

Notes on the Current Philippine Situation (Second of four (4) Series)

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REREADING THE SIGNS OF THE TIMES

The possibilities of having the scenario of no proclamation which may also lead to a failure of elections are all meant or tailored made for GMA and her camp whose end game has pointed to various combinations with full back-up moves and have been laid out systematically.

The political signs and the moves being taken up by the GMA camp have been visible in the three branches of the government. In the Executive sphere, the focus has been clearly seen in the consolidation and control of the Armed Forces of the Philippines (AFP). Except for the Philippine National Police (PNP) leadership which is still controlled by the Batch '76 of the Philippine Military Academy (PMA), all the commanding generals of the major branches of the AFP including the Chief of Staff are already controlled by the favorite class of GMA (Batch '78). Although there is a serious consideration of the AFP's control of the Mindanao Command (will be discussed thoroughly in the 3rd series) where the major commands namely: the Eastern Mindanao Command (EastMinCom) and the Western Mindanao Command (WestMinCom) are administratively under the Batch 1976 respectively. And it should be noted that the batch has verbally made their sentiments known already that they are not happy being by-passed by their subordinates in terms of promotions.

The Other Executive maneuvers are ensuring the appointments of those proven loyalists including GMA's classmates with fixed constitutional terms in office which can be effectively cover up those businesses which have not been consummated in their favor and interests before and especially after June 30, 2010.

The Judicial maneuvers have taken off by the decision of the Supreme Court (SC) that GMA can appoint the replacement of the sitting Chief Justice (CJ) after he retires on May 17, 2010. The SC has obliged the Judicial Bar Council (JBC), the Constitutional body to submit names of applicants for the CJ even if there is no vacancy yet and even if the 1987 Constitution states that after the vacancy (May 17, 2010) there is enough time to appoint the CJ, in fact the President is given 90 days to appoint the CJ so after May 17 (Puno's retirement- the sitting Chief Justice) up to August 16, 2010 where it will be more than enough time for the new President elect to select among the most qualified applicants for the CJ position after June 30, 2010 - the last day of GMA in office and the first day of the new President.

Why is it that GMA is in a hurry? Notwithstanding the firm position of the two most senior Associate Justices, that they will not accept the appointment or CJ from GMA. The SC happens to act also as the Presidential Electoral Tribunal (PET) during the May 10, 2010 elections. They will serve as

collegial body to render judgement who will be the rightful president of the country in times of a disputed results of the election or who will be the legitimate president in situation where there will be no proclamations considering the line of succession.

Another move by the SC which shows that indeed the signs of the times are pointing to the direction of the scenario being built up by the GMA camp is the recognition that another Presidential son (Diosdado "Datu" Arroyo) can have his own district to run as representative even if the requirements for the creation of a District (foremost of which is having a voting population of 250,000) is not fulfilled. They have to give way to another important GMA ally (Secretary Rolando Andaya) the former Budget Secretary and who practically controls the budget for the pork barrel of the Congress. In fact, Andaya has the power with GMA's approval to release or not to release the Priority Development Assistance fund (PDAF) or popularly known as Pork Barrel. During the period (election time) these funds can make or unmake many plans of traditional politicians. In fact, through the pork barrel, loyalty of the so-called allies or members of the ruling coalition are ensured. Secretary Andaya knows where have all the money in the Congress and special projects of GMA.

With the plan of GMA in the House of Representatives to be not an ordinary member of the House but to be the first among equals, her camp will not leave anything to chance. In order to reach her goal for the Prime Ministership, she has to be installed first as Speaker of the House with maximum preparations of a situation where unfriendly President and the Senate are elected. On the position of Speakership, she will initiate the constitutional change and the Prime Ministership will be hers. Such scenario can give a logical explanation that more than a dozen of the participating Party List groups under her wings and which the Commission on Election (COMELEC) has to legitimize and the list still excludes almost fifty percent (50%) of other Party Lists allied to GMA's camp out of 187 Party Lists registered and approved by the COMELEC to participate in May 2010. And the obvious trend of many GMA Cabinet members who have registered to participate in Congressional Districts in their controlled areas, and some with the back-up of the Armed Forces of the Philippines (AFP). The camp of GMA can form a new coalition in the House of Representatives to effectively neutralize and control the newly elected government like in the case of Nationalist Peoples Coalition (NPC) which has become a very powerful bargaining machinery for Danding Cojuangco to safeguard his interests in San Miguel Corporation, Coco Funds, United Coconut Planters Bank and other properties he obtained during the Marcos dictatorship.

