

STRATEGIES OF CONTAINMENT AND THE CASE OF THE KALIWA DAM IN THE PHILIPPINES THROUGH THE CURTAILMENT OF CIVIL SOCIETY GROUPS

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Research Background

■ The Philippines in 2016 was in a state of flux with the transition from the Aquino III regime into the unknown. With an impending power vacuum due to the weakness of political parties and the exit of the Aquinos from public office, the Filipino people were set for a choice between the incumbent Liberal Party's bet Mar Roxas, who is well known as another product of a political clan and a continuation of a long line of politicians and a wild card in Rodrigo Duterte who hailed from Davao and generally was an unknown to those who live outside of Visayas and Mindanao.

Duterte's rise to prominence and power in 2016 was said to be both perplexing and unexpected. From his beginnings as a prosecutor in Davao, a long career in local government starting as the Vice-Mayor of Davao after the fall of the Marcos regime in 1986, and his surprise announcement to run as President in 2016, his meteoric rise to power was unprecedented in the post-war Philippines. Headlining his domestic policies was the heavy focus on major infrastructure projects whose flagship plans rely on external funding, such as loans and private-public partnerships, reminiscent of post-war Keynesian pump-priming policies (Magtulis, 2016). |

Corresponding to this was his administration's focus on an "independent foreign policy" being branded as a stark departure from what was framed as "imperialist" impositions by the neoliberal regime of the West. Duterte's nationalistic approach is nothing new to scholars as these echoes the 1987 constitution stipulated in article



II, section 2 which only sees war as a course of last resort and sees the importance of international law in foreign policy, and the government is mandated to impose an independent foreign policy to protect sovereignty, territory, interest, and self-determination (Amador & Baladjay, 2020). Soon after winning convincingly, Duterte's pro-China policies emerged after a soft stance on the West Philippine Sea's Hague ruling (Rola and Limpot, 2021), and bias toward China's infrastructure and trade packages in the administration's infrastructure agenda. Moreso, Duterte reinforced his stance by positing the West and the United States as the strawmen in his foreign policy argument in the early months of his leadership (Parameswaran, 2016).

China's Belt and Road Initiative (BRI) was launched in 2013 and envisions rekindling the old traditions of the economic Silk Road spanning the continents of Asia, Africa, and Europe (Chatzky and McBride, 2020). While indeed, China's BRI has been met with skepticism due to foreseen risks and trade-offs that can serve as short-term gains and long-term perils for developing nations. Evident examples were the cases of Pakistan and Sri Lanka, which are currently struggling to pay their debt with China, which could result in countries leasing ports, such as in the case of 2017, when a 99-year port lease deal was penned by Sri Lanka (Shakil, 2021).

Mirroring these complications are lingering warnings for the Philippines, even before the pandemic was its spending that is said to be reaching "unsustainable levels" and would hurt the confidence in the Philippine Peso (Valencia, 2018). There were clear fears that the Philippines would fall into China's "debt-trap diplomacy," which was considered a predatory lending practice targeted toward developing economies that are in dire need of loans (Chellaney, 2017). Additionally, there were verified reports of blacklisted Chinese firms that are involved with militarizing the West Philippine Sea and were duly sanctioned by the United States, which are tied with infrastructure projects and remain to do so due to the Duterte administration's reluctance and insistence to follow its doctrine of an "independent foreign policy" (Morales, 2020). It goes without stating the obvious that cases against the Philippine administration's infrastructure projects and China's BRI failed to gather significant clout. Curiously, the Philippines, through Duterte's infrastructure drive, did not have the same hostile coalitions and movements but has instead enjoyed positive net ratings throughout his reign as the island nation's leader from 2016-2022 (Pulse Asia, 2022).

Statement of the Problem

While the Belt and Road Initiative has had its own success story in other developing regions and nations, such as those in Africa and some countries in Central Asia, the case of the Philippines paints a stark contrast with its eventual failure in the country. The failure in the Philippines of China's BRI projects begs the question of how capital-intensive transition projects, such as the Kaliwa Dam



project, have failed to deliver on their promise to bring the Philippines into a more inclusive, sustainable energy future. The project will further look into the relations between domestic public policy and transnational development aid politics, and their intersection and impact on domestic civil society dynamics. It will also include the private sphere, with industries and societal organizations that are major actors within the transition arena and sociotechnical bubble of the Kaliwa Dam project. Theoretically, it seeks to apply and extend the Modes of Participation theory of the Murdoch School to contribute to the ongoing literature on civil society movements and their interaction with state control.

Overarching Question: “What is the impact of transitions such as the Kaliwa Dam project on civil society, and how did the State play its role in the curtailment of contrarian voices?”

