

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

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## Homestretching for May 10, 2010 Elections

Barely two weeks to go before the May 10, 2010 Local and National Elections, observers can easily see the political operators from the camp of Gloria Macapagal Arroyo (GMA) making their moves covering all aspects that can block or delay their plan on election day and post June 30, 2010 (the day when GMA will turn over power to the new elected president). In fact as the days to these dates go nearer, one is almost certain that there can never be a democratic transition of power from GMA to the next elected President. Or more accurately one can never be sure now if a new President can ever be elected and be proclaimed. The more the spokespersons of GMA try to explain and refute arguments on these points, the more people believe that May 10, 2010 elections will just be a date that everybody has waited for but in vain. Neither the explanation of the COMELEC can help calm the peoples' apprehension. The automated elections which have been conducted in overseas voting like in Hongkong and Singapore will attest to the basis of peoples' worries. The two Precinct Count Optical Scanning (PCOS) machines had bugged down and it took Smartmatic operators 45 minutes to correct or replace the machines. The reason, the machines and the ballots were kept in not so suitable place. So there goes the COMELEC assertion that the machines are all area specific which means that each machine is made to function in specific area in terms of climate and location.

The civil society as well as the business community have been proposing a parallel manual count to the positions of President, Vice-President, governors and mayors just to make sure that alternative safeguards can be in placed to compensate the absence of security aspects of the PCOS e.g. ultra-violate, to be a credible referrence just incase PCOS machines which are nationally untested will not work out. In other words, to eliminate possible reasons and scenario about having a failure of elections. And as of today signs are there to see that the COMELEC and the GMA camp and their allies will not approve such proposed precautionary steps.

The move of the Acting Defense Secretary (Norberto Gonzales) of going around and meeting the battalion commanders of the Army is not reassuring either. Doing his rounds up to the battalion level is not ordinary work of a man in charge of National Defense especially if the same man made the statement not so long ago that if there will be failure of elections in May 10, 2010, there is a need to form a transition government which will be formed by Civilian-Military Junta. These moves of the Defense Secretary do not follow the chain of command of the AFP but surely the Defense Secretary

is following an order from his Commander in Chief.

The homestretch of the campaign of the candidates, especially the Presidentiables has added more stress and anxieties for the conscious and organized sectors of the voters because they know that such scenario fits very well to GMA's plan. As of this stage of the campaign, only four of the seven Presidential candidates are still holding on to their political bases and continue to convince and win over other voters. Although the three other candidates (there are seven Presidential candidates for May 10, 2010 elections) have not consistently made it in all the surveys conducted since the official campaign has started. The other top four have more or less improved their standing with Noytoy Aquino (the son of former President Corazon Aquino) consistently topping all the surveys, Manny Villar the only billionaire businessman candidate, who after getting very near in the survey to Noytoy Aquino last month, has consistently gone down in terms of rating, the former President Joseph "Erap" Estrada has consistently move up in the survey, in fact, getting very near to Manny Villar and Gilbert "Gibo" Teodoro - the former Defense Secretary and the official candidate of the LAKAS-KAMPI-CMD who had moved up a little but still hopeful that the machineries the local government units which accordingly controls 70%-80% of the areas of the country can still make miracle in the immediate period before the May 10, 2010 elections

During this critical period, the attacks against each other among the Presidentiables have become intensified and viciously dirtier by the day. Each candidate, especially the losing one (in terms of survey) would take any opportunity to destroy the candidate above him. And at the same time, these candidates would want to use any means including their mothers or celebrities to get sympathy and win over voters. For these candidates it seems that sky is the limit of using any means and opportunity to destroy their opponents and win over the electorates. But the abovementioned situation can only be observed in the so-called the "Oppositions" while the Administration candidate (the last among the four leading candidates) are slowly gaining points, careful not at the expense of the other three candidates and readying himself for a miracle to happen a few days before elections. And the more the situation becomes nastier and uglier, the more the game plan of the Arroyo becoming feasible and acceptable.

