatives. These institutions must assist in making the barangay as a fundamental government partner in the planning and implementation of policies, plans, programs, projects and activities of the community. The powers granted to the barangay as defined by the Local Government Code, should be enough to jumpstart political empowerment for the residents therein who are without voice on matters which greatly affect their livelihood/well being. In reality, the barangay is where the absence or inadequacy of the basic social services is strongly felt.

Fishery Law Enforcement Team (FLET)

The composition of the FLET varies in the different municipalities. In Tanauan, it is an all fisherman team of 12 members. It is ably assisted by 2-3 policemen. They are generally leaders in their respective barangays. The team gets a monthly allowance from the LGU in the amount of 2750 and 30% from the fines and penalties collected from the apprehended fishery law violators.

With the patrol boats and the unqualified support from the incumbent Mayor, Hon. Roque Tiu, the number of illegal fishing apprehensions have gone down. This may be so because the Team goes on roving patrol twice a day for a period of six hours each. In the

PPSA 2003 National Conference

first quarter of 2002 alone, the number of apprehensions went down by 40%. In the months of May to July of 2002, the FLET made only one apprehension . While this may be viewed as evidence that the enforcement aspect is succeeding, the members of the FLET have been “unhappy” over the meager allowance given to them, which they also share with the 2-3 PNP personnel assigned to make the formal arrests.

Prior to the incumbency of Mayor Roque Tiu, there was no FLET. There was only one patrol boat operator who was paid 2500/month. According to the informant, only a total of 14 sea patrols were conducted during the whole of the past administration. The operator spent most of his time maintaining and guarding the equipment.

In Basey, the functions of the FLET is being carried out by the Office of the Municipal Agriculturist and its staff. They deferred its creation due to budgetary constraints. Moreover, the Municipal Agriculturist believes that with its mandated composition, it is unwieldy and NGOs cannot do it better. However, there are barangays with the coast watch system especially those located in the IMRA. Barangay leaders claimed they took the initiative of forming the so-called Bantay-Dagat at their level due to rampant illegal fishing and LGU inaction on the matter. Such collective action further strengthens ADB (1999) findings that social cohesion arose from villagers need to interact and cooperate in managing communal concerns which provide them insurance against many sorts of risks and militates against individualistic behavior.

San Pedro Bay Management Council

Decades back, local leaders in the municipalities covered by the San Pedro Bay tried to put up a resource management body known as the San Pedro Bay Management Council. However, sustained efforts to put up this coordinative mechanism were derailed by changes of political leadership in the covered local government units. More importantly, the creation of this body was not sought by the fisherfolk and nobody represented the sector in the process of organizing the Council. Today, thru the initiative of BFAR, a renewed interest among stakeholders has been generated. The mayors and members of the Sanggunian Bayan of Basey and Tanauan have been actively pushing for its formal creation by regularly attending meetings. However, the LCE presence of Marabut and Tacloban do not seem to have similar enthusiasm. The key issue to be settled among the member municipalities is their water or territorial boundaries. It is unfortunate that with the enactment of the Local Government Code of 1991, the said landmark legislation did not consider the problems of fragmented management of contiguous fishery resource such as bays, by LGUs due to delineation of municipal waters set by political boundaries. To really take off from the previous initiatives, key actors must be governed by a shared interest and commitment to protect a common resource and that performing these tasks mean conserving for the future generations.

However, the key players/actors in the council are political personalities whose initiatives might be only good during their incumbency. Partisan politics normally get in the way when elective officials from the opposite political party won the next election (Kaban Galing: vol. 2) This is manifested in the current mayors' behavior where they are only interested in drafting uniform fishery laws but are reluctant to tackle the concern on baywide enforcement. Further, these players need to fully understand the severity of the problem so they may act with utmost dispatch. The local chief executives in the Bay must decisively save and restore the ecosystem by not waiting or relying on the Bureau

Mangada paper

of Fisheries and Aquatic and Resources for the organization and sustainability of the council. They must take initiative and act on their own to solve problems without constantly looking for other government agencies for assistance, if they are seriously after the welfare of their constituents

Considering the scarcity of material and non-material resources, partnership among the LGUs in San Pedro Bay maximizes opportunities for intermunicipal collaboration as defined by the Local Government Code. It becomes an imperative act among LGUs in the Bay to jointly manage common resources. Other stakeholders should be tapped and be brought in to the council to actively participate in the activities and ease the load on the local government. These key players and stakeholders must be given technical information and skills so as to have a common understanding of the issues (Lavina:2001)

The proposed San Pedro Bay Council is far from the makings of an effective collaborative mechanism in determining and solving bay wide resource management issues. Its players must think of sound development approaches to protect the Bay and ensure the well-being and opportunity of the fisherfolk without depriving the future generation.

Its re-creation does not give due recognition to the principle of public involvement or community participation in decision-making. It fails to meet the spirit and intent of the 1986 constitution where the rights and the interests of the fisherfolk sector will be safeguarded through their representation in the decision-making process. It is rather a “large and closed” inter governmental agency body posing itself to be so interested in managing the Bay. As expected the culture of officials and government agencies being skeptical to public involvement in policymaking prevailed. As it is, the Council is recommendatory in nature and the final approval of decisions is still within the individual LGU. The formulation of the Council’s By-Laws never went through a process of consultation and dialogue with various sectors but was limited to the subnational governments and public offices , with the presence of Labrador, an NGO contracted for the FRMP Project. As far as the MOA and the By-Laws are concerned, there are few things which might cause problems in the operation of the Council:

1. absence or scarcity of organized stable fisherfolk groups seeking representation in the Council.
2. the absence of guidelines in selecting an NGO representative
3. the need to reevaluate LGU composition and membership in the council
4. the reliance on minimal LGU contribution for the regular operation of the council as well as the issue of support and commitment of the LGUs within the Bay and other public offices to the council.
5. the technical capability and reliability of the Council to deal with the whole gamut of issues in bay management.

Other Institutional Issues

After ten years of decentralization and almost half a decade of NGO presence in the three sites, the local government units of Basey, Marabut, Tanauan have yet to perform critical roles in designing and implementing programs targeted at fishery resource management, as well as in ensuring the sustainability of marine resources. This is evident in the absence of a municipal coastal resource management plan, concrete LGU

PPSA 2003 National Conference

programs promoting income diversification for marginal fisherfolk and religious implementation of fishery ordinances. This can be explained by the human resources constraint faced by local governments which leads to the varying levels of planning and implementation capacities of each political unit (Torrell:2001).

In Marabut , for instance, equipment for apprehension of fishery law violators is lacking which confirms the residents perception of poor fishery law enforcement in the locality. Also, the present system of electing representatives at the local level every three years has the potential effect of skewing resource allocation decisions towards shorter gestation projects and programs and preferring them over rehabilitation and protection of coastal zones and sustainable development initiatives. Or a structure/office with a staff designated to facilitate effective implementation of the B/M CRM Plan and provide support services that help integrate the barangay government system program and processes is needed.

Also, the current culture precludes efforts to protect and manage natural and coastal resources for the present and future generation of the barangay or municipality to enjoy. Local fisherfolk still lack the moral authority to police their ranks especially now that fish catch and income levels continue to decline. For example, they must be able to exert peer pressure to stop the use of explosives. At the minimum, they should be taught to make their own rules and decisions and enforce them. There is however a need to nurture a new ethic of “civil responsibility”. This would entail inculcating proper values and collective consciousness to empower individuals/groups to responsibly take hold of their own destiny. It means providing them an innate orientation on the well-being of state and society. In fact, this might assist in the survival, growth, maturity of fisherman associations/groups.

These local aggrupations did not emerge as reactions or protests against the inadequacy of government. Rather, their creation stems more from extraneous influences rather than the consciousness of an endangered vital resource which should galvanize them into action. The people in Basey, Marabut and Tanauan have yet to realize the potential of harnessing the power that lies in the unified efforts of people with political will and commitment to overcome a great crisis.

Community Coop

Prior to FRMP, 23 coops were formed but as of January 2001 records from the Cooperative Development Authority showed a significant rate of dissolution. Out of the 23 cooperatives in Marabut, 15 have been dissolved subject to pertinent provisions of the Cooperative Code of the Philippines while the remaining ones have erratic operations.

The following mandates served as the basis for the cooperatives” dissolution to wit:

Article 54. Annual Reports. (1) Every cooperative shall draw up an annual report of its affairs as of the end of every fiscal year, and publish the same, furnishing copies to all its members of record. A copy thereof shall be filed with the Cooperative Development Authority within sixty- (60) days from the end of every fiscal year. The form and contents of the annual report shall be prescribed by the rules of the Authority. Failure to file the required annual report shall be a ground for revocation of authority of the cooperative to operate as such. The fiscal year of every cooperative shall be the calendar year except as may be otherwise provided in the bylaws.

Mangada paper

(2) If any cooperative fails to make, publish and file the report required herein, or fails to include therein any matter required by this Code, the Cooperative Development Authority shall, within (15) days from the expiration of the prescribed period, send such cooperative a registered notice, directed to its postal address stating the delinquency and its consequences. If the cooperative fails to make, publish or file a copy of the report within thirty (30) days from receipt of such notice, any member of the cooperative or the Government may petition the court for **mandamus** to compel the cooperative and its officers to make, publish, and file such report, as the case may be, and require the cooperative or the officers at fault to pay all the expenses of the proceeding, including counsel fees when the filing is made by a member.