Sub-questions:

1. What are the variables that contribute to the success or failure of transition projects in the developing world in the case of the Philippines?
2. How can developing countries such as the Philippines better improve on their endeavor for just sustainability transitions in the energy sector?
3. What can other countries or development organizations harness aid as a tool to equitably boost transitions in the developing world?
4. How does the Philippines, as a developing country, view sustainability transitions, and how can it be more inclusive in fixing unjust transitions with its civil society?

Methodology

The project will be a case study focusing on the Kaliwa Dam Project under former President Rodrigo Duterte from 2016 until the first half of President Ferdinand Marcos Jr.’s early tenure transition in 2023. The research is structured as a mixed-method descriptive case study and analyzes literature on Official Development Assistance (ODA) projects and agreements in the Philippines, as well as official memos, laws, and policy changes associated with the BRI and BBB projects, specifically on the Kaliwa Dam project.

Initial Arguments

Moving away from the common rationale of pure institutional control, understanding movements and struggles that persist can occur within the locus of state-controlled channels that have extended and spilled out through extra-institutional avenues. These emanate beyond the governmental policy arenas towards societal domains and collectives as a group or through formal coalitions.



With it, informal pockets of resistance develop with the fragmented coalition formation emanating from the decentralized locus of actors and collectives.

The study will further develop this concept using the case of the Kaliwa Dam, of political and economic struggle that undergoes bargaining, negotiation, and compromise, contrasting both the external paths and the established internal channels of interaction that exist within and outside state control. Using the BBB project as the main area of socioeconomic conflict, China's BRI and ODA conditions factor the embodiment of the politicization of development aid that forces the hand of the state with the creation of BRI coalitions to marginalize and repress its citizens through structural reforms and policy accommodations. In turn, as an act of subversion borne out of frustration and lack of representation from elected representatives and state institutions, contrarian groups respond by instigating niche interest movements to overturn the established regime not using a variety of methods that operate outside existing power structures, alliances, and channels of control through "soft" strategies such as community meetings, consultations, and cooperative aid arrangements. The state and the BRI coalitions then regulate opposing coalitions by projecting conflicting collectives as enemies of the state and as anti-development to rally support from the public.

Reinforcing this notion, countries in Southeast Asia have often been studied using the lens of institutions and democratization concerning contestations and civil movements. It espouses the core assumption that the state provides the necessary conditions for participation and guides constituents to join the established system. It comes to the postulation that actors are treated with equity and fairness, where all voices are heard and given an equal chance to be represented. Recently, with the rise of populism, industrialization, and the challenges to democracies as authoritarian tendencies persist in developing Southeast Asian states such as the Philippines (Rodan & Jayasuriya, 2009), the study questions the validity of these assumed models of understanding most applied to the struggles within democratic contexts. When applying the institutional models in studying the relations of the state and its subjects, a recalibration of the concept should be established to give further gradation and provide a deeper understanding of the current dynamics of participation in developing nations that struggle with representation and application of democratic values, as in the case of this study, the Philippines in various levels such as the struggles manifested by civil society coalitions, contestations from as seen in state actors, and the competition across exemplified by the conflict between businesses and economic actors.

It is argued in this research that due to the BRI coalitions and alliances, contending groups lose significant ground and clout by making their struggle ineffective and nullified, which will hereby be studied as "Dynamics of Escalation" | and "Strategies for Containment" as an extension to the Mode of Participation framework (Rodan & Jayasuriya, 2009). By using both frameworks, the study strives to unlock the strategies of containment employed by the state to effectively push its development



agenda forward under direct and indirect coercive measures, including brute force repression. The study, therefore, proposes two possible hypotheses that are expected to be answered in the course of the research work.

Possible Outcomes

H 1: The Duterte administration uses the BBB project to contain opposing groups to continue and support China-backed infrastructure projects by changing the rules of participation among contesting groups and individuals. By changing how contending groups participate in the discussion, they are effectively controlled and contained by the government.

H 2: The opposing groups against the Kaliwa Dam project do not effectively use the existing institutional methods and processes of participation to challenge the projects currently and effectively bargain, negotiate, and compromise their grievances to overcome state containment strategies.

I. Statement of the Research Objectives

The objective of the research is to examine the dynamics of contestation around BRI infrastructure projects and to exclusively understand how and why contestation has been limited in the two case studies. Furthermore, the study intends to discover theoretical angles and strategies of how the government contains dissenting organizations through systemic repression in the chosen case of the Kaliwa Dam project. At present, the studies that are applied in the Philippine setting largely revolve around the understanding of institutions and the state. The current method of study remains problematic as it narrows down actors into specific categories that lack a deeper analysis of external channels and avenues for discourse. This leaves a vacuum that casts analytical biases on the nature of the agreement between formal actors within a controlled discursive space, which the state has allowed and considered permissible within the bounds of the law and regulations. Grassroots participation in Asia has been tackled by scholars within the confines of local governance with the themes of decentralization, devolution, and autonomy (Tadem, 2012), and there are considerable points of emphasis in the research in tandem with critical political economy and specifically Rodan's Modes of Participation in discussing modes of participation, dynamics of escalation, and possible strategies for containment.