The very recent moves (as well as no moves) of the Supreme Court have been very disturbing. It had decided last week with finality (amidst various protests and complaints from different groups and sectors of society), that GMA can appoint the Chief Justice even days before she is supposed to hand over power to the next president. And yet up to now the same Supreme Court has not acted upon on the pleas of various sectors declaring Presidential Proclamation 1959 placing Maguindanao and neighboring province and city under Martial Law after the November 23, 2009 Maguindanao Massacre as illegal and unconstitutional. The implication of this non-action of the Supreme Court on this proclamation is that if GMA and her camp see again similar situation in any part of the country, she can always use Pres. Proc. 1959 to control the area and even control the results of the elections.

### **The Ampatuan Factor**

It has come out to an open now, that the spokesperson, senatorial candidate of the Nationalist Party, Gilbert Remulla, had visited and met with former Governor Andal Ampatuan, Sr, the patriarch of the Ampatuan clan and suspected to be the perpetrators of the November 23, 2009 Maguindanao Massacre. During that time, while Ampatuan, Sr was still in military detention of Eastern Mindanao Command (EastMinCom) in Davao (now he stays in Bicutan Detention Center in Manila) and was also visited by the majority of the Maguindanao municipal mayors seeking his (Ampatuan, Sr) endorsement and support. It should be noted that Ampatuan, Sr is running for Vice-Governor in the Province of Maguindanao. Supposedly as independent, his governor and all the mayors who visited

him to get his support were from the Nationalist Party. Earlier on, everybody had seen Andal Jr, the main suspect for the massacre of 57 people including 32 journalists, wearing the election paraphernalia and campaign color of the Nationalist Party when he was transferred from his cell.

This move from the Nationalist Party has shown that if it takes to talk to the devil just to get additional support and votes, it will do it. In desperate times one can have desperate moves.

It should also be recalled that the hate of peoples against the Ampatuans has not abated but had been grossly underestimated by the Arroyo camp. Thinking that if one or two Ampatuans could be released then the lesser the possibility that their (Ampatuan) threat to expose what they had done for the presidency of Arroyo in 2004 elections, would be achieved during this critical period of the elections when the GMA camp has to focus on their moves and cannot afford to be diverted by such potential political damage. The implementation of this plan could be done through the Department of Justice (DOJ). The timing of the clearing of the two Ampatuans and eventual release was highly suspicious. Almost one month before the election which made others think that the two Ampatuans (suspended ARMM Governor Zaldy Ampatuan and former Vice Governor of Maguindanao Akmed Ampatuan) would be used to help the agenda of the Arroyo camp. The announcement was also a suspect, it was a Friday and two days after the DOJ Secretary told the relatives of the Maguindanao victims of the massacre that he (Secretary Agra) had not made yet a decision in favor of the Ampatuans. Only the intensity and the widespread reactions and anger of the people to this decision of Secretary Agra to literally pirate the case of Ampatuan from the jurisdiction of the Court to the Ampatuans before the hearing of the case could start, have made the Arroyo camp backtracked and washed its hands on the act of the DOJ which is under the Office of the President and the DOJ Secretary is an alter ego of Arroyo in administering Justice in the country. And everybody does not believe that Arroyo has nothing to do with the order to clear the two Ampatuans. And nobody believes that such move has nothing to do with the forthcoming May 10, 2010 elections. In fact, the clearing act was supposed to be implemented before the Ampatuan would be transferred to their present detention cells where they could be monitored. It is strongly believed that the heavily armed militia of the Ampatuans are still very much active and present in many parts of Maguindanao and this armed and dangerous group could be of great help to the Arroyo scenario if properly and actually commanded by the Ampatuans themselves and not just by proxies or by cellular phones. It could be a best timing with the expected signing of an Interim Peace Agreement between the GRP and the MILF sometime in the 1<sup>st</sup> week of May - one week before elections.

