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Comments on Senate Bills Regarding Political Dynasties:

Senate Bill No. 18: "An Act Defining and Prohibiting Political Dynasties, Providing Penalties Therefor, and for Other Purposes"; Senate Bill No. 35: "An Act Prohibiting the Establishment of Political Dynasties"; Senate Bill No. 285: "An Act Defining and Prohibiting Political Dynasties, Providing Penalties Therefor, and for Other Purposes"

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General Assessment of the Proposed Legislation

Constitutional Foundation and Democratic Imperative

The three Senate bills under consideration address a fundamental constitutional mandate that has remained unfulfilled for decades. The 1987 Constitution's prohibition on political dynasties reflects the framers' recognition that concentrated political power within families undermines democratic governance and perpetuates inequality. As documented in a PIDS policy note, i.e., Albert et al. (2015), political dynasties have been linked to weakened checks and balances, higher poverty rates (with over 50% dynasty incidence in the 10 poorest provinces in 2013), and reduced political competition. Recent data suggests that this pattern persists: a 2025 PCIJ analysis shows 87% of governors and 80% of district representatives in the 2025 elections are dynastic, with 18 "obese dynasties" (5+ relatives elected) dominating multiple seats.

Political dynasties emerge from the tendency of elites to perpetuate power across generations, often undermining institutional reforms (Dal Bó, Dal Bó, and Snyder 2009). This pattern is particularly pronounced in developing democracies where weak institutions allow family networks to capture state resources and electoral processes. A 2024 Ateneo School of Government study by Mendoza et al. reports that by 2019, 67% of congressmen and 80% of governors were dynastic, with "fat dynasties" (simultaneous officeholders) rising from 19% in 1988 to 29% in 2019, adding approximately 170 dynastic positions per election cycle.

Evidence of Dynasty Proliferation and Consequences to Democracy

The expansion of dynastic control has accelerated significantly in recent decades, with "fat dynasties" - those with multiple simultaneous officeholders - becoming increasingly dominant.

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International studies suggest that such concentration of political power typically correlates with weaker governance outcomes, reduced political competition, and persistent poverty in affected jurisdictions. Tusalem and Pe-Aguirre's (2013) analysis found that while dynastic areas often receive higher congressional allocations, they simultaneously experience elevated crime rates, poor governance indicators, and reduced spending on crucial public services like employment programs, infrastructure, and healthcare. A 2022 Ateneo study reinforced these findings, showing that dynasties exacerbate poverty in non-Luzon provinces due to weaker business competition, enabling predatory behavior.

The relationship between political dynasties and underdevelopment appears particularly acute in the Philippines' poorest provinces. Albert et al. (2015) documented dynasty incidence exceeding 50% in the 10 poorest provinces, with areas like Lanao del Sur (59.47% dynasty incidence, 67.31% poverty) exemplifying how concentrated political power may inhibit rather than facilitate inclusive development. Recent research suggests dynasties also increase political violence, undermining democratic checks and balances essential for accountable governance.

International Context and Comparative Approaches

While no country has implemented a complete ban on political dynasties, several nations have developed regulatory frameworks that indirectly constrain dynastic power. Mexico's term limits and India's anti-defection laws provide relevant models for balancing democratic choice with institutional integrity. A 2024 study on Chicago's city council by Ternullo et al. (Harvard/University of Chicago) showed that dynastic wards had lower crime but concentrated resources in advantaged areas, suggesting dynasties skew public goods distribution. These approaches indicate that effective dynasty regulation requires comprehensive strategies addressing multiple aspects of electoral competition rather than simple prohibitions.

Critical Implementation Challenges

The success of any anti-dynasty legislation will depend heavily on robust enforcement mechanisms. The Commission on Elections (COMELEC) will bear primary responsibility for disqualification decisions, requiring significant institutional capacity and resources that may not currently exist. International experience suggests that weak enforcement institutions often undermine well-intentioned electoral reforms, making implementation planning as crucial as legislative design.

The tension between voter sovereignty and institutional reform presents another fundamental challenge. During the 1987 Constitutional Commission debates, commissioners recognized that dynasty restrictions might limit electoral choice while simultaneously expanding opportunities for non-dynastic candidates. A 2024 WR Numero survey found 50% of Filipinos view dynastic officials as more corrupt, indicating substantial public support for reform. Phased implementation approaches and exemptions for smaller jurisdictions could help balance these competing democratic values while building on this public support for change.

Specific Assessment of Each Proposed Bill

Senate Bill No. 18 (Sen. Padilla): Comprehensive but Complex

SBN 18 offers the most comprehensive approach to dynasty regulation, defining prohibited relationships up to the fourth civil degree of consanguinity. This broad scope effectively captures extended family networks that can circumvent narrower restrictions through cousins and more distant relatives. The bill's provisions against simultaneous candidacies and immediate succession address both prevalent forms of dynastic perpetuation identified in comparative research.