II. Significance of the Study

Studying the literature available for critical political economy in the Philippines leaves much to be explored, with the lack of recent literature that focuses on the



struggle of minorities against the BRI alliances as analyzed under the dynamics of coalitions, contestations, and containment. The research endeavors to add to the existing literature by adding another dimension to the understanding of the critical political economy in extending the sites of participation. By identifying and exposing these in the two cases, comparisons between the narratives uncover alternatives for representation through the processes of bargaining, negotiation, and compromise done by existing actors, as well as the dynamics of escalation and strategies for containment being employed by the state and BRI coalitions to quell the advances of opposing movements.

III. Theoretical Framework

To answer the main question, the proposed project will use the social conflict theory approach to study and examine the various coalitions in the case of the Kaliwa Dam project, which is in support of and against Chinese infrastructure. The study will support this by utilizing the modes of participation approach to understand how contestations can be effectively contained by formal political institutions, as well as how opposing coalitions promote their side by using traditional and non-traditional channels.

Politics in the Philippines has been a perplexing conundrum among scholars. Given that the Philippines' democracy is the oldest in Asia with strong societal participation in elections, civic participation, and institutional support, democracy in the country has chronically been affected by weak institutions, corruption, and elite control (Hutchcroft & Rocamora, 2003). Since the fall of Marcos in 1986, the country has been grappling with the contention on reforms to advance economic growth and national security and treading the balance between control and compromise in various forms, as well as the choice between reformists and populists.

Duterte, while a populist, has drastically altered the political balance in the Philippines with his violent war on drugs and his drastic pivot to China from the stable and long-standing alliance with the United States. From the Liberalism espoused by Aquino III that motivated grassroots participation to the illiberalism of Duterte and the bias towards business elites, institutions from sites of representation have changed into a mechanism of repression by the state to honor its alliance and "Kowtow" to China.

Contextualizing the narrative together is the State Transformation Approach that highlights China's motivations towards the BRI and partnering with Duterte's BBB in the Philippines' ongoing development project. Further dissecting the dynamic found in the chosen cases of the Kaliwa Dam project, the theoretical frame of inference is presented from the institutionalist base filtered through the Mode of Participation (MOP) framework to map out possible modalities of containment within state-capitalist mechanisms observed within the cases selected in the study.



By utilizing the theoretical tools mentioned, the study focuses on the goal to expose the nature of struggle from variegated epistemes and develop a unifying approach and framework to understand the state's strategic systemic repression and methodological control within the cleavages of social contestations.

Institutionalist Approach and Its Limitations

Succinctly, institutionalism is the interplay of formal and informal institutions that later formalize rules and norms of behavior that dictate avenues of discourse and are later controlled through reward and punitive mechanisms (North, 1990). Interactions between the formal and informal institutions, in turn, reinforce the prevailing system through consistent exchanges, thereby producing shared experiences and goals among members, later producing stability and order. Through this lens, institutions carry the responsibility to shape preferences and power relations in societies (Thelen & Steinmo, 1992). Institutions also have the capacity to map the cognitive frames in understanding the behavior of their fellow members (Fligstein, 2001). The establishment of regimes and institutions further galvanizes their hold with the returns that are generated over time, making it hard for contending actors to dislodge the prevailing norm and regime actors (Pierson, 2000). Institutions at the earlier stages were perceived as the center of political discourse and were only later given much critique by Scott (2007), which emphasizes the non-dyadic and circular reinforcement of institutions by raising the need to look into intersubjectivity and original interpretations rather than grand social mechanisms within the institutional paradigm.

Governance in the Philippines has always been viewed through the perspective of formal channels and groups. Institutions are perceived as a product of social interaction among members of society (Kingston & Caballero, 2009). Additionally, institutions provide the necessary structure of the interaction with the formal rules and regulations distilled from norms and conventions that are later influenced and controlled by the mechanisms of reward and punishment for the actors present in the interaction (Pilapil, 2006). The norm then is reinforced with the continued interaction of the state with its subjects through the channels that are allowed and made available by the ruling regime.

On the contrary, the persistence of these established regimes is met with questions because of the lack of support regarding the continued backing and resiliency of established actors. While other branches of institutional research intended to answer this paradox, mainstream historical, sociological, a rational choice institutionalism have yet to address contestation and containment dynamics that involve the creation of movements pursuing alternative channels of participation and difference between the narratives of social movements and bureaucratic actors. Moreover, the study of state mechanisms to diffuse critical voices remains novel in application to developing countries, making it a good candidate to explore and investigate.