Article 68. Dissolution by Order of the Authority.- The Authority may suspend or revoke, after due notice and hearing, the certificate of registration of a cooperative on any of the following grounds:

- (1) Having obtained its registration by fraud;
- (2) Existing for an illegal purpose;
- (3) Willful violation, despite notice by the Authority, of the provisions of this Code or its bylaws;
- (4) Willful failure to operate on a cooperative basis; and
- (5) Failure to meet the required minimum number of members in the cooperative.

Article 69. Dissolution by Failure to Organize and Operate. If a cooperative has not commenced business and operation within two (2) years after the date shown on its certificate of registration or has not carried on business for (2) consecutive years, the Authority shall send a formal inquiry to the said cooperative as to the status of its operation. Failure of the cooperative to promptly provide justifiable cause for its failure to operate shall warrant the Authority to strike off its name from the register and, for all intents and purposes, the cooperative shall be deemed dissolved.

Most of the cooperatives ceased to operate due to a number of reasons. Commonly identified were dwindling membership, members' apathy, lack of cooperation and commitment, mismanagement, poor leadership, depleting financial resources, corruption of leaders/connivance of officers and many others. For the most part, these show the seeming incapacity of the local residents to sustain these organizations.

With the FRMP, the contracted NGO, did not confine to a community organizing mold that aims for one PO (cooperative) per barangay. Community Organizers opted not to develop new POs but helped to rehabilitate and partner stable and functional ones that

PPSA 2003 National Conference

were existing. Such a strategy helped smaller groups by uniting them into organizations which they can obtain greater strength in socio-economic and political transactions.

One thing good about clustering the existing and surviving cooperatives is that it has greater chances of increasing its membership and capital build up in a short time. It can attract prospective supporters in terms of funds and facilities due to its capacity to exist or function.

In addition, two barangay level associations were strengthened: Brgy. Tag-alag Fisherfolk and Farmers Association and Marabut Furniture Makers Association. The coops and these associations were provided trainings on Pre-membership Education Seminar, Board Development Training, Enterprise Development Training and Financial Management and Record Keeping Training.

The cluster cooperative in Tanauan known as the Cabuynan Integrated Producers Cooperative is still in the process of setting up effective systems for operating. For instance, it has yet to develop a mechanism of accountability whereby those involved in running the Cooperative will have to account for the funds that are spent. They still have to come up with strategies for handling information needs and requirements (budgets, salaries, honoraria, prices of materials, loans and collateral, etc.) of the organization. credit system must be developed/designed that enables the poor members to access credit and ensure higher repayment rates.

In recent times, cooperatives have been the preferred mode for an organizational form and cooperative formalization has loomed large on the 'to do' list for organizers and client-beneficiaries alike. This may be due to the following reasons:

- The New Cooperative Code approved in 1990 gave concrete form and content to the cooperative provision of the 1987 Constitution, which provides for a declared "state policy" to foster the creation and growth of cooperatives as a practical vehicle for promoting self reliance and harnessing people power towards the attainment of economic development and social justice. To this end, the state shall encourage the private sector to undertake the actual formation and organization of cooperatives and shall create an atmosphere that is conducive to growth and development of these cooperatives.
- The Local Government Code of 1991 provides a number of advantages for formally registered cooperatives. They involve tax exemption, preferential rights to fishery resources for cooperatives of marginal fishers and preferential rights of local cooperatives to obtain franchises for public services (e.g. wharves, ferries, slaughterhouses). In addition, the setting up of a committee on cooperatives is mandatory in local government councils. These provisions make cooperatives the more attractive option for peoples' organizations (POs).
- For the majority who join people's organizations, their common motivation is the opportunity for economic upliftment that cooperatives present.
- Government financing institutions (such as Land Bank) require POs to be formally established and registered to avail of credit.

Mangada paper

The quality of financial management systems remain underdeveloped and poorly maintained. Financial systems are insufficient to provide adequate accounting information that enable appropriate decision-making

Functionality of committees within cooperatives varies. Education committees so far have been weak. To the extent that they were functional they were inclined to stick to recruitment and pre-membership formation with focus on financial matters.

On the other hand, the cooperatives have contributed to making membership meetings more frequent.

Conclusions

In many parts of the country today, the problem on coastal resource management has become the focus of vigorous interventions. The laws have taken off the ground from their enactments. However, there have been few local government units that have been successful in reversing the state of the seas, such is the case of the municipalities in the San Pedro Bay.

The capacities of local government units in San Pedro Bay for coastal resource management is generally low given the legal and institutional interventions. The governance framework can be burdensome or problematic since they need to develop a new culture which welcomes citizen participation. Institutional change and political participation within an integrated view of equitable and sustainable development and social transformation must be within the consciousness of the rulers and led. At the LGU level, they have to restructure committees and shift the culture of the organization toward citizen empowerment. LGU officials and staff should strive to widen up the policymaking process and open up real opportunities for the local people to create and implement local policies more effectively than if all decisions are made by a small political elite or by national political authorities. It should learn to be open and connect to well meaning individuals and associational groups. Afterall, they've seen that what they've done didn't work. In this critical task of marine resource management, the government through the LGUs and the national agencies have barely demonstrated its comparative advantage but rather showcased its weakness in law enforcement and compliance with national mandates leading to the tragedy of the commons.

The laws of the land lays down the indispensability of citizen and community participation in the management of the marine resources. It enjoins civil society participation in the council or board.. The experiences of the three LGUs covered in the study hardly point positively to the contribution of the so-called contracted NGO and the fishers coop. People still lack the necessary attitude for good governance to take root. For instance, the so-called "participatory institutions" are not functional and sustainable. Hence, the idea of people collectively participating in protecting the environment is in dispute. Further, the absence or lack of stable fishers groups in the area reflects the imperviousness of chronic poverty problems to traditional public and private interventions.

PPSA 2003 National Conference

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POLITICS OF OIL IN PALAWAN : A Crisis in Central–Local Relations

(Provincial Aspect)

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Is the Arroyo administration cheating Palawan in the Camago-Malampaya gas project? This question stems from the conflicting pronouncements of President Gloria Macapagal-Arroyo on the legal share of the Province of Palawan in the Camago-Malampaya natural gas exploration. When the president visited Palawan on June 18, 2001, she said "Palawan is lucky because of its natural gas project, making it the richest province in the Philippines". The merit of her pronouncement is supported by Administrative Order No. 381 issued by President Fidel V. Ramos in February 1998. According to this administrative order the Province of Palawan is expected to receive about 2.1 billion dollars from the total government share of 8.1 billion dollars from the proceeds of the Camago-Malampaya natural gas project over a period of 20 years. By and large, given its rightful share, such huge amount of money could spur the development programs of the Province of Palawan.

Notwithstanding her previous statement, on October 16, 2001, during the inauguration of the Camago-Malampaya natural gas project in Tabangon, Batangas, President Arroyo described Malampaya only "near Palawan". This implies that it is not within the territorial jurisdiction of Palawan province. Finally, in a radio interview over DZBB, the President said that Palawan is not entitled to a share in the gas revenue.¹ Based on the Local Government Code of 1991, there should be a 60-40 sharing if the natural gas find is within the border of Palawan but it is located outside of it. The president further stressed that "there would be a share but this is only out of the goodwill of the national government". The pronouncement of President Arroyo generated controversies between the local officials of Palawan and the Arroyo's administration since both parties assert their rightful and/or legal claim on the proceeds of the Camago-Malampaya natural gas project. Hence, this paper will look into the issues which generated controversies in the provincial political scenario; how did the Province of Palawan, through Governor Joel T. Reyes, respond to these issues in relation to its claim of rightful share; and given such political scenario, how did the Palawenos respond to it.

In his letter dated August 9, 2001 addressed to the DOJ, Gov. Joel T. Reyes answered the arguments that Camago-Malampaya is outside Palawan territory, therefore it is not entitled to a 40 percent share from the proceeds of the natural gas find in the area.² On the issue that the natural gas project is about 80 kilometers off the coastline of Palawan whereas the territorial jurisdiction of municipalities is only 15 kilometers as provided in the Local Government Code, the Provincial government argued that the territorial jurisdiction of the Province of Palawan is graphically plotted by R.A. No. 7611 signed by President Corazon C. Aquino on June 19, 1992. This act is known as "Strategic Environmental Plan for Palawan". Under Sub-section 1 of sec 3, Chapter 1, "Palawan refers to the Philippine province composed of island and islet located 7° 47' and 12° 22' north latitude and 117° 00' and 119° 51' east longitude, generally bounded by the South China Sea to the northwest and by Sulu Sea

to the east". This actually defined that the territorial waters of Palawan does not only cover the land, but also the coastal area, including the marine resources. R.A. 7611 actually established a technical description of the territorial boundary of Palawan.³ It therefore puts Camago-Malampaya within the jurisdiction of the province. In fact, from 1993 to 1999, the national government gave Palawan its rightful share from oil explorations near Camago-Malampaya. It was in accordance with Section 290 of R.A. 7160, which provides that "LGUs shall in addition to the internal revenue allotment, have a share of forty percent (40%) of the gross collection derived by the national government from the preceding fiscal year from mining taxes, royalties, forestry and fishery charges and such other taxes, fees or charges including related surcharges, interest or fines and from its share in any co-production, joint venture or production sharing agreement in the utilization and development of the national wealth within their jurisdiction".

