

# CSO Assessment Study on Legal and Political Environment for Developmental/ Rural Development NGOs in the Philippines

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## Introduction

Civil society is an essential component of any functioning democracy, as it seeks to make government accountable, articulate citizen concerns and undertake targeted development and humanitarian work. A sub-sector of civil society, developmental non-government organizations (development NGOs) are non-profit social development agencies established to promote socio-economic development, particularly among marginalized sectors of society.

The past several years have seen a steep decline in democracy worldwide and with it, a corresponding constriction in the civic space needed by civil society to operate. According to a 2022 report of Freedom House, a total of 60 countries suffered declines in democracy over the past year, while only 25 improved. The organization noted that democracy has in fact been on the decline for the past 16 years (Repucci and Slipowitz, 2022). In the Asian region, the Asia Foundation lamented that “the trend towards more authoritarian governance... is well established in many Asian countries...” and “the deterioration of political rights and civil liberties is reflected in the diminishing space for free media and growing restrictions on civil society” (Burke, 2021).

It is therefore imperative for CSOs to better understand the dynamics and drivers of the deteriorating civic environment, and design innovative responses to address the various issues and challenges presented. This paper on CSOs in the Philippines is one of several country papers from the Asian region that explore this theme.

### Objectives of the study

This study was undertaken to:

- provide a brief description of the civil society organizations in the Philippines;
- assess the legal and political environment of developmental/rural development NGOs; and,
- present recommendations on protecting and enhancing CSO space in the country.

### Methodology, scope and limitation of the study

This study was based on an extensive review of books, journal articles, and news reports on Philippine civil society, as well as the larger domestic political situation. The paper also benefitted from two focus group discussions (FGDs) with 11 Philippine CSO leaders on “Emerging Challenges and Responses of CSOs”, conducted in July 2022. One FGD brought together CSO workers from the so-called “first generation” (senior leaders of the sector), while the other convened members of the “second generation” (middle managers 35 years old and below). Finally, the highlights of the study were presented for validation to a select group of eight CSO leaders in August 2022.

While effort was exerted to ensure that a wide range of perspectives within the CSO community were considered during the research process, the study cannot claim to represent all the views within the sector. The author, with over 30 years of experience in civil society, also shaped the narrative in this paper.

A major limitation of the study was the lack of current published research on Philippine civil society, particularly after the 2010s. Perhaps indicative of the significant downtrend in CSO funding over the past decade or so (a theme which is explored in this paper), the paucity of current research makes it more difficult to get an over-all sense of the state of the sector, as specific key informants would only have “one piece of the puzzle” so to speak. Be that as it may, the participants in the FGDs did converge around some common ideas, and these were major inputs in the study.

## **Chapter 1: Introduction to Civil Society Organizations (CSOs) in the Philippines**

### **Brief history of civil society organizations**

The evolution of CSOs in the Philippines can be understood within the context of five major periods of the country’s history: colonial, post-independence, period of social ferment, authoritarianism period, the democratic restoration, and the current democratic decline.

#### ***Colonial Period (1521 to 1946)***

The Philippines was a colony of Spain (1521 to 1898), and then the United States (1899 to 1945) until the latter recognized the country’s independence in 1946.

Private welfare agencies established during the American colonial period may be considered the first NGOs in the country, although charitable work by the church and private individuals date back to the Spanish period. Welfare agencies were very much needed after World War II, as the need for relief, rehabilitation and reconstruction work was great (Alegre, 1996).

In 1906, the first Philippine Corporation Law was legislated, and it governed not just business firms but also nonstock corporations. The first nonstock corporations were Catholic hospitals and schools that were holdovers from the Spanish regime (Cariño, 2002).

The communist insurgency in the country had its roots in the opposition to American rule and the poverty in the rural areas, which led to restive labor and peasant sectors. More radical labor leaders formed the Katipunan ng mga Anak Pawis ng Pilipinas that would later organize the Communist Party of the Philippines in 1930 (Cariño, 2002).

The formation of cooperatives as formal institutions began in the late 1800s, close to the end of the Spanish colonial period. These were mostly in the form of guilds composed of local craftsmen. The formation of cooperatives in the Philippines continued during the American occupation. Due to their politicized nature - they were part of the colonial pacification strategy – a majority of these cooperatives were ultimately unsuccessful (Sibal, 2008).

### ***Post-Independence Period (1946 to 1965)***

In 1952, a group of social work leaders established the Philippine National Committee of the International Council on Social Welfare (ICSW), which eventually evolved into the National Council of Social Development (NCSD) - the current umbrella network of social welfare foundations in the country.

In response to the growing communist threat in the rural areas, some major NGOs were established – organizations that would be pillars of the sector for years to come. These included the Institute for Social Order (ISO) in 1947 and the Philippine Rural Reconstruction Movement (PRRM) in 1952. ISO was instrumental in organizing the Federation of Free Workers (FFW) and the Federation of Free Farmers (FFF) (Alegre, 1996).

### ***Social Ferment (1965 to 1972)***

This period was characterized by heightened social restiveness and activism, as there was a convergence of key global processes and events such as growing resistance against the Vietnam War and colonialism in general, the convening of the Second Vatican Council and the rise of Liberation Theology, and the questioning of old development paradigms. This mood was reflected in the Philippines, as student activism and the leftist underground movement expanded rapidly in response to worsening poverty, graft and corruption in the country. Community organizing among basic sectors was the main strategy for educating and mobilizing the Filipino people against the structures of oppression. This movement saw the expansion of the FFF as galvanizing movement for the independent peasant movement and the Philippine Ecumenical Council for Community Organizing (PECCO) doing the same for the urban poor (Cariño, 2002).

The Catholic Church established the National Secretariat for Social Action (NASSA) in 1967 as a coordination mechanism for its expanding social work, and adopted the Basic Christian Communities (BCC) approach as its own community organizing strategy. Even the business community was responding to the social problems, forming the Philippine Business for Social Progress (PBSP) as a structure for coordinated social concern initiatives of the sector (Alegre, 1996).

### ***Authoritarian Period (1972 to 1986)***

President Ferdinand Marcos assumed the Presidency in 1965, and most of the protest movement during that time was directed at his mismanagement of the country's problems. In 1972, Marcos declared Martial Law and, through the military and police, clamped down on protests. Student activists, sectoral leaders, journalists and others were arrested and many were tortured or even killed. Some progressive leaders were forced to go into hiding, as freedom of assembly and other constitutional rights were severely curtailed.

Even during this dark period though, many progressive NGOs emerged, continuing to use community organizing as the major strategy for empowerment of the poor. These organizations included Agency for Community Education Services (ACES), Organizing for Training, Research and Development (OTRADEV), Center for Community Services and Social Development Index (Cariño, 2002).

During the late 1970s and early 1980s, poverty was getting worse and the economy was stagnating, as the cronyism, corruption and oppression of the Marcos regime was becoming more and more blatant.

