

**POLITICAL DYNASTY,  
ANAETHEMA OF DEMOCRACY  
(PRIVILEGE SPEECH BY SEN. ALFREDO S. LIM)**

January 24, 2005

Mr. President, I rise on a question of personal privilege.

Shortly after I assumed my position as a Senator and in fulfillment of my promise to serve our countrymen to the best that I can and discharge that mandate, I filed Senate Bill No. 1317 entitled AN ACT TO PROHIBIT POLITICAL DYNASTY, PROVIDE PENALTIES FOR VIOLATION THEROF, AND FOR OTHER PURPOSES otherwise as the Anti-Political Dynasty Act of 2004.

I know that this bill is popular and acceptable to many but unfriendly and inimical to the few, some of them my colleagues, friends and allies. Nonetheless, I am consoled by the expectation that the bill if enacted into law will usher in a new social and political order, which might in the long run provide a direction that will salvage our sinking ship and restore our lost glory in terms of political maturity and development.

Regrettably, Mr. President, the bill remains as such because until now it has been reported out from the Committee for discussion or deliberation by this august body. The urgency of having this bill immediately discussed on the floor becomes evident because of that fact that we are only two years away from the next local elections and the evil that this bill seeks to curb might continue to prosper and the salutary purposes envisioned by the framers of the 1987 Charter will remain mere visions and aspirations.

Almost two decades ago, the Members of the Constitutional Commission appointed by Pres. Aquino were tasked to draft our fundamental charter. In that convention and for the first time in our constitutional experience, not even perhaps when the 1935 charter was being formulated during the American regime;

nor probably when the 1973 Constitution was being framed during the martial law era, a novel but nagging issue on political dynasty cropped up.

Yes Mr. President, Comm. Jose Nolleto of Palawan bravely introduced in their august convention Resolution NO. 64 which reads: RESOLUTION TO INCORPORATE IN THE DECLARATION OF PRINCIPLES OF THE NEW CONSTITUTION A PROVISION AGAINST POLITICAL DYNASTIES.

Realizing he was fighting a difficult battle, he even quipped in his sponsorship speech: “it seems to me that the resolution asking for provision in the Constitution to prohibit political dynasties is very popular outside but does not seem to enjoy the same popularity inside the Constitutional Commission”.

I share his sentiments aired nineteen (19) years ago because I know some of you and some members of the House may be despising me for this anti-dynasty proposal that will put an end to political power wielded by those affected by it, but the great majority of our people are supportive of this measure and are solidly behind me.

However, I wish that I shall vanquish and trounce all odds and, just like Comm. Nolleto, succeeded in the passage of the law against political dynasty.

What was it that impelled Com. Nolleto in seeking to constitutionalize a state policy against political dynasty? Was there already a political dynasty of such magnitude and alarming proportion at that time so much so that the Commissioners had to dwell on such novel situation in the midst of their task in framing our charter?

Yes, Mr. President, there was!

Comm. Nolleto vividly described the then political dynasties in this wise:

As now appearing in many parts of our country, Mr. Presiding Officer, we seem to approve of the practice that public office is inherited. Now, in order to make this provision more palatable to the Members of the Constitutional Commission, I have decided to restrict the meaning of political dynasty as a suggestion to the forthcoming Congress of the Philippines. x x x I am talking of this in terms of the scope of the term “political dynasty” by saying that a prohibition against political dynasty, Mr. Presiding

Officer, is designed to avoid circumvention of the provision limiting reelection of public officers to give a chance to others in running for public office. I would like to be specific, Mr. Presiding Officer. In the case of the local government officials like governors, for example, we allow them to have two reelections. If he is reelected twice, he can no longer run for reelection in which case, he will ask his close relative – a son or daughter or a brother or a sister – to run for public office under his patronage. And in this case, we circumvent the rule against further reelection because it may also happen that his younger son may run for governor and he is still strong enough to exercise moral as well as effective influence upon the son. And the son becomes a subaltern, subjecting himself to the will of the father who was apparently retired.

And so, in the case of a President, for example, under the provisions of the Constitution, the President cannot run for reelection. So if the incumbent President cannot run for reelection, she can ask, for example, Noynoy Aquino – assuming that he is already of age – to run for President, thereby negating the laudable purpose for prohibiting reelection. That seems to me to be the meaning of political dynasty although Congress may still widen the meaning of the term. In the case of a governor, Mr. Presiding Officer, if he has run for election for the same position, the governor, who is now incumbent, must have built fortunes and even private armies to assure the perpetuation through the election of close relatives. His built-in advantages over his opponents will not widen political participation in an election. x x x.<sup>3</sup>

Comm. Nolleto's fight against political dynasty snowballed and one by one, his peers spoke and made telling revelations, despicable them and united with him in his quest to put an end to political dynasties.

Comm. Rene Sarmiento shared his hatred against political dynasty and said:

This seems to be a very unpopular section. But may speak in favor of this section in spite of its unpopularity within this august body?