Murdoch School of Political Economy & Social Conflict Theory

A departure from neoliberal readings of political economy, the Murdoch School of Political Economy espouses the re-thinking of analytical frameworks in reading narratives of struggles and contestations away from institutional approaches toward the analysis of the multi-level narratives of struggle found within collectives of classes, groups, and other associations. The focus of the concept emphasizes the need to peer into the mosaic and diversity of social narratives within movements and contestations (Hameiri & Jones, 2014; Carroll et al., 2020). The social conflict approach by the Murdoch School is exemplified by how the approach lays out the foundations of the critical analysis of the conflict between groups and regimes interlocked in a political arena where actions are motivated by mores, reason, and interests within an uneven power structure dictated by the regulations in place. With the actors engaged in the game, the ultimate goal of survival and continuous struggle for power and legitimacy is observed. It has to be established that the supposed rules of engagement and interaction are not dictated solely by the regime in place but are the outcome of the distillation of global influences, events, and interests seen in its foreign policy agenda. The Murdoch School uses the two-step approach to understanding the link between the international and domestic levels (Jayasuriya, 2005).

The Murdoch School approach pays close attention to the domestic underpinnings of relationships and their importance in a case study being put under scrutiny. Not only does it see the material interactions, but also the ideological exchanges that embody the social conflict and struggle between the actors. In this notion, the national and the global are seen not as mutually exclusive mechanisms but as one. The Philippines embodies these cases and seamlessly shows the relationships in the context of development. As a growing economy, the Philippines under Duterte is expected to bring about economic change with the infusion of resources and investments that put forward the central drive to pursue economic value as a state. China and state capitalism, in this case, provide the international expansion of developed states to provide development funding and aid to emerging nations, which also serves as a much-needed avenue to unload economic surplus through its BRI projects. The conflict in the spaces of capitalist aspirations seen in the formation of BRI coalitions supported by the state has marginalized the very constituents within the state structure in the name of capitalist development. With the state in the middle of the conflict, it assumes the position to determine and prioritize by setting and controlling the domestic policy arena with authoritarian tendencies that contribute to its persistence in the developing world.

The Modes of Participation

Putting forth Rodan's model encapsulates the essence of representation and participation that is currently undergoing in developing nations, with the less-than-optimal democratic practice that carries authoritarian leanings that were labeled as



the “reverse wave” in democratization and neoliberalism (Huntington, 1991). The Modes of Participation (MOP) paradigm further threshes out the difference between participative channels by applying it to cases such as in the Philippines, Malaysia, and Singapore (Rodan, 2018).

Laying the foundations of struggle in the case contexts under the BBB and BRI, Rodan’s MOP framework embodies the various angles of representation with consultative, particularistic, democratic, and populist. With these levels of inquiry, the idea behind the emergence of contestation among actors and the nature of containment by regime players can be further explored through their participation. The relationship dynamics of civil society, businesses, and government within the context of the BBB and the BRI also test the assumptions by Rodan and the MOP frame by peering into the successes or failures of participation and contestations from the civil society, as well as the struggles of state actors in advancing various advocacies. The MOP approach is defined by the ideology behind representation and the location or area of representation, and asks who, how, and what the various factors of participation are (Rodan & Baker, 2020). The foundations of the MOP approach subvert the mainstream institutional analysis by localizing the study of a conflict that has both direct and indirect influence on the international level of governance and discourse.

The case of the Kaliwa project would be analyzed in these specific frames to study the channels where bargaining, negotiation, and compromise happen, both endogenous and exogenous to the established political spaces of discourse. In doing so, it will answer whether the contestations against the regime of neoliberal development are products of the system developed by institutions and coalitions themselves or if their emergence is due to the neoliberal agenda that has pushed states to disenfranchise their citizens because it incentivizes capital infusion through ODAs and other avenues as intended catalysts for economic growth. Furthermore, it also highlights the efficacy of formal channels vis-à-vis informal which are outside the bounds of established institutional procedures, to be able to achieve the answers to the core questions laid out in this research.

IV. Review of Related Literature

The study organizes its compilation and review of related literature starting from the context of uncovering China’s BRI Diplomacy, the narrative of the struggle of interest groups in the Philippines, and the intersections and effects of the “Belt and Road Initiative” (BRI) and “Build, Build, Build” (BBB) coalitions. The discussion then transcends to the two chosen cases for the study that encompass the significant contexts within Duterte’s infrastructure drive in environmental protection and national security. The amalgam of the case studies intends to decipher the question behind the authoritarian tendencies of a liberal democratic state that exists in

development functions through the curtailment of critical opposition on its ongoing development agenda.

Uncovering China's BRI Diplomacy

Fears and doubts regarding China's supposed benevolent and peaceful rise to power¹ have been a major talking point in recent memory (Johnston and Rudyak, 2017). The monolithic perception of the Chinese state and power relations leaves an overgeneralized depiction of a more complex network of politics (Zhang, 2015). Formerly, numerous attempts at generalizing China have painted the regime as having a primary "grand strategy" that aims to supersede the West in all aspects from economy to military (Pillsbury, 2016; Kong, 2017). China under Xi has experienced unprecedented growth after assuming the presidential role and has focused on state-to-state links that were in tandem with its economic development, surpassing Japan as the second-largest economy globally in 2011 (Lanteigne, 2019).