Presidential Decree No. 1596, which created the Municipality of Kalayan also supports Palawan's claim of Camago-Malampaya gas find. Even if the national government claim that PD 1596 did not effect the creation of a municipality, such contention is untenable. In a position paper issued by the Municipality of Kalayaan, it was argued that the national government, in fact, recognized its existence since it allocates internal revenue allotment (IRA) to the municipality aside from the conduct of regular elections. President Arroyo and Secretary Camacho also sent their respective messages during its 25th founding anniversary, in due recognition of its existence as a municipality of the Province of Palawan.⁴ Kalayaan is more than 100 kilometers from mainland Palawan. The Camago-Malampaya is between Kalayaan and the mainland and therefore inside the province's territorial jurisdiction.

Notwithstanding the efforts of the Provincial Government of Palawan in asserting its territorial jurisdiction over the Camago-Malampaya gas project, the Arroyo administration is firm on its stand that it is "off Palawan". Palawan could get a share only out of the goodwill of the national government. Toward this end, the Provincial Government of Palawan was forced to enter into a compromising agreement with the national government. The compromising agreement is in view of the pronouncement of President Arroyo that Palawan will only receive a financial assistance package equivalent to 20 percent of net government share. In this regard, the two congressional districts of Palawan and the provincial government agreed that whatever is the financial assistance to be granted by the national government, the allocation must be equally shared (1/3 each) among them. To effect a Memorandum of Agreement (MOA), a provincial panel was created headed by Vice Governor David Ponce de Leon, while the national panel was composed by the secretaries of the Department of Energy, Department of Finance, and Department of Budget Management.

The Provincial Government of Palawan conducted public hearing to settle controversial points and to get the people's consensus. Some issues on the legality of the MOA were raised. However, the Committee of the Whole of the Sangguniang Panlalawigan, chaired by Vice Gov. David Ponce de Leon succeeded in convincing the Palawenos to accept the terms of the national government holding that it is better to receive the benefits offered rather than take a risk and lose Palawan's claim by court decision. Undoubtedly, the provincial government was pressured to pass the MOA even as it contained certain terms which are prejudicial to its interest, like the declaration that Camago-Malampaya gas project is not within the land area of Palawan. The Sangguniang Panlalawigan approved the MOA as

Orilla and Zambalez paper

revised, based on the Committee of the Whole vote of 11-1.⁵ The two congressional representatives of Palawan were against the MOA since it excluded the allocation for the two congressional districts of Palawan, as originally proposed. The representatives of the national government also refused to sign the MOA. Although some local personalities may have been blamed for their lack of unity, the reason for the refusal of the national government was obvious – the exclusion of 1/3 allocation to each of the two congressional districts. Before the parties came to terms, Congress approved P774 million allocation to Palawan as gift from President Gloria Macapagal-Arroyo. The said amount will be allocated equally among the two congressional districts and the Provincial Government of Palawan. Each will receive 1/3 of the total amount. But P774 million represents only 12.4 percent of the legal share of Palawan. By the stroke of Congress the MOA became futile. As provided for in the 2003 General Appropriations Act, P774 million is a discretionary fund to be controlled by the secretary of the DOE and of course with the influence of the two congressman of Palawan.⁶

Because of the failure of the proposed MOA to be signed between the Provincial Government of Palawan and the national government, the provincial board authorized Gov. Reyes to institute legal proceedings against the national government. On May 7, 2003, the provincial government filed petition for declaratory relief before the regional trial court of Puerto Princesa City. The petition asked the court to declare that “territorial jurisdiction” includes marine areas as contemplated in Sec 290 of the Local Government Code of 1991 and that the Camago-Malampaya area is therefore within the territorial jurisdiction of Palawan pursuant to the provisions of R.A. 7611, Provincial Ordinance 674, series of 2000 and allied laws. Consequently, it asked the court to declare the rights of the Province of Palawan to receive its full 40 percent share of the proceeds of the national wealth, especially the natural gas project, in accordance with the provisions of the constitution.⁷

The filing of Congressman Apolinario Lozada of House Bill No. 2031 sometime before October 2001, added controversy to Palawan’s claim over its rightful share in the Camago-Malampaya gas project. House Bill 2031 is entitled “AN ACT DEFINING THE ARCHIPELAGIC BASELINES OF THE PHILIPPINE ARCHIPELAGO TO INCLUDE THE KALAYAAN ISLAND GROUP AND TO CONFORM WITH THE PROVISIONS OF THE UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, AMENDING OR THE PURPOSE R.A. 3046 S AMENDED BY R.A. 5446.” This bill provides that in 1961, Republic Act 3046 as amended by Republic Act in 1958 was enacted to establish the Philippine Baseline Law. Since it was enacted long before the effectiveness of the UNCLOS and the recognition of the archipelagic doctrine, the Kalayaan Island Group was necessarily not yet included. P.D. 1596 likewise failed to include and integrate the boundaries of the Kalayaan Island Group with those provided in R.A. No. 3046 as amended by R.A. No. 5446.

According to Dr. Jose Antonion Socrates, a geologist, House Bill 2031’s primary purpose is to enclose the Kalayaan Island Group in the new baseline of the Philippines – thus finally and at long last legislating the inclusion of Kalayaan municipality within the national territory of the Philippines. However, a closer scrutiny of the bill would show that if passed as is, Socrates further stressed that the Republic Act from this bill, among other things, will firmly put Malampaya-Camago, and all other oil fields in which Palawan has been earning from 1992, and the entire geologic structure that makes Palawan the only Petroleum Province of the Philippines, OUTSIDE Palawan municipal waters, indeed, outside the territorial waters

of the Philippines.⁸ The said bill will repeal the cartographic definition of the Province of Palawan as legislated in R.A. 7611. Socrates accused the Lozada bill as the embryonic law that will end the people of Palawan's most cherished and ambitious dreams.

In a similar article written by Socrates⁹, he argued that the bill filed by Lozada incurred treasonous oversight. The bill abolishes the Treaty of Paris Line, puts large chunks of the hydrocarbon bearing area of the continental shelf, including Malampaya-Camago outside our territorial sea, relinquishing them to the EEZ. Inspite of these, HB 2031 does not mention our continental shelf specifically. Although it quoted the constitution of the Philippines' declaration that mentions "insular shelves and other submarine areas". For Socrates such was very vague and therefore useless as a reference to the continental shelf, more so that in the bill this assertion is not backed up by references to technical data. Once it is enacted in its present edition, according to Socrates, HB 2031 will enable the South China Sea dispute to escalate to our great disadvantage. Viewed by our adversaries, the provisions of the bill can be construed as a surrender of the rights of all Filipinos to the continental shelf of Palawan. Once enacted, it will leave the continental shelf of Palawan unenclosed by the legislated baseline, open for claiming by the other claimants of the Spratlys. As of this writing however, the said bill is pending in the lower house and the author of the bill agreed to refine its provisions so as not to prejudice the interest of Palawan vis-avis the national government.

While the provincial leaders of Palawan are exhausting all the legal remedies to support its claim over the Camago/Malampaya gas project, the representative of the first district of Palawan, Cong. Vicente Brown Sandoval filed House Bill 5943. This bill is entitled "AN ACT EXPANDING THE PALAWAn COUNCIL FOR SUSTAINABLE DEVELOPMENT AMENDING FOR THE PURPOSE REPUBLIC ACT NO.7611". House Bill 5943 became controversial. For one thing, there was no consultation made with the leaders of the province before Cong. Sandoval proposed it in Congress. The main objective of the bill is to correct the errors in R.A. 7611 or the SEP Law. In its explanatory note, the bill seeks to amend Sect 3, Chapter 1 of R.A. 7611 which defines the coordinates of Palawan territory. The purpose of the bill is to put Camago-Malampaya within the territorial jurisdiction of the province. If passed as is, by implication the bill kills the provision of R.A. 7611, the law that supports Palawan's legal claim on its legal share on the gas project. In a nutshell, Sandoval's bill will weaken the claim of the province. The SEP Law clearly defined that Camago-Malampaya is within the territorial jurisdiction of Palawan. The honorable congressman may have overlooked this point.

In addition to the issue mentioned above, the bill hopes to amend the Local Government Code of 1991. The bill proposed to convert the 40 percent share of the Province of Palawan into a "pork barrel" which is, of course, a violation of the provision of the Local Government Code. Needless to say, a congressional district is NOT a local government to demand for its share in the 40 percent share of the province, in the national wealth as provided in Section 290 of R.A. 7160. In the belief that the Sandoval bill may prejudice Palawan' rightful share on the gas project, and with the Provincial Government of Palawan already filing a civil action against the national government, the Sangguniang Panlalawigan approved a resolution objecting to certain provisions of House Bill No. 5943. It can be noted that even if the local leaders are divided on some issues related to

Orilla and Zambalez paper

Camago/Malampaya, like those mentioned in the MOA, all agree that the province must have a share in the said gas project.