The bill's domicile-based restrictions for national officials represent an innovative approach to preventing nationwide political dominance by established families. However, the fourth-degree kinship scope may prove administratively challenging and potentially subject to constitutional challenge on grounds of proportionality. Enforcement difficulties could undermine the legislation's effectiveness, particularly given COMELEC's current resource constraints.

The "first-filed certificate of candidacy" provision risks creating perverse incentives for rushed filings and potential manipulation. A more structured approach, such as requiring joint manifestations or implementing transparent conflict resolution mechanisms, would better serve the legislation's democratic objectives. Additionally, the bill would benefit from explicit success metrics and periodic review mechanisms to assess its impact on governance outcomes and political participation.

Senate Bill No. 35 (Sens. Lacson and Tulfo): Balanced and Practical

SBN 35 presents a more measured approach, limiting kinship restrictions to the second degree while exempting barangay officials. This scope captures immediate family networks while remaining administratively feasible and less vulnerable to constitutional challenge. The exemption for barangay positions recognizes the different dynamics of village-level politics, where family ties may be less problematic than at higher governmental levels.

The bill's provisions against simultaneous candidacies by related individuals effectively address "fat dynasty" concerns while preserving some degree of electoral choice. However, the legislation's current language may not adequately cover party-list positions, creating potential loopholes for dynastic manipulation. Strengthening party-list coverage and verification mechanisms would enhance the bill's comprehensiveness.

The five-day period for executory decisions may insufficient for due process, particularly in complex kinship determinations. Extending this period to 10-15 days would better balance swift resolution with procedural fairness, especially for cases requiring COMELEC en banc review.

Senate Bill No. 285 (Sen. Pangilinan): Ambitious National Scope

SBN 285 takes the most aggressive approach to regulating national-level dynasties, prohibiting relatives of national officials from holding any elective position nationwide. This comprehensive scope directly addresses concerns about "obese dynasties" that span multiple levels of government and geographic regions. The bill's explicit policy declaration emphasizing democratic inclusivity aligns closely with constitutional principles and international best practices.

The legislation's broad national restrictions may prove overly restrictive and potentially counterproductive. Limiting the prohibition to the incumbent's home province or region might achieve similar anti-concentration effects while preserving legitimate political participation by qualified family members in distant jurisdictions. Additionally, clearer definitions of "common-law spouse" relationships would improve legal certainty and enforcement consistency.

The bill would benefit from preemptive COMELEC review mechanisms to identify potential violations before election day, reducing post-election disputes and enhancing legal certainty. Incorporating affirmative measures such as gender or youth quotas could help ensure that dynasty restrictions actually expand rather than merely redistribute political opportunities.

Recommendations for Legislative Refinement

a) Consolidation and Harmonization

The most effective approach would involve consolidating the strongest elements from each bill into unified legislation. This consolidated measure should incorporate SBN 18's recognition of varied kinship relationships, SBN 35's practical exemptions for barangay positions, and SBN 285's clear policy framework for national positions. Such harmonization would create more coherent and comprehensive dynasty regulation while avoiding the confusion of competing legislative approaches.

b) Enhanced Enforcement Infrastructure

Success requires substantial investment in COMELEC's institutional capacity, particularly regarding kinship verification and database management. Digital kinship tracking systems and enhanced civil society oversight mechanisms could streamline enforcement while maintaining transparency. Regular training for election officials and clear procedural guidelines would further strengthen implementation consistency.

c) Phased Implementation Strategy

Rather than immediate nationwide implementation, a phased approach beginning with provinces showing highest dynasty concentration could provide valuable learning opportunities. This strategy would allow for system refinement while building public support and demonstrating the legislation's effectiveness in reducing political concentration and improving governance outcomes.

d) Complementary Reform Measures

Dynasty regulation alone cannot fully address the structural factors that enable political concentration. Complementary reforms including campaign finance regulation, public funding for non-dynastic candidates, and enhanced political party development would create a more level electoral playing field. These supporting measures would help ensure that dynasty restrictions translate into genuine increases in political competition rather than mere redistribution among elite families.

Conclusion

These bills represent crucial steps toward fulfilling a long-delayed constitutional mandate and strengthening Philippine democracy. With appropriate refinements addressing enforcement capacity, implementation timing, and complementary reforms, anti-dynasty legislation could significantly expand political participation and improve governance outcomes. The evidence strongly supports the need for such regulation, while international experience provides valuable guidance for effective design and implementation.

Success will require not only legislative passage but also sustained political commitment to building the institutional capacity necessary for effective enforcement. The stakes are considerable: failure to regulate political dynasties perpetuates democratic deficits that undermine both governmental accountability and inclusive development. Conversely, well-designed and effectively implemented dynasty restrictions could mark a decisive step toward a more participatory and representative political system that better serves all Filipino citizens.

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