Perceptions regarding the swift rise of China to regional and then later to international prominence have been met with skepticism, with Chinese observers raising concerns regarding the one-sided economic benefit of China through its development finance work with emerging nations (Laurence, 2017). Although it is not surprising given the seemingly ideological contrast between the eras of Mao to Xi, how China is carving a special niche has baffled scholars to compartmentalize and generalize the Chinese regime. The pivot of the metaphoric sleeping economic giant of Asia traces its grand narrative transformation with the 11th Central Committee in 1978 under Deng Xiaoping into "reform and opening" towards the 80s (Shambaugh, 2014). Although the origin of its shift stems from the party, its aftereffects have resulted in a power transition from the central authorities responsible for the reforms to a decentralized and fragmented form that exists currently.

Jones and Hameiri propose a novel way of peering into this puzzle by deconstructing the traditional view of Chinese governance by unbundling what was seen before as a monolithic system, which is its central government, into a deeper and more complex web of actors, which they propose as a "fractured" state. Particularly, China should be studied under the foundation of a state that has evolved and transformed from its Maoist past to its capitalist leanings today. Contrary to contemporary scholars, the view of China as a more dynamic and decentralized network carries with it new dimensions of understanding the political apparatuses embedded within its governance, with contending state agencies and non-government actors such as companies to advance the common goal of economic impact (Jones and Hameiri, 2021).

A decentralized view of China opens alternative ways of untangling discourse between players and across cases, such as in the BRI strategy that it has been leveraging in the past few years. As discussed by the proponents of the State Transformation Approach, there is a disconnect between the understanding of China's politics, with Sinologists realizing China's politics where its ontological boundaries do



not extend enough to cover the “fragmented” nature of its current politics. Therefore, the treatment of the cases as a novel challenge under the Social Transformation Approach gives further nuance to the argumentative validity of critical analysis of its political economy and the politics behind the longevity and resiliency of China-backed projects under the Duterte administration and its BBB program, with its focused, nuanced, and decentralized view of internal power brokers within the Chinese state structure.

Shadow Patronage: Elite Coalitions and Networks

One of the most distinctive aspects of the Duterte administration is the prevalence of the “supermajority” and networks of patronage that have supplanted the traditional dynamics of Philippine politics. Commonly, coalitions in the Philippines are supported by the business, military, and government technocrats who control resource mobilization and political control (Camba et al., 2021). With the win of Rodrigo Duterte, the country’s weak political parties resulted in the dissolution of political groups that were established in the last elections. Commonly, with each forthcoming national and local election, politicians gravitate towards parties that are doing well on pre-election surveys or have a strong standard-bearer. It is argued as well in this research that political parties in the Philippines lack ideological grounding and affiliations are based mainly on the whims of each would-be politician and his networks based either on kinship or recommendation of other patrons and financial backers. Due also to the nature of the electoral system based on an open-list proportional representation (PR), parties can come and go as they please, which devolves into the personalistic politics that are seen in the status quo (Hutchcroft, 2019). Philippine democracy has taken its due course because of the lack of regulative guidance to promote political parties as vehicles for representation and popular mobilization. The freedom that democratic elections have tolerated party turncoats with little to no effect on their political aspirations due to the personalistic nature of the voting culture. With no ideological base and solid political foundations for parties, the motivations for joining are focused more on leveraging political machinery, financial backers, and personal brand affiliations.

Because of this trend, parties are hijacked by influential elites who are the lifeblood of every Philippine political party. Corresponding to the Commission on Elections (COMELEC), on Sec. 100. Limitations upon expenses of candidates, campaigns can only have an aggregate of (1.50 PHP) for every registered voter in the constituency. Based on the official numbers, Rodrigo Duterte won the Presidential elections with 371 million PHP, which is beyond the established ruling of the COMELEC (Uy, 2016). While his campaign expenditure is not the highest, this is a norm in Philippine politics with parties soliciting campaign funds from various sources that are often shaded in secrecy and more often than not are rewarded with winning government projects and biddings such as in the case of his ubiquitous ally Dennis Uy who



has won numerous projects and decisions such the controversial transfer of the Malampaya gas (Flores, 2021).

Even during the start of the elections, Duterte has been infamous for his visits to China in 2015-2016 and alluding deep ties with various entities such as the notorious and secretive Michael Yang who draw the ire of the public after sources have been insinuating that Yang will be his “economic adviser” who is a Chinese citizen and is connected Xiamen Fu De Sheng and the Philippine Fu Deng Sheng Group which translates to English to “Full Win” (Ranada, 2019). This claim was then validated in 2018 after contracts surfaced indicating that Michael Yang was indeed given the title of “Economic adviser to the President” and another that stipulates “Contract of Expert and/or Technical Services” (Ranada, 2018). Yang’s name appeared again in 2019 after allegations of a dismissed police officer that the accused was linked with illegal drug dealings the reports were halted in 2017 for unknown reasons and in 2021 Yang denied other allegations of then-senator Gordon of being a Chinese communist agent because of his close ties with the president that seemingly has affected Philippine foreign policy (Venzon, 2019; Rappler, 2021).