A PERFECT FAILURE

It has been observed that the scenario of no or delayed proclamation which will eventually lead to failure of election is becoming into reality when Benigno "Noynoy" Aquino III, Presidential bearer for the Liberal Party is making good in the surveys vis-a vis his strongest rival Manuel "Manny" Villar of the Nacionalista Party. This means that the farther the distance that Noynoy has reached in the surveys from Manny, the greater or the more intensified talks of having a failure of election on May 10, 2010. In the same observations, it says that no or delayed proclamation and the failure of elections can only happen if Noynoy wins in the Presidential election and especially so if his lead in terms of votes will not reach several millions (Estrada's case in 1998 elections) because by then no amount of efforts and machineries of even magic can be realistic. A scenario of a failure of elections must be perfect.

And this is not without basis, in fact months before statements coming from close allies of GMA (retired as well as active) have been projecting such scenario to happen. If no proclamation or failure of elections happens and confusion and chaos occur because the Constitutional Law of succession has not been in place (the Senate has not elected a new Senate President from the 12

Senators whose term will be up to 2013) the only legitimate institution strong enough to put things in order and govern the nation is the AFP and the PNP. They can form a Junta with GMA, especially if she will be proclaimed as winner in her District and can be elected as Speaker of the House with dysfunctional Senate and without a President and Vice President being proclaimed. Such scenario fits very well with the total control of the Supreme Court including the Chief Justice, the strategic positioning of the Batch 78 of the Philippine Military Academy Officers and the fielding of a weak Presidential candidate of the disintegrating ruling Party Coalition. Further, it also explains why the more or less popular Vice President Noli de Castro did not get the support of GMA and her allies when he proposed that he will run as Presidential Candidate of the ruling party coalition and the full backing of the latter.

Another variation of such scenario is a junta without GMA which can be formed out of the chaos and massive confusion brought about by the failure of automated elections. This junta will be composed of men and women allied to GMA and her being out of the junta will create a situation that she is not behind this formation and she can have graceful exit to any country in Europe and maybe Spain is a good retiring country to enjoy legal cases free exit.

Currently, given that the commanding lead of Noynoy over Villar in the latest survey is on two digit level, the first variation of the junta is not likely possible.

Other factors should be considered in this event or as presented in the first part of this serialized paper. The intensification of the Peace Talks between the MILF and GRP, which will lead to signing an Interim Agreement in which the content on ancestral Domain is enough to create extreme reactions from the Christians and Indigenous Peoples will only add to the chaos and justify the military intervention in any form. The talks with the GRP and MNLF with the end in view of the unity of the MILF and MNLF with the Organization of Islamic Countries (OICs) will be enough to threaten other players in Mindanao. The very persistent efforts of the GRP to have an observer status in the OIC is a move to neutralize any bilateral relations of MILF and MNLF to the Islamic Body and fit into confederative arrangement with the Moro Fronts.

The release of members of Ampatuan clan can surely help in the Mindanao chaos and confusions. The continuous power failures in Mindanao and in many parts of the country blaming nature (El Niño) and therefore no solution can lead to justify the delayed or no proclamation of National Candidate such as President, Vice President, and Senators. The bombings in the selected parts of Mindanao and later on the other parts of the country blamed to extremists like Abu Sayyaf have already commenced which even bishops would beg the government to declare Martial Law to confront the situation. All the abovementioned events tend to form a common denominator - that is laying the ground for a perfect failure of the Elections with the hands of Malacañang securely concealed.

THE FORMATION OF THE CIVILIAN-MILITARY JUNTA IS NOT UNCONSTITUTIONAL

The unfolding of events that will lay the predicate for the formation of the Junta are becoming obvious. It will be mainly composed of active military and police officials and some civilians with a few church personalities. And most likely this will exclude GMA with her continuing downtrend of unpopularity (latest is negative 53 - the most unpopular President that the country ever has) to project a distance of her from the Junta. The Junta will govern the country for a period until political stability is ascertained and which they themselves and the Supreme Court will determine that the country is stable or not stable.

If the People Power will not overtake the Junta in its activities, it can even call for a Constitutional Convention or act as Constitutional Assembly to change the Constitution in the guise of solving the urgent political and economic problems of the country and provide viable solution for the Mindanao question.

The formation of a Junta (with or without GMA) is not unconstitutional altogether. It is not written in the 1987 Constitution but the same Constitution does not say its formation is illegal especially if the scenario of chaos and confusion are present during or after the May 10, 2010 elections.