It has been proven time and time again that warlords such as the Ampatuans can help make and unmake the presidency or an administration for that matter. The experiences of 2004 and the 2007 elections have still impacted to the traditional way of politicking. And as the election day nears, the more the traditional politicians and the Arroyo camp are needing the services of these warlords. The creation of the GMA camp of a Presidential Commission to disband all the warlords in the country is surely just for show in the light of the Maguindanao Massacre.

And if this is done hastily out of sheer desperation, it could also backfire. When a press conference was called by the jail authorities in behalf of Andal Ampatuan, Jr. just to announce to the country that the Ampatuan clan was supporting the Presidential bid of the Liberal Party standard bearer Noynoy Aquino, nobody believed it and that even those whom they are endorsing would not appreciate it, then it did not only go back to the bad intentions of the planner of this act but it especially reinforces that belief that everybody has already known about the collusion of Arroyo and the so-called opposition party of Manny Villar and the Nationalist Party. They obviously misjudged the whole picture of giving a kiss of death to Noynoy Aquino's candidacy because of the very negative reaction of people when the DOJ cleared the 2 Ampatuans. Besides, the actions of the Ampatuans in the not so distant past were clearly for Villar. The Arroyo and Villar camps are now reaping the fruits of such political misjudgment.

The latest results of surveys where the gap of Nonoy Aquino over Villar is widening simply say that it is not because Nonoy is becoming more popular but it is because Manny Villar is becoming unpopular especially when he is linked more and more with the Arroyo camp.

## **The Games of the Generals**

Central to the end game scenario of the Arroyo camp is the game that the generals will play. The division within the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) has also intensified and becoming obvious as the election day nears. The Arroyo camp has began its consolidation and positioning of the AFP and the PNP since 2004. The unstable situation brought about by the fraudulent 2004 election of Arroyo and the important if not decisive role of the AFP to stabilize the situation in favor of Arroyo, has made the resolve of un-elected President to rely more and more on her generals to continue to cling to her power and the undying loyalty of the generals to her in getting promotions and juicy positions in the AFP and PNP hierarchy. The movements within the AFP and the PNP in terms of retirements and promoting have been programmed in the framework of the Arroyo's end game scenario. Generals were offered ambassadorial posts if they retire early so that the movement will pave the way for the strategic positioning of the Philippine Military Academy (PMA) Class '78, which adopted Mrs. Arroyo as their honorary member and made the promotion possible that the class should have taken control of the command of the AFP and the PNP. And as it was mentioned earlier, aside from the Chief of Staff of the AFP, all the major commands of the AFP are controlled by the Class '78 and eight divisions out of ten have been commanded the same class, including the National Capital Region (NCR) Command of the AFP (Defense of NCR) as well as its counterpart in the PNP.

In Mindanao, aside from the two area commands, Eastern Mindanao Command (EastMinCom) and the Western Mindanao Command (WestMinCom) and the 10<sup>th</sup> Division Commander, all the rest are controlled by the PMA '78 Class. All the area commands in the Visayas and Luzon as well are under the effective control of the same class. Only the EastMinCom and WestMinCom area commands as well as the Director General of the PNP are still in control of PMA Classes 1977 and 1976 respectively.

Such positioning has deeply divided the AFP and the PNP because only one class has been given undue advantage over other classes especially the senior classes of '77 and '76, many of whom have outstanding records and meritorious performances. It is not hard therefore to understand the feelings and sentiments of the other classes. An obvious example of this situation is the case of Lieutenant General Reymundo Ferrer of the EastMinCom, the largest area command of the AFP and under the command are three divisions (4<sup>th</sup> Division, 6<sup>th</sup> Division and the 10<sup>th</sup> Division) or 40% of the total AFP regular forces. The 10<sup>th</sup> Division commander under Lt. General Ferrer was Major General Mapagu, who later became the Commanding General of the Army, the immediate higher Command of the EastMinCom. In terms of merits and performance and seniority, it should be Lt. General Ferrer but the difference is Major General Mapagu belongs to PMA Class 1978 while Lt. General Ferrer belongs to PMA Class 1977.