Allegations of Duterte’s links with China did not end with Yang after then-Senator Antonio Trillanes alleged Duterte’s son of being part of the Chinese drug triad, while the elder Duterte replied by accusing the opposition senator of having illegal offshore accounts with a Chinese national and later recanting his statement that his allegations were made up (Placido, 2016; Marcelo and De Guzman, 2017). Despite Trillanes challenging Duterte to show documents of his accounts, the then-president did not push through and even requested his Statement of Assets, Liabilities, and Net Worth (SALN), which was a requirement for all government officials, was unjustly stonewalled (Teodoro, 2021). In 2018, Duterte ordered the arrest of Trillanes on the grounds of the former senator’s coup attempt, which was seen by many as clear persecution and a warning to those who would want to oppose his leadership (Villamor, 2018).

Countering allegations and contestations, Duterte has often resorted to labeling and branding those opposed to his administration as enemies of the state and in various statements have identified contesting groups as “communists” and most notably has even jailed former Secretary of Justice and senator Leila de Lima for unproven drug allegations after her contentious stance against Duterte (Gita-Carlos, 2022; Strangio, 2022).

Case on Environmental Protection: Kaliwa/ Laiban Dam and Dispute from Civil Society Groups

The lingering social concern of water shortage has been duly monitored by the World Health Organization, tallying 1 in 10 citizens remain do not have access to clean water sources, and was part of the 10 leading causes of death in the Philippines that claimed 139,000 lives in 2016 alone (World Health Organization, 2019). The scarcity of fresh water is also exacerbated by climate extremes such as the El Niño



phenomenon and other natural hazards that affect the water supply in the metro, also due to its geographic location (Doroteo, 2015). Due to the lack of water supply, not only is it a health and social concern but also has had economic impact due to the lack of water supply which incurred 464.27 million Philippine Pesos (PHP) in total agricultural losses during the height of El Niño in various regions (Miraflor, 2019). Even before the water scarcity faced by the Philippines in 2019, the Asian Development Bank ranked the Philippines at 33 out of 48 in terms of water security due to the combination of natural factors that limit the capacity of the island country to supply water to its citizens (Asian Development Bank, 2016).

To answer this looming crisis, the Philippine government has chosen to reintroduce the Laiban Dam Project, which was the precursor to the Kaliwa Dam initiative, despite it being in the government's pipeline since the 1970s. Throughout its project lifespan, the first versions of the Laiban Dam Project faced various challenges, including the project being halted due to socio-cultural and environmental concerns regarding ancestral lands and ecological impact. Throughout its history, the project has been riddled with politics that have halted its progress for decades. A mission to develop the country's bulk water supply in the Kaliwa River watershed first faced its major hurdle with the regime change following the EDSA revolution in the 80s and was consequently shelved by the Aquino III and Ramos administrations. After decades of languishing, the plans were only resurrected under the Macapagal- Arroyo regime once it had secured financing from China, only to be prematurely halted after the government faced the ZTE-National Broadband Network deal scandal involving allegations of corruption and illicit deals (Philippine Daily Inquirer, 2019). In 2009, talks resumed to revisit the project with the interest of business conglomerate San Miguel Corp. after it proposed a 52 billion Philippine Peso (PHP) project to resume the construction of the dam but was met with criticisms due to its consequences that will displace indigenous tribes since the land overlaps ancestral domains and the irreversible environmental impact it would have; subsequently, it was terminated in March of 2010 (San Miguel Corporation, 2009).

In the status quo, the Philippines currently treads on the red regarding the freshwater supply. With climate extremes looming, the water supply to the megacity of Metro Manila is in dire straits. As a solution, the now renamed New Centennial Water Source Kaliwa Project (NCWS KDP) was conceptualized and penned to be revived, and is expected to have an output of 600 million liters per day. The project is funded via an Official Development Assistance (ODA) from China's Belt and Road Initiative (BRI) costing 12.20 billion Philippine Pesos (PHP) and was signed in 2018 on a loan agreement, and the Dam's construction was awarded to China Energy following the agreement (Placido, 2018).

