

ESSAYS

Philippine politics and the Aquino III regime: Fighting Corruption through Patronage?

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Ironically, President Aquino is fighting corruption through the tools that lead to corruption. A necessary concession to the evils of Philippine politics, or the betrayal of reformist principles?

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Several months ago, in the midst of the Aquino government's investigations of such corruption scandals as the pork barrel (Priority Development Assistance Fund or PDAF) and the Malampaya Fund scams, the political opposition—including some implicated politicians—and independent observers made various revelations about certain questionable presidential discretionary funds and allocations.

Among these were the P50 million "incentive" or "reward" for each of the senators voting in favor of the conviction of former Chief Justice Corona—and the so-called "president's pork barrel," in reference to the P1 trillion in lump sums under the president's discretion in the national budget.

In trying to explain the \$50 million "incentive," Budget Secretary Florencio Abad, Jr., divulged the existence of a Disbursement Acceleration Program (DAP). Some critics promptly denounced DAP as being "patently illegal," asserting that no government funds can be released by the Treasury without congressional authority.

The PDAF and Malampaya scams and related controversies were pushed to the sidelines in the weeks after super-typhoon Yolanda wreaked great havoc in the Visayas. Lately, the Philippine media has put the spotlight back on the pork barrel scandal, but the controversy over presidential discretionary funds and allocations seems to have quieted down, at least temporarily.

The exposés made by those implicated in the pork barrel scam may well have been self-serving. Nonetheless, the exchanges between the government and its critics over presidential discretionary funds need to be reexamined. They provide important insights not only as to how patronage continues to be firmly entrenched in Philippine politics but also as to how President Benigno S. Aquino III, as quirky or odd as it may sound, has been trying to fight corruption through patronage.

Patronage and Pork Barrel

According to political theorists Martin and Susan Tolchin, patronage is “the disbursement [by politicians] of the discretionary favors of government in exchange for political support.” The favors could come in the form of jobs or appointments, funding for projects, government concessions, etc.

Patronage has been a longstanding feature of Philippine politics. Some political scientists, in fact, have characterized Philippine politics as patronage politics. Other political scientists describe the Philippines as an elite or oligarchic democracy, but they indicate patronage as being—or among—the principal means by which members of the country’s privileged elite, especially political clans and dynasties, maintain their hold on power.

Pork barrel is a particular form of patronage used by legislators, in which they ingratiate themselves with their constituents through local projects. In the Philippines, where the president wields extensive powers over actual allocations and disbursements of government funds, pork often involves double patronage: the president serving as patron to legislators and the legislators to their constituents. Pork barrel has long been a common practice in the country, dating as far back as the 1920s, during the American colonial period.

By its very nature, patronage—including pork barrel—cannot be transparent. No politician in his or her right mind would openly state that government funds are being spent in order to gain for himself or herself the political support or loyalty of constituents. Precisely because patronage is not transparent, it can easily lead to corruption—somewhat narrowly defined by President Aquino as “stealing” from the government. Instead of going through all the hassle of implementing patronage projects, why not find ways of just pocketing the money?

From Patronage Politics to Predatory Politics and Back

In the 1960s, competition among the factions of the oligarchic elite became so intense that patronage no longer sufficed for gaining, or holding on to, power. Politicians resorted to campaign overspending, bribery, fraud, and violence—the proverbial “guns, goons and gold.” In many regions, politician-warlords built or expanded their private armies.

After Marcos imposed authoritarian rule in 1972, he further centralized the president’s already extensive powers over patronage funds. According to political scientists Paul Hutchcroft and Joel Rocamora (now coordinator of the National Anti-Poverty Commission), Marcos “augmented the already enormous budgetary powers of the Philippine presidency with new discretionary funds that could be distributed directly to officials at the barrio level for ‘community projects.’”

But he was not satisfied with just wielding patronage. He, his wife, and his cronies proceeded to plunder the country’s resources. In the process, the dictator destroyed the country’s political institutions, turning or perverting them into tools of patronage, plunder, repression and propaganda. Patronage politics decayed into the politics of predation.

Following the fall of Marcos in 1986, the oligarchic families who had suffered from the dictator’s ire or disfavor returned to power. Some Marcos allies, who refashioned themselves into born-again democrats, stayed in power. Sometime later, Marcos’s heirs made a political comeback too.