The crusade of the Provincial Government of Palawan on its rightful share also draws support from various sectors in the province. People awareness on the issue has been enhanced by the local media and the advocacy group called the KILUSANG LOVE MALAMPAYA or KLM. Headed by Dr. Jose Antonio Socrates, KLM has been successful in its information and educational campaign on the rightful share of Palawan in the Camago/Malampaya gas project. KLM has tapped the academe in due recognition of its role in disseminating information to educate the people on the issue and to gain people's support and consensus. Even the Apostolic Vicar of Palawan has also pronounced its support for the Palawan claim. In a letter dated Feb. 6, 2003, addressed to Senator Aquilino Pimentel, the Vicar Apostolic stressed that "the continuos quest of Palawan's to claim their rightful share over Malampaya Gas Project should not only stand on the legal ground but also on the threshold of morality and truth. On such premise the Vicariate of Palawan take the clear and resounding NO to the seemingly endless effort the National Government to steal the right and justice from every Palaweño from enjoying the share of Palawan over Malampaya in the guise of different deceptive and treacherous mechanisms. The Vicar Apostolic of Palawan claimed that illegal transactions have been enjoyed by the national guilt to steal Palawaños of their rightful share. Camago-Malampaya Gas Project is envisioned to put Palawan in the fore front of the highly developed provinces in the Philippines. However President Arroyo's issued statement that it is off Palawan, its dream of becoming one of richest provinces in the Philippines anchored on its rightful share on the gas project ended.

The legal battle between the local and national government on citing relevant laws and policies in support of their claim has changed the political landscape in the province.

Who owns malampaya? This legal question has been left to the courts decisions. Whether or not politics may influence the fate of Palawan, this remains the central issue. But with the announcement of President Gloria Macapagal-Arroyo to run for 2004 Presidential election, Palawan may no longer lie at the crossroads of the politics of central-local relations.

¹ For further information please see Jofelle P. Tesorio's article "GMA statement, NO SHARE IN NATURAL GAS FIND FOR PALAWAN. Philippine Daily Inquirer. April 10, 2002.

² The letter of Gov. Joel t. Reyes was in response to the query of Secretary of Justice, Jose Isidro Camacho to then Secretary of Justice, Hernani Perez to issue its opinion on the claim of Palawan on the natural gas find in Malampaya. Such query is supported with a position paper that said area is outside Palawan marine waters or territorial jurisdiction.; the Local Government Code equates such territorial jurisdiction with the land area of the local government unit excluding marine waters.

³ Please see Kilusang Love Malampaya, Primer, Palawan's Quest for National Wealth Share.

⁴ See Jofelle P. Tesori's article Kanino Ang Malampaya. Bandillo Ng Palawan. Sept.29-Oct.5, 2003

⁵ The negative vote is cast by Board Member Gerry Ortega, holding that the MAO is illegal and immoral. It violates the constitution, the Local Government Code, Administrative order 381 and other contract agreements. It is virtually a surrender of the rights of Palawenos.

⁶ See Kilusang Love Malampaya's Primer for more information.

⁷ See Neal H. Cruz' column. As I See It. Administration Cheating Palawan in Gas Project. Philippine Daily Inquirer.

⁸ For further discussion see Dr. Jose Antonio Socrates article. A Risky Bill of Opportunity. 1st Edition Nov. 2001, 2nd edition Feb. 2002.

⁹ Our Continental Shelf in Jeopardy. In this article, Dr. Jose Antonio Socrates incorporated and elaborated the text of his another article “A Treasonous Oversight”.

MGA BERSO PARA SA DEKONSTRUKYON SA ESTADONG GAHOM

[Verses for State Power Deconstruction]

Sinulat sa Berso Popular

ni

Don Pagusara

Dis is Amerika

Dis is Amerika!
You can speak whats you want.
Der is freedom here in Amerika.
In fact, der is surplus of freedoms
Here in our beloved Amerika.
And so we export freedoms
Thru da blasts of our bombs.
Thru da barrel of da gun,

Dis is Amerika.
Don't mistake dis for another planet.
Four scores and seven years ago
Our fathers brought forth upon da universe
A new planet, conceived in Washington D.C.
And dedicated to da proposition
That all men are created unequal
And all da countries shall be grouped into
First, Second and Third Worlds
Or simply into North and South
And Amerika or da U.S. of A.,
As da supreme power dat fly
Da bloody star-spangled banner
Is mandated by da long-discarded precept
Of Might is Right to bully and subjugate
All da sovereign nations of da world.

Dis is Amerika,
Da land of milk and honey!
We milk da pipol of Africa,

We milk da pipol of Asia,
 We milk da pipol of Latin Amerika.
 We suck da breasts of all da mothers
 Of all da farmers and all da fisherfolks,
 And all da mothers of da working pipols
 Of da Third World of da earth.
 We sip da honey from da forests
 And da mountains and da farmlands
 Of da toiling masses of da world.
 We feed our own pipol, soldiers and beasts
 Wid da foods we harvest from other lands.
 We are da blessed of da earth.
 We are da beloved of da Lord.

Dis is Amerika.
 Everything is free here in Amerika.
 You can free-trade your goodwill wid our oil.
 Da price you pay for liberty is liberalization.
 Da brainaches and heartburns you suffer
 Wid incurable graft and corruption
 In your public offices and corporations
 Can be removed by privatization.
 Your foreign debts and yearly deficits
 And da imbalances of your trade ekonomics
 Can be corrected by drastic devaluation.

Dis is Amerika.
 We are a most benevolent, merciful State.
 Da IMF and da World Bank can attest
 To how our puppets in da developing countries
 Have caused da poor peoples of da world untold miseries.
 Da losses you incur for your development
 Are da gains we gather from globalization.
 Da World Trade Organization
 Is da heart of our imperialist exploitation.
 Future humankind shall inherit dis planet
 Replete wid all da profits we reap,
 Bereft of all da resources we rape.

Dis is Amerika.
 Speak whats you want,
 But speaks no evil of Amerika.
 No one must contradikt Amerika,
 Nothing must get in da way of Amerika.
 Everything Amerika say and do is just.
 Anything comes from Amerika is da best.
 Da logic of Amerikan affairs and actions is foolproof.
 Every war Amerika fights is just and reasonable.

Amerika, by hook or by crook, is always right.

Dis is Amerika!

Make no mistake of doing Amerika wrong.
Our gods and goddesses in da CIA and da Pentagon
Will deal with you in da most compassionate of terms.
They will have no qualms and hesitation to terminate
Your existential contracts with your own gods and goddesses.
We are da preserver and da destroyer of da earth!
We are da dispenser of what is good and what is evil.

Yes, dis is Amerika.

We make da wonders of da world!
We make da toys da world's children play—
Like Santa Klaus we jingles you da joys of terror,
Deliver cleanly da playthings across da deserts,
Beneath da oceans and o'er da mountains and fields,
Dashing through da snow in cold-blooded
Accuracy of our cruise missiles,
Our tomahawks, our giant chinooks,
And all da warstuff dat hit and kill
Wid wild precisions der innocent targets!

Hohoho! Hohoho!

Our tanks roll, roar and comb da deserts
Like veritable pre-historic crawling beasts,
Our warplanes rain down sparkling meteors
Dat bloom into mushrooms of hellfire!
Lo and behold! Terror is da mother of our power.
Der is no terror like American Superterror.

We are da police robot dat roam da earth.
We scorch da forests, boil da seas,
Burn holy lands to ashes,
Crush to rabbles ancient cities,
Crumple human souls to insanities.
We chart da eternal destiny of humankind!

Our name is Amerika.

Da name above every name.
We are da god, da lord of da ring.
Thou shall not take da name of Amerika in vain.

. . .

AMERIKA IS IN DA NAME

Ang Amerika Naa Sa Ngalan

dalugdog ug kilat sa among dughan
ug linog sa among konsensiya – ay!
nangahagbong ang mga larawang
inampingan, labinang imong ngalan
gituhog nga murag rosaryo
gisab-it sa liog sa krusipih.

bugalbugal sa balaan mong ngalan?
o tunglo sa mga anito?
dili na tibuok ang krusipih,
nagpasad ang mga lusok sa rosaryo,
ug ang lanot nga nagtuhog sa among
inampoang gugma nabugto na.

. . .

For Adolfs Only

Sir George sa Amerika!
Ang middlename ba nimoy Washington?
Pero ikaw ang “Bushing” sa Washington!
Maghudyaka ka, Sir George!
Gikahadlokan ka sa tanang maanyag
Ug mga mahuyang sa kalibutan,
Tungod sa gamhanan mong armas,
Ang makalilisang mong Bigutin!

Una mong gipahimuslan ang among Inahan,
Ang maanyag nga Pina sa layong Sidlakan.
Gisulayan mog lumay sa imong pulong,
Pero nabisto ang imong mga limbong.
Sa dihang midumili si Pina sa imong tuyo,
Way puangod nga imo siyang gilugos!

*Gipasiritan mo sa imong ibi
ang among kababayonan.
Gilarot mong mga bolbol
sa among kabukiran!
Gisungkab mong bulawan
sa among mga tugkaran!
Gi-ibtag dila ang among kalag
aron di makatunglo sa imong ngalan*

Ang Amerika Nasa Pangalan

kulog at kidlat sa aming dibdib
At lindol sa aming konsensiya – ay!
naglaglagan ang mga larawang
kaingat-ingatan, luluna ang iyong pangalan
nakatuhog na parang rosaryo
isinabit sa leeg ng krusipih.

pangungutya sa iyong banal na pangalan?
o sumpa ng mga anito?
hindi na buo ang krusipih,
nagkalat ang mga butil ng rosaryo,
at ang sinulid na tumutuhog sa aming
ipinagdasal na pagsinta napatid na.

. . .

For Adolfs Only

Sir George ng Amerika!
Ang middlename mo ba ay Washington?
Pero ikaw ang “Bushing” sa Washington!
Aba, Sir George! Magsaya ka!
Kinatatakutan ka ng tanang mahihina’t
Mga magaganda sa buong daigdig,
Dahil sa makapangyarihan mong armas,
Ang nakasisindak mong Bigutin!