The GMA team which works out to realize the scenario is composed of the Acting Defense Secretary (Norberto Gonzales), Department of Interior and Local Government Secretary (Reynato Puno), the new Executive Secretary (Leandro Mendoza) and the Acting Secretary of Justice (Alberto Agra). They are all proven to be loyal to GMA and ready to do her bidding anytime and anywhere.

The none or weak support of the ruling Party standard bearer LAKAS-KAMPI-NUCD and former Defense Secretary Gilbert "Gibo" Teodoro by GMA is worth giving attention. Without clear financial support, members of the ruling coalition from top to bottom have to fend for themselves and a number of them including personalities of the Party have to jump ship to politically survive. It is clear that these politicians have seen signals maybe confusing but clear that GMA or his husband does not have one candidate to support in mind. It took the resignation of Gibo as head of the Party in order to get the attention of the President and to hear her verbal support for Gibo and rallying the Party to support the ruling Party standard bearer. But everybody knows that it is already too late for Gibo to rally and close the distance with three other Presidential candidates.

It can clearly be observed that members and officers of ruling coalition have only two directions either to Noynoy or to Gibo, which means that they are casting their fate to whom they think would have a greater chance to win in May 2010 election. Only that the big names who had been with GMA and supported her in whatever means to win the 2004, senatorial elections in 2007 blocked all the impeachments attempts had all gone to Villar and those who have not been so vocal to support GMA in the past and been identified with helping her in economic program have gone to Noynoy. But more important (learning from history) GMA's camp is making sure that the ruling Party is weakened so that the next administration cannot use it against her after June 30, 2010.

But whatever the intentions of these two groups, the end result will both favor the camp of GMA. Even if Noynoy wins in actual votes, if it will not be by the millions (between 3 to 5 millions) in terms of distance over Villar then it will serve the purpose for GMA. The estimated 30% of votes which will be disenfranchised and/or will be delayed because this percentage (30%) is the estimated number of votes whom the COMELEC has considered to be in the manual manner of voting and therefore vulnerable for cheating, a work which under the GMA administration has not only become a science but an open profession for many.

And this percentage is not enough for any candidate to concede a defeat and question the victory of a winning candidate. This is precisely what we have referred to earlier which will be the reason for no proclamation or even a failure of elections. Adding the other factors which have also been mentioned earlier a convergence of reasons can perfectly fit to the formation of a junta or a transition government as what Secretary Norberto Gonzales had coined earlier - as logical contingency plan which the 1987 Constitution did not mention but neither did it say that this, given the situation, cannot be done.

This scenario can be possible only if the military and the police will support it and the Supreme Court will justify it.

The other important ingredient in this situation is if there will be no critical mass of people who have anticipated this plan and therefore have prepared to confront it.

It is of paramount importance for the prevention of such scenario not to succeed if the civil society will be united and can easily form a broad united front with the participation of the progressive and nationalist members of the military and the police. The Church can also play a very decisive role through its moral and spiritual ascendancy and therefore it can help in the formation of its (Broad United Front) leadership. It (the Church) is the only institution which can make a moral stand and rally the people to safeguard the votes and ensure an honest election aside from the military, the police and the Judiciary.

The new policies and attitude of the United States of America with regards to supporting or stopping regimes like the GMA even in the name of war or anti-terrorism will be very important if not decisive in the realization or failure of the Junta formation. In fact, the assignment of the new US Ambassador to the country is worth studying in the connection of the changing of political spectrum in the country and the interest of the US vis-à-vis the growing influential role of China in the country and the Region.

THE REASONS FOR BEING OF POLITICAL PARTIES

As the date for the local and national elections draw near, characteristics and nature of the political parties in the country are revealed. Aside from their platform of governance, the methods of how they convey their platform to the people and the manner on how to convince the electorates over their political rivals are astonishing if not demeaning.

There are seven Presidential candidates backed up by their respective political parties. Right now, it is more tense and confusing because candidates, especially the traditional politicians are in their normal selves because they know that if they do not identify themselves with candidates who will likely win, then they will be doomed (unless they switch parties again) for the next three to six years. Democratic institutions including electoral parties have been destroyed during the period of Marcos dictatorship. The two Party System which have been established since the Second World War had been replaced by the Party of the dictator like Kilusang Bagong Lipunan (KBL) or the sitting President like LABAN during Corazon Aquino's administration, LAKAS-NUCD during the Ramos' Presidency, Partidong Masang Pilipino (PMP) during the time of Estrada and LAKAS-KAMPI-NUCD during the Arroyo Regime. All the traditional politicians from top to bottom adopted and changed their Party affiliates as if they are changing their clothes.