The restoration of democracy in 1986 put an end to Marcos’ plunder, but it brought back the politics of patronage and privilege of the pre-authoritarian period. As noted by Hutchcroft and Rocamora, “the new parties that did emerge remained remarkably similar in their orientation toward

patronage, reliance on coalitions of local elites, nonideological character, and shifting membership.” In 1990, the administration of Corazon Aquino established the Countryside Development Fund—the pork barrel precursor of the PDAF—enabling members of Congress to finance small-scale infrastructure or community projects. The oligarchic elite built and expanded political dynasties and private armies, although the 1987 constitution expressly prohibited both.

When President Fidel Ramos assumed office in 1992, his Lakas-NUCD was a puny minority in the House of Representatives, holding only 39 of the chamber’s 200 seats. After only a year, however, Lakas-NUCD became the majority party, its numbers swelling to 108. Since then, after every presidential turnover, there has been a mass-switching of legislators from the opposition to the president’s party or alliance.

What accounts for this mass opportunism? Patronage, of course. Explaining the herd turncoatism during Ramos’ first year in office, Abad, a former congressman, stated in 2002: “The ordinary voter has come to accept the proliferation of ‘political butterflies’ as a justifiable act of political survival in a system that rewards, not party loyalty, but a politician’s ability to ingratiate himself to an all-powerful, spoils-dispensing president.”

The Return of Predatory Politics

During the administrations of Joseph Estrada and Gloria Macapagal Arroyo, patronage politics degenerated once again into the politics of plunder. In the wake of a jueteng scandal, Estrada was forced to resign. Arroyo survived several impeachment attempts and finished out her term despite a slew of corruption and fraud scandals, some of which implicated her and/or close relatives.

Early on in her presidency, Arroyo had already managed to lure many political butterflies and to build a bulging majority in congress through patronage. Still she made doubly sure of her allies’ allegiances. In the heat of the impeachment proceedings, then Budget Secretary Rolando Andaya, Jr., reminded the members of congress not too subtly that the president had the sole discretion to choose the legislators to be given PDAF entitlements. The *Philippine Daily Inquirer* (November 26, 2006) irreverently titled the news item “To Get Pork, Butter up the Boss, Senators Told.” Later, in fact, Arroyo accumulated close to P1 trillion in discretionary funds—sums that did prove handy as minions did butter up.

Then Senate Minority Floor Leader Aquilino Pimentel declared that the 2005 impeachment attempt failed *“not because it was weak or baseless but because Malacañang dangled money, pork barrel projects, government positions and other juicy incentives which proved irresistible to the unscrupulous congressmen.”*

Apart from further weakening the country’s political party system, Arroyo’s predatory regime wrought extensive damage to the country’s other political institutions—the presidency itself, congress, the judiciary, the Commission on Elections, the Office of the Ombudsman, civil bureaucracy, the military, the police, local governments, etc.—just as Marcos had done. Sociologist Randy David described the destruction as a “bonfire of institutions.”

Aquino’s Fight against Corruption and the Pork Barrel Controversy

Making good on his electoral platform to fight corruption, Aquino III appointed many reform-oriented officials and undertook such reforms as making government operations more open to public scrutiny, enforcing strict adherence to public rules and more consultations with civil society

organizations. To break the culture of impunity, the Aquino administration apprehended and prosecuted former top officials on various malfeasance charges, including Arroyo no less, and it was instrumental in the resignation or removal of key officials deemed too “soft” or partial in dealing with corruption, such as Ombudsman Merceditas Gutierrez and Supreme Court Chief Justice Renato Corona. It pressed plunder or malversation charges against 72 persons, including three senators and twelve former congresspersons, in the PDAF scam, and against 22 persons, including Arroyo and three former cabinet secretaries, in the Malampaya scam.

Reluctant initially to abolish the PDAF, Aquino succumbed to the massive anti-pork barrel protests and vowed to end PDAF. Aquino and other administration officials, however, came under fire over the P50 million “incentive,” the “president’s pork barrel,” and the “illegal” DAP, with some critics even calling him the “Pork Barrel King.” Aquino has dismissed the criticisms raised against him as a “smear campaign” and he has trumpeted his administration’s anti-corruption achievements.