Una mong ginahasa ang aming Ina,
Ang marilag na Pina sa malayong Silangan
Tinangka mong gayumahin ng pangako,
Pero nabisto ang iyong mga linlang.
Nang tinutulan ni Pina ang inyong sadya,
Walang habag na iyong ginahasa!

*Pinaulanan mo ng iyong ibi
ang aming mga dalampasigan.
Binunutan ng mga bolbol
ang aming kagubatan!
Sininghot mong mga ginto
sa aming mga bakuran!
Binunutan ng dila aming kaluluwa
para di makasumpa sa iyong pangalan*

Pagusara paper

*ug dili makaawit sa buni sa
kaugalingon namong damgo!
Ug gitamnan nimog bakak
ang among kasaysayan aron
makalimot sa imong kapintas.*

Nahiagom si Pina sa imong mga kamot.
Gialam-alaman mog mga pulong matam-is,
Gipakaog epol ug ubang prutas nga iningles,
Gipasimhot sa hinungaw sa imong ilong,
Ug gipagunit sa armas mong Big-utin.

Nagsalig ka sa imong gamhanang armas
Nga pirme mong gipagawal ug gipagawas
Pang-blackmail sa buot mong pahimuslan.
Way makatupong sa imong ka pala-utog.
Matag karon ug unya imong ipanghambog
Aron manikluhod ang mga mahuyang
Moampo sa imong pagka gamhanan ug
Di supakon ni bisan kinsa imong tinguha.

Gi-intresan mo si Vetna sa iyang payag
Pero nasayop ka sa imong pagtuo
Nga sayon mong mapaluhod si Vetna.
Hahahaha! Gipalayas ka lagi ni Vietcong!
Nagkabuang kag dagan, nagbahag ang ikog.

Apan wala ka gayud ma-leksyon
Sa imong salawayong mga sayop,
Gilugos mo si Raqil, sulugoon ni Allah,
Human pahimusli ang igsuong si Afga.
Namasangil kang may tinagoan siyang gugma
Tugbang sa Big-utin mong inampingan.
Wa nimo lung-ig makalilisang pasipala
Hangtod nadugmok iyang kadungganan.

Nagsadya ka karon nga nagpasulabi
Sa kang Raqil nga katahomang napusgay.
Apan, Sir George, ayaw pagpalabi
Sa imong kalipay, mobangon si Raqil
Ug molingkawas sa iyang kahiagoman.
Maningil siya ug ang ubang mga biktima
Sa imong kayawan-on ug katampalasan.

Sir George! Ayawg palabig arogante!

*at di makapag-anit sa himig
ng aming sariling pangarap!.
Itinanim mo'y kasinungalingan
sa aming kasaysayan upang makalimot
sa iyong kawalang-hiyaan..*

Nahulog si Pina sa iyong mga kamay.
Inuuto-uto mo sa tamis ng iyong dila,
Pinakain ng epol at ibang ingles na prutas,
Pina-amoy sa singaw ng iyong ilong,
Pinahawak sa sandata mong Big-utin.

Nagtitiwala ka sa iyong malakas na sandata
Lagi mong pinangangalandaka't ipinakikita
Pang-blackmail sa nais mong yariin.
Walang kapantay ang iyong kabastusan,
Tuwi-tuwina'y nagtatanghal ng katigasan
Para manikluhod ang mga mahihina't
Isambang lubusan iyong kapangyarihan, at
Di hadlangan ninuman iyong mga pithaya.

Pinag-interesan mo si Vetna sa kanyang dampa
Pero nagkamali ka sa 'yong paniniwalang
Madali lang paluluhurin si Vetna.
Hahahaha! Pinalayas ka nga ni Vietcong!
Kumaripas ka ng takbo, nakabahag ang buntot.

Pero hindi ka talaga na-leksyon
Sa iyong kamuhi-muhing mga kamalian,
Ginahasa mo naman si Raqil, alagad ni Allah,
Matapos paglurayin ang kapatid na si Afga.
Nagdahilan kang may lihim siyang pagsinta
Katapat sa Big-utin mong iniingatan.
Di mo nilubayan ng katakut-takot na gulpi
Hanggang nadurog ang kanyang puri.

Masaya ka ngayong nagpapasasa
Sa kay Raqil na karilagang iyong nilamukot.
Subalit, Sir George, huwag kang magmalabis
Sa iyong ligaya, babangon din si Raqil
At huhulagpos mula sa kanyang kasawian.
Maniningil siya at ang iba pang biktima
Ng iyong kahayupa't kawalang-hiyaan.

Sir George! Huwag masyadong arogante!

Si Goliath bitaw nga usa ka higante
Nalukapa sa kang David nga diskarte.
Karon pa lang gani nakatagamtam ka nag
Ginagmayng pitik sa imong ilong ug mata.
Pagbantay kay basin mapiktan imong lagay!
Nah, sakit pa na sa pinaakan sa cobra, Sir!
Makasinggit gyud kag Agaray, tabang Blair!

Maayo pa, maghinayhinay ka na lag pauli,
Ug didto na lang sa White House paglusi.
Ug Sir George! Magpatuli ka na!
Kay pagka ngil-ad sa pisot mong armas.
Sa imong Big-utin walay mokursunada.
Pero labing maayo kun magpakapon ka!
Aron sa kabastos mo wala nay mabiktima!

• • •

Si Goliath man na isang higante
Nasawi sa kay David na diskarte.
Ngayon pa lang e nakalasap ka na
Ng paunti-unting pitik sa iyong ilong at mata.
Ingat ka at baka mapitik ang iyong bayag!
Naku, masakit pa yon sa kagat ng cobra, Sir!
Makakasigaw ka ng Aray, saklolo ka Blair!

Mabuti pa, dahandahan ka nang umuwi,
Doon ka na lang sa White House magbatii.
At saka, Sir George! Magpatuli ka na!
Ubod ng pangit ang supot mong sandata.
Sa iyong Big-utin walang magka-kursunada.
Pero, pinakamainam kung magpakapon ka!
At sa kabastusan mo'y wala nang mabibiktima!

• • •

Siyagit sa Mindanao

Kini ang Mindanao.
Yutang gipanaad.
Yutang nagkasamad-samad.
Dungga ang iyang siyagit!

Kini ang Mindanao.
Dinihi ang gibinhi dili damgo sa kinabuhi,
nanuybo sa mga walog ug kapatagan
mga puntod sa kamatayon.
Dinihi, ang mga sapa nagyamyam
og mga sugilanong dili sa mga gasang
mitubod sa mga dughan sa yuta,
kundili gipabuhagayng panganod
sa dili-maisip nga mga mata.

Kini ang Mindanao.
Matag sawop sa adlaw
pulahong sidlak mosablig sa langit,
unya, motakyap ang kangitngit-- ug
gikan sa layong kasadpan magdahunog,
magkaduol nga mga anino sa kalisang
mouyog sa yutang samaran.

Sigaw ng Mindanao

Ito ang Mindanao.
Lupang pinangako.
Lupang nagkakasugat-sugat.
Dinggin ang kanyang sigaw!

Ito ang Mindanao.
Dito'y ipinunla hindi pangarap ng buhay,
umuusbong sa mga lambak at kapatagan
ay mga punso ng kamatayan.
Dito, ang mga sapa... inuusal
ay mga salaysay hindi ng mga biyayang
bumubukal sa mga dibdib ng lupa,
kundi wasak-wasak na mga ulap
ng di-mabilang na mga mata.

Ito ang Mindanao.
Tuwing lumubog ang araw
pulang kislap samasaboy sa langit,
tapos, lumulukob ang dilim – at,
mula sa malayong kanluran dadagundong
ang papalapit na mga anino ng sindak,
yumayanig sa sugatang lupa.

Kini ang Mindanao.

Walay lakra sa bonbon nga gidaitlan
sa imong lapalapa, ni mga ngabil
sa dahong misaghiid sa imong mata,
ang motug-an sa panagway sa kalisang
nga imong nakit-an og nasaksihan. . .
dinihi balaan ang tak-om nga baba,
bulawan ang gipamulong sa hilom.

Kini ang Mindanao.

Lawom ang tubig sa mga danaw
ug mga salog sa iyang kasaysayan.
Ayaw panamin sa lubog nga mga sapa—
mga sugilanong gi-agosag dugo
gikan sa mga natad sa panggubatan,
kay naghambin kinig laa sa kasilag.
Ayaw sulayig tugkad ang giladmon
sa iyang kaagi nga gitalinghaga,
kay halap ang imong panan-aw,
way bili kanimo ang kasaysayan.

Kini ang Mindanao.

Giangkon mong tipik sa imong kinabuhi,
gidugkal mo ang iyang kayutaan
dili sa ohas sa daro ug suwab sa piko
kundili sa buka sa pusil ug buto sa bomba.
Unsay gibakyaw mong mga pulong
aron maalim ang samad sa kasaysayan?
Gibughan mog mga tingga sa kamatayon
ang mga anak sa kaliwat nga giduyan
sa pakigbisog alang sa kagawasan.

Kini ang Mindanao.

Yutang nagkasamad-samad
kay ang mithing gisabak sa buwan ug bitoon
gisulayag bungkag sa aso ug tingga
nga gibugwak sa salawayong ba-ba—
ang tunglo nga “all out war” nga gipasutoy
sa mga diyos-diyos ug hari-hari
sa Malakanyang -- sukad-sukad pa!
way kalainan sa “pacification campaign”
nga gilusad sa mga Katsila’g Amerikano.