According to Amnesty International, about 70,000 people were imprisoned, 34,000 tortured and 3,240 killed from 1972 to 1981. Estimates of how much public money the Marcoses plundered are between \$5 billion to \$10 billion. From \$8.2 billion in 1977, the country's debt ballooned to \$24.4 billion in 1982 (Francisco, 2016).

The international community, including donor agencies, began to channel more support to NGOs. Community development work, sectoral organizing, and coalition building across sectors began to expand and become more assertive.

The now-famous, nonviolent 1986 People Power Revolution was successful in ousting Marcos from power because most of society was united and organized against the dictator. This broad, multi-sectoral opposition could be seen in the wide range of organizations and formations that composed the people power movement. These included groups from the business sector (Manindigan and the August 21 Movement), the military (Reform the Armed Forces or RAM), women (AWARE) and Bandila, a broad coalition of organizations representing basic sectors, NGOs and professionals.

### ***Democratic Restoration (1986 to 2016)***

The two decades following the People Power Revolution can be considered as the "golden age" of NGOs in the Philippines. In terms of the legal environment, the 1987 Constitution recognized the role of NGOs and POs in national development. Various spaces for CSO participation in governance were

also opened. These included CSO representation in local development councils (sub-national governments), representation of basic sectors in national and local legislative bodies, and the establishment of CSO desks in major government departments to attend to the concerns of the sector. This period also witnessed the expansion of CSO work and the formation of large CSO coalitions including Caucus of Development NGO Networks (CODE-NGO), Convergence and Green Forum.

Perhaps the greatest achievement of CSOs is the advocacy role it played in the passage of the country's foundational social justice legislation for specific vulnerable sectors in the country. Through social mobilizations, research work and lobbying in Congress and the Executive branch, CSOs were the catalysts in the passage of the Comprehensive Agrarian Reform Law, the Urban Development and Housing Act, Fisheries Code, Magna Carta for Women and the Indigenous Peoples' Rights Act. Alongside these major policy triumphs, several key CSO leaders also assumed high government posts in successive government administrations – a validation of the sector's major contributions to national policymaking.



However, even as these major strides were being made, worrying trends were also beginning to manifest themselves, such as

declines in CSO funding and erosion of some of the sector's credibility. Significant declines in funding began in the late 1990s onward, as the country rose to middle-income status and foreign aid began shifting to Africa and other less developed regions. Erosion of CSO credibility resulted from the proliferation of fly by night NGOs and NGOs run by politicians for their own vested interests. Major scandals involving CSOs, such as the PDAF scam<sup>1</sup> and the PEACE Bonds issue<sup>2</sup> also hurt the sector's reputation (Gonzalez, 2005).

### ***Authoritarian Resurgence (2016 to present)***

Many of the democratic advances achieved during the previous two decades were rolled-back with the assumption of the Presidency by Rodrigo Duterte. Human Rights Watch succinctly described his impact on the country's democracy:

<sup>1</sup> The Priority Development Assistance Fund (PDAF) is a discretionary, lump sum fund allocated to legislators for pet projects – funds that have always been subjects of corruption. In 2013, a scam was uncovered by authorities, wherein a businesswoman with ties to legislators embezzled P10 billion in PDAF funds using ghost projects given to fake NGOs, with scores of government officials, legislators and their staff in connivance. The businesswoman-mastermind and many conspirators have been convicted and jailed, but the “big fish” – three Senators – have eluded justice thus far. One has been acquitted, while two are out on bail awaiting the court's decision. For many years, the scandal gave NGOs a bad name and made it difficult for legitimate NGOs to access funds from government.

<sup>2</sup> The Poverty Alleviation and Eradication Certificates (PEACE bonds) were bought and sold on the capital market by a large NGO coalition, CODE-NGO, in partnership with a major commercial bank. CODE-NGO netted P1.4 billion from the transaction, and out of that money, created a fund facility to provide soft loans and grants to NGOs and People Organizations. However, the transaction was criticized by some as a landmark case of civil society leveraging its influence with government for material gain.



“ Since President Rodrigo Duterte took office in 2016, his “war on drugs” has killed thousands of mostly urban, poor people with impunity. The security forces have killed hundreds of activists, rights defenders, Indigenous leaders, lawyers, journalists, trade unionists, and environmentalists in a counter-insurgency campaign that involves the vilification, called “red-tagging,” of people deemed to support communist insurgents. Duterte also sought to silence critics, notably opposition Senator Leila de Lima, and news organizations Rappler and ABS-CBN. The government’s response to COVID-19 has caused serious rights violations, including the deaths of quarantine violators. ”

The democratic decline that occurred during the Duterte administration is discussed in detail in succeeding chapters. In May 2022, the nation elected Ferdinand “Bongbong” Marcos Jr. as President and Sara Duterte as Vice-President. Bongbong Marcos is the son of the former dictator Ferdinand Marcos, while Sara Duterte is the daughter of outgoing President Rodrigo Duterte.

## Definition and Characteristics

Over the years, CSOs in the Philippines have been defined in different ways.

In Article II, Sec 23, the Philippine Constitution declares that “The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation.” In Philippine usage, the term “NGO” refers to “private, nonprofit, voluntary organizations engaged in development activities for society’s disadvantaged sectors” (Aldaba, 1993).

NGOs are often mentioned alongside Peoples Organizations (POs), which are primary organizations mostly of the poor in the basic sectors of society (Alegre, 1996). The Constitution defines POs as “bona fide associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure” (Sec 15, Art XII).

According to Serrano (2003), the term “civil society” entered Philippine development language in the early 1990s, after the political upheaval in Eastern Europe in the late 1980s. The term was initially equated with NGOs. However, the term has evolved to include NGOs as well as other types of organizations and institutions which do not belong to the State or business sector.

## Overview of CSOs in the country

The number of CSOs in the country is difficult to determine, and different studies use different methodologies and different definitions. Some studies look at NGOs (Aldaba, 1993; Alegre, 1995; Gonzalez, 2005), while others examine non-stock, non-profit organizations (Clarke; CODE-NGO and the Charity Commission, 2018) and still others, CSOs (Civil Society Index, 2010) (Tuaño, 2011).

Estimates during the early 1990s (Brillantes, 1992; Aldaba, 1993) indicate that there were 15,000 to 30,000 NGOs. In a study over a decade later (Cariño, 2002), this number grew to 34,000 to 68,000. The absence of recent surveys and studies (circa 2010s onwards) on the current number of CSOs is a major gap in the literature.

NGOs engage in a wide range of services. Majorities of NGOs deliver “multi-sectoral programs” (i.e. health, livelihood, social services, etc.), indicating a belief that problem such as poverty at the grassroots level is best addressed through integrated approaches (Cariño, 2002). Another study found that NGOs are primarily involved in education, training, human resource development and community development (Association of Foundations, 2001). NGOs are also involved in networking, coalition building and policy advocacy (Yu-Jose, 2011).

There is no authoritative data on the reach of NGOs. While there are NGOs involved in the more isolated and impoverished areas of the country, most NGOs are concentrated in urban centers (Clarke, 2008; Association of Foundations, 2001; Yu-Jose, 2011). It is likely that a major decline in funding for CSOs over the last decade or so has affected the sector’s reach.