Political dynasties, Mr. Presiding Officer, are the bane and Waterloo of young, promising but poor candidates. And this is true in the provinces, even in my own province.

By including this provision, we widen the opportunities of competent, young and promising but poor candidates to occupy important positions in the government. While it is true we have government officials who have ascended to power despite accident of birth, they are exceptions to officials would show that they come from powerful clans with vast economic fortunes.

So, I believe that with this provision and considering that social and economic inequalities will be with us for many years, maybe for decades, then there is wisdom for the inclusion of this section in our Constitution. 4

And the more telling revelation about the abhorrent environment that political dynasties spawned was the blunt confirmation made by Comm. Jose

Colayco, former judge of the CFI and later Justice of the Court of Appeals, who said:

I have one angle which has not been mentioned and which makes the concept advanced by Commissioner Nolledo very meritorious. One of the worst effects of political dynasties is that it breeds graft and corruption. I will give one actual example. In a city in Metropolitan Manila, the mayor has been in power for 20 years, even before Marcos came to power. He has several children. What was the result? One took care of the graft coming from the discos. Another one received a monthly pension from the so-called motels. Another took charge of the gambling casinos. A fourth one took care of the market collections. But the chief of police looked the other way because he has been given a share in the loot. Because of the length of time the mayor has held power, he did not bother with the public criticism against his administration. This is something still happening. A group of concerned citizens in this same city created a special committee to help the present OIC. In the beginning they thought that the OIC was acting in good faith, but lately, they heard that he was following the footsteps of his predecessor.

This condition exists not only in this city. We go a little farther to the Visayas. You know whom I am referring to. This politician has such a strong private army that not even our army dares to do something about it. And what is this political dynasty doing? The same thing that the previous dynasty I mentioned is doing. His wife and children are all in power. Some are mayors, others are governors, et cetera. And in each place where they are in power, graft and corruption is present.

Yes, Mr. President, after a lengthy and heated debate, the CONCOM finally ingrafted the state policy prohibiting political dynasty.

That was in 1987.

What had the initial Congress that was convened after the effectivity of the 1987 Charter and the succeeding Congress done to implement the Constitutional injunction against political dynasty?

Sad to state, Mr. President, none has been done. Although I can state with pride that our esteemed colleague, Sen. Aquilino "Nene" Pimentel, sponsored the first ever anti-dynasty bill in this august body but was unfortunately unsuccessful. From where Sen. Nene stopped, I will re-start.

Mr. President, it is high time Congress finally and seriously consider the passage of the law against political dynasty that has been declared a state policy two decades ago in our Charter.

In fact Mr. President, the situation then existing in 1986 that inspired or induced the CONCOM to declare a state policy against political dynasty exists up to the present and has even grown like mushroom and enlarged in scope in inconceivable proportions throughout the archipelago.

Why? Because, before, the only frightful situation that the CONCOM sought to stop was the almost perpetual stay in office of the incumbents despite the limitation of their re-election terms through circumvention of the law by making their spouses or relatives substitute or take over from them to continue in power. And this continues as ever before.

But now the situation has even worsened! Not only is the mayor or governor or congressman able to perpetuate himself in power through the succession by his other relatives, but this time, alas, they are occupying elective positions simultaneously in the same locality.

Now, you will see the governor has been in power for decades. His wife is a congresswoman or mayor; his children councilors or members of the provincial board; his other far or distant relatives, barangay captains or kagawads. This is a clear case of political dynasty of the worst and detestable form because the entire family practically governs and runs the whole gamut of local government leaving their constituents at their mercy and the electorate helpless in fairly choosing their deserving leaders. And, in the meantime, the dynasty members or clans eat up, squander and enjoy the people's wealth and government funds wantonly and with impunity, successfully evading detection and avoiding criminal prosecution for graft and corruption.

Firstly, it prohibits a person who is related within the third civil degree of consanguinity or affinity to an incumbent local elective official of the same

political unit to run for any elective position in the same locality or be permitted to assume such office even if elected, during the incumbency of and while the term of office of the said local elective official has not expired.

Secondly, it renders the relation within the 3<sup>rd</sup> civil degree of consanguinity or affinity by any candidate for any local elective office to an incumbent local elective official in the same political unit as a ground for disqualification, petition to deny due course to the democracy of, or for the annulment of proclamation of such candidate.

Thirdly and finally, anyone who occupies any local elective during incumbency of his relative is not entitled to any compensation and is even liable for criminal prosecution which carries a penalty of from six years to twelve years and perpetual disqualification from holding from any public office and the incumbent who abets or aids a relative to hold such public position shall be criminally liable and suffer the same disqualification as the aspirant's.

Mr. President, that is why I am asking the bi-partisan support of everyone in this Chamber to have my bill immediately calendared for second reading in order that we can expedite the passage of the law against political dynasty that the 1987 Constitution proclaimed as a state policy which remains dormant up to now.