Kini ang Mindanao.

Ito ang Mindanao.

Walang bakas ng buhanging dinampian
ng iyong talampakan, ni mga labi
ng dahong sumasagi sa iyong mata,
ang bubunyag sa mukha ng sindak
na iyong napagmamasdan at nasasakihan. . .
dito'y banal ang tikom na bibig,
ginto ang winiwika nang matahimik.

Ito ang Mindanao.

Malalim ang tubig nga mga lawa't
mga ilog sa kanyang kasaysayan.
Huwag magsalamin sa di-malinawng mga sapa—
mga salaysay na pinagdaluyan ng dugo
mula sa mga larangan ng digmaan,
pagkat taglay nito'y kamandag ng poot.
Huwag tangkaing sisirin ang lalim
ng kanyang nakalipas na tinatalinghaga,
dahil malabo ang iyong paningin,
walang kuwenta sa iyo ang kasaysayan.

Ito ang Mindanao.

Inangkin mong pitak ng iyong buhay,
binungkal mo ang kanyang lupain
hindi sa talim ng araro't talas ng asarol
kundi bunganga ng baril at putok ng bomba.
Anong hinalibas mong mga salita
para maghilom ang sugat ng kasaysyan?
Binughan mo ng punglo ng kamatayan
ang mga anak ng lahing dinuduyan
ng pakikibaka para sa kalayaan.

Ito ang Mindanao.

Lupang sugatan sapagkat
ang mithiing kanlong ng buwan at bituin
tinangkang wasakin ng usok at tingga
iniluwal ng kasuklam-suklam na dila—
ang sumpang “all out war” na inilunsad
ng mga diyos-diyos at hari-hari
ng Malakanyang -- mula't mula pa!
walang kaibhan sa “pacification campaign”
Na inilunsad ng mga Kastila't Amerikano.

Ito ang Mindanao.

Walay misteryong nagputos sa iyang kaagi,
kundili talinghaga nga gilarawan
sa kapid-ang mga aksyon sa panggubatan—
mibusikad nga mga bato sa kahanginan
namukhad murag mga bulak nga kalayo,
misunog sa kasingkasing, mipaig sa kalag
sa katawhang Moro, Lumad ug Kristiyano.

Walang misteryong bumabalot sa kanyang nakaraan,
kundi talinghagang nilalarawan
ng sanlaksang aksyon sa digmaan—
sumasabog na mga bato sa hangin
namumukadkad na mga bulaklak ng apoy,
sinunog ang puso, pinaso ang kaluluwa
ng sambayanang Moro, Lumad at Kristiyano.

Kini ang Mindanao.
Dali, dayon ngari . . . malingaw ka
sa pasundayag nga modernong moro-moro,
nagadulang buto-buto ug mga kolor sa kalayo—
matahom nga talan-awon para sa mga turista. napakagandang tanawin para sa mga turista.
Grabe! Sud-onga ang kayutaan ug kalasangan,
mga balaanong suok sa hamiling pulo,
nahimong hardin sa kamatayon ug kalisang.

Ito ang Mindanao.
Halina, halikayo rito... masisiyahan kayo
sa palabas na modernong moro-moro,
sa naglalarong mga putok at mga kulay ng apoy –
Grabe! Masdan ang mga lupain at mga gubat,
mga banal na sulok ng dakilang pulo,
naging hardin ng kamatayan at sindak.

Kini ang Mindanao.
Awiton nato ang iyang siyagit!
Ang singgit sa iyang damgo.
Ang suliay sa iyang pakibisog.
Tiyabaw sa kahiladman sa iyang kalag,
Nangindahay'g kalinaw ug hustisa.

Ito ang Mindanao.
Awitin natin ang kanyang sigaw!
Ang sigaw ng kanyang pangarap.
Ang hiyaw ng kanyang pakikibaka.
Hibik sa kaibuturan ng kanyang kaluluwa,
Inaadhika'y kapayapaan at hustisa.

Kini ang Mindanao.
Yutang gipanaad.
Yutang nagkasamad-samad.

Ito ang Mindanao.
Lupang pinangako.
Lupang nagkakasugat-sugat..

...

...

MUTYA SA KALAPOKAN

Kini ang Pilipinas.
Ayawg sultig laing sinultihan dinihi,
Ang among dila iningles ang gihuni.
Makamao ming mopahungaw sa pulong,
Bisag murag palwang kulob among ilong.

Kini ang Pilipinas.
Gipamabdosoan sa Espanya ang among Inahan.
Nagtubo ming sa ugus nga pari binunyan
Nga maoy mipuli sa among babaylan.

MUTYA NG PUSALIAN

Ito ang Pilipinas.
Huwag magsalita ng ibang wika dito,
Aming dila'y ingles ang hinuhuni.
Magpasingaw ng salita, kami'y marunong,
Kahit parang palwang nakataob aming ilong.

Ito ang Pilipinas
Binuntis ng Espanya ang aming Ina
Lumaki kaming paring ugus ang nagbinyag
Na siyang humalili sa aming babaylan.

Pagusara paper

Gitudloan mi sa frayleg unsaon pagpanguros
Maoy ibalos namo sa ilang pagpanglugos.

Kini ang Pilipinas.
Isog among ginikanan,
Pero dali rang magapos sa bitik sa dila.
Lipay mi kaayo sa mini nga kagawasan
Ug sa kalami sa langyawng pinulongan.
Karon, maoy among hugot gituhuan
Iningles ang hinagiban sa katubsanan.

Apan namikog na among apapangig
Pag-inusap ning langyawng dila
Wa gihapon mahaw-as among katawhan
Sa huyonghuyong sa kaalautan.
Misamot hinoon among kaulipnan
Kay iningles among gigamit
Sa pagpakilimos ug pagpangutang.

Kini ang Pilipinas.
Murag tambubukag among mga liwat
Sa kolor sa katupad maayong moawat.
Karon naglibog mig kinsay among igsuon
Ang langyaw bang kanamo miulipon
O ang Lumad nga among gi-ulipon.

Kini ang Pilipinas.
Mga iro dinihi nagdagsang
Dunay mga iro sa kadalan
Dunay mga iro sa kabalayan
Dunay mga iro sa kagamhanan
Naay irong baye sa Malakanyang.
Mokitiw dayon ang ikog
Kun makasimhot sa baho
Sa iyang among Kano.

Kini ang Pilipinas.
Daghan dinhing banggiitan:
Mga politiko ug mga sayantipiko
Daghan kaayo dinhing edukado
Mga nars, doktor ug enhinyero
Ang gisilbihan dili katawhang Filipino.

Kini ang Pilipinas.
Di madugay mahimong strong republik

Tinuruan kami ng freyle magsangalan-ng-Ama
Igaganti namin sa kanilang panggagahasa.

Ito ang Pilipinas.
Matapang ang aming mga magulang,
Pero madaling magapos sa pilantik ng dila.
Tuwang-tuwa kami sa pekeng kalayaan
At sa linamnam ng dayuhang wika.
Ngayon, mahigpit naming pinaniniwalaan
Ingles ang sandata ng aming katubusan.

Pero nangangalambre na aming mga panga
Sa kangunguya nitong dilang banya
Di pa rin nakakaahon ang aming bayan
Mula sa kumunoy ng kinasasdakan.
Lumalala pa ang aming kaalipinan
Pagkat ingles ang aming ginagamit
Sa pamumulubi at pangungutang.

Ito ang Pilipinas.
Parang kameleon ang aming anaklahi
Sa kulay ng katabi mahusay tumulad.
Ngayo'y nalilito kung sinong aming kapatid
Ang dayuhan bang sa ami'y umaalipin
O ang katutubong aming inaalipin.

Ito ang Pilipinas.
Mga aso dito'y naglilipana
Mayroong mga aso sa lansangan
Mayroong mga aso sa kabahayan
Mayroong mga aso sa pamahalaan
May asong babae sa Malakanyang.
Kumakawag kaagad ang buntot
Kapag naaamoy ang baho
Ng kanyang among Kano.

Ito ang Pilipinas.
Kay dami ritong matatalino:
Mga politiko at mga sayantipiko
Kay dami ritong edukado
Mga nars, doktor at enhinyero
Pinagsisilbiha'y hindi bayang Filipino.

Ito ang Pilipinas.
Di magtagal magiging strong republik

Clone diay sa kung Plato nga The Republic?
 Pero angayng kaabin ni Ate Glo si Honasan
 Kay kung Plato pod gikan ang The Guardians?!
 I-modernize kuno ang armed forces
 Mga pulis bantok, mga cafgu
 Ug uban pang mga killer ug mga bagis
 Aron disiplinadong mopatay ug modepensa
 Alang sa interes sa Amerika.

Kini ang Pilipinas.
 May gobyernong republikano
 Gibase sa mithi sa demokrasya,
 Ug konstitusyon nga kapila na usab-usaba.
 Matag presidente nga kanamo mangulo
 Manumpa nga panalipdan niya sa hugot
 Ang damgo sa Amerika dinihi sa nasod
 Nga atong ekonomiya isamot pag-unlod.