NGOs in the Philippines have formed networks for various purposes, involving different sub-categories within the sector. The largest coalition of NGOs in the country is the aforementioned CODE-NGO, with an estimated 2,000 member NGOs. CODE-NGO is actually a “network of networks”, with a membership of six national networks and six sub-national networks.

Many provincial-level NGO networks were also formed over the years, some of them because of the passage of the Local Government Code in 1991. These include the Palawan NGO Network, Bohol Alliance of NGOs and the Negros Oriental Network of NGOs.

NGO networks were also formed to address specific thematic issues. On the environment for instance, the Alyansa Tigil Mina/ATM (Alliance to Stop Mining) is a vocal coalition opposing indiscriminate mining in the country. In the area of education, the Civil Society Network for Education Reforms (E-Net Philippines) is an aggrupation of CSOs and education institutions advocating for equitable access to education. There are many other networks involved in various other thematic issues such as peace, anti-corruption, elections and government budget monitoring.

POs have also formed major coalitions along themes such as agrarian reform (Congress for a People’s Agrarian Reform), labor (Labor Advisory and Coordinating Council), and others. The various churches in the country, the business community, and professionals (Tuaño, 2011) have also formed major networks.



## CHAPTER 2: The Legal Framework on Development NGOs in the Country

### Terminology

Development NGOs are a sub-category of the NGO sector, which in turn, is a sub-category of civil society. Development NGOs, which are sometimes referred to as social development agencies, are “intermediate agencies and institutions that tend to operate with a full-time staff complement, and provide a wide range of services to primary organizations, communities and individuals” (Aldaba, 1993; Silliman and Noble, 1998). NGOs include civic organizations, charitable institutions and foundations, faith-based organizations and grassroots and community associations. Lastly, civil society consists of organizations that are neither government institutions nor private businesses (Aldaba, 2002).

In the Philippines though, the terms “development NGO” and NGO have been used interchangeably, particularly in more recent literature.<sup>3</sup>

### Description of Development NGOs

In one study, the number of “development NGOs” was estimated at 3,000 to 5,000, with most of them being members of the CODE-NGO (Aldaba, 2002).

As mentioned in Chapter 1, different studies use different terms - NGOs, CSOs, development NGOs - such that putting together a distinct profile for “development NGOs” is difficult.

### Overview of Registration of NGOs

NGOs that want legal personality should register with the Securities and Exchange Commission (SEC) as non-stock, non-profit corporations. A non-stock, non-profit corporation is an organization or association in which no part of its income is distributed as dividends to its members, trustees, or officers and in which profits incidental to operations are used only to further the organization’s purpose. It is formed for charitable, religious, educational, professional, cultural, literary, scientific, social, civic service, or similar purposes (Cariño, 2002).

Legal personality is needed to open bank accounts, enter into contracts and raise public funds. The main requirements for registration are the organization’s articles of incorporation, by-laws, and payment of a registration fee. These requirements are not considered burdensome, since the instructions from the SEC are clear and the forms are downloadable (CODE-NGO and Alternative Law Groups, 2016).

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<sup>3</sup> See for instance, Gonzalez, 2005 and Tuaño in Yu-Jose, 2011.

Other types of CSOs register with the appropriate government agency. For instance, labor unions and workers associations register with the Department of Labor and Employment while cooperatives register with the Cooperative Development Authority. For their part, homeowners associations register with the Housing and Land Use Regulatory Board.

In 2018, the SEC issued Memorandum Circular (MC) No. 15, ostensibly “to protect non-profit organizations from money laundering and terrorist financing abuse.”<sup>4</sup> The MC requires NGOs who are deemed “at risk” to provide additional documents and undergo additional regulatory processes. For instance, NGOs considered “high risk” by the SEC must undergo, among others, background checks of all its officers and trustees, and an audit by the commission. NGOs that are “blacklisted” (the highest risk classification in the MC) will have their registration application denied outright, or revoked in the case of previously registered NGOs.<sup>5</sup> Some NGOs involved in issue advocacy and basic sector organizing – some not even aligned with the extreme left – have reported difficulties in registration due to this MC.

## Overview of Accreditation Systems

Some form of accreditation is required for CSOs to participate in government programs and processes. For instance, to operate as social welfare agencies, CSOs must undergo a tedious process of registration, accreditation and licensing with the Department of Social Welfare and Development.

To be registered, the applicant organization must: a) show that it is engaged in social work activities, b) employ a sufficient number of qualified and registered social workers, c) present a certified financial statement that shows that at least sixty percent of its funds are disbursed for direct social work services, and, d) maintain a social work record of all cases and welfare activities handled (CODE-NGO and the Alternative Law Groups, 2016).

Accreditation is also required for NGOs wishing to participate in local special bodies in local government units (LGUs). The requirements for accreditation are:

- Registration with any government agency;
- Organizational purpose and objectives promoting community development, livelihood development, capability building and other similar purposes;
- Track-record of at least one year; and,
- Annual report and conduct of annual meetings duly certified by the board secretary of the organization (Lerma and Los Baños in Cariño, 2002)

The most important local special bodies in the provinces, cities and municipalities are the development council, health board and school board. While the accreditation process has, for the

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<sup>4</sup> SEC Memorandum Circular No 15, Series of 2018, Section 1

<sup>5</sup> Ibid, Sec 3.1

most part, been smooth in a majority of LGUs, there are still reports of the process being politicized, i.e. NGOs critical of the local chief executive failing being denied accreditation (DILG, Urban Resources and Evelio B. Javier Foundation, 2001).

Accreditation is also required by other government institutions to participate in their programs or to be eligible to receive funding from them.

## **Funding**

### ***Access to Foreign Funding***

Foreign funding for NGOs has decreased significantly in the last decade or more, partly because the Philippines has become a middle-income country, and donor attention has shifted to Africa and other less developed regions of the world. It is estimated that CSOs obtain 60 percent of their funding from foreign donors and corporate donors (Yu-Jose, 2011).

In February 2021, Department of Foreign Affairs (DFA) Note Verbale No. 2021-0592 was issued by the Duterte administration notifying all diplomatic missions that all foreign government funding for NGOs should be coursed through the DFA for “appropriate clearance.” According to then DFA Secretary Teodoro Locsin, this note verbale is part of “how responsible government monitors where money comes from and goes to in the face of insurgent and terrorist-secessionist threats” (Rocamora, 2021). While the DFA assured that this new policy would not affect legitimate NGOs pursuing bona fide development work, the note verbale is another restriction of CSO space, especially when viewed within the context of the many steps backward the Duterte administration has taken in terms of democracy and human rights.

### ***Participation in Official Development Assistance (ODA)***

When it comes to participation in ODA, NGO/PO engagement is very much limited to implementation (and not in project design, monitoring and evaluation). Thus, with regard to ODA-funded projects, NGOs are mostly contractors (Gonzalez, 2005).

Occasionally, tensions between NGOs and WB/ADB arise due to misunderstandings regarding project procedures, lack of transparency in selection of sub-grantees, among others. CSOs also lack the time, resources and analytical capability to provide quality comment on World Bank policy documents (Gonzalez, 2005).