The attempt to replace the Director General of the PNP who belongs to PMA Class '76 by another from Class 1978 and the current NCR Director of the PNP General Rosales has been postponed because of the solid support the Director General Jesus Versoza gets from the rank and file of the PNP as well as the PMA Alumni Association of active and retired generals.

At present, the Arroyo camp and its generals have been covertly and mostly doing the surveillance to those generals and officers of both the AFP and PNP who they (Arroyo generals) think will make

difficulties in implementing their game plan before, during and after the May 10, 2010 elections.

The moves of Defense Secretary Norberto Gonzales to go down on the Army Battalion levels have many observers worry of his real intentions. It must be performing the extraordinary mission because he has been bypassing the command system of the AFP. He (Sec Gonzales) has been monitored lately to campaign in the Battalion levels for the Nationalist Party standard bearer Manny Villar over the Administration standard bearer and former Defense Secretary Gilbert Teodoro whom he (Gonzales) temporarily replaced.

The movements of the Garci Generals (those generals who are involved in 2004 election to make Arroyo become President) who have promoted and now many of them are retired but occupied strategic positions within the civilian bureaucracy are clearly in support of the Arroyo's end game.

Less than two weeks to go and the picture of the Arroyo camp to perpetuate themselves to power is becoming crystal clear.

### **Factoring Mindanao and the Mindanao Factor**

The 30% of votes (out of 50.2million) which the COMELEC has considered for manual counting are found mainly in Mindanao. It has been known that critics of the automated manner of election is worried, that a malversation hardware can be installed in the Precinct Counting Optical Scanning (PCOS) which could be used to effect the adding and shaving (dagdag-bawas) of votes. But many more are worried in the manual voting and counting especially in Mindanao.

The power situation in Mindanao has become worst as the election day nears. In many areas and cities, the 3-hour rotating brownouts are still in effect with no solution being applied by the government energy agency. Even the former President and the Partido ng Masang Pilipino (PMP) Presidential standard bearer had said that regular rotating brownout is a some kind of conditioning the minds of the voters that this can happen in election day. He was campaigning in parts of Northern Mindanao when a brownout took place.

The Maguindanao politics which has become more complex as the election day is nearing. There are these candidates for governors, one is Toto Mangudadatu - the husband of a murdered wife and relatives in the Maguindanao massacre. He is running under the banner of the ruling Party - LAKAS-KAMPI-CMD, the party he used to share with the Ampatuans, who are the prime suspects of the massacre. The other gubernatorial candidates is Ombra Sinsuat, who is running for Nationalist Party but everybody knows that he is a willing dummy of his Vice-Gubernatorial candidate Datu Andal Ampatuan, Sr, who is bankrolling their campaigns. And the third candidate is Mayor Midtimbang closely identified with the MILF or families/clans which belong to the Front.

People cannot understand why Toto Mangudadatu opted to remain with the unpopular ruling Party but many more cannot understand why he is not pursuing very eagerly about the multi-murder case of the Ampatuan. It would be more popular for him to intensify his campaign for the abolition of warlords in Maguindanao, where in many parts, the armed followers of the Ampatuans still has the control. Many of the mayors of the municipalities of the Province of Maguindanao have gone to the Ampatuans to get his financial support and even Toto Mangudadatu has admitted that the Ampatuans have sent a message that they are willing to pay the lives of the wife and relatives of Mangudadatu as well as the families of the other victims (including the media) of the Maguindanao massacre.

If the Mangudadatu are relaying on the sympathy of the voters because his wife and relatives were

murdered by the Ampatuan, then, he would surely not win as governor. But if by strokes of luck, he will win as governor, one can hardly conceive a situation where Toto Mangudadatu is the Governor and his Vice-Governor is Andal Ampatuan, Sr.