Perhaps there is no questioning the seriousness and dedication of Aquino in fighting corruption, at least in the narrow sense that he associates corruption with: outright “stealing” from the government. The problem, however, is that his anti-corruption and other reform efforts have relied too much on that longstanding, murky bane of Philippine politics: patronage.

Patronage and Combating Corruption

Aquino knew from the start that in order to get somewhere in his anti-corruption campaign, he would have to entice and secure the support of an institution that was a bastion of patronage: congress. He knew that he could exploit that very propensity of *trapos* (traditional politicians) to ingratiate themselves to, as Abad put it, “an all-powerful, spoils-dispensing president.” Indeed, they came to him like a swarm of locusts. Here is this author’s account in a Freedom House report in 2011:

“Aquino’s Liberal Party (LP) won only 45 seats in the 285-member House of Representatives, the lower house of the bicameral Congress, while Arroyo’s Lakas-Kampi party took 106. But self-interested party-switching by lawmakers is very common in the Philippines, and in the months after the elections, the LP expanded to 80 seats in the House as Lakas-Kampi shrank to 48. The Aquino-aligned majority coalition in the House reached 251 members (including 21 Lakas-Kampi members), leaving the minority with just 34. The LP won only three of the 12 Senate seats contested in 2010, but it joined a 19-member majority bloc that is friendly to the Aquino administration.”

The patronage-seasoned political butterflies soon assumed key positions in the LP. Reform-oriented members who had tried to strengthen the party in terms of political program and organization in the years just prior to Aquino’s victory were pushed to the margins. The LP thus stayed an amorphous, non-programmatic, patronage-based, catch-all party, in an even more amorphous, non-programmatic, patronage-based, catch-all ruling coalition.

To help ensure the political allegiance of senators and congressmen, the Aquino administration not only retained such pork barrel funds as PDAF and the Congressional Allocation, but even inflated them. It jacked up the budget for PDAF from P6.9 billion in 2010 to P22.3 billion in 2011—a whopping threefold increase—and further increased it in 2012 and 2013. Interviewed by the Philippine Center of Investigative Journalism in July 2012, Abad explained that pork flourishes “in the framework of patronage politics” and that “unless we can change our politics, PDAF will always be a necessity.”

PDAF was just a drop in the bucket. The Aquino government maintained huge lump sums under the

president's discretion in the national budget—amounts very prone to be used for patronage. Aquino accused his predecessor of amassing close to P1 trillion in discretionary funds to stay in power. Yet he had done nothing in over three years as president to clip the chief executive's fiscal powers, and he had even increased the discretionary lump sums. Political analyst Perry Diaz estimates that the "presidential pork" now totals P1.45 trillion, about 55.7 per cent of the P2.6-trillion budget for 2014.

Apart from fattening the pork, the Aquino administration made sure not to ruffle the feathers and wings of its political allies. Although Aquino had advocated for passage of the Freedom of Information (FOI) bill during the election campaign, it was put in the back burner during his first three years as president. FOI was too dangerous; it could expose not only corruption, but patronage too. Also pushed aside was the political party reform bill, since this would clip butterfly wings, among other things. Members of the oligarchic elite maintained their privileges. Land reform distribution slowed to a virtual trickle, with the acquiescence of the landlord-infested congress. Political families and clans continued to thrive, provoking the irrepressible Senator Miriam Defensor Santiago to dub the Philippines "the world capital of political dynasties." Private armies persisted, despite Aquino's promise to dismantle them and repeated appeals of Human Rights Watch to him to keep his word. Never mind that the constitution banning political dynasties and private armies was done under his mother's presidency.

Fighting corruption through patronage would appear to have produced positive results. Without the overwhelming support of congress, Aquino would not have been able to undertake many of his reform initiatives, to have corrupt government officials removed from, or forced out of, office, jailed and/or prosecuted, and to have new, reform-oriented officials appointed. Just as patronage had secured for Arroyo the overwhelming defeat of the impeachment motions in the House of Representatives against her, patronage secured overwhelming victory for Aquino in the impeachment of Gutierrez and Corona. The common principle followed was "To get pork, butter up the boss."