The Party Political Platforms do no matter much anymore because they know that they are only for propaganda and campaign purposes.

Those politicians who do not identify with the ruling or the Party of the sitting President is called opposition. But many of them will not last their term if they remained as oppositions. The Party of the President will make sure that no funds for development will reach in their areas. And therefore if you want to continue to be politicians and survive, you either quit being one and do other political works or continue but join the Party which is the flavor of the day - the ruling Party.

A ray of hope has been indicated when the 1987 Constitution crafted a law, making sure that the marginalized sectors of the population can be represented in Congress. It has been said in the Party List Law that at least 20% of the members of the House of Representatives must come from the marginalized sectors through the Party List Representatives.

Since its first implementation in 1998, the Party List has attracted almost all groups and blocks in the country's political spectrum. Those from extreme Left up to those extreme Right have participated and won seats in the Lower House of Congress.

And now it has even attracted the mainstream politicians including that from the ruling Party to take advantage of the Party List Law in order to get inside the Congress and there rejoin their Party mates in the ruling coalition. One has just to get 2% of the total votes cast for the Party List in order to get a seat in the Congress. So if you have money and machinery, the COMELEC is more than willing to help you secure your seat in the Congress. Of course, they have to wear their thick mask in order to claim that they represent the marginalized sectors in the society even if they do not come or one of them. This is the latest move of the GMA group to enter the Congress. One of her sons represents the security guards, her sister-in-law represents the "balot" vendors and her most trusted Secretary of Energy Angelo Reyes represents the drivers. This was once unthinkable by the framers of 1987 Constitution but now it has become thinkable with those who want to stay in power forever.

Furthermore, the progressive and Left blocks in the country have participated and in fact won several seats in Congress. The group for instance identified with the Maoist Communist Party of the Philippines or CPP, had won eight seats in Congress in 2007 elections and they capitalize such opportunity to engage the traditional politicians and run for higher positions like the Senate. Right now, two from their Party List organizations are running for the Senate under the Nationalist Party with Villar. Although they are guest candidates, they join almost all the campaign sorties of Villar together with other guest candidate Ferdinand "Bongbong" Marcos, Jr - the only son of the late dictator Ferdinand Marcos, who had persecuted the Left during the seventies and the eighties and had killed and imprisoned thousands of political and anti-dictatorship activists including Satur Ocampo - one of the two running from the Left - under Villar.

But what is worst is that they allowed themselves to be used by Villar to campaign on his platform which promises the salvation of the poor if they follow his footsteps and of course if they elect him as the next President of the country. One could not see in the campaigns of Satur and his comrades about the dialectics of reforms and revolution. And what is worst than a crime is to see the founding Chairperson of the CPP trying to campaign for Villar by destroying his closest rival Noynoy. It has been known that Satur and his group first approached Nonoy's group and was rejected by the inner circle of Noynoy - Hyatt 10 etc - and they join Villar. But the way their founding Chairperson campaigns for Villar and against Noynoy speaks of a contemporary political opportunism that a Party which claimed to be revolutionary has reached a demeaning point. Their campaign for genuine land reform for instance is addressed only for the Hacienda Luisita.

The progressive and Marxist political groups need financial and logistical supports in order to run a nationwide campaign but surely there are non-negotiable parameters in terms of basic principles of a revolutionary group worthy of its name even in the act of participating in a bourgeois exercise like elections.

Instead of advocating and educating the electorate of the programs and alternative model to the bourgeois system, the so-called progressives have used the methods of the bourgeois politician to reach the voters. Candidates for instance who have been known as women rights advocates, allowed themselves to agree of using thinly-clad women to dance and attract the voters to their rallies. And this oftentimes happen in the rallies of Villar where the two so-called progressives belong, Satur Ocampo and Liza Maza, who is the representative of progressive women organization - the Gabriela.

Throughout the country, one can see the massive use of expensive posters and streamers made in tarpaulin. Those who have not organized their machineries, have substituted them for these election paraphernalia. This is actually a political camouflage so that if the COMELEC will made

them win (ala Garci) then it will be very difficult to expose them of their scheme. In short, it will be the COMELEC (responsible of the so called automation) that will make these people win and not the electorates. The massive use of election paraphernalia will cover-up the moves of the COMELEC to manipulate votes in their favor because their posters and streamers will make-up for their presence in areas which in reality they are not or they do not have their physical presence. So what do they need their Parties for?

Richard S. Solis, April 10, 2010