The not so active campaign of Toto Mangudadatu for speedy trial and getting justice for his family and the families of other victims has generated puzzlement to many. There are many witnesses to the brutal massacre last November 23, 2009 and are willing to testify which can build a strong case for Mangudadatu in order to neutralize if not politically eliminate the Ampatuans during this May 10, 2010 elections but are not done. One cannot help but to think that the Arroyo camp has something to do with the Mangudadatu moves. Is this part of the deal between the Arroyo camp, the Ampatuan and the Mangudadatu so that whatever happens after the May 10, 2010 elections, power and wealth sharing can be given proportionately among the three? Meanwhile the witnesses against the Ampatuans are murdered and harassed regularly without the military or authority intervening to arrest the situation.

### **An Interim Agreement can also mean Transition Government**

The Joint Statement signed last April 21, 2010 by both panels of the GRP and the MILF regarding the following; the return of the IDPs, terms of reference for the Civilian Protection Component, Implementing Guidelines on the clearance of landmines and unexploded ordinance, support for Bangsamoro Leadership and Management Institute and the Administration Support for the Coordinating Committees of the Cessation of Hostilities. These aspects are all part of an arrangements for transitioning towards a Comprehensive Compact. It is strongly believe by many that on May 4 or 5, an interim agreement will be signed by the two respective panels.

Within such framework, one has to wonder if this is a part of the implementation of the Arroyo's Demobilization, Disarmament and Reintegration policy of not so long ago.

On the other hand, if the said interim agreement will be a transition for the new government which will be for the newly elected President to use as guideline to pursue a coherent peace process and agreements with the MILF, then it is foul for both the panels not to factor in the stresses of the new government peace agenda.

Many of the Mindanaoans have suspected that this interim agreement which will be signed by the GRP and MILF panels would include a substate framework which will be bestowed by the GRP on the MILF with ARMM and the surrounding provinces and municipalities as the initial coverage of the agreement.

Surely such hasty moves by both groups will invite a negative or even antagonistic reactions from the different groups of Mindanao especially the Indigenous peoples and the Majority Christians. Without the fulfillment of thorough consultations and discussions with the broadest possible sections of peoples in and outside of Mindanao and in and outside of the ARMM such signing will be creating unfavorable atmosphere for the peacebuilding efforts in Mindanao. And it is in that spirit that one of the Bishops in Mindanao has called both panels to have an agreement signed later or after the elections.

Such apprehensions are not without bases because while almost everybody knows the expected date of the signing of the interim agreement between the GRP and the MILF nobody has seen or knows the content of the document especially those who will be affected by the agreement. The experience of 2008 on the aborted MOA-AD which resulted to a bloody reactions and counter-reactions of the MILF and the concerned Mindanaoans are still fresh. Now, as if the data of more than 500 lives and

more than 500,000 Internally Displaced persons do not matter. Unless they are really meant to create similar situation wherein the government forces will be “forced” to do the intervention because MILF renegads like Obra Katu and Commander Bravo would do the same act. And the Timing of one week before the election signing? Does the MILF leadership know of such trap?

Meanwhile, the same traditional politicians have made an appeal the GRP and the Philippine Courts that the agreement be set aside and let all the stakeholders participate in the discussions and deliberations.

It is only in the abovementioned situation, one can understand the context why GMA and her Executive Secretary told the new US Ambassador to the Philippines Harry Thomas, that the government is doing everything to have a successful elections and have a democratic turn-over to the new administration. It is because if the MILF and the Mindanaoans will react to the signing of the interim agreement as what has been created by its (GMA’s government) own doing then the government moves to protect and preserve democracy and democratic institutions are but the natural work of the government. Meanwhile, the election and its results will be affected and interim agreement - as a transition step of GMA’s camp - perfectly fits into the picture.

And it also perfectly fits with the scenario that a desperate “Opposition” will rather like to happen. And then the puzzlement of Villaroyo will be perfectly manifested and understood by everyone.

**by Richard S. Solis**

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