Kini ang Pilipinas.
 Hawod kaayo molalang og history
 Superb mopalagpot og presidente
 Aron pulihag mao ra gihapong peste.
 Taas og dila, mubog memory.
 Kini ang Pilipinas.
 Mga lider sa iyang Kongreso
 Maayong modiskurso ug mo-debate.
 Hawod kaayong modiskarte,
 Hawod mo-imbentog kontrobersi
 Para daghang pogi points ma-ani
 Puhunan sa pagkandidatong Presidente.

Pero mas grabe si Mister Suwabe!
 Di masakpan iyang illegal accounts
 Kay suave kaayong mo-pronounce
 Sa iyang “right to privacy”.

Kini ang Pilipinas.
 Nasod nga lisod hitupngan
 Saabilidad ug kaabtik sa negosyo.
 Tiaw moy exporter dili sa mga produkto
 Kundili sa mga eksperto niyang mga tawo!
 Namaligya dili sa mga gama ug hinimo
 Kundili sa mga tig-gama ug tighimo!

Kini ang Pilipinas.
 Lig-on ug kusganon ang ekonomiya
 Kay nagsalig dili sa kaugalingong industriya

Clone yata sa kay Platong The Republic?
 Pero dapat kasabwat ni Ate Glo si Honasan
 Kasi kay Plato rin galing ang The Guardians?!
 Imo-modernize daw ang armed forces
 Mga baranggay pulis, mga cafgu

At iba pang mga killer at mga maton
 Para disiplinadong pumatay at dumepensa
 Alang-alang sa interes ng Amerika.

Ito ang Pilipinas.

May gobyernong republikano
 Batay sa mithiing demokrasya,
 At konstitusyon ilang beses binabago.
 Bawat presidenteng namumuno rito
 Nanunumpang ipagtanggol nang husto
 Ang pangarap ng Amerika dito sa bansa na
 Ibaon nang mas malalim ating ekonomiya.

Ito ang Pilipinas.

Magaling lumikha ng history.
 Superb magpatalsik ng presidente

Para palitan ng parehong peste.
 Mahaba ang dila, maiksi ang gunita.
 Ito ang Pilipinas.
 Mga lider ng kanyang Kongreso
 Mahusay sa debate at talumpati.
 Sobrang galing sa pagdidiskarte
 Magaling umimbento ng kontrobersi
 Para maraming pogi points maaani
 Puhunan sa pagkandidatong Presidente.

Pero mas grabe si Mr. Suwabe!
 Di mahuhuli kanyang illegal accounts
 Dahil suave kung mag-pronounce
 Ng kanyang “right to privacy”.

Ito ang Pilipinas.
 Bayang mahirap mapapantayan
 Sa talino’t galing sa negosyo.
 Biro moy exporter hindi ng mga produkto
 Kundi ng kanyang mga taong eksperto!
 Nagbebenta hindi ng mga likha’t gawa
 Kundi ng mga manlilikha’t manggagawa!

Ito ang Pilipinas.
 Matatag at matibay ang ekonomiya
 Pagkat nakabase hindi sa sariling industriya

Pagusara paper

Kundili sa mga dolyar sa mga OFW nga
Muna-muna sa ginhawang kayod sa laing nasod
Ug pinangga kaayo sa Philippine Embassy didto
Kay lagi, mga bag-ong bayani kuno!
Busa pinasagdan lang intawon
Sa ilang mga problema ug mga kaso.

Kini ang Pilipinas.
Ang damgo ug pangandoy sa batang Pinoy
Mahimo unta siyang Amerikano,
O di kaha Aleman o Prances
O bisan na lag Hapones
Basta di lang Filipino!

Kini ang Pilipinas.
Mutya sa Subanganan.
Gitukob sa Bakunawa.
Dihang giluwa sa kalapokan,
Nangaliyupong tunlog balik sa mangtas.
Diyos na lay mag-igo sa iyang kapalaran,
Kay kun rebolusyon ang hisgutan,
Sus, wa gihapon maleksyon sa kasaysayan.

...

Kundi sa mga dolyar ng mga OFW na
Patid-hiningang kumakayod sa ibang bansa at
Alagang-alaga roon ng Embahadang Pilipino
Dahil sila'y mga bagong bayani kuno!
Kaya't pinababayaan na lang
Sa kanilang mga problema at mga kaso.

Ito ang Pilipinas.
Ang pangarap at mithiin ng batang Pinoy
Sana'y maging Amerikano siya,
O di kaya'y Aleman o Prances
O kahit na ba Hapones
Basta huwag lang Filipino!

Ito ang Pilipinas.
Mutya ng Silanganan.
Nilamon ng Bakunawa.

Nang idinura sa pusalian,
Nagsusumamong lunuking muli ng gahaman.
Dios na lang ang bahala sa kanyang tadhana,
Pagkat kung rebolusyon ang pag-uusapan,
Aba'y di pa rin naleksyon ng kasaysayan.

...

Bakunawa: Sa alamat ng mga Cebuano, may dambuhalang sawa, kung tawagi'y bakunawa, na ang laruan ay malaking mutya. Pinaniniwalaan ding ito ang lumalamon ng buwan kapag may "lunar eclipse".

Himaya sa Ngalan

may gamitoys langaw milupad
sa himaya sa iyang ngalan
mibatog sa balhibo sa dakong bungtod
ug misugod pagpalanog sa iyang awit
dungan sa pagkapakapa sa iyang pako
mituhop sa hangin ang baho
sa iyang kagawon nga pulong.

karon lig-on iyang katarungan
sa kahamili sa iyang pagtuo
nga ang patok sa iyang ulo
mas habog kaysa tuktok sa bungtod
ug labaw kalanog iyang tingog
kaysa inga sa kabaw nga nabuang
nabalian sa iyang kaluhang sungay.

...

Luwalhati sa Pangalan

may munting langaw na lumipad
sa lualhati ng kanyang pangalan
dumapo sa balahibo ng malaking bundok
at ipinag-alingawngaw ang kanyang awit
sabay sa pagaspas ng kanyang pakpak
humawa sa hangin ang amoy
ng kanyang makamandag na salita.

ngayo'y matibay ang kanyang katwiran
sa kadakilaan ng kanyang paniniwalang
ang tuktok ng kanyang ulo'y
mas mataas kaysa tugatog ng bundok
at mas malakas ang kanyang tinig
kaysa unga ng kalabaw na nabaliw, nabalian
ng kanyang magkakambal na sungay

...

Duha ka Dagway sa Terorismo

(Unsay kalahian sa terorismo sa rebelde ug terorismo sa estado? Ang nahauna dili magsabang kanus-a mamomba. Ang estado i-anunsiyong daan ang dakong purbisyong giyera nga ilunsad niya nga mga sibilyan ang daghang biktima.)

sayo sa kaadlawon namupho ang hardinero sa mga salinsalin nga nagpasad sa yuta, nangakay-ag nga kalipay ug kasadya. ug wala pay hilam-os ang buntag.

misingit ang hardinero, gihapyodhapyod ang naguhayguhay nga mga daho'g bulak, pigsat nga mga bunga'g putot sa iyang gugma, nanumpang dugmokon gikatahapang banyaga. nanumpang durugin pinaghinalaang maysala.

pagkaugma mga balhibo,sungo'g kuko sa haring langgam nagkatay sa kasagbotan, sagol sa dugmok nga mga itlog ug pispis.

ug ang mga dahon sa talisay daplin sa sapa murag mga kasingkasing, nanagayday mga lusok sa yamog nga mihumod sa nagkasamad-samad nga yuta.

...

Thrilla ni sa Makati

Thrilla ni sa Makati, dili ni Thrilla in Manila
Diin gipa-thrilling sa jab ug straight ni Ali
Ang kasingkasing sa mga political detainee
Sa prisohan sa Fort Bonifacio ug Camp Crame,
Adtong panahong gi-hostage ni Marcos
Sa martial law ang tibuok nasod.

Kinsa bay di ma-excited sa Thrilla in Manila
Pwerteng thrillinga kaayong tan-awon
Gisayaw-sayawan, gilibot-libotan ni Ali,
Gibombahag suntok nga wala'g tuo si Frazer,
Una pa niya dugmoka sa Round Fourteen.

Dalawang Mukha ng Terorismo

(Anong kaibhan ng terorismo ng rebelde at terorismo ng estado? Ang nauuna'y di nag-iingay kung kailan mamomomba. Ang estado'y ina-anunsiyo muna bago ilunsad ang mala-king puwerhisyon giyera na mga sibilyan ang maraming biktima.)

maaga ng madaling araw namumulot ang hardinero ng mga tira-tirang nagkalat sa lupa, nabusalsal na ligaya't pagsasaya. at di pa naghihilamos ang umaga.

sumigaw ang hardinero, hinaplos-haplos ang gutay-gutay na mga daho't bulaklak, napipisang mga bunga't buko ng pagsinta, nanumpang durugin pinaghinalaang maysala.

kinabukasan mga balahibo, tuka at kuko ng haring ibon nagkalat sa damuhan, kahalo sa durog na mga itlog at sisiw.

at ang mga dahon ng talisay sa tabing-ilog parang mga puso, dumadaloy ay mga butil ng hamog binabasa ang sugatang lupa.

...

Thrilla ni sa Makati

Thrilla ni sa Makati, hindi Thrilla in Manila
Kung saan pina-thrilling ng jab at straight ni Ali
Ang kasingkasing ng mga political detainee
Sa bilanggoan ng Fort Bonifacio't Crame,
Noong panahong hinosteds ni Marcos
Sa martial law ang buong bansa.