The impeachment drama played out in the senate too. Among the stellar cast in the telenovela, then Senate President Juan Ponce Enrile stood out and won critical acclaim for his performance. The DAP "incentive" served as the icing on the patronage cake. Among the stalwarts who voted for the conviction of Corona and received large PDAF and DAP allocations were Senators Enrile, Jinggoy Estrada and Ramon Revilla, three solons now charged with plunder.

The Patronage Game Is Up

The strategy of fighting corruption through patronage, however, appears to have reached its limits. As pointed out earlier, patronage cannot be transparent. In seeking a beneficiary's political support using government resources, the patron has to find ways of keeping a patronage deal hidden from the public or to camouflage his or her real motives in such a deal. This could lead into something shady, irregular or at the very least questionable. The administration's patronage arrangements put it in hot waters. Was the P50 million "incentive" not a bribe? Were the DAP releases done with proper congressional authority?

Senator Jinggoy Estrada's exposé on the P50 million "incentive" may just be the beginning of a counter-attack. Other government officials who have been beneficiaries of patronage before and are now implicated in scams may come forward to "expose" other opaque patronage deals. After all, it's now a season for whistleblowers.

What has rendered the strategy of fighting corruption through patronage untenable the most, however, is the public's much heightened awareness of, and outraged opposition to, pork barrel and

patronage. These have been stoked by the extensive media coverage of corruption scandals and the investigations into them, and by the very successes of Aquino's anti-corruption crusade. The public's standards regarding ethical behavior in government have been raised. Filipinos want transparency and accountability, and they do not want huge lump sums in the budget to be discretionary.

With the public's higher standards, larger sections of the population may soon perceive pork barrel and patronage not just as leading to corruption, but even as being forms of corruption themselves. The distinction between pork barrel/patronage and corruption disappears, in fact, if one broadly interprets Transparency International's oft-cited definition of corruption as "abuse of public office for private gain."

The Challenge of Fighting Corruption AND Patronage

Not surprisingly, given the ruling coalition's huge majority in congress, Aquino has weathered the storm over DAP. Nonetheless, Aquino remains in a fix. If he cuts off or significantly reduces the pork barrel and patronage, he could face a mutiny within the ruling coalition in congress and lose support for his reform initiatives. However, if he tries to revive pork or use patronage in other forms, he could draw the ire of the public.

It is impossible to do away completely with patronage. But various measures can certainly be adopted and institutionalized to diminish it. Wise leadership can at certain times judiciously harness patronage for functional ends. As the recent Steven Spielberg movie showed, President Abraham Lincoln did resort to a bit of patronage to secure the passage of a constitutional amendment that formally abolished slavery in the U.S. Aquino's mistake was to rely too much on patronage in pursuing reforms, so much so that pork barrel and patronage now threaten to define and even destroy his presidency.

Aquino has led the Philippines out of the politics of predation, audaciously confronting and trouncing certain powerful forces of unmoderate-able greed. But he has only brought the country back to the old politics of patronage and privilege of the oligarchic elite. Aquino's recent claim that his government is now "eradicating the last vestiges of corruption" is downright naïve. Patronage engenders corruption. For as long as patronage persists as a significant feature of Philippine politics, corruption will keep coming back as a major problem.

In the light of the tremendous public outrage over corruption and pork barrel, Aquino now has the unique opportunity to harness people power for much deeper reform. He could take the lead in taking the country out of the rut of alternating between patronage and out-and-out predatory politics, and bringing about a better-quality democracy anchored not just on the rule of law, transparency and accountability, but also inclusiveness and social justice. Since such tenets go against the very grain of thinking of the country's oligarchic elite, Aquino would have to be daring enough, to paraphrase novelist F. Sionil Jose, to betray his class.

If Aquino wants to deliver an emphatic anti-corruption and anti-patronage message, he had better do it soon. Already, one of the strong contenders in the 2016 presidential election, emulating Marcos and Arroyo, shamelessly printed his name on relief goods for victims of the Bohol earthquake and supertyphoon Yolanda. Another aspirant, the son of the former dictator, keeps trying to depict the years of plunder and repression under his father as halcyon times of prosperity, order, and stability.

Will the Philippines just swing back, again, to the politics of predation after Aquino? What legacy will he leave? Will "matuwid na daan" just be an ephemeral phenomenon or a pipe dream?

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P.S.

* <http://themanilareview.com/fighting-corruption-through-patronage/>

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