With the impending push for the dam project, resistance from various groups was heightened. In a letter to President Duterte, the Save Sierra Madre Network Alliance Inc. (SSMNA) issued an open letter to denounce the resumption of the NCWS KDP project citing the effects it would have on the communities of 1,465 families

across the Quezon and Rizal provinces, as well as the environment, and questioned the motivation behind the project stating that the lack of water supply in the urban centers is not due to the lack of dams but due to the mismanagement of water distribution. Furthermore, the group questioned the location of the construction of the project, which is situated within the vicinity of the Philippine Fault Zone and the Valley Fault Zone. Experts have already raised concerns that these are active tectonic plates that can fault the dam and cause irreversible damage with future tectonic movements (Philippine Daily Inquirer, 2018b).

Another major contention against the dam project was during the state visit of Xi JinPing in 2018 where Indigenous Peoples (IP) groups from affected regions of Quezon and Rizal participated and renounced the dam project among the Metropolitan Waterworks and Sewerage System (MWSS) and China Energy Engineering Group as it would submerge 2,352 hectares of ancestral domains of the Agta-Remontado stretching from Quezon Province to Rizal (PAKISAMA, 2018). Moreover, the group has questioned the motive of the project, which they have labeled as pro-China, pro-business, and targeted against the rights of the indigenous communities that will be affected by the inevitable displacement affecting 28,000 hectares of forest (Chavez, 2019). SSMNA also raised concerns regarding the transparency of the process of attaining the needed documents for the project construction. It was questioned on the grounds of the questionable selection process that transpired during the awarding of the project, as investigated by the COA, to have failed to be transparent and had an initially negotiated contract in the early stages of the bidding process (Commission on Audit, 2019).

In 2021, the Commission on Audit (COA) raised concerns regarding the Kaliwa Dam and the permits that were needed for it to be implemented. It was raised by COA that the NCWS KDP project went on despite not having the needed agreements from government agencies and offices, based on the COA Audit Report in 2020 (Sarao, 2021). With the issue regarding the missing documents, the project itself was put into jeopardy and may lead to the withdrawal of the already issued Environmental Safety Certificate (ECC) from the Department of Environmental and Natural Resources (DENR), which will take effect if proven that the project will endanger the communities and the environment. It was later reported that the Chinese contractor China Energy Engineering Corp. (CEEC) has already started the mega operation despite the inconsistencies and lack of documentation for the project and the approval of the National Commission on Indigenous Peoples (NCIP).

Further protests were affirming this stance, initiated by one of the well-known environmental advocacy groups opposing the Kaliwa Dam project, “Kalikasan People’s Network for the Environment” (Kalikasan PNE), which calls for the stoppage of the project. The group alleges that the project is being “railroaded” by the government in support of its pro-China and pro-big business discrimination against marginalized communities (Mallari, 2022). Kalikasan PNE alleges the Metropolitan Waterworks and Sewerage System (MWSS) and the National Commission on Indigenous Peoples



had questionable practices in securing the Memorandum of Agreement (MOA) from the communities that will be affected by the NCWS-KDP project by excluding other communities due to COVID-19 infection concerns, while the government has reiterated that these are mere protocols and members of the Kalikasan PNE are not directly affected by the project.

Scientific studies have reinforced the stance of the coalition with concerns about both the efficacy and risks posed by the megaproject. According to the report, the Kaliwa Dam has the lowest rate of return financially among other water projects to service Metro Manila (World Bank, 2012). With its impact and long-term viability questioned, the project's projected environmental impact does not contribute support to the project, with reports stating that the project will have irreversible effects on the biodiversity of the area, since the area where the dam was to be built is a nature sanctuary is a central habitat to various plant species and animals (Haribon, 2018).

State-Sponsored Repression Within Duterte's BBB/ BRI Projects

While on paper, the Duterte administration's drive to infuse economic growth through traditional pump-priming mechanisms is nothing new, the controversial side of the development initiative of the administration takes on a sinister turn once the context of the BBB and BRI projects is further elaborated and examined. Instances of abuse and pressure from state officials are not only present in the cases mentioned but also reinforce the systemic problem of forceful coercion and disenfranchisement of opposing movements and contestations.

Under the BBB program, recorded instances of intimidation and even killings were hastily justified on the premise of counter-communist insurgency. A recent case of this was the death of two well-known environmental activists and members of the Dumagat Sierra Madre group, Randy and Puro Dela Cruz, who were killed due to the contested Kaliwa Dam project (Quismorio, 2021). The deaths were part of the notorious "Bloody Sunday" on March 7, 2021, which was said to be a crackdown on enemies of the state. Being part of the Dumagat tribe, the activists were targeted and summarily killed.

Another project that has had recorded cases of abuse was the Chico River Pump Irrigation Project which was raised by then congress representative Neri Colmenares as being one-sided as it unfairly uses the Philippines' natural resources as collateral and specifically could take control of the natural gas deposits in Recto Bank if the Philippines would lose the capability to pay back its loans from China (CNN, 2019). It was raised in Congress hearings in 2019 that China unjustly asks for unjust loan interests, which is a worrying pattern with other BRI projects. Being part of the opposition, Colmenares' aim to contest the project was not met with mass support from other lawmakers, given that the lower house was in a state of "supermajority," all in favor of Duterte. Being on the side of the opposition takes away the perks of having support from their peers and could spell the



end of their bills, projects, and budget, which turns many away to go against the majority. Despite the effort to halt the P 4.37 billion projects, it is still ongoing after its initial groundbreaking in June 2018, which is funded by China Exim Bank and implemented by China CAMC Engineering Company, Ltd.