Sino bang di ma-excited sa Thrilla in Manila
Napaka-thrilling talagang panoorin
Pinagsasayawan, pinaiikutan, binubombahan
Ng kaliwa't kanang suntok ni Ali si Frazer
Bago pa niya durugin sa Round Fourteen.

Exciting gyud tinoed ang Thrilla in Manila
Makalimot kang panahon diay to sa martial law?
Ug puno ang tanang stockade sa mga priso.
Wala pay Edsa I, wala pay rebeldeng sundalo,
Wala pay Honasang nagpatalinis sa ku-coup.
Ug sumala pa sa kolumnistang si Louie Beltran,
Nagpakamang ni Cory ilawom sa iyang katre...
Usa ka tuig niana sa petsa 10 sa Disyembre,

Oo, tinoed gyung thrilla ang Thrilla in Manila,
Dili parehas sa palabas sa mga bag-ong gringo. Hindi parehas
Nagtanom mga butong pakwan sa Plaza Glorrieta,
Gipatik ang ilang panumpa ibabaw sa ilang silko,
Nanimahong kili-kili power sa mga politiko.

Pastilan, way klarong tema ang script ni Gringo!
Kulang sa rehearsal ang uska adlawng moromoro,
Wa gani makahimo bisag dyutayng Gambah?
Wa epek sa masa, wa impak sa Metro Manila,
Nangapagaw na lang intawog singgit sa media:

Thrilla ni sa Makati!
Dili ni thrilla ni Muhamad Ali!
Thrilla ni sa Makati! Thrilla ni sa Oakwood!
Dili ni thrilla sa Labandera sa Pasig!
Nga thrilyak-yaking-yaking ang biling!

Exciting talaga ang Thrilla in Manila
Makalimot kang panahon pala yon ng martial law?
At puno lahat ng stockade ng mga priso.
Wala pang Edsa I, wala pang rebeldeng sundalo
Wala pang Honasang nagpapatulis ng ku-coup.
At ayon sa kolumnistang si Louie Beltran,
Gumapang si Cory sa ilalim ng kanyang katre...
Sa isang taon noon, petsa 10 ng Disyembre .

Oo, talagang thrilla ang Thrilla in Manila,
pares nitong palabas ng mga bagong Gringo.
Nagtanom ng mga butong pakwan sa Plaza Glorrieta,
Itinatak ang kanilang panata sa ibabaw ng siko,
Nangangamoy ng kilikili power ng mga politiko.

Pastilan, walang tiyak na tema ang script ni Gringo!
Kulang sa rehearsal ang sang-araw na moromoro,
Di man lang naka-cause ng konting Gambah?
Wa epek sa masa, wa impak sa Metro Manila,
Napapaos na lang sa kasisigaw sa media:

Thrilla ni sa Makati !
Hindi ito Thrilla ni Muhamad Ali !
Thrilla ni sa Makati! Thrilla ni sa Oakwood!
Hindi ito thrilla ng Labandera sa Pasig !
Na thrilyak-yaking-yaking ang biling !

...

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WORDLIST

Adventurism, Left, Right: “Left hook, right hook, murag boxing” ayon sa Bisdak na Atty. Mig Enriquez, pinsang buo ni Dodong Nemenzo, matapos mapakinggan si Joma.

Bilanggong pulitikal: Si Joseph Estrada ba kasama? E, panay ang pamumulitika kahit nakabilanggo.

Civil society: Pasosyal-sosyal, sobrang “civil” kaya’t nahihirapang kumontra sa dapat kontrahin. Parang lumalaban, gusto lang pala mapalapit sa kusina ng kapangyarihan.

Congress: Kombenyenteng dahilan para makaangkin ng mamahaling kotse at keridang artistang prosti...

Coup d'etat: Salitang Prances na ang kahuloga'y **“Uska kumkom nga tai” (sandakot na tai)**

Delicadeza: Totoong ang Pinoy madaling magalit dahil “mabaw og lobot” at balat-sibuyas ang puso. Pero, masyadong “kapal muks”, hindi nahihiya, kahit puno ng tai ang mukha.

Development Aid: Pangangwarta ng mga kinauukulan, sa gobyerno man o sa NGO.

Graft and Corruption: Mate-trace sa DNA (**Daya Na Accounts**) ni Jose Velarde, Jose Pidal at iba pang Jose o Joseph sa ating katilingban.

Hustisya: Sa totoo lang may tatlong mata – ang dalawa kunwari'y may piring, pero may pangatlo sa dibdib, malapit sa puso ng Malakanyang.

Imperialismo: dinudugtungan pa Sagradong kataga na mga leftist lang ang mahilig bumigkas. Kung ng **piyudalismo** at **burukrata kapitalismo**, tiyak na ID na ito ng mga Natdem.

Intelektuwal: Dada nang dada, wala namang pinagdada-anan sa dinadada. May surplus nito sa Pinas.

Kudeta : Awit na pangharana ni Gringo sa mga babaeng Presidente; mainam pakinggan kung si Kuh Ledesma ang kakanta.

Kuratong Baleleng: Bangungot ni Pweng Lacson, pero barahang alas ni Rosebud.

Laundering: Nauso noong panahon ni Macoy, at ngayo'y naglipana ang labandera't labandera sa iba-ibang ahensiya ng kagamhanan. Pati First Gentleman ni Gloria tumatanggap na ng labada.

Malakanyang: Tirahan ng mga *halangdon*, ibig sabihin, mga taong nasa itaas at titingala. Pero, noong panahon ng martial law pamilya ng mga aso ang naninirahan dito:

Malakanyang

(Sa tonong Bahay Kubo)

Bahay kubo, malaking palasyo

Naninirahan doon ay puro aso

Asong Presidente, asong First Lady

At mayroon pang iba, mga tuta nila.

Nong panahon ni Estrada, ang Malakanyang sa araw ay opisina, sa gabi ay carenderia kung saan masaya ang sugalan at pokpokan.

Marxismo-Leninismo-Maoismo: Maso't karet at armalayt, logo ng AB; islogang nakasulat sa salamin ng dressing-room ni Joma? Ang maso't karet ay simbolong alam na alam na natin; ang armalayt ay para sa mga kaaway ng bayan...at a...a, mga kontra-rebolusyonaryo?

Marxism-Leninism: Used to be the RTW item in Dodong Nemenzo's **wardrobe**.

Mutiny: "Bato Lata" - Laro ng mga batang hindi sumusunod sa sugo ng kanilang Inang labandera.

Natdem, socdem, popdem, goddem. Mga terminong ginamit ng mga aktibista noong panahon ng FQS. Iba-ibang kapisanang nagmamahal "kono" sa demokrasya at naghahangad ng pagbabago. Pero, pare-parehong **demonyo** sa mata ng gobyerno noon. Ngayon, ilang Natdem, Socdem at

Popdem ang kaakbay ng gobyerno. Ang mga Goddem ay yoong 180 degrees na bumaligtad at siyang tunay na demonyo.

- Peace Talks:** Noong panahon ng Amerikano, mayroong mga “peace treaty” sa pagitan ng mga morong Sultan at ng Amerikano, pero nagresulta rin sa giyera. Ngayon, kung anu-anong ipinapangalan sa pang-uuto ng gobyerno sa mga Moro, (pwedeng tawaging **negosasyon, pistok, pesteng yawa, etc.**) pero nagreresulta lagi sa digmaan, hindi kapayapaan, dahil sinusunod lang naman ng gobyerno ang policy at taktika ng kolonyal na gobyerno ng Kastila at ng Amerikano.
- Police brutality:** Hindi nawawala hangga’t mayroong estadong matigas ang ulo’t hindi nakikinig sa sigaw ng bayan. Pero kung hindi dumating sa bansa ang kolonyalistang Amerikano, walang “police brutality” rito, dahil hindi sana tayo nagsasalita ng ingles ngayon.
- Poverty, Underdevelopment:** Ginawang dahilan ng maraming kalokohan, katiwalian, pagnanakaw at iba pang panlilinlang ng mga salamangkero sa lipunan.
- Reaksyunaryo:** Hindi RJ, hindi RA, pero nakakabigkas din ng “Putanganinyo, mga tuta rin kayo!”
- Rebolusyonaryo:** Yoong nakikibaka para sa rebolusyon noong hindi pa nangyari ang **split** na naghahati sa kabuuang kilusan sa **RJ** at **RA**. Ang **kontra-rebolusyonaryo** ay yoong binasbasang kontra sa itaas.
- Reconciliation:** Beso-beso sabay wish na “sana’y maglaho ang bruhong (bruhang) ito!”
- Semi-colonial, semi-feudal:** Tulad ng ibang **semi-** sa lipunan nakakaloko, sanhi ng pagkakalito at pagtatalo ng ilang kadre ng Partido.
- Senado:** Istambayan ng mga **dungganan** at **pang-an og dila** (Tag.: *.may-malaking taynga at nagsasangang dila*). Tinatawag na “honorable”. Nakakatawa!
- Sin:** Political and cardinal offenses of a Churchman.
- Sovereignty:** Wala sa bokabularyo ng mga namumuno sa ating bansa. Kaya’t di natin kilala ang totoong itsura nito --- ka look-alike ba ng Police Dog na Bush o kamukha ng Opleng-aso.
- Superpower:** Nasa sa likuran ng kamalasan ng maliliit na bansa sa buong mundo.
- Total War Policy:** Patakaran ng pangungutong sa military; bukambilig ng kahit sinong Presidente ng Pilipinas.