## ***CSO-Managed Funding Facilities from Development Assistance***

The development of CSO-managed fund facilities utilizing ODA is a testament to the innovativeness and dynamism of the Philippine CSO sector. It is an attempt to mitigate dependence on foreign, project-based financing. Two notable funding facilities of this sort are the Foundation for the Philippine Environment (FPE) and the Foundation for Sustainable Society, Inc. (FSSI).

The FPE was endowed through a debt-for-environment swap facilitated by USAID and other stakeholders from the United States and the Philippines. It is governed by an 11-member board of trustees, with 10 members from the NGO, PO and academic sectors and one representative from the Philippine government. The facility provides grants for CSO projects on biodiversity conservation and sustainable development (FPE, 2022).

The FSSI was established following a successful debt for development agreement between the Government of the Philippines and the Swiss Confederation. The facility provides grants, loans and other assistance for social enterprises. An eight-member board of trustees representing the NGO and cooperatives sectors governs it (FSSI, 2022).

### ***Government Support***

Government provides only a small percentage of CSO funding. CSOs are generally averse to the rigorous requirements and tedious processes related to accessing and reporting on funds received. In addition, some CSOs do not want to compromise their independence by accepting government funds (CODE-NGO, 2011). In addition, CSOs lack knowledge on government bureaucratic processes that would enable the former to know when funds will be available, from which agency and which office to approach and what documentary requirements are needed.

### ***Tax Exemptions for Donors and Recipients for Grants***

The Philippine Council for NGO Certification (PCNC) is a self-regulatory body of the NGO sector, whose main purpose is to accredit NGOs that meet established good governance standards. Certification, which involves a rigorous review of NGO's operations, is a pre-requisite for the registration of NGOs and foundations with the Bureau of Internal Revenue (BIR) as qualified donee institutions. Donations made to qualified donee institutions are tax-deductible. PCNC is governed by a nine-member board of trustees composed of representatives from Philippine NGOs and foundations (PCNC, 2022).

PCNC is yet another innovation of the Philippine CSO sector, and is a concrete expression of the sector's desire to regulate itself.

## Accountability Mechanisms

### *Within CSOs*

The membership of CODE-NGO ratified a Code of Conduct for Development NGOs in 1991. It consisted of the Covenant for Philippine Development (a development vision) and a code of ethics. To give flesh to the code of ethics and to scrutinize issues related to it, CODE-NGO convened a Committee on Internal Reform Initiatives (CIRI). Only two NGOs have been sanctioned by the network for violations of the code of ethics (Aldaba, 2002).

It has proven even harder to discipline members for actions contrary to the Covenant for Philippine Development – assuming this document is even enforceable. For instance, factions within CODE-NGO were supporters of President Duterte, even as the covenant stressed “the safeguarding of fundamental freedoms and rights” (CODE-NGO, 2003).

### *With Government*

During the different administrations since 1986, there have been various government-CSO engagement structures and platforms where both sectors reported on their plans and achievements.

The most significant of these initiatives was the Social Reform Agenda (SRA) of the administration of then President Fidel Ramos. Formally launched in September 1994, it was the administration’s response to poverty. The SRA aimed to achieve three objectives: improve access of the basic sectors to social services and productive assets; incorporate sustainable development in the utilization of natural resources; and, increase participation of key stakeholders in governance. To achieve these, a multi-sectoral Social Reform Council (SRC) headed by the President was formed. The SRC mobilized the different government line agencies as well as local government units (LGUs) and had an SRC Secretariat to backstop its efforts. The basic sectors (farmers, fisherfolk, indigenous peoples, urban poor, senior citizens, etc.) were also represented in the SRC. The SRA outlined flagship programs for key sectors, and fifth and sixth class municipalities in the 20 poorest provinces were targeted for comprehensive, integrated service delivery (Raquiza, 1997).

Towards the end of the Ramos term in 1997, the SRA was integrated into the country’s governance framework through Republic Act No. 8425. Through this law, an area-based, sectoral and focused intervention to poverty alleviation became state policy, and the SRC was institutionalized as the National Anti-Poverty Commission (NAPC). The NAPC is lodged under the Office of the President, chaired by the President and composed of the same line agency, LGU and basic sector representation as the SRC. Section 2 of the law emphasized the NAPC as a body for promoting GO-NGO accountability, stating that “policy, programs and resource commitments from both

government and the basic sectors shall be clearly defined to ensure accountability and transparency in the implementation of the Social Reform Agenda.”

Succeeding administrations though gave the SRA and NAPC varying degrees of priority, and during the Duterte administration, it was not viewed by mainstream civil society as a viable mechanism for engaging government.

The Local Special Bodies (LSBs) are also supposed to be mechanisms at the local level where government and CSOs discuss programs and report accomplishments. The Local Development Council (LDC) is the development planning body of the LGU, and it also undertakes monitoring and evaluation functions. The Local School Board and Local Health Board discuss and oversee specific government programs in these sectoral areas, respectively.

Various studies and informal surveys have indicated that the LSBs are not as functional and effective as they should be. This is due to various challenges including lack of capacity and resources for participation on the part of CSOs, a sheer lack of CSOs in 4th to 6th class municipalities, and political interference on the part of LCEs. A 2010 study by the Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRA) surveyed 91 CSO leaders on their perceptions on the functionality of the LSBs. On a scale of one (not functional) to five (very functional), the respondents gave the LSBs very modest ratings – 3.43 for the LDC, 3.42 for the LSB and 3.40 for the LHB (PhilDHRRA, 2010).

## Chapter 3: Political Environment of Government-Developmental NGO Relations

### Overview

In terms of the over-all dynamics of government-CSO relations, the period from the 1986 People Power Revolution to the present can be divided into two distinct phases. From 1986 to 2016, relations between the two sectors were generally positive. This period included formal recognition for CSOs in the newly - ratified 1987 Constitution, institutionalization of CSO participation in various government bodies, and significant, CSO-led legislative breakthroughs in asset reform. The period 2016 to the present has seen a major contraction of democratic space, affecting CSOs significantly. This period was characterized by the infamous war on drugs, the passage of more restrictive national security legislation, and toxic, intolerant public discourse, among other setbacks.

It is important to briefly discuss the elements or “building blocks” of the authoritarianism of the Duterte administration because these have profoundly influenced the country’s institutions and governance, which in turn are the forces shaping government-CSO relations. The first element is Duterte’s own “force of personality” and governance style, which is intolerant, paternalistic and coercive.



He has talked repeatedly about killing drug addicts and other law-breakers and has been dubbed “Duterte Harry” (after “Dirty Harry”, a fictional police officer played by Clint Eastwood who takes the law into his own hands) (BBC News, 2022). This governance style is in tune with the populist-authoritarian brand of leadership spreading across the globe over the last several years.