The third example of the state's ability to counter the critical voices is the Sangley Airport project, which would force the Philippine Navy to move (Straits Times, 2020). The Sangley port project is projected to be in the strategic location of Sangley Point to make way for the P500 billion initiative to alleviate air traffic. Duterte has approved the project in partnership with local Taipan billionaire Lucio Tan of Macro Asia. It however is questionable given that the company to partner with Tan is a company that has been known to be tied with the militarization of the West Philippine Sea and blacklisted by the United States, China Communications Construction Co. (CCCC). Pundits have argued that the location of Sangley Point would be a critical blunder for the Philippines if there was a similar provision for leasing the airport if the Philippines was unable to pay off the loans and giving up the strategic location of Sangley Point would be detrimental to the Philippines' defense network as it will make Manila and even neighboring countries in the ASEAN vulnerable if China decides to make it a base of operations.

The three cases highlight the modes of participation that are available, given the circumstances under the Duterte administration. Nevertheless, these also are representative of the state's oppressive and authoritarian tendencies to control the voices of the people through brute force as seen in the Kaliwa Dam project, political alienation with the disempowerment of the opposition in congress and senate, and finally, through direct influence in the top with Duterte's power and influence to fast-track projects with little to no checks and balance from other branches that are occupied by his allies. State-backed capital, especially from China, relies on the recipient state to control alternative voices and repress the contestations that could hamper the project's development (Camba, 2020). The Modes of Participation (Rodan, 2018) will highlight contrarian action that triggers the "strategies for containment" seen within "dynamics of escalation" that this research work will strive to achieve and add to the existing literature with the reinforcement of other theories and frameworks of analysis. Coalitions for and against the BRI and BBB continually reshape the rules of interaction that the state has the power to change to protect specific interests. The contestation that exists among communities, businesses, and opposition state actors exposes the state's systemic repression of the minority at the expense of the rights of its citizens.

Conclusion

The Duterte administration was successful in containing contrarian voices and social movements with its deliberate and brazen use of force, intimidation, and the



law. The rule of law was skewed to rule by law, therefore limiting the freedom and voices of the margins, such as in the case of non-government organizations, social movements, oversight groups, and watchdogs. With the modes of participation being controlled by the state as its apparatus, opposing groups and individuals are ostracized and alienated in fundamental processes of societal transformation and reforms embedded in a functioning democratic system. China functions not as a single state entity but as a disjointed syndicalist entity that operates on the fringes of legal policy frameworks and agreements despite its connections to the state by being partially owned or directly under state party control and management.

Based on the study, a dynamics of escalation is hereby presented as an extension to the existing framework introduced in the Modes of Participation is captured on three main points

1. China's hybridization of the industry presents a convenient extension of state power guided within private modes of operation and agreements. The BRI creates the necessary ecosystem where funding, industrial capacity, and diplomatic ties are skewed towards the fulfillment of China's aim to expand and intensify its influence in the developing and developed world. It solves two major problems in China, which are to find an avenue where economic and industrial surplus can be dumped, and second, to find new funding mechanisms through long term loans ensuring economic stability while at the same time growing links and diplomatic ties with emerging economies that later on will be vital if China deems it important to shape domestic policy towards its side.
2. Civil society organizations in the study were effectively repressed by the Duterte administration by gatekeeping the modes of participation from contrarian groups and organizations through its influence in the local government and agencies. It was not a case of the organizations not wanting to be part of the existing framework of participation, but rather a blatant attempt by the government to exclude the voices to pursue government projects under the banner of the BRI. Using unlawful tactics ranging from intimidation, violence, and alleged assassinations, the government can shift the modes of participation away from its intended goal of being an inclusive stage for community voices that are integral for bargaining, negotiation, and compromise. The escalation was never an option to begin with if the actors that can act as the opposing view are not included in the process in the first place. In this scenario, groups are pushed to choose to advance non-traditional avenues such as rallies, pickets, and the use of social media to force themselves into the process.
3. Sustainability transitions in the developing world, in a development partnership or combined with other organizations and actors, should always be an inclusive bottom-up project. Civil society organizations and groups are necessary parts of transitions, with their opposing stance serving as a counterbalancing



argument that reconfigures government projects towards impacting not only the macroeconomic side but the microeconomic ventures of actors. The Philippines under Duterte did not choose to include the actors and instead opted to kowtow to China with complete disregard for the affected communities and remain unfazed with its banner projects and tag it as pro-poor and inclusive.

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