However, the former President’s personality alone would not have enabled him to impose his brand of government. Duterte needed and relied on a cadre of loyal supporters in various government positions of power. Most of these supporters were his key allies in Davao City when he was mayor, and others were military and ex-military men appointed to high government posts. His administration saw military and ex-military men occupying high government positions that were traditionally (and rightfully) occupied by civilians. In 2018, one-third of the Duterte Cabinet consisted of ex-military and police officials (Ranada, 2018).

Duterte and his supporters however, still needed an acquiescing public to impose their brand of governance. The former President’s supposed popularity has been documented extensively in perception surveys (Panti, 2022), but there is still no completely satisfactory answer as to whether this is genuine, or merely a result of fear, or misinformation, or even indifference. This “popularity” must also be analyzed within the context of the rise of social media, which has bred a toxic, polarized and ill-informed public discourse.

It must also be emphasized that contextual factors even before the rise of Duterte played a role in facilitating his tight grip on power. For instance, the executive branch of the Philippine government has traditionally been very powerful, rendering the other branches of government unable to check the former’s excesses (Guce and Galindez, 2018). Congress, for instance, has always been composed of elite local families that rely on national government budgetary transfers to govern their localities and are thus extremely hesitant to antagonize the chief executive. The Supreme Court members are appointed by the President, and the country has experiences where sitting Presidents, have been able to force incumbent Chief Justices out of office. Duterte himself caused the removal of a Chief Justice through a legally questionable process (UN OHCHR, 2018).

Given its pervasive and enduring impact beyond May 2022, the passage of new, more restrictive national security legislation is one of the most damaging legacies of the Duterte regime. Laws such as the Anti-Terrorism Act 2020 and Executive Order (EO) 70 have significantly constricted civic space and altered the State’s posture towards civil society – from one of encouragement to suspicion and over-reaction.

The Anti-Terrorism Act of 2020 dangerously widens the definition of “terrorism”. This definition was so vague that the Supreme Court declared as unconstitutional a provision that considered mass actions, protests and advocacy as possible terrorism. The law also allows suspects to be detained without warrant for 14 days, with 10-day extension. An Anti-Terrorism Council composed mostly of

appointees from the executive branch is tasked with interpreting which acts should be considered terrorism, prompting Human Rights Watch to brand the council as “judge, jury and jailer” (Human Rights Watch, 2020).

EO 70 created an inter-agency body, the National Task Force to End the Local Communist Armed Conflict (NTF-ELCAC) which is supposed to lead a “whole-of-nation” approach to combating the communist insurgency in the country. The NTF-ELCAC has been accused by peace advocates of “... sowing hatred and violence instead of a culture of dialogue and peace to resolve the more than five decades of insurgency in the country” (Cantal-Albasin, 2021). The Commission on Audit has also flagged the inter-agency body for P33 million in-unliquidated funds (Marcelo, 2022).

One positive development during the Duterte administration however, deserves praise. The passage of the Bangsamoro Organic Law during his term of office has the potential to finally bring peace and development to a Muslim Mindanao that has been plagued by conflict for decades. The law replaces the failed Autonomous Region of Muslim Mindanao (ARMM) with the democratic-parliamentary Bangsamoro Autonomous Region of Muslim Mindanao (BARMM), a structure that is more responsive to the demands of the Muslim community for meaningful autonomy and development (Marcelo, 2018).

While the road to peace in Southern Mindanao is still delicate and complex, initial success in terms of reduction in armed confrontations and improvement in development indicators are already being felt.

Over-all though, the Duterte administration has set back the country’s democratic journey significantly. Its greatest impacts are the further erosion of so-called “checks and balances” in the country’s democratic system, more restrictive laws on national security and the re-introduction of a more arbitrary and coercive form of governance – which the public apparently seems to have accepted. These major impacts form the foundation of any analysis of democratic space and government-CSO relations.

While a new government has just been elected last May 2022 and must be given a chance to start with a “clean slate”, there is much pessimism surrounding it for obvious reasons: the current President is the son of the former dictator, Ferdinand Marcos.

## **Thematic Areas of Inquiry**

Cognizant of the foregoing, the over-all trend in government-CSO relations can be analyzed in greater detail through the developments and dynamics along major thematic areas such as the rights to freedom of expression, assembly and unrestricted mobility, the right to information and participation, various other rights, and partnership and coordination mechanisms.

### ***Right to Freedom of Expression***

The Philippines is known for a vibrant media and robust commentary culture, co-existing uncomfortably with being the deadliest peacetime country for journalists (Curato, 2022). Philippine media has a strong tradition of opposing the Marcos Sr. dictatorship in the early 1980s, and exposing corruption from the 1990s to the present, but it has come at a high price – the harassment and even killing of many journalists through the years. The country is infamous for the “Maguindanao massacre” which has been called the “single deadliest event for journalists in history” by the Committee to Protect Journalists, an international NGO (Gunia, 2019). It involved the murder of 52 people including 32 journalists supporting the gubernatorial candidacy of local leader opposing the powerful Ampatuan clan that had lorded it over Maguindanao province for decades.

According to the international human rights organization Global Witness, the Philippines was the deadliest country in the world for environmental activists in 2018 (Global Witness, 2018). Journalists, human rights defenders and environmental advocates are targeted because they oppose vested interests and get involved in local politics.

During the Duterte administration, the President’s intolerance and virulent rhetoric against critics created a climate of fear. The administration also mobilized a state-sponsored troll army that created a toxic online environment that punished dissenting voices (Curato, 2022). Online disinformation is also a strategy being employed by the current administration.

The Duterte administration’s vindictiveness against critics was also demonstrated in two high-profile actions: the closure of the ABS-CBN TV network and the persecution of the Rappler news organization. ABS-CBN was the largest media company in the country, employing thousands of people and providing important news and entertainment services to the public. However, the President, in collusion with a compliant Congress, succeeded in denying the company’s franchise renewal because the latter had displeased the former during the Presidential campaign period (People’s Dispatch, 2022).

With regard to Rappler, it had been a constant critic of the Duterte drug war and other perceived abuses. Suddenly, Rappler found itself dealing with a tax evasion case, and its registration with the Securities and Exchange Commission was revoked (the case is pending on appeal in the courts at this time). A libel case has also been filed against Rappler’s founder, Nobel Peace Prize winner Maria Ressa. The International Press Institute has called these developments “a flagrant attempt to silence a critical media outlet” (Bollo, 2022).

### ***Right to Freedom of Assembly; Unrestricted Mobility***

The country has a rich tradition of protest and mass action, but also has a history of state suppression of such gatherings. Over the past three decades, different CSO organizations,

movements and coalitions have staged various mass actions, and violent dispersals of some of these actions have occurred. The ongoing struggle between mass protest and State suppression was dramatized in the 1986 People Power Revolution, when State security forces refused to fire at the crowds protesting the Marcos Sr. dictatorship, thus turning the tide in favor of the democracy movement. Though the outcome ended up being an exclamation point for democracy and nonviolence, the military at that time could have very well commenced firing upon civilians – and the nation could be recalling 1986 in grief rather than triumph.

The COVID-19 lockdowns in the Philippines (also under the Duterte administration) have been described as one of the “longest and strictest in the world” and have been a source of numerous human rights violations. Quarantine violators were imprisoned in cramped facilities, which promotes the further spread of the virus. Others were subjected to inhuman physical punishment that was not proportional to their offence. There is an infamous case of a quarantine violator who died after being forced to do 300 repetitions of a squat-like exercise. There were also violators kept in dog cages or forced to sit in the mid-day sun (BBC, 2021).

The lockdowns have caused great pressure on cramped communities, but organized mass protests against these lockdowns have been met with violent dispersal operations. The President himself gave controversial orders to “shoot quarantine violators” (BBC, 2021). In addition, the amount of food or cash assistance provided to communities has been inadequate when compared to the length of the lockdowns, resulting in hunger for many.

It is no surprise therefore that the Bloomberg news organization at one point ranked the Philippines lowest among 53 countries in terms of COVID resilience, with its low vaccination rate, long lockdowns, and large economic dislocation (Calonzo, 2022).

### ***Right to Information***

The right to information is enshrined in the Constitution (Article III, Section 7); however, there is no Freedom of Information (FOI) law to operationalize it.

Former President Duterte passed a FOI executive order covering the Executive branch only, but the 30- page Implementing Rules and Regulation (IRR) includes 11 pages of information that cannot be requested, and the requesting party must provide detailed information (Canares, 2017). A PCIJ study on FOI requests indicates that many are rejected due to procedural issues, the concerned agency not having the information requested, or the agency not considering the request as covered by FOI (Perez, 2020).

Both Duterte and Marcos Jr. have not disclosed their statements of assets and liabilities (SALNs). The filing of a SALN is a basic requirement for holding public office in the Philippines.

## ***Right to Participation***

The Constitution provides that “reasonable participation...at all levels of decision making shall not be abridged,” and the State must establish “adequate consultation mechanisms” (Art 13, Section 16).

Institutionalized mechanisms for participation (CSO representation in various national and local government bodies) exist, but there are questions as to their effectivity. CSOs have mandatory representation in local special bodies (such as development councils and school boards) under the LGC, but studies indicate that CSOs lack the leverage and capacity to be effective (PhilDHRRA, 2010).

The basic sectors are supposed to be represented in Congress through the party list system, but infirmities in the law and its implementation have led to a perverse situation where elite families have gained even more access to Congress by forming pseudo party list organizations that are not linked to underprivileged sectors (Philippine Daily Inquirer, 2022).

Given the top-down governance style of the Duterte administration, it had little interest in consultation. It remains to be seen if the Marcos Jr. administration will be an improvement, though critics are far from optimistic.

## ***Attacks on Leftist and Progressive Organizations***

A separate section on leftist and progressive organizations is necessary because these organizations have borne the brunt of the Duterte administration’s repression. This includes threats, “red-tagging”, surveillance, unlawful arrests, illegal searches, abductions and even murders. These acts have been documented and commented upon extensively by various international human rights organizations including Human Rights Watch, Amnesty International, Global Witness and many others.<sup>6</sup>

It is not an exaggeration to say that when it comes to government-CSO relations under the outgoing administration, there are two standards – one for “non-leftist” CSOs and another for perceived leftist organizations. The standard for non-leftist groups is one of indifference or tolerance, while perceived leftist organizations are considered enemies of the State. In the same breath, it should be mentioned that even organizations that are not leftist but are somehow in conflict with the administration’s goals – such as NGOs and church groups working with drug addicts, victims of human rights abuses or environmental defenders – have also received their share of bullying from the administration. It should also be emphasized that there is a difference between persons or group holding radical views, and those that actually take up arms against the State.

The broader context should also be kept in mind - the conflict between the Philippine government and the communist movement has gone on for decades, with periods of rapprochement at certain

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<sup>6</sup> See for instance <https://www.hrw.org/news/2022/01/17/philippines-end-deadly-red-tagging-activists>

conjunctures. However, the Duterte administration has escalated the repression of the leftist movement to a level not seen since the dictatorship of Marcos Sr. It should also be emphasized that the communist movement has also committed its share of atrocities.

Under the new regime of Marcos Jr., the NTF-ELCAC has recommended amnesty for the rebel movement. It remains to be seen if this recommendation has deep roots within the incoming regime, or whether it is merely political posturing.

## Over-All Assessment

Since the Marcos Sr. dictatorship was toppled in 1986 up until the Duterte administration, the environment of government-CSO relations may have been described as “supportive”. The Duterte administration however, plunged the country into a new era of populist-authoritarian rule, which has affected CSOs – especially perceived “leftist” organizations - severely. These developments are sufficient to downgrade government-CSO relations to “regulative”, meaning that the state is intrusive and sometimes coercive in its engagement with the CSO sector. This is in line with the 2021 assessment of the Philippines by Freedom House as “partly free” (Freedom House, 2021).

## CHAPTER 4: Conclusion and Recommendations

### Conclusion

- Regulatory Environment

#### *Registration and Accreditation*

Basic CSO registration requirements are reasonable. However, so-called “leftist” organizations, and even independent progressive organizations report difficulties due to SEC Memo Circular 15 Series of 2018, which prescribes additional reportorial requirements for NGOs considered “medium” or “high-risk” of being so-called funding channels for terrorist organizations.

Processes for accreditation with line agencies somewhat tedious, but this expected given normal bureaucratic processes and the fact that some of these organizations will receive funding from government.

#### *Funding*

There is consensus within the CSO community that funding for the sector has declined significantly over the past decade or so, though there are no recent studies on the matter.



Accessing foreign funding has also become somewhat more complicated for leftist and progressive organizations due to DFA Note Verbale No. 2021-0592 that directs foreign embassies to course their CSO funding through the DFA for “clearance” to ensure that the money is not going to terrorist organizations.

### ***Accountability Mechanisms***

GO-NGO accountability mechanisms were useful during the period 1986 to 2016, but have become largely token structures since the Duterte administration, and the current administration has not articulated interest in reinvigorating GO-NGO engagement.

- **Political Environment**

The decline of Philippine democracy since 2016 has been significant, and it is difficult to estimate just how much damage has been done to institutions, culture and governance practice. To a great extent, the climate of GO-CSO relations cannot be divorced from the over-all state of democracy, and therefore the latter is a central concern of all CSOs.

The following are some of the major challenges for CSOs:

### ***Oppressive Laws & Structures***

The Anti-Terrorism Act of 2020 has widened and obfuscated the definition of terrorism and granted an appointive Anti-Terrorism Council the power of interpreting what terrorism means in specific cases. EO 70 unleashed a “whole-of-nation” approach in combatting terrorism and created an NTF-ELCAC that has become a mouthpiece of extreme elements in the armed forces rather than a mechanism for promoting peace.

The anti-terror law and EO 70 are significant because, unless repealed, they will continue to define how anti-insurgency operations will be conducted for years to come. In addition, the “mindset” underlying these laws will continue to influence the conduct of law enforcement and the military.

### ***Authoritarian Traditions; Compromised Institutions***

The country is in the crosscurrent of two authoritarian traditions – the Dutertes and the Marcoses. Perhaps the most significant challenge emerging from this is the erosion of the independence and integrity of foundational institutions designed to check abuses of executive power. The other two co-equal branches of government– the Legislature and the Supreme Court – have already been compromised, the former by the pork barrel system and the latter by the fact that 13 of 15 sitting

justices are Duterte appointees (Galvez and Torres-Tupas, 2022). Other government offices that are crucial to promoting accountability and rule of law - the Office of the Ombudsman and the Department of Justice – are headed by persons known for partisanship. The new Chairperson of the Commission on Human Rights was appointed by Marcos Jr (CNN Philippines Staff, 2022).

### ***Toxic Online Atmosphere***

The misinformation, intimidation and division being spread over the internet is the newest threat to democracy, not only in the Philippines but also around the world. Duterte used an online army of trolls to intimidate critics, and President-elect Marcos used online misinformation regarding the Martial Law years to propel his successful candidacy. Social media has now become the arena where the battle for the truth must be fought. Coincidentally, CSOs also must be adept in the use of social media and the internet to be successful even in their own sectoral and thematic advocacy campaigns in the 2020s and beyond.

### ***Ongoing threat to critics, activists, media and “leftist” organizations***

While media, activists and so-called “leftist” organizations have always been under some level of threat even in previous administrations, this became significantly worse under the Duterte administration because of the latter’s confrontational governance style and “militarist” perspective on solving many of the nation’s problems. Even “progressive” CSOs not aligned with the Left have experienced threats and harassment.

### **Over-All Assessment**

From 1986 to 2016, the legal and political environment for CSOs was generally positive. Recognition for CSOs in the 1987 constitution, institutionalization of various GO-NGO collaborative mechanisms, and landmark legislative and policy gains in asset reform and sustainable resource management are among the major achievements during this period.

May 2016 to April 2022 witnessed a major contraction of democratic space, affecting NGOs significantly. The period was characterized by the extrajudicial killings of thousands of drug suspects, heightened persecution of administration critics and progressive organizations, and the polarization of political discourse. A new President has been elected and it is too early to tell where the new administration will lead the nation. However, since the President is the son of the former dictator Ferdinand Marcos and the Vice-President is Duterte’s daughter, there is no optimism within civil society that the new administration will reverse the current authoritarian drift.

It must also be emphasized that authoritarianism is making a comeback amidst a very complex Philippine reality. On the one hand, the foundations of genuine democracy have been unstable for

decades, given continued elite dominance, weak institutions and persistent inequality, which has bred growing apathy and vulnerability to disinformation among the citizenry. On the other hand, the gains of the past three decades must not be ignored – the achievement by the country of middle- income status and investment grade ratings, the passage of some of the most progressive social justice laws in the world, the attainment of a peace framework in long-troubled Mindanao, and the existence of one of the most vibrant civil societies in the world.

## **Recommendations towards Strengthening CSOs as Change Agents for Democracy and Good Governance**

### ***A Difficult Time***

When thinking about how CSOs must respond to the current situation, it must first be acknowledged that the current conjuncture is a difficult one. Using a strengths, weaknesses, opportunities and threats (SWOT) analytical approach, there is currently a convergence between external threat and internal weakness. The external threat is the dominance of the Duterte and Marcoses, coupled with the compromised state of the other governmental institutions designed to check the power of the chief executive. The Internal weakness is the diminished state of the CSO sector due to lack of funds. This lack of funds has led to reductions in CSO institutional capacity, geographic coverage and advocacy influence.

Thus, crafting viable responses is complex, because the sector cannot simply expand or intensify its efforts because the resources are sorely lacking. This is not to say that there are no options – the point is that it will take innovation to address the current challenges.

### ***A Matter of Perspective***

Responding to the current challenge is also determined by one's definition of the nature of the challenge. There are various ideological perspectives, whether conscious or unconscious, within the CSO sector, and this determines how each CSO views the current problems facing the nation. Broadly, CSOs may be described as either "reformist" or "revolutionary". (This paper does not include the CSOs and civil society individuals that support the administrations of Duterte and Marcos Jr.) Reformists believe that the current structures of society can be made to work better for the underprivileged majority. Revolutionaries believe that the current neo-liberal structure must be dismantled if the country is to achieve meaningful development and democratization. There are various strains within the reformist and revolutionary camps, and they have different strategies, organizational profiles and alliances.

## Recommendations

The following are possible responses of the CSO sector to the current environment. Some are more appealing/viable than others, depending on each CSO's development perspective.

### ***Further Reflection and Monitoring***

For many in the NGO community, it is staggering to comprehend that, 30 years after the Marcos dictatorship was swept away by a wave of people power, the son of the dictator is back as President of the country. The experience of the 2022 election is too recent and too significant to be digested immediately. More time is needed for a full reflection and action planning. It is also too early to decipher the regime's full intentions since it has only been in office for a few months. An area of concern though is that initial reflection processes are occurring mostly in silos – among alliances within one sector, among CSOs within one network, etc. There is not enough NGO-initiated conversation across sectors and among broad alliances and coalitions.

### ***Challenge Marcos Jr. government to prosecute Duterte and reverse the country's authoritarian drift***

This was actually done by CSOs led by Council for People's Development and Governance during the "CSO Consultation on the UN Universal Periodic Review (UPR) of the Philippines" in 22-23 June 2022. The recommendations of the groups included "ensuring an enabling and safe environment for democratic participation, stopping red-tagging and repealing laws that inhibit people's civil and political rights" as well as "rejecting the profit-biased and overly market-oriented neoliberal development framework" (Council for People's Development and Governance, 2022).

### ***Strengthen CSO security measures***

This course of action is currently being undertaken by "progressive" CSOs that have been under threat during the previous administration and continue to feel threatened under the new regime. A dimension of security that is being emphasized in recent years is online security given that repressive States have employed strategies such as hacking and online surveillance against organizations perceived as enemies. The physical security of NGO offices, files and personnel is also an ongoing concern for organizations that feel threatened. Harassment, surveillance, abductions and even murders are tactics that have been employed by the Philippine government in its campaign against insurgency and terrorism.<sup>7</sup>

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<sup>7</sup> This course of action was mentioned by a participant in a focus group discussion on emerging challenges and responses of CSOs. Convened by the Asian NGO Coalition in 28 July 2022, the FGD brought together "first generation" CSO leaders from the Philippines.

### ***Invest in the Youth and Social Media***

Social media as the new battleground of perception and reality. The battle against the disinformation and polarization in today’s political discourse cannot be won with just the traditional tools such as mass mobilizations, press statements and the like. CSOs must learn to be more effective in the internet and social media arena.

Developing the younger generation of CSO leaders is aligned with building-up social media effectiveness, since young people are generally more adept at technology and the internet since they were regularly exposed to it at an early age.

However, developing the younger CSO generation is not just about them “continuing” the work that was started by older generations – it is about them re-imagining development work for the future. Clearly, development work must keep evolving to address the challenges of a fast-changing and complex world.

In this regard, capacity-building programs are important to develop the next generation of CSO leaders. This has emerged as a widely felt need, because funding declines have greatly reduced in-house training interventions that NGOs are able to provide for their staff. Training on development theory, program management, leadership, strategic planning and the like are needed to ensure that the younger CSO generation will have the core skills to build upon as they take the sector into the next decade and beyond.<sup>8</sup>

### ***Work with credible officials within the new regime***

For some NGOs, development work goes on. No matter the political circumstances, the poor always need assistance and this should not be denied them simply because the national government is perceived as underserving of the people’s mandate. Moreover, these NGOs argue that government is not monolithic. In every government including the current one, there are always competent and well-meaning officials in certain offices who could be “champions” of reform efforts in various areas of governance or service delivery.<sup>9</sup>

### ***Focus on Local Governance/Local Development***

The pandemic shined a light on many outstanding LCEs and LGUs whose innovative response to the crisis indicates that there is much hope for good governance at the local level. The local government code also laid the foundation for impactful governance at sub-national level by devolving significant

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<sup>8</sup>The need for capacity building was suggested by a participant in a focus group discussion on emerging challenges and responses of CSOs. Convened by the Asian NGO Coalition in 28 July 2022, the FGD brought together “first generation” CSO leaders from the Philippines.

<sup>9</sup>This course of action was mentioned by a participant in a focus group discussion on emerging challenges and responses of CSOs. Convened by the Asian NGO Coalition in 28 July 2022, the FGD brought together “first generation” CSO leaders from the Philippines.

powers and resources to LGUs. Given the results of the recent national elections, many CSOs may choose to focus their efforts at the local level, where partnerships with enlightened local chief executives (LCEs) may yield more significant results. Thus, despite concerns regarding the national leadership, it may still be possible to create “islands of good governance” amidst the uncertainty surrounding the country as a whole.

A cadre of progressive LCEs is also a building block for alternative political forces. For instance, Akbayan – a successful alternative political party of progressive organizations – looks at winning local elections as a foundation for building a nationally-influential political project (Rocamora, 2000).

### ***Expand Coalition Building***

Perhaps the decline in funding within the sector has contributed to a decline in networking and coalition-building efforts within and across sectors. However, now more than ever, there is a need to bridge the different silos within the NGO sector and re-engage in conversations with other sectors including business, academe and professionals. The reason for this is simple and obvious: to be even moderately successful as a political force, a large number of NGOs/POs need to come together in coordinated action. To be a major political force requires something even more: broad unity among different sectors of society. Instances of this broad unity - the 1986 people power revolution is the best example – are rare, but it may be what is needed in these difficult times.

The major question is whether the NGO/PO community today is still capable of playing a proactive, catalyst role in bringing the other sectors of society together for broad initiatives to protect democracy, the way it did in 1986 and on other occasions in the past. The recent Leni Robredo presidential campaign (discussed below) clearly indicates that cross-sectoral civic energy is very much alive. The question is whether the development NGO community is still a lead force in this movement.

There is also room for expanded coalition building at the international level. Authoritarian populism is a global trend, yet there does not seem to be a global or even regional CSO movement to reflect on and address this. Surely, there is much to be learned from comparative discussions on the dynamics of this global threat, and a coordinated international response may be able to provide support to individual countries dealing with this challenge.

### ***Translate Robredo Campaign to a Social Movement***

Though it did not result in electoral victory, the 2022 Leni Robredo presidential campaign was similar to the 1986 people power revolution because it was able to mobilize large-scale voluntary action from various sectors of society. Hundreds of thousands of people attended rallies, made their own campaign materials and performed various good works such as feeding programs - all on their own initiative because they believed in Robredo’s personal example and message of good governance.



The massive “social energy” created by the campaign should not be allowed to just dissipate. The civic action must be sustained beyond elections. One reason why “progressive” electoral campaigns fail is because people undertake them only during elections, by which time it is often too late to change mindsets.

In addition, social change needs to become more of a mainstream undertaking, and generating this type of scale is well beyond the capacities of just the NGO sector. There is a need to harness the capacities of the other major sectors of society. While the Robredo campaign has indeed shifted to forming a foundation to continue development work, it is unclear how much of the campaign volunteer machinery has been successfully integrated into the foundation.

### ***Sustain and Expand Efforts to Strengthen/Build Alternative Political Parties/Formations***

Certain NGOs, basic sector groups and even cooperatives have been involved in building alternative political parties and movements for years. Some groups have been doing this to gain representation in Congress through the party list system. For others, the ultimate goal is to become major players in national politics. In whichever case, it is important that these be done more sustainably. There are many such efforts that have been met with initial success, but the CSO groups concerned are often unable to sustain or expand on this over the course of several elections. There needs to be greater analysis as to why this is the case (although availability of funds has probably been a factor). In this regard, there is a need for more research and case studies on CSO successes and challenges in party building in electoral politics.

In summary, Philippine NGOs face significant challenges in the coming years, as democracy goes down a slippery slope and funding for the nongovernment sector continues to decline. But the CSO sector is resilient, especially when faced with adversity. The nonviolent 1986 people power revolution that ended the dictatorship of Ferdinand Marcos Sr. is a reminder of what concerted civil society action can inspire. Today, though the political landscape may seem parched, the seeds of another bold and innovative CSO response may already be germinating. ■

#### **List of acronyms**

ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
ARRM	Autonomous Region of Muslim Mindanao
ATM	Alyansa Tigil Mina
BARRM	Bangsamoro Autonomous Region of Muslim Mindanao
BIR	Bureau of Internal Revenue
BBC	Basic Christian Communities
CODE-NGO	Caucus of Development NGO Networks
CPAR	Congress for a People’s Agrarian Reform
CSO	civil society organization
DFA	Department of Foreign Affairs
EO	Executive Order
E-Net Philippines	Civil Society Network for Education Reforms
FFF	Federation of Free Farmers
FFW	Federation of Free Workers

FPE	Foundation for the Philippine Environment
FSSI	Foundation for Sustainable Society, Inc.
FOI	Freedom of Information
ICSW	International Council on Social Welfare
IRR	Implementing Rules and Regulation
ISO	Institute for Social Order
LCE	local chief executive
LGU	Local Government Unit
LSB	Local Special Bodies
LSC	Local Development Council
MC	Memorandum Circular
NAPC	National Anti-Poverty Commission
NASSA	National Secretariat for Social Action
NCSD	National Council of Social Development
NTF-ELCAC	National Task Force to End the Local Communist Armed Conflict
ODA	Official Development Assistance
PBSP	Philippine Business for Social Progress
PCNC	Philippine Council for NGO Certification
PDAF	Priority Development Assistance Fund
PECCO	Philippine Ecumenical Council for Community Organizing
PhilDHRRA	Philippine Partnership for the Development of Human Resources in Rural Areas
PO	Peoples Organization
PRRM	Philippine Rural Reconstruction Movement
SALN	Statements of Assets and Liabilities
SEC	Securities and Exchange Commission
SRA	Social Reform Agenda
SRC	Social Reform Council

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### Disclaimer

The views contained in this document are those of the author, and do not necessarily reflect those of IDEALS and